

**Mayor and Councillors**  
COUNCIL

13 JUNE 2019

Meeting Status: **Public**

Purpose of Report: For Decision

## **KĀPITI COAST DISTRICTWIDE SPEED LIMIT REVIEW STAGE TWO (2018-2019)**

### **PURPOSE OF REPORT**

- 1 This report seeks the Kāpiti Coast District Council's (Council) decision on changing speed limits on 47 rural roads and in three village centres.
- 2 It further seeks Council's approval to amend the Speed Limits Bylaw 2015 by updating the reference to Setting of Speed Limits Rule 2017 (Rule).

### **DELEGATION**

- 3 The Speed Limits Bylaw 2015 allows Council to set speed limits on Council roads. Council's Governance Structure and Delegations 2016-2019 has no provision for delegating the setting of speed limits.

### **BACKGROUND**

- 4 New Zealand Transport Agency's (NZTA) new Rule and guidelines were released in 2017. This Rule (which replaces the Setting of Speed Limits Rule 2003) and accompanying guidelines, introduced changes that Council needs to follow when reviewing speed limits.
- 5 When the Rule came into force Council made a commitment in its Annual Plan 2017/18 to start a review of speed limits, which requires Council to consult with the public on any proposed changes.
- 6 The review is restricted to roads Council is responsible for and excludes the state highways as these are managed by the NZTA.
- 7 It was decided to review the speed limits on all rural roads and to split the review into two stages; with Stage one in the 2017/18 year and continuing with Stage two in the 2018/19 year. Stage one was completed in 2018 and resulted in speed limit changes to 36 roads.
- 8 Stage two consists of reviewing the speed limit on the remaining 56 rural roads and in three village centres (Paekākāriki, Raumati South and Raumati Beach).

- 9 The review process undertaken was the same as for Stage one and consisted of a technical assessment of the roads to determine the safe and appropriate speed limit. This assessment applied the Rule and guidelines and considered:
  - 9.1 land use (whether urban or rural);
  - 9.2 function and use of the road (arterial, collector or access road);
  - 9.3 the alignment and safety of the road and road side environment;
  - 9.4 the number of intersections and driveways;
  - 9.5 road users (cyclists, pedestrians, horse riders, motorists);
  - 9.6 traffic speed. The Rule requires that we aim to set a speed limit that is not more than 10% below the average traffic speed (for example we cannot set a 60 km/h speed limit on a road where the average traffic speed is 74 km/h);
  - 9.7 safety, crash statistics; and
  - 9.8 road length. The Rule requires minimum lengths of road for setting speed limits (for example a road must be at least 500m long to have a 60 km/h speed limit).
- 10 An area-wide approach was undertaken which meant that as well as looking at a specific road, the surrounding roads were also considered to ensure area-wide consistency.
- 11 As a result of this review, 47 rural roads and the three village centres are recommended for speed limit changes. An overview of the proposed changes including the rationale for the changes is included in **Appendix 1** to this report.

## ENGAGEMENT

- 12 During Stage one Council resolved to have Raumati South village centre deferred until Stage two of the review process (Resolution KCDC 18/06/288 made on 28 June 2018).
- 13 A road user stakeholder (Police, NZTA, Automobile Association (AA), Kāpiti Cycle Action) meeting was held in October 2018 to discuss the proposed speed limit changes. Feedback from this meeting helped shape the review prior to formal public consultation.
- 14 Consultation on the proposed speed limit changes was carried out from 18 February to 18 March 2019. This included letter drops to those living in the areas where speed limit changes are proposed, and advice to groups including community boards, residents' associations, schools and road user representatives (NZTA, Police).
- 15 224 submissions were received. While some submitters provided comment on all roads, many provided comment on individual roads.
- 16 A graphic summary of the public submissions received is attached to this report as **Appendix 2**.

- 17 The submissions showed majority support for each of the proposed speed limit changes. The level of support varied depending on the road and ranged from 58% to 85%.
- 18 Road user stakeholders (NZTA, Police, AA and Kāpiti Cycle Action) supported all the proposed changes, although Kāpiti Cycle Action sought further speed reductions in some areas.

## **ISSUES AND OPTIONS**

### **Issues**

- 19 Each of the proposed speed limit changes had majority support. Those who did not support the speed limit changes on a particular road wanted different and sometimes opposing outcomes:
  - 19.1 wanted a lower speed limit than proposed;
  - 19.2 agreed with the proposed speed limit but wanted it to cover a greater length of road or wider area;
  - 19.3 agreed with the proposed speed limit but wanted it to cover a shorter length of road;
  - 19.4 wanted the speed limit to stay unchanged;
  - 19.5 those who wanted a lower speed limit or the proposed speed limit extending over a greater length of road tended to be residents, and those who walked, cycled or rode on the road;
  - 19.6 submitters who did not want the speed limit changed tended to be those who did not live on the road and drove through it; and
  - 19.7 there were several roads where submitters made requests or raised issues that we further investigated in the Village areas: Paekākāriki Village (request to extend 30 km/h north along Wellington Road) and Raumati Beach Village Area (extended the 30 km/h along Rosetta and Matatua Roads). The traffic speeds are too high to extend the speed limit beyond what is proposed in these areas.

### **Options**

- 20 Having considered the issues raised during consultation, the option recommended for consideration is to change speed limits as proposed.

## **LEGAL CONSIDERATIONS**

- 21 The Rule establishes procedures that enable road controlling authorities to set enforceable speed limits on roads within their jurisdictions.
- 22 Council's Speed Limits Bylaw 2015 allows Council to set speed limits by resolution, for all roads under its ownership, control or management.

- 23 The 2015 Bylaw refers to the Setting of Speed Limits Rule 2003. As the new Rule is in force, this reference needs to be updated.
- 24 Section 156 of the Local Government 2002 requires a local authority to use the special consultative procedure when making or reviewing a Bylaw. Section 156(2) of the LGA02 enables a local authority to make minor changes or corrections to a Bylaw without using the special consultative procedure if the amendment does not affect an existing right, title or duty of any person to whom the Bylaw applies, an existing status or capacity or convert an imperial weight or measure.
- 25 As the amendment sought is to the reference to legislation that has recently been updated, Council's in-house legal counsel has confirmed the amendment does not require consultation but any Council resolution adopting the amendment must be publically notified.

### **FINANCIAL CONSIDERATIONS**

- 26 The cost of new speed limit signs will be covered under current budgets.

### **TĀNGATA WHENUA CONSIDERATIONS**

- 27 There are no issues for consideration relating to Iwi.

### **STRATEGIC CONSIDERATIONS**

- 28 The proposed lower speed limits will contribute to safer communities.

### **SIGNIFICANCE AND ENGAGEMENT**

#### Significance policy

- 29 This matter has a moderate degree of significance under Council's Significance and Engagement Policy.

#### Consultation already undertaken

- 30 Consultation has been carried out as described in this report.

#### Engagement planning

- 31 An engagement plan was produced at the start of the review and has been implemented as planned. Consultation elicited less feedback and more positive support than for Stage 1; and showed majority support for each of the proposed speed limits. The next action is to advise the community about Council's decision and how it is to be implemented.

## Publicity

- 32 A media release will be issued with a summary of the approved new speed limits. Affected residents on roads where speed limit changes are to be changed, community representatives, schools and road safety stakeholders will be informed by separate letter.

## RECOMMENDATIONS

- 33 That Council approves setting the speed limits as proposed in Appendix 1 of report IS-19-770.
- 34 That the Council approves to set the date of effect of the speed limit changes as proposed in report IS-19-770 at Monday 15 July 2019.
- 35 That Council approves amending the Speed Limits Bylaw 2015 by replacing the definition of the Rule from the Setting of Speed Limits Rule 2003 to the Setting of Speed Limits Rule 2017.

**Report prepared by**      **Approved for submission**      **Approved for submission**

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## ATTACHMENTS

**Appendix 1:** 2018-19 Kāpiti Coast Speed Limit Review Stage 2 Proposed speed limit changes including rationale

**Appendix 2:** Summary of public feedback table and graphics