



RĀRANGI TAKE AGENDA

Hui Kaunihera | Council Meeting

**I hereby give notice that a Meeting of the Kāpiti Coast District Council
will be held on:**

Te Rā | Date: Thursday, 26 October 2023

Te Wā | Time: 9.30am

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

**Darren Edwards
Chief Executive**

Kāpiti Coast District Council

Notice is hereby given that a meeting of the Kāpiti Coast District Council will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 26 October 2023, 9.30am.

Kaunihera | Council Members

Mayor Janet Holborow	Chair
Deputy Mayor Lawrence Kirby	Deputy
Cr Glen Cooper	Member
Cr Martin Halliday	Member
Cr Sophie Handford	Member
Cr Rob Kofoed	Member
Cr Liz Koh	Member
Cr Jocelyn Prvanov	Member
Cr Kathy Spiers	Member
Cr Shelly Warwick	Member
Cr Nigel Wilson	Member

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1 NAU MAI | WELCOME

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

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 hāpori 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.

“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.”

3 WHAKAPĀHA | APOLOGIES

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | 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 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

Nil

6 NGĀ WHAKAWĀ | HEARINGS

Nil

7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence

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

9 TE PŪRONGO A TE KORORMATUA | MAYOR'S REPORT

Nil

10 PŪRONGO | REPORTS

10.1 ADOPTION OF THE ANNUAL REPORT AND SUMMARY ANNUAL REPORT FOR 2022/2023

Kaituhi | Author: **Sheryl Gavin, Manager Corporate Planning and Reporting**

Kaiwhakamana | Authoriser: **Mark de Haast, Group Manager Corporate Services**

TE PŪTAKE | PURPOSE

- 1 This report seeks adoption of the audited Annual Report and Summary Annual Report for the year ended 30 June 2023.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 This report does not require an executive summary.

TE TUKU HAEPAPA | DELEGATION

The Council has delegated authority to consider this report under the Governance Structure, Section A2 Council and Mayoral Powers which includes adopting an Annual Report

TAUNAKITANGA | RECOMMENDATIONS

- A. **That the Council adopts** the Annual Report and the Summary Annual Report for the year ended 30 June 2023 attached as Appendix 1 and 2 to this report; and
- B. **That the Council delegates** to the Mayor and the Chief Executive authority to approve minor editorial changes as required by the Council and/or Council's auditors, Ernst & Young (if any), to the Annual Report and Summary Annual Report for the year ended 30 June 2023, prior to its publication.

TŪĀPAPA | BACKGROUND

- 3 The Council is required under the Local Government Act 2002 to adopt an audited Annual Report and audited Summary Annual Report on or before the 31 October, for the preceding financial year ending on 30 June.
- 4 Drafts of the Annual Report and Summary Annual Report were provided to the Risk and Assurance Committee for consideration on 21 September 2023. After due consideration, the Committee now recommends these reports be adopted by the Council.

HE KŌRERORERO | DISCUSSION

- 5 The Annual Report compares the financial and non-financial performance of Council with the performance forecast in the 2022/23 Annual Plan.

Service Performance

- 6 76 percent of service performance targets were achieved. This is an improvement of 8 percent on the 68 percent achieved in 2021/22.
- 7 Residents' satisfaction with Council's performance was recorded at 64 percent, a decrease of 6 percent from the 70 percent achieved in 2021/22. The result is calculated using the results of quarterly Residents Opinion Surveys gathering feedback from a total of 800 residents (considered to be a statistically valid sample size) throughout the year.
- 8 From a national perspective, overall satisfaction, and value for money satisfaction in Kāpiti are trending higher than national results. Whilst Council is trending upwards, we remain below the national average for (a) perceptions that Council is providing opportunities to have

a say and (b) information on decisions that may affect people. These aspects remain a key focus for Council.

Financial results

- 9 The Council's financial statements, disclosure statement (prudence benchmarks) and funding impact statements are presented in the "Our Finances" section of both the Annual Report and Summary Annual Report.
- 10 An operating surplus of \$8.5 million was recorded for 2022/23. This mainly reflects external subsidies received for Council's capital works programme and does not represent a permanent cash surplus.
- 11 Operating revenue was \$47.5 million below budget, primarily due to the transfer of old State Highway 1 (Mackays Crossing to Peka-Peka) assets from central Government not occurring as planned. This is now expected to eventuate in 2023/24.
- 12 Operating expenses, including personnel, depreciation and finance costs were in line with budget for the year.
- 13 A capital works programme of \$61.5 million was achieved in 2022/23.
- 14 The value of Council's assets increased by \$221.9 million following asset revaluations during the year that reflect fair value. 58% of the increase relates specifically to Council-owned land which was last revalued in 2020. Land assets are not depreciated and have no impact on Council rates in subsequent years.

Disclosure statement

- 15 The disclosure statement for the year ending 30 June 2023 presents the Council's financial performance in relation to eight prudence benchmarks set by the Department of Internal Affairs to enable assessment of whether the Council is prudently managing its revenue, expenses, assets, liabilities, and general financial dealings.
- 16 The benchmarks are:
 - Rates (income) affordability – within LTP limits (achieved)
 - Rates (increases) affordability – within LTP limits (achieved)
 - Debt affordability – within quantified limits (achieved)
 - Balanced Budget – revenue (excluding development and financial contributions, vested assets, gains on derivatives and revaluations of property, plant, and equipment) exceeds operating expenses (not achieved). This is because Council does not fully rates fund its total asset depreciation for the year.
 - Essential services – capital expenditure on network services is equal or greater than depreciation on network services (achieved)
 - Debt servicing – net borrowing costs are no more than 10% of revenue (achieved)
 - Debt control – actual net debt is less than planned (achieved)
 - Operations control – net cashflow from operations is equal to or greater than planned (not achieved).
- 17 Two of the eight benchmarks were not met:
 - The Operations Control benchmark was not met because Council has increased the regularity of payments to suppliers as encouraged by central Government. This has increased the amount paid out during the financial year along with a corresponding decrease in accounts payable at year end. Payments were also higher than forecast due to inflationary cost pressures incurred by the Council during the year as noted in the Annual Report.

- The Balanced Budget benchmark was not met because mainly because Council does not fully rates fund its annual depreciation.

Amendments following Risk and Assurance Committee meeting 21 September 2023

- 18 Minor formatting and typographical errors were corrected after the meeting as a result of the conclusion of the audit process and general copy proofing.
- 19 At the Risk and Assurance Committee a range of amendments were requested to ensure clarity. A subsequent briefing with the Mayor, Deputy Mayor and Chief Executive gave rise to further amendments for the same reason. None of the changes were material.

Key changes made were:

Performance summary section

- Variance explanations for revenue, expenses, and operating surplus were updated to clarify the reason for the variance.
- The service performance achievement was amended from 75 percent to 76 percent due to one wastewater target incorrectly assessed as not achieved.

Our Activities section

- Narrative included in Access and Transport to reflect work completed during the year on the Speed Management plan.
- Comment to Community Facilities measures to confirm that Healthy Homes standards will have been achieved for all Older Persons units by the end of the 2024 financial year.
- Inclusion of a new section detailing the results of the Residents Opinion Survey, including progress against outcomes and Kāpiti's performance against national satisfaction results.

Our Finances

- Correction of 2021/22 comparatives in the Statement of Comprehensive Revenue and Expense.
- Changes to Note 6 Operating Expenses as follows:
 - Facility Operations and Maintenance removed from 'Other' category and separately specified;
 - Salary Recoveries moved from 'Other' category and offset against Staff Remuneration; and
 - Amended line 'Impairment of property, plant and equipment' to 'Impairment of loans to community organisations'.
- Changes to Note 9 to clarify the date the Air Chathams loan was advanced and when it was originally fully impaired by Council.
- Correction to Derivative Financial Instruments in Note 27 Major Variances from Budget.

He take | Issues

- 20 There are no issues arising in addition to those already highlighted in this report, including attachments 1 and 2 to this report.
- 21 Subject to adoption by Council, the Annual Report and Summary Annual Report for the year ended 30 June 2023 will receive an unqualified (clean) audit opinion from Council's auditors, Ernst & Young, on behalf of the Office of the Auditor General (OAG).

Ngā kōwhiringa | Options

22 There are no options arising from this report.

Tangata whenua

23 The Iwi Partnerships Group supported development of the Mihimihi greeting. The tangata whenua and governance activities in the report describe progress against key pieces of work for the year and progress against performance measures.

Panonitanga āhuarangi | Climate change

24 The Annual Report provides an update on progress towards reducing carbon emissions and coastal adaptation.

Ahumoni me ngā rawa | Financial and resourcing

25 There are no financial and resourcing considerations to note in addition to the information included in the Annual Report and Summary Annual Report.

Ture me ngā Tūraru | Legal and risk

26 The report has been prepared in accordance with the Local Government Act 2002 and all relevant financial reporting and accounting standards.

27 The Council is required under the Local Government Act 2002 to adopt an audited Annual Report and audited Summary Annual Report on or before the 31 October, for the preceding financial year ending on 30 June.

Ngā pānga ki ngā kaupapa here | Policy impact

28 There are no policy considerations arising from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

29 The Annual Report and Summary Annual Report have a low level of significance under the Council's Significance and Engagement Policy and do not require community engagement.

Whakatairanga | Publicity

30 Following Council adoption, the Annual Report and Summary Annual Report will be published on the Council website, and physical copies will be available at Council service centres and libraries. A media release will be issued.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. 2022/23 Annual Report (under separate cover) ⇨
2. 2022/23 Annual Report Summary (under separate cover) ⇨

10.2 SPEED MANAGEMENT PLAN UPDATE - PAEKĀKĀRIKI VILLAGE CONSULTATION

Kaituhi | Author: **Ron Minnema, Transport Safety Lead**

Kaiwhakamana | Authoriser: **Sean Mallon, Group Manager Infrastructure Services**

TE PŪTAKE | PURPOSE

- 1 The purpose of this report is to update Council on the feedback received from the community and stakeholders on two speed management options for Paekākāriki Village and make several recommendations for Council's consideration.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 The public and stakeholders were invited to submit on two speed management options for Paekākāriki from 4 to 15 September 2023.
- 3 323 submissions were received as follows:
 - 3.1 176 (54.5%) of submitters are in support of Option 1 that involves installing a '30km/h speed limit on all Paekākāriki roads including Ames Street, plus traffic calming infrastructure on The Parade.
 - 3.2 147 (45.5%) of submitters are in support of Option 2 that involves installing a 'variable (immediately before and after school) 30km/h speed limit on roads with 100m of Paekākāriki School.

TE TUKU HAEPAPA | DELEGATION

- 4 Council has the delegation to accept this report.

TAUNAKITANGA | RECOMMENDATIONS

- A. Council receives this report.
- B. Council approves the inclusion of Option 2 within the Kāpiti Coast District Council – *Speed Management Plan 2023-33*.
- C. Council approves the installation of Option 2 before the end of June 2024.
- D. Council approves the trial installation of traffic calming along The Parade and a section of Wellington Road in the period 2024 – 2027.
- E. Council notes that:
 - E.1 Two options for Paekākāriki have been presented in the Speed Management Plan – October (The 'Plan'), one of which will be removed to reflect Council's decision.
 - E.2 The amended Speed Management Plan will be forwarded to Waka Kotahi for Certification with a covering letter signed by the Mayor.
 - E.3 It is proposed that the installation of traffic calming on The Parade and a section of Wellington Road (near the Paekākāriki Playcentre) will be trialled before a decision is made on whether the traffic calming will be made permanent. The purpose of the trial is to (1) gain feedback from the community (2) confirm that significant numbers of motorists are not diverting to other roads which could in turn generate requests for additional traffic calming (3) assess the effectiveness of the traffic calming in reducing speeds.
 - E.4 Excluding the two Pedestrian Platforms outside Paekākāriki School, options other than speed humps will be considered for both The Parade and Wellington Road.

- E.5 Consultation is scheduled to commence in 2025 on preparing the next update of the 'Plan', which needs to be completed by September 2026 coinciding with the initial funding bid deadlines for the 2027-30 NLTP.
- E.6 Consultation on the next update of the 'Plan' includes expanding school zones that may result in a combination of the following: (1) speed limits being reduced, (2) existing speed limits being retained, (3) the construction of new infrastructure such as pedestrian refuges/ islands and footpaths.
- E.7 Consultation on expanding the school zones will provide an additional opportunity for the community to explore reducing speed limits through Paekākāriki in full or in part. This could result in a combination of reduced speed limits such as 30 and 40km/h for example.

TŪĀPAPA | BACKGROUND

- 5 Council at its meeting of 31 August 2023 considered the 'Kāpiti Coast District Council – *Speed Management Plan 2023-33 (FINAL)*' report and passed the following resolutions:
- 5.1 Council receives this report.
- 5.2 Council approves the *Speed Management Plan (August)* excluding Paekākāriki Village.
- 5.3 Council approves a second round of consultation involving the two speed management options for Paekākāriki Village with consultation commencing on 4 September and concluding on 15 September 2023.
- 5.4 Note that:
- 5.4.1 If approved by Council submissions on the two options involving Paekākāriki Village will open on 4 September and close on 15 September 2023.
- 5.4.2 Following receipt of submissions, the *Speed Management Plan (August)* will be amended and presented to Council for adoption in October 2023 with a covering report.
- 5.4.3 Once adopted this will enable (1) the *Speed Management Plan* to be submitted for inclusion in the *Wellington Regional Speed Management Plan* (2) budgets for speed related infrastructure to be included in the LTP (3) Council to include bids for speed related infrastructure in the *Regional Land Transport Plan 2024 – 27*.

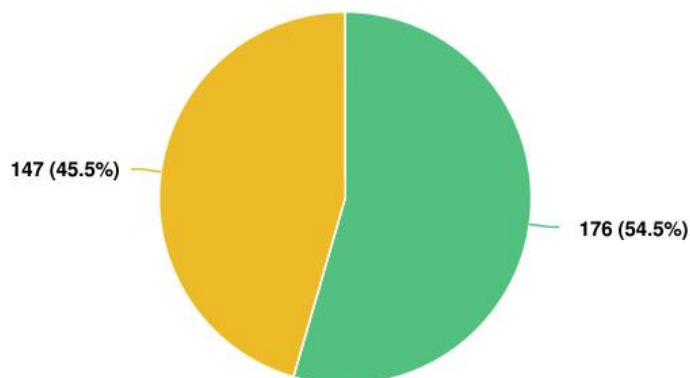
At the October 2023 meeting approve the *Speed Management Plan (October)* to include Paekākāriki Village reflecting the preferred option post the second round of consultation without the remaining sites being relitigated as they would have been approved at the 31 August 2023 meeting of Council.

HE KŌRERORERO | DISCUSSION

- 6 Council sought feedback from the community and key stakeholders in accordance with the Communications and Engagement Plan on two speed management options for Paekākāriki Village and involved:
- 6.1 Contacting (1) FENZ (2) Greater Wellington Regional Council (3) Wellington Free Ambulance.
- 6.2 Delivering information/ feedback cards to residents within Paekākāriki Village.
- 7 Both options listed below included traffic calming infrastructure (raised safety platforms) on Wellington Road outside Paekākāriki School.
- Option 1: A permanent 30km/h limit for the whole of Paekākāriki, including traffic calming infrastructure for The Parade.
 - Option 2: A variable 30km/h limit around Paekākāriki School.

8 The community and stakeholders provided feedback that yielded the following results.

Select your preferred option



Question options

- Option 1: A 30km/h speed limit on all Paekākāriki roads including Ames Street, plus traffic calming infrastructure on The Parade.
- Option 2: A variable (immediately before and after school) 30km/h speed limit on roads within 100m of Paekākāriki School.

9 A breakdown of options based on the method of submission is illustrated in the following table.

Source	Option 1 (30km/h all Paekākāriki)	Option 2 (30km/h Variable around school)	Totals
Flyers (hard copy cards) – excluding Paekākāriki School	81 (54.7%)	67 (45.3%)	148
Flyers (hard copy cards) – Paekākāriki School	39 (100.0%)	0 (0%)	39
Haveyoursay (Online survey)	56 (41.2%)	80 (58.8%)	136
Totals	176 (54.5%)	147 (45.5%)	323

10 Two flyers were received, and the results excluded from the above total as it wasn't clear which option was preferred.

11 Matters relating to SH59 have been noted and forwarded to Waka Kotahi for their consideration.

He take | Issues

12 No responses were received from key stakeholders.

- 13 Community feedback as listed in attachment 2 is mixed without a single option being clearly identified as the preferred option, two examples of feedback are included below:
- (1) There is an opportunity to establish a pedestrian and cycle friendly village with safe streets. In the long term, a 30km/h zone would allow for wider footpaths, more planting, a more visually pleasing aspect to the whole area. There's literally no need for speeds higher than 30km/h. Let's do it.
 - (2) I agree on 30km/h around the school zone. Especially as there are no crossings to enter safely and 2 entries. I have practiced driving 30km/h around Paekākāriki and it's way too slow and I can't imagine everyone tolerating it.
- 14 Submitters highlighted their concerns of the risk that motorists posed to children crossing The Parade to access the beach plus their aversion to using speed humps as a traffic calming device.
- 15 Several submitters highlighted their concerns on the speed that motorists travel along Wellington Road and in front of the Play Centre.
- 16 Paekākāriki School have universally voted for option 1 – 30km/h speed limit throughout Paekākāriki village.

Ngā kōwhiringa | Options

- 17 The *Speed Management Plan* comprises two parts:
- 17.1 Part A: Implementation complete before the end of 2027 including all schools.
- 18 Part B: Implementation beyond 2027 with a focus on:
- 18.1 Road corridors.
 - 18.2 Expanding school zones.

Part A: Implementation complete before the end of 2027 including all schools.

- 19 The following deadlines underpin the delivery of Part A.

No	Deadline	Description	Status
1	31 August 2023	30km/h school variable speed limits <ul style="list-style-type: none"> • Risk Assessment: Identification of any potential safety issues with the proposed installation of electronic/ static warning signs (e.g., service, restricting visibility). 	Completed
2	5 October 2023 ¹	Speed Management Plan <ul style="list-style-type: none"> • The final date for the publication or any consultation draft <i>Speed Management Plan</i>. 	Completed
3	30 November 2023	30km/h school variable speed limits <ul style="list-style-type: none"> • Complete consultation with schools/ stakeholders and prepare design 	Underway

¹ Set by Waka Kotahi

		drawings, estimates and set-out data for implementation by a contractor.	
4	29 March 2024 ²	Speed Management Plan <ul style="list-style-type: none"> The final date for submitting the final draft <i>Speed Management Plan</i> for certification by Waka Kotahi. 	Scheduled to be submitted in November 2023 ² .
5	30 June 2024 ³	30km/h school variable speed limits <ul style="list-style-type: none"> A road controlling authority must use reasonable efforts that, for at least 40% of the school directly accessed from roads under its control, speed limits for roads outside schools that comply with Section 5 are set by 30 June 2024: and 	Contract scheduled to be late 2023/ early 2024 for 14 schools out of 20
6	31 December 2027 ³	30km/h school permanent speed limits <ul style="list-style-type: none"> ..use reasonable efforts to ensure that all roads under its control have speed limits that comply with Section 5 set by 31 December 2027. 	Design is scheduled to commence on the remaining schools in the 2 nd half of 2024.

- 20 Once the 'Plan' is certified by Waka Kotahi, Council can create a land transport record in the National Speed Limits Register and set the start date when the new speed limits will come into force that informs the construction completion date.
- 21 Council will need to receive the certified 'Plan' from Waka Kotahi no later than the end of January 2024 so a completion date can be set in the contract documentation to deliver the implementation of the Variable Speed Limits by the end of June 2024
- 22 To ensure that the 'Plan' is certified no later than the end of January 2024 (noting 25 working days are required to complete certification) the 'Plan' needs to be submitted in November 2023 with one option for Paekākāriki School.

Part B: Implementation beyond 2027

- 23 Planning for the next 'Plan' is scheduled to commence in 2025 focussing on road corridors and expanding school zones.
- 24 Discussions will be held with key stakeholders on expanding the school zone buffer from 100m to 1km for primary schools and 2.25km for high schools respectively being the distance that most students are prepared to walk or cycle.

Discussion

- 25 Community feedback is mixed without a single option being clearly identified as the preferred option.
- 26 Council must submit a 'Plan' with one option for Paekākāriki.
- 27 In terms of speeds the average speed of vehicles not held up by other vehicles in Paekākāriki Village is:
- 27.1 Approximately 40km/h on The Parade.

² Certification will typically take 25 working days.

³ Land Transport Rule: Setting of Speed Limits 2022

27.2 48km/h on Wellington Road (Robertson to Cecil), elsewhere approximately 40km/h.

27.3 Typically, below 30km/h on all other roads.

28 The existing posted 50km/h speed limit on The Parade and Wellington Road are more than the Safe and Appropriate Speed Limit of 40km/h and 30km/h (Source: MegaMaps⁴) respectively.

29 Given the mixed feedback and the timeline for speed limits to be implemented around schools it is recommended that:

29.1 Option 2⁵ is included in the 'Plan' with the addition of traffic calming being trialled along The Parade and a section of Wellington Road before a decision is made for the traffic calming to be made permanent'.

30 Note that:

30.1 Consultation on the next update of the 'Plan' is scheduled to commence in 2025 and includes expanding school zones which could result in a combination of the following: (1) speed limits being reduced, (2) existing speed limits being retained, (3) the construction of new infrastructure such as pedestrian refuges/islands and footpaths.

30.2 The purpose of expanding the school zones is to provide a safe environment that encourages students to walk and cycle to school. This consultation will provide the community with an additional opportunity to find some common ground for future speed management options in Paekākāriki.

Mana whenua

31 Waka Kotahi's *Speed Management Guide* recommends that 'Māori must be engaged with from the development stage of the plan'.

32 Council is continuing to engage with mana whenua iwi with the Access and Transport team presenting and discussing the *Speed Management Plan* with 'Te Whakaminenga o Kāpiti' on 12 September 2023.

33 Engagement is ongoing.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

34 The Government Policy Statement on Transport lists climate change as one of the key strategic priorities.

35 The *Speed Management Plan* will contribute to addressing climate change by creating a sustainable low carbon, safe and healthy land transport system.

36 Option 1 has the potential to provide a greater contribution to climate change by setting safe speed limits that may encourage a 'shift' to more environmentally friendly and active modes such as walking and cycling.

Ahumoni me ngā rawa | Financial and resourcing

37 The estimated cost of the *Speed Management Plan* as shown in the following table is unchanged from that presented to Council on 31 August 2023 and included costs for either option for Paekākāriki Village.

High-benefit areas	2021 - 2024 ⁶	2024 - 2027
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⁴ Waka Kotahi

⁵ comprises 30km/h Variable Speed Limits around Paekākāriki School plus the construction of two Pedestrian Platforms on Wellington Road in the vicinity of Paekākāriki School

⁶ Funded from existing budgets.

Streets around schools	\$548,300	\$2,241,000
Corridors	\$8,400	\$0
Areas with high concentrations of active road users	\$0	\$383,000
Base Programme (A)	\$556,700	\$2,624,000
Road Corridors (B)	\$0	\$351,000 (See note 1)
Total (A + B)	\$556,700	\$2,975,000

- 38 The overall estimates will remain unchanged irrespective of which Paekākāriki Village Speed Management Plan option is approved.
- 39 Implementing the variable speed limits as part of Option 2 (excluding the raised safety platforms on Wellington Road) is estimated to cost less than \$30,000.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 40 Land Transport Rule: Setting of Speed Limits 2022 (the 'Rule') requires Councils to use reasonable efforts to implement new speed limits for at least 40% of all schools directly accessed from roads under its control by 30 June 2024 with the balance of schools completed by 31 December 2027.
- 41 To ensure that the 'Plan' is certified by the end of January 2024 at the latest (which will inform the completion date for the installation of the Variable Speed Limits) it is recommended that the 'Plan' is submitted to Waka Kotahi in November 2023.
- 42 Noting the deadlines outlined previously, deferring the implementation of either the variable or permanent 30km/h speed limits around Paekākāriki School until 2025 when discussions on expanding school zones is scheduled to commence is unlikely to result in implementation being completed by the end of 2027.

Ngā pānga ki ngā kaupapa here | Policy impact

- 43 The 'Plan' aligns with the Kapiti Coast District Council Sustainable Transport Strategy (2022).

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 44 Council consulted on the two options for Paekākāriki in accordance with clause 3.9 (2) of Land Transport Rule: Setting of Speed Limits 2022, i.e., in accordance with the consultation principles specified on Section 82 of the Local Government Act 2002 as specified.

Whakatairanga | Publicity

- 45 The community and stakeholders were consulted in accordance with the Communications and Engagement Plan that was prepared for the two Paekākāriki Village Speed Management options.

NGĀ ĀPITI HANGA | ATTACHMENTS

- Attachment 1 - Speed Management Plan [↓](#)
- Attachment 2 - Submission Summary [↓](#)

Kāpiti Coast District Council
October 2023

Speed Management Plan 2023-2033



kapiticoast.govt.nz



2 Speed Management Plan 2023-2033

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Introduction

Setting safe and appropriate speeds for Kāpiti Roads

The way speed is managed on our roads is changing.

Government rules introduced last year require a new approach to speed management all over New Zealand, with a focus on making sure we have safe and appropriate speeds on all roads.

Safe and appropriate speeds are travel speeds that are appropriate for the function, design safety and use of the road.

Speed kills. In the event of a crash, regardless of its cause, the speed of the impact is the most important factor influencing whether people in the crash survive.

All around New Zealand, many posted speed limits are higher than they should be, and in Kāpiti there have been community calls for changes to 'safe' speeds for many years.

Our transport network of roads and pathways is used by many people, of all ages and abilities, in different ways and for different purposes. Given ours is a growing and increasingly busy community, it has never been more important to make sure our roads are safe for everyone.

This document introduces the first '*Speed Management Plan*' for the Kāpiti Coast.

It outlines how the transport network is expected to look in 10 years' time and provides a three-year implementation programme for high-benefit areas – school zones, areas with high concentrations of active road users and road corridors. Consultation was undertaken on the Draft Speed Management Plan between April and June 2023. The feedback received has been considered and where appropriate incorporated into the plan.

Our vision is:

A connected and efficient multi-modal transport network, safe for people of all ages and abilities to be on or around.



Background

The Government has identified better speed management as vital to improving road safety and reducing the harm and costs of crashes in New Zealand.

Guidance on achieving safer speeds is outlined in the new *Land Transport Rule: Setting of Speed Limits 2022 (the 'Rule')*.

The Rule requires all Road Controlling Authorities, like the Kāpiti Coast District Council, to develop and consult on long-term *Speed Management Plans* to be used in the setting of speed limits. The Speed Management Plans will guide the development, sharing and certification of speed limit changes.

Adopted by the Government as part of the *Tackling Unsafe Speeds Programme*, the Rule will contribute to the aims of the *Road to Zero* strategy (New Zealand's road safety strategy for 2020–30) by taking a whole-of-network approach where speed is considered alongside investments in safety infrastructure.

The *Road to Zero* strategy has a vision 'where everyone, whether they're walking, cycling, driving, motorcycling or taking public transport, can get to where they are going safely'. It targets a reduction of 40 percent in annual deaths and serious injuries by 2030.

As the owners and managers of more than 400km of roads and 400km of footpaths and shared paths, the Kāpiti Coast District Council has an important role in contributing towards achieving this target. We support the aims of the *Road to Zero* strategy wholeheartedly.

This Kāpiti Coast *Speed Management Plan (the first)* covers the period between 2023 and 2033 and will be updated with community input every three years.

Why does speed management matter?

Safe and appropriate speed limits give people the best chance of survival without serious injury if they are involved in a crash.

The likelihood of someone being killed in a crash, if struck by a vehicle at 50km/h, is 80 percent. At 30km/h it is 10 percent. Refer to Figure 1 for further details.

Figure 1: Death and injury percentages

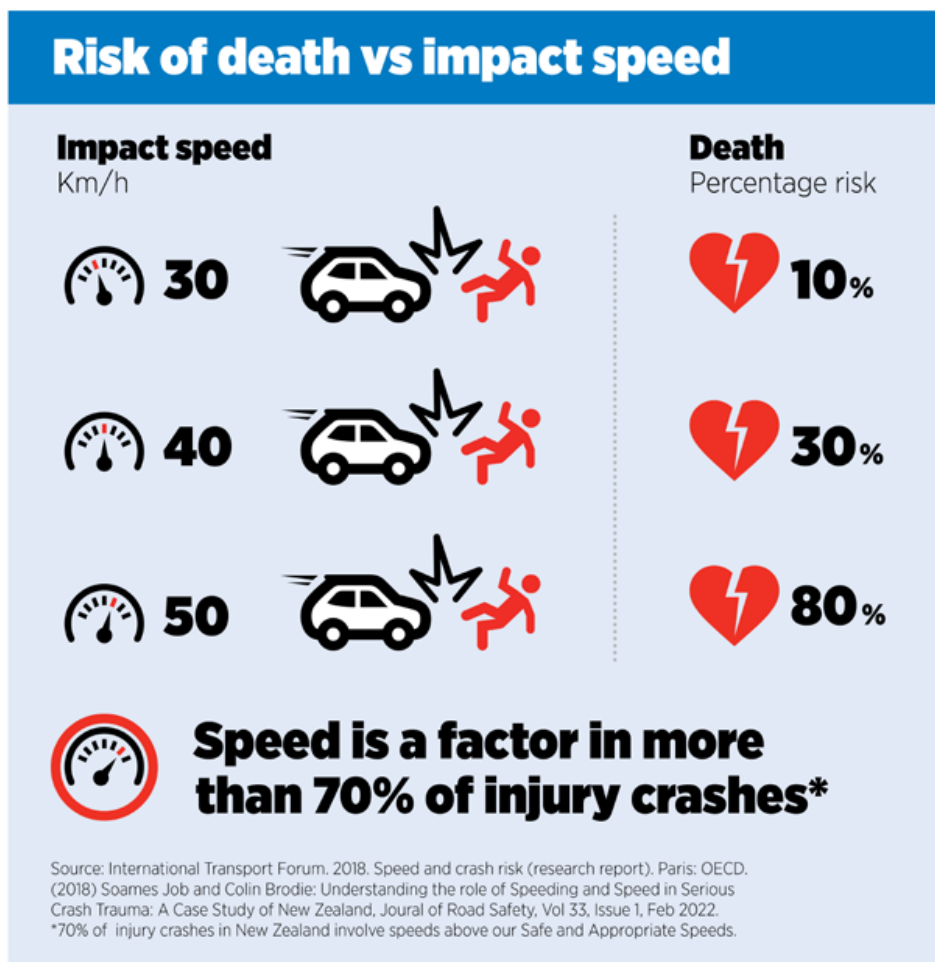


Image credit: Auckland Transport.

6 Speed Management Plan 2023-2033

Safer speeds work. In Auckland, deaths and serious injuries on roads and streets reduced by 30 percent and 21 percent respectively after safe and appropriate speeds were implemented in June 2020. In comparison, across all Auckland roads for

the time period (24 months), road deaths increased by 9 percent.

Approximately 71 percent of injury crashes recorded nationally have involved speeds higher than New Zealand's safe and appropriate limits.

What's the situation in Kāpiti?

Between 2000 and 2022, 23 deaths, 235 serious injuries and 991 minor injuries were reported on Kāpiti roads.

Overall, in that period, there was a slight decrease in the number of crashes and injury crashes in Kāpiti. After a peak in 2017 of a reported high of 16 (five deaths and 11 serious injuries), the number reduced to 10 (one death and nine serious injuries) in 2022.

Safe and appropriate speeds not only reduce the risk of crashes but also make the transport network safe for all users – both young and old – for those using active transport modes – like enabling children riding bikes to school on the road to do so safely.

The Council has heard from the community that safer roads are a priority. Many resident-developed outcome statements¹ seek calmer and safer speeds and our communities have been asking for measures to improve road safety, especially around schools.

Consultation during the Speed Limit Review in 2018/19 saw a majority of the 224 submitters support lower speeds across the district.

This *Speed Management Plan* supports these objectives and in some cases is the key mechanism for achieving them.

¹ Local outcome reports – Kāpiti Coast District Council (kapiticoast.govt.nz)

10.3 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

Kaituhi | Author: **Sarah Wattie, Governance & Legal Services Manager**

Kaiwhakamana | Authoriser: **Hara Adams, Group Manager Iwi Partnerships**

TE PŪTAKE | PURPOSE

- 1 This report seeks Council's consideration and approval of amendments to Council delegations to the Chief Executive and Staff, including changes to the Resource Management Act 1991 delegations.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Not required.

TE TUKU HAEPAPA | DELEGATION

- 3 Council has the authority to consider this matter. Clause 32, Schedule 7 of the Local Government Act 2002 empowers the Council to delegate its responsibilities, duties and powers in accordance with the restrictions set out in this provision.→

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council adopts the revised Council Delegations to Chief Executive and Staff as shown in Attachment 1 to the report 'Amendments to the Council Delegations to Staff'.
- B. That Council adopts the revised Resource Management Act 1991 Delegations to Staff as shown in Attachment 2 to the report 'Amendments to the Council Delegations to Staff'.
- C. That Council notes the advice in paragraph 18 and 19 of this report relating to the delegation under Schedule 1, clause 25 of the Resource Management Act 1991, and that staff will bring advice on options for where this delegation rests to the next Council meeting.

TŪĀPAPA | BACKGROUND

- 4 The purpose of local government under clause 10(1) of the Local Government Act 2002 is to enable democratic local decision-making and action by, and on behalf of, communities; and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Legislative compliance with central Government's legislative and regulatory programme supports Council to do this in a fair and efficient manner.
- 5 Council has a range of legislative functions, duties and powers. It is not always efficient or practical for elected members to carry out all of these functions, duties and powers, which is reflected in various statutes that provide Council with the legal authority to delegate to Council staff. Delegated authority allows for administrative efficiency and ensures timeliness in the conduct of Council's daily business.
- 6 In particular, Council has the authority to delegate to officers under clause 32 of Schedule 7 of the Local Government Act 2002. Clause 32 of the Local Government Act 2002 also sets out certain powers that cannot be delegated as follows:

"32. Delegations– (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except–

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*

- (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) *the power to appoint a chief executive; or*
- (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*
- (h) *the power to adopt a remuneration and employment policy.”*

- 7 Most legislation provides the Chief Executive with the discretion to sub-delegate to Council staff. However, some Acts prescribe the way delegations must be made. For example, section 62 of the Natural Built and Environment Act 2023 (NBE) and section 34A of the Resource Management Act 1991 (RMA) provide local authorities with the power to delegate to an employee any functions, powers, or duties under these Acts however, they prohibit the power to sub-delegate and therefore these delegations must be approved by Council.
- 8 The Council’s delegations to Chief Executive and staff are monitored on a regular basis and reported back to Council for amendment as required, in response to changes in either staff or legislation.

HE KŌRERORERO | DISCUSSION

- 9 This report proposes amendments to Council delegations to the Chief Executive and Staff and Resource Management Act 1991 delegations to give effect to staff changes and changes to legislation.

He take | Issues

LOCAL GOVERNMENT ACT 2002

- 10 On advice from Simpson Grierson an amendment to the current Council to CE and Staff Local Government Act 2002 delegations has been recommended to highlight different witness requirements under relevant Acts and to assist with signing requirements on LINZ Authority and Instruction forms.

COVID 19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020

- 11 The COVID 19 Recovery (Fast-track Consenting) Act 2020 was repealed on 8 July 2023. There are some transitional enforcement delegations and the Council to CE and Staff Delegations have been amended to reflect this.

NATURAL AND BUILT ENVIRONMENT ACT 2023 (NBEA)

- 12 The NBEA received Royal Assent on 23 August 2023 and some of its provisions are now in effect. There is a long transitional period where most of Council’s processes remain under the RMA.
- 13 Initially staff recommend delegated authority of the new Act to mainly sit with the Chief Executive with further delegations rolling out to staff to align with the transitional process, as required.
- 14 However, some NBEA provisions affect existing processes now. Most of the new provisions in effect in the immediate future relate to compliance and enforcement but there are several others. There are two sets of provisions that took effect upon Royal Assent that currently require delegation to staff:
- Fast-track consenting under Schedule 10 clause 18(2) of the NBEA (refer to Attachment 1). This is delegation of authority to provide written comments to the Environmental Protection Agency on a fast-track referral application; and
 - Maximum durations for *affected resource consents* that are applied for between 24 August 2023 and the region’s NBEA date (10 days after the region has notified the

decisions version of the first NBEA Plan) – this is a consequential amendment to the RMA Sch12 cl39 and Sch12 cl40 (under *Schedule 12 Part 6 section 805(4) of the NBEA*) and will be included in the amendments in paragraph 19.

- 15 Staff will continue to work through the changes that are needed to respond to the new legislation, given the complex transitional provisions.
- 16 The amended sections of the Council to CE and Staff referenced in paragraphs 10 to 15 are in Attachment 1.

RESOURCE MANAGEMENT ACT 1991 DELEGATIONS

- 17 A number of amendments are required to Council's delegations to staff under the RMA, which are set out in the table below. These changes relate to the Strategy and Growth Group, Building Team Governance and Legal Services, Parks, Open Space and Environment, Property Facilities and Maintenance, Resource Consents and Compliance and the Environmental Standards teams. The amended RMA delegations and glossary are in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Positions	Amendments to RMA delegations
Building Technical Officer	A replacement title for the Building Consents Technical Support role. Position includes sections 35, 35A and 332 .
Compliance and Monitoring Officer	A replacement title for the Development Management Auditor role. Position to include sections 22, 35, 35A, 36(5), 36AA(1), 36AAB(1), 109, 128, 129, 222, 237 B-H, 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B and 343C .
Compliance Officer – Eyes On Security	Delegations required for Eyes On Security who will be undertaking noise control duties. Position to include Sections 22, 35, 35A, 322-324, 327, 328 and 332 .
Contractor - Property Leasing and Contracts	Existing position in Property Maintenance Team requires sections 35, 35A, 330 and 333 to align with team.
Governance and Legal Services: Advisor, Legal Support Services and Official Information, Senior Advisor, Legal Support Services and Official Information	A change in titles in the Governance and Legal Services team. Positions to include sections 35, 35A and 38(5) . Senior Advisor, Warrants and Delegations no longer required.
Investigations, Monitoring and Compliance Officer	An amendment to the Investigator – Monitoring, Compliance, and Enforcement title. Position to include sections 22, 35, 35A, 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B and 343C .
Parks and Outdoor Recreation Advisor	A new title requiring sections 35, 35A, 330 and 333 .
Principal Advisor – Strategy and Growth	A new role to support the Strategy and Growth group. Position to include sections 35, 35A, 311, 314-321, 338, 343B and 343C .

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Positions	Amendments to RMA delegations
Resource Consents and Compliance: Groups Manager Regulatory Services, Principal Advisor Regulatory Services, Resource Consents and Compliance Manager, Team Leader Resource Consents, Principal Resource Consents Planner, Senior Resource Consents Planner, Resource Consents Planner, Consultant Planner	Consequential amendments pursuant to <i>Schedule 12 Part 6 section 805(4) of the NBEA</i> . These positions are to have the delegation under RMA Sch12 cl39 and Sch12 cl40 .
Senior Advisor, Legal Support Services and Official Information	A change in title in the Governance and Legal Services team. Position to include sections 35, 35A and 38(5) . Senior Advisor, Warrants and Delegations no longer required.

- 18 On 30 June 2022 Council resolved to amend the delegation under Schedule 1, Clause 25 of the RMA so that the power to exercise the delegation is limited to either the Chief Executive or the Deputy Chief Executive. A condition was imposed on the exercise of this delegation requiring staff to advise Council (through the Elected Members Bulletin or other communication such as email) as soon as any requests are received under clause 25 of Schedule 1 of the RMA 1991, and of all decisions made by staff under this provision.
- 19 Due to an administrative error in implementing this change, the current *Council to CE and Staff Delegations* replicate the RMA delegations creating confusion about whether Council or staff (Chief Executive and Deputy Chief Executive) hold the delegation. This is outlined in Attachment 1. These delegations were subsequently approved on 23 March 2023. Staff are preparing advice for Council on the options for where this delegations rests and will bring this advice back to the next Council meeting.

Ngā kōwhiringa | Options

- 20 The proposed delegations outlined in this report are recommended by staff. Council retains the authority to approve delegations to Council staff and to make changes to proposed delegations or impose conditions on the exercise of delegations where required.

Mana whenua

- 21 There are no specific mana whenua or tāngata whenua considerations arising from these delegations.

Panonitanga Āhuarangi me te Taiao | Climate change and Environment

- 22 There are no climate change considerations triggered by this report.

Ahumoni me ngā rawa | Financial and resourcing

- 23 There is no direct financial impact from these changes to delegations.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 24 This paper has been reviewed by the Council's Governance and Legal Services Manager.

- 25 The exercise of powers and functions by staff must adhere to legislative requirements. Managers are responsible for ensuring legislative compliance in the exercise of statutory powers in their area and are able to seek legal advice where required.

Ngā pānga ki ngā kaupapa here | Policy impact

- 26 Appropriate delegations facilitate efficiency and effectiveness in the conduct of Council business and assist staff to deliver on Council outcomes.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

- 27 This decision has a low level of significance under the Council's Significance and Engagement policy.

Te mahere tūhono | Engagement planning

- 28 No consultation or engagement is required relating to the process of making these amendments.

Whakatairanga | Publicity

- 29 No publicity is required for these minor amendments.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Amendments to Council to CE and Staff Delegations [↓](#)
2. Amendments to RMA Delegations to Staff [↓](#)

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**11.1 CONFIRMATION OF MINUTES**

Author: Kate Coutts, Democracy Services Advisor

Authoriser: Darren Edwards, Chief Executive

Taunakitanga | Recommendations

That the minutes of the Council meeting of 10 October 2023 be accepted as a true and correct record.

APPENDICES

1. Confirmation of Minutes - 10 October 2023 [↓](#)

12 TE WHAKAŪNGA O NGĀ ĀMIKI KĀORE E WĀTEA KI TE MAREA | CONFIRMATION OF PUBLIC EXCLUDED MINUTES

13 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION

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 - Confirmation of Minutes	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 7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a)(i) - the public conduct of the relevant part 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
13.1 – Strategic Property Update	Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a)(i) - the public conduct of the relevant part 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

