



AGENDA

Strategy and Operations Committee Meeting

I hereby give notice that a Meeting of the Strategy and Operations Committee will be held on:

Date: Thursday, 24 September 2020

Time: 9.30am

**Location: Council Chamber
Ground Floor, 175 Rimu Road
Paraparaumu**

**James Jefferson
Group Manager Place and Space**

Kapiti Coast District Council

Notice is hereby given that a meeting of the Strategy and Operations Committee will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 24 September 2020, 9.30am.

Strategy and Operations Committee Members

Cr James Cootes	Chair
Cr Gwynn Compton	Deputy
Mayor K Gurunathan	Member
Deputy Mayor Janet Holborow	Member
Cr Angela Buswell	Member
Cr Jackie Elliott	Member
Cr Martin Halliday	Member
Cr Sophie Handford	Member
Cr Jocelyn Prvanov	Member
Cr Bernie Randall	Member
Cr Robert McCann	Member

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1 WELCOME**2 COUNCIL BLESSING**

“As we deliberate on the issues before us, we trust that we will reflect positively on the communities we serve. Let us all seek to be effective and just, so that with courage, vision and energy, we provide positive leadership in a spirit of harmony and compassion.”

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro, e pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hapori e mahi nei mātou. Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, ā, mā te māia, te tiro whakamua me te hihiri ka taea te arahi i roto i te kotahitanga me te aroha.

3 APOLOGIES**4 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

5 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA**6 MEMBERS' BUSINESS**

- (a) Public Speaking Time Responses
- (b) Leave of Absence
- (c) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

7 UPDATES

Nil

8 REPORTS

8.1 ZEAL KĀPITI REPORT BACK

Author: Kara Kearney, Senior Programme Advisor

Authoriser: Janice McDougall, Group Manager People and Partnerships

PURPOSE OF REPORT

- 1 This report summarises the outcomes and results for Year Four and Five of Council's contract with Zeal Education Trust for the Youth Development Centre and associated services.

DELEGATION

- 2 The Strategy and Operations Committee has the authority to receive this report.

BACKGROUND

Identifying the need for a Youth Centre and services

- 3 The Council, in partnership with the Kāpiti Coast Youth Council, identified the need for a Districtwide youth centre in 2012. The Council resolved to bring forward available funding for the development of youth centre from 2022/23 to 2014/15.
- 4 An advisory group was established by the Council to investigate the feasibility of a youth facility and recommended a model of service delivery based on international best practice. This work was supported by a wide reaching survey of over 150 social and recreation organisations to assist with identifying gaps in services and activities for young people.
- 5 Through this process it was identified that the overall purpose of the initiative is to provide open access space/s where young people can;
 - gather and be themselves in place/s which they feel ownership over;
 - participate in unstructured and structured social, recreation and educational activities which contribute to their development; and
 - access the support of youth workers in their lives.
- 6 An advisory group made up of community organisations, secondary schools representatives, an iwi representative along with advice from an independent reviewer, set key components to guide criteria for procurement. The following criteria was set:

That the preferred provider must:

- be an established incorporated trust for more than five years;
- have a proven expertise in developing and managing multiple youth centres;
- have a track record in raising capital funding of over \$1 million in the last five years; and
- the ability to raise over \$1,000,000 each year for its operational costs.

Awarding a contract for service

- 7 Following a robust procurement process which included an expressions of interest phase followed by a requests for proposal, the Council selected Zeal Education Trust (Zeal) as the preferred provider of Kāpiti's Youth Development Centre (Centre) and associated services in 2015. A three-year term with two further rights of renewal (Contract range is Year One to Year Nine) was awarded.

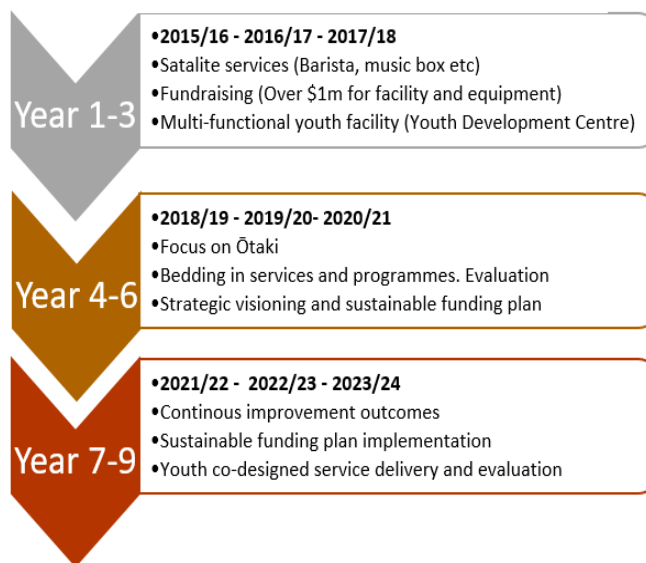
- 8 Zeal Kāpiti is required to report back to Council each year on achievements and outcomes relating to deliverables within the contract with Council.

Zeal Education Trust

- 9 Zeal is a not-for-profit youth organisation whose vision is “to positively influence every New Zealand young person through creativity”. Zeal has built and implemented Youth Facilities in Wellington, Kāpiti, Hamilton, Taranaki and West Auckland. Young people are offered the opportunity to discover their unique creativity, to express it, grow in competency and be able to contribute meaningfully to local communities.

- 10 Zeal’s programmes are successful through partnership. Zeal partners with experts in creative fields offering an industry-standard experience for young people aged 13-18 in disciplines such as Event Management, Live Production, Graphic Design, Photography, Barista and Recording.

Figure 1: Big ticket contract outputs by contract term



- 11 Equally important is Zeal’s adoption of a partnership approach in service delivery, as opposed to a transactional relationship. This means that Zeal and Council collaborate for collective impact. Figure 1 illustrates Zeal Kāpiti’s ‘big ticket’ deliverables from Year One to Nine.

- 12 Zeal Kāpiti has worked hard to establish itself as a youth development service in the Kāpiti district and continues to work with secondary schools, the youth council and a range of community organisations.

YEAR FOUR AND FIVE CONTRACT (2018/19 and 2019/20)

- 13 Zeal’s Year Four report-back was scheduled for early 2020 as per the conditions of the contract between the Zeal Education Trust and the Council, however the pandemic response and COVID Alert levels have impacted on a number of factors which has resulted in the delay of a council report to the Committee.
- 14 In August, council also received the annual report for Zeal’s Year Five activities against contracted deliverables. This report combines both Year Four and Five report backs to Council and measures Zeal Kāpiti’s deliverables against pre-agreed outcomes.
- 15 The contract provides for on-going operations of the Centre, its programmes, activities and youth work provision. It also focuses on continuous improvement processes and future thinking aspects of youth development.
- 16 There are five outcomes in the Youth Development Centre contract term of 2018/19 – 2020/21:

- 1) **A Responsive and robust service:** This outcome includes, that service provision is responsive to the diverse communities of young people living in Kāpiti and that evaluation and measuring outcomes is robust.
- 2) **A diverse youth community utilising the Youth Development Centre:** This includes increasing numbers of young people engaged in meaningful activity at the Youth Centre.
- 3) **Responsive and enhanced mobile and satellite services provided outside of the Youth Development Centre:** This includes continuing to provide youth development activities in the wider community and outreach opportunities provided in the Otaki community.
- 4) **Good youth participation in decision making in design and delivery:** This includes undertaking partnership activities with the Kāpiti Coast Youth Council and involving young people in shaping and leading planning and delivery at the Youth Development centre.
- 5) **Strong community engagement:** This includes taking up collaborative opportunities with other local organisations and continuing to grow the positive reputation of the Youth Development Centre and Zeal Kāpiti with the general public in Kāpiti.

REPORT BACK: YEAR FOUR AND FIVE CONTRACT (2018/19 and 2019/20)

- 17 This section of the report provides staff assessment on contracted outcomes and measures deliverables against progress on agreed actions.

Outcome1: A responsive and robust service

- 18 Zeal Kāpiti responded to this outcome by introducing an evaluation programme that gave clear qualitative data to help with continuous improvement of their service for young people. Zeal's activities focus on 'belonging' to build confidence and grow resilience - the belonging survey became an integral part of their programming and resulted in LGBTQ training and suicide post-vention and prevention training for Zeal staff.
- 19 It is important to note that Zeal has reported that COVID-19 has directly impacted this part of their work but look to modify their approach. They are looking to engage with young people to better understand how Zeal can provide a responsive service to aid pandemic recovery.

20	<i>Council comments: Staff consider that Zeal has 'Achieved' the deliverables within this outcome</i>
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Outcome 2: A diverse youth community utilising the Youth Development Centre

- 21 Zeal Kāpiti have a number of programmes and projects aimed at youth development. In 2018/19 Zeal Kāpiti recorded 1495 young people attending their holiday programmes and hang out sessions. In 2019/20 the number increased to 1675, these sessions provide a safe environment for young people from all walks of life to engage with youth workers.
- 22 Amongst a variety of youth events (ie. Youth rave and live music events) held at the Centre where 1,049 young people attended youth events. Zeal Kāpiti continue to have low cost creative programmes based at the Centre, including, An Intro to Live Sound, Graphic Design, Photography, Recording and Event Management.

- 23 This year, Zeal Kāpiti has partnered up with Age Concern, Kāpiti Youth support and the Youth Council to host events for young people.

24 *Council comments: Staff consider that Zeal has 'Achieved' the deliverables within this outcome but acknowledge that some work is required to engage with Māori and Pasifika young people to create an environment that is familiar and meets their cultural needs.*

Outcome 3: Responsive and enhance mobile and satellite services provided outside of the Youth Development Centre

- 25 The mobile barista service has paved the way for interaction with each college in the district. In 2019/20 year 49 students gained credits from this programme which included intakes from Kāpiti and Ōtaki Colleges. The mobile services are also a form of social enterprise as the coffee cart is popular at community and college events around the district, staffed by young people.

- 26 The music box activations are mobile music based activities using Zeal's stage trailer. This approach compliments Zeal's creative programmes by allowing for young people to gain experience in performing and event management. Zeal are also able to support a number of community activities through their music stage and live sound technicians, this year Zeal was able to support the Kāpiti Food Fair, Coastland's 50th Birthday and a range of other community events.

- 27 A specific outcome within the contract relates to 'planning for youth development needs of Ōtaki young people. Zeal worked hard to develop their Toi Rangatahi programme but struggled to get rangatahi involvement this year. Zeal have reported that they still plan to carry out this work at a pace that reflects their engagement with rangatahi Māori.

28 *Council staff comments: Staff consider that Zeal has 'Partially Achieved' the deliverables within this outcome. Zeal have reported that connecting with kura kaupapa learning mediums and the wider Ōtaki Community has been slow to progress. Zeal has expressed a desire to focus on Ōtaki for the future.*

Outcome 4: Good youth participation in decision making in design and delivery

- 29 Key events and activities at Zeal Kāpiti are developed and delivered by young people, for young people. Zeal have a kaitiaki team of young people who support and inform events and activities at the centre, some of the team are also Youth Council members which creates a strong connection between both groups.

- 30 Zeal continues to work in partnership with the Youth Council, this includes, collaborating on the Future Leaders hui. Enviro schools event and the Kāpiti Enviro Youth summit. This year KYS, Zeal and the Youth Council collaborated to activate an online event for Youth Week in May.

31 *Council staff comments: Staff consider that Zeal has 'Achieved' the deliverables within this outcome*

Outcome 5: Strong Community Engagement

- 32 This outcomes measures Zeal's relationships and collaborations in the wider community. Zeal continues to excel in this space and has undertaken over 70 engagements over the 2019-2020 period. This has contributed to Zeal's positive reputation and strengthened many important community relationships.

- 33 Zeal's ongoing commitment to engaging with iwi, hapū and kaupapa Māori services has been reflected in their recent projects in Ōtaki and their initial contact with Te Atiawa Ki Whakarongotai however Zeal has reported that iwi and hapū engagement has been slow to progress.

34 *Council staff comments: Staff consider that Zeal has 'Partially Achieved' their deliverables within this outcome. Council staff will work with Zeal to create a plan to support their approach, this may include creating deliverables that explore a Māori worldview or recommend some training that may support their vision to meet the needs of rangatahi.*

GOING FORWARD: YEAR SIX (2020/21)

- 35 Zeal Kāpiti are now in Year Six of their contracted three by three, year term. This means that council will continue to partner with Zeal to support the delivery of services for young people while they develop a forward facing service for their new three-year term. This year Zeal will concentrate on:
- The development of a comprehensive evaluation based on outcomes and deliverables using findings from the 2018-2021 contract term (Years Three-Six). This will help shape future services/ programming.
 - An engagement project with young people of Kāpiti, to help determine future programmes at the Youth Development Centre.
 - Delivering a mobile and satellite programme in Ōtaki, based on a needs assessment already undertaken in 2019/20.
 - A Strategic visioning to support an action plan for the next contract term (Years Seven - Nine) of the Kāpiti Youth Development Centre and mobile/ satellite programming for 2021- 2024.
 - A sustainable income plan is to be developed by Zeal to ensure the Youth Development Centre has diverse and robust income streams. This was a condition that was established early in the contract development phase, to ensure that the service would have longevity and be sustainable, enabling Council to reduce its investment over time and reinvest in other community priorities.

CONSIDERATIONS

Policy considerations

There are no policy considerations for the purposes of this report.

Legal considerations

- 36 There are no legal considerations for the purposes of this report

Financial considerations

- 37 Council's contract with Zeal has a similar level of investment as the first three years, with adjustments for inflation. This level of funding is committed in Councils long term plan with a current level of investment of \$285,000 per annum.
- 38 A sustainable income plan is to be developed by Zeal in conjunction with activities over Year Six of their contract to ensure the Youth Development centre has diverse and robust income streams.
- 39 At the time at writing this report, Zeal Kāpiti were finalising their audited accounts in line with the charities services requirements. Upon completion, their statement of financial position will

be reviewed by key council staff as part of our annual health check on contracted service provision.

Tāngata whenua considerations

- 40 Zeal continues to progress its journey with mana whenua and have committed to continue to work to develop their own relationship with local iwi.
- 41 Zeal Kāpiti provides an annual update on activities and outcomes to Te Whakaminenga o Kapiti.

Strategic considerations

- 42 The establishment of a Youth Development Centre and associated services was identified as a key Long Term Plan outcome in 2012. This outcome is still relevant today as youth development helps build resilient, connected and healthy communities.
- 43 Young people are important to our district's identity as an inclusive and connected district that values diversity. Zeal Kāpiti has a significant role in creating a place for young people, along with the provision of services to help young people reach their full potential.

SIGNIFICANCE AND ENGAGEMENT

Significance policy

- 44 This matter has a low level of significance under Council's Significance and Engagement Policy.

Consultation already undertaken

- 45 Consultation was undertaken as part of the 2015 Long Term Plan.

Engagement planning

- 46 An engagement plan is not needed for the recommendations outlined in this report.

Publicity

- 47 A joint communications plan has already been developed to provide guidance on how council and Zeal work together to promote the Youth Development Centre and its objectives.
- 48 No publicity is planned for the recommendations outlined in this report.

RECOMMENDATIONS:

- 49 That the Strategy and Operations Committee notes the outcomes and results achieved for year Four and Five of the Youth Development Centre contract with Zeal Education Trust.

APPENDICES

Nil

8.2 DRAFT BEACH BYLAW 2021 - APPROVAL FOR PUBLIC CONSULTATION

Author: Leeza Boyd, Senior Policy Advisor

Authoriser: Mark de Haast, Group Manager Corporate Services

PURPOSE OF REPORT

1. This report presents the draft Kāpiti Coast District Council Beach Bylaw 2021 (hereafter referred to as 'the draft Bylaw') and seeks Council approval to undertake public consultation on the draft Bylaw.
2. This report is intended to be read in conjunction with the attached information:
 - i) Statement of Proposal for public consultation (Appendix 1)
 - ii) the draft Bylaw (Appendix 2).

DELEGATION

3. Section 143 of the Local Government Act 2002 (LGA 2002) gives Council the power to make a bylaw. Under section B1 of the Governance Structure and Delegations for the 2019-2022 Triennium the Strategy and Operations Committee is responsible for the development and/or review of strategies, plans, policies, and bylaws.

BACKGROUND

4. The current Beach Bylaw was adopted on 7 May 2009 and in accordance with sections 159 and 160 of the LGA 2002 a review must be completed by 7 May 2021 or the Beach Bylaw will be automatically revoked. This date has been extended to 30 June 2021, by provisions in the COVID-19 Response (Further Management Measures) Legislation Act 2020.
5. Work on the first phase of the review of the Beach Bylaw (data collection, early engagement and analysis) commenced in February 2019. Our early engagement started early in 2020, but was interrupted due to the Covid-19 restrictions.
6. The data collection, early engagement and analysis phase has recently been concluded. In this early review and engagement work, Council Officers:
 - i) engaged with our iwi partners about their aspirations for the beach
 - ii) analysed beach-related service requests, emails, and other correspondence from January 2017 to December 2018
 - iii) conferred with government stakeholders, including Greater Wellington Regional Council, Department of Conservation, New Zealand Police and the Harbourmaster
 - iv) held information pop-ups (seven held over February and March 2020) and drop in sessions (five held over July and August) across the district
 - v) consulted with community stakeholders, including local boat clubs, local surf lifesaving clubs, and other community groups (e.g. disability advisory and equine interest groups)
 - vi) conducted a stakeholder survey to test community opinion on some key topics, receiving nearly 1,800 responses between 30 January and 30 April
 - vii) met with community boards, and
 - viii) assessed the bylaw rules against other legislation to check for any ambiguities or inconsistencies that required amendment.
7. The current phase involves the development of a draft Bylaw and public consultation, in accordance with the section 156 of the LGA 2002, through a special consultative procedure.

- 8 Subject to approval, Council Officers intend to release the draft Bylaw for public consultation between 12 October to 13 November 2020. Following this, on 26 November 2020, Council will hear submitters and receive a summary report of submissions.
- 9 The final draft Bylaw is planned to be presented to full Council (in accordance with Council delegations) for consideration and adoption at the end of March 2021.

DISCUSSION OF THE PROPOSED BYLAW

- 10 The early engagement, data collection and analysis phase enabled us to identify the wide range of views that exist across the district. The community showed us that they have a strong interest in beach-related issues across the district.
- 11 We heard a wide range of concerns and requests through our face-to-face conversations, correspondence and our survey. The range of views was diverse and, in some cases, almost evenly split. However, the majority of people were comfortable with their beach experiences.
- 12 Based on the material from our early engagement, data collection and analysis phase, Council Officers consider that many of the current rules remain appropriate and fit-for-purpose. However, a number of matters were identified that required further consideration to improve safety, beach users' understanding of the rules and strengthen enforcement of the bylaw. A variety of proposals have been developed to address or mitigate these matters, where it is reasonable to do so.
- i) Some of these include changes or additions to the current Beach Bylaw rules.
 - ii) A number of proposals relate to operational matters, such as enforcement and safety improvements, which help support the overall intent of the draft Bylaw.
 - iii) Some minor and technical amendments have been identified and addressed.
- 13 We intend to test the operational proposals through the Statement of Proposal, alongside the proposed beach bylaw amendments. Some of the operational proposals have a fiscal impact that may not be able to be met through baseline funding and testing community support will help provide a mandate for any future business cases required for the next Long Term Plan (2021 to 2041).
- 14 The Statement of Proposal also provides the community with more information on the jurisdictional issues and operational challenges inherent in our beach environment.
- 15 People won't necessarily see their own preference reflected in the draft Bylaw, as we considered a range of factors in determining how best to respond to issues raised and meet our legislative requirements. These factors include the size and impact of the issue, practicality of a response thereto, appropriateness of using the Bylaw, ability to monitor or enforce, and the associated cost.
- 16 The key areas being tested though the Statement of Proposal are:
- iv) increasing compliance with the draft Bylaw (by improving enforcement options)
 - v) addressing concerns about motor vehicle activity on the beach (including operational solutions to improve awareness of prohibited areas)
 - vi) ensuring beach user safety around longline fishing systems, and
 - vii) a request to increase opportunities for horse riding on the beach.

CONSIDERATIONS

Policy considerations

- 17 There are no policy considerations in addition to those outlined in this report and the Statement of Proposal, attached as Appendix 1 to this report.

Legal considerations

- 18 As noted above, a review of the 2009 Beach Bylaw must be completed by the 30 June 2021.
- 19 On 16 July 2020, in the Beach Bylaw update to the Strategy and Operations Committee, Council Officers advised that a public complaint had been made to the Human Rights Commission on the basis that the questions in the Beach Bylaw survey about disability access were biased and discriminated by way of age and disability. Council Officers attended mediation on the matter. The Human Rights Commission has now closed the complaint.

Financial considerations

- 20 This bylaw review is being carried out within existing 2020/21 Annual Plan budgets. Some of the proposals being tested in the Statement of Proposal would, if the community and Council agree to progress them, require funding to be secured in the next Long Term Plan (2021 to 41).

Tāngata whenua considerations

- 21 Guidance on iwi aspirations for the beach was received from Te Rangimarie Williams, with the support of ART. The guidance included a number of proposals for consideration.
- 22 Council Officers have incorporated some these into the draft Bylaw. We have advised iwi how the proposals have been incorporated, as iwi seek an opportunity for further review and approval. There were other considerations suggested that sat outside of the scope of the Beach Bylaw review, however it will be important for Council to have further discussions with iwi about how to progress those issues.
- 23 Iwi will now have the opportunity to review how their feedback has been incorporated and Council Officers will continue to support iwi to engage with the content of the draft Bylaw and submit on the Statement of Proposal.

Strategic considerations

- 24 *Toitū Kāpiti* includes aspirations for strong, safe communities and a thriving environment. The Beach Bylaw assists in the attainment of these aspirations because it seeks to enhance the safety of the public on the beach, while also protecting the beach natural environment.

SIGNIFICANCE AND ENGAGEMENT**Significance policy**

- 25 In accordance with the LGA 2002, a special consultative procedure will be required for this draft Bylaw review.

Consultation already undertaken

- 26 As noted above, a pre-consultation engagement phase has already taken place. This included targeted pre-engagement with iwi partners and key stakeholders, information pop-ups, a districtwide Beach Bylaw survey, and drop-in sessions.
- 27 Officers briefed Council on 1 September 2020 (on the key issues raised through the engagement and analysis phase), and again on 15 September (to outline the structure and content of the Statement of Proposal).

Engagement planning

- 28 A communications and engagement plan has been developed to support the public consultation process through a range of channels. These include our regular digital channels (including Facebook, the Beach Bylaw web page on kapiticoast.govt.nz, Antenna and e-newsletter Everything Kāpiti), newspaper and radio advertising, direct emails to stakeholders; and media advice.

- 29 The information to be made available to the public for consultation on the draft Bylaw has been produced in accordance with LGA 2002 requirements and Council's Significance and Engagement Policy.



Publicity

- 30 Publicity and other communications have been included in the communications and engagement plan. Key information including talking points and key messages will be provided to Elected Members to aid in discussions with their constituents.

RECOMMENDATIONS

- 1 That the Committee receives and notes this report, including Appendices 1 and 2 to this report.
- 2 That the Committee approves the Statement of Proposal and the Draft Kāpiti Coast District Council Beach Bylaw 2021 for public consultation in accordance with the Special Consultative Procedure as set out by the Local Government Act 2020
- 3 That the Committee delegates authority to the Chair of the Strategy and Operations Committee and the Chief Executive to approve minor and technical changes required (if any) to the consultation documents before they are publicly released on 13 October 2020.

APPENDICES

1. Statement of Proposal Draft Kapiti Coast District Council Beach Bylaw 2021 [↓](#) 
2. Draft Kapiti Coast District Council Beach Bylaw 2021 [↓](#) 



Draft for Approval

STATEMENT OF PROPOSAL

**DRAFT KAPITI COAST DISTRICT COUNCIL
BEACH BYLAW 2021**

24 September 2020



Draft for Approval Statement of Proposal: draft Kāpiti Coast District Council Beach Bylaw 2021

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Draft for Approval Statement of Proposal: draft Kāpiti Coast District Council Beach Bylaw 2021

HAVE YOUR SAY

The Council invites your views on the draft Kāpiti Coast District Council Beach Bylaw 2021.

The formal consultative period will last for five weeks, from 12 October 2020 to 13 November 2020

Submissions must be made either in writing or online.

You can complete the submission form **attached to this document** and either:

- email it to submissions@kapiticoast.govt.nz,
- drop it off at the Council offices or a Council Service Centre, or
- post it to 'Kāpiti Coast District Council, Private Bag 60601, Paraparaumu 5254'.

You can also make your submission online via Council's online submission portal at <http://consult-kapiticoast.objective.com/portal> and click on **'Beach Bylaw Review'**.

Hard copies of the submission forms are also available from District libraries and service centres.

Submissions will be heard on 26 November 2020.

Persons who wish to be heard by Council will be given the opportunity to do so. If you wish to make an oral submission to Councillors, please indicate YES on the submission form and ensure you have included your contact details. We will contact you to arrange a time for you to speak.

What happens to your feedback?

Your submission, and those of other submitters, will help inform Councillors as we finalise the new Kāpiti Coast District Council Beach Bylaw 2021.

Draft for Approval Statement of Proposal: draft Kāpiti Coast District Council Beach Bylaw 2021

INTRODUCTION AND BACKGROUND

1. The Kāpiti Coast District Council (the Council) is undertaking a statutory review of the Kāpiti Coast District Council Beach Bylaw 2009 (the '2009 Beach Bylaw'). This Statement of Proposal presents the draft Kāpiti Coast District Council Beach Bylaw 2021 (the 'draft 2021 Beach Bylaw'), being proposed for adoption early next year.
2. We have undertaken a range of targeted activities (pop-ups, surveys, meetings, drop-ins) in the community to identify and better understand the issues affecting the beach and our beach users. As a result, we are now proposing a number of changes to better manage activities on the beach and protect the beach environment. Some are changes to the Bylaw itself, while others are operational changes, such as improving signage, to support the overall intent of the Bylaw.
3. This Statement of Proposal:
 - helps the community understand the Council's responsibilities and the review process to date
 - explains the challenges we have identified and why we are proposing the changes, and
 - invites the community to make submissions on the draft 2021 Beach Bylaw.

The current beach Bylaw

4. Council adopted the 2009 Beach Bylaw in May 2009 ([web link to Bylaw](#)). The purpose of the Bylaw is to manage activities on the beach and protect the beach environment.
5. The key matters covered in the 2009 Beach Bylaw are:
 - behaviour and litter
 - launching and retrieving of motorised watercraft
 - motorised vehicles (prohibited areas, speed limits, and prohibited vehicles)
 - horses and stock
 - beach preservation and harvesting
 - lifesaving
 - coastal protection works and defined areas
 - aircraft and hovercraft, and
 - hiring of craft, trading on the beach, and special events.
6. Dogs on beaches are not included in the Bylaw rules. These were covered in the Kāpiti Coast District Council Dog Control Bylaw 2008 (and are now in the Kāpiti Coast District Council Dog Control Bylaw 2019).

Legislative requirements

7. In accordance with sections 145 and 146 of the Local Government Act 2002, the Council may make Bylaws for its District for purposes of:
 - protecting the public from nuisance
 - protect, promote, and maintain public health and safety
 - minimise the potential for offensive behaviour in public places, and

Draft for Approval Statement of Proposal: draft Kāpiti Coast District Council Beach Bylaw 2021

- managing, regulating against or protecting against damage or misuse of land under the control of the territorial authority.
8. Section 22AB of the Land Transport Act 1998 also authorises the Council to make Bylaws in respect of the management of roads, which includes the beach. The Land Transport Act 1998 also provides some enforcement powers to the Council (i.e. in respect of stationary vehicles).
 9. Council Bylaws must be reviewed every 10 years and, if not reviewed, are revoked two years after the date that the review is due. Accordingly, the 2009 Beach Bylaw was due for review by 7 May 2019 (10 years from the date it was adopted) and the final date for completion of the review is 28 May 2021 (2 years from the date the review is due). This final date was extended to 30 June 2021, by the COVID-19 Response (Further Management Measures) Legislation Act 2020.
 10. The Council is also required to consult the community when making, amending, or reviewing a Bylaw and, after deciding to adopt any amendments to the Bylaw, the local authority must give public notice of when the Bylaw or amendments come into operation.
 11. To enable public understanding of the Bylaw review process and the proposed amendments the Local Government Act 2002 requires Council to present this Statement of Proposal.
 12. When making or reviewing Bylaws, the Local Government Act 2002 requires Council to make three determinations. These are to ensure that the Bylaw is necessary, that it is the most appropriate form of a Bylaw, and that any implications under the New Zealand Bill of Rights Act 1990 are considered.
 13. In this respect, Council considers that the draft 2021 Beach Bylaw:
 - continues to be the most appropriate way to manage human activities on the beach to protect, promote and maintain health and safety and the beach environment
 - subject to the proposed amendments, remains an appropriate Bylaw for the Council, and
 - does not contain provisions that would be foreseen to be in conflict with the New Zealand Bill of Rights Act 1990.

The review process so far

14. With increasing popularity and use of our beaches, the Beach Bylaw plays an important role in helping manage activities on our beaches. The community's strong interest in beach-related issues across the district makes it important to invite the community to be involved in this Bylaw review, using the special consultative procedure outlined under the Local Government Act 2002.
15. To develop the draft 2021 Beach Bylaw and this Statement of Proposal, Council gathered and analysed information and talked with numerous stakeholders to assess whether the current 2009 Beach Bylaw appropriately addressed issues related to our beaches. In this early review and engagement work, Council:
 - consulted with our iwi partners about their aspirations for the beach
 - analysed all beach-related service requests, emails, and other correspondence received by Council from January 2017 to December 2018

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- consulted with community stakeholders, including local boat clubs, local surf lifesaving clubs, and other community groups, and
 - conducted a stakeholder survey ([web link to survey](#)) to which we received nearly 1,800 responses
 - consulted with government stakeholders, including Greater Wellington Regional Council, Department of Conservation, New Zealand Police
 - assessed the Bylaw rules against other legislation to check for any ambiguities or inconsistencies that required amendment.
16. We concluded that many of the current rules remain appropriate and fit-for-purpose, but some amendments are required to improve safety, beach users' understanding of the rules and strengthen enforcement.
17. A number of proposals have been identified to address or mitigate the issues and challenges, where possible. Some of these include changes to the Beach Bylaw itself, others are proposed as supporting operational changes to help support the overall intent of the Bylaw. Some of these proposals will have cost impacts. We intend to use consultation to gauge support for these operational changes and where necessary, support funding proposals to enable them under the upcoming Long Term Plan process.
18. The range of community views was very diverse and, in some cases, almost evenly split. People will not necessarily see their individual preference reflected in the draft 2021 Beach Bylaw. We consider a range of factors in determining how to respond to issues and meet our legislative requirements. These considerations include, the:
- size and impact of issue
 - usefulness or appropriateness of using the Bylaw to address it
 - potential to create, rather than reduce, conflict between beach users
 - practicality of response
 - Council's ability to monitor or enforce, and
 - financial impact in terms of capital expenditure or staff costs.
19. The next sections of this Statement of Proposal provide more information on:
- the material Council gathered during the early review and engagement period,
 - proposed changes to the Bylaw
 - other measures that Council would like to propose to enable better support understanding of and compliance with the Bylaw.
20. With the release of this Statement of Proposal, Council is inviting feedback on the draft 2021 Bylaw and the accompanying proposals for improved safety, understanding and compliance.

ISSUES RAISED AND PROPOSED RESPONSES

21. Our early engagement and review work identified several key areas which needed further consideration or improvements. These key areas are:
- confusion about different government agency jurisdictions on the beach

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- more enforcement of the 2009 Beach Bylaw, especially in relation to vehicles driving on the beach
 - the level and/or safety of motor vehicle activity on the beach
 - the safety of longline fishing systems, and
 - a request to increase opportunities for horse riding on the beach.
22. We also identified some requirements for some more minor and/or technical changes, including a number of definitions that needed to be amended or added to improve clarity and understanding.

MULIPLE RESPONSIBILITIES ON THE BEACH CAUSE CONFUSION

23. The question of 'control' over the Coastal Marine Area of the foreshore (between Mean High Water Springs¹ and Mean Low Water Springs) comes up frequently. The question of 'control' in the Waikanae Estuary Scientific Reserve (WESR) has also caused confusion.
24. All of our New Zealand beaches are subject to a range of central, regional and local government rules. Likewise, in Kāpiti, multiple agencies are responsible for managing activities on our beaches and looking after our coastal environment.
25. Each agency has a different role and responsibilities, which means that:
- 'who' has rules on 'what' depends on the activity and where it's taking place
 - some rules apply everywhere, while some only apply in specific locations.
26. As a result, it can be confusing or frustrating to understand what is and what isn't allowed on the beach, especially when there is more than one sign and set of rules for a location or activity.

Council's jurisdiction, responsibilities and rules

27. The Council has jurisdiction over the whole beach environment (from higher dune areas right down into Coastal Marine Area) for the purposes of the Local Government Act 2002.
28. The Council makes rules about the activities that take place in the beach environment to meet our legislative responsibilities - to safeguard public health and safety, reduce nuisance and offensive behaviour, and protect against damage (e.g. to the protected ecological sites in our District Plan).

Other agencies' jurisdictions, responsibilities and rules

29. There are other key agencies that make rules for, or manage, activities in our beach environment. The Council cannot make any Bylaw rules that are inconsistent with the rules or legislation of these, or any other, Government agencies.
30. The three key agencies who have some form of 'control' on our beaches are the Greater Wellington Regional Council (GWRC), the Department of Conservation (DOC) and the New Zealand Police (Police).

¹ Mean High Water Springs is the highest level that spring tides reach, on average, over a timescale (i.e. 18–20 years). The highest visible line of seaweed, driftwood and other marine debris that gathers on a shoreline over a year is generally a good indicator of Mean High Water Springs.

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Three key agencies who have some form of 'control' on our beaches

Coastal Marine Area	<p>The Resource Management Act 1991 gives regulatory authority and control of the Coastal Marine Area to GWRC and to the Minister of Conservation (administered through DOC).</p> <p>GWRC is responsible for the natural resources in the wider Wellington region, and produces regional plans and coastal policy statements to protect the environment. Their Proposed Natural Resources Plan (PNRP) contains rules for the Coastal Marine Area, that include prohibiting motor vehicles in sites of significance (unless launching or retrieving a boat).</p> <p>GWRC are responsible for managing breaches of the PNRP, including offences relating to prohibited vehicles in sites of significance. GWRC have warranted Compliance Officers who can issue infringement offence notices to people breaching these rules.</p>
WESR	<p>DOC (and GWRC) have jurisdiction over the WESR and the adjoining Kāpiti Marine Reserve.</p> <p>DOC has a specific role and responsibility in conserving the country's natural heritage.² The 1994 Waikanae Scientific Reserve Bylaw (the 1994 WESR Bylaw), administered by DOC, sets rules for the WESR, that include rules prohibiting vehicles or animals in the Estuary.</p> <p>DOC are the enforcement authority for managing breaches of rules in the 1994 WESR Bylaw.</p>
Driving	<p>All beaches fall within the legal definition of a road under the Land Transport Act 1998. The Act enables Council, as a road controlling authority, to make rules in Bylaws relating to vehicles in order to protect public safety, including rules about vehicle use on the beach.</p> <p>Police play an important role as they are the authority that enforces any Bylaw provisions relating to driving vehicles (e.g. driving in prohibited areas, or exceeding the gazetted speed limit).</p> <p>Police also enforce all 'manner of driving' offences like careless, dangerous, reckless and inconsiderate driving, through the Land Transport Act 1998. The associated Land Transport (Offences and Penalties) Regulations 1999, provide Police with a suite of infringement offence notices for driving-related offences which they use to issue infringement offence notices for 'manner of driving' offences or vehicle-related breaches of the Bylaw.</p>

31. Other authorities that manage or make rules affecting beach activities are:
- Fire and Emergency who may issue permits for fires on the beach
 - the Ministry for Primary Industries sets and enforces fishing rules and administers the legislation that provides for customary fishing tools, and
 - the Civil Aviation Authority, who oversees the area of aviation safety, which includes rules for using drones.

² Other DOC legislation and regulations also apply on beaches including their regulations and guidelines about operating drones around marine mammals and birds. DOC is also responsible for managing New Zealand's whitebait fisheries.

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PEOPLE WANT BETTER ENFORCEMENT OF BYLAW RULES

32. We had a lot of feedback about enforcement issues in our early engagement work, from both the community and Council Officers.
33. There is a perception gap in terms of what Council is required to mitigate against, and what it can and can't enforce, with Council having limited powers under Bylaws and not being the enforcement authority under the Land Transport Act 1998, the GWRC'S PNRP or the 1994 WESR Bylaw. There is often a limited awareness of the enforcement agencies with delegated authority.
34. Discussions with Council Officers also identified a number of challenges related to compliance, monitoring and enforcement. These challenges are greatest in the areas that are furthest from urban centres or outside of Council's jurisdiction.

Our Council approach to the current challenges

35. Council Officers take a graduated response and encourage compliance with Bylaw provisions. They can:
 - provide advice, educate and investigate
 - provide information to other agencies
 - issue a written warning if offender details are known
 - and can prosecute, if there is sufficient evidence and it is in the public interest.
36. Actual responses depend on the level of risk, seriousness of harm, attitude towards compliance and the practicalities of the enforcement tools available.
37. The community wants everyone to comply with the Bylaw rules that are set, and can find it hard to understand why Council is not taking a stronger approach to compliance. In particular, the community finds it extremely frustrating that the Council does not do more to enforce rules around activities like motor vehicles where safety is a key issue.
38. Despite having the responsibility of setting Bylaw rules to protect the public, Councils across the country have limitations in terms of the enforcement options open to them to encourage compliance with rules. Although anyone in breach of a Bylaw rule can be prosecuted and fined up to \$20,000, there are only certain circumstances where Council can issue an infringement notice.

Enforcement through infringement offence notices for breach of a Bylaw rule

39. Infringement offence notices are an important low or medium level financial penalty to promote compliance with Bylaws. They provide a step between a formal written warning and a prosecution. They encourage compliance by penalising conduct that is of concern but which doesn't justify prosecution or a significant fine.
40. Council can only issue an infringement offence notice if there is an offence and associated fine is set out in legislation (a primary 'Act' or it's related 'Regulations') and the Council is an enforcement authority for that legislation. Consequently, unless already provided for through legislation, the Council does not have the ability to establish and issue lower level fines.

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Enforcement of offences related to vehicles

41. Council sets, for the purpose of public safety, rules setting speed limits on the beach or prohibiting motor vehicles in certain areas. Police are the agency with the legislative power to stop a moving vehicle.
42. The Council relies on the Police to monitor and enforce compliance in relation to moving vehicle offences. However, many of the issues that the Bylaw covers are not priority issues for Police and they cannot allocate resources to policing them proactively. This issue is compounded as offenders can, and often do, leave the beach before any enforcement action can be undertaken. Often, the Police perspective is that Bylaws should be the responsibility of Council to enforce regardless of 'manner of driving' complaint.
43. We continue to advocate for the community to contact the Police in regard to Bylaw breaches by moving vehicles. We also encourage people to contact Council after lodging their complaint with the Police, this allows us to monitor the activities of concern, and talk with Police about the actions they have taken.
44. The Council strives to reduce enforcement challenges through operational management of the activities on the beach, and by with other agencies to ensure that the communications about what can and can't be done on the beaches in Kāpiti is clear and consistent.

CONCERNS ABOUT MOTOR VEHICLE ACTIVITY ON THE BEACH

45. Our early engagement highlighted some fundamental concerns and frustration about motor vehicles on our beaches. The main areas of concern were:
 - dangerous or prohibited driving (e.g. speeding or reckless driving and prohibited motorbikes, particularly in the northern part of the District)
 - parking on the beach in prohibited areas
 - safety concerns about vehicles in busy areas and where multiple activities are taking place, specifically, in the vicinities of:
 - the Kapiti Boat Club at Paraparaumu Beach,
 - the Waikanae Estuary and surrounding beach areas, and
 - the northern beaches of Te Horo and Ōtaki.
46. The continued presence of motorbikes on the beach causes much aggravation. Two wheeled motorbikes have been banned since the 2009 Beach Bylaw came into effect, as they are the most common vehicle type to drive illegally in dunes and restricted zones and reportedly presented one of the greatest sources of intimidation, annoyance or nuisance to a broad section of other beach users.

Enforcement action against dangerous or prohibited driving

Our considerations

47. There is community concern and frustration at the number of vehicles that are:
 - driving on the beach in areas where they are not permitted, and/or
 - driving dangerously (speeding or recklessness) in both authorised and prohibited areas.

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48. During the 2018 and 2019 calendar years, Council saw an increase in callers raising concerns about reckless driving, particularly on the northern beaches. Most of these complaints involved reckless driving of off-road vehicles and motorbikes exceeding the speed limit and/or in areas that are prohibited driving areas.
49. As mentioned earlier, only Police can stop a moving vehicle. If they do, the Land Transport (Offences and Penalties) Regulations 1999 set the fee for a breach of a Bylaw rule at \$750, unless a different fee is set in the Council Bylaw.
50. As there is no amount specified in the 2009 Beach Bylaw, the default infringement fee of \$750 applies. This might be an appropriate penalty in respect of significant and ongoing breaches, but it is not an appropriate penalty for minor breaches.
51. Police have told us that the \$750 fee is unpalatable to them and that this makes them less likely to issue an infringement notice. We want those who consistently breach the Bylaw to receive an infringement notice, to encourage them to comply in the future.

What we propose

52. We propose to amend the Bylaw by introducing an infringement of \$150 for non-compliance with vehicle provisions. Police support this fee level and it would align with fees set for the same purpose by other Councils (e.g. in Whangarei District Council's Control of Vehicles on Beaches Bylaw).

Proposal:

- i. *A Bylaw amendment to the Offences and Penalties section of the Bylaw to set a penalty of \$150 for motor vehicle drivers failing to comply.*

Enforcement action against prohibited parking

Our considerations

53. Councils have the ability to deal with stationary vehicle offences. Parking Wardens (Council Enforcement Officers are warranted as Parking Wardens) are authorised to deal with stationary vehicle offences under the Land Transport Act 1998.
54. The Land Transport (Offences & Penalties) Regulations 1999 set the fine for a parking offence, in breach of a Bylaw rule, at \$150. A parking infringement notice can be issued where parking restrictions are specified in a Bylaw.
55. The 2009 Beach Bylaw does not clearly identify areas where parking is restricted, which means that Council Enforcement Officers are unable to issue infringement notices for parking offences on the beach.

What we propose

56. We propose to establish parking restrictions, in all but specifically authorised parking areas (i.e. authorised boat launch and retrieve sites, authorised disability parking areas, permitted driving areas and any other authorised parking areas). This will enable Council Enforcement Officers to issue parking infringement notices. Issuing infringements for parking in prohibited areas would discourage people from driving onto and parking up on the beach.
57. If these proposed restrictions are adopted by Council, we would run an information campaign as the first step to educate drivers and provide warning notices before an

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infringement offence notice is issued on the second breach (warnings would be recorded against an individual so that an infringement notice can be issued if a second breach occurs).

Proposal:

- ii. *A Bylaw amendment to establish parking restrictions, in all but specifically authorised areas.*

Vehicle activity on our southern beaches

58. The southern beaches around our more populated townships are relatively busy, particularly for walkers and families enjoying the summer.
59. From south of Olliver Grove in Waikanae, vehicles are only permitted onto the beach to drive or park within authorised boat launch and retrieve sites and only for the purpose of launching or retrieving a boat or if they are displaying a current m parking mobility permit. All other public vehicle activity is prohibited.³
60. The recent Beach Bylaw Survey 2020 confirmed our early review findings that the majority of people (57.2% of respondents) felt that the current rules for motor vehicles in the area are right. Some people wanted greater freedom for vehicles (10.3%) and some wanted vehicles prohibited completely (20.5%).
61. There is a lot of boat launch and retrieve activity on these beaches, with the Kāpiti and Waikanae boating clubs being our busiest launch and retrieve sites. Although vehicle activity is permitted, we could do more to ensure people are safe in these areas.
62. There is also additional activity where unauthorised vehicles are accessing and driving or parking on the beach where they shouldn't be. There is more we could do to prevent any prohibited vehicle activity.

Improving safety in busy boat launch sites with give way rules

Our considerations

63. Boat launch sites can be, and often are, used by other users such as pedestrians, dog walkers and horse riders.
64. The current Bylaw provides no guidance on the safe co-location of activities at boat launch and retrieve sites. It is not clear to users which activity has priority and therefore when people should give way (e.g. when parking, walking or riding a horse). This is a significant safety concern at the busier boat launch sites like the Kāpiti Boating Club and the Waikanae Boating Club.

What we propose

65. We are proposing to create a rule in this regard to increase safety in boat launch areas. It would be useful to create greater awareness about when people should give way. That is, other beach users should give way to boat launchers.

Proposal:

- iii. *A Bylaw amendment to require all beach users to give way to people launching or retrieving a boat in an authorised boat launch and retrieve site.*

³ Other than some exceptions provided for the purpose of emergency, law enforcement or Council activities.

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Identifying all boat launch sites may reduce convergence in busy sites

Our considerations

66. Our boat launch and retrieve sites are mentioned in the 2009 Beach Bylaw (and marked on a more recent 'Beach Access' map) but they are not specified in the Bylaw by location. Our current boat launch and retrieve sites are located at:
- Jeep Road, Raumati South
 - Marine Gardens, Raumati Beach
 - Kāpiti Boating Club, Paraparaumu Beach
 - Manly Street, Paraparaumu Beach North⁴
 - Waikanae Boat Club, Waikanae Beach
 - Peka Peka Beach Road, Peka Peka Beach,
 - the southern end of Rodney Avenue, Te Horo, and
 - at 100 Marine Parade, and
 - 8 Marine Parade in Ōtaki.⁵
67. The busiest sites by far are the Kāpiti and Waikanae boat clubs. Some people may not be aware of how many of these sites there are along our coastline. Listing the full range of sites may encourage both local and visitor boat owners to utilise quieter sites and reduce convergence in the busier boat sites.

What we propose

68. We will be listing the locations of all authorised boat launch and retrieve sites in the draft 2021 Beach Bylaw, to provide more clarity and information for users.

Signposting the boundaries of our busiest boat launch sites to improve safety

69. It is not unusual to have several hundred cars parked in our busy boat launch and retrieve sites during summer. Along with boaters and disability parking, a number of other beach users use these access areas (e.g. pedestrians, dog-walkers, swimmers). Near misses with vehicles are not unusual, and concerns have been raised about how dangerous these areas can be.
70. Our 2009 Beach Bylaw says you cannot park beyond the signposted boundaries of an authorised boat launch site, but most boundaries are not signposted. Neither the Kāpiti Boating Club site nor the Waikanae Boating Club sites are signposted. Signposting the boundaries of these busier sites would:
- provide clarity and contain authorised vehicles in a specific area
 - stop vehicles from driving further into the surrounding prohibited driving areas
 - deter unauthorised vehicles (without boat trailers or mobility permits)
 - allow other beach users to note and avoid areas where there are moving vehicles.

⁴ Note that, later in this document, we seek feedback on whether to revert this access point to pedestrian only.

⁵ Vehicles are only permitted onto the beach to drive or park on the beach within authorised boat launch and retrieve sites and only for the purpose of launching or retrieving a boat or if they are displaying a current disability parking permit.

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What we propose

71. We want to improve safety for all beach users with clearly signposted areas on the foreshore to define the boat launch and retrieve areas. We are proposing a:
- 400 metre zone outside of the Kāpiti Boating Club site, and
 - 400 metre zone outside of the Waikanae Boating Club site.

Proposal:

- iv. *An operational response to install signposts on the foreshore to mark the boundaries of authorised boat launch and retrieve sites at:*
- ◆ *the Kāpiti Boating Club, to provide a 400 metre zone*
 - ◆ *the Waikanae Boating Club, to provide a 400 metre zone.*

Motor vehicles in prohibited areas in and around the WESR

Our considerations

72. Vehicles are prohibited on this stretch of beach for public safety reasons, and by other agencies for environmental and cultural reasons.
73. Apart from boaters and disability parking, cars are prohibited on this part of the foreshore by the rules in 2009 Beach Bylaw for public health and safety reasons, because this is a popular and busy area, particularly for walkers. In an area with a lot of pedestrian activity, any increased or unnecessary vehicle activity increases the risk of someone getting harmed. Early engagement feedback highlighted this is a concern for the community and people have expressed frustration that vehicle rules are not being abided by.
74. Vehicles are also prohibited in parts of this stretch of beach by DOC and GWRC. The WESR is a nationally-significant reserve with a natural mosaic of freshwater lakelets, saltwater lagoons and marshes and tidal sand flats. The surrounding beach is a site of significant to Te Ātiawa ki Whakarongotai, for wai ora, wai tai, mahinga kai, tauranga waka, kai moana, wāhi whakawātea, wāhi whakarite values.
75. There are multiple pedestrian access points and parking spots in the surrounding streets from which people can gain access to the area. This does not stop unauthorised use of nearby boat launch sites to drive vehicles onto the beach to explore or park up. Others drive up and into the WESR.
76. Several approaches could be taken to reduce vehicle access in affected areas. We consider that a prevention approach would be the most effective.

What we propose

Restrict access to authorised users only

77. Our proposal is to restrict motor vehicle access at the two main boat launch and retrieve sites at the Kāpiti and Waikanae boat clubs and install an automatic entry barrier that only admits authorised vehicle entry (i.e. those launching or retrieving a boat, with current Mobility Parking Permits or emergency vehicles like the Coastguard).
78. Although the safety risks from unauthorised vehicles in this area are high and growing, these are substantial changes and we seek an indication of how acceptable this option

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might be to local site users and the community. Further work would need to be done to determine the detail of this approach.⁶

Remove vehicle access at Paraparaumu Beach North

79. We have also considered reducing the number of motor vehicle access points that currently enable people to drive onto the beach and into the estuary where they are not permitted. We are told that the site at Manly Street, Paraparaumu Beach North is used more for vehicle access than it is for boat launch and retrieve activities. We propose to close this site to vehicles, and retain it as pedestrian access only.
80. Results from our survey favoured closure of the Manly Street, Paraparaumu Beach North site. It would be necessary to support the proposal above (to restrict all unauthorised vehicles from accessing the beach through the Kāpiti Boating Club and the Waikanae Boating Club sites, if progressed).

Proposals:

- v. *An operational response to physically restrict vehicle access to the beach at the Kāpiti Boating Club and Waikanae Boating Club except for authorised users with approved access (e.g. an access card provided via Council or boating clubs), and*
- vi. *A corresponding operational response of close the boat launch and retrieve point at north Manly Street, Paraparaumu Beach.*

Vehicle activity in the northern beaches

81. Motor vehicles have traditionally been allowed in the northern beaches (from north of Olliver Grove in Waikanae right up to the northern boundary of the district) with some restrictions near homes to protect health and safety and minimise nuisance.
82. The recent Beach Bylaw Survey 2020 confirmed our early review findings that the majority of people (52.0% of respondents) felt that the current rules for motor vehicles in the area are right. Some people wanted more restrictions (15.5%) and some wanted vehicles prohibited completely (24.5%).
83. Over recent years, service requests received have increased considerably due to:
 - motor vehicles being driven in restricted areas (the beach adjacent to Rodney Avenue in Te Horo and, to the north, the Mangaone Stream Estuary); and
 - two-wheeled motorbikes and other off-road vehicles speeding or driving recklessly on the beaches and dunes from Peka Peka and all the to Ōtaki River.
84. This issue is causing frustration and anger in the community. Enforcement is particularly difficult, as these locations have a limited Police presence. Residents who have attempted to talk with the driver have been faced with aggression and, in one case, assault. These driving offences and the threatening behaviours are, and will continue to be, a matter for Police to investigate and manage.
85. Aside from the issues discussed in paragraphs 41 to 44 (only Police can stop moving vehicles) and proposal 'i' (a lower infringement fee to encourage more enforcement), there are some further responses (a mix of Bylaw changes and operational solutions) we could consider to encourage people to follow the rules.

⁶ We would need to ensure that access is easy for authorised users (approved via local boating clubs and through Council), and need strategically placed cameras to enhance public safety and prevent nuisance.

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Vehicles using a beachside reserve track to access protected beach and estuary areas

Our considerations

86. The 2009 Beach Bylaw does not allow any vehicles in the beach area between Mangaone Stream at Te Horo Beach and the Ōtaki River mouth. This is because the beach is a protected ecological site⁷ in the District Plan and the Mangaone Stream Estuary is an ecologically sensitive site under GWRC's PNRP. Instead, the Bylaw says that people may drive on the 'beachside reserve track' adjacent to this section of beach.
87. However, people are using this track to drive into the prohibited beach and estuary areas. Local residents have raised concerns about off-roading in this area and Council has received multiple requests to restrict or remove vehicle access to the track.
88. The 2009 Beach Bylaw map marks this stretch of beach in green (signifying 'driving permitted') with a notation out to the side specifying that you can only drive on the beachside reserve track. With only a quick glance, it could appear that driving is permitted on the beach. This may be contributing to, or exacerbating, the issue.

Inset from map in the 2009 Beach Bylaw

MAP 1: Vehicle Zones on the Beach Foreshore



What we propose

89. We are proposing to amend the Bylaw to remove the reference to the track being a permitted driving area. This will reduce vehicle activity on the track and should, consequently, reduce the people using the track to drive into prohibited areas. Improved signage would also be installed, to advise people still using the track that they cannot drive down onto the beach or into the estuary.
90. We also considered some operational solutions to prevent vehicles accessing the protected beach and estuary areas. For instance, we could restrict access to the track itself closing the end of the road, or creating a physical barrier at the track entrance point (e.g. installing bollards) to deter vehicles. We seek community feedback on this approach.

⁷ District Plan ID K231. This stony beach ridge with indigenous vegetation is a nationally endangered rare ecosystem, and this is the most intact example in our district. It is also important to the hapu of Ngati Raukawa for its ecological richness, the numerous battles were fought and lives were lost, and for driftwood collection. The wood also provides habitat for fauna.

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Proposals:

- vii. A Bylaw amendment to remove the 'beachside reserve track' from the list of 'allowable driving areas'.
- viii. An operational response to restrict access to the beachside reserve track, such as physical barriers or road closure.

Restricting vehicle access to part of Te Horo Beach and the Mangaone Stream Estuary

Our considerations

91. The main beach area in Te Horo is the stretch adjacent to residential area (with parking, toilets and changing facilities) which is a prohibited driving area. The Mangaone Stream Estuary, which adjoins the Te Horo main beach area at the north end, is also a prohibited driving area (as noted in paragraph 86).
92. Many of the service requests we receive for the Te Horo area are complaints about cars and motorbikes being driven in this section of the foreshore and estuary. Vehicles can access this beach stretch and the estuary from two points, being:
 - the parking area at the end of Te Horo Beach Road
 - the southern vehicle access-way at Rodney Avenue (vehicles can drive on the beach south of this point).
93. The parking area at the end of Te Horo Beach Road offers pedestrian access to the beach and the estuary areas (both protected ecological sites where cars are prohibited). The access-way to the beach is wide and is often used to drive vehicles onto the beach and/or into the estuary. Signage at the site, prohibiting vehicle access, is being ignored. Residents would like to see this area completely closed off so cars cannot access the beach or the protected Mangaone Stream Estuary.
94. There is an official vehicle access-way at the southern end of Rodney Avenue. Vehicles are permitted to drive on the beach south of this point, however it is a point from which vehicles can also access the restricted beach area to the north.

What we propose

95. Council could create physical barriers to prevent or deter all vehicle access onto the residential-adjacent area of Te Horo Beach.

Example of vehicle deterrent at south end of main Te Horo Beach area



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Example of vehicle barrier at the parking area at the north end of main Te Horo Beach area



96. These types of measures would need significant community support to work. Previous attempts to block off vehicle access to Te Horo beach, legitimately by the Council and informally by residents, have been unsuccessful as barriers have been removed by vehicle drivers.

Proposal:

- ix. *An operational response, reduce vehicle access to Te Horo beach adjacent to the residential area and the estuary, by creating a physical barrier with accompanying directional signage to:*
- *deter vehicle access at the south end of the residential area (to discourage vehicles from driving north to access the main beach), and*
 - *restrict access at the Te Horo Beach Road parking area (to stop vehicles from accessing the beach and estuary).*

Vehicle access to the beach at The Avenue in Ōtaki

Our considerations

97. The access point at the corner of Marine Parade and The Avenue is being used as an unofficial motor vehicle access point.

Access point at the corner of Marine Parade and The Avenue in Ōtaki



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98. Council has received a number of requests asking us to restrict vehicle access at this point, and redirect vehicles to other vehicle accessways in Ōtaki.
99. Survey responses, when adjusted to remove those with no opinion or unsure, favour reverting to pedestrian access. However, previous community attempts to block the access-way resulted in the barrier being destroyed/removed and people damaging the dunes in other areas to gain access to the beach.
100. We could retain this as access point for both pedestrians and vehicles and install signage. Alternatively, we could classify the access point as pedestrian only access point with signage redirecting cars to the nearest vehicle access points (north bank Otaki River or opposite 100 Marine Parade) and create a physical barrier to block vehicle access to the track.

What we propose

101. We are proposing to classify the access point as pedestrian only, as there are two nearby vehicle access points (one of which, the north bank Otaki River is only about 200 meters away from this site). We seek community feedback on this.

Proposal:

- x. *An operational response to:*
 - *classify the beach access point at the corner of Marine Parade and The Avenue as to a pedestrian only access point, and*
 - *create a physical barrier to block vehicle access to the track.*

SAFETY OF LONGLINE FISHING SYSTEMS

Safety of longlines around swimmers

Our considerations

102. During early engagement we heard concerns about safety around longline fishing systems for other beach users. In particular, incidents where longlines drift underwater with the tidal movement and swimmers have got caught on longline hooks. Our survey responses indicated there is an interest in providing some rules around longline fishing.
103. It is likely that the majority of issues occur during popular swimming times (e.g. peak summer holidays) and in the busier beach areas, and we have heard that many longline fishers tend to prefer the quieter beach areas.
104. Tauranga City Council recently addressed similar issues by amending their Beach Bylaw to restrict longline fishing off the beach between the hours of 10:00am and 5:00pm from 15 December to 15 February.
105. For public safety, it could be useful to have restrictions in busier beach areas, where swimming is most likely to take place.

What we propose

106. We propose a set of locational restrictions that would only apply in the peak summer holiday season. This would reduce safety risks to swimmers in our more populated areas, without overly prohibiting those that enjoy using longlines.

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Proposal:

- xi. A Bylaw amendment stating longline fishing off the beach (regardless of method of deployment) is not permitted between the hours of 10.00am and 5.00pm from 15 December to 15 February, in the following areas
- within 400 metres of any designated boat launch or retrieve area,
 - Paekakariki foreshore – between the Beach Road entrance and the southern boundary,
 - within 400 metres of any surf lifesaving flags, and
 - within 400 metres of any authorised vehicle access-ways.

Ensuring lines or equipment do not present a safety hazard

Our considerations

107. Through our early engagement we also heard concerns from a number of beach users that they have not always been able to see where a long line is being used, some lines are not being monitored and line are found left on the beach.

What we propose

108. We are proposing to include three other rules around the safety aspects of longline fishing. One requires longline fishers to monitor their line at all times. One addresses the issue of visibility of lines on the foreshore. The other simply includes longline fishers in the safety rules already existing for surfcasters.

Proposals:

- xii. A Bylaw amendment to require longline fishers to monitor their line at all times
- xiii. A Bylaw amendment to require longline fishers to 'flag' their line in a manner that it is visible to other beach users.
- xiv. A Bylaw amendment to include longline fishing systems alongside surfcasting in the requirement "to take reasonable steps to ensure their lines or equipment do not present a safety hazard to other beach users".

HORSE RIDING ON THE BEACH

Summer horse riding restrictions on the beach

Our considerations

109. Current rules restrict riding, driving or leading horses between 11am –5pm from 1 December to the end of Daylight Savings in specific locations. At all other times/locations, you can ride, drive or lead horses on the beach.
110. Although a formal call for submissions has not yet been made, a submission has already been received from the Kapiti Equestrian Advocacy Group, seeking a reduction in the restrictions for horses on the beach, including the summer restrictions.
111. Our early engagement identified support for both more and less freedom for horses. Survey responses indicated that most people had no concerns about horses on the beach provided they followed the rules and felt the existing rules were right.

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What we propose

112. We could adjust the summer riding restriction dates to allow more access to the beach. We could also adjust the time restrictions to align with the 'peak summer holiday period' being proposed for the longline provisions (i.e. use between 10:00am and 5:00pm). This will allow more freedom for riders but keep the main beach areas clear in the peak summer holiday times.

Proposal:

- xv. A Bylaw amendment to amend the summer horse restrictions to 15 December to 15 February from 10am to 5pm.

Dealing with the issue of horse manure

Our considerations

113. The 2009 Bylaw states that "No person shall dump green waste on any part of the beach". This doesn't specifically cover waste from a person's animal.
114. There has been much local and national debate about whether riders should pick up the manure their horses leave in public places. In our early engagement, people raised the issue of horse manure on the beach. A number of survey responses identified horse manure on the beach as unsightly or a nuisance.
115. Horse manure can be an unpleasant sight, but it poses minimal risk to public health being comprised solely of plant material. There are safety issues to consider, if we ask riders to dismount to collect horse manure. A Bylaw amendment requiring removal of any manure deposited by a horse would also be difficult to enforce and impractical for the ride in most (if not all) cases.
116. Another way to set expectations and guide behaviour (without incurring monitoring and compliance costs) is to create guidelines or a 'code of etiquette' for horse activity at the beach.

What we propose

117. We propose to create a 'code of etiquette' for horse riding on the beach. This could include a range of behaviour recommendations such as when to give way and managing safety risks. This would be shared with equestrian groups in the district and put on our website alongside the rules for horse-riding.

Proposal:

- xvi. An operational response to create guidelines or a 'code of etiquette' for managing horses at the beach.

ENSURING DISABILITY ACCESS

Parking for those with mobility impairments

Our considerations

118. The Council supports beach access for the disabled and understand that people with mobility impairments can often only access the beach environment by driving onto it.

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We provide a number of locations where direct vehicle access to the beach is available for people with mobility impairments.

119. The 2009 Beach Bylaw provides authorised disability parking areas (signposted sections of the foreshore) for people with disabilities to park and access the beach if they hold a valid Mobility Parking Permit.
120. Some of the designated mobility permit parking sites in the southern beaches (south of Peka Peka) are in authorised boat launch sites. One of the key benefits of combining disability parking areas and boat launch sites is that Council has a smaller number of vehicle access areas to maintain, but it does raise concerns for safety in the more populated boat launch locations.
121. We considered whether disability parking in boat launch sites should be re-considered. The community's views were tested through the Beach Bylaw Survey 2020. The majority of respondents (52.8%) were comfortable with disability parking in boat launch and retrieve areas as long as it was not too busy. We also noted that there are few alternative settings from which those with disabilities are able to directly access our southern beaches.

What we propose

122. We intend to retain the provisions allowing for Authorised Disability Parking Areas within authorised boat launch sites. With the proposals to improve enforcement of prohibited moving and stationary vehicle activity and the proposal to restrict access to boat launch sites to authorised entry only, the level of vehicle activity in boat launch sites should reduce and improve safety as a result.
123. We have also included 'designated disability parking areas' into the list of Defined Areas. This gives Council the ability to set aside distinct areas for disability parking. This will future-proof the Bylaw so that should the level of vehicle activity in boat launch sites not reduce sufficiently to ensure safety, Council can provide a specific area for disability parking after consulting the public.

Allowing use of mobility devices

Our considerations

124. The Kāpiti Accessibility Advisory Group told us of the increasing range and use of motorised mobility devices, which can assist the disabled or mobility-impaired to access the beach, and concerns that their use may be restricted on our beaches if we do not future-proof our provisions.
125. This Land Transport Act 1998 definition of motor vehicle excludes mobility devices. It defines mobility devices separately, as being vehicles designed and constructed for use by persons who require mobility assistance due to a physical or neurological impairment; and powered by a motor with a power output not exceeding 1500W.

What we propose

126. In the draft 2021 Beach Bylaw, we are proposing to amend our definition of motor vehicle to match the one used in the Land Transport Act 1998. By doing this, it the motor vehicle restrictions in the Bylaw will not apply to mobility devices.
127. This means people with the mobility devices that meet the Land Transport Act 1998 will be able to access the beach environment. Permission from the Council would only

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be required if a mobility device exceeded the parameters set in the Land Transport Act 1998 definition of mobility device.

ENABLING IWI PRACTICES

Our considerations

128. Iwi have asked Council to ensure that there are areas in which iwi are able to access the sites and resources they need to continue traditional iwi practices. Council fully support this request.

What we propose

129. We propose to:
- retain the provision that an authorised officer can give permission for the removal of beach material (i.e. sand, driftwood, native estuary vegetation and stones) that may be required by iwi for traditional practices
 - include 'iwi practices' into the list of Defined Areas to enable Council, after consultation with the public, to establish a specific area for iwi traditional practices if these areas are identified and agreed.

BETTER INFORMATION, SIGNAGE AND EDUCATION

Our considerations

130. We heard, through our early engagement, that many people felt that the information the Council provides to the community is inadequate, and that there needs to be more done to educate the public on the rules that apply to the beach. We also acknowledge the feedback that our signage could be greatly improved, to enable people to understand and follow the rules. This included concerns about signs that are missing, hard-to-read or simply not useful.

What we propose

131. Better information and signage will help to increase knowledge of the rules, and educate those undertaking, activities in our beach environment. We intend to:
- run a public communication campaign on the rules, when the Bylaw is adopted
 - provide easy-to-access, plain English website information, brochures and maps
 - update much of our coastal signage, as part of the Beach Bylaw Review project.

OTHER MINOR OR TECHNICAL AMENDMENTS

132. As well as the proposals above, the draft 2021 Beach Bylaw includes some minor changes to improve the intent, clarity and structure of the Bylaw. These include:
- a number of new or amended definitions
 - safety responsibilities for kite surfers
 - the addition of a litter provision
 - rules around flagged swimming sites in surf lifesaving areas
 - defining the locations of the authorised vehicle accessways.

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133. For more information, see the summary of proposed changes below.

SUMMARY OF PROPOSED CHANGES

134. A summary of all proposed changes in the draft 2021 Beach Bylaw can be found in the table below. A full copy of the draft 2021 Beach Bylaw can be found here ([insert hyperlink](#)).

Draft 2021 Beach Bylaw		Key differences between draft 2021 Beach Bylaw and 2009 Beach Bylaw	
1	Title, Commencement, and Application	Carried over from 2009 Bylaw, and amended to clarify the areas under the jurisdiction of Greater Wellington Regional Council or Department of Conservation but where Bylaw rules apply.	
2	Beach Bylaw Validation	Carried over from 2009 Bylaw with minor amendment to add the Land Transport Act 1998.	
3	Objective	Carried over from 2009 Bylaw and amended to reflect the <i>Toitū Kāpiti: Kāpiti Coast District Council Long Term Plan</i> . It also updates references to other legislation that applies on the beach, including protected customary rights.	
4	Interpretation	<p>The following terms are newly defined (n) or amended (a) to:</p> <p>(i) make the overall intent and scope of the Bylaw clearer and/or</p> <p>(ii) to align with definitions in other legislation.</p> <ul style="list-style-type: none"> • Animals (a) • Approved (a) • Authorised Disability Parking Area (a) • Authorised Officer (n) • Authorised Parking Area (n) • Authorised Vehicle Accessway (n) • Beach (a) • Coastal Marine Area (n) • Council (a) • Designated Boat Launch and Retrieve Area (a) • Designated Disability Parking (n) • Designated Surf Lifesaving Area (n) • Drones (n) • Enforcement Officer (a) • Foxton Ecological District (a) • Hang glider (n) • Kite surfer (n) • Licence (n) • Litter (n) • Longline fishing off the beach (n) • Mobility device, including mobility scooters (n) • Moped (n) • Motorcycle (a) • Motor vehicle (a) • Offence (n) • Para glider (n) • Prohibited Driving Area (n) • Protected Customary Right (n) • Restricted Driving Area (n) • Sailboard (n) • Sign (n) • Surfcasting (n) • Vehicle (a) 	
5	Appropriate Behaviour	In the 2009 Bylaw, this section included two clauses about fishing. This section has been carried over, but the two clauses about fishing have been moved to a new section called 'Beach Activities'.	
6	Beach Activities	Fishing	This is a new section that includes two existing clauses about responsible fishing, alongside three new clauses prohibiting longline fishing at certain times and locations and setting flagging and monitoring responsibilities. The two existing clauses on responsible fishing have been carried over from the Appropriate Behaviour section, and amended to include longline fishing systems.
		Kite surfing	This is a new clause stating that all kite surfers must take reasonable steps to ensure their lines or equipment do not present a safety hazard to other users.
7	Authorised Boat Launching and Retrieval Sites	This is a new section that has been added to the Bylaw in order to officially designate the boat launch and retrieve sites.	

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8	Boat launching	This section was included in the 2009 Bylaw, but it was called Motorised Watercraft. It was brought forward to sit closer to the sections on Beach Activities and Designated Boat Launching and Retrieval Sites. It has also been amended to more clearly define where boat launching is allowed.	
9	Litter and green waste	Carried over from 2009 Bylaw with minor amendments to include litter	
10	Life Saving	This section was included in the 2009 Bylaw, but it has been brought forward to sit closer to the section on Beach Activities. This section has been amended to clarify rules around flagged swimming sites in surf lifesaving areas and to improve alignment with the GWRC's <i>Navigation and Safety Bylaw</i> .	
11	Harvesting	This section was included in the 2009 Bylaw, but it has been brought forward to sit closer to the section on Beach Activities. In one clause, the source for written permission to undertake an activity has been downgraded from Chief Executive to an Authorised Officer.	
12	Aircraft and Hovercraft	Carried over from 2009 Bylaw with: (i) minor amendments to improve readability, and (ii) a new clause about drones (and compliance with legislation).	
13	Hang glider / Para glider	Carried over from 2009 Bylaw with minor amendments to improve readability.	
14	Land Yacht	Land yachts were included in the 2009 Bylaw, under two sections on vehicles. The relevant clauses have been pulled into a specific section on Land Yachts and brought forward to sit closer to Beach Activities section.	
15	Vehicles	Authorised vehicle accessways	This is a new section that has been added to the Bylaw in order to officially designate the authorised vehicle accessways, and the entry point at the north bank of Otaki River Mouth has been added as an authorised vehicle accessway. A vehicle accessway, at Manley Street Paraparaumu Beach North, included in a previous Beach Access map is being closed and has been excluded.
		Prohibited Driving Areas	This section was included in the 2009 Bylaw, but it was called Beach Restrictions. It has been brought forward to sit in front of the section on Conditions for Driving and amended to improve readability. Exceptions for driving in prohibited areas have been extended to include Council officers undertaking monitoring or compliance.
		Permitted Driving Areas	This section was included in the 2009 Bylaw, but without the permission to drive on the formed shingle track (the 'beachside reserve track') between the northern bank of the Mangaone Stream and the southern bank of the Otaki River Mouth.
		Conditions for Driving	Carried over from the 2009 Bylaw with minor amendments.
16	Parking	Prohibited Parking Areas	This is a new section that has been added to the Bylaw to define the Prohibited Parking Areas.
		Authorised Disability Parking Areas	This is a new section that has been added to the Bylaw to establish Authorised Disability Parking Areas.
		Conditions for Parking	This section relocates, with some minor amendments for readability, previous clauses in relation to vehicles and boats that are not undertaking boat launch or retrieve activities, give way rules for vehicles displaying Mobility Parking Permits and provides an exception for emergency or law enforcement situations.
17	Horses and Stock	Carried over from 2009 Bylaw with the amendments setting new hours and dates for the summer restrictions, being between 10am and 5pm from 15 December to 15 February.	
18	Hiring of Craft / Trading on the Beach	In the 2009 Bylaw, Hiring of Craft and Trading on the Beach are in two separate sections. The draft Bylaw merges these into one section. It increases the	

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		approval level for trading on the beach from permission to permit. It also refers readers to Council's Public Places Bylaw and Trading in Public Places Policy.
19	Special Events – Non commercial	Carried over from 2009 Bylaw, but with the term 'Non commercial' added (as commercial permits are managed via the District Plan).
20	Beach Preservation	Carried over from the 2009 Bylaw with no amendments.
21	Coastal Protection Works	Carried over from the 2009 Bylaw with no amendments.
22	Defined Areas	Carried over from the 2009 Bylaw with amendments to include iwi traditional practice areas, parking areas and designated disability parking areas.
23	Permits Issues Pursuant to the Bylaw	Carried over from the 2009 Bylaw with no amendments.
24	Offences and Penalties	<p>Carried over from 2009 Bylaw with the following amendments:</p> <ul style="list-style-type: none"> • Clarification of what is an offence under this Bylaw; • Adds that Council Enforcement Officers or Police can also request date of birth; and • Sets the infringement fee for breach of vehicle restriction clauses (driving and parking) of \$150. <p>Note: the 2009 Bylaw section on the General Bylaw has been deleted because the necessary clauses and definitions from the General Bylaw have been included in this draft 2020 Bylaw.</p>



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KAPITI COAST DISTRICT COUNCIL BEACH BYLAW 2021

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Draft for Approval**1. Title, Commencement and Application**

- 1.1 This Bylaw may be cited as the Kapiti Coast District Council Beach Bylaw 2021 and comes into force on XX 2021.
- 1.2 This Bylaw is made pursuant to Sections 145 and 146 of the Local Government Act 2002 and section 22AB of the Land Transport Act 1998, or any subsequent amendments.
- 1.3 This Bylaw applies to any part of the beach (the term 'beach' is defined in section 4.1 of this Bylaw) in the Kapiti Coast District, excluding:
- (a) the Kapiti Marine Reserve, Kapiti Island Nature Reserve, and the Waikanae Estuary Scientific Reserve, which are owned and managed by the Department of Conservation.
 - (b) Queen Elizabeth Park, which is owned and managed by the Greater Wellington Regional Council and subject to Greater Wellington Regional Council's Parks, Forests and Reserves Bylaw 2016, including any subsequent amendments.
- 1.4 This Bylaw does not apply to dogs on the District's beaches. For rules associated with dogs on beaches, please refer to the Kapiti Coast District Council Dog Control Bylaw 2019 and Dog Control Policy 2019, or any subsequent amendment.
- 1.4 This Bylaw replaces the Kapiti Coast District Council Beach Bylaw 2009.

2. Kapiti Coast District Council Beach Bylaw 2021 Validation

- 2.1 The Kapiti Coast District Council Beach Bylaw 2021 was approved at a meeting of the Kapiti Coast District Council held on XX 2021 after completion of the Special Consultative Procedure.
- 2.2 The Common seal of the Kapiti Coast District Council was affixed, pursuant to a resolution of Council on XX 2021 in the presence of:

K Gurunathan
Mayor

Councillor

Wayne Maxwell
Chief Executive Officer

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3. Objective

- 3.1 Subject to the limitations of Sections 145 and 146 of the Local Government Act 2002, the purpose of this Bylaw is to manage human activities on the beach in order to protect, promote, and maintain health and safety and the beach environment in accordance with *Toitū Kāpiti: Kāpiti Coast District Council Long term plan*, which aims to ensure:
- (a) A high quality natural environment enjoyed by all; and
 - (b) A resilient community that has support for basic needs and feels safe and connected.
- 3.2 Nothing in this Bylaw derogates from any provision of, or the necessity for compliance with:
- (a) any other Council bylaws, District Plan requirements;
 - (b) the Land Transport Act 1998 or any Act passed in amendment or substitution thereof;
 - (c) the Summary Offences Act 1981 or any Act passed in amendment or substitution thereof;
 - (d) any protected customary rights in the Marine and Coastal Area Act 2011;
 - (e) the Litter Act 1979;
 - (f) any other applicable Acts, regulations or rules;
 - (g) the Greater Wellington Proposed Natural Resources Plan, the Navigation and Safety Bylaw for the Wellington Region, and any other requirements imposed by Greater Wellington Regional Council; and
 - (h) the Waikanae Scientific Reserve Bylaw 1994 and any other requirements imposed by the Department of Conservation.

4. Interpretation

- 4.1 In this Bylaw, unless the context requires otherwise:

Animals	Shall have the same meaning as defined in section 2 of the Animal Welfare Act 1999. This Bylaw does not apply to the control of dogs. For the rules associated with dog on beaches, please see the Dog Control Bylaw 2019 and the Dog Control Policy 2019.
Approved	Means approved in writing by Council or by any authorised Council Officer.
Authorised Boat Launch and Retrieve Area	Means a section of the foreshore, as identified by signage and/or signposts, designated for the purpose of launching boats and other motorised watercraft.
Authorised Disability Parking Area	Means a section of the foreshore designated for the purpose of people with disabilities to park and access the beach.

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Authorised Officer	Refers to any officer of the Council or any other person authorised under the Local Government Act 2002 and authorised by Council to administer and enforce its bylaws.
Authorised Parking Area	Refers to an area on the foreshore designated for parking.
Authorised Surf Lifesaving Area	An area of beach patrolled by a Surf Lifesaving Club.
Authorised Vehicle Accessway	Means a Council sign posted road or track allowing vehicular access to the beach from public roads, parking bays, reserves or picnic areas.
Beach	Any area along the Kapiti Coast which can reasonably be considered part of the beach environment including the foreshore, dunes, river mouths, coastal vegetation, coastal protective works, and any other areas of sand, surf, pebbles, shells or shingles under Council regulatory control. This area is a road for the purposes of the Land Transport Act 1998.
Chief Executive	Means the Chief Executive of the Kapiti Coast District Council or a person acting under delegated authority on behalf of the Chief Executive.
Coastal Marine Area	Has the meaning given by section 2 of the Resource Management Act 1991.
Coastal Protection Works	Means any hard or soft structures (such as sea walls, rock revetments, dune fencing and coastal plants) used to prevent erosion and controlled by the Council.
Council	Means the Kapiti Coast District Council or any Committee acting under the delegated authority of the Kapiti Coast District Council.
District	Means the Kāpiti Coast District.
Drones	An aircraft without a human pilot onboard. Its flight is controlled either autonomously by onboard computers or by the remote control of a pilot on the ground or in another vehicle.
Dunes	Means the section of the beach lying generally above the high tide mark where mounds or ridges of sand or stones formed by wind or water action exist. These dune areas may be covered or uncovered by vegetation.

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Enforcement Officer	Means any person appointed by the Council who holds a warrant under section 177 of the Local Government Act 2002, any person warranted under section 38 of the Resource Management Act 1993, any person warranted under section 33G of the Maritime Transport Act 1994, a Parking Warden appointed under section 128D of the Land Transport Act 1998 and includes a 'Constable' under the Policing Act 2008.
Foreshore	Means the land edging the sea, estuaries and rivers that are normally submerged and exposed by the sea's tidal ebb and flow, that is, the area between the line of mean high water springs level and the mean low water springs level.
Foxton Ecological District	The beach area from South Taranaki to Paekākāriki is a unique ecological area known as the Foxton Ecological District, which is characterised by extensive sand-dunes, estuaries, wetlands, dune lagoons and a few coastal swamp forests. (DOC, 1987, <i>Ecological Regions and Districts of New Zealand</i> , p56.).
Green Waste	Means any waste organic material generated by human activities.
Hang glider	Means a glider, including a powered glider, that is capable of being launched and landed solely by the use of the pilot's legs, and includes para gliders.
Horse	Means any horse, mule, donkey or ass.
Kite surf (sailboard)	Means any type of board that is propelled by a detachable sail apparatus and operated by a person standing on the board. This includes wind surfers and kite surfers.
Land Yacht	Means any unmotorised wheeled vehicle used in land sailing which consists of little more than a carriage and a sail.
Licence	Refers to a permit or other authority from the Council.
Litter	Has the meaning given to it by section 2 of the Litter Act 1979.
Longline fishing off the beach	Refers to fishing from the beach using long lines fitted with multiple hooks regardless of device (for example kontiki, kite, drone) used to deploy the line.
Moped	Shall have the same meaning as defined in section 2 of the Land Transport Act 1998.
Motor vehicle	Shall have the same meaning as defined in section 2 of the Land Transport Act 1998.

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Motorcycle (motorbike)	Shall have the same meaning as defined in section 2 of the Land Transport Act 1998.
Motorised water craft	Means any boat, jet ski or vessel propelled by a motor and controlled by a person or any other means.
Offence	Includes any act or omission in relation to this bylaw or any part thereof for which any person is liable to prosecution.
Official Beach Access Point	Means a Council sign posted road or track allowing pedestrian access to the beach from public roads, parking bays, reserves or picnic areas.
Para glider	Means a hang glider with no rigid primary structure. See hang glider.
Prohibited Driving Area	Means a section of the beach set out in clause [15(b)] of this Bylaw where driving is prohibited.
Protected Customary Right	Shall have the same meaning as defined in section 51 of the Marine and Coastal Area Act 2011.
Sign	Means any display or device whether or not placed on land or affixed to a building, stationary vehicle or structure, intended to attract attention for the purposes of directing, identifying and informing.
Stock	Includes poultry, cattle, deer, goats, sheep, pigs or any other farmed animal (excluding horses).
Surfcasting	The activity of fishing from shore, especially by casting one's line into the surf.
Vehicle	Shall have the same meaning as defined in section 2 of the Land Transport Act 1998 or subsequent amendments.

5. Appropriate Behaviour

- 5.1 No person shall use any dressing shed or toilet except for its intended purpose, nor loiter in or around any dressing shed or toilet.
- 5.2 No person shall remain upon any part of the beach in deliberate view of others in such a state of undress as to cause offence.

6. Beach Activities**(a) Fishing**

- 6.1 It is the responsibility of all surfcasters and longline fishers to take reasonable steps to ensure their lines or equipment do not present a safety hazard to other

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beach users.

- 6.2 No person shall clean fish or bring, deposit or leave any filth or rubbish in any dressing shed or toilet.
- 6.3 Longline fishing off the beach (regardless of method of deployment) is not permitted between the hours of 10.00am and 5.00pm from 15 December to 15 February, in the following areas:
- (a) Within 400 metres of any designated boat launch or retrieve area;
 - (b) Paekakariki foreshore – between the Beach Road entrance and the southern boundary;
 - (c) Within 400 metres of any surf lifesaving flags; and
 - (d) Within 400 metres of any authorised vehicle accessways.
- 6.4 All individuals undertaking longline fishing must ensure their line is visible by the placement of flags on the line.
- 6.5 All individuals undertaking longline fishing must ensure their line is monitored at all times.

(b) Kite surfing

- 6.6 It is the responsibility of all kite surfers to take reasonable steps to ensure their lines or equipment do not present a safety hazard to other beach users.

7. Authorised Boat Launching and Retrieval Sites

- 7.1 The following sites are designated as official boat launching and retrieval sites:

- (a) Jeep Road, Raumati South
- (b) 'Marine Gardens', Garden Road or Matatua Road, Raumati Beach;
- (c) Kapiti Boating Club, Marine Parade, Paraparaumu Beach;
- (d) Waikanae Boat Club, Tutere Street, Waikanae Beach;
- (e) Peka Peka Road, Peka Peka Beach;
- (f) south end Rodney Avenue, South End access;
- (g) opposite 100 Marine Parade, Otaki; and
- (h) opposite 8 Marine Parade, Otaki.

- 7.2 The geographical boundaries of the sites listed in (c) to (d) above are identified by signage and/or signposts.

8. Boat Launching

- 8.1 Motorised watercraft are permitted to launch from:
- (a) Any designated site set out in clause 7.1; and
 - (b) Any permitted driving area as set out in clause 15.2.

Draft for Approval**9. Litter and green waste**

- 9.1 No person shall dump **litter or** green waste on any part of the beach.
- 9.2 Any person found discarding or dumping or directing the discarding or dumping of **litter or** green waste contrary to this Bylaw, is liable to prosecution and or a fine to recover the costs associated with its removal.¹

10. Life Saving

- 10.1 No person shall obstruct, hinder or interfere with any life-saving operations or with any person engaged in life saving activities.
- 10.2 The Council may at its discretion authorise any life-saving club to erect and remove danger notices from any place.
- 10.3 No person shall swim in any place, or in the vicinity of any place, which is declared unsafe for such activity by a Council approved "danger" board or notice. No person shall swim or bathe in any place after being warned by an enforcement officer or qualified life-saving attendant that it is dangerous to swim in such a place.
- 10.4 No person shall use, displace, or otherwise interfere with any appliance, warning device or sign provided by the Council or by any life-saving club unless authorised by an **official** surf club member, an enforcement officer, or member of Police.

10.5 From time to time, a surf lifesaving club may set aside areas of beaches as flagged areas for the purposes of swimming and bodyboarding only. No person may carry out any activity other than the activities for which the area has been flagged. These flagged swimming areas are marked by two yellow flags forming the boundary.

11. Harvesting

- 11.1 Except with the written permission of the Chief Executive, no beach material listed in clause 11.2 may be removed:
- (a) using any power equipment or tool (such as a chainsaw) to chop up or break down material; and
 - (b) in quantities exceeding that which can be carried on foot (unless the permitted quantity is specified in some other bylaw or Act of Parliament).
- 11.2 Except with the written permission of an authorised officer, no person shall remove any of the following resources from the beach in quantities greater than that specified in clause 11.1 above:
- (a) sand;
 - (b) driftwood;
 - (c) native estuary vegetation; and
 - (d) stones - where they form the predominant beach material.

¹ Individuals caught dumping or discarding litter may also be liable to an infringement offence under the Litter Act 1979.

Draft for Approval**12. Aircraft and Hovercraft**

- 12.1 No person shall (except in the case of an emergency) land or attempt to land on any part of the beach any aircraft, glider, balloon, parachute or other craft for air flying nor any hovercraft, except a hang glider or para glider, unless:
- (a) The Council has given written approval to carry out the activity; and
 - (b) All other statutory requirements are also complied with.

12.2 Any person flying a drone must comply with the Civil Aviation Act 1990 and any other relevant Council policy.

13. Hang glider/Para glider

- 13.1 No person shall (except in the case of an emergency) land or attempt to land on any part of the beach any hang glider or para glider unless:
- (a) The Council has given written approval to carry out the activity and all other statutory requirements are also complied with; or
 - (b) The person is landing a hang glider or para glider on the foreshore between the southernmost limit of Ames Street, Paekakariki, and the Fisherman's Table Restaurant² at the southern boundary of the District.
- 13.2 Any person landing or attempting to land a hang glider or para glider on the foreshore between the southernmost limit of Ames Street, Paekākāriki and the Fisherman's Table Restaurant, shall take all possible steps to avoid causing a nuisance or danger to other beach users.
- 13.3 No person shall (except in the case of an emergency) attempt to become airborne or waterborne in any aircraft, glider, para glider, hang glider balloon, parachute or other craft for air flying nor any hovercraft, from any part of the beach, unless the Council has given written permission to carry out the activity and the person has complied with all other statutory requirements.

14. Land Yacht

- 14.1 No person may operate a land yacht on any part of the beach unless they are on the foreshore between the north bank of the Waimeha Stream Mouth, North Waikanae, and the Official Beach Access Point at Olliver Grove, North Waikanae.
- 14.2 All land yachts being driven on the beach must give way to pedestrians, bathers, horses and dogs at all times.

15. Vehicles:**(a) Authorised vehicle accessways**

15.1 The following sites are designated as authorised vehicle accessways:

- (a) Peka Peka Road, Peka Peka Beach;
- (b) south end of Rodney Avenue, Te Horo;
- (c) north bank of Otaki River, Otaki;

² Fisherman's Table Restaurant situated at 29 State Highway 1, Paekakariki 5034.

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(d) opposite 100 Marine Parade, Otaki;

(e) opposite 8 Marine Parade, Otaki.

(b) Prohibited Driving Areas

15.2 Two-wheeled (road or off-road) motorcycles or mopeds are not permitted to drive on any part of the beach.

15.3 No person may drive any vehicle in a prohibited driving area of the beach or on any dunes or coastal protection works, unless that person has the prior permission of the Council or when any of the following circumstances apply:

(a) an emergency or law enforcement situation;

(b) an authorised officer/enforcement officer undertaking monitoring and compliance; or

(c) Council, groups recognised by Council, Greater Wellington Regional Council or Department of Conservation Staff (or their delegated contractors) carrying out restoration or beach maintenance work.

(c) Permitted Driving Areas

15.4 All beaches in the District are prohibited driving areas in relation to any vehicle (excluding two-wheeled motorcycles and mopeds) apart from the following:

(a) the foreshore between the Official Beach Access Point at Olliver Grove, North Waikanae, to the Official Beach Access Point at the southern end of Rodney Avenue, Te Horo;

(b) the formed shingle track adjacent to the foreshore between the northern bank of the Otaki River mouth to the Official Beach Access Point opposite 100 Marine Parade, Otaki Beach;

(c) the foreshore between the Official Beach Access Point opposite 8 Marine Parade, Otaki Beach, to the northern limit of the District. (Note: The Waitohu Reserve area is outside the limits of the foreshore and is off limits to all vehicles).

15.5 No person shall, except for emergency purposes, bring or drive any motor vehicle, land yacht, or trailer onto any part of the beach except via an Authorised Vehicle Accessway.

15.6 No person shall, except for emergency purposes access an Authorised Boat Launch or Retrieve Area or Authorised Disability Parking Area from a vehicle prohibited part of the beach.

(d) Conditions for Driving

15.7 No person shall, except for emergency purposes, on any part of the beach:

(a) Drive a vehicle through an official vehicle beach access point at a speed greater than 10 km/h.

(b) Drive any vehicle at a speed greater than 20 km/h or in a manner which:

(i) causes nuisance or annoyance to other beach users;

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- (ii) causes damage to any part of the beach; or
- (iii) has adverse effects on plants and/or native animals or their habitats.

15.8 No person shall tow or drag any wave board or similar device behind any motor vehicle in such a way as to cause a danger or inconvenience to any person.

16. Parking**(a) Prohibited Parking Areas**

16.1 Parking on the beach is prohibited in all areas, except for the following:

- (a) Designated boat launching site for individuals parking a trailer;
- (b) Authorised disability parking areas;
- (c) Permitted driving areas set out in clause 15.4; and
- (d) any other authorised parking areas.

(b) Authorised Disability Parking Areas

16.2 Individuals holding a Mobility Parking Permit may park on the foreshore at any Authorised Disability Parking Area, provided a valid Mobility Parking Permit is displayed.

16.3 Authorised Disability Parking Areas are located in the following sites:

- (a) the Authorised Boat Launch and Retrieve Area at Kapiti Boating Club;
- (b) the Authorised Boat Launch and Retrieve Area at Waikanae Boating Club.

(c) Conditions for Parking

16.4 Vehicles displaying Mobility Parking Permits must give way to vehicles launching boats at all times when driving through boat launching areas or accessways.

16.5 No person shall:

- (a) park any craft, trailer or vehicle on or near any Authorised Boat Launch and Retrieve Area and Authorised Disability Parking Areas so as to obstruct or impede the reasonable use of such areas; or
- (b) park beyond the signposted boundaries of any Authorised Boat Launch and Retrieve Area or Authorised Disability Parking Area in a vehicle prohibited part of the beach.

16.6 Clauses 16.1 -16.6 do not apply in an emergency or law enforcement situation.

17. Horses and Stock

17.1 Between 10am – 5pm from 15 December to the 15 February no person shall ride, drive or lead a horse on the foreshore in the following restricted areas:

- (a) from the southern boundary of the District to the Wainui Stream mouth at the north of the Paekākāriki Settlement;

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- (b) from the Official Beach Access at Jeep Road, Raumati South, to the Kapiti Boating Club, Paraparaumu Beach;
 - (c) from the Waikanae Boating Club, Waikanae Beach to the Waimeha Stream mouth, Waikanae Beach; and
 - (d) from the beach access point opposite 100 Marine Parade, Otaki Beach to the beach access point opposite 8 Marine Parade, Otaki Beach and in Waitohu Reserve.
- 17.3 At all other times and locations, a person may ride, drive or lead a horse on the foreshore.
- 17.6 No person shall, on any part of the foreshore, ride any horse in a manner which causes danger or unreasonable inconvenience to any person or causes damage to the beach environment.
- 17.8 The Council may from time to time issue a permit authorising horse racing or riding in a restricted area of the foreshore, in which case:
- (a) the provisions of this Bylaw apply except so far as varied by the permit and any conditions on the permit; and
 - (b) the rider must either clearly display the approved sticker or carry the permit so that it can be produced on demand.
- 17.9 Horses are prohibited from traversing all areas of the beach other than the foreshore and appropriately marked beach accessways.
- 17.10 A Council permit is required to lead stock on the beach.
- 17.11 No person who has obtained prior written permission from the Council to drive or lead any stock on any part of the beach shall do so in a manner which causes danger or inconvenience to any person or causes damage to the beach environment.
- 18. Hiring of Craft/Trading on the Beach**
- 18.1 No person shall, on any part of the beach, sell, offer for sale, or trade, any article without obtaining a permit.
- 18.2 The Council may authorise the use of any part of the foreshore for the hiring, storing, launching and recovery of any types of waterborne craft made available for public hire, and may issue a permit to any person or persons for the carrying out of one or more of those activities.
- 18.3 Any such permit may include such conditions as may be desirable in the interests of the safety and convenience of the public.
- Note: For information about applying for a permit for trading in a public place, please see Council's Public Places Bylaw and Trading in Public Places Policy.*
- 19. Special Events – Non commercial**
- 19.1 Any person or organisation wishing to hold a special event on the foreshore shall apply in writing to the Council for a permit to hold such an event. This application should be received at the Council a minimum of six weeks before the planned

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event.

- 19.2 The issuing of a permit for a special event may be subject to a bond to cover the costs of any clean-up or remediation undertaken by the Council following the event. The bond amount will be determined by Council Officers based on the size and potential risk of staging the said event.

20. Beach Preservation

- 20.1 No person is permitted to cultivate or tend any plant/s on the beach, other than those that naturally occur within the Foxton Ecological District, unless with prior permission of the Council.
- 20.2 Other than horses or dogs, no person is permitted to introduce or release any animal into the beach environment, without prior written permission of the Council.
- 20.3 The Council reserves the right to work with landowners to ensure that private accessways to the beach are consolidated when cause for consolidation is justified to prevent harm to the coastal dune system.

21. Coastal Protection Works

- 21.1 No person shall damage, break, destroy, remove or otherwise interfere with any coastal protection works legally placed, planted, erected or maintained on any part of the beach for the control of sand or shingle or for the prevention of erosion without a written permit from the Council.

22. Defined Areas

- 22.1 The Council may from time to time following public consultation, upon such terms and conditions and for such period or periods as it thinks fit, declare that a defined area of the beach shall be notified and identified as an area where specific activities may be expected to occur, either:

- (a) to limit damage to the natural environment; or
- (b) to restrict an activity that might not be acceptable in all areas; or
- (c) to provide for safety matters.

For example, and without limitation, a defined area could include:

- (d) dune restoration areas;
- (e) clothing optional areas;
- (f) iwi traditional practice areas;
- (g) vehicle driving or parking areas; and
- (h) designated disability parking area.

Note: Unless specific prohibitions are established, a defined area does not exclude the general public from use of those areas.

23. Permits Issued Pursuant to the Bylaw

- 23.1 Where the Council issues any permit pursuant to the terms of this Bylaw, it may

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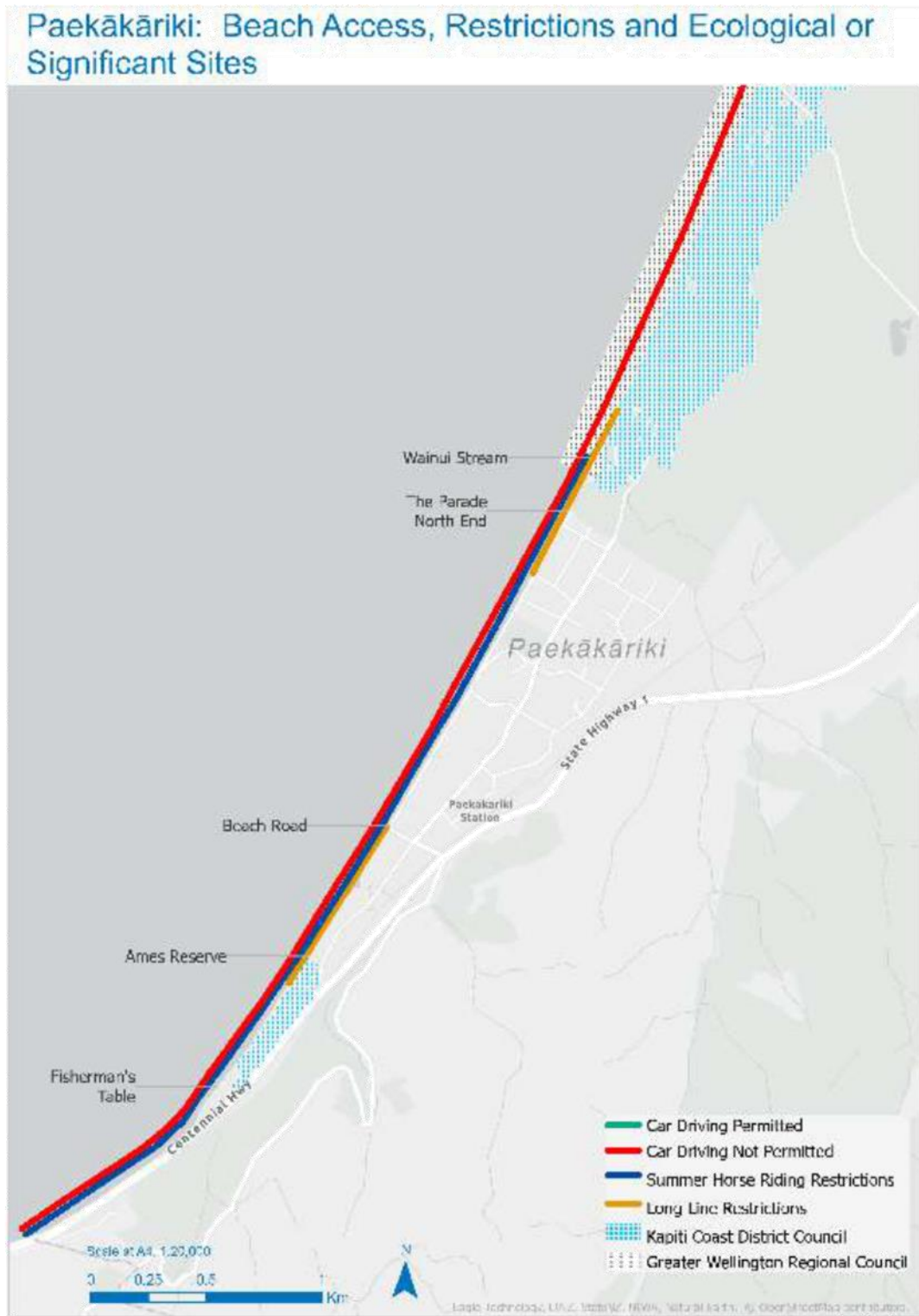
impose any reasonable conditions on that permit that it thinks fit.

- 23.2 When undertaking a permit-required activity on the beach, permits or permit stickers must be either visibly displayed or readily available so that they can be produced on demand.

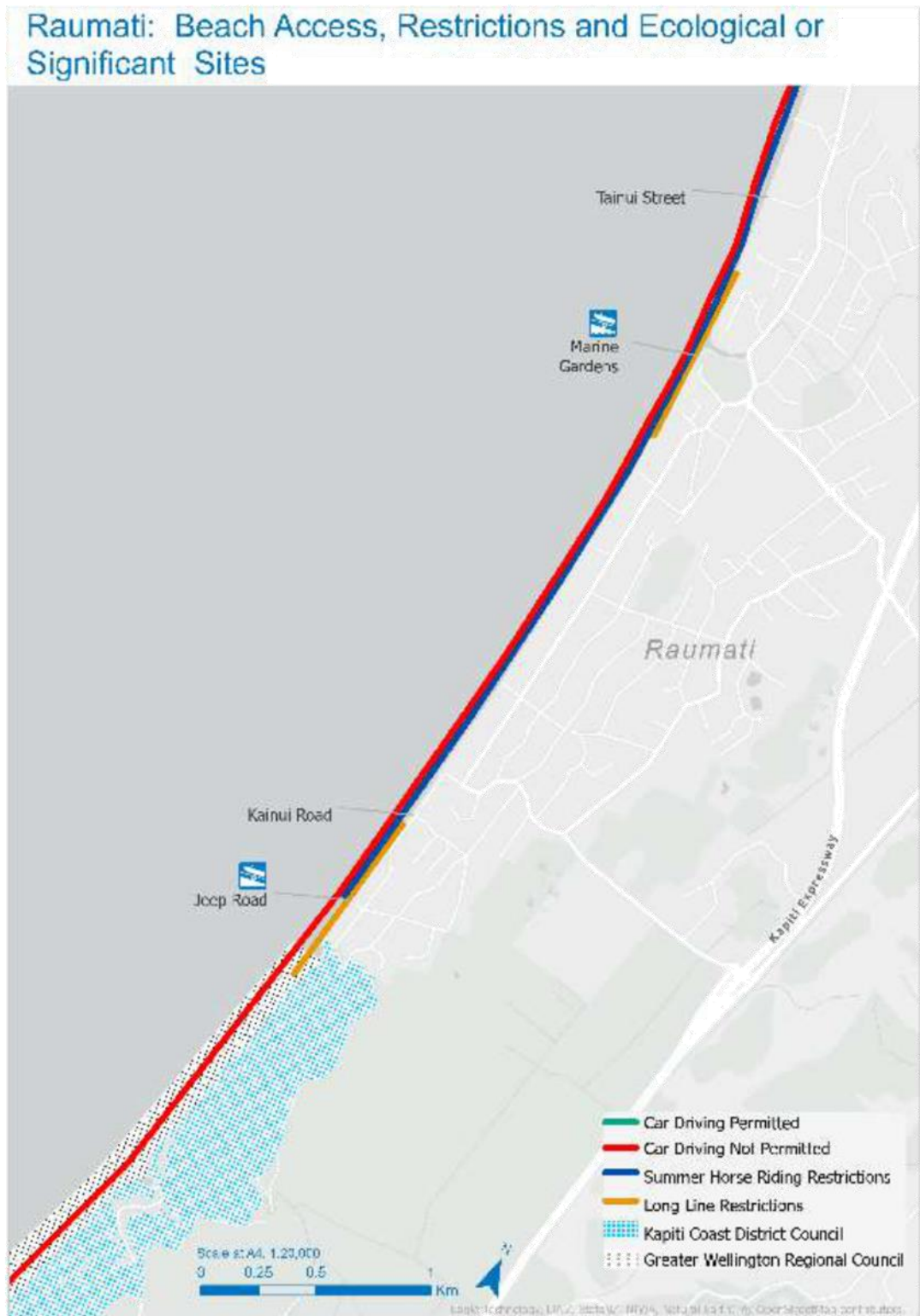
24. Offences and Penalties

- 24.1 Every person who breaches the terms of this Bylaw commits an offence. And further, every person commits a breach under this Bylaw who:
- (a) Fails or refuses to, if requested, supply Council Enforcement Officers or Police their full name, address and date of birth.
 - (b) Obstructs or hinders any Enforcement Officer of the Council or other Council appointed person in performing any duty or in exercising any power under this Bylaw.
- 24.4 The infringement fee, issuable by the New Zealand Police under the Land Transport Act 1998, for breach of the driving provisions of this Bylaw is \$150.
- 24.5 The infringement fee, issuable by Council, for breach of a parking provision of this Bylaw is \$150.
- 24.6 Subject to any provision to the contrary, any person guilty of an offence against this Bylaw shall be subject to the penalties set out in section 242(2) of the Local Government Act 2002, and is liable on conviction to a fine not exceeding \$20,000.

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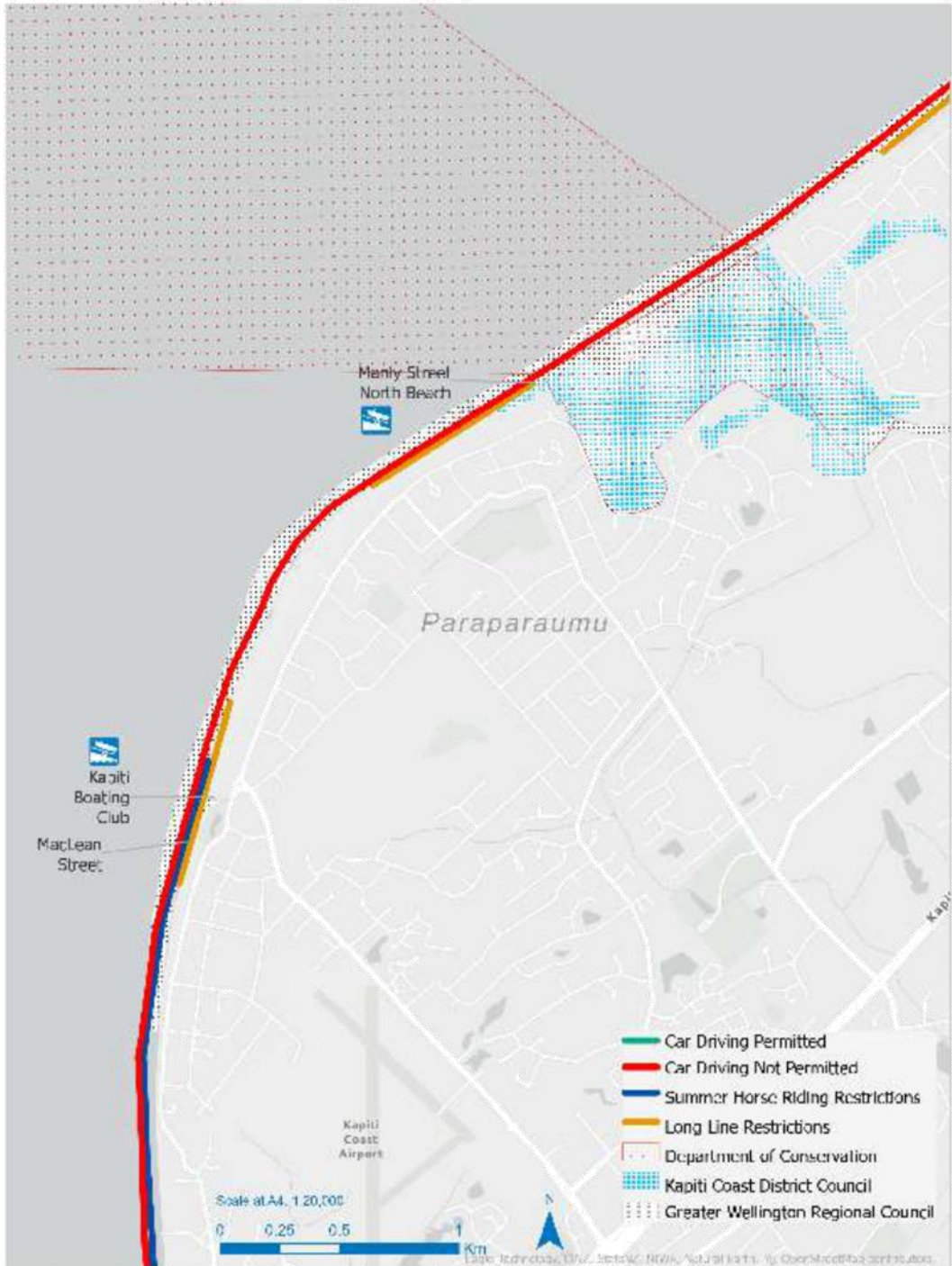


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Paraparaumu: Beach Access, Restrictions and Ecological or Significant Sites



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Waikanae: Beach Access, Restrictions and Ecological or Significant Sites



Draft for Approval

Peka Peka: Beach Access, Restrictions and Ecological or Significant Sites



Draft for Approval

Te Horo to Ōtaki River: Beach Access, Restrictions and Ecological or Significant Sites



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Ōtaki: Beach Access, Restrictions and Ecological or Significant Sites



8.3 ECONOMIC DEVELOPMENT KOTAHITANGA BOARD

Author: Leanna Hill, Senior Economic Development Advisor

Authoriser: Darryn Grant, Economic Development Manager

PURPOSE OF REPORT

- This report seeks the Strategy and Operations Committee approval
 - of the Terms of Reference and Position Description for the Economic Development Kotahitanga Board.
 - of the appointment of Councillor Angela Buswell as the ex-officio representative of Council on the Economic Development Kotahitanga Board.
 - to progress the recruitment of the independent members of the Economic Development Kotahitanga Board.

DELEGATION

- Council's Strategy and Operations Committee has authority to make this decision.

BACKGROUND

- The Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23 (the Strategy) was adopted on 30 July 2020. At the same time, Council approved the appointment of Neil MacKay as the independent Chairperson of the Economic Development Kotahitanga Board (EDKB) for a 12-month term.
- Upon adoption of the Strategy and the appointment of the Chairperson it was proposed that a separate paper would be prepared and brought to the Strategy and Operations Committee outlining the establishment and appointment of the EDKB.
- The establishment of the independent governance board was a key priority for a number of partners and stakeholders, including the Kāpiti Chamber of Commerce and Kāpiti Economic Development Agency during the refresh of the Strategy and is a key priority action of the Strategy in year one. This is shown in the following table which outlines the Year 1 priority actions from the Strategy and will also be the initial focus for the EDKB.

Year 1 – Priority Key Actions

Pillars / Ngā Pou	Year 1 Priority Action	Outcomes	Delivery Timeline
Positioning Kāpiti Coast / Whakapapa	Deliver the Kāpiti Coast Story	<ul style="list-style-type: none"> Kāpiti Coast's story is launched with the support of Council, Iwi and community with a marketing campaign supported by WellingtonNZ. 	Ongoing
Open for Opportunity / Kaitiakitanga	Provide a coordinated approach for key investment and business opportunities	<ul style="list-style-type: none"> New businesses are successfully secured. Key investment opportunities enable growth and diversification. 	Aug 2020 – Ongoing
Growing Skills & Capability / Whānau	Develop a Kāpiti Coast Workforce Plan, including youth initiative	<ul style="list-style-type: none"> Kāpiti Coast Workforce plan completed with key actions outlined. PGF funding secured for a 2-year Ōtaki youth initiative. 	Feb 20 – Jun 21 Sept 20

Pillars / Ngā Pou	Year 1 Priority Action	Outcomes	Delivery Timeline
Supporting key sectors / Manaakitanga	Develop a Kāpiti Coast Destination Plan and a strategy for one other key sector	<ul style="list-style-type: none"> Kāpiti Coast Destination plan completed A key sector strategy is completed. 	<p>Aug 20 - Jun 21</p> <p>Jun 21</p>
Strengthening Partnerships and Leadership / Kotahitanga	Establish an Economic Development Kotahitanga Board and finalise the monitoring and reporting framework and performance agreement and measures for the Strategy.	<ul style="list-style-type: none"> Economic Development Kotahitanga Board is established and profiled in the media. Monitoring and reporting framework finalised by Board. Terms of Reference including a performance agreement is signed by the Chair and Council. 	<p>Aug-Sept 20</p> <p>Sept 20</p> <p>Aug 20</p>

6. As discussed previously with Council, previous attempts at independent economic development governance structures have not remained in place long term. It is important that this does not occur again and that the board is supported so that it can build momentum and create trust with partners, stakeholders and the wider community.
7. An Independently led, Council supported approach is proposed initially to enable the board to get established and to support the implementation of the initial priority actions. Following the establishment of the EDKB, Council will work with board members, along with key partners and stakeholders to confirm a long term operating approach.
8. As part of the finalisation of the proposed terms of reference and operating model for the EDKB, officers have been seeking feedback from iwi partners and a workshop was held with Council on 20 August 2020, which Neil Mackay also attended.
9. Following the workshop, Councillors separately provided feedback on the Terms of Reference. Further feedback is continuing to be received from iwi on the terms of reference, some of this is likely to be received after this meeting and as a result there may need to be some further minor amendments to the final Terms of Reference.

ISSUES AND OPTIONS

10. Based on the Council workshop, feedback received and discussions with Neil MacKay as Chairperson of the EDKB, the Terms of Reference for the Board has been updated and are attached in Appendix 1 of this report.
11. The Terms of Reference are important as this will be the agreement between Council and the Board and outlines the Purpose and Responsibilities of the Board. In addition, how the Board will be measured and the reporting requirements back to Council based on support provided. This is discussed further below.

Purpose and Responsibilities

12. During the refresh of the Strategy there was recognition from all parties that governance needs to be consistent, continuous and effective. It was the shared view of Council, Iwi partners and stakeholders that the governance of the economic Development Strategy and Implementation Plan 2020-2023 should be independently led.
13. In order to support this transition and ensure an effective long term approach can be established it was agreed that an independently led, council supported approach be implemented initially with future transition to a more independent operating model to be worked through with the board. All partners and stakeholders were committed to governance principles based on:
 - Transparency
 - Accountability
 - Stewardship

- Integrity
- Trust

14. The following purpose and responsibilities have been developed in relation to the EDKB and incorporated into the proposed Terms of Reference:

Purpose

Establish an independent Economic Development Kotahitanga Board supported by Kāpiti Coast District Council (KCDC) for the purpose of:

- Building trust with our key partners and stakeholders in the district.
- Providing a unified strategic direction for economic activity for the district.
- Supporting the growth of a vibrant, diverse economy in order to provide increased opportunity, resilience and wellbeing for all.
- Oversee delivery and implementation of the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23.

Responsibilities

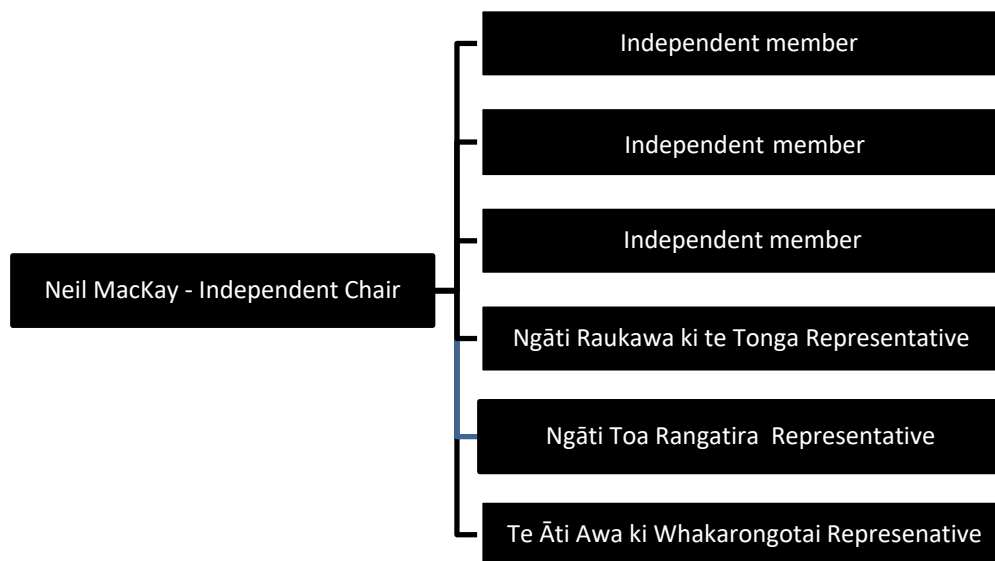
- Provide strategic leadership and input into the implementation and delivery of key priorities within the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23 (the Strategy) and other economic development projects and initiatives that will enhance the wellbeing of our district.
- Advise on the reprioritisation or change in actions (if required) to be delivered in the Strategy. Any changes are to be discussed and agreed with Council and Delivery Partners, as outlined in the Strategy.
- Oversee the implementation and delivery of economic actions of the Kāpiti Coast Covid19 Recovery Plan in parallel to the implementation plan of the Strategy.
- Build strategic relationships, with a core focus on enhancing and progressing economic development and wellbeing opportunities and outcomes.
- Strategically support the Kāpiti Coast District Council Economic Development Unit and Strategy Delivery partners to achieve the Implementation plan agreed outcomes.
- Ensure a core focus on how we can work more strategically together, with our partners, other agencies and as a district to better enhance economic wellbeing outcomes in the community.
- Apply a consistent and integrated lens to Kāpiti's declared Climate Change emergency, natural environment, coastal management and land use across the priorities of the Strategy and any future projects. This means recognizing that a thriving economy must exist within socio-ecological limits and environmental boundaries.

Reporting lines and Structure

15. Following establishment of the Economic Development Kotahitanga Board it is proposed that the Board will be accountable to and report directly to the Strategy and Operations Committee. This will include written and verbal reports to the Committee from the Board Chair every six months outlining activities of the board and performance to date against agreed measures. In addition, it is proposed that six monthly updates are provided to the Te Whakaminenga o Kāpiti Committee.

16. The final structure of the Board is outlined in the diagram below and will include the following membership:
- Independent Chairperson – Neil MacKay
 - Three Independent Board members – to be appointed
 - Ngāti Raukawa ki te Tonga Representative – to be appointed
 - Ngāti Toa Rangatira Representative – to be appointed
 - Te Āti Awa ki Whakarongotai Representative – to be appointed

Economic Development Kotahitanga Board Structure



17. The appointment terms of the individual members will be decided during the recruitment process by the selection panel, appointments should be no less than one year but no longer than three years depending on skill sets and key priorities of the board. Attached in the Appendices is a copy of the Board position description. Demonstration of a combination of the following skills will be a prerequisite for all board member roles.

- Proven core skills and experience to include:
 - governance
 - strategy
 - commercial and business acumen
 - networking
 - financial acumen
 - partnerships – private and/or public
- Other specific key skills and knowledge:
 - Environment / Climate Change
 - Economic Development
 - Community well-being
 - Digital technology
 - Marketing / Communications
- Skills or proven expertise relevant to the Year 1 priorities outlined in the Economic Development Strategy and Implementation Plan 2020–2023 would be advantageous.
 - Health care and social assistance
 - Construction and infrastructure
 - Training and education

- Destination planning and developing Kāpiti's Story
- Māori business and pathways for rangatahi

18. It has been agreed that in addition to the regular reporting as outlined above, it is proposed that there is an appointment of an ex-officio member to the Board to enable the exchange of information and regular communication between the Board and Council. The appointment would be an elected representative and although they would be a participant in Board meetings, the role would have no voting rights on Board decisions, in order for the independence of the Board to be maintained.
19. At the workshop on the 20th of August 2020, Councillor Angela Buswell was nominated to be the elected representative for the Ex-Officio role. Councillor Buswell was a member of the drafting group for the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23 and is also the holder of the Business and Jobs Portfolio. The appointment would be until the end of the current council triennium.

Performance agreement

20. As part of the development of the Economic Development Strategy, a number of key actions were identified along with corresponding outcomes and impacts. In order to ensure these outcomes and impacts are being achieved, a Performance Agreement has been included as part of the Terms of Reference which outlines the responsibilities of the Board, key actions and how outcomes will be measured.
21. It is important that the Board is able to show the Council, Iwi, business and the community that it is adding value to the local economy and the delivery of the Kāpiti Coast Economic Development and Implementation plan 2020-23.
22. With the final impacts of the COVID 19 pandemic still unclear, putting in place targeted measures is difficult. It is therefore proposed that initial measures reported on by the Board are utilised to establish a benchmark, with growth then measured from these benchmark levels. It is acknowledged that growth and the impacts being measured cannot be fully attributed to the actions of the Board and the Strategy. However, it is important to ensure that trends are understood and responded to accordingly.
23. The key impacts to be measured as outlined in the Strategy are:
1. Employment Growth – increase in local employment options and pathways
 2. Mean Income Growth – increase in higher paying local employment and income generating opportunities
 3. Business Unit Growth – increase in businesses establishing, expanding and moving to the district
 4. GDP Growth – increased growth of the local economy and key sectors.

In addition to the above impacts, the following specific measures for the Board are proposed:

- Trust has been established through the establishment of strong working partnership with Council, iwi, business and community.
- The economic recovery plan is delivered in co-ordination with delivery partners.
- Evidence that strategic partnerships formed have enabled wider benefits contributing to economic wellbeing.
- Key priority actions outlined in the strategy are delivered in partnership with delivery partners.
- Māori businesses are supported, with future workforce needs identified.

- Secretariat support \$15k pa
- Incidentals / Reimbursements \$ 5k pa
\$70k pa

These initial costs are to be funded from within the existing Council Economic Development budget.

34. The priority actions for the Board in year one currently align with the allocation of the Economic Development budget and as a result there should not be an additional budget requirement for the Board in the current financial year.
35. Year 2 and Year 3 deliverables as outlined in the Economic Development Strategy and Implementation Plan 2020-2023 and any new projects or initiatives driven by the Board that require budget, will need to be progressed through the Long Term Plan process.

Tāngata whenua considerations

36. During the development of the Economic Development Strategy and Implementation Plan 2020-23 there have been regular briefings with the Te Whakaminenga o Kāpiti Committee, with the draft strategy endorsed by the Committee on 30 June 2020. There were also individual iwi workshop sessions offered as part of this process, with sessions occurring with representatives of Ngāti Toa Rangitira and Te Āti Awa ki Whakarongotai.
37. Feedback received from Te Whakaminenga o Kāpiti representatives resulted in a change in the Board structure, with advise received that one representative for all Iwi is unable to represent the individual Iwi interest and does not reflect the partnership between Council and Iwi. The proposed Board structure now includes a representative for each Iwi.
38. Iwi will approve the position description for the iwi representative roles, which will be based on the position description of the other Board member positions. Iwi will be responsible for the appointment of their representative.
39. Rupene Waaka (Chair – Te Whakaminenga o Kāpiti) will nominate an Iwi representative to be on the Selection Panel.

Strategic considerations

40. The establishment of the Economic Development Kotahitanga Board was identified as a priority action in the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23, which was developed in line with the 2018-38 Long Term Plan, with a focus on contributing to the development of a vibrant Kāpiti Coast economy.

SIGNIFICANCE AND ENGAGEMENT

Significance policy

41. This matter has a low degree of significance under Council's significance and engagement policy.

Communications and Engagement

42. Subject to approval by the Committee, a media release will be developed advising that applications are now open for Board positions. This will be supported by advertisements for the roles.
43. Upon confirmation of the Board members, a separate media release will be developed.
44. Information on the Council website will also be updated to reflect the establishment of the Board.

RECOMMENDATIONS

45. That the Strategy and Operations Committee approves the Terms of Reference and the Position Description for the Economic Development Kotahitanga Board.
46. That the Strategy and Operations Committee delegates authority to the Chief Executive to make minor amendments to the Terms of Reference and the Position Description based on any further feedback received from Iwi
47. That the Strategy and Operations Committee approves Councillor Angela Buswell as the ex officio representative of Council on the Economic Development Kotahitanga Board.
48. That the Strategy and Operations Committee approves the commencement of the recruitment process for the independent members of the Economic Development Kotahitanga Board.

APPENDICES

1. Terms of Reference [↓](#) 

Terms of Reference

Economic Development Kotahitanga Board (EDKB)

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Purpose

Establish an independent Economic Development Kotahitanga Board supported by Kāpiti Coast District Council (KCDC) for the purpose of:

- Building trust with our key partners and stakeholders in the district.
- Providing a unified strategic direction for economic activity for the district.
- Supporting the growth of a vibrant, diverse economy in order to provide increased opportunity, resilience and wellbeing for all.
- Oversee delivery and implementation of the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23

This will be fundamental to our success, and the building of strong foundations with our communities and their wellbeing over the next three years as well as working towards our Economic Development Strategy and Implementation Plan 2020-2023 vision:

Through partnership, support the growth of a vibrant, diverse Kāpiti Coast economy that provides increased opportunity, resilience and well-being for all

There is recognition that governance needs to be consistent, continuous, and effective. It is the shared view of Council, our partners and stakeholders, that the governance of the Economic Development Strategy and Implementation Plan 2020-2023 should be independently led, and council supported with future transition to a more independent model. All partners and stakeholders are committed to governance principles based on:

- Transparency
- Accountability
- Stewardship
- Integrity
- Trust

Scope

The Economic Development Kotahitanga Board (EDKB) with support from KCDC will:

- Provide strategic leadership and professional input and advice on key actions to be delivered and any other economic development opportunities.
- Be ambassadors for the Kāpiti district.
- Work with Iwi representatives to establish tikanga Māori principles that will provide guidance to ensure the obligations of the Treaty of Waitangi are upheld;
 - The principles of partnership, participation, good faith and protection underpin the relationship between the Government and Māori under the Treaty of Waitangi
 - Tikanga are Māori customary practices. The concept is derived from the Māori word 'tika' which means 'right' or 'correct' so, in Māori terms, to act in accordance with tikanga is to behave in a way that is culturally proper or appropriate.
- Be accountable to the Strategy and Operations Committee of Council for the duration of the 3-year Economic Development Strategy and Implementation Plan

2020-2023, reporting and monitoring against responsibilities and outcomes outlined in this document.

Board Responsibilities

Initial responsibilities for the EDKB, include:

- Provide strategic leadership and input into the implementation and delivery of key priorities within the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23 (the Strategy) and other economic development projects and initiatives that will enhance the wellbeing of our district.
- Advise on the reprioritisation or change in actions (if required) to be delivered in the Strategy. Any changes are to be discussed and agreed with Council and Delivery Partners as outlined in the Strategy.
- Oversee the implementation and delivery of the economic actions of the Kāpiti Coast Covid19 Recovery Plan in parallel to the implementation plan of the Strategy.
- Build strategic relationships, with a core focus on enhancing and progressing economic development and wellbeing opportunities and outcomes.
- Strategically support the Kāpiti Coast District Council Economic Development Unit and Strategy Delivery partners to achieve the Implementation plan agreed outcomes.
- Ensure a core focus on how we can work more strategically together, with our partners, other agencies and as a district to better enhance economic wellbeing outcomes in the community.
- Apply a consistent and integrated lens to Kāpiti's declared Climate Change emergency, natural environment, coastal management and land use across the priorities of the Strategy and any future projects. This means recognizing that a thriving economy must exist within socio-ecological limits and environmental boundaries.

Authority

Following establishment of the Economic Development Kotahitanga Board (EDKB):

- EDKB will be accountable to and report directly to the Strategy and Operations Committee of Council
- A performance agreement will be agreed between Council and the Economic Development Kotahitanga Board. This will set out the resources and performance measures required to deliver agreed outcomes.

Written and verbal reports to the Committee are to be provided by the Board Chair every six months outlining activities of the Board and performance to date against agreed measures.

In addition, six monthly updates are to be provided to the Te Whakaminenga o Kāpiti Committee.

Board Structure

Roles

The EDKB will consist of seven members, of which three members will represent each local iwi (Ngāti Toa Rangatira, Te Āti Awa ki Whakarongotai, Ngāti Raukawa ki te Tonga). An independent chair will be appointed and supported by a secretariat. Sector specialists may be seconded to the EDKB as required.

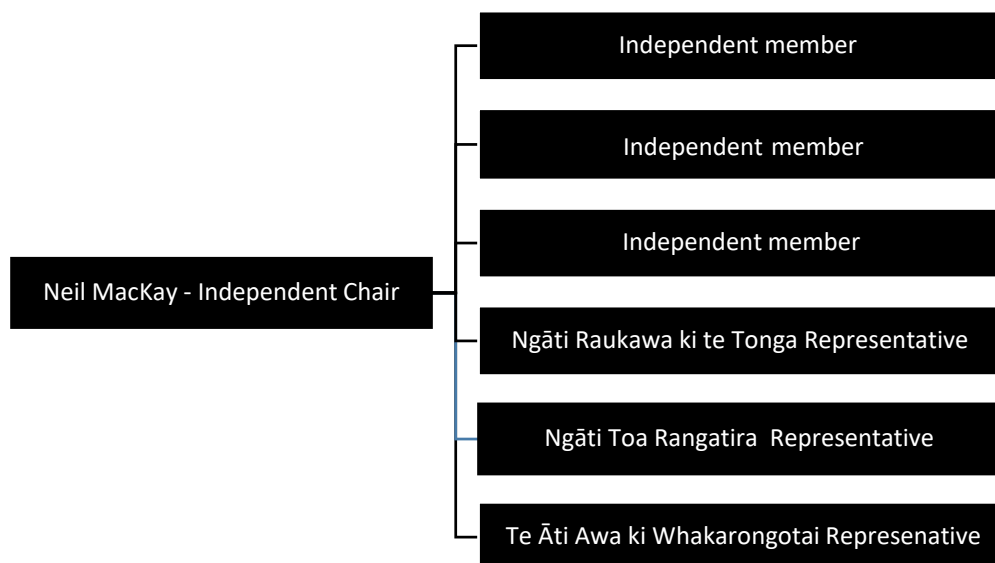
Appointment of EDKB members:

- focus will be on skills / experience and connections
- local iwi (Ngāti Toa Rangatira, Te Āti Awa ki Whakarongotai, Ngāti Raukawa ki te Tonga) will each be represented
- an elected councillor representative will be an ex-officio member of the EDKB
- A role description for the member positions have been developed and is to be approved by the Strategy and Operations Committee.

EDKB Responsibilities

- the independent chair Neil MacKay (initial 1-year term) has been appointed by Council (30 July 2020) to build trust, pull together a strong Board membership and provide a unified strategic direction
- a transparent recruitment process of the EDKB members and secretariat will be adhered to by the selection panel.
- the EDKB member appointments will be for no less than one year, but no longer than three years depending on skill sets and key priorities of the Board.
- the EDKB needs to be able to work productively with multiple partners and stakeholders within and outside the district.
- the EDKB will assist in finalising and agreeing the monitoring and reporting framework for the Strategy.

Economic Development Kotahitanga Board Structure:



Recruitment

Process

- The appointment of three iwi representatives will be formalised with Te Whakaminenga o Kāpiti or with iwi individually through their respective boards (working with Council's Iwi Partnerships team).
- The appointment of independent members will be led by a selection panel made up of:
 - Independent Chair, Economic Development Kotahitanga Board
 - Chair, Strategy and Operations Committee
 - Third panel member to be nominated by Chair, Te Whakaminenga o Kāpiti

This will be undertaken in co-ordination with Councils' Economic Development team.

- The appointment of a Council representative to attend meetings as an ex-officio member of the Board will be a decision of the Strategy and Operations Committee. Skills targeted for this role to include:
 - Commercial acumen
 - Business acumen
 - Networked local and regional businesses/other agencies
 - Advocacy
- The appointment of a part-time secretariat role to support the Board will be undertaken by Council's Economic Development team in coordination with the Chair.

Meeting arrangements

The EDKB will meet for a minimum of six times per year. In addition, meetings of a sub group of directors may also be required for specific projects or sector/industry initiatives.

Monitoring and Reporting

Monitoring progress and making recommendations for the future is critical to a well-functioning Strategy and Implementation Plan. It helps us know what is working and what might need to be changed. These are important mechanisms for managing risk and holding each other to account if implementation does not happen as it should.

Reporting requirements

- A half yearly report will be prepared outlining progress to date against each of the actions, timeframes and issues and risks. This report will be published on the Council's website with immediacy after each meeting. Elements of the report may be withheld if there are reasons to do so, such as commercial-in-confidence information.
- The Chair will provide an in-person report to the Strategy and Operations and Te Whakaminenga o Kāpiti Committees at least every six months to detail progress against the Strategy and Implementation Plan.
- The Chair will oversee development of an annual report for publication at the end of Year 1 and Year 2 of operations, identifying progress, risks, and next steps. Council senior leadership and staff will make themselves available to work with the EDKB on actions and provide updates, as is deemed reasonable and fair.

Review

- The Chair will commission a short (six week) review mid-way through Year 2 to establish whether the Strategy and Implementation Plan is on track and the governance is working effectively. Recommendations will be provided to the Council and reported on publicly.
- The Chair will initiate planning for the next three years of the Economic Development Strategy and Implementation Plan (i.e. 2023-2026) from the beginning of Year 3. In addition, the annual reporting process will also serve as a mechanism for reviewing progress and establishing future year priorities.

Performance agreement

The performance agreement outlines what responsibilities and outcomes are expected to be delivered or met and identifies how they will be measured. This agreement is made between the Economic Development Kotahitanga Board (EDKB) and the Kāpiti Coast District Council.

It is proposed that the initial core responsibilities of the EDKB are as follows:

1. Oversee the delivery of the Economic Development Strategy and Implementation Plans' 2020-2023 key actions for Year 1 (refer [Table 6 from the ED Strategy](#)), Year 2 and Year 3.
2. Advocate for Kāpiti Coast and for economic development activities in the district
3. Be a relationship broker, with a focus on the establishment of strategic relationships to progress the outlined key priorities of this strategy.
4. The EDKB contribute to finalising and agreeing the monitoring and reporting framework for the Strategy. This recognises that given the Covid-19 pandemic, there is a need to understand more fully the economic, social, environment and cultural impacts on the local economy and community and; how these will affect our economic performance and growth.
5. Implementation and delivery of economic recovery initiatives/projects as outlined in the Kāpiti Coast District Councils Recovery Plan.
6. Build strong working relationships with our Economic Development Agency – WellingtonNZ; local, regional and central Government agencies and business leaders to enhance delivery of the Implementation Plan.

Priorities for year 1

The Economic Development Strategy and Implementation plan contains a number of actions that will be progressed by the EDKB, Council and its key partners over the coming years.

Our Year 1 priority actions are outlined in the table below and will form the primary strategic focus for the Board.

Year 1 – Priority Key Actions

Pillars / Ngā Pou	Year 1 Priority Action	Outcomes	Delivery Timeline
Positioning Kāpiti Coast / Whakapapa	Deliver the Kāpiti Coast Story	<ul style="list-style-type: none"> • Kāpiti Coast's story is launched with the support of Council, Iwi and community with a marketing campaign supported by WellingtonNZ. 	Ongoing
Open for Opportunity / Kaitiakitanga	Provide a coordinated approach for key investment and business opportunities	<ul style="list-style-type: none"> • New businesses are successfully secured. • Key investment opportunities enable growth and diversification. 	Aug 2020 – Ongoing

STRATEGY AND OPERATIONS COMMITTEE MEETING AGENDA 24 SEPTEMBER 2020

Pillars / Ngā Pou	Year 1 Priority Action	Outcomes	Delivery Timeline
Growing Skills & Capability / Whānau	Develop a Kāpiti Coast Workforce Plan, including youth initiative	<ul style="list-style-type: none"> Kāpiti Coast Workforce plan completed with key actions outlined. PGF funding secured for a 2-year Ōtaki youth initiative. 	Feb 20 – Jun 21 Sept 20
Supporting key sectors / Manaakitanga	Develop a Kāpiti Coast Destination Plan and a strategy for one other key sector	<ul style="list-style-type: none"> Kāpiti Coast Destination plan completed A key sector strategy is completed. 	Aug 20 - Jun 21 Jun 21
Strengthening Partnerships and Leadership / Kotahitanga	Establish an Economic Development Kotahitanga EDKB and finalise the monitoring and reporting framework and performance agreement and measures for the Strategy.	<ul style="list-style-type: none"> Economic Development Kotahitanga EDKB is established and profiled in the media. Monitoring and reporting framework finalised by EDKB. Terms of Reference including a performance agreement is signed by the Chair and Council. 	Aug-Sept 20 Sept 20 Aug 20

Measuring success

It is important that the Board is able to show the Council, Iwi, Business and the Community that it is adding value to the local economy and the delivery of the Kāpiti Coast Economic Development and Implementation plan 2020-23.

With the final impacts of the COVID 19 pandemic still unclear, putting in place targeted measures is difficult. It is therefore proposed that initial measures reported on by the Board are utilised to establish a benchmark, with growth then measured from these benchmark levels. It is acknowledged that growth and the impacts being measured cannot be fully attributed to the actions of the Board and the Strategy. However, it is important to ensure that trends are understood and responded to accordingly.

The key impacts to be measured are as follows:

1. Employment Growth – increase in local employment options and pathways
2. Mean Income Growth – increase in higher paying local employment and income generating opportunities
3. Business Unit Growth – increase in businesses establishing, expanding and moving to the district
4. GDP Growth – increased growth of the local economy and key sectors.

In addition to the above impacts, the following specific measures are to be reported against:

- Evidence that trust has been established through the establishment of strong working partnership with Council, iwi, business and community.

- The economic recovery plan is delivered in co-ordination with delivery partners.
- Evidence that strategic partnerships formed have enabled wider benefits contributing to economic wellbeing.
- Key priority actions outlined in the strategy are delivered in partnership with delivery partners.
- Māori businesses are supported, with future workforce needs identified.
- Rangatahi have access to greater employment pathway choices, with support for overall well-being.

Budget requirements

- Board members will be remunerated for attendance at Board meetings.
- Remuneration for the Board Members and Secretariat role, including incidentals will be met by Kāpiti Coast District Council.
- Budget has been allocated by Council internally to enable Year 1 Priority actions to be delivered.
- Any additional budget required for Year 2 and Year 3 deliverables as outlined in the Economic Development Strategy and Implementation Plan 2020-2023, will be sought through the Long Term Plan process.
- Any new projects or initiatives driven by the Board that require budget, will need to be sought through the Long Term Plan process.

Position Description

**BOARD MEMBER ROLE
September 2020**

Position Title: Board member / Iwi representative

Authority: The Board will be accountable to and report directly to the Strategy and Policy Committee of Council. A performance agreement between the Council and the Board sets out the resources and performance measures required to deliver agreed outcomes.

Meeting arrangements: The Board will meet a minimum of 6 times a year. In addition, meetings of a sub group of directors may also be required for specific projects or sector/industry initiatives.

- Purpose of the Board:**
- Building trust with key partners and stakeholders in the district.
 - Providing a unified strategic direction for economic activity for the district.
 - Supporting the growth of a vibrant, diverse economy in order to provide increased opportunity, resilience and wellbeing for all.
 - Oversee delivery and implementation of the Kāpiti Coast Economic Development Strategy and Implementation Plan 2020-23

This will be fundamental to our success, and the building of strong foundations with our communities and their well-being over the next three years as well as working towards Kāpiti Coasts Economic Development Strategy’s vision:

Through partnership, support the growth of a vibrant, diverse Kāpiti Coast economy that provides increased opportunity, resilience and well-being for all

Appendix 1 Link to be set up **Year 1: Priority Key Actions**

Appendix 2 Link to be set up **Terms of Reference**

Appendix 3 Link to be set up **Economic Development Strategy**

**Economic Development Kotahitanga Board –
KEY RESPONSIBILITIES AND OUTCOMES**

- Provide strategic economic leadership and input to the implementation and delivery of key priorities and other economic development projects and initiatives that will enhance the wellbeing of our district.
- Reprioritisation (if required) of actions (year 1, year 2, year 3) to be delivered within the Implementation Plan of the Economic Development Strategy (EDS) are discussed and agreed with the Economic Development team and action leads identified as outlined in the Implementation Plan.

- Oversee the implementation and delivery of economic actions of the Kapiti Coast Covid 19 Recovery Plan in parallel to the implementation plan of the Economic Development Strategy.
- Build strategic relationships, with a core focus on enhancing and progressing economic development and wellbeing opportunities.
- Strategically support the KCDC Economic Development team and partners to achieve the Implementation plan agreed outcomes.
- Core focus on how we can work more strategically together, with our partners, other agencies and as a district to better enhance wellbeing for all.
- Apply a consistent and integrated lens to Kāpiti's declared Climate Change emergency, natural environment, coastal management and land use across the priorities of the strategy and any future projects. This means recognizing that a thriving economy must exist within socio-ecological limits and environmental boundaries.
- Outcomes are outlined in Appendices 1 and 2.

Essential Skills, Knowledge and Experience

A combination of the following core skills and experience as well as other skills and knowledge as outlined, are a prerequisite for all member roles.

- Proven core skills and experience to include:
 - governance
 - strategy
 - commercial and business acumen
 - networking
 - financial acumen
 - partnerships – private and/or public
- Other specific key skills and knowledge:
 - Environment / Climate Change
 - Economic Development
 - Community well-being
 - Digital technology
 - Marketing / Communications
- Skills or proven expertise relevant to the Year 1 priorities outlined in the Economic Development Strategy and Implementation Plan 2020–2023 would be advantageous.
 - Health care and social assistance
 - Construction and infrastructure
 - Training and education
 - Destination planning and developing Kāpiti's Story
 - Māori business and pathways for rangatahi

9 CONFIRMATION OF MINUTES**9.1 CONFIRMATION OF MINUTES**


Author: Grayson Rowse, Democracy Services Advisor

Authoriser: Leyanne Belcher, Democracy Services Manager

RECOMMENDATIONS

That the minutes of the Strategy and Operations Committee meeting on 3 September 2020 be accepted as a true and accurate record of the meeting.

APPENDICES

1. Minutes of the Strategy and Operations Committee meeting - 3 September 2020 [↓](#) 

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
STRATEGY AND OPERATIONS COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 3 SEPTEMBER 2020 AT 9.30AM**

PRESENT: Cr James Cootes, Cr Gwynn Compton, Mayor K Gurunathan, Deputy Mayor Janet Holborow, Cr Angela Buswell, Cr Martin Halliday, Cr Sophie Handford, Cr Jocelyn Prvanov, Cr Bernie Randall, Cr Robert McCann

IN ATTENDANCE: Community Board Member Kathy Spiers
Community Board Member Marilyn Stevens
Wayne Maxwell, Glen O’Conner, Mark de Haast, Janice McDougall, James Jefferson, Tania Parata, Kara Kearney, Sean Mallon, Chris Pearce.

APOLOGIES: Cr Jackie Elliott

LEAVE OF ABSENCE: Nil

1 WELCOME

2 COUNCIL BLESSING

Cr Cootes welcomed everyone to the meeting and Cr Holborow read the Council blessing.

3 APOLOGIES

COMMITTEE RESOLUTION 2020/32

Moved: Cr Sophie Handford

Seconder: Cr Robert McCann

That apologies from Cr Jackie Elliott be received and accepted.

CARRIED

4 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

5 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

6 MEMBERS’ BUSINESS

(a) Public Speaking Time Responses

(b) Leave of Absence

- (c) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

7 UPDATES

7.1 RESIDENT OPINION SURVEY 2019/20 ANNUAL REPORT

Chris Pearce introduced Alasdair Allen, from Research First, who attended the meeting via audio/visual link to deliver presentation. Councillors raised questions during the presentation which were answered by Mr Allen and officers. Full report will be published on Kapiti Coast District Council website.

Cr Bernie Randall left the meeting at 10:42 am.

Cr Bernie Randall returned to the meeting at 10:44 am.

The meeting adjourned at 11:01 am and resumed at 11:10am.

8 REPORTS

8.1 COMMUNITY CONTRACTS REPORT BACKS

Tania Parata introduced report, and Lyndal Bremer and Sebastian Grodd from Life Flight Trust, who presented to the committee.

Charlie Cordwell, Surf Lifesaving NZ, spoke of the work of surf lifesaving in the Kapiti Coast District Council area.

A number of councillors spoke of the community's gratitude for the work of these organisations.

COMMITTEE RESOLUTION 2020/33

Moved: Cr Martin Halliday

Seconder: Cr Bernie Randall

38. That the Committee thanks Surf Lifesaving New Zealand, Life Flight Trust and Wellington Free Ambulance for their role in providing beach life guard and emergency services for Kāpiti communities.
39. That the Committee notes the annual report back from: Life Flight Trust, Wellington Free Ambulance and Surf Lifesaving New Zealand.
40. That the Committee notes staff will further investigate equity of access to emergency services on the Kapiti Coast to inform the development of the Council's 2021-2041 Long term plan.

CARRIED

8.2 WAKA KOTAHĪ NZ TRANSPORT AGENCY PROCEDURAL INVESTMENT AUDIT REPORT

Glen O'Connor presented report and answered questions from members.

Cr Gwynn Compton left the meeting at 11:56 am.

COMMITTEE RESOLUTION 2020/34

Moved: Deputy Mayor Janet Holborow

Seconder: Cr Angela Buswell

That the Strategy and Operations Committee notes the findings from the February 2020 Waka Kotahi Procedural Investment Audit Report.

CARRIED

Cr Gwynn Compton returned to the meeting at 12:01 pm.

9 CONFIRMATION OF MINUTES**9.1 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION 2020/35**

Moved: Cr Angela Buswell

Seconder: Deputy Mayor Janet Holborow

1. That the minutes of the Strategy and Operations meeting on 13 February 2020 be accepted as a true and accurate record of the meeting.
2. That the minutes of the Strategy and Operations meeting on 16 July 2020 be accepted as a true and accurate record of the meeting
3. That the minutes of the Strategy and Operations meeting on 20 August 2020 be accepted as a true and accurate record of the meeting

CARRIED

10 PUBLIC SPEAKING TIME

- For items not on the agenda

11 CONFIRMATION OF PUBLIC EXCLUDED MINUTES

Nil

12 PUBLIC EXCLUDED REPORTS**RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION 2020/36**

Moved: Cr Gwynn Compton
 Seconder: Deputy Mayor Janet Holborow

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
12.1 - Kapiti Coast Major Events Fund	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	Section 48(1)(a)(i) - the public conduct of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

The Strategy and Operations Committee meeting went into public excluded session at 12:04pm.

COMMITTEE RESOLUTION 2020/37

Moved: Mayor K Gurunathan
 Seconder: Deputy Mayor Janet Holborow

That the Strategy and Operations Committee moves out of a public excluded meeting.

CARRIED

The Strategy and Operations Committee came out of public excluded session at 12:32pm.

The Strategy and Operations Committee meeting closed at 12:33pm.

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CHAIRPERSON

10 PUBLIC SPEAKING TIME

- For items not on the agenda

11 CONFIRMATION OF PUBLIC EXCLUDED MINUTES