From: Arlene Goss

To:

Subject: Response to your official information request

Date: Friday, 8 July 2016 12:02:58 p.m.

Attachments:

Dear Mr Duff,

Official information request for FREE PARKING 75+

I refer to your official information request dated 8-July-2016 for information about the free parking scheme for people aged over 75 years.

The information you have requested is attached. The councillor responsible was a former city councillor named Neil Collins who is now retired. If you wish to contact him his address is Dunedin.

Good luck with your proposal.

Yours sincerely Arlene Goss

Arlene Goss Governance Support Officer Dunedin City Council

50 The Octagon, Dunedin; P O Box 5045, Moray Place, Dunedin 9058, New Zealand

Telephone: 03 477 4000 Email: Arlene.Goss@dcc.govt.nz



Please consider the environment before printing this e-mail



24 July 2003

Citifleet Manager
Dunedin City Council
PO Box 5045
DUNEDIN

For: Bob Heath

Dear Sir

OPINION ON NEW POLICY AUTHORISING FREE PARKING FOR THOSE AGED 75 YEARS AND OVER - DISCRIMINATION ISSUES

1. You ask whether a proposed policy that allows free parking for Dunedin residents aged 75 years and over ("the new policy") could be criticised as discriminatory. You have provided us with a copy of your report to the Planning and Environment Committee dated 26 June 2003 for background information.

2. In short, it is our view that the new policy as currently formulated may breach the Human Rights Act 1993:

- a. If Part 1A of the Act applies, to avoid a breach the City Council must demonstrate that the new policy is a justified limitation on the right to freedom from discrimination. At present the City Council has not provided sufficient justification for the new policy, so we cannot confidently state that the new policy does not breach the Act. We suggest you consider the justification for the new policy further and revert to us for further advice.
- b. If Part 2 of the Act applies and a conservative interpretation of section 51 is taken, there may be a technical breach of the Act. However, the City Council could consider amending the new policy slightly to avoid this technical breach and achieve compliance with the Act.
- c. The new policy as currently formulated may breach section 65 by causing indirect discrimination. However if the City Council can assert that there are good reasons for the new policy this will be a defence to any such breach. Again, further consideration must be given to what the 'good reasons' for the new policy are.

These matters are discussed more fully below.

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GENERAL MANAGER Bill Eade

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Statutory Background - New Zealand Bill of Rights Act 1990 & Human Rights Act 1993

New Zealand Bill of Rights Act 1990

4. Section 19 of the New Zealand Bill of Rights Act 1990 provides everyone with a fundamental right to freedom from discrimination. Section 5 of that Act states that the rights and freedoms contained in the Act may be subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". In other words, in some circumstances there will be justified limitations to the right to freedom from discrimination.

Human Rights Act 1993

5. The Human Rights Act 1993 ("the Act") identifies various grounds of discrimination. Section 21(1)(i) prohibits different treatment based on age.

Part 1A

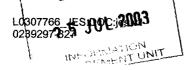
- 6. The Act is divided into various parts. Part 1A deals with discrimination by Government or by any body performing a public function, power or duty conferred or imposed on that body by or pursuant to law. Please confirm whether or not, in formulating the new policy, the City Council is performing a public function, power or duty conferred or imposed on it by law. If it is not then Part 1A of the Act does not apply to the City Council
- 7. However, if it is, Part 1A of the Act would apply where a complaint was made by a member of the public under the provisions of the Act or the Human Rights Commission undertook an enquiry. The new policy would breach the Act only if it limited the right to freedom from discrimination and was not a justified limitation on that right.
- 8. Is the City Council able to assert that the new policy can be demonstrably justified in our free and democratic society? At present your report does not identify the reasons why the City Council seeks to adopt the new policy, other than to note the advantage it has of raising positive attitudes towards the City Council. We suggest that your report should go further, and outline the reasons why you believe the new policy is justified. For instance, it may be that you believe it is a way for those residents to recover benefit for rates paid over the years (but then new residents who haven't paid rates would be eligible too), or that residents of this age are on pensions and less able to pay for parking (but eligibility for pensions arises at age 65, so why has age 75 been nominated?). You may wish to discuss this with us further, perhaps after you have spoken to colleagues in Queenstown Lakes District Council and Invercargill District Council to ascertain the reasons they believe justifies their free parking policies.

Part 2

- 9. Part 2 of the Act again contains the qualification that any acts that are authorised or required by law are not unlawful under the Act (section 21B). Is the City Council authorised or required by law to provide parking? Does that include free parking?
- 10. Section 44 of the Act relates to provision of goods and services. The provision of parking services would fall within this. Section 44 states:

LLOYD AUDWELL

"It shall be unlawful for any person who supplies ... services to the public or to section of the public - ... to treat any other person less favourably in



connection with the provision of those goods ... than would otherwise be the case – by reason of any of the prohibited grounds of discrimination."

On its face, the new policy could be said to treat persons under the age of 75 less favourably by reason of their age. Accordingly, it may be considered discriminatory.

11. However, section 51 provides an exception in relation to reduced charges. It states that:

"It shall not be a breach of section 44 of this Act to provide ... services ... at a reduced fee, charge, or rate on the ground of age ... "

Clearly therefore the City Council would be entitled to **reduce** the charge for parking on the ground of age and that will not be considered discriminatory.

- 12. The issue is whether waiving the charge entirely will amount to discrimination. The Act is silent on this point. Taking a strict (and conservative) approach to interpretation of the Act, one could infer that because 'waiver' of charges is not included in section 51 it is considered discriminatory. Parliament considered the issue and deliberately chose not to include waiver of charges as an exception.
- 13. If the City Council is concerned that it will face complaints regarding the new policy and potential proceedings under Part 2, it might wish to consider reducing, rather than waiving, the parking charge. The extent of the reduction would be a matter for the City Council's discretion. We suggest that the new policy would fall within the exception in section 51 if residents were required to pay a nominal sum before being issued with a parking permit. It would be desirable to refer to that sum as a "reduced parking charge" so that it was clear that it was not an administration fee or the like, but an advance lump sum payment for parking charges.
- 14. Section 65 of the Act deals with indirect discrimination. It states that:

"Where any ... practice ... that is not apparently in contravention of any provision of this part of the Act has the effect of treating a person or a group of persons differently on one of the prohibited grounds of discrimination in a situation where such treatment would be unlawful under any provision of this part of this Act other than this section that ... practice ... shall be unlawful under that provision unless the person whose ... practice is in issue ... establishes good reason for it."

- 15. In the event that the City Council proceeds with the new policy and a complaint is made that it indirectly discriminates against persons aged under 75, if the City Council can establish that there is a **good reason for this practice**, it will not be considered unlawful.
- Again, we suggest that the Citifleet report to the Planning and Environment Committee should incorporate the reasons why you consider there is a good reason for waiving parking charges for those aged 75 years and over. This justification could then be produced at a later date if a member of the public makes a complaint. It would be clear from the record that the City Council had taken into account these factors and based its decision to adopt the new policy on good reasons.
- 17. Finally, we note that the Queenstown Lakes District Council and Invercargill District Council provide free parking for residents aged 75 years or over, and have done so for many years. We understand that there have not been any complaints or challenges to this free parking policy in those regions. This would suggest that such

ANDERSON LLOYD

CAUDWELL



a policy approach is likely to meet with approval of Dunedin residents and be regarded positively, rather than as discriminatory. In the event of any challenge to the new policy the City Council is likely to be able to obtain support for its position from the above Councils.

Procedure for Challenge to the New Policy

18. If a member of the public chooses to complain about the new policy they may do so under Part 3 of the Act, normally by making a complaint alleging a breach of the Act to the Human Rights Commission. The Human Rights Commission would then investigate the matter, offer services designed to facilitate resolution of the complaint and so on.

Conclusion

- 19. For all the reasons outlined above we are not yet able to be satisfied that the City Council's new policy, in its current form, does not breach the Human Rights Act 1993. We applaud the spirit behind the new policy but believe that some further consideration should be given to the justification for it. The City Council must be able to justify the new policy by reference to it being a demonstrably justified limit to the right to freedom from discrimination, or by outlining the 'good reasons' it had for putting the policy in place under section 65.
- 20. However, if the City Council were to reduce, rather than waive, the parking charge the new policy would fall within the exception in section 51 and would clearly not be in breach of the Act.
- 21. Should you have any further queries relating to this matter, or wish to discuss the justifications for the new policy, please do not hesitate to contact us directly.

Yours faithfully

ANDERSON LLOYD CAUDWELL

Per:

Jackie St John

Solicitor

Email: jackie.stjohn@alclegal.com

L0307766_JES.DOC;jes.v1 0239297-327 INFORMATION MANAGE MENT UNIT







TO: Planning and Environment Committee

FROM: Manager, Transportation Planning

MEETING DATE: 6 October 2008

SUBJECT: PARKING STRATEGY - OVER 75'S POLICY

SUMMARY

When adopting the Parking Strategy the Council deferred a decision on parking exemptions for the over 75's and asked the Parking Strategy Working Party to further consider this matter.

The Working Party have met and considered the matter and this report outlines the outcome of that meeting.

IMPLICATIONS FOR:

(i) **Policy:** Yes, this will update the Parking Strategy

(ii) Approved Annual Budget: No

(iii) LTCCP/ Funding Policy: No

(iv) Activity Management Plans: No

(v) Community Boards: No

RECOMMENDATIONS

That the Committee:

- 1 Notes the minutes of the Parking Strategy Working Party meeting of 17 September 2008.
- 2 Approves the policy for parking for over 75's as follows:
 - (i) That the holders of over 75 Parking permits are entitled to park free anywhere controlled by metered spaces or pay 'n' display machines, except George Street between the Octagon and Frederick Street.
 - (ii) That a pre-requisite for issuing of an over 75's Parking Permit is proof of ownership of a vehicle and the permit shall be linked to the vehicle;

and that this be incorporated into the Parking Strategy.

INTRODUCTION

At its meeting on 18 August the Council considered the proposed Parking Strategy and asked the Working Party to reconsider the parking privileges for those over 75. The Committee have now met and re-considered this matter. In doing this the Working Party looked at numerous issues as set out in the minutes (attached).

DISCUSSION

Having considered all issues the Working Party decided it was reasonable to provide over 75's with free parking on a similar basis to the current policy. It was also agreed that to be eligible for a permit the individual must own a vehicle and the permit must be linked to that vehicle. The Working Party considered also that over 75's should not be entitled to free parking in George Street between the Octagon and Frederick Street.

CONCLUSION

In broad terms the new policy is equivalent to the existing policy with additional controls to reduce the risk of abuse.

Prepared by:

Don Hill

Manager, Transportation Planning

Approved by: Kate Styles

General Manager Strategy and Development

Date report prepared: 22 September 2008

Attachments

Attachment One - Minutes of Parking Strategy Working Party meeting of 17 September 2008

ATTACHMENT ONE

MINUTES OF A MEETING OF THE PARKING STRATEGY WORKING PARTY, HELD IN THE OTARU ROOM, CIVIC CENTRE ON WEDNESDAY, 17 SEPTEMBER 2008 COMMENCING AT 12.15 PM

PRESENT: Councillors Michael Guest, Syd Brown and Andrew Noone

IN ATTENDANCE: Don Hill (Transportation Planning Manager) and Pam

Jordan (Governance Support Officer)

PART A:

1 PARKING STRATEGY – OVER 75S POLICY

The Council meeting held on 18 August 2008 had referred the matter of the Over 75s Parking Policy back to the Parking Strategy Working Party for further consideration.

The Transportation Planning Manager (Don Hill) had provided a list of discussion points and the Working Party considered a number of issues, including:

- Whether the holders of Over 75s permits were obtaining greater benefits than originally anticipated
- The use of various car parks by the holders of Over 75s permits, in particular the Frederick Street and Library car parks
- The introduction of free public transport for the holders of Super Gold Cards
- Equity with the mobility impaired
- That there did not appear to be any abuse of the scheme, or resulting clogging of particular areas.

Following discussion it was **agreed** that it should be recommended to the Council:

- That the holders of Over 75s Parking Permits should be entitled to park free anywhere covered by metered spaces or pay and display machines, except George Street between the Octagon and Frederick Street.
- That the holders of Over 75s Parking Permits should be required to present evidence of vehicle ownership at the time of applying for or renewing the permit, and the permit should be linked to that vehicle.

It was to be pointed out that there was basically no change to the existing policy, except in regard to those areas of George Street where meters had been installed.

| The meeting concluded at 12.40 pm. | | |
|------------------------------------|--|--|
| | | |
| CHAIRPERSON | | |

Report



TO: The Council

FROM: General Manager Finance and Corporate Support

MEETING DATE: 18 August 2003

SUBJECT: FREE PARKING WITHIN DUNEDIN CITY FOR RESIDENTS

AGED 75 AND OVER

SUMMARY

This report responds to the request from the Planning and Environment Committee meeting of 14 July 2003 seeking legal advice on the question of whether the provision of free parking for those over the age of 75 represents age discrimination.

IMPLICATIONS FOR:

(i) **Policy:** Yes - This is a new policy.

(ii) Annual Plan: Yes - Probably a minor reduction in parking

revenue.

(iii) LTCCP/ Funding Policy/ Strategic Plan: Yes - Minor reduction in parking revenue

(iv) Community Boards: No

RECOMMENDATIONS

- That the Council approves a policy of free parking for residents of Dunedin over the age of 75, accepting the probably minor potential for a legal challenge on grounds of unfairly favouring a sector of the population; OR
- 2 That the Council approves a policy of providing a discount on the cost of parking to those residents over 75 by offering an annual parking voucher at a cost of \$1.00.

DISCUSSION

The City Solicitors have provided their opinion on this matter in their letter dated 24 July 2003 and it is attached.

Paragraph 6 deals with Part 1(a) of the Human Rights Act. As the Council charges for parking at its discretion and not pursuant to a power or duty imposed by law, that part does not apply.

The remainder of the opinion essentially canvasses the question of whether it is permissible to waive parking charges entirely. The City Solicitors take the view that reducing the charge is permissible, but waiving them may be discriminatory unless the Council can establish that there is a good reason for the practice (paragraph 15).

GOOD REASONS FOR THE PRACTICE

While the Council has discussed the practical implications of the new policy, it has not debated a report that addressed in detail the specific reasons for doing it.

In considering the merits or otherwise of the proposal and in view of the opinion expressed by the City Solicitors, the Council may wish to take the opportunity provided by this meeting to consider formally and openly the reason for offering either free parking under the terms described in the report to the Planning and Environment Committee on 14 July 2003, or parking at an annual cost of \$1.00.

REASONS FOR CONSIDERING FREE PARKING

The Local Government Act 2002 asks councils to address four well beings, of which social well being is one. Councillors might view the offer of low or no cost parking to an older section of the community as a contribution to that broad outcome.

The Council might also take the view that secondary or contributing outcomes such as an accessible city and the provision of a safe and healthy environment are served by this initiative. And, it may be argued, there is much in the provision of the service that is in the nature of a supportive community.

The Council may therefore wish to contend that these reasons justify the provision of at least low cost parking or better still, no cost parking for those over 75. In any event, these reasons should be openly debated.

As a counterpoint to these positive reasons, the Council might wish to consider how this policy aligns with its policy of encouraging the use of public transport and the reduction of vehicle use in the centre of the city. An observation made by Invercargill was that free parking might act as an incentive to older drivers whose abilities to manage their vehicle in heavier traffic may have diminished over the years.

REASONS GIVEN BY OTHER COUNCILS

Both Queenstown-Lakes District Council and Invercargill City Council have been contacted. Queenstown has been providing free parking since October 1999 and Invercargill (to over 80s) for at least 15 years. Among staff members spoken to, their recollection was that in Queenstown the scheme was a councillor initiative and in Invercargill it arose from the old traffic department.

COST TO THE COUNCIL

A possible range of income losses to the City is as follows:

| Percentage of Licensed Drivers 75+ | Average Meter Use Per year | Average Stay Per Visit (hours) | Revenue Loss Per Year \$ (% of Total) |
|---------------------------------------|-------------------------------|--------------------------------|--|
| 3,319 (100%) | 20 | 2 | 66,380 (4%) |
| 1,660 (50%) | 20 | 2 | 33,200 (2%) |
| 1,660 (50%) | 10 | 2 | 16,600 (1%) |
| 830 (25%) | 10 | 2 | 8,300 (0.5%) |

We have no information about the preferences among older motorists for the use of covered parking buildings (not covered by this policy) as opposed to on street spaces that are open to the weather and may require some distance to be walked to reach shops. It may be some see parking buildings as preferable while others find them too daunting. An incentive might cause a shift to on street parking.

CONCLUSION

The Council should debate and confirm the reasons for starting the scheme, confirming their preference for a low or no cost scheme and acknowledging the loss of parking meter revenue.

Athol Stephens
GENERAL MANAGER
FINANCE AND CORPORATE SUPPORT

Date report prepared: 12 August 2003

Attachments

Legal opinion received from Anderson Lloyd Caudwells



24 July 2003

Citifleet Manager
Dunedin City Council
PO Box 5045
DUNEDIN

For: Bob Heath

Dear Sir

OPINION ON NEW POLICY AUTHORISING FREE PARKING FOR THOSE AGED 75 YEARS AND OVER - DISCRIMINATION ISSUES

- You ask whether a proposed policy that allows free parking for Dunedin residents aged 75 years and over ("the new policy") could be criticised as discriminatory. You have provided us with a copy of your report to the Planning and Environment Committee dated 26 June 2003 for background information.
- In short, it is our view that the new policy as currently formulated may breach the Human Rights Act 1993:
 - a. If Part 1A of the Act applies, to avoid a breach the City Council must demonstrate that the new policy is a justified limitation on the right to freedom from discrimination. At present the City Council has not provided sufficient justification for the new policy, so we cannot confidently state that the new policy does not breach the Act. We suggest you consider the justification for the new policy further and revert to us for further advice.
 - b. If Part 2 of the Act applies and a conservative interpretation of section 51 is taken, there may be a technical breach of the Act. However, the City Council could consider amending the new policy slightly to avoid this technical breach and achieve compliance with the Act.
 - c. The new policy as currently formulated may breach section 65 by causing indirect discrimination. However if the City Council can assert that there are good reasons for the new policy this will be a defence to any such breach. Again, further consideration must be given to what the 'good reasons' for the new policy are.

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ASSOCIATES Clair Elder Michael Garbett Jan McLeod Sarah Weston

CONSULTANTS Alistair Broad Ted Lloyd Kate Walker

GENERAL MANAGER Bill Eade

INTERNET www.alclegal.com

These matters are discussed more fully below.

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A NETWORK OF INDEPENDENT
ILIGAL PRACTICES NATIONWIDE

Statutory Background - New Zealand Bill of Rights Act 1990 & Human Rights Act 1993

New Zealand Bill of Rights Act 1990

4. Section 19 of the New Zealand Bill of Rights Act 1990 provides everyone with a fundamental right to freedom from discrimination. Section 5 of that Act states that the rights and freedoms contained in the Act may be subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". In other words, in some circumstances there will be justified limitations to the right to freedom from discrimination.

Human Rights Act 1993

The Human Rights Act 1993 ("the Act") identifies various grounds of discrimination.
 Section 21(1)(i) prohibits different treatment based on age.

Part 1A

- 6. The Act is divided into various parts. Part 1A deals with discrimination by Government or by any body performing a public function, power or duty conferred or imposed on that body by or pursuant to law. Please confirm whether or not, in formulating the new policy, the City Council is performing a public function, power or duty conferred or imposed on it by law. If it is not then Part 1A of the Act does not apply to the City Council
- 7. However, if it is, Part 1A of the Act would apply where a complaint was made by a member of the public under the provisions of the Act or the Human Rights Commission undertook an enquiry. The new policy would breach the Act only if it limited the right to freedom from discrimination and was not a justified limitation on that right.
- 8. Is the City Council able to assert that the new policy can be demonstrably justified in our free and democratic society? At present your report does not identify the reasons why the City Council seeks to adopt the new policy, other than to note the advantage it has of raising positive attitudes towards the City Council. We suggest that your report should go further, and outline the reasons why you believe the new policy is justified. For instance, it may be that you believe it is a way for those residents to recover benefit for rates paid over the years (but then new residents who haven't paid rates would be eligible too), or that residents of this age are on pensions and less able to pay for parking (but eligibility for pensions arises at age 65, so why has age 75 been nominated?). You may wish to discuss this with us further, perhaps after you have spoken to colleagues in Queenstown Lakes District Council and Invercargill District Council to ascertain the reasons they believe justifies their free parking policies.

Part 2

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INFORMATION

- Part 2 of the Act again contains the qualification that any acts that are authorised or required by law are not unlawful under the Act (section 21B). Is the City Council authorised or required by law to provide parking? Does that include free parking?
- Section 44 of the Act relates to provision of goods and services. The provision of parking services would fall within this. Section 44 states:

"It shall be unlawful for any person who supplies ... services to the public or to section of the public - ... to treat any other person less favourably in



connection with the provision of those goods ... than would otherwise be the case - by reason of any of the prohibited grounds of discrimination."

On its face, the new policy could be said to treat persons under the age of 75 less favourably by reason of their age. Accordingly, it may be considered discriminatory.

However, section 51 provides an exception in relation to reduced charges. It states 11.

> "It shall not be a breach of section 44 of this Act to provide ... services ... at a reduced fee, charge, or rate on the ground of age ... '

Clearly therefore the City Council would be entitled to reduce the charge for parking on the ground of age and that will not be considered discriminatory.

- The issue is whether waiving the charge entirely will amount to discrimination. The 12. Act is silent on this point. Taking a strict (and conservative) approach to interpretation of the Act, one could infer that because 'waiver' of charges is not included in section 51 it is considered discriminatory. Parliament considered the issue and deliberately chose not to include waiver of charges as an exception.
- 13. If the City Council is concerned that it will face complaints regarding the new policy and potential proceedings under Part 2, it might wish to consider reducing, rather than waiving, the parking charge. The extent of the reduction would be a matter for the City Council's discretion. We suggest that the new policy would fall within the exception in section 51 if residents were required to pay a nominal sum before being issued with a parking permit. It would be desirable to refer to that sum as a "reduced parking charge" so that it was clear that it was not an administration fee or the like. but an advance lump sum payment for parking charges.
- Section 65 of the Act deals with indirect discrimination. It states that: 14.

"Where any ... practice ... that is not apparently in contravention of any provision of this part of the Act has the effect of treating a person or a group of persons differently on one of the prohibited grounds of discrimination in a situation where such treatment would be unlawful under any provision of this part of this Act other than this section that ... practice ... shall be unlawful under that provision unless the person whose ... practice is in issue ... establishes good reason for it."

- 15. In the event that the City Council proceeds with the new policy and a complaint is made that it indirectly discriminates against persons aged under 75, if the City Council can establish that there is a good reason for this practice, it will not be considered unlawful.
- Again, we suggest that the Citifleet report to the Planning and Environment Committee should incorporate the reasons why you consider there is a good reason for waiving parking charges for those aged 75 years and over. This justification could then be produced at a later date if a member of the public makes a complaint. It would be clear from the record that the City Council had taken into account these factors and based its decision to adopt the new policy on good reasons.
- Finally, we note that the Queenstown Lakes District Council and Invercargill District Council provide free parking for residents aged 75 years or over, and have done so to make years. We understand that there have not been any complaints or challenges to this free parking policy in those regions. This would suggest that such 7 5 JUL 2003 L0307766_JES.DOCJes.M 0239297-327 NDERSON

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Page 6 of 7

a policy approach is likely to meet with approval of Dunedin residents and be regarded positively, rather than as discriminatory. In the event of any challenge to the new policy the City Council is likely to be able to obtain support for its position from the above Councils.

Procedure for Challenge to the New Policy

18. If a member of the public chooses to complain about the new policy they may do so under Part 3 of the Act, normally by making a complaint alleging a breach of the Act to the Human Rights Commission. The Human Rights Commission would then investigate the matter, offer services designed to facilitate resolution of the complaint and so on.

Conclusion

- 19. For all the reasons outlined above we are not yet able to be satisfied that the City Council's new policy, in its current form, does not breach the Human Rights Act 1993. We applaud the spirit behind the new policy but believe that some further consideration should be given to the justification for it. The City Council must be able to justify the new policy by reference to it being a demonstrably justified limit to the right to freedom from discrimination, or by outlining the 'good reasons' it had for putting the policy in place under section 65.
- However, if the City Council were to reduce, rather than waive, the parking charge the new policy would fall within the exception in section 51 and would clearly not be in breach of the Act.
- Should you have any further queries relating to this matter, or wish to discuss the
 justifications for the new policy, please do not hesitate to contact us directly.

Yours faithfully

ANDERSON LLOYD CAUDWELL

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Jackie St John Solicitor

Email: jackie.stjohn@alclegal.com



Parking For The over 75's -

A Discussion Paper

- 1. The Parking Strategy as adopted supports the provision of parking for the disabled/elderly close to trip destinations at a reasonable cost. (Page 3)
- 2. Both the Transportation Strategy and Parking Strategy aim to support the principles of Travel Demand and discourage unnecessary car trips in favour of alternative modes.
- 3. The Super Gold Card provided to all National Superannuitants will provide them with free off peak public transport. It is aimed to introduce this in Dunedin on 1 October.
- 4. The National scheme for the mobility impaired provides card holders with one hour's free parking after they have paid for the maximum allowable time.
- 5. The current over 75's policy allows this group free parking in metered spaces for up to the allowable time. This includes all on street metered space or off-street car parking controlled with pay 'n' display machines or parking meters, ie:

Frederick Street car park Dowling Street car park Filleul Street car park Library car park

- 6. Key considerations are:
 - i. Should the over 75's group be given greater benefits than the mobility impaired?
 - ii. Should the introduction of free passenger transport influence the need for parking privileges?

Report



TO: Planning and Environment Committee

Citifleet Manager

FROM:

MEETING DATE: 14 July 2003

SUBJECT: 75+ FREE PARKING WITHIN DUNEDIN CITY

SUMMARY

The purpose of this report is to provide information regarding the implications of providing free parking in the city for Dunedin residents over 75 or 80 years of age (by way of a parking permit) in line with some other local authorities in New Zealand, requested by Councillor Collins.

The report recommends that the Dunedin City Council provides free parking for residents of Dunedin who hold a current New Zealand Driver's Licence and are over the age of 75 years.

IMPLICATIONS FOR:

(i) **Policy:** Yes – New Policy

(ii) **Annual Plan:** Yes – Reduction in Parking Revenue

(iii) LTFS/ Funding Policy/ Strategic Plan: Yes

(iv) Community Boards: No

RECOMMENDATION

That the Dunedin City Council provides free parking on parking meters and pay and displays for residents of Dunedin who hold a current New Zealand Drivers Licence and are or over the age of 75 years.

INTRODUCTION

This report has been requested by Councillor Collins. Its purpose is to provide information regarding the implications of providing free parking in the city for Dunedin residents over 75 or 80 years of age (by way of a parking permit) in line with some other local authorities in New Zealand.

BACKGROUND

Currently the Dunedin City Council does not provide free parking for residents 75 and over. The Dunedin City Council does provide parking permits for people with disabilities and dispensations are given to other organisations, for example Dunedin Hospital ICU and Queen Mary, non-profit community services ie Little Sisters of the Poor.

Queenstown is one of the other local authorities that currently provide free parking for residents of the Queenstown Lakes District aged of 75 or over.

DISCUSSION

Current Licenced Residents

As at 3 June 2003 there were approximately 3319 drivers aged 75 years and over in the Dunedin area. This information has been provided by the Land Transport Safety Authority and refers to the area covered by physical post codes 9001-9008. From this 3319 there are 1986 drivers from the age of 75 to 79 and 1336 drivers from the age of 80. It is unknown how many of the drivers holding the licences 3319 licences actually continue to drive. It is also unknown how many of these drivers actually use parking meters, if you consider drivers that reside in Mosgiel, Port Chalmers, South Dunedin and outlying areas and park locally where there is already free parking. It is fair to assume, that a number licence holders no longer drive or do not use meters or pay and displays and it would be unlikely that 3319 permits would actually be given out.

Conditions for 75+ Parking Permits

Time-limit

Parking Meters and Pay and Displays are zoned. Each zone has a different time limit ie 1 hour and 2 hour. The parking permits do not increase the time allowed in any parking space (metered and non-metered) as it is necessary to ensure the parking flow remains for other users.

Off Street Car Parks and Parking Buildings

The two carpark buildings, Moray Place and Great King Street, and the off street carpark in Dowling Street are staffed with no parking meters or pay and displays. Within these carparks we have long term leases and short term parking charged out at an hourly rate. With the initial set up costs and loss of revenue from current users it would be impractical to allow free parking in these carparks.

Permit holders will be permitted to park only on any parking meter or pay and display on street and in any carpark that have parking meters or pay and displays.

Distribution of 75+ Parking Permit

For monitoring purposes Parking Permits will be valid for one year from date of issue, with the responsibility falling on the resident to renew. On application a permit will be issued per person per vehicle ie if a resident has two vehicles two permits will be issued to the same person, one for each vehicle. However if two people jointly own one vehicle two permits will be issued, one to each person for the same vehicle if both people are of the age of 75 or over.

Cost

Citifleet would be able to absorb the costs of the administration for these permits within its current staffing structure. There would be minimal costs of paper and laminating to produce the permit.

Advertising

Citifleet will carry out advertising and invite people to apply for the permit. Over time the system will become better known and less advertising would be needed.

OPTIONS

Advantages

Raises positive attitudes towards the Dunedin City Council.

Disadvantages

Loss of revenue from Parking Meters and Pay and Displays. The full financial effect is unknown, however it would be minimal. Administration Costs in setting up the permits each year.

CONCLUSION

Providing Dunedin residents of the age of 75 or over with parking permits to enable them to park at no charge on 'pay and displays' and parking meters would be at minimal cost and minimal loss of revenue. It is unlikely that all of the 3319 licensed drivers in the Dunedin area would require a permit; therefore the most permits issued per year would be 3319.

To ensure there is no disruption to other users it is necessary to have conditions for the permit.

Prepared by:

Bob Heath

CITIFLEET MANAGER

Approved by: Athol Stephens

GENERAL MANAGER FINANCE AND CORPORATE SUPPORT

Date report prepared: 7 July 2003

Attachments

Proposed 75+ Parking Permit Proposed 75+ Parking Permit Application Form Proposed Conditions of the Permit



| CITIFLEET PARKING SERVICES | CITIFLEET PARKING SERVICES | |
|----------------------------|----------------------------|--|
| 75+ PARKING PERMIT Name | 75+ PARKING PERMIT | |
| Vehicle Particulars | Vehicle Particulars | |
| RegoColour | RegoColour | |
| Make and Model | Make and Model | |
| Expiry Date | Expiry Date | |
| Permit No. 0001 | Permit No. 0002 | |
| Authorised by | Authorised by | |
| Signature | Signature | |



CITIFLEET PARKING SERVICES

75+ PARKING PERMIT

| Vehicle Particulars | | |
|---------------------|--------|--|
| Rego | Colour | |
| Make and Model | | |

| Expiry Date_ | | |
|--------------|--|--|
| 1 7 – | | |

Permit No. 0003

Name

| Authorised by_ | |
|----------------|-----------|
| • | Signature |



DUNEDIN CITY COUNCIL

CITIFLEET PARKING SERVICES

75+ PARKING PERMIT

| Name | |
|---------------------|--------|
| Vehicle Particulars | |
| Rego | Colour |

| Make and Model_ | |
|-----------------|------|

| Expiry Date | ; |
|-------------|---|
| | |

Permit No. 0004

Authorised by_



75+ PARKING PERMIT APPLICATION FORM

This permit is only valid for the applicant and expires one year from the date of issue. Proof of identify is required by way of Driver's licence.

| NAME | |
|---|---------------------------|
| ADDRESS | |
| | |
| | |
| POSTAL ADDRESS (if different from above) | |
| | CITIFLEET OFFICE USE ONLY |
| | Authorised by: |
| | Signature: |
| | Issue Date: |
| PHONE NO | Expiry Date: |
| DATE OF BIRTH | Permit No |
| DRIVERS LICENCE NO. | |
| Once you have read and understood the Parking Permit please sign below to show yo conditions so your application form can be pr | our acceptance of those |
| APPLICANT'S SIGNATURE | |
| DATE | |



CONDITIONS OF 75+ PARKING PERMIT

- 1. The Permit is issued to the applicant and can be used only by the applicant.
- 2. The Permit can only be used in the vehicle stated on the permit.
- 3. The Permit must be placed on the driver's side dashboard, clearly visible for the Parking Officers to see.
- 4. It is the permit holder's responsibility to bring the permit into Citifleet's office on expiry for a new permit to be issued.
- 5. It is the permit holder's responsibility to inform Citifleet if there is a change in circumstance:
 - a) Change of address
 - b) Change of vehicle (for a new permit to be issued)
 - c) Permit no longer required.
- 6. You must not loan your permit to anyone. If someone else is using your vehicle they can NOT use your permit

WHERE THE PERMIT ALLOWS YOU TO PARK

- 7. The permit is for all 'Pay and Displays' and parking meters, both on the road and in Carparks that have 'Pay and Displays' and parking meters.
- 8. All 'Pay and Displays' and parking meters have a zone time on them ie 1 or 2 or 4 or 12 hour(s). Your permit allows you to park free of charge for the time stated on the meter. If you park on a 2 hour meter you must vacate the park as soon as your time is up.

WHERE YOUR PERMIT DOES NOT ALLOW YOU TO PARK

- 9. The permit does not allow you to park free of charge in any car park building or staffed carpark.
- 10. The permit does not allow you to park in any restricted parks set out in the Traffic Regulations and Dunedin City Council Bylaws ie bus stops, taxi stands, loading zones, disability and residential parks.