

26 May 2025

File Ref: IRC-8389

Jeff
fyi-request-30865-8408fetc@requests.fyi.org.nz

Tēnā koe Jeff,

Thank you for your email dated 30 April 2025 to Te Kaunihera o Pōneke | Wellington City Council (the Council) requesting the following information:

1. *Wellington City Council's policy regarding the enforcement of vehicles obstructing private driveways, including the circumstances under which a vehicle may be towed.*

In the Council's reply, could you please also advise:

2. *What constitutes a driveway obstruction under current bylaws or policy.*
3. *What evidence is required for a parking enforcement officer to authorise towing.*
4. *Who may lawfully request or initiate the towing of a vehicle obstructing a driveway.*
5. *Whether the presence of signage or road markings is necessary for enforcement.*

Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Questions 1 and 2 – *Wellington City Council's policy regarding the enforcement of vehicles obstructing private driveways, including the circumstances under which a vehicle may be towed. What constitutes a driveway obstruction under current bylaws or policy.*

The Council enforces vehicle entryway offences (VEO's) as provided for by rule 6.9 of [the Land Transport \(Road User Rule\) 2004. Rule 6.9:](#)

- (1) *A driver or person in charge of a vehicle must not stop, stand, or park the vehicle so as to obstruct entry to or exit from any driveway.*
- (2) *For the purposes of this clause, a vehicle parked alongside any part of a kerb crossing provided for a driveway or within 1 m of the prolongation of the side of a driveway must be regarded as obstructing entry or exit.*

The Council does not have a specific policy addressing this matter and therefore this part of your request has been refused under section 17(g) of the LGOIMA because the requested information is not held.

Question 3 – *What evidence is required for a parking enforcement officer to authorise towing.*

Parking officers are trained to measure and mark all relevant distances, which include the marked prolongation lines and the amount the vehicle is parked within the one metre of prolongation. Before issuing an infringement, parking officers gather photographic evidence of the offence which includes:

- Front of vehicle on road with licence plate visible
- License label
- All marked measurements
- Full environment shot including vehicle, obstructed entranceway/driveway, and markings.

Towing for this offence is considered if the offending vehicle is restricting usage or access to the driveway or if the offending vehicle's position will force other vehicles to manoeuvre unsafely in order to gain access to the driveway.

Question 4 – *Who may lawfully request or initiate the towing of a vehicle obstructing a driveway.*

Parking Officers are authorised under section [128E of the Land Transport Act 1998](#) to enforce the provisions of any stationary vehicle offence or special vehicle lane offence, and to enter, or authorise another person to enter, the vehicle for the purpose of moving it or preparing it for movement; to any place where it does not constitute a traffic hazard.

Parking Officers hold a level of discretionary power as advised under Land Transport Act 1998. The powers are permissive (may) and not mandatory (must) and on this basis our Parking Officers can apply some level of discretion in terms of whether they issue a ticket or warning, and whether they request a vehicle to be towed.

Question 5 – *Whether the presence of signage or road markings is necessary for enforcement.*

No signage or road markings are required to enforce this offence.

You have the right, by way of complaint under section 28(1) of the LGOIMA, to request an investigation and review of the Council's decision to withhold information by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you require further information, please contact official.information@wcc.govt.nz.

Nāku noa, nā



Ollie Marchant
Senior Advisor
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Wellington City Council