
REPORT 3
(1215/11/IM)

Report of the Strategy and Policy Committee
Meeting of Thursday 16 August 2012

Members: Mayor Wade-Brown, Councillors Ahipene-Mercer, Best (Deputy Chair), Cook, Coughlan, Eagle, Foster (Chair), Gill, Lester, McKinnon, Marsh, Morrison, Pannett, Pepperell and Ritchie.

THE COMMITTEE RECOMMENDS:

1. **ITEM 238/12P STATEMENT OF PROPOSAL FOR CONSULTATION ON TRAFFIC BYLAWS AND TAXIS USING PAY AND DISPLAY AREAS**
(1215/52/IM) (REPORT 3)

THAT Council:

1. *Adopt the Statement of Proposal attached as Appendix 1*
2. *Agree to initiate the special consultative procedure under Section 83 of the Local Government Act 2002.*

2. **ITEM 239/12P ADOPTION OF THE FINAL POSITIVE AGEING POLICY**
(1215/52/IM) (REPORT 4)

THAT Council:

1. *Adopt the Positive Ageing Policy attached as Appendix 2.*
2. *Delegate to the Chief Executive Officer and the Social Portfolio leader, the authority to amend the Positive Ageing Policy to include any amendments agreed by the Council and any associated minor consequential edits.*

Andy Foster
Chair

Statement of Proposal

STATEMENT OF PROPOSAL TO AMEND TAXI AND PARKING PROVISIONS IN THE WELLINGTON CITY CONSOLIDATED BYLAW 2008 PART 7 – Traffic

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APPENDIX 1:

Wellington City Consolidated Bylaw 2008 Part 7– Traffic

1. Introduction

This statement of proposal about changes to the Wellington City Consolidated Bylaw 2008 Part 7 – Traffic is being published so we can find out what Wellingtonians and stakeholders think about some proposed taxi and parking changes. These involve some restrictions on where taxis can park in certain parts of the central city.

The amendments are proposed in accordance with the Local Government Act 2002 (LGA 2002) and the consultation will meet the requirements of section 83 of the LGA 2002 and section 22AD of the Land Transport Act 1998.

This document contains:

- background information
- an outline of the review process required under the LGA 2002
- an identification of the ‘perceived’ problem
- an impact analysis of the proposed amendments
- the text of the proposed amendments to the traffic bylaw.

2. Have your say

Wellington City Council (the Council) is keen to know what people think about the proposed amendments. A submission form is included in this document. Additional copies are available online at Wellington.govt.nz and at the City Service Centre and libraries. You can also get copies by emailing policy.submission@wellington.govt.nz or phoning 499 4444.

The Councillors will consider all the submissions before deciding whether to adopt the proposed changes to the traffic bylaw. Submitters can speak to the Councillors by making an oral submission. These will be heard by the Strategy and Policy Committee in November 2012.

Please make a submission online at Wellington.govt.nz, email your submission to policy.submission@wellington.govt.nz or fill in the attached submission form and send it to Taxi and Parking Bylaw Changes, Freepost, Wellington City Council, PO Box 2199, Wellington.

Written submissions open on 11 September 2012 and close at 5pm on the 19 October 2012.

3. Background

The Council provides more than 12,000 on-street parking spaces in the central city and surrounding area. Of these parking spaces, around 6000 are in the CBD. These parks include spaces for taxis, couriers, people with disabilities, bus stops, diplomatic services and others. To ensure that as many people as possible can use these parking spaces and that our roads are free of obstructions, the Council regulates and enforces parking times and applies charges using meters and pay-and-display machines at about 3400 of these spaces. This is done through Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (the bylaw).

There are 1237 taxis licensed to operate in Wellington City. With many of these in the CBD, an issue has arisen where taxis are using pay-and-display parking spaces without paying, preventing other people from using them. This is a greater issue in some areas than others.

It is recommended that the bylaw is amended to introduce controls on taxis parking in these areas.

To address this issue, it is proposed that a definition for a 'taxi' is introduced into part 7 of the bylaw, based on the first two parts of the definition in the Land Transport Act 1998. To be a taxi, a vehicle must;

- a) be a small passenger service vehicle; and
- b) be fitted with a sign on its roof displaying the word "taxi" and any other signs required by regulations or Land Transport rules

A further subclause would be added to clause 4.1 of the bylaw stating that a taxi (as defined) cannot park in nominated areas where their use of parking is a particular issue unless it is on a designated stand, as defined in the Land Transport Rule: Operator Licensing 2007, or it is waiting for a hirer who has already hired the vehicle.

This restriction could apply to all metered parking areas or specific taxi restricted parking areas as defined by Council resolution from time to time. At this point, it is proposed these areas include:

- Bond Street (note that parking in Bond Street may be reviewed as part of the review of pedestrian safety in the Willis St area)
- Pipitea Street
- Waring Taylor Street
- The Terrace, by Aurora Terrace
- And areas of Featherston Street.

A taxi can remove its signage to be used as a private vehicle, however if it is “fitted with a sign on its roof displaying the word ‘taxi’ and any other signs required by the regulations or the rules” and it is parked within a restricted area, it will be considered a taxi and ticketed accordingly.

4. Legislation

The following legislation is relevant to the proposed amendment:

Land Transport Act 1998

This requires the Council to use the special consultative procedure in the LGA 2002 to amend the bylaw.

Land Transport Rule Operator Licensing 2007 – Duties of drivers relating to obstruction of other small passenger service vehicles or road

The rule describes the rights and obligations for taxis using parking spaces.

5. Development of the proposed amendment

5.1 Land Transport Act 1998 requirements

The bylaw was created in accordance with section 22AB of the Land Transport Act 1998. Section 22AD of the Land Transport Act 1998 states that the Council must use the special consultative procedure provided in section 83 of the LGA 2002 to amend the bylaw. To assist with that process, the sections of this statement of proposal that are set out below follow the framework for bylaws made under the LGA 2002.

5.2 The ‘perceived’ problem

Taxis are continuing to use metered parking spaces when they are for hire and waiting for a fare. This is a particular problem in the central business district, where parking is limited, and generates complaints from the public, who are unable to use the parking spaces. The powers under the current bylaw make it difficult for parking wardens to determine whether the taxi is parked legally or whether they can issue an infringement notice or require it to move to another location.

Under the proposal, taxis would be able to continue to use taxi ranks in these areas and set down and pick up passengers.

5.3 Is a bylaw the most appropriate way to address the problem and is it the most appropriate form of bylaw?

The reason for the changes to the traffic bylaw is to clarify the powers of parking wardens in relation to taxis using metered parking spaces when they are waiting for a fare.

Without a change to the bylaw, the rules for parking wardens enforcing the existing bylaw would remain unclear. The Council has already decided to use a bylaw to control parking in the central business district so an amendment to this bylaw is the most efficient way to address this issue. On this basis, an amendment to the bylaw is the appropriate method to address the perceived problem.

5.4 Bill of Rights implications

The Council must determine whether the proposed amendment to the traffic bylaw has any implications under the Bill of Rights Act (BORA). In reaching a conclusion on that, it is important to remember that under section 5 of the Act, all rights can be impinged upon if it can be shown that what's proposed is a reasonable limitation that is justified in a free and democratic society.

The proposed changes to the traffic bylaw do not restrict any rights in the BORA. The use of metered parking spaces by taxis in busy areas prevents the public from using them. Taxis are able to park legally in areas to set down and pick up passengers and on taxi ranks within restricted areas. They can also park outside the nominated restricted areas or if they have removed or obscured the required taxi signs, they can park as a private vehicle in any parking space.

6. Process and proposed timeline

This consultation is being undertaken as a special consultative procedure. Public and targeted consultation is planned.

The timeline for considering the proposed changes to the traffic bylaw is as follows:

11 September 2012 – 19 October 2012	Consultation period
November 2012	Oral submissions heard
December 2012	Strategy and Policy Committee considers report on all written and oral submissions received
December 2012	The Council decides whether to adopt the proposed changes
Following Council adoption of the proposed changes	The amended traffic bylaw will come into force

Draft Bylaw

Wellington City Consolidated Bylaw 2008

Part 7: Traffic

The following changes are proposed for the Bylaw.

A) New definitions would be introduced to section 1.1 of the Bylaw

1. Definitions and Interpretation

1.1 In this part of the Bylaw, unless the context otherwise requires:

Taxi means a motor vehicle that is:

- a. a small passenger service vehicle; and
- b. fitted with a sign on its roof displaying the word 'taxi' and any other signs required by law.

Taxi Restricted Parking Area means the area or areas of Road identified as such by Council resolution from time to time.

B) Section 4.1 h. would be added to Section 4 of the Bylaw.

4. Parking at Parking Meters

4.1 In respect of areas controlled by parking meters:

- h. A Taxi may not stop, stand or park in any Metered Area in the Taxi Restricted Parking Area, unless it is on a designated stand as defined in the Land Transport Rule: Operator Licensing 2007 or it is waiting for a hirer who has already hired the vehicle.

POSITIVE AGEING POLICY

WELLINGTON CITY COUNCIL

August 2012

INTRODUCTION

Why a policy for positive ageing

The baby boomers are entering the 65 year and plus age group. Over the next twenty years their number will almost double in New Zealand to over a million. This unprecedented rate of growth has major implications on the demand for services, the city's economic performance and community resilience. The city needs to understand, prepare and respond to the ageing phenomena in ways that are not reflected in the past.

Nearly half of New Zealand's wealth resides with the 55+ age group and the average age of a business owner is estimated at 58 years old. The ability to support and engage with these people as they move into retirement will be crucial for the city's economic future.

The provision of social and support services to the growing number of elderly, particularly as they live longer, is a known challenge. The solutions reside with government, Council, families and the wider community.

Purpose of the policy

This *Positive Ageing Policy* is to provide direction for the Council to consider and plan for the impacts of an ageing population across all of its activities. This will help ensure that the city accommodates the needs of its citizens as they age. It will also help support the valuable contributions of older persons as they continue to shape the city's future.

Positive Ageing is a reflection of the Council's desire for older people to remain engaged with the wider community and contribute to its vitality. At the same time, the Council recognises the need to support older persons in the community as their needs change over time.

Scope of the policy

The scope of this policy is broad. It considers what roles the Council can play in:

- Positioning Wellington as a desirable choice for older persons
- Promoting the city as a safe, attractive, inclusive and vital place for older people to live
- Ensuring that neighbourhoods are supportive and caring; and resilient in times of need
- Ensuring that people have the necessary access to health, housing and social services as required
- Ensuring that people remain engaged and valued members of the city as they age, and in retirement.

Most activity related to the impacts of an ageing population will benefit all of the community.

BACKGROUND

The ageing population in New Zealand will result in significant social, economic and cultural changes for the city. The city's *Towards Wellington 2040: Smart Capital* provides a vision for the future that recognises the impacts for the city from the ageing phenomena.

In partnership with the Government and the community, Council will play a critical role in meeting the future needs of older people. Research into the impacts of an ageing population indicates that older persons will tend to be:

- More active and engaged thus placing greater demands on infrastructure and facilities; and providing opportunities for support of community activities
- More likely to remain in employment beyond retirement age
- Place an increased demand on social and health services and expenditure over time
- More likely to leave the city as they enter retirement however this trend may change as they become more economically active than previous generations. We currently have a third less +65 age group as a percentage of population than the New Zealand average
- More ethnically, socially and economically diverse which means they cannot be treated as an homogeneous group
- Increasingly isolated due to cultural, affordability, health policy, family support and language factors
- More likely to be “ageing in place” and a bias towards solo women as they outlive their male partners
- Increasingly caring for grandchildren or family which has implications for home support services.

Such trends pose opportunities and challenges for the city as it plans for the future. We will need to adapt to new lifestyle demands. The Council's policy also recognises the need for a partnership approach and is therefore aligned with government priorities in the *Positive Ageing Strategy*.

Opportunities include retaining Wellingtonians in the city as they age. This will help ensure that the city has access to the skills, knowledge and finance it will require for economic growth and vitality.

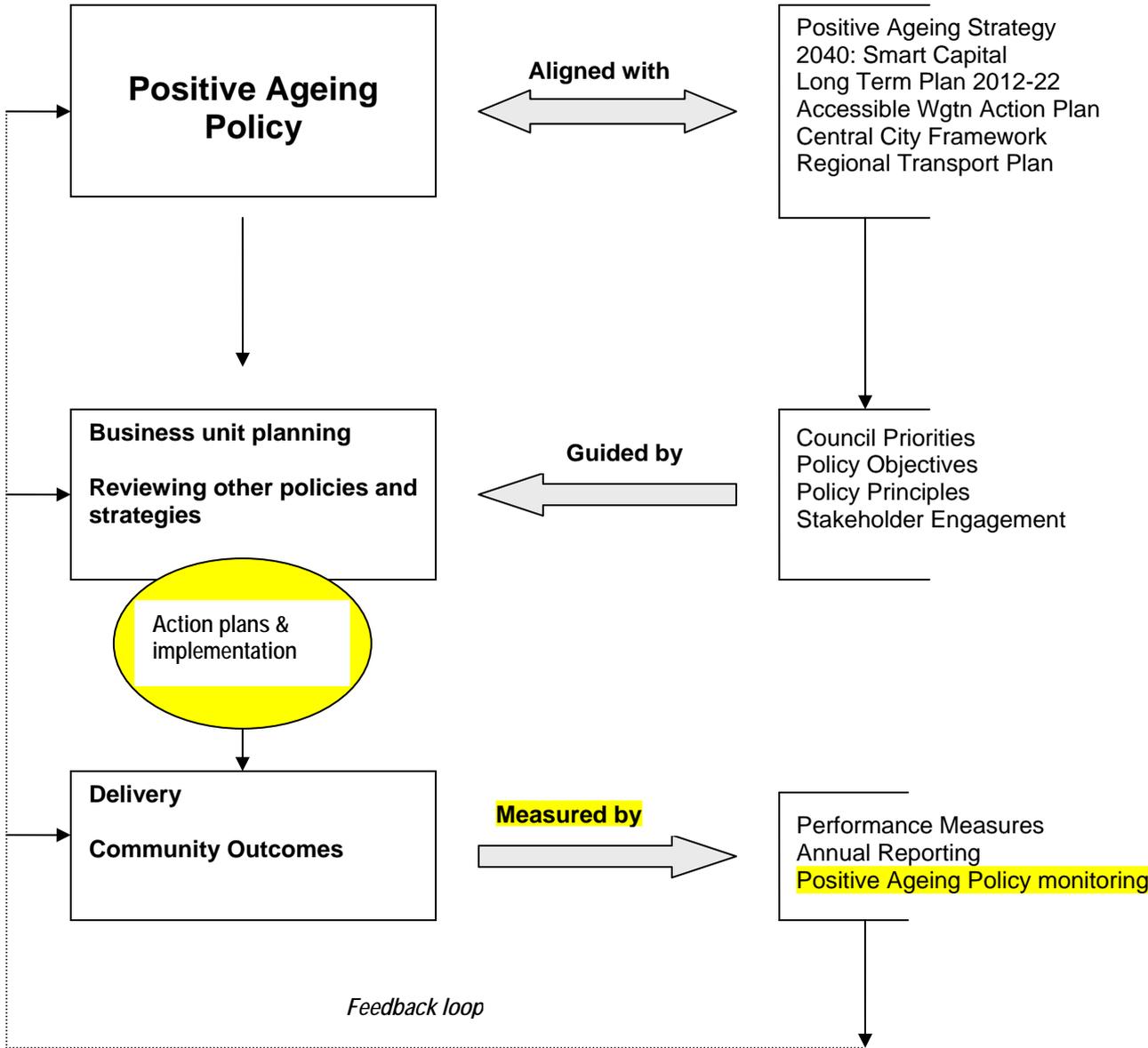
Challenges include changing attitudes towards retirement so that citizens prepare for a lifestyle change, however remain active and engaged in the community and the workplace.

POLICY APPROACH

The policy approach promotes an enduring response to the impacts of ageing and priority needs as they arise. It consists of the following elements:

- 1. Alignment with the national *Positive Ageing Strategy* and Council’s strategic documents and plans
- 2. Principles to help guide Council’s decision-making and planned activities
- 3. Objectives, Council roles and actions assigned to the strategic work areas in *Wellington 2040: Smart Capital*
- 4. Measurement and monitoring of progress

Diagram 1: Alignment with key documents through to objectives and implementation



Alignment

The Positive Ageing Strategy Goals

Government has responded to the growing proportion of older people by developing a *Positive Ageing Strategy (2001)*. This affirms and supports the contributions of older people in society. It sets down ten goals, each with a set of actions that aim to improve opportunities for older people to participate in the community. This Council policy adopts these goals (except for that specifically concerned with rural issues) which are incorporated in the policy objectives and Council roles below.

Towards Wellington 2040: Smart Capital

In 2011, the Council adopted a vision for Wellington in the future. This project considered the major drivers for change of which the ageing population was an important factor. Subsequent strategies, urban design frameworks and actions plans will recognise, and plan for, the needs of an ageing population.

Long Term Plan (LTP) 2012 -22 Outcomes

Councils are required to develop and review LTPs. These explain what the Council plans to achieve over a ten year period, why it plans to do it, the associated costs and how it will be funded. Activity areas reflect the community outcomes desired by Wellingtonians, including those that impact on the ageing population.

Accessible Wellington Action Plan

This plan outlines a set of actions designed to improve Wellington's reputation as an inclusive and socially responsible city - one that is accessible, safe and easy to get around. It has a focus on making the city and its amenities more accessible for those with physical limitations of any nature.

Other policies, strategies and plans will be regularly reviewed. This provides the opportunity to refresh our thinking and consider what Council responses might be included to achieve the policy objectives.

Principles

The Council commits to some broad principles to help guide its decision-making processes and service provision, specifically:

- actively engaging older persons in more economic, social, and political ways
- tangata whenua and our multi cultural diversity will be recognised and valued, and reflected in our city's culture
- acknowledging that ageing is a state of mind, not a factor of age.
- considering the impacts of an ageing population in its strategic decision-making, planning and consultation activities :- now and for the future

- working collegially, internally and with affected parties, to help inform decision-making and setting targets
- making decisions based on sound information and future needs
- having a shared responsibility with government and the community in promoting the interests of older people
- focussing on older persons' services, programmes and activities where it has greatest leverage and responsibility
- offering support to those who most need it
- providing opportunity to those who want it

Outcome

A future position for the city is one that embraces changing notions of 'retirement'; where Wellington is a city choice for older persons wishing to contribute to our social and economic vitality; a city that is appealing for older persons to remain because they are stimulated by the variety of social interactions provided and supported as their needs change over time.

Council Roles

Because the policy provides a framework for future planning and provision of services to help meet a more desirable state, the four strategic areas of *Towards Wellington 2040: Smart Capital* are adapted. These reflect the focus on positive ageing objectives.

Council roles are a mix of service provision, facilitation, advocacy to government agencies and communications. The four strategic areas are:

1. People Centred City – an open and welcoming city, with healthy and safe suburban communities

Role for Council:

- Consulting with older persons' representatives and groups as part of its engagement framework
- Providing an accountability framework, including a feedback loop, for older persons' outcomes
- Supporting the needs of an ageing population in its strategic, annual and long-term planning processes
- Remaining updated on ageing population research and international best practice service delivery
- Providing and promoting access to information required by older persons, and in a form that recognises language and disability barriers
- Promoting and supporting the retention of older persons living in the city

- Supporting the participation of older persons in recreation, employment, community services, volunteering, life long learning and technology usage
- Promoting and supporting the diversity of the local population and the contributions made by older persons
- Supporting community resilience through neighbourhood programmes and support networks
- Facilitating community collaboration and mobilisation of resources available for older persons needs
- Ensuring that safety programmes in the city consider the needs and rights of older people
- Including older persons as a target group in the provision of social housing, recreational programmes and information services
- Promoting healthy living for an ageing population
- Supporting a responsive social sector for the city, social cohesiveness and a strong volunteer sector
- Providing opportunities for active and passive recreation that are diverse, safe, affordable, accessible and attractive.

2. Connected City - there is effective and efficient infrastructure

Role for Council:

- Planning and providing for the parking and public transport needs of older persons
- Promoting a public transport system that is accessible and affordable for all
- Planning for the city to be pedestrian and cycle friendly
- Supporting ready access to a digital environment.

3. Eco-City – the urban environment reflects our needs and values

Role for Council:

- Providing accessibility options in open and public spaces
- Promoting the availability and application of sustainable energy and building performance options that reduce household costs
- Planning for a built environment that provides for a walkable city, sheltered corridors and attractive open spaces
- Involving volunteers and older person's organisations in environmental projects of benefit to the city.

4. Dynamic Central City – the central city accommodates the changing demands of an ageing population

Role for Council:

- Planning for the city and its amenities to be accessible for all
- Supporting the retention of ageing skilled workers and flexible work arrangements

- Promoting city activities targeted at an older age group for entertainment, investment, employment, community development and social networking objectives.

Actions and Implementation

For many Council activities implementation of this policy will be a business as usual approach. For others a more radical shift is required. An example of this is addressing the demands and opportunities presented as baby boomers remain in work longer, invest in the city and contribute to economic growth.

Other activities that will require a more direct approach are facilitating the limited resources available being effectively targeted to those who require services. And easy and central access to the increasing volume of information available for older people.

A business unit within the Council will be tasked with ensuring that Council roles in the policy are properly considered in all operational planning processes, and subsequently reported.

Measurement and Monitoring

A three tier measurement and monitoring regime is promoted. This involves a hierarchy from assessing citywide trends through to annual reporting of activities by Council business units. Thus the collective actions of government agencies, community organisations and the Council are captured and reported.

The three areas are:

Research and evaluation

City trends for older persons can be analysed from census data to determine factors such as accommodation types, the retention of older people in the city, income levels and employment levels. There is also a growing body of ageing related research that can be collated and applied to Wellington city.

Assessing progress

The World Health Organisation (WHO) Age Friendly Checklist provides a useful assessment tool to regularly test how the city measures up in responding to the needs of ageing citizens. This checklist covers activities in which the Council has influence to a greater or lesser degree. These include transportation, outdoor spaces, housing, social participation, communications and information, respect and social inclusion, social participation, and civic participation and employment.

These factors will be modified in the WHO checklist to reflect Wellington specific conditions and needs.

Council activities

From a Council delivery perspective, existing measurement and monitoring processes can be used or adapted. The annual ratepayer survey information used to inform Council's annual report can, in some cases, be analysed by age groupings. This would give a measure in each of the seven work areas of how older persons rated Council performance, their use of facilities and perception of things such as safety in the city.

Other specific measures related to Council activities that can be included in Annual Plans are:

- Council Housing – waiting times and percentage of elderly tenants
- Transport – number of disability parks and the public provision of mobility equipment
- Recreation – number leisure card holders (+65)