**Date:** Wednesday 22 April 2020  
**Time:** 5.15pm  
**Meeting Room:** This meeting will proceed via Skype for Business. Either a recording or written summary will be uploaded on the Auckland Council website

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**Waiheke Local Board**  
**OPEN MINUTE ITEM ATTACHMENTS**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>20200422 Waiheke Local Board Meeting - Public Forum - Denis Powell - March 2020 Submission</td>
<td>3</td>
</tr>
<tr>
<td>B.</td>
<td>20200422 Waiheke Local Board Meeting - Public Forum - Denis Powell - April 2020 Submission</td>
<td>9</td>
</tr>
<tr>
<td>C.</td>
<td>20200422 Waiheke Local Board Meeting - Public Forum - Denis Powell - Notes from the meeting</td>
<td>11</td>
</tr>
</tbody>
</table>

| 13   | Urgent Decision Report |      |
|      | A. 20200422 Waiheke Local Board Meeting - Formal Feedback on Accessible Streets | 15   |
|      | B. 20200422 Waiheke Local Board Meeting - Formal feedback on CCO review | 25   |

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**Note:** The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Janine,

Good afternoon,

Below my question to Councillor Pippa Coom, whom I understand was to be attending the Local Board Business meeting and still maybe if that continues online?

This question relates to my enquires as to whom, how and why and the reasons for the outcome, where the Environment and Climate Change committee opted not to implement the recommendations of the experts report, and unanimously voted to keep the climate change temperature band at 1.5 degrees

My question then to Councillor Coom is as follows:

“What is your analysis of the Environment and Climate Change Committees rational, i.e. their compelling reasons why they chose to remain with the 1.5 degrees temperature increase when we all know there is little chance of us meeting the conditions of the 2015 Paris Accord?”

Background and supporting evidence: That we have passed any possibility of containing global warming to 1.5 degrees

The Paris Agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity-building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework. Further information on key aspects of the Agreement can be found @:

https://unfccc.int/process-and-meetings/the-paris-agreement/what-is-the-paris-agreement

Last June, President Trump announced that the United States would withdraw from the 2015 Paris agreement on climate change. How are the Paris goals looking, a year later?

It may be too early to assess whether the Paris signatories are on track with their pledges for the year 2030, but rising carbon dioxide emissions in Asia and Europe, in particular, are a troubling sign. The Paris agreement outlined steep emission reductions to meet the stated goal of limiting global warming to two degrees Celsius.
The 1.4 percent increase in global carbon dioxide emissions in 2017 is itself troubling but not surprising. Global economic growth is one obvious culprit — the world economy grew by 3.7 percent in 2017. This growth created demand for extra energy, which means more oil, natural gas and coal combustion. Regardless of U.S. participation in the Paris agreement, rapid global economic growth increased the use of fossil fuels.

Trump’s withdrawal from the Paris agreement means other countries will spend less to fight climate change.

More fundamentally, though, political-science research shows that national governments have only limited ability to control a country’s emissions. Great uncertainties surround both future emissions and the impact of different new policies.

With or without the Paris agreement, it’s hard to know what each country’s emissions levels will look like in the future. Here are four policy areas to watch:

1) Governments cannot credibly commit to long-term policy

In climate politics, governments simply cannot promise that their climate policies will continue indefinitely, as the next government may decide to overturn the policies. Democratic governments face elections every few years, and dictators can be unseated by coups and revolutions.

Given these political realities, climate policies often have short life spans — and this can be a major barrier to effective climate policy. From renewable-energy subsidies to carbon-emissions trading, governments can formulate and implement policies now and hope that they stick. But if the policies prove unpopular — as costly policies often do — and have few loyal supporters, they will fall by the wayside as political fortunes wax and wane.

U.S. cities and states want to implement the Paris climate accord goals. It’s not that simple.


Is climate change humanity’s greatest-ever risk management failure?

Guardian Dana Nuccitelli

Fri 23 Aug 2013 03.19 BST First published on Fri 23 Aug 2013 03.19 BST

Humans are very good at managing risks, except when it comes to the greatest risk we’ve faced - climate change Climate Change seems to be a major exception to this rule. Managing the risks posed by climate change is not a high priority for the public as a whole, despite the fact that a
climate catastrophe this century is a very real possibility, and that such an event would have adverse impacts on all of us.

**Watching our ice sheets disappear**

Thin Ice Climate: Collaboration between Oxford University and Victoria University, Wellington

Eric Rignot leads a US research group that uses satellite data to monitor the world's ice sheets. He explains how measurements since the early 1990s show that Greenland and Antarctica are losing ice at an accelerating rate, which, if unchecked, will result in about 1 metre of sea-level rise by the end of the century, and 6 - 9 metres in the next few hundred years.

[https://vimeo.com/204798097](https://vimeo.com/204798097)

**Tax Justice Network**

**#99: Climate crisis, transition and tax justice**

• Mar 19, 2020

We’re inline for 4 degrees warming approximately 4 minutes into the podcast

**Economics, Models and Assumptions: In whose interest? Six Myths, hiding in plain sight**

I had hoped to engage in some interactive discussion with this section of my presentation.

For now, it is sufficient to table the ideas around which this submission would have been structured, i.e. the introduction of 6 major shibboleths of Austerity Economics.

1. We Must Live Within Our Means
2. Governments Must Balance The Books
3. We Must Tighten Our Belts
4. Never Go Into Debt
5. Taxes Are A Burden

Those ideas we take for ‘granted,’ as being, ‘common sense’ and ‘obvious.’ The Convid-19 pandemic and governments reactions to the containment of Covid sees the introduction of
heterodox economic models, which are ‘suddenly’ tolerated, raising the question: “Why can’t we do this for the even more pressing problem of Climate Change.”

The answer, I submit is “We can.” Having introduced the six austerity myths to instigate discussion, I ask the Local Board to support this dialogue, and if supportive, how would they see that unfolding, and what support could be mobilised to engage that community korero?

If not, what reasons does the local board rely upon, given that traditional growth models and assumptions have brought us to this critical juncture?

My submission that: There is always an alternative.

**Supporting Evidence:**

**Interlocking Strategies: Short and Long-run Dynamics: The Woven Universe or BAU?**


**Coronavirus Means Zero Hour for the European Union**

By [Thomas Ferguson](https://www.economist.com/author/46947) and [Edward J. Kane](https://www.economist.com/author/46931)

Mar 16, 2020 | [Macroeconomics](https://www.economist.com/topic/macroeconomics) | [Europe](https://www.economist.com/country/europe)

If the European Central Bank does not jump to the aid of peripheral countries weakened by the pandemic, the Eurozone could collapse.

*Lagarde did outline a series of measures to ease “liquidity” and encourage banks to lend. But then she added a remark that echoed around the world, declaring that the ECB “is not here to close spreads.”*

*Everyone grasped the implication: Italy, and perhaps other Eurozone countries facing similarly severe budget challenges down the road, had to watch out. They could not count on the ECB to hold down their funding costs.*

The shock was global and profound: Eurozone stocks plunged yet again, while rates on Italian debt rocketed upward, in what some touted as the greatest one-day rise in the country’s history. The prospect that bond prices (and thus interest rates) of different countries in the Eurozone might diverge wildly, presaging a breakup of the zone itself, suddenly became real again.

As many economists, including more than a few writing for INET, have recounted, the long running Euro crisis has created deep patterns of center-periphery dependence within Europe.[3] Basically Germany and a handful of other northern countries form the core, and everyone else, especially in the south, constitutes the periphery. Germany routinely ignores
pro forma injunctions from Eurozone officials and outside analysts to rein in its current account surplus by expanding German domestic spending. This would stimulate imports from its partners and allow its own population to live better. Instead Germany keeps piling up enormous trade surpluses, while leaving many of its trading partners with even higher debts. With their economic growth slowed to a crawl, capital and younger workers in the periphery flee to richer countries, leaving behind economies whose productivity is too weak to make good their debts to foreign and domestic banks. When we factor in restrictions on budget deficits and state spending that the macroeconomic rules of the Eurozone prescribe, the result is deep, persisting austerity that cripples hope of effective state action in the south to stimulate growth and a vicious circle of demoralizing cuts in social spending and services, including education and public health, that afflicts even some northern countries.[4]

https://www.ineteconomics.org/

**Coronavirus Means Zero Hour for the European Union**

Posted on March 17, 2020

We wrote yesterday of our concern that Christine Lagarde, the new head of the European Central Bank, wasn’t bluffing when she said that the ECB job wasn’t to close the spreads of various state borrowers like Italy. Italian bonds plunged. Lagarde made what looked to us like a half-hearted walk-back.

Understand how serious this is. If the ECB won’t support Italy’s borrowing, which is sure to rise due to the need to prop up the Italian economy as a result of the massive hit of the coronavirus shutdown, you can kiss the Italian banking system goodbye. And that conflagration will engulf undercapitalized European banks.


**Watching our ice sheets disappear**

Thin Ice Climate: Collaboration between Oxford University and Victoria University, Wellington

Eric Rignot leads a US research group that uses satellite data to monitor the world’s ice sheets. He explains how measurements since the early 1990s show that Greenland and Antarctica are losing ice at an accelerating rate, which, if unchecked, will result in about 1
metre of sea level rise by the end of the century, and 6 - 9 metres in the next few hundred years.

https://vimeo.com/204798097

Tax justice Network

#99: Climate crisis, transition and tax justice

•Mar 19, 2020

We’re inline for 4 degrees warming approximately 4 minutes into the podcast

https://www.youtube.com/watch?v=JaiXCShtzU&feature=youtu.be

Coronavirus: What Has It Revealed? | Russell Brand Mar 16, 2020

Russell Brands: wisdom fear vs. neurotic fear.

“Neurotic fear hoards toilet rolls, wisdom fear says wash your hands.”

https://www.youtube.com/watch?v=C1sbpSoyVh4
Submission to Waiheke Local Board virtual Meeting, April 22nd 2020

My submission is and relates to the recommendations arising from the March 12th ECC meeting, item 8.

The question of the soundness of the thinking which underlies and informed the ACFA Purposed Changes Item 8 is still undecided, in particular the reasoning behind remaining with the 1.5-degree warming target.

At page 34 of the ACFA document relied upon when coming to the recommendation, The ECC reaffirmed:

c) reaffirm our commitment to a plan consistent with a 1.5-degree rise, an interim target of halving Auckland’s emissions by 2030, and a precautionary approach to planning for change.

This is a strategic political error.

My submission to the March 25th Local Board Business meeting (see attached) addresses my concerns about the 1.5 figure and stated:

That we have passed any possibility of containing global warming to 1.5 degrees

The public is being hoodwinked, by faulty reasoning, this submission should convey my very strong concerns regarding the ‘fit for purpose’ of the ECC’s ‘endorsement’ at (c) above.

At page 30 of that same document, we have the reappearance of the 3.5 degrees of warming, the figure I have seeking an explanation and evidence for since the HYS Budget meeting March 4th.

I know that council staff have been hampered in the execution of their professional duties, by being restricted to the 1.5-degree, a figure which has been surpassed some time ago.

Without the higher 3.5 figure being accepted by the ECC, Council planners cannot instigate planning and subsequent alignments to the Codes of Practice that this move would necessitate, for starters.

Remaining at the 1.5-degree warming is an irresponsible act which sabotages the urgent need to deal with the upper bands of CC, rather than the politically less contentious lower bands, which leave the question of Codes of Practice untouched; when we know, here at Wilma Road, that the proposed stormwater provision cannot be guaranteed as ‘fit for purpose’ in terms of projected CC because it’s implementation is constrained to the now grossly outmode Codes of Practice.

It is in the necessity for forwarding planning that the political BAU 1.5-degree figure finds its’ most egregious error, stifling the work needed to accurately plan and cost for what is going to be a 2.1, or more, temperature rise.

While the ECC and ACFA argue for the 1.5-degree figure as a target for the ‘people’ to aim for, looking ahead to 2030, the ECC is complicit in political legerdemain which thumbs its nose at the community who know the 1.5-degree figure is yesterday’s benchmark.

The effect of this omission is to further weaken any trust citizens might have in the effective administration of governments primary responsibility which is, to protect the people.

No governing body can protect people by withholding critical evidenced-based climate change data, notwithstanding how well-intentioned those ‘with-holdings’ are.

ECC committee’s decision was specifically qualified, it gave a directive to Local Boards and Mana Whenua seeking their feedback on this issue before they made their decision absolute.
I can find no evidence of either effective engagement or an informed consultation with the Waiheke Island Community on this matter.

How are the directions of the ECC recommendations going to be given effect to?

Ends.
Notes to WLM Virtual Meeting April 22nd 2020

Preface:

Future engagements between the Board and myself will rely on the Board having read and understood the evidence and readings I have provided in my March 25th and April 22nd submissions to the Board.

March 25th Submission.

1. **Background -note 1.5 degrees** Page 1

2. **Economics, Models and Assumptions** page 3

**Myths:**

6 major shibboleths of Austerity Economics.

1. We Must Live Within Our Means
2. Governments Must Balance The Books
3. We Must Tighten Our Belts
4. Never Go into Debt
5. Taxes Are A Burden


Guardian: 3 02 2020

*Affected countries will, and should, engage in massive deficit spending to shore up their health systems and prop up their economies.*

*Kenneth Rogoff is professor of economics and public policy at Harvard University. He was the chief economist of the IMF from 2001 to 2003.*
Japan Public Debt 100% of Annual GDP, New Zealand nowhere near that figure.

Randall Wray says:

A government that has the power to create money never has to default. That doesn’t mean that an unlimited amount of money should be created, but we are currently within the bounds of what’s possible.

April 22\textsuperscript{nd} Submission

c) reaffirm our commitment to a plan consistent with a 1.5-degree rise, an interim target of halving Auckland’s emissions by 2030, and a precautionary approach to planning for change.

This is a strategic political error.

See March 25\textsuperscript{th} submission

Halving CO2 emissions by 2030 is the strategic goal.

Temperature 1.5 degrees, whatever, is a tactic - it doesn’t matter what the temperature is.

After 4 weeks of Level 4 lockdown, NZ has met its emissions target in April 2020.

1.5 degrees is a political notion - to encourage public buy-in, to engage in an ‘achievable’ effort.

We have surpassed 1.5 degrees. Who can trust the Council when it publishes yesterday’s temperature readings?
The ACAF treat the public as non-informed at best, dumbs the public down, reflects yesterday’s BAU thinking.

That world no longer exits, there is no BAU – gone. Over.

The ECC decision was specifically qualified - gave a directive:

(a) ... subject to the direction of Mana Whenua and consideration of feedback from Local Boards

My question: how has the local Board given effect to the directions of the ECC April 12th directive?

I am assuming those members who have further questions will take the time to contact me via email or by phoning 372 6948 to seek clarification on any point they might have regarding the intentions of both these submissions.

Thank you.
Waiheke Local Board formal feedback on the Accessible Streets Regulatory Package
17 April 2020

Please find the responses below from the Waiheke Local Board to the submission questions posed in the New Zealand Transport Agency's document:

"ACCESSIBLE STREETS – OVERVIEW TO THE RULES 9 MARCH 2020".

Proposal 1A: Pedestrians and powered wheelchair users – Questions for your submission:

1. Do you agree that powered wheelchairs should be treated as pedestrians? Why/why not?
   A. Yes, as this means that powered chairs can be used on footpaths, which is much safer.

Proposal 1B: Changing wheeled recreational devices – Questions for your submission

2. Do you agree with the proposal to replace wheeled recreational devices with new categories for unpowered and powered transport devices? Why/why not?
   A. Yes, because as this will give greater clarity about which parts of the carriageway can be used by riders of these devices. Segways should be included in this current process as lack of clarity is an issue now and must be resolved.

3. What steps should the Transport Agency take before declaring a vehicle not to be a motor vehicle?
   A. The key step is to understand the power, dimensions and potential speed of the device to decide which space would provide the greatest safety for rider and pedestrians.

4. If the Transport Agency declares a vehicle to not be a motor vehicle, do you think it should be able to impose conditions? If yes, should such conditions be able to be applied regardless of the power output of the device?
   A. Yes, the Transport Agency should be able to impose conditions regardless of the power output of the device, as the safety of each device must be considered on its merits. The key condition is maximum speed which we recommend is 10km/hr on the footpath. Conditions need to be publicised on a simple, central NZTA platform which is easily accessible to all stakeholders.

5. We propose to clarify that:
   a. low powered vehicles that have not been declared not to be motor vehicles by the Transport Agency (e.g. hover boards, e-skateboards and other emerging devices) are not allowed on the footpath
   b. these vehicles are also not allowed on the road under current rules, because they do not meet motor vehicle standards
   c. if the Transport Agency declares any of these vehicles not to be motor vehicles in the future, they will be classified as powered transport devices and will be permitted on the footpath and the road (along with other paths and cycle lanes).

Do you agree with this proposed clarification? Why/why not?
Item 13

A. There needs to be consistency in approach. The regulations need amending such that if the Transport Agency deems certain low-powered devices to be powered transport devices, they should not be allowed on the footpath if they pose a significant hazard to pedestrians. Limit to 10kmh if on a footpath. They must be allowed on roads if no pathways or cycle lanes exist.

Proposal 1C: Clarifying cycles and e-bikes – Questions for your submission

(questions about using cycles on footpaths are in proposal 2.)

6. Do you agree with the proposal that:
   - Small-wheeled cycles that are propelled by cranks be defined as cycles, and
   - Small-wheeled cycles that are not propelled by cranks, such as balance bikes, be defined as transport devices?

A. Small-wheeled cycles propelled by cranks should be defined as bikes and not be used on the footpath as they would present a hazard to pedestrians. Small-wheeled cycles that are not propelled by cranks, such as scooters and balance bikes, should be defined as transport devices and allowed on the footpath to remain consistent with other devices allowed on the footpath.

Proposal 1D: Mobility devices – Questions for your submission

7. Mobility devices have the same level of access as pedestrians but will have to give way to pedestrians and powered wheelchairs under the proposed changes. Do you agree? Why/why not?

A. Yes, mobility devices such as a mobility scooter should give way to pedestrians and powered wheelchairs because they are more powerful devices and the safest option is for them to wait for pedestrians and powered wheelchairs to go first. People using powered wheelchairs usually have less mobility and should have right of way.

8. Do you think there will be any safety or access-related problems with mobility devices operating in different spaces? Please explain.

A. Yes, there are often insufficient curb-cuts and level accessways into shops, bus stops and public facilities. Footpaths, particularly in semi-rural areas like Waiheke, are often undeveloped or uneven. More funding to address these issues to give better access for people with disabilities is required.

9. We intend to review the mobility device category at a later date. What factors do you think we need to consider?

A. NZTA should consider speed rules and etiquette guidelines to better manage shared use of the footpaths.

Alternative proposal - Question for your submission:

10. We have outlined an option to not change vehicle definitions. This means we would make changes at a later date instead. Do you prefer this option to our proposal to change vehicle definitions now (see proposals 1A, 1B, 1C, 1D for more details)? Why/why not?

A. The board prefers the option to change vehicle definitions now which would bring greater clarity. Interim guidelines would be useful, in lieu of legislative change, on
devices such as segways.

Proposal 2: Establish a national framework for the use of footpaths – Questions for your submission:

11. Our proposed changes will allow mobility devices, transport devices, and cycles on the footpath - provided users meet speed, width and behavioural requirements. Do you support this? Why/why not? Should there be any other requirements?

A. The board does not support cycles on the footpath as there are growing number of user categories using the footpaths. Where cycleways end, the road should be used. In rural areas where cycle lanes are not continuous, it can be hazardous to cross between footpath and cycle lanes.

E-scooters are a particular hazard on city streets and should be relegated to cycle lanes or cycle paths. If these are not available, the e-scooter should use the footpath but to a maximum speed of 10 km/hr.

12. We have outlined two alternative options to address cycling on the footpath. These are:
   a. allow cyclists up to 16 years of age to use the footpath; or
   b. Continue the status quo, where most cyclists are not allowed to use the footpath.

Do you prefer either of these options instead of allowing cyclists on the footpath?

A. Yes, the board supports children up to 12 years of age using the footpath as they are less skilled cyclists on the road, and with their smaller cycles and lower speeds, pose less of the hazard to footpath users. Must keep speed below 10km/hr.

13. Would you support an age limit for cycling on the footpath? What age would you prefer?

A. Up to 12 years of age as stated above.

14. Our proposal allows road controlling authorities to restrict cycle or device use on certain footpaths or areas of footpaths to suit local communities and conditions. Do you agree with this proposal? Why/why not? Do you have any comments on the proposed process?

A. Yes it makes sense to allow local knowledge to inform restrictions for local communities and conditions particularly on rural and semi-rural areas where road networks can be less well developed. Road controlling authorities should partner with local boards and boards to gain insight into local conditions. Retail centres with a higher volume of foot traffic should also be able to be restricted to protect pedestrian safety. (For Waiheke that would include Oneroa, Surfside and Ostend retail areas.)

15. We envisage that local authorities will make decisions to regulate the use of paths by resolution, rather than by making a bylaw. Should this be specified in the Land Transport Rule: Paths and Road Margins 2020 to provide certainty? Why/why not?

A. Yes, it is preferable to provide for a consistent approach nationwide. The resolution approach is preferable as it means better flexibility for local communities. The best practice is to allow for the detail of the regulatory measures to be determined by resolution that enables a more agile response requiring less formality.

The process to amend a bylaw is cumbersome as it requires the use of either the special consultative procedure or the alternative public consultation process under section 82 of the Local Government Act 2002. Even the lesser consultation process is excessive and
resource intensive for a minor determination such as this, which is also potentially subject to frequent change.

16. We’re proposing that road controlling authorities consider and follow criteria in addition to their usual resolution processes if they want to restrict devices from using the footpath. Do you agree with this proposal and the proposed criteria? Why/why not?

A. Yes, as above consistency of approach is preferable which a set of criteria would provide.

17. We have also outlined an option to maintain current footpath rules. Would you prefer this option instead of the proposed framework with speed and width requirements? Why/why not?

A. No, a new framework is preferable to sort out the growing inconsistencies in the application of the law and to improve road safety.

Proposal 2A: Users on the footpath will operate vehicles in a courteous and considerate manner, travel in a way that isn’t dangerous and give right of way to pedestrians – Questions for your submission:

18. We propose that pedestrians should always have right of way on the footpath. Do you agree with this proposal? Why/why not?

A. Yes, because pedestrians are the most vulnerable parties, given the potential hazards created by transport devices on the footpath.

19. This proposal sets out three behavioural requirements; that footpath users will:
   • operate vehicles in a courteous and considerate manner,
   • travel in a way that isn’t dangerous, and
   • give right of way to pedestrians.

Do you agree with these three requirements? Are there any others we should consider?

A. Yes, and it is recommended adding a requirement to keep speed to an appropriate level for footpath conditions and numbers of other footpath users regardless of the speed limit (i.e. the recommended 10km/hr)

Proposal 2B: Default 15km/h speed limit for vehicles using the footpath – Questions for your submission:

20. Do you agree with the proposed default speed limit of 15km/h for footpaths? Why/why not? Do you think the proposed speed limit should be higher/lower?

A. No, since according to the Accessible Streets Overview children currently cycle at approximately 10.2km/h and scooters 10.9km/h, a speed limit of 10km/hr is the more appropriate limit to minimise potential hazards.

21. Do you agree with the proposal that road controlling authorities will be able to lower the default speed limit for a footpath or areas of footpaths? Why/why not?

A. Yes it makes sense to allow local knowledge to inform restrictions for local communities and conditions particularly in rural and semi-rural areas where roading networks can be less well developed. Road controlling authorities should partner with local boards and community boards to gain insight into local conditions.

22. Are there other ways, that you can think of, to improve footpath safety? Please explain.
A. Where the road corridor allows, standard footpaths should be wider to allow for multiple users and physically separated from the road.

Artificial cobbles should be installed where footpaths meet pedestrian crossing to aid those with visual disabilities.

Curb cuts should be installed for ease of access for those using mobility devices, people with prams and children up to 12 using cycles.

Proposal 2C: 750mm width restriction for vehicles that operate on the footpath – Questions for your submission

23. Do you agree with the proposed maximum width measurement of 750mm (except for wheelchairs) for devices on the footpath? Should this maximum width limit be wider/narrower?

A. Yes as this will minimise the potential hazards to other footpath users.

24. Do you use a mobility device? If yes, what is the width of your device? Would the proposed width restriction impact you?

A. n/a

25. Should the maximum width limit apply to mobility devices? Why/why not?

A. Yes, the new rules should be applied consistently.

26. We propose that people who already own a device wider than 750mm could apply for an exemption. This document also considers three alternative approaches to mitigate the impact on existing device owners:  
   a. Mobility devices purchased before the rule changes could be automatically exempt from the width limit.
   b. The Transport Agency could declare certain wider devices to be mobility devices under section 168A of the Land Transport Act, and exclude them from width requirements, or
   c. Apply a separate width limit to mobility devices.

Which is your preferred option? Do you have any comments on these alternatives?

A. Option b is preferred as it allows exemptions for the specific requirements of users which the new regulations have been unable to consider.

Proposal 3: Establish a national framework for the use of shared paths and cycle paths – Questions for your submission

27. Do you agree that road controlling authorities should be able to declare a path a shared path or a cycle path? What factors should be considered when making this decision?

A. Yes, this will be useful where there is lack of clarity due to non-standard path configurations. Users will know which rules apply to which type of path.

The proposal is in line with existing measures that enable road controlling authorities to determine regulatory measures for all other uses of the road, e.g. the location of stop signs, one-way streets, mandatory right/left turn lanes etc.
It recognises that local roading authorities are best placed to regulate the roads in their jurisdiction, and specifically enables them to provide an integrated regulatory system.

28. Do you agree with the behavioural requirements we are proposing? Should there be other requirements or rules to use a shared path or cycle path?

A. Yes these are appropriate:
   - in a careful and considerate manner
   - at a speed that is not dangerous to other people on the path
   - in a way that doesn’t interfere with other people using the path.

It would be useful to include the give-way prioritisation mentioned on page 40, i.e.
Pedestrians have greatest priority. Everyone must give way to pedestrians if they’re travelling in a shared path.
People using mobility devices must give way to pedestrians. Everyone else must give way to people using mobility devices.
People using transport devices must give way to mobility devices and pedestrians.
Cyclists must give way to transport devices.
Cyclists must give way to all other users in a shared path.

29. Do you agree that all users be required to give way to pedestrians when using a shared path? Why/why not?

A. Yes, as per question 18, because pedestrians are the most vulnerable parties, given the potential hazards created by transport devices on the shared path.

30. Do you agree with the proposed speed limits for shared paths and cycle paths and the ability of road controlling authorities to change these limits? Please explain.

A. No, it is unsafe for shared paths and cycle paths to have the same speed limits as the roads to which they are adjacent. The overview states that most devices or cycles only reach speeds of 30km/h on the flat, and this is recommended as a safe maximum speed limit for cycle paths. There should be a maximum of 10km/hr on shared paths to protect pedestrians and other footpath users.

31. Do you think that the Transport Agency should be able to investigate and direct road controlling authorities to comply with the required criteria? Why/why not?

A. Yes, because this will lead to greater national consistency and road safety approaches.

Proposal 4: Enable transport devices to use cycle lanes and cycle paths – Questions for your submission:

32. Do you agree that devices other than cycles should be allowed to use cycle lanes and/or cycle paths? Why/why not?

A. Yes because greater speeds are allowed, and this will afford greater safety to footpath users.

33. Do you agree that road controlling authorities should be able to exclude powered transport devices or unpowered transport devices from cycle lanes and/or cycle paths? Why/why not?

A. Yes because slower devices could cause a safety hazard in a busy cycle lane or cycle path.
Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night – Questions for your submission

34. Do you agree with the proposal that powered transport devices must be fitted with a headlamp, rear facing position light, and be fitted with a reflector (unless the user is wearing reflective material) if they are used at night? Why/why not?

A. Yes because this will minimise a potential safety hazard to other road users.

35. Do you think these requirements are practical? For example, if you own a powered transport device, will you be able to purchase and attach a reflector or lights to your device or yourself?

A. Yes, the necessary accessories are available or could be developed.

36. Do you think unpowered transport device users should be required to meet the same lighting and reflector requirements as powered transport device users at nighttime? Why/why not?

A. Yes any transport device used at night should attach a reflector or lights to ensure safe visibility to traffic.

Proposal 6A: Allow cycles and transport devices to travel straight ahead from a left turn lane – Questions for your submission:

34. Do you agree that cyclists and transport device users should be able to ride straight ahead from a left turn lane at an intersection, when it is safe to do so? Why/why not?

A. Yes, as this is a safer option for cyclists, and according to the Overview, aligns with common practice. It is difficult and unsafe for cyclists to move over to the centre lane in fast moving traffic.

Proposal 6B: Allow cycles and transport devices to carefully pass slow-moving vehicles on the left, unless a motor vehicle is indicating a left turn – Questions for your submission:

38. Do you agree that cyclists and transport devices should be allowed to carefully ‘undertake’ slow-moving traffic? Why/why not?

A. Yes, as there is usually enough width in the roadway to allow cyclists to pass slow-moving or stationary motor vehicles safely.

Proposal 6C: Give cycles, transport devices and buses priority over turning traffic when they’re travelling through an intersection in a separated lane – Questions for your submission:

39. Do you agree that turning traffic should give way to users travelling straight through at an intersection from a separated lane? Why/why not?

A. Yes, because this would reinforce and enable 6A above and prevent unsafe crossing of cycles into the centre lane. Improved safety and cyclist priority would encourage more cycling in line with our active transport goals.

40. Our proposed change will introduce a list of traffic control devices used to separate lanes from the roadway to help you understand what a separated lane is and if the user has right of way at an intersection. Is such a list necessary? Why/why not?

A. Yes as the list could provide guidance on best practice and the safest devices to use for all road users.
41. Should the definition of a separated lane include the distance between the lane and the road? Why/why not?

A. Since road widths are so variable it is recommended that this be treated as a best practice guideline rather than definition.

Proposal 6D: Give priority to footpath, shared path and cycle path users over turning traffic where the necessary traffic control devices are installed – Questions for your submission:

42. Do you agree that turning traffic should give way to path users crossing a side road with the proposed markings? Why/why not?

A. Yes, because this is the safer option. It is very difficult for cyclists to observe the traffic behind them and stop when necessary.

43. Do you think that the proposed minimum markings are appropriate?

A. No, a painted section the width of the cycle path would provide better visibility for turning traffic.

44. We are proposing future guidance for additional treatments. Is there any guidance that you would like to see or recommend?

A. Consideration should be given to colour and brightness characteristics which are optimal for both day and night conditions.

Proposal 7: Mandate a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road – Questions for your submission:

45. Do you agree with the proposal for a mandatory minimum overtaking gap for motor vehicles of 1 metre (when the speed limit is 60km/h or less), and 1.5 metres (when the speed limit is over 60km/h) when passing pedestrians, cyclists, horse riders, and users of other devices? Why/why not?

A. These gaps appear too small for the stated speeds. It is recommended that the gaps be 1.5 metres and 2 metres respectively to provide for greater safety of those being passed.

Proposal 8: Clarify how road controlling authorities can restrict parking on berms – Questions for your submission:

46. Do you agree with the proposal that road controlling authorities should be able to restrict berm parking without the use of signs and instead rely on an online register? Why/why not?

A. Yes because of public concern about the proliferation and cost of street signage. The online register would need to be well publicised.

The requirement to provide signage makes enforcement potentially vulnerable to vandalism of signage – no sign, no enforcement. This is likely to lead to the damage and/or removal of signs by those inconvenienced by the restriction, which will prevent efforts to enforce the restrictions.

47. Would it be helpful if information on berm parking restrictions was available in other places, like at a local library, i-SITE, or a local council?

A. Yes
Proposal 9: Give buses priority when exiting bus stops – Questions for your submission

48. Do you agree that traffic should give way to indicating buses leaving a bus stop on a road with a speed limit of 60km/h or less? Why/why not?

A. Yes, because in busy traffic it can be very difficult for large buses to rejoin the traffic if they are not allowed back in by motorists.

49. Should traffic give way to buses in other situations? For example, when a bus is exiting a bus lane and merging back into traffic lanes? Why/why not?

A. This only occurs in urban situations and the courtesy of 'merging like a zip' should apply to all situations where lanes come to an end.

Chair Cath Handley
Chair
Waiheke Local Board
Formal feedback to the Independent Council-Controlled Organisations Review

The Waiheke Local Board appreciates the opportunity to provide feedback to the Independent Council-Controlled Organisations Review. This is an important piece of work as it is now a decade since Auckland’s unique governance model was put in place.

In 2017 a three-year Auckland Council pilot programme was established to trial greater devolution of decision-making to the Waiheke Local Board. It also sought to improve relationships and how the local board works with CCOs. The pilot is due to conclude in October 2020 and findings will be reported to the Governing Body and shared with other local boards and participating CCOs.

Improved collaboration with Auckland Transport on transport issues was a focus of the pilot and as a result a Memorandum of Understanding (MoU) between Auckland Transport and Waiheke Local Board was signed in May 2019. The MoU is a key instrument in shaping the relationship between Auckland Transport and the board, allowing for greater alignment to achieve transport outcomes that meet Waiheke’s needs. It provided the guiding framework for delivery, among other things, of a unique 10-year Transport Plan which supports the priorities and aspirations of both the board and the Waiheke community. The MoU underpins a much more robust relationship that has been established between the two parties, but it is less than a year in and it is still early to see the full effect, as the new intentions have to find their way in the old setting of Auckland Transport. The leadership ethos of the organisation is refreshing and brings hope that the much-needed culture change will be established in time.

The board’s feedback is based on the two overall objectives of the review:

- whether CCOs are an effective and efficient model for delivering services to the council and Aucklanders, and
- whether the CCO decision-making model provides sufficient political oversight, public transparency and accountability:

Feedback

That the Waiheke Local Board:

a. notes that the timing of the public engagement of the CCO Review precludes the Waiheke Local Board receiving and reflecting on current community views in providing local feedback, however, note the community survey led by Council’s Research Investigation and Monitoring Unit (RIMU) during the Waiheke pilot provided insight into community views.

b. agrees that the Council Controlled Organisations can be an effective and efficient model for delivering services to Council and Aucklanders but CCOs have variable track records at delivering services, as do departments of council’s own operations.

c. agrees that the CCO decision-making model can enable sufficient political oversight, public transparency and accountability, however, note that culture and CCO priorities influence the degree to which a CCO delivers sufficiently to local outcomes. A corollary
question might be what models do CCOs need to utilize to satisfy each of the objectives of political oversight, public transparency and accountability.

d. agrees that it is appropriate that CCO’s operate and present themselves as distinct from Auckland Council externally, if they are sufficiently and demonstrably connected with Auckland Council and each other internal and strategically. Conversely a single identity for such a large organisation carries intrinsic reputational risks where one component impacts the whole.

e. identifies the following opportunities to foster greater internal connection between Auckland Council, including local boards and the community:

   i. CCO staff and board members to receive governance inductions to create a shared understanding of the Auckland governance model and to generate a greater respect for respective roles and responsibilities.

   ii. CCOs to actively engage at the development stage of local strategic plans which provide the context for local strategic priorities, and to reference these in the development of the statement of intent to facilitate regular, relevant and joined-up reporting and engagement.

   iii. Auckland Council to facilitate local board input into the development and approval of CCO Statement of Intent (SOIs), including providing analysis of SOIs in terms of local outcomes and facilitating formal feedback and in doing so provide a platform for ongoing engagement and delivery partnerships.

   iv. CCOs and council to create a shared agenda of values, commitments and aspirations, rather than council directing these. If CEOs, CCO Boards, and politicians shared a process, the chances of CCOs delivering to it are much higher. This is how the Waiheke Local Board developed a MOU with Auckland Transport’s CE and leadership team. We share ownership.

f. note that, with the exception of Panuku Development Auckland, CCOs do not take a place-based approach to delivery, which creates a disconnect with local and community aspirations. The independent panel has an opportunity to consider and clarify the mandate of CCOs in the place-shaping space and either divest this to Auckland Council or require CCO’s to prioritise and resource a place-based approach.

g. provide the following feedback on the approach to roles and responsibilities, accountability and engagement with Council and community by CCO:

**Auckland Transport**

- is currently appointing to a new management role specific to Waiheke to address the shortfall between the MOU with the Local Board and the delivery of the intended outcomes:
  - to ensure that the board has early visibility of local community feedback to inform board deliberations;
  - to ensure local priorities and outcomes in the planning and delivery of projects and initiatives;
  - to bridge the gap in local communications on transport projects within the community that currently defaults to the local board;
  - to provide an effective voice internally within AT for local projects.
Auckland Tourism Events and Economic Development
- has met with the Waiheke local board to understand how ATEED and the local board might better align in the future but has not advanced the agenda for that.
- beyond event delivery, does not seek meaningful economic development initiatives at a local board level.
- promotes tourism and visitor strategies that directly impact Waiheke and its communities and ecology but without reference to the priorities of the local board, including the Waiheke Local Board Plan.
- provides no financial support or alignment with council and other CCOs to meet the infrastructure demands and negative impacts of visitors on Waiheke.
- provides no support for Waiheke to access national tourism funding nor council funding.

Panuku Development Auckland
- has allowed significant asset deterioration over council properties that it has been responsible for leasing, rather than a balanced approach that incudes reinvestment in assets over time.
- should be retained as a CCO in for property and urban development but responsibility for its service and other properties not planned for development should be returned to the Council group.

Regional Facilities Auckland
- noting that while Waiheke Local Board area does not have any regional facilities, Regional Facilities regularly and adequately engages with the local board through their Elected Member Relationship Manager.

Watercare
- are successful in engaging with local communities in the development of projects and activities
- are accessible and approachable at a staff and CE level and makes an effort to understand the local environment
- noting that Waiheke Island is not reticulated other than for Oneroa Village and Watercare only has one small wastewater plant on the island.

Waiheke Local Board
21 April 2020