

Kate
Wellington City Council

Wellington, 30/04/2025

**Re: Request for Court Hearing and Challenge of Infringement Notice
Infringement Number 480456181, Registration Number DBW958**

Kia ora Kate,

Further to our prior correspondence, I am writing to formally request a court hearing in relation to the infringement notice issued against me.

I regret to inform you that I am unable to provide a Statutory Declaration identifying the driver of the vehicle at the relevant time. This is due to the transient nature of individuals who visit my residence, including guests staying via Airbnb. It would be inappropriate and impractical to solicit such declarations from individuals in these circumstances.

I maintain that the infringement notice should be withdrawn on the following grounds, which I believe indicate procedural unfairness and a breach of statutory obligations by the Wellington City Council:

1. Lack of Proper Notification:

According to the Council's own website (<https://wellington.govt.nz/your-council/projects/bus-lane-cameras>), it is stated that:

"Signage will be installed near cameras to notify the public that cameras are operating, and that vehicles may be issued infringement notices."

The photographic evidence provided by the Council shows that no such signage is placed in a clearly visible location near the camera in question.

2. Camera Placement and Visibility:

As demonstrated in both the Council's imagery and my own, the camera is not only effectively invisible to approaching drivers but is also installed at a location that appears to be beyond the end of the designated bus lane. This undermines the legitimacy of the enforcement.

3. Inadequate Signage:

The only signage purportedly warning of surveillance is positioned just prior to the end of the bus lane and is obscured by the bus stop infrastructure. This placement fails to meet reasonable standards of visibility and fails to satisfy the requirement for clear public notification.

4. Privacy Concerns:

The image captured does not clearly identify the driver, and the current configuration of the camera and associated signage does not comply with the

principles of the Privacy Act 2020, particularly those relating to the collection and transparency of personal information through fixed surveillance devices.

In light of the above, I respectfully request that the infringement fee of NZ\$150 be withdrawn.

Please also note that I will be overseas from 30 April to 7 October and will be in a time zone with a 10–12 hour difference. I am, however, more than willing to attend a court hearing at any time following my return.

Thank you for your attention to this matter. I look forward to your response and to resolving this issue through the appropriate legal channels.

Ngā mihi,

A handwritten signature in black ink, appearing to read 'Silke Noll', is written on a light blue background.

Additional Context:

It is worth noting that just beyond the end of the bus lane, the lane transitions into a left-turn lane. Given the frequent and severe congestion through Newtown—often extending several kilometres—drivers may reasonably enter the left-turn lane slightly early when there are no approaching buses and the traffic lights are green. This practical decision can help ease traffic flow. The current design of the bus lane, coupled with the positioning of enforcement cameras at the very end rather than at the start or midpoint of the lane, does not fairly reflect the actual use or misuse of the lane and instead risks penalizing drivers acting in good faith under difficult traffic conditions.

Silke Noll

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As demonstrated in this Council imagery, the camera is installed at a location that appears to be beyond the end of the designated bus lane.



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The only two signages purportedly warning of surveillance are positioned just prior to the end of the bus lane and obscured by the bus stop infrastructure. This placements fail to meet reasonable standards of visibility and fails to satisfy the requirement for clear public notification.





