



How can I avoid a Parking Breach Notice in future?

1. Always read the parking signs and understand the conditions before you park.
2. Purchase a little extra time when paying for parking.
3. Use the **ParkMate App** for convenience and peace of mind
 - Purchase parking in advance
 - Set up reminders
 - Start and stop your session from your phone when you arrive and leave


ParkMate

Download ParkMate now:



View the FAQs on www.pesnz.co.nz for more helpful hints on avoiding a breach notice.



Parking Enforcement Services is a proud signatory to the Code of Practice for Parking on Private Land, and we are a member of the New Zealand Parking Association.

GET IN TOUCH

 0800 727 536

 www.pesnz.co.nz



Parking Breach Notice
Information Guide



Uh-oh... you've received a Parking Breach Notice

We know receiving a Parking Breach Notice is never pleasant. It can be frustrating, but it's a common reality in busy urban areas.

This guide is here to help you:

- Understand why you may have received the notice
- Learn how and where to appeal
- Pick up some tips to avoid getting one in the future

Why do car parks need compliance monitoring?

To maintain fairness and accessibility in the car park for everyone.

Why have I received a Parking Breach Notice?

Parking Breach Notices are issued under **contract law**. When you enter a car park on **private property**, you agree to the **Terms & Conditions of parking**, which are displayed at the site. These terms might include:

- Payment requirements
- Maximum parking time limits
- Parking only in designated spaces

If you do not agree to these terms, you should leave the car park. If you choose to park, you agree to the terms. If the terms are breached, a notice may be issued in line with those conditions.

How are Breach Notices issued?

Compliance of the Terms & Conditions is monitored in several ways, including:

- Our staff on foot or in vehicles
- Licence Plate Recognition (LPR) vehicles
- Fixed LPR cameras

Grace periods

To ensure fairness, we apply grace periods before issuing a notice. These are short, reasonable time allowances designed to give you the benefit of the doubt. They include:

- **Before payment** - time to read the signs, decide whether to stay, and pay.
- **After payment expires** - time to return to your car and exit the site.
- **After a time limit is reached** - extra time to allow for traffic delays within the car park.

Grace periods vary by site depending on layout and conditions, but are applied fairly and in good faith.



Are Breach Notices legal?

Yes. Parking Breach Notices are enforceable under **New Zealand contract law**, and their legality has been confirmed by the New Zealand Supreme Court.

- The Supreme Court in *Honey Bees Preschool Ltd v 127 Hobson Street Ltd* [2020] NZSC 53 confirmed the enforceability of contractual charges where terms are clear.
- Numerous Disputes Tribunal cases in New Zealand have upheld private parking breach notices where signage is adequate and grace periods are reasonable. Breach fees vary but the Disputes Tribunal has accepted that breach fees from \$45 to \$120 are not unreasonable.

Breach notices are a friendlier alternative to towing or clamping.

What should I do next?

Don't ignore the notice – it won't go away.

- **Review your notice** - Visit our enforcement portal at www.pesnz.co.nz to check the details of your breach.
- **If you accept the notice** - Payment can be made directly through the portal using the payment options provided.
- **If you want to appeal** - Lodge your appeal through the portal, including any evidence to support your case. All appeals must be in writing. Our customer service team will respond to you within 10 working days with an outcome or request further information. If you prefer you can also send your appeal by post to:

**Parking Enforcement Services, PO Box 8290,
Newmarket, Auckland, 1149**