<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Auckland Transport Update Report for the Whau Local Board August 2019</td>
</tr>
<tr>
<td></td>
<td>A. 28 August 2019 - Whau Local Board - Item 11 - Auckland Transport Update Report for the Whau Local Board August 2019 - Email advice from Grant Hewison</td>
</tr>
</tbody>
</table>

Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
From: Grant Hewison <grant@grantthewison.co.nz>
Sent: Wednesday, 28 August 2019 3:34 PM
To: Tracy Mulholland (Whau Local Board) <tracy.mulholland@aucklandcouncil.govt.nz>
Subject: Cars In Cliff View Drive – Parking Issues
Importance: High

Good afternoon Tracy,

I noticed this in the Whau LB Agenda to be heard today:

Cars In Cliff View Drive – Parking Issues: Auckland Transport (AT) realise that vehicles for sale can be a nuisance, particularly if there are a number of such vehicles parked at a location. However, AT considers that these do not cause an issue for other road users if parked in a legal and safe manner. Please be advised that there is no law that states a person cannot advertise a car is for sale. A registered car with a current warrant of fitness or registration which is parked in an unrestricted area is parked legally, even if a ‘for sale’ sign is displayed. If any cars are not registered and do not have a current warrants of fitness, AT will be able to issue penalty notices. Unfortunately AT is unable to take any action in relation to these cars.

However, Clause 8(4) of the AC/AT Traffic Bylaw 2015 states:

“Except with the approval of the council a person must not on any road or public place: (a) stop, stand or park a vehicle for the purpose of offering a good or service or for offering the vehicle for sale unless the vehicle is being used for day to day travel;”

Clearly Auckland Transport’s advice does not acknowledge the power they have under the Traffic Bylaw 2015.


The Land Transport (Offences and Penalties) Regulations 1999 authorises the issue of an infringement notice for not complying with many of the restrictions imposed under this bylaw.

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