

QLDC Council  
12 March 2020

Report for Agenda Item | Rīpoata moto e Rāraki take : 9

Department: Corporate Services

Title | Taitara Submission on the Land Transport (NZTA) Legislation Amendment Bill

**PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

---

The purpose of this report is to present the submission on the Land Transport (NZTA) Legislation Amendment Bill, and seek the Council's feedback and retrospective approval of its content. This submission was made to the Transport and Infrastructure Committee on 5 February 2020.

**RECOMMENDATION | NGĀ TŪTOHUNGA**

---

That Council:

1. **Note** the contents of this report; and
2. **Approve** retrospectively the contents of the attached submission.

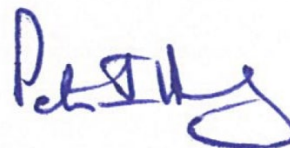
Prepared by:



Name: Marie Day  
Title: Acting Policy and  
Performance Manager

27/02/2020

Reviewed and Authorised by:



Name: Peter Hansby  
Title: General Manager  
Property and Infrastructure

28/02/2020

## CONTEXT | HOROPAKI

---

- 1 The Land Transport (NZTA) Legislation Amendment Bill is a response to the review of Waka Kotahi NZ Transport Agency's (NZTA) regulatory performance. The Bill is designed to strengthen the regulatory leadership of NZTA by setting up a new regulatory framework by establishing the position of Director of Land Transport to centralise the regulatory authority. The Bill also strengthens NZTA's role in relation to key regulatory interventions including speed management and enforcement.
- 2 Key changes proposed by the Land Transport (NZTA) Legislation Amendment Bill include:
  - Establishing the Director of land transport role
  - Setting expectations for the NZTA Board to develop a new strategy to strengthen the NZTA's regulatory delivery
  - Refreshing the NZTA's regulatory objectives
  - Refreshing the independent regulatory functions and powers to ensure they are fit for purpose
  - Supporting key regulatory interventions. One of these key regulatory interventions implements measures as part of the 'Tackling Unsafe Speeds' programme. This is an important component of the Government's new Road to Zero: Road Safety Strategy. Tackling Unsafe Speeds changes within this Bill include:
    - Establishing a centralised Register of land transport records (for example, speed limits)
    - Enabling Rules to require the NZTA to establish a speed management committee
    - Enabling the NZTA to issue infringement notices for offences detected by safety cameras.
- 3 Submissions on the Bill were due to the Transport and Infrastructure Select Committee (the Transport and Infrastructure Committee) by 7 February 2020.
- 4 Due to the timing of the submission response period over the 2019-2020 summer holiday season, there was insufficient time to seek Councillor feedback prior to the submission due date. This submission was approved and submitted by the Chief Executive.

## ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

---

- 5 Officers prepared the submission to ensure that Queenstown Lakes District's unique circumstances and environment as a high growth area are properly considered in these changes to the roles and functions of the NZTA.
- 6 QLDC supports the intent of this Bill to ensure good regulation, reflect stewardship responsibilities and promote safety in the land transport sector. Officers highlighted in the submission QLDC's desire to work in partnership with NZTA to best serve the Queenstown Lakes District community through consistent and effective regulatory functions, and

acting as management and financial partner through transport and infrastructure programmes.

7 The key points made in the submission are:

- **Robust partnership:** QLDC requests that a clear partnership is signalled between the NZTA and local government within the Bill. Not only must this solidify collaboration as regulatory and management partners, but also must place local government as an investment partner with the NZTA.
- **Regulatory strategy:** QLDC strongly supports the adoption of a published regulatory strategy setting out how regulatory functions will be performed by the Agency and the Director. The move to confirm and clarify the regulatory approach of the Agency as signalled in Section 95(1)(b) is welcomed.
- **Speed management:** QLDC welcomes the establishment of committees to enact speed management plans and supports the intent of ensuring safety on New Zealand roads. There are concerns however, that if focussed at a regional rather than local level, these committees may impede the timely implementation of any changes.
- **Central road register:** QLDC supports the establishment and operation of a publically available central register of land transport records.
- **National evidence base:** QLDC requests consideration for guidance outlining the importance of public transport and active travel on a national level in providing genuine alternatives to private vehicles.

8 Option 1: to agree the contents of the attached submission retrospectively.

*Advantages*

- 9 The submission will remain in the Transport and Infrastructure Committee process and QLDC will have partaken in the submissions process.

*Disadvantages*

- 10 There are no clear disadvantages to this option.

Option 2: to request the withdrawal of the attached submission from the Transport and Infrastructure Committee process.

*Advantages*

- 11 The submission will be withdrawn from the Transport and Infrastructure Committee process and any inaccurate representations of QLDC's position will not be considered.

*Disadvantages*

- 12 QLDC will have no further opportunities to participate in the process, as it will not have submitted on this occasion

- 13 This report recommends Option 1 if the submission is broadly reflective of the Council's position.
- 14 Option 2 is only recommended in the event that the direction taken by the submission is incorrect and fails to capture the position of the Council.

### CONSULTATION PROCESS | HĀTEPE MATAPAKI:

---

#### > SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

- 15 This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because proposed changes to the legislation are not within the direct control of QLDC. However, this proposed legislation deals with a matter of interest to a range of individuals, organisations, groups and sectors in the community.
- 16 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes district community.

#### > MĀORI CONSULTATION | IWI RŪNANGA

- 17 Iwi has not been consulted during the drafting of the attached submission.

### RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

---

- 18 This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK00038 within the QLDC Risk Register: Lack of Alignment - Strategies and policies. This risk has been assessed as having a moderate inherent risk rating.
- 19 The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by supporting changes to this legislation, in particular addressing those issues that directly affect QLDC and the Queenstown Lakes District community.

### FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

---

- 20 There are no financial implications.

### COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

---

- 21 The following Council policies, strategies and bylaws were considered:
  - The outcomes and principles of the Vision Beyond 2050, in particular - Thriving people and Opportunities for all.
  - Disability Policy
  - Stages 1, 2 and 3 of the Proposed District Plan
  - 2018-2028 Ten Year Plan
  - 2019-2020 Annual Plan
  - Master Plans

- Asset Management Plan
- 30 Year Infrastructure Strategy.

## LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

---

22 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by contributing to the development of a more effect framework for land transport regulation.
- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

## ATTACHMENTS | NGĀ TĀPIRIHANGA

---

A	SUBMISSION: The Land Transport (NZTA) Legislation Amendment Bill
---	--