



# **LAND TRANSPORT RULE: SETTING OF SPEED LIMITS 2022**

Summary of Submissions Report

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# Contents

.....	1
INTRODUCTION .....	4
ANALYSIS BY PROPOSALS.....	7
<b>Proposal 1 – Speed Management Plans.....</b>	<b>7</b>
<b>Proposal 2 – Alternative Process for Setting Speed Limits.....</b>	<b>20</b>
<b>Proposal 3 – Formal Certification of Speed Management Plans .....</b>	<b>23</b>
<b>Proposal 4 – Speed Limits Must Be Entered Into the Register.....</b>	<b>25</b>
<b>Proposal 5 – Establishment of a Speed Management Committee .....</b>	<b>27</b>
<b>Proposal 6 – Speed Limits around Schools .....</b>	<b>30</b>
<b>Proposal 7 – Temporary and Emergency Speed Limits .....</b>	<b>37</b>
<b>Proposal 8 – Approval for Certain Speed Limits.....</b>	<b>39</b>
<b>Proposal 9 – Use of Variable Speed Limits (VSLs) .....</b>	<b>42</b>
<b>Proposal 10 – Speed Limit Areas.....</b>	<b>46</b>
<b>Proposal 11 – Other Proposals .....</b>	<b>48</b>
OTHER CHANGES .....	52
<b>Beaches .....</b>	<b>52</b>
<b>Signage.....</b>	<b>52</b>
GENERAL COMMENTS AND ISSUES RAISED.....	53
APPENDIX 1: LIST OF SUBMITTERS .....	55

# INTRODUCTION

Setting safe and appropriate speed limits will save lives and reduce harm. Aotearoa New Zealand has lost more people to traffic deaths per capita than most other countries in the OECD. Setting speed limits to safe levels is a key tool used by many countries with world-leading road safety records.

Safe and appropriate speed limits are a key road safety intervention alongside, but not limited to:

- safety infrastructure improvements
- targeted enforcement
- safer road user behaviour through driver training and licencing
- improving the safety of the vehicle fleet.

The setting of safe and appropriate speed limits is a key component of speed management. Speed management is about making our roads safe. It can be defined as a set of measures implemented to limit the negative effects of excessive and inappropriate speeds

Establishing an integrated speed management planning process means we consider the appropriateness of safety infrastructure, safety cameras and speed limits in a combination most effectively and efficiently aligning with a Safe System.

This should help us achieve a safe transport system, where:

- a wider range of road users are accommodated
- selected transformation of the physical environment is appropriately targeted
- there is greater appreciation of the role of setting safe and appropriate speed limits.

We know speed makes a major difference in crashes. It impacts a driver's ability to react, and the injuries they and others sustain. Regardless of the cause of a crash, speed is often the difference between someone being unharmed or being seriously injured or killed. In the 2020/21 financial year there were 1,572 Deaths and Serious Injuries (DSIs – 208 deaths and 1,364 serious injuries) on roads where the speed limit was higher than the safe and appropriate speed. In this period these incidents accounted for 58 percent of all DSIs, which totalled 2,728.

On 11 November 2019, Cabinet agreed to the wider Tackling Unsafe Speeds programme, a key part of New Zealand's road safety strategy, Road to Zero. The programme includes three components:

1. introducing a new regulatory framework for speed management to improve how road controlling authorities (RCAs) plan for, consult on and implement speed management changes
2. transitioning to lower speed limits around schools to improve safety and encourage more children to use active modes of transport
3. adopting a new approach to road safety cameras (for example, cameras commonly referred to as "speed cameras" and "red light cameras") to reduce excessive speeds on our highest risk roads.

Speed limits were previously set under the Land Transport Rule: Setting of Speed Limits 2017 (the 2017 Rule). Under the 2017 Rule, the power to manage and set speed limits was given to RCAs, which can be territorial authorities (councils) or non-territorial authorities (eg Department of Conservation or the Department of Corrections). Waka Kotahi NZ Transport Agency is the RCA for state highways. RCAs that are territorial authorities (TAs) are members of a regional transport committee (RTC). RTCs traditionally managed the regional land transport planning (RLTP) process, with RCA input. RTCs were not involved in the 2017 Rule's speed limit-setting process.

The process for setting speed limits under the 2017 Rule was generally considered costly and inefficient. The 2017 Rule also caused some RCAs to delay or avoid making speed management changes. This was due to uncertainty around when and how to amend, replace or revoke current speed limits, and when to consult on speed limit changes.

The Land Transport Rule: Setting of Speed Limits 2022 (the Rule) gives effect to a new regulatory framework and revokes the 2017 Rule. Following refinements and the public consultation process (which is summarised in this document), the Rule includes the following:

- Alignment of infrastructure investment and speed management decisions by creating a speed management planning process
- The requirement for RCAs to create speed management plans (SMPs)
- RCAs have the option of creating SMPs in alignment with, or decoupled from, the RLTP process
- All RCAs that are TAs must set out the objectives, principles and measures for speed management on relevant roads for at least 10 years from the start of the SMP. This must include a 3-year implementation plan for changes to speed limits, safety cameras and safety infrastructure.
- RTCs to consolidate information from RCAs into a final regional speed management plan (RSMP)
- Giving the Director of Land Transport (within Waka Kotahi) the responsibility for certifying all SMPs
- Establishment of an independent speed management committee (SMC) to:
  - review the Waka Kotahi state highway SMP and make recommendations to the Director regarding its certification
  - oversee the information and guidance on speed management Waka Kotahi provides all RCAs
- A new process for setting speed limits outside of SMPs, and for RCAs that are not TAs
- All speed limits (other than temporary speed limits) to be entered into a National Register of Speed Limits (the Register).
  - Waka Kotahi (as Regulator) is the Registrar of the Register.
  - The Register gives legal effect to all speed limits (other than temporary speed limits)
- RCAs to reduce speed limits around:
  - category 1 schools to 30 km/h (variable or permanent speed limits), with the exception of schools that had a reduced speed limit of 40km/h put in place in the period immediately leading up to the new Rule.
  - category 2 schools to a maximum of 60 km/h (variable or permanent speed limits), if they can demonstrate a safe system<sup>1</sup>.
  - All category 1 schools, and those category 1 schools with a 40km/h speed limit must be reviewed once in a subsequent speed management plan to check they are still safe, and if they are not, to be reclassified as Category 1 with a 30km/h speed limit.
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### Consultation

Public consultation was undertaken between 23 April 2021 and 25 June 2021 (nine weeks). Extensions were provided to eight RCAs for an additional two weeks to allow time for the submitters to go through their appropriate sign-off process.

A total of 325 submissions were received from the following categories of submitters:

Submitter type	Number of submitters
Individuals	180
Businesses and special interest groups	32
Schools	71
Industry associations	6
Local government	36

<sup>1</sup> The Safe System approach is based on four principles that guide how we improve road safety:

1. We promote good choices but plan for mistakes
2. We design for human vulnerability
3. We have a shared responsibility for improving road safety
4. We strengthen all parts of the road transport system

As part of this public consultation process Waka Kotahi officials, with a Te Manatū Waka representative, also ran fourteen workshops with RCAs across New Zealand, covering eleven locations. Workshops were attended by a range of council staff and elected officials, including mayors. Representatives of iwi, industry associations and special interest groups, such as the New Zealand Automobile Association (AA), Ia Ara Aotearoa (IAA), also attended.

See **Appendix 1** for a full list of submitters, with identifying information removed.

Please note all submissions received were recorded, read, and analysed by a review team comprising policy, legal and subject matter experts from Waka Kotahi and Te Manatū Waka. This document is a summary of that work. Any views contained in this document, other than a submitter's, are the views of the review team.

# ANALYSIS BY PROPOSALS

This section analyses submissions made on the proposed Rule, presented proposal by proposal. Feedback through submissions is summarised and analysed, with recommendations made on proposals where appropriate.

## Proposal 1 – Speed Management Plans

**Proposal:** The current bylaw making process will be replaced by a new speed management plan (Plan) process. This will be used by all RCAs that are territorial authorities. RCAs will prepare Plans on proposed changes to speed limits, road safety cameras and speed management-related infrastructure for the 10 financial years from the start of the plan.

Question 1	Agree	Disagree	Other comment
Do you think the proposed speed management planning process should replace the existing bylaw process? If not, why not? (77 submitters)	35	14	19 conditional support

### Summary of submitter views

A total of 77 submitters commented on Question 1, Proposal 1.

Of the 54 submitters who commented in support of the proposal, 52 submitters agreed with comments or provided qualified support and two supported with no further comment.

Of the 14 submitters opposed to the proposal, all 14 provided comment.

Local government views were mixed. Several either supported the proposal or provided conditional support.

Several local government authorities, including Clutha District Council, Greater Wellington Regional Council (GWRC), Auckland Transport (AT) and Hamilton City Council, among others, submitted in support of the speed management planning process. Those in support of the speed management planning process noted it would bring more consistency, transparency, and efficiency to the speed limit setting process. Other benefits noted included better speed management and road safety outcomes at a national and regional level.

Local government authorities who provided conditional support included the Gisborne, Matamata-Piako and Rotorua Lakes District Councils and Wellington City Council, amongst others. The Waitaki District Council submitted in support of the overall process but had reservations about the additional step of RTC involvement. Central Hawkes Bay District Council were in favour of the speed management planning process but noted the split between regional speed management plans and state highway speed management plans could cause confusion for the public and saw it as important the public see local and central government working collaboratively.

Some local government authorities, including the Christchurch, Dunedin and Upper Hutt City Councils and the Queenstown Lakes, Waikato and Waimakariri District Councils submitted against the proposal. Those RCAs against the proposal noted concerns around the role of the RTC (as initially proposed) and alignment of the SMP process with the RLTF process. Christchurch City Council submitted a concern that any delays in the SMP process would hinder their ability to deliver on projects or speed limit changes. Waikato District Council submitted they did not consider the SMP process as an improvement over the bylaw process, citing additional bureaucracy and timing as concerns.

The Otago and Southland RTCs, in a combined submission, were concerned the speed management planning process would result in plans with potentially different strategic directions. The Otago and

Southland RTCs were of the view strategic direction for speed management planning should be set at a national level.

Industry associations and special interest groups, such as the New Zealand Automobile Association (AA), Ia Ara Aotearoa (IAA), Federated Farmers and the New Zealand School Trustees Association submitted in support of the proposal, or in conditional support.

AA submitted in support of the concept of the speed management planning process. AA had noted some concerns regarding the more specific content requirements of speed management plans, which will be addressed under questions 2 – 7 of Proposal 1.

Individual submitters in support of the proposal noted the subjectivity and “antiquity” of the current bylaw process. One submitter in support of the proposal said the speed management planning process “will lead to better outcomes and more transparency”.

Several submitters, including individuals, the New Plymouth District Council, AT, New Zealand Police (NZ Police), Brake, and the Australasian College of Road Safety, noted the current bylaw process is dated, flawed and/or onerous.

### **Analysis**

The current bylaw process for setting speed limits, made under the 2017 Rule, is administratively burdensome and does not effectively support regional collaboration. The Rule will provide a new regulatory framework for speed management to improve how RCAs plan for, consult on and implement speed management changes.

The Rule will require SMPs to set out the objectives, principles, and measures for speed management on relevant roads for at least 10 financial years from the start of the SMP, as well as a 3-year implementation programme. It is expected SMPs will outline a detailed summary of the specific speed management treatments on the roads covered by the first three years of the SMP. For the following seven years, RCAs may choose to provide a high-level indication of the roads where RCAs will carry out speed management reviews if specific treatments are not yet known.

Feedback indicated the current process for setting speed limits is time consuming and difficult and there is general support for SMPs to replace the bylaw process. The changes to the Rule will provide greater consistency in speeds across the country.

To alleviate concerns about the national and regional planning processes holding up the development of SMPs, the process will be changed. Decoupling of the territorial speed management planning process from the national/regional land transport planning process, will be allowed. There will still be a need to collaborate on the development of national and regional SMPs with guidance from Waka Kotahi.

### **Recommendations:**

RCAs and RTCs will have the option of decoupling the speed management planning process from the national/regional land transport planning process, with two options available:

1. RCAs could progress an individual SMP up to 6 months prior to the national land transport planning process, provided they had not received notification their RTC was to begin the process within 28 days. The RCAs SMPs will then provide input into the RTC's process of formulating regional speed management plans.
2. The regional speed management planning process could be decoupled from the national land transport planning process. This will be managed by Waka Kotahi setting deadlines by which RSMPs must be prepared.



Question 2	Agree	Disagree	Other comment
How do you think the timing of the speed management plans should fit with the national land transport programme process and regional land transport plans? For example, do you think the speed management plans should be prepared at the same time as the regional land transport plans? (73 submitters)	16	29	NA

### Summary of submitter views

A total of 73 submitters commented on Question 2, Proposal 1.

Of the 16 submitters who commented in support of the proposal, 15 submitters agreed with comments or provided qualified support and one supported with no further comment.

Of the 29 submitters opposed to the proposal, 27 submitters disagreed with comments and two disagreed with no further comment.

Local government submitters were largely not in support of aligning the speed management planning process with the land transport planning process. Of those not in support, the Gisborne District Council submitted that aligning the regional speed management planning and regional land transport planning timeframes will “stretch resources at a critical time”. Ashburton District Council, Tauranga City Council and Hastings District Council, among others, submitted similar responses. Waikato RTC noted that in a National Land Transport Plan (NLTP) consultation, an RTC may receive hundreds of submissions whereas an individual local speed limit change may receive thousands.

Several local government organisations and industry associations submitted that the speed management planning process ought to occur before the regional land transport planning process. These included Waikato RTC, Taranaki Regional Council, Hamilton City Council, Tasman District Council, Transportation Group NZ, and the Local Government NZ Transport Special Interest Group (TSIG).

Cycle Wellington submitted that SMPs and RLTPs should be prepared separately. Its submission noted having many proposals consulted on at the same time “leads to consultation fatigue and an inability for organisations...to engage fully”.

An individual submitter against the proposal noted RCAs do not have the capacity to align both processes. Several individual submitters against the proposal made comments not directly related to the question.

New Plymouth District Council submitted with conditional support, noting developing an SMP alongside the RLTP would be efficient, however, the “resourcing and logistics of preparing both documents at the same time will need to be taken into account”.

Insurance Council NZ, Brake and NZ Police submitted in support of aligning the speed management planning process with the national/regional land transport planning processes.

Individual submitters in support of aligning these processes noted the importance of aligning speed limit changes alongside infrastructure changes, and the link between funding and implementation of SMPs. One individual suggested SMPs should sit as a subsection of the RLTP.

### Analysis

The intent of the Rule is to align speed management planning and regional land transport planning processes to bring together speed management and infrastructure investment decisions and ensure the setting of safe and appropriate speeds. Waka Kotahi, in its role as Regulator, will be responsible for determining specific deadlines for each planning cycle. The expectation is that Waka Kotahi will work with RTCs in setting the deadlines to align consultation with the regional land transport planning process. Waka Kotahi will also actively work with RCAs and RTCs to ensure alignment with state highway speed management planning and territorial speed management planning, including consultation processes.

RCAs and RTCs mentioned in their feedback they may not have the capacity or capability to conduct the speed management planning process concurrently with the regional land transport planning process. The intent behind aligning the processes was to ensure speed management planning and land transport planning could feed into one another.

There should be an option for RTCs to decouple the speed management planning process. Waka Kotahi will create decoupling deadlines, allowing speed management planning to occur after the RLTP process completes. This will give more flexibility when it comes to resourcing and also allow for RCAs to consider feedback from the RLTP/NLTP in their infrastructure planning. This will allow RCAs to complete their planning before the RTC convenes their process should they wish/need to.

**Recommendation:**

RCAs and RTCs have the option of decoupling the speed management planning process from the national/regional land transport planning process.

There are two options available:

1. RCAs could progress an individual SMP up to six months prior to the national land transport planning process, provided they had not received notification their RTC was to begin the process within 28 days. The RCA’s SMPs will then feed into the RTC’s process of formulating regional speed management plans.
2. The regional speed management planning process could be decoupled from the land transport planning process. This will be managed by Waka Kotahi setting deadlines by which RSMPs must be prepared.

Question 3	Agree	Disagree	Other comment
Do you support the proposed joint consultation process for state highway and regional speed management plans? If not, why not? (69 submitters)	24	16	3 conditional support

**Summary of submitter views**

A total of 69 submitters commented on Question 3, Proposal 1.

Submissions from local government largely supported this proposal. Wellington City Council was in support of the joint consultation process, noting that state highway 1 passes through the middle of Wellington City and, if joint consultation does not occur, this may create inconsistencies and confusion. The Waikato RTC supported joint consultation but noted a concern that RTCs would carry a risk, as they will have no power to make changes in response to submissions on state highways.

Individual submitters in support of the proposal noted the importance of regional and national consistency in setting speed limits. One submitter was of the view the joint consultation process “will avoid disparity in speed [limits]”. Another noted the need to consider speed limits on local roads linking to the state highway network “to avoid rat running.”<sup>2</sup>

Industry associations and special interest groups, including the Transportation Group NZ, Vehicle Importers Association (VIA) and NZ Police all submitted in support of the proposal.

Transportation Group NZ noted joint consultation “will allow the community and other stakeholders to understand the logic of proposed changes and the relationship between state highways and local roads”. Cycle Wellington also noted the relationship between local roads and the state highway network.

Brake submitted in support, noting too many consultation processes may lead to “consultation fatigue”.

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<sup>2</sup> Rat running is when drivers use small streets during busy times to avoid heavy traffic on the main roads.

Local government, including Christchurch City Council, Hastings District Council and Horizons Regional Council submitted against the proposal. Christchurch City Council noted a concern around the “timing, and coordination of proposals in the development of each plan prior to any joint consultation”.

Other industry associations, including AA, submitted against the proposal. AA noted Waka Kotahi is required to provide at least four weeks consultation on the state highway SMP, while RSMPs require “a reasonable opportunity”<sup>3</sup>. There was a concern that four weeks was insufficient time to complete consultation.

Grey Power New Zealand submitted where a road serves multiple purposes (eg a state highway passing through a town centre), there is potential for the interests of vulnerable road users to be lost in a joint consultation process.

Individuals against the proposal noted a need for a way to “better engage school children and smaller communities”, with another individual submitting “highways should be treated separately as [they are] funded differently”. Several individual submitters who were not in support made comments not directly related to the proposal.

### **Analysis**

The intent behind aligning consultation processes is to encourage RTCs and Waka Kotahi (as RCA) to take a more coordinated approach to speed management. During the two-year transition phase, RTCs and Waka Kotahi will be expected to engage to determine what level of support and input is required to run a combined consultation process.

If Waka Kotahi (as RCA) consults on the state highway component separately, the Rule will set out high-level obligations it must follow. The intent of these obligations is to ensure Waka Kotahi (as RCA) has the flexibility to carry out the consultation process in a manner effective for all stakeholders involved. The four-week consultation period outlined in the proposed Rule is the minimum consultation period, with best practice supporting a longer period.

A joint consultation process will encourage regional consistency. RTCs and Waka Kotahi will endeavour to provide a streamlined consultation process where possible.

### **Recommendation:**

No change – proceed as consulted on.

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<sup>3</sup> Section 82 *Local Government Act 2002* requires that interested parties are given a reasonable time to submit their views.

Question 4	Agree	Disagree	Other comment
Do you think the content requirements are appropriate, both for full and interim regional speed management plans? If not, why not? (70 submitters)	13	15	3 conditional support

### Summary of submitter views

A total of 31 submitters commented on Question 4, Proposal 1.

Local government, including AT and the Matamata-Piako, New Plymouth and Waitaki District Councils submitted in support of the proposal. Selwyn District Council submitted that the content requirements “will provide consistency for all RCAs”.

New Plymouth District Council submitted in support of the content requirements but noted Waka Kotahi “will need to provide guidance / templates for setting out the required information”. AT, Waikato District Council, Christchurch City Council, and TSIG also noted a need for Waka Kotahi to provide guidance to assist with the development of SMPs.

Industry associations and special interest groups, including Brake, Insurance Council NZ and VIA all submitted in support of the proposal.

Brake submitted in support, noting “simply changing the speed limit on some roads will not assist with reducing deaths and serious injuries” and that there is a “need to use infrastructure as well”. TSIG also noted a need for Waka Kotahi to provide guidance to assist with the development of SMPs. An individual who submitted in support of the proposal commented that SMPs will “need to show how they align with the government policy statement”.

Local government bodies, including Christchurch City Council, Taupō District Council, Palmerston North City Council and Waikato District Council submitted against the proposal or requested the content requirements were clarified in the proposed Rule.

Waikato District Council raised several concerns regarding the content requirements. They submitted that it is inappropriate for a territorial authority RCA to provide information on safety cameras, given the role of Waka Kotahi and NZ Police in managing these. Waikato District Council also submitted that timeframes for change implementation should only be as specific as the financial year, to incorporate the regional land transport planning funding cycle. Hamilton City Council had similar concerns.

Industry associations and special interest groups, including Transportation Group NZ and Cycle Wellington, submitted against the proposal. Cycle Wellington noted in its submission “content requirements need to be clear what speed limits are necessary to facilitate mode shift”. Transportation Group NZ queried some of the content requirements, viewing some information required, such as exact implementation dates, as extraneous or unnecessary.

Individual submitters against the proposal noted concerns around how a safe and appropriate speed is determined and believed using “models to determine safe speeds” may make it “difficult to gain acceptance from [the] wider public”.

### Analysis

Waka Kotahi will work collaboratively with RCAs to provide the initial proposals on the placement of safety cameras. Safety cameras are included in SMPs to provide a more complete picture of speed management planning and infrastructure.

Many submissions noted SMP content requirements could become too burdensome. Waka Kotahi will provide support through the transitional process, including through the development and provision of the “Speed Management Guide”.

Stakeholders also requested that, where possible, the Rule should encourage consistency in how information is provided. RCAs also noted if the intent is to allow greater use of certain speed limits, that content requirements needed to enable this.

Submitters queried whether it would be necessary to summarise changes not made, noting this could lead to a form of 'double consultation' on proposals.

As the intent of the Rule is to create an easier process for RCAs to set speed limits, the content requirements have been altered or clarified because of this feedback.

**Recommendations:**

It is recommended changes to SMP content requirements are made in the Rule. These changes are:

- Waka Kotahi has the right to review an RCA’s changes to speed limits, safety cameras and safety infrastructure to check they are consistent any targets in the relevant road safety strategy, including the targets for schools, and are aligned with the road safety aspects of the GPS
- An explanation is required where an RCA proposes a different safe and appropriate speed limit to the safe and appropriate speed recommended by Waka Kotahi
- remove the requirement to provide a summary of changes not made in the prior three years.

Question 5	Agree	Disagree	Other comment
Do you support the proposed approach for the transitional period prior to 2023? If not, why not? (69 submitters)	16	6	2 conditional support

**Summary of submitter views**

A total of 24 submitters commented on Question 5, Proposal 1.

Some territorial authorities, including Christchurch City Council, and Taupō and Ruapehu District Councils, submitted in support of the proposal. Of those who submitted in support and offered comment, there were calls in equal numbers to either have a shorter, consistent transitional period (ie transition period completed by 2022) or to give regions more time or flexibility to transition (ie up to June 2024).

New Plymouth District Council was supportive of the flexibility the transitional period provides. Hastings District Council was also supportive of the transitional period but suggested the timeframe be extended to the end of the (then) current RLTP period (ie June 2024).

GWRC supported the transitional period but not the proposed interim SMP requirements. They submitted “moving directly to a full plan removes the ambiguity currently proposed whereby some RCAs may contribute to a regional plan, and some may not, likely leading to a fragmented, disjointed plan”.

Matamata-Piako District Council saw the transitional period as a “necessary step” but had concerns about the timeframe to migrate bylaws onto the Register.

Industry associations and special interest groups, including the Insurance Council New Zealand, Grey Power, NZ Police and the Southern DHB submitted in support of the proposal.

Several individuals also submitted in support of the proposal. One submitter supported the transitional period but noted “the timeline should be determined more by the availability of resources and priorities of the region”.

Local government, including AT, Horizons Regional Council and Otago Southland RTCs submitted against the proposal. A key theme in these submissions was RCAs need to have adequate resourcing and funding to complete the transition period on time.

Gisborne District Council submitted the interim SMPs during the transitional period make the proposed Rule appear more complex than it needs to be.

Wellington City Council submitted against the proposal. It suggested the “first cycle should be completed a year before the next RLTP review cycle” so “a transitional period becomes unnecessary”.

Industry association and special interest group submissions, including AA and TSIG, submitted against the proposal. The AA did not support the transitional period, due to a concern that it would allow an RCA to make speed limit changes “with less checks and balances” and without taking a regional approach.

TSIG was concerned the interim plan approach would result in RCAs developing plans independently, which “could lead to greater inconsistencies across the region and particularly at shared boundaries”.

Transportation Group NZ noted a concern the proposed timeframes would not allow “sufficient consideration to the SMP preparation”.

An individual against the proposal submitted there should be “immediate changes to speed limits”.

### Analysis

Waka Kotahi will work with RCAs and RTCs to develop interim SMPs. RCAs and RTCs can consider using interim SMPs to progress speed management changes during this period. Interim SMPs could form the basis of the first formal SMP, which RTCs will be encouraged to align with the Government Policy statement on Transport (GPS).

- The consultation document proposed that certain content “may” be set out. It is considered that the SMPs “must” set out:
  - the 10-year objectives, policies, and measures
  - how the plan is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy
  - a general explanation of how a whole-of-network approach was taken to changing speed limits, safety cameras and safety infrastructure.
- All interim SMPs will be certified by the Director of Land Transport, including any proposed changes to the state highway network, if the independent Speed Management Committee is not set up.
- Interim SMPs will need to be in a form approved by Waka Kotahi (as Regulator). However, consideration will be given if an alternative form is proposed by an RCA or RTC.
- An RCA will be able to prepare an interim SMP separate from the relevant RTC. However, an RCA must participate in the interim RSMP if notified in writing of the intent of the RTC to publish a consultation draft interim RSMP within the next 28 days.
- If there is an interim RSMP prepared without input from an RCA in a particular region, and the RCA prepares an interim SMP at a later date, Waka Kotahi will publish both SMPs.

Waka Kotahi will work with RCAs to assist with the migration of speed limits into the Register. There will be an additional period after the Rule comes into force to allow for RCAs to fully migrate their speed limits into the Register. If RCAs are unable to fully migrate information in this period, the Director has a power to register speed limits on the RCA’s behalf.

Although the development of an interim SMP is encouraged to ease the transition into the speed management planning process and ensure national consistency, the Rule will not require RCAs to develop an interim SMP. Additionally, interim plans can be used to form the basis of the first formal SMP, which may alleviate some of the resourcing and timing concerns.

### Recommendations:

Make content requirements compulsory in the Rule for interim SMPs (ie from interim SMPs “may contain” to “must contain”).

Other aspects of the transitional period will not change and will proceed as consulted on.

Question 6	Agree	Disagree	Other comment
Do you think the respective roles of RCAs and RTCs proposed under the new rule are appropriate? If not, why not? (67 submitters)	11	14	4 conditional support



## Summary of submitter views

A total of 29 submitters commented on Question 6, Proposal 1.

Local government, including the Clutha and Hastings District Councils, and GWRC, submitted in support of the proposal. Four local government submissions provided conditional support, mostly noting resource constraints.

Clutha District Council submitted in support of the roles, but noted more clarification is required regarding RCA roles in the actual setting of speed limits. Nelson City Council also requested the roles and responsibilities of RCAs that are not TAs be better defined. GWRC believes the proposal “supports regional thinking and links the overall approach to transport planning”. However, it also requested the decision-making powers of RTCs be clarified.

Selwyn District Council was in support of the respective roles of RCAs and RTCs, provided they have sufficient resources, noting “currently this is not the case”.

Industry associations and special interest groups, including Brake, Ia Ara Aotearoa (IAA) and Insurance Council New Zealand submitted in support of the proposal.

IAA noted the roles were well-defined. Brake submitted in support of the roles of RCAs and RTCs, noting there are “gaps in consistencies across many RCAs.” They also appreciated SMPs will show how RCAs work on boundary issues.

Transportation Group NZ submitted in support of the proposal. However, they noted the “responsibility and power of RTCs needs to be considered carefully” and Waka Kotahi should provide training and technical advice to RTCs to ensure best practice.

An individual submitter commented the “RTC should be the committee responsible for SMPs”. Other individuals who submitted in support did not leave additional commentary.

Local government, including the Bay of Plenty and Northland RTCs, New Plymouth City Council, Timaru, and Waimakariri District Councils, submitted against the proposal. Several submissions supported some aspects of the proposal but had concerns regarding other aspects.

The Bay of Plenty and Northland RTCs had concerns about capacity, resourcing, and capability. Northland RTC was concerned about resourcing, particularly as the RTC would be “responsible for the development and implementation of a plan” but it does not make funding decisions.

The Waimakariri District Council submitted the proposed Rule was unclear on where the final decision-making power sat.

Waitaki District Council submitted the “RTC step adds an additional bureaucratic step”, but regional coordination is “positive”. The Waitaki District Council suggested if the RTC role was to coordinate speed limit reviews to a common timeframe, that would be a positive outcome.

Gisborne District Council noted there needed to be “a clearer understanding of the difference between the functions of the RTC and the regional councils”.

Industry associations and special interest groups, including Federated Farmers and Grey Power, submitted against the proposal.

Federated Farmers noted that for the respective roles of RCAs and RTCs to be effective, they will “need resource to match the extra accountability”. Grey Power noted a concern RTCs may “lack the relevant expertise”. They cited “the expectations of the proposed Speed Management Committee overseeing the state highway SMP in contrast” to RTCs.

The Australasian College of Road Safety submitted in support of the intent of the proposal but queried whether RCAs and RTCs have enough capacity to “fulfil their obligations under the Rule” and/or “develop SMPs to the extent that is envisaged”. It noted a risk SMPs will not be able to achieve the intent of the proposed Rule if those capacity concerns are not addressed.

Individual submitters against the proposal were concerned the roles of RTCs and RCAs would add additional layers of bureaucracy.

## Analysis

### *Role of RCAs*

The proposed Rule initially had RCAs:

- providing input into RSMPs to RTCs
- receiving, considering, and responding to consultation submissions forwarded by the RTC
- having final decision-making powers over their roads.

Feedback indicated these roles could be clarified more strongly in the Rule.

Submitters largely supported the role of the RCA in the speed management planning process. However, they noted this could be strengthened to recognise the role of the RCA as the ultimate decision-maker. Some RCAs were concerned they could be held up by less progressive RCAs in their region, if required to formally input into a RSMP.

### *Role of RTCs*

The role of the RTC in the proposed Rule was intended to:

- encourage consistency across the network
- manage interactions and timing across RCAs (including local roads and the state highway network)
- encourage alignment with GPS and land transport planning processes
- provide a way for non-territorial authorities to participate in the planning process.

This remains the intent, however, the role of RTCs will be clarified in the Rule to address stakeholder concerns.

RTCs raised concern they would be unable to carry out the consultation process given the high level of public interest (including high numbers of submissions) and political nature of speed management. Further concern was noted about RTC capacity. Submissions indicated RTCs were not resourced adequately to carry out the functions as consulted on, noting RTCs are largely elected officials relying on support from regional councils.

Submitters also noted it may be both inappropriate and ineffective to have RTCs providing final oversight of any boundary or implementation concerns. There still needs to be ability for the RTC to play an oversight role in their region to encourage regional consistency. Having the RTC involved in the process will then provide a link through to the NLTP process.



## Recommendation:

Change the roles of regional councils, RCAs and RTCs in the Rule. Table 1 sets out the new roles.

Table 1: Reshaped roles under the Rule

Regional Council	RCA	RTC
Run the administrative functions for the consultation process.	Conduct their own local consultation processes on speed management and related safety infrastructure.	Provide a forum to discuss regional boundary or consistency issues.
	Supply information to RTCs for consolidation into an RSMP.	Consolidate information from RCAs into an RSMP.
	May progress a separate SMP provided an RTC has not given 28-day notice of their intent to begin an RSMP.	Can notify RCAs in writing of their intent to progress a RSMP, which an RCA must participate in (unless they have already completed their component of the RSMP).
		The ability for an RTC to make changes to an RCA's SMP has been removed.

Question 7	Agree	Disagree	Other comment
Do you support the proposed approach for consultation, including the separate requirement for Māori? If not, why not? (72 submitters)	16	10	6 conditional support

## Summary of submitter views

A total of 72 submitters commented on Question 7, Proposal 1.

Of the 22 submitters who commented in support of the proposal, six gave conditional support.

Te Kotahitanga o Ngāti Tūwharetoa submitted in support of the requirement to consult separately with Māori but noted the separate consultation requirement is “conditional on the change effecting impacts on Māori land; or land subject to any Māori claims settlement act; or Māori historical, cultural, or spiritual interests”. Ngāti Tūwharetoa queried if Waka Kotahi were prepared to include additional criteria to ensure the categories mentioned in the proposed Rule would not “constrain discussions on other relevant matters relating to civic and decision-making issues that form part of the Crown's interest to iwi under articles III and II of Te Tiriti o Waitangi”.

Matamata-Piako and Waitaki District Councils, among others, were in support of the consultation approach for Māori. The general theme regarding consultation requirements with Māori was Waka Kotahi needs to provide more guidance on how and when these requirements will be triggered.

GWRC supported the consultation requirements but noted “significant coordination with the RCAs will be required to manage effective engagement between the RCAs, Regional Transport Committee and mana whenua groups”.

Horizons Regional Council submitted they “are committed to working with iwi but would like more guidance around the expectations and requirements for consultation with Māori be developed. It noted there are over 20 iwi in its region, raising concerns about resourcing and timing constraints.

Industry associations and special interest groups, including Insurance Council NZ, Brake and NZ Police all submitted in support of the proposal.

Safekids Aotearoa submitted in support of the consultation requirements for Māori, and additionally suggested targeted consultation with groups disproportionately affected by deaths and serious injuries. The Auckland Council Safety Collective made a similar submission and noted the proposed Rule did not preclude additional engagement with those disproportionately affected by deaths and serious injuries.

The Southern DHB supported an approach “that is consistent with Local Government Act processes”.

Transportation Group NZ were supportive of the consultation requirements and “particularly heartened by the move to no longer name specific parties in the proposed Rule who must be consulted” but would “encourage suggestions for possible stakeholders to consult with to be included in the updated Speed Management Guide”.

An individual who submitted in support of the proposal noted “Māori are likely to be under-represented due to geo/eco isolation”. Another individual submitted “more information given to the public on the science behind speed limit reductions”.

Local authorities, including Gisborne District Council and Tauranga City Council, among others, were not in support of the proposal. The key theme of these submissions was concern about the time, cost, and resource to conduct public consultation and how those gaps will be met.

Christchurch City Council and the Hastings, New Plymouth, and Matamata-Piako District Councils, among others, raised a concern the proposed Rule would require both RCAs to consult on their component of the plan, and RTCs to consult on RSMPs.

AT did not support the requirement for SMP consultation to occur alongside RLTP consultation. AT proposed RTCs be given the option to consult on SMPs and the RLTP separately.

Central Hawkes Bay District Council submitted that “local authorities are better placed to carry out consultation”.

Whanganui District Council noted a concern “the outcome of consultation is predetermined with the starting point being [the] Waka Kotahi estimate of safe and appropriate speed”. It also suggested Waka Kotahi “clarify and provide guidance in relation to Māori interests”, and how the proposed Rule will relate to the *Te Awa Tupua (Whanganui River Claims Settlement) Act 2017*.

Industry associations and special interest groups, including IAA and Grey Power submitted against the proposal.

IAA submitted it was “opposed to the removal of a formal duty to consult the freight sector” due to the potential impact the speed management planning process may have for “both businesses using the road and the general community consuming goods being transported”.

An individual submitted “the Rule as formed requires RCAs to consult on their plans and RTCs to also consult on the regional plans. The regional plans use information from the RCA plans so this effectively means that the plans are being consulted on twice.”

Other individual submissions noted concern around excessive consultation and additional cost caused by the consultation requirements.

## Analysis

The Rule will require RTCs to follow the consultation requirements as set out in section 82 of the *Local Government Act 2002* (LGA). This is the current consultation process used for the RLTP process. The LGA sets out six guiding consultative principles:<sup>4</sup>

1. Councils must provide anyone who will or may be affected by the decision, or anyone who has an interest in the decision, with reasonable access to relevant information.
2. These people should also be encouraged to express their views to Council.
3. People invited to present their views to Council should be given clear information about the purpose of the consultation and the scope of the decisions being made.
4. People who wish to present their views must be given reasonable opportunity to present them.

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<sup>4</sup> Section 82 *Local Government Act 2002*.

5. Councils should receive these views with an open mind and give them due consideration when making a decision.
6. The council should provide people presenting their views with information relevant to decisions and the reasons for them.

Local government shared concerns about the Rule making possible a 'double consultation' process ie having regional SMPs/items therein triggering further consultation under the LGA. If this were to happen, it would go against the intention of the Rule to make the setting of speed limits more streamlined.

There were concerns from the local government sector that RTCs do not have the capacity to handle full consultation processes. Additionally, RCAs noted they were best placed to engage with their local communities as they have established relationships with the affected stakeholders in those groups. This feedback has been fundamental in changes to the Rule.

Acknowledging the intent to enable a more coordinated approach to speed management, RTCs and Waka Kotahi (as RCA) will be encouraged to align consultation processes. The Rule will enable Waka Kotahi (as RCA) to consult separately on the state highway network if the relevant RTC does not have a RSMP prepared in time. This will ensure the wider state highway speed management planning process will not be impeded by any regional delays.

A separate consultation process will be required with Māori affected by any proposed change, if the change is likely to affect Māori land, land subject to any Māori claims settlement Act, or Māori historical, cultural, or spiritual interests. Waka Kotahi will provide additional guidance in the Speed Management Guide. In addition, Waka Kotahi (as RCA) and Territorial RCAs will also be required to facilitate Māori contribution to the creation of SMPs, as set out in the recommendation below.

#### **Recommendations:**

The following changes to the Rule are recommended following consultation:

- Territorial RCAs will carry out consultation on their own SMPs, with regional councils providing administrative support.
- The Rule will allow unitary authorities or regions to run a joint consultation with RCAs if they are willing and able.
- The Rule will be clarified to remove any risk of triggering 'double consultation'.
- Waka Kotahi and Territorial RCAs must:
  - establish and maintain processes to provide opportunities for Māori to contribute to the preparation of the SMP
  - Consider ways in which they can foster the development of Māori capacity to contribute to the preparation of the SMP.

## Proposal 2 – Alternative Process for Setting Speed Limits

A process for setting speed limits outside of the speed management planning cycle will be introduced. The proposed Rule will also clarify how RCAs that are not territorial authorities will be able to set speed limits.

Question 1	Agree	Disagree	Other comment
Do you think the settings for when to use the alternative process for making speed management changes are appropriate? If not, why not? Are there any other situations where the alternative process could be helpful? (64 submitters)	15	8	1 unsure

### Summary of submitter views

A total of 24 submitters commented on Question 1, Proposal 2.

Local government, including AT, and the Matamata-Piako and Waitaki District Councils submitted in support of the proposal. A common theme in these submissions was a need for Waka Kotahi to provide guidance on definitions, particularly what constitutes a 'minor deviation' and 'good reason'.

Palmerston North City Council submitted the alternative process "provides a pragmatic approach" to setting speed limits.

Industry associations and special interest groups, including Grey Power, Insurance Council NZ and NZ Police all submitted in support of the proposal.

The Southern DHB commented the alternative process for setting speed limits "seems reasonable" and there is a "need to consider how this could be used for new developments".

An individual in support of the proposal noted the alternative process should be used where speed limits need to be lowered to "address a sudden change in the road environment, eg the closure of the Manawatu Gorge".

Local government, including the Christchurch and Wellington City Councils, GWRC and Waimakariri District Council submitted against the proposal.

GWRC submitted "the separate out of cycle, state highway and regional processes are inconsistent, confusing to the public and potentially unduly costly.

Industry associations and special interest groups, including AA and Federated Farmers submitted against the proposal.

Federated Farmers noted a need for a clear definition of what constitutes a 'minor deviation' from the relevant SMP. AA noted a concern that the alternative process would allow RCAs to alter speed limits without consultation. AA queried if "an 'urgent' speed limit change is needed", whether the change could be "consulted on using the current consultation requirements" or "put in place as a temporary speed limit".

Individuals who submitted against the proposal either did not leave comment or left comments that did not relate to the proposal.

## Analysis

The alternative process of setting speed limits is designed to serve three purposes, allowing:

1. speed limit changes to occur in circumstances where an RCA cannot wait for the next relevant SMP, such as a sudden change in road use
2. a mechanism for non-TAs (eg, supermarkets) to set speed limits
3. a mechanism for any urgent speed limit changes to be made before an interim SMP is available, or if the speed limit change has not been included in the interim SMP.

While some submitters were not supportive of out-of-cycle changes (changes to speed limits not included in a SMP and consulted on separately), it is considered important to provide this opportunity, particularly when there is a sudden change in the road environment. Out-of-cycle changes will still require consultation where the change in speed limit is significantly different from what was proposed in the original SMP.

To be legally enforceable, a speed limit must be entered on the Register and meet the signage requirements. These requirements will not change if the alternative process for setting speed limits is used.

### Recommendation:

No change – proceed as consulted on.

Question 2	Agree	Disagree	Other comment
Do you think the process for RCAs that are not territorial authorities to make speed management changes is appropriate? If not, why not? (66 submitters)	15	5	3 unsure

### Summary of submitter views

A total of 23 submitters commented on Question 2, Proposal 2.

Local authorities were largely supportive of the process to set speed limits for RCAs that are not TAs.

The Taupō and Waitaki District Councils and Wellington City Council, among others, submitted in support of the process for RCAs that are non-TAs.

Matamata-Piako District Council considered the process “appropriate” but would like to see guidance on who non-TA RCAs are. They noted the importance of non-TA RCAs considering the surrounding road network when setting speed limits and encouraging them to consult with TAs. Matamata-Piako District Council also stated non-TA speed limits should be “logical and consistent” with the surrounding network.

GWRC supported the process for non-TAs but would “encourage larger non-TA RCAs...to participate in the development of local SMPs to manage safe and consistent speeds across boundaries”.

New Plymouth District Council submitted non-TAs should make decisions “based on technical advice and subject to any guidance from RCAs and the Agency”.

Industry associations and special interest groups, including VIA, Insurance Council NZ and Southern DHB all submitted in support of the proposal.

One individual submitter provided conditional support, noting there “needs to be more public feedback” in this process. Another individual noted “supermarkets often need infrastructure treatments to support lowering speeds, rather than just using signs”.

Local government authorities, including New Plymouth and Hamilton City Councils and the Waikato District Council, submitted against the proposal.

Hamilton City Council and Waikato and District Council submitted although the process is clear, there is a “need to ensure that speed limits being proposed by non-TA RCAs are logical and consistent with similar situations in the region”.

Upper Hutt City Council queried how speed limits in carparks would be enforced, and by whom.

An individual who submitted against the proposal commented speeds should not be changed “to suit company needs”. Another individual commented “speed limits should be heavily reviewed by a variety of drivers”.

### **Analysis**

Non-TAs will have the ability to speed limits under the Rule as follows:

1. Non-TAs can make a submission to the relevant RTC for proposed speed limits to be included in the relevant RSMP. Consultation on the proposed speed limit will be done as part of the consultation on the RSMP. Non-TAs can then set speed limits in accordance with the RSMP.
2. Non-TAs can also use the process in Section 6 of the Rule, in recognition they may not have engaged in the RSMP-making process. The process in Section 6 of the Rule will involve consulting with NZ Police, Waka Kotahi, and groups the non-TA RCA considers directly affected by the proposed speed limit. To implement the change, the speed limit must be entered on the Register, and the non-TA will need to install appropriate speed limit signs.

The above allows for entities (for example, the Department of Conservation and supermarkets) to set legally enforceable speed limits. The intention is to provide a structured process non-TAs can follow.

Speed limits in non-TA roading environments will be legally enforceable where they have followed the requirements of the Rule and the speed limits have been entered in the Register. This includes speed limits in carparks, which can be enforced by Police.

Waka Kotahi will provide guidance in the Speed Management Guide for non-TAs and RCAs working with non-TAs. This guidance will inform the process and the importance of collaborating regionally.

### **Recommendation:**

No change – proceed as consulted on.

## Proposal 3 – Formal Certification of Speed Management Plans

The Director of Land Transport will formally certify regional speed management plans against criteria in the proposed Rule. An independent speed management committee will formally certify the Waka Kotahi state highway speed management plan against the same criteria.

Question 1	Agree	Disagree	Other comment
Do you think the speed management plan certification requirements are appropriate? If not, why not? (70 submitters)	13	9	NA

### Summary of submitter views

A total of 24 submitters commented on Question 1, Proposal 3.

Local government authorities, including AT, Hastings, and Matamata-Piako District Councils, among others, submitted in support of the certification requirements.

Hastings District Council submitted in support of the proposal and suggested the SMC “certify each region’s combined speed management plan, which incorporates both the state highways and the local roads, to ensure that there is consistency within the speed management plans nationally”.

Industry associations and special interest groups, including Insurance Council NZ and NZ School Trustees Association all submitted in support of the proposal.

NZ School Trustees Association were in support of the requirement compliance with speed limits around schools is one of the criteria for certification.

Southern DHB submitted in support of the proposal, noting they “support a robust process and the role Waka Kotahi will have in that”.

An individual in support of the proposal suggested Waka Kotahi “provide a simple form/template for smaller RCAs to follow”.

Local government authorities, including Tasman District Council, and the Upper Hutt and Wellington City Councils, submitted against the proposal.

Tasman District Council noted a concern the certification requirements “will enable Waka Kotahi to reject proposed changes after the process has concluded” and suggested a formal shared commitment to work together in good faith.

Palmerston North City Council queried what the value the certification process adds. They noted local authorities are not required to submit other similar planning documents for certification. Palmerston North City Council also submitted “the ability of the Director [of Land Transport] to make comments...does not appear to provide any significant benefits” as “there is no obligation for an RTC to consider these.

An individual who submitted against the proposal saw SMP certification requirements as “just more bureaucracy”. Another submitted the requirements were “too strict”.

### Analysis

The formal certification process for RSMPs and state highway SMPs should provide independent checks that the planning process and content requirements set out in the Rule have been followed.

For certification, the Director of Land Transport or the SMC will need to be satisfied the content requirements for SMPs have been met.

The intent behind this proposal is to ensure the process has been correctly followed and SMPs achieve the objectives set in the Rule. It is not intended to allow Waka Kotahi to reject proposed changes after the speed management planning process has been completed.

### Recommendations:

All SMPs will have their final certification issued by the Director of Land Transport.

RSMPs will have the opportunity to be reviewed by the relevant RTC prior to certification.

The state highway SMP will be reviewed by the SMC before final certification is issued by the Director of Land Transport (See analysis relating to Proposal 5).



## Proposal 4 – Speed Limits Must Be Entered Into the Register

A speed limit will be set by entering the speed limit into the Register of Land Transport Records (the Register). The Register will give legal effect to all permanent, variable, emergency and seasonal speed limits. Existing speed limits will be migrated into the Register.

Question 1	Agree	Disagree	Other comment
Do you think it is clear how the National Speed Limit Register should be used? If not, why not? (24 submitters)	15	2	2 unsure

### Summary of submitter views

A total of 23 submitters commented on Question 1, Proposal 2.

Local government, including the Hastings District Council, and the New Plymouth and Dunedin City Councils, among others, all submitted in support of the proposal.

The Northland RTC commented the Register “will streamline the implementation process and ensure that speed limits can be updated in a timely manner”.

AT submitted in support but noted a need for guidance on “how to manage non-standard road situations eg roads with different speeds in different directions”.

Christchurch City Council requested Waka Kotahi provide clarification about coordinating sign installations and creating Register records. Christchurch City Council’s concern was about any delay between the record in the Register being activated and any physical sign installation making speed limits unenforceable.

Industry associations and special interest groups, including Insurance Council NZ, NZ School Trustees Association and NZ Police all submitted in support of the proposal.

NZ School Trustees Association submitted in support of the proposal, provided that “enforcement is not compromised”.

Transportation Group NZ submitted in support of the proposal, and suggested the default speed limit for a road not entered into the Register becomes 30km/h, rather than 100km/h.

Brake submitted in support of the proposal and noted appreciation for “this information being publicly available and searchable”.

Individual submitters who commented in support of the proposal noted the Register should be publicly accessible and that it needs to be “quick and easy to use”.

Local government, including the Waimakariri and Matamata-Piako District Councils and Upper Hutt City Council, submitted against the proposal.

Waimakariri District Council noted a concern about “the increase in Council resources to submit to a national register”. Upper Hutt City Council noted a need for more guidance and protocols to be established.

Individuals who submitted against the proposal did not leave comment.

### Analysis

The new speed management framework will remove the current bylaw-making requirements. All speed limits (other than temporary speed limits) will formally come into force through inclusion on the Register.

RCAs will submit speed limit changes into the Register and nominate a date for the changes to go live, giving themselves time to install the signs on street. If the signs are in place, the speed limits become legal on the date entered into the Register.

The Register is intended to give effect to and be the single source of truth for speed limits.

All future permanent, variable, seasonal and emergency speed limits will be given legal effect through inclusion on the Register. Most RCAs have already provided the required information on speed limits into the Register. Waka Kotahi is currently working with the remaining RCAs to help them migrate their speed limits data.

**Recommendation:**

No change – proceed as consulted on.

## Proposal 5 – Establishment of a Speed Management Committee

An independent speed management committee will be established to formally certify the state highway speed management plans against set criteria and provide oversight of the information and guidance on speed management.

Question 1	Agree	Disagree	Other comment
Do you think the scope of the Speed Management Committee's role is appropriate? If not, why not? (67 submitters)	13	7	1 unsure

### Summary of submitter views

A total of 21 submitters commented on Question 1, Proposal 5.

Local government, including AT and the Clutha, Selwyn, and Waitaki District Councils, among others, submitted in support of the proposal.

Industry associations and special interest groups, including Insurance Council NZ, VIA and Grey Power submitted in support of the proposal.

TSIG submitted in conditional support. They noted in their submission a need for a single authority to certify all plans, to ensure a whole-of-network approach.

An individual in support of the proposal commented it is "critical [the] committee is resourced well so things are not held up in the approval process". Other individuals who commented in support did not leave further comment.

Local government, including Hamilton and Upper Hutt City Councils, Taranaki Regional Council, Whanganui District Council and the Otago and Southland RTCs submitted against the proposal.

The Otago and Southland RTCs noted they "do not support the separation of approval processes for speed limit setting on state highways from local roads".

Taranaki Regional Council made a similar submission, suggesting the role of the SMC is to "certify regional SMPs that incorporate changes on all roads within the regional network (local roads and state highways)".

Whanganui District Council submitted they did "not see a need for a new regulatory body as appropriate checks and balances could be placed on Waka Kotahi".

Industry associations and special interest groups, including IAA submitted against the proposal. IAA noted a concern about there being no scope for the SMC to receive or conduct "direct submissions or specific freight industry consultation".

An individual suggested that the role of the SMC be expanded to "review whether the speed management plans are reducing deaths and injuries fast enough to meet national targets".

### Analysis

The intent of the SMC was to provide an independent formal certification process for state highway SMPs, ensuring the development of the state highway SMP had followed the planning process and content requirements set out in the proposed Rule.

Through consultation submitters noted the Director of Land Transport is an independent position able to assume this role. However, at the time of consultation the Director of Land Transport was a new appointment. There will be a need for more time to pass to enable the level of embedding needed to assume this function as well. It is also still considered the SMC will bring independent expert views to the process of speed management, providing practical advice and increasing the overall legitimacy of the process.

As a result of the feedback received, the role of the SMC has been reshaped.

## Recommendations:

The following changes to the Rule are recommended following consultation:

The SMC will be established for two main purposes:

1. To provide oversight and procure independent reviews of information and guidance Waka Kotahi supplies.
2. To review the state highway SMP, and provide recommendations to the Director of Land Transport regarding its certification

All final SMPs will be certified by the Director of Land Transport.

RSMPs will have the opportunity to be reviewed by the relevant RTC prior to certification.

Question 2	Agree	Disagree	Other comment
Do you think the Speed Management Committee member requirements are appropriate? If not, why not? (68 submitters)	10	6	2 unsure

A total of 68 submitters commented on Question 2, Proposal 5.

Local government authorities, including the Clutha, Selwyn and New Plymouth District Councils and Hamilton City Council all submitted in support of the proposal.

The Ashburton District Council noted while they “don’t agree an SMC is required” if there is to be one “then the skillset requirements are appropriate”.

Hamilton City Council submitted in support of the membership requirements but noted a “specific requirement regarding diversity included in the Crown Entities Act has been omitted”. Hastings District Council made a similar submission.

Industry associations and special interest groups, including Grey Power, VIA and Insurance Council NZ submitted in support of the proposal.

AA provided conditional support. They noted the SMC should be comprised “of people with skills in governance, regulation and oversight, not those with vested interests in the land transport system”.

An individual who submitted in support of the proposal suggested the SMC should contain a representative from local government bodies. Other individuals who submitted in support noted the importance of including road safety experts and those with knowledge of consultative processes and the implementation of speed limit changes.

Local government, including Upper Hutt City Council submitted against the proposal. The Upper Hutt City Council submission noted “clearer definition of who is eligible needs to be imposed to ensure changes considered reflect a reasoned approach with demonstrated benefits”.

IAA submitted against the proposal. Their submission noted a concern “while the members are expected to have skills and experience in the setting of speed limits and the relevant impact on various road user communities, there appears no formal role for road freight interests”.

An individual who submitted against the proposal commented the appointment process as consulted on was not independent enough. They submitted SMC appointment should be based on advice from Accident Compensation Corporation, the Ministry of Health and NGOs as well as Te Manatū Waka.

## Analysis

SMC members will be expected to have knowledge, skills, and experience in relation to:

- road safety and speed management

and/or

- understanding the impact of speed management on the wider community
  - eg motorists, rural communities, vulnerable road users, freight carriers or enforcement.

SMC appointments will be made by the Minister of Transport, on advice from Te Manatū Waka, after the rule comes into force. Administrative support and advice to the SMC will be provided by Waka Kotahi. The process will be undertaken in a similar manner to Crown Entity Board appointments. This will ensure a clear process is followed.

Feedback raised concern from some stakeholders about appointed members of the SMC representing specific transport interests. Feedback was this risked a bias in relation to decisions made on/about the state highway network.

Conversely, some submitters raised concerns there would not be enough representation of transport interests within SMC membership. To avoid the risk of bias, concerns raised by transport interests can be expressed through the consultation process, rather than through the SMC. The SMC is meant to be independent and process focussed.

As the SMC is intended to provide an independent formal certification process, membership requirements will be clarified in the Rule. This is being done to make clearer the intention of the SMC to bring an external and independent view to the speed management process and provide practical advice.

### **Recommendation:**

Clarify the Terms of Reference for the SMC to note SMC members will not be appointed as representatives of their primary employer or any other organisation, but for their skills and experience relevant to speed management.

## Proposal 6 – Speed Limits around Schools

RCAs will be required to introduce safer speed limits around schools, with an initial 40% of changes to be completed by 30 June 2024 and to use reasonable efforts to complete changes to the remaining speed limits around schools by 31 December 2029.

Speed limits will be reduced to 30 km/h (or 40 km/h in some circumstances) around urban schools and a maximum of 60 km/h around rural schools. These speed limits can either be permanent or variable.

Question 1	Agree	Disagree	Other comment
Do you support the timeframes for introducing safer speed limits around schools (an initial 40% of changes to be completed by 30 June 2024 and the remaining by 31 December 2029)? If not, what do you think would be more suitable timeframes? (256 submitters)	63	176	3 unsure

### Summary of submitter views

A total of 256 submitters commented on Question 1, Proposal 6.

Local government authorities, including the New Plymouth and Ruapehu District Councils and the Waikato RTC, among others, submitted in support of the proposal. Palmerston North City Council also submitted in support, noting the timeframes will allow Councils to spread their resources to meet the targets.

Conditional support was received from AT, Christchurch City Council, and the Waikato District Council.

- AT noted “timely release of new speed management guidance will be crucial for all RCAs to meet these timeframes”.
- Christchurch City Council requested schools with a current limit of 40km/h remain compliant with the proposed Rule.
- Waikato District Council support was “subject to ensuring funding to deliver the required interventions is available”.

Industry associations and special interest groups, including Insurance Council NZ and the Australasian College of Road Safety submitted in support of the proposal.

The New Zealand School Trustees Association submitted the timeframes for safer speed limits around schools should be implemented by 30 June 2024.

The Safety Collective Tāmaki Makaurau did not support the timeframes. Although it recognised “the implementation timeline is dependent on adequate levels of resourcing and prompt provision of speed management guidelines from Waka Kotahi”. It felt the timeline was too lengthy.

Local government, including the Ashburton, Waikato, Gisborne, Tasman and Waitaki District Councils, and Upper Hutt City Council, among others, submitted against the proposal, with all requesting the timeframe be brought forward:

- Ashburton District Council noted “high levels of community support” for these changes, so the timeframes should be brought forward
- Waikato District Council did not support the proposal, noting “the sooner the better”.

Industry associations and special interest groups, including, Safekids Aotearoa, the Halswell Residents Association, the Canterbury District Health Board and Nelson Marlborough Health submitted against the proposal, all wanting shorter timeframes.

Addington, Avondale Intermediate, Bailey Road, Horotiu, Kokopu, Waterview and Weston schools, among others, also submitted against the proposal, stating a need for a shorter timeframe.

Te Kura Wairepo noted “physical infrastructure changes...will take time to adequately consult on and implement” and “urge that these changes are made a high priority”.

Individual submitters opposing the proposal wished to see speed changes around schools implemented as soon as possible. Suggested timeframes ranged from the end of 2023 through to the end of 2027. The most common timeframes suggested for nationwide completion were by:

- the end of 2023
- mid-2024
- the end of 2024.

### Analysis

One of the key action items in New Zealand’s road safety strategy, *New Zealand’s Road Safety Strategy 2020-2030 (Road to Zero)*, is the intent to transition to safer speed limits around all schools by 31 December 2029. This is because speed limits outside most schools do not make walking, cycling, and scooting appealing modes of transport, both for children and their parents.

The initial timeframe – 40 percent of school speed limit changes by 2024 with the rest by 2029 – was to align with Road to Zero. However, submissions showed a strong appetite for these timeframes to be bought forward.

Some schools will require significant investment to help bring travel speeds down. The initial timeframe was 100 percent of schools to be completed by 31 December 2029. This was intended to give RCAs time to incorporate these changes into their planning and investment processes. Feedback indicates it is now considered realistic to have reduced speeds for all schools by 31 December 2027, within the available funding.

### Recommendations:

The timeframes for introducing safer speed limits around schools – an initial 40% of changes completed by 30 June 2024 for each RCA – will remain as consulted on.

The timeframe for the remaining 60% of schools nationwide has been bought forward from 31 December 2029 to 31 December 2027.

To achieve this, funding for addressing speed limits around schools will need to be increased for the time up to 31 December 2027. This will most likely be achieved by reallocating funding away from other activities in the Road to Zero activity class, particularly in the Speed and Infrastructure Programme, pending assessment.

Question 2	Agree	Disagree	Other comment
Do you support the proposal that RCAs would designate rural areas? If not, why not? (234 submitters)	154	39	9 unsure

### Summary of submitter views

A total of 234 submitters commented on Question 2, Proposal 6.

Local government, including AT and the Ashburton and New Plymouth District Councils, and Nelson City Council, among others, submitted in support of the proposal.

AT supports “the proposal that RCAs designate rural areas for schools” and recommended “the guidance makes clear that this designation must reflect the operation of the road environment outside the school and should be by exception only.”

Nelson City Council supported RCAs designating speeds, provided a “risk-based methodology is used to assess the appropriate speed outside a rural school”. Their submission noted the importance of consistency outside schools and guidance would assist with achieving this consistency.

Industry association and special interest groups, including The Lightfoot Initiative, VIA, and the Canterbury DHB, submitted in support of the proposal.

Schools in support of the proposal included Barton Rural School, Gleniti School, Rangiora High School and Sunnyhills School, among others, who all submitted in support of the proposal.

The main theme of these submissions was consultation with the affected community and schools will be important when designating rural areas. A second key theme was a view 60km/h limits for rural schools was too high.

West Melton School submitted a speed limit set outside a school “should be in relation to the road, not whether it is urban or rural”.

Individuals who submitted in support of the proposal also noted the importance of consultation. Many individuals also submitted a 60km/h speed limit was too high for schools.

Local government, including the Hastings, Waitaki and Matamata-Piako District Councils did not support the designation of rural schools, as “rural and urban schools should be treated equally”.

Industry associations and special interest groups, including NZ School Speeds and Transportation Group NZ submitted against the proposal.

NZ School Speeds submitted “the only appropriate speed limit around all primary and secondary schools across the motu is 30km/h”.

Schools, including Dominion Road School, Oamaru Intermediate, Lincoln High School, Tisbury School, Ardgowan School, Waterview School, Te Kura Wairepo and Horotiu School, among others, all submitted against the proposal.

Tisbury School noted rural speed limits should be reduced to 40km/h. In a similar submission, Ardgowan School submitted “all schools should have the same safety considerations” and a limit of 40km/h.

Waterview School submitted in support of the “intent to lower speed limits around schools to improve safety and encourage more children to use active modes of transport”. They also submitted they saw “no need for differentiation regarding speed limits for urban and rural schools”.

Te Kura Wairepo noted “direct engagement with schools will be an essential step in assessing and defining a ‘road outside a school’”.

Individuals who submitted against the proposal queried the need for different speed limits depending on whether a school is in a rural or urban location. An individual submitted “country children should not be any less safe than city children”.

## **Analysis**

The initial proposal to have schools designated as ‘rural’ was to recognise some schools have different roading environments, needs and uses. The process of designating a school as ‘rural’ was intended to provide the local community an opportunity to provide feedback on the appropriateness of the designation through public consultation. This would mean if an RCA wanted to set a speed limit greater than 40 km/h, it will need to take the active step of designating a school as rural. Feedback indicated the use of the terms ‘urban’ and ‘rural’ was inappropriate.

The preferred approach is to have schools categorised as ‘Category 1’ and ‘Category 2’ schools. Category 1 schools will be required to have a speed limit of 30km/h (permanent or variable). Category 2 schools can have a speed limit between 40km/h and 60km/h, if an RCA provides an explanation as to why it considers these higher speed limits to be safe and appropriate. All schools with a speed limit higher than 30km/h (including those in Category 1) should be reviewed by RCAs three years after the first SMP. The intent behind requiring this review is to double-check these higher speed limits outside schools remain safe and appropriate. If they are not, there is the option of reclassifying a school to Category 1 and reducing the speed limit to 30km/h.

## **Recommendations:**

- Schools will be categorised as ‘Category 1 and ‘Category 2’ schools in the Rule.
- Category 1 schools will be required to have a speed limit of 30km/h (permanent or variable).
- Schools previously brought down to 40km/h (permanent or variable) prior to consultation on the Rule, will also fall into Category 1.

Category 2 schools should have a maximum speed limit of up to 60km/h.



Where a higher speed limit is introduced for a Category 2 school, a justification will be required for why this is being proposed, and it must be demonstrated safe system requirements are being met. These requirements would include if there is negligible active road user presence outside a school, or if there is safe walking and cycling infrastructure in place.

All schools with a speed limit higher than 30km/h (including those in Category 1) should be reviewed three years after the first SMP. After review, school areas may then be re-categorised as Category 1 or 2 as appropriate, depending on whether the assessed safe and appropriate speed is 30km/h or above.

Question 3	Agree	Disagree	Other comment
Do you think the presence of a school nearby meets the 'point of obvious change in the roadside development' requirement for a change in speed limit? If not, why not? (251 submitters)	192	16	3 unsure

### Summary of submitter views

A total of 251 submitters commented on Question 3, Proposal 6.

Local government, including AT and the Christchurch and Nelson City Councils submitted in support of the proposal.

New Plymouth District Council submitted in support of the proposal. However, they did note each school would have different requirements depending on “the main access points and desire lines for those walking, cycling or park and walking to school”. Their submission also noted guidance may be required to clarify some what constitutes a point of obvious change.

Nelson City Council submitted the point of obvious change in roadside development should be assessed on a case-by-case basis.

Waikato District Council supported the proposal in part and stated the point of obvious change would depend on “what is nearby and whether [the school is] in an urban or rural location”. Waikato District Council also noted school zone signage would be appropriate in many cases.

Industry associations and special interest groups, including Lightfoot Initiative, VIA, and the Hutt Valley DHB submitted in support of the proposal. Lightfoot Initiative also noted it is important to “consider what the average range of travel is”, as active mode use will be encouraged if the catchment area is wide enough.

NZ Police submitted in support but noted signage would be better to identify the change in roadside development.

Several schools, including Paraparaumu Beach School, Stirling School and Kumeroa School, among others, all submitted in support of the proposal. Many of the school submissions suggested encouraging more active modes of transport to and from school should be a high priority.

Alfriston School suggested consultation should be undertaken with schools to determine whether the presence of a school meets the 'point of obvious change in roadside development' requirement.

Individuals who commented in support noted the roadside environment, volumes of traffic and types of road users all change within the presence of a school. Some submitters noted this change in environment could be strengthened through signage. Many individuals who submitted in support did not leave comment.

Local government, including the Timaru and Hastings District Councils submitted against the proposal.

Hastings District Council noted “many schools are set well back” and there needs to be “appropriate support signage defining school frontage”.

Timaru District Council did not support the proposal, noting “schools can look no different to other properties”. Its preference was for road signage and traffic calming measures to promote safe speeds.

Industry associations and special interest groups including Federated Farmers, Movement NZ and Transportation Group NZ submitted against the proposal.

Federated Farmers submitted there “needs to be a clear determination of what is considered ‘outside a school’ to provide a consistent approach.

Movement NZ submitted speed limits around schools should include “an appropriate catchment of streets around the school and not just the road directly in front of the school”.

Transportation Group NZ submitted against the proposal, noting “in many cases the school is set back up a driveway or behind vegetation”. To become an obvious change in roadside development, there needs to be “appropriate signage defining the school frontage”.

Schools that submitted against the proposal included Lincoln High School and Te Kura Wairepo.

Lincoln High School submitted there should be “a considerable area around all schools where the speed limit is reduced to 30km/h”.

Te Kura Wairepo submitted the definition of what constitutes ‘a road outside a school’ should be refined and to “identify factors such as typical or expected routes for pedestrians to access the school...the number of vehicles on a road and road classification”.

Individuals who submitted against the proposal noted:

- “schools are not obvious when travelling outside your usual area”
- a “school is an artificial point of obvious change”
- the point of change “needs to be clear to people” as people will not always observe signs.

Other submitters noted areas around schools should have a lower speed limit, not just the road frontage.

## Analysis

The Rule will allow an RCA to define what it considers 'a road outside a school' to identify roads where lower speed limits will apply.

Consideration will need to be given to several factors, all of which will be outlined in Speed Management Guide provided by Waka Kotahi to support the decision-making process. These factors will include elements such as:

- the typical or expected routes for pedestrians to access the school
- the number of vehicles on a road
- pedestrian counts
- the road classification
- access for disabled pedestrians, both children and adults.

## Recommendation:

No change – proceed as consulted on.

Question 4	Agree	Disagree	Other comment
When setting variable speed limits around schools, do you support RCAs having the ability to determine school travel time periods (whilst having regard to guidance from Waka Kotahi)? If not, why not? (246 submitters)	169	38	1 unsure

## Summary of submitter views

A total of 246 submitters commented on Question 4, Proposal 6.

Local government, including the Timaru and Whanganui District Councils and Upper Hutt and Wellington City Councils submitted in support of the proposal.

Tasman District Council submitted that where variable speed limits (VSLs) are used, they need to be active an hour before and after schools start and finish to reflect the wider use of schools for communities (eg as a community hub or for after school care).

Taupō District Council submitted in support, but also noted guidance will be needed about the most appropriate school travel times (eg 8am – 9am and 2.30pm – 3.30pm) to maintain national consistency.

Industry associations and special interest groups including Grey Power, Insurance Council NZ and NZ Police all submitted in support of the proposal.

AA noted "in many cases, VSLs will be appropriate" but also saw "the cost of variable signs may be a barrier" and suggested Waka Kotahi explores ways to address this issue.

Transportation Group NZ submitted in support, but also noted the importance of consistency when setting travel time periods so motorists know what to expect nationally and regionally.

Schools, including Farm Cove Intermediate, Paraparaumu Beach School, Longburn School and Albany Primary School, among others, submitted in support of the proposal

Dominion Road School noted consideration should be given to bus timetables. Prebbleton School, Te Poi School and Lichfield School, among others, all noted the importance of RCAs consulting with schools when determining travel time periods.

The Ridgeway School Board of Trustees submitted they appreciate setting speed limits involves RCAs considering a variety of factors, and this "creates a community-centred approach to allow areas to advocate for their individual needs. They also noted if schools are in proximity, there is a need to ensure the travel time periods are consistent.

An individual who submitted in support of the proposal noted “RCAs are accountable to their local community”, so this responsibility should fall to them. Another individual noted “school times vary nationwide”, and several noted the importance of needing to consult with schools.

Local government authorities were largely in support of the proposal. Those who provided conditional support noted the cost of electronic VSL signs and the need for guidance from Waka Kotahi.

Industry associations and special interest groups, including the NZ School Trustees Association, Cycle Wellington and others submitted against the proposal.

Nelson Marlborough DHB submitted against the proposal in favour of permanent speed limits, noting the Post-Primary Teachers Association and the Education Review Office “have recommended that schools become ‘community hubs’”.

Greater Auckland Inc. submitted “students, younger siblings, parents, grandparents and visitors to schools need safe active travel opportunities at all times of day” and so the speed limits should be permanent.

Schools, including Waterview School, Weston School and Oamaru Intermediate School submitted against the proposal. These submissions noted a desire for permanent speed limit reductions (rather than variables) and for national direction regarding school travel times.

Individuals against the proposal noted several reasons for their opposition. One submitter did “not believe in the capability of local government to carry out this function”. Several submitters requested schools have this responsibility and others stated a preference for the setting of permanent speed limits rather than variable ones.

## **Analysis**

If an RCA wishes to use a VSL, it:

- will have the ability to determine the school travel time periods this will apply to
- must have regard to guidance from Waka Kotahi.

In doing this, RCAs will need to have regard to several factors, including:

- typical or expected times and days when children and caregivers access the school
- when the school is open
- how to best encourage families to use active modes
- funding.

Waka Kotahi will provide guidance on the applicability of variable speed limits in the Speed Management Plan. Generally speaking, VSLs will be more appropriate when there is very little activity around a school outside the main drop-off and pick-up times. This is more likely (but not exclusively) to apply to remote rural schools.

## **Recommendation:**

No change – proceed as consulted on.

## Proposal 7 – Temporary and Emergency Speed Limits

The process for setting emergency speed limits would change to require emergency speed limits to be lodged in the Register.  
The criteria and process for setting temporary speed limits would remain the same.

Question 1	Agree	Disagree	Other comment
Do you see any issues with temporary speed limits sitting outside the Register for the time being? If so, what are these? (28 submitters)	3	20	1 unsure

### Summary of submitter views

A total of 28 submitters commented on Proposal 7.

Local government, including Clutha and Selwyn District Councils and the Dunedin and Hamilton City Councils, among others all submitted in support of the proposal.

Matamata-Piako District Council submitted that with “potentially hundreds of temporary speed limits (TSLs) in place at any one time” they have “no issue with TSLs sitting outside the Register for the time being”.

Hastings District Council submitted in support, but also noted some concerns with TSLs being entered into the Register long-term. It viewed entering TSLs into the Register as “a lot of work for very short-term changes”.

Industry associations and special interest groups, including Insurance Council NZ, Lightfoot Initiative, Transportation Group NZ, and NZ Police all submitted in support of the proposal.

Transportation Group NZ noted there are a “huge number” of TSLs at any one time and as such this approach makes sense.

One individual who submitted in support requested TSLs be replaced by permanent speed limits in the future. Other individuals who submitted in support did not leave comment.

Local government who submitted against the proposal included the Waimakariri and Waikato District Councils. Waimakariri District Council submitted TSL conditions were too restrictive, with “no ability to use TSLs where risk exists to road users outside the prescribed conditions”.

Industry associations and special interest groups who submitted against the proposal included Grey Power. Their submission was having TSLs outside the Register would be “an unnecessary complication”.

An individual who submitted against the proposal suggested the criteria for TSL use should be expanded to include informal and formal detours. They submitted “reference to an informal detour is essential because...diverted traffic may use a street because it is the shortest route”. Another individual who submitted against the proposal noted “temporaries create confusion”.

### Analysis

Under the Rule, RCAs will be required to create a record for emergency speed limits in the Register to give effect to these speed limits. Information will include the date when the emergency speed limit takes effect. RCAs will need to remove the record from the Register to remove the emergency speed limit. TSLs will continue to be set using temporary traffic management plans and appropriate signage.

Temporary and emergency speed limits are not intended to be included in SMPs. When in place, temporary and emergency speed limits will take precedence over permanent, variable, or seasonal speed limits in the Register, with emergency speed limits becoming a subset of temporary speed limits.

**Recommendations:**

- Emergency speed limits will be reclassified to be a subset of temporary speed limits.
- Emergency speed limits will be required to be entered in the Register to be legally valid.

No change to other aspects of the proposal is recommended and they will proceed as consulted on.

## Proposal 8 – Approval for Certain Speed Limits

RCA's will have the ability to set 70 and 90 km/h speed limits without Waka Kotahi approval. Speed limits of 110 km/h will require the Director of Land Transport's approval.

Question 1	Agree	Disagree	Other comment
Do you support RCA's being able to set 70 and 90km/h speed limits without approval from Waka Kotahi? If not, why not? (30 submitters)	22	7	1 unsure

### Summary of submitter views

A total of 30 submitters commented on Question 1, Proposal 8.

Local government who submitted in support included the Wellington and Dunedin City Councils, and Timaru District Council, among others.

Wellington City Council submitted "there should be no limitations if these are safe and appropriate". Similarly, Timaru District Council submitted "there is a place for using 70" km/h limits.

Ashburton District Council supported using 70km/h limits but not 90km/h limits. Hastings District Council provided support overall but noted a desire to see guidance about when 70km/h and 90km/h would be considered safe and appropriate speeds.

Industry associations and special interest groups including AA, IAA and Transportation Group NZ submitted in support of the proposal.

AA noted 70 and 90km/h "are the most appropriate speed limits for some road environments" and provided a suggestion "further work should be undertaken on how road markings could be used to signal speed limits given more would now be available".

An individual who submitted in support of the proposal considered the current system to be "too bureaucratic". Another individual noted RCA's should have the "ability to set context-appropriate limits".

Local government who submitted against the proposal included Matamata-Piako, New Plymouth and Waikato District Councils and the Christchurch City Council.

Hastings District Council submitted against the proposal, noting "ongoing work has gone into trying to limit the use of these speed limits as per the 2017 Rule".

New Plymouth District Council also saw this approach creating "more ambiguity within the proposed speed management system and may slow progression towards safer system approaches".

Christchurch City Council submitted that allowing 70 and 90km/h speed limits without Waka Kotahi approval would "undermine the regional consistency the Rule is trying to achieve."

NZ Police submitted against the proposal. They noted 90km/h is not a safe or appropriate speed and roads with this speed limit "should be transitioned to 80km/h".

Individuals against the proposal submitted these limits "should be used under guidance" and "too many variables cause confusion". Another individual submitted in partial support, noting "70km/h is a Vision Zero speed and should be encouraged" whereas 90km/h is not.

### Analysis

Under the Rule, RCA's will have the ability to set 70 and 90 km/h speed limits without Waka Kotahi approval. In doing so, RCA's should have regard to the guidance provided by Waka Kotahi on appropriate situations where these speed limits could apply.

The intent behind allowing RCA's to set 70 and 90km/h limits is to allow RCA's time to either carry out speed management treatment (for example, making the appropriate safety infrastructure changes to support either a higher speed limit or further reduction of the speed limit. It is expected regional consistency and safety will be a key focus when setting 70 and 90km/h limits.

## Recommendation:

No change – proceed as consulted on.

Question 2	Agree	Disagree	Other comment
Do you think RCAs should only have the ability to use 70 and 90km/h speed limits as interim speed limits (as opposed to permanent speed limits)? If so, would three years be an appropriate term for these speed limits? (31 submitters)	17	13	1 unsure

## Summary of submitter views

A total of 31 submitters commented on Question 2, Proposal 8.

Local government including Nelson City Council and the Matamata-Piako and Waikato District Councils, among others, submitted in support of the proposal.

Christchurch City Council, although opposed to RCAs having the ability to set 70 and 90km/h speed limits without Waka Kotahi approval, submitted if these must be used, the Council would prefer these are interim limits. Likewise, Waikato District Council would “support the use of these as interim limits”.

Taupō District Council submitted in support of using 70 and 90km/h as interim limits and noted the “intent in 2017 of getting consistency nationally”.

Nelson City Council submitted that 70 and 90km/h should be available only as interim limits, “with a plan for their replacement being developed and approved by Waka Kotahi”.

Timaru and Waimakariri District Councils both noted there is a place for using 70 and 90km/h limits.

Industry associations and special interest groups, including Insurance Council New Zealand and Lightfoot Initiative, supported the proposal.

Lightfoot Initiative submitted that “three years would be appropriate” for an interim 70 or 90km/h speed limit.

IAA supported the use of 70 and 90km/h limits as an interim measure to allow RCAs to implement infrastructure improvements to support the current limit. However, the IAA noted a concern these speed limits will be used as an interim measure to reduce speed limits.

An individual who submitted in support of the proposal noted that 70 and 90km/h would “allow limits to be changed before any work commences”.

Local government, including the Dunedin and Wellington City Councils, submitted against the proposal.

Wellington City Council submitted that “if 70 and 90km/h are determined to be safe and appropriate in specific circumstances, then there should be no need for interim limits.”

Upper Hutt City Council submitted that “if a speed limit is appropriate it should remain in place until the road controlling authority determines that a more appropriate speed limit should be installed”.

Industry associations and special interest groups, including AA, submitted against the proposal.

AA noted that in some cases, “70 and 90km/h speed limits for some road environments” and supported “road controlling authorities being able to implement these once again”.

Individuals who commented against the proposal submitted that 70 and 90km/h limits should be able to be used permanently. Other individuals who commented on this proposal made remarks that were out of scope.



## Analysis

Limiting the application of 70 and 90km/h speed limits is based on the theory that at higher travel speeds, road users have trouble differentiating speed limit differences of 10km/h. The advantage of using 20km/h increments between 60 and 100km/h is that fewer and more recognisable speed categories are easier for road users to understand and recall.<sup>5</sup>

Transitioning to a 60-80-100km/h system remains a long-term objective. However, based on the feedback, 70 and 90km/h will still be allowable speed limits in the meantime.

## Recommendation:

RCAAs will be required to:

- review any 70 and 90km/h speed limits in the next SMP
- review and confirm in their relevant SMP whether the speed limits are safe and appropriate for the road; or
- propose changes to those speed limits.

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<sup>5</sup> Table 2.4 Interim speed limits, *Waka Kotahi Speed Management Guide First Edition*, 2016, p 21

## Proposal 9 – Use of Variable Speed Limits (VSLs)

RCAs will have the ability to set variable speed limits without the Director of Land Transport's approval, except in circumstances outside those listed in the proposed Rule.

Question 1	Agree	Disagree	Other comment
Do you support RCAs being able to set variable speed limits without approval from Waka Kotahi? If not, why not? (32 submitters)	21	7	1 unsure

### Summary of submitter views

A total of 32 submitters commented on Question 1, Proposal 9.

Local government, including the Ashburton, New Plymouth and Timaru District Councils, Northland RTC, among others, all submitted in support of the proposal.

Matamata-Piako District Council noted there are sufficient guidance and controls in the proposed Rule.

Hastings District Council also submitted in support but remarked further guidance should be made available. Christchurch City Council made a similar submission, noting a need for “clear guidance to minimise regional inconsistency, including on the use of VSL signs”.

Industry associations and special interest groups including AA, Grey Power and NZ Police submitted in support of the proposal.

AA supported the use of VSLs for safety purposes without Waka Kotahi approval. However, they also submitted there are times when Waka Kotahi approval for setting VSLs may be appropriate (see Question 3, Proposal 9).

Transportation Group NZ submitted in support and noted “there is sufficient guidance available to RCAs to assist them with this”.

An individual in support of the proposal commented VSLs should only be able to be set by an RCA where “these limits are lower than those recommended by Waka Kotahi”. Another individual noted “RCAs would benefit from a nationwide best-practice implementation” of VSLs.

Several local government submissions provided conditional support. The Waimakariri District Council submission noted it is “unclear if VSLs require a public consultation process”.

Cycle Wellington submitted against the proposal. In their submission, Cycle Wellington noted concerns VSLs will lead to “confused road users” and “unsafe speeds when vulnerable road users least expect these”. They also commented “enforcement of VSLs will be difficult”.

Individuals against the proposals had concerns about the safety of VSLs.

### Analysis

RCAs will be able to set VSLs through the relevant SMP without approval from the Director of Land Transport in the following circumstances:

- different numbers and types of road users or different traffic movements
- to manage the effects of changing traffic volumes, including to ease congestion eg Wellington Urban Motorway uses technology to inform the speed limit according to traffic volumes
- emergency or temporary traffic management
- a crash risk posed by turning or crossing traffic (eg intersection speed zones)
- changing climatic conditions eg as currently carried out on the Kaimai Ranges
- the presence of a school
- the presence of a marae
- vehicles driving on a beach or riverbed.

The Register will assist NZ Police with enforcement. Road users are familiar with VSLs and the reasons for the use of these should be obvious (eg outside a school).

The new framework will provide greater flexibility and transparency when RCAs set VSLs.

Waka Kotahi will continue to provide guidance on best practice use for variable speed limits in the above listed circumstances to:

- encourage national consistency
- provide clarity for road users and stakeholders
- aid RCAs in their decision making.

**Recommendation:**

No change – proceed as consulted on.

Question 2	Agree	Disagree	Other comment
Do you think the circumstances for setting variable speed limits without Waka Kotahi approval are appropriate? If not, why not? (26 submitters)	16	6	NA

**Summary of submitter views**

A total of 26 submitters commented on Question 2, Proposal 9.

Local government, including AT and the Clutha and Hamilton District Councils, among others, submitted in support of this proposal.

Ashburton District Council submitted in support but noted community engagement will be important when setting a VSL outside a school.

Taupō District Council submitted the circumstances indicated in the proposed Rule for setting a VSL are appropriate. Matamata-Piako District Council made a similar submission, noting there is sufficient “guidance provided and controls in place”.

Industry associations and special interest groups including Insurance Council NZ, VIA and NZ Police submitted in support of the proposal.

IAA submitted in support. They noted the “use of VSLs is positive and the bullet pointed options being circumstance dependant are well documented”.

Grey Power noted the criteria for using a VSL could be widened to include “other circumstances, such as the presence of a park where an event is taking place, or facilities where lots of pedestrians or cyclists are expected”.

Individuals who submitted in support of the proposal did not leave comment.

Waka Kotahi feedback on the proposed Rule advised marae, beaches and riverbeds are included as a category where a VSL can be set without Waka Kotahi approval. Their comments noted the ability to set a VSL without Waka Kotahi approval will be useful where events are held, such as tangihanga or hui.

Wellington City Council submitted against the proposal. Its submission commented the circumstances when a VSL can be set without Waka Kotahi approval should be expanded to include “when road user conditions are met, such as when pedestrians, cyclists, horses, etc are present”. The submission also noted “the requirements for appropriate signage need to be carefully developed and provided for in the Traffic Control Devices Rule and related guidance”.

Cycle Wellington submitted against the proposal, noting concerns VSLs will lead to “confused road users” and “unsafe speeds when vulnerable road users least expect these”. They also commented “enforcement of VSLs will be difficult”.

Individuals against the proposals had concerns about the safety of VSLs, with one noting “too many variable speeds causes (sic) confusion”.

## Analysis

It is considered the benefits of using VSLs outweighs any potential confusion around speeds.

Marae will also be included in the Rule as a location where VSLs may be used without Director of Land Transport approval. This is due to the nature of events regularly held at marae, especially where the number of vehicles or traffic increases for a specific time (for example, hui or tangihanga), or have tikanga where the use of the road varies at specific times (for example, processions on foot from marae to urupa or whare karakia). It is also considered sensible for VSLs to be used without Director of Land Transport approval for vehicles driving on a beach or riverbed, particularly during the summer months when swimming is occurring.

It is not considered practical or cost effective to install VSLs for one-off events, where there is potential to use temporary speed management signs.

## Recommendations:

Add marae, beaches, and riverbeds to the list of places where VSLs may be used without Director of Land Transport approval.

No change to other aspects of the proposal – proceed as consulted on.

Question 3	Agree	Disagree	Other comment
Do you think there are any situations where Waka Kotahi approval should be sought? If so, what are these? (19 submitters)	12	5	NA

## Summary of submitter views

A total of 19 submitters commented on Question 3, Proposal 9.

Local government, including AT, Clutha District Council and Hamilton City Council, submitted in support of the proposal.

Clutha District Council submitted Waka Kotahi approval should be sought where local roads are linked to state highways.

Selwyn District Council noted where speed limits fall “outside the normal use of variable speed limits”, Waka Kotahi should be consulted.

Industry associations and special interest groups including Cycle Wellington, AA and the Lightfoot Initiative submitted in support of the proposal.

AA submitted Waka Kotahi approval should be sought when VSLs are used for traffic management purposes. AA submitted “greater oversight is needed for proposals to set variable speed limits to ease congestion, as the justification for and merits of these initiatives can be a lot less black and white”.

Transportation Group NZ submitted “there will continue to be new situations arise where VSLs are used as a safety or traffic management tool”. In these situations, “Director [of Land Transport] approval should be sought”.

The Lightfoot Initiative submitted “Waka Kotahi should still be in the conversation” when VSLs are proposed.

An individual in support submitted Waka Kotahi approval should be sought in areas where “a state highway may be impacted”. Another individual submitted Waka Kotahi approval should be obtained for “all situations”. One individual commented “only when increasing speed limits” should Waka Kotahi approval be required.

Local government, including Wellington City Council and Waitaki District Council submitted against the proposal.

Wellington City Council noted “the correct approach for all situations should be fully set out in the guidance that will be provided by Waka Kotahi”.

Waitaki District Council submitted “Waka Kotahi, as the subject matter experts, has a role in supporting metrics-based information to governance decision making” but supports the process for VSLs.

Industry associations and special interest groups did not submit against the proposal.

Individuals who submitted against the proposal did not provide comment.

**Analysis**

If a situation falls outside of the circumstances listed in the Rule, the Director of Land Transport’s approval will be required prior to lodging the variable speed limit in the Register. This applies to both Waka Kotahi (as an RCA) and all other RCAs.

The Director of Transport’s approval is required to ensure that the use of a VSL is appropriate and will not negatively impact road safety outcomes.

**Recommendation:**

No change – proceed as consulted on.

## Proposal 10 – Speed Limit Areas

Speed limit areas will be introduced to replace urban traffic areas.

Question 1	Agree	Disagree	Other comment
Do you support the proposal to replace urban traffic areas with speed limits areas? If not, why not? (28 submitters)	21	2	1 unsure

### Summary of submitter views

A total of 28 submitters commented on Question 1, Proposal 10.

Local government, including the Ashburton, Hastings, New Plymouth, and Waitaki District Councils, among others, all submitted in support of the proposal.

AT also submitted in support of the proposal. Their submission requested clarity in the proposed Rule that the setting of a speed limit area can only be done by a TA. Their submission also requested “clarity around the intention of speed limit areas” and suggested “updated speed management guidance give robust and practical examples” of how speed limit areas are to be implemented.

Northland RTC also submitted in support, noting the speed limit areas “allow multiple speed limits to be set in an area to allow greater flexibility.

Upper Hutt City Council noted speed limit areas will “provide the ability to ensure new roads created within an area inherit the appropriate speed limit”.

Industry associations and special interest groups, including Brake, Grey Power, Transportation Group NZ, and NZ Police, among others, all submitted in support of the proposal.

Grey Power submitted in support of the proposal, noting the introduction of speed limit areas “should help to remove the idea of an urban default of 50km/h”.

An individual submitted in support of the proposal but noted the need for “defined signage” when in a speed limit area. Another individual submitted in support of the “need to move away from 50km/h being the default in urban areas and make it easier to implement lower speeds”.

Waikato District Council submitted against the proposal, noting it had already undertaken several changes in urban traffic areas.

### Analysis

The Rule will allow for an RCA to set speed limits through any designated area and for any particular speed limit. Speed limit areas expand on the concept of ‘urban traffic areas’ in the 2017 Rule. The intention in introducing a more flexible concept of speed limit areas is to allow RCAs to address areas of concern more easily in urban areas with high numbers of active mode users.

The process to designate a speed limit area will be the same as that for permanent, seasonal, and variable speed limits, as the designation is expected to be included in SMPs and then lodged with Waka Kotahi (as Registrar of the Register).

The introduction of speed limit areas will not impact on previously zoned urban traffic areas.

### Recommendation:

No change – proceed as consulted on.

<b>Question 2</b>	<b>Agree</b>	<b>Disagree</b>	<b>Other comment</b>
Do you think it is appropriate to use speed limit areas to set any speed limit (up to 100 km/h)? If not, why not? (22 submitters)	16	2	NA

### Summary of submitter views

A total of 22 submitters commented on Question 2, Proposal 10.

Local government authorities were largely in support of the use of speed limit areas to set any speed limit up to 100km/h.

Wellington City Council noted the importance of using “consistent speed limits throughout the city”.

The Christchurch and Palmerston North City Councils submitted in support, noting the flexibility speed limit areas will provide will be useful.

Industry associations and special interest groups in support of the proposal included Grey Power, Transportation Group NZ, and NZ Police.

Grey Power were in support but submitted speeds set using speed limit areas “should have a caveat that proposed speed limits need to give effect to Road to Zero”.

Transportation Group NZ submitted in support for “using these for a wide range of speed limits” and noted speed limit areas “reduces the risk of a minor road being overlooked”.

NZ Police submitted the use of speed limit areas would be “significantly more efficient and greater network consistency would be achieved”.

An individual in support noted the importance of monitoring traffic flow when using a speed limit area.

Local government against the proposal included Timaru District Council. They submitted speed limit areas should be “restricted to 60km/h” and anything above 60km/h “should require a full speed review”.

Industry associations and special interest groups, including Cycle Wellington, submitted against the proposal.

Cycle Wellington submitted “any speeds above 80km/h are not appropriate to set over broad areas.”

An individual commented that speed limit areas are appropriate for “large slow speed areas”.

Another individual, in a similar comment, noted speed limit areas are “less appropriate the faster these areas go”.

### Analysis

The proposed Rule is intended to give RCAs as much flexibility as possible to address their local roading environment. In some rural areas, it may be more appropriate to have a higher limit for speed limit areas. This also allows for RCAs to upgrade a speed limit following infrastructure improvements.

### Recommendation:

No change – proceed as consulted on.



## Proposal 11 – Other Proposals

### Restrictions to changing speed limits

RCA's will not be able to change a speed limit for a period of five years, if directed to change the original speed limit by Waka Kotahi (as regulator).

Question 1	Agree	Disagree	Other comment
Do you agree RCA's should not be able to change a speed limit for a period of five years, if directed to change the original speed limit by Waka Kotahi? If not, what do you think would be a more appropriate timeframe? (23 submitters)	6	9	NA

### Summary of submitter views

A total of 23 submitters commented on Question 1, Proposal 11.

Local government, including Clutha District Council and Palmerston North City Council, submitted in support but did not make further comment.

Industry associations and special interest groups, including Insurance Council NZ and Southern DHB submitted in support of the proposal but did not make further comment.

An individual who submitted in support noted "using a single body to make definite decisions would provide consistency". Another individual in support commented "a shorter limit may be appropriate if an RCA can show why [the] Waka Kotahi position is flawed".

Local government, including the Hastings and Selwyn District Councils, among others, submitted against the proposal.

Christchurch City Council submitted against the proposal. Their submission noted "a lot can change in the period of five years" and "a period of two years would be more appropriate, or allowance made in the proposed Rule to gain the Director of Land Transport's approval to change it".

Upper Hutt City Council submitted against this proposal, commenting the "RCA is the controlling authority of the road and should have ultimate responsibility".

Waikato District Council noted "there may be changes to the adjacent land use and physical nature of the corridor that could occur within the five-year period".

AT and the New Plymouth and Timaru District Councils submitted three years would be more appropriate. The Timaru District Council submission noted a three-year period would "align with the SMP and RLTP investment development".

Industry associations and special interest groups including Transportation Group NZ and NZ Police submitted against the proposal.

Transportation Group NZ submitted the time limit "should be determined on a case-by-case basis" and noted "a three-year period may be more appropriate to align with the update cycle of speed management plans".

NZ Police also submitted against the proposal, noting there "should be a mechanism to permit agile change in response to changes in network, including engineering and/or use".

An individual who submitted against the proposal noted "there should be a review after two years to make sure this is appropriate".

## Analysis

Waka Kotahi (as Regulator) will continue to have the ability to investigate and direct an RCA to change or modify a speed limit if it considers the RCA has not complied with the proposed Rule.

If an RCA does not comply with Waka Kotahi (as Regulator) directions, Waka Kotahi may exercise the appropriate responsibilities of the RCA and change or modify the application of a speed limit in the area concerned, by changing it in the Register.

Feedback from stakeholders noted that a shorter timeframe would be more appropriate. A time limit of three years will align with the speed management planning cycle and allow RCAs time to implement changes to either their SMP or the roading environment.

### Recommendation:

An RCA will not be able to change a speed limit for three years, if directed to change the original speed limit by Waka Kotahi (as Regulator), instead of the proposed five.

### Minimum road length requirements

Minimum road length requirements will be amended for 50, 60, 70 and 80 km/h speed limits. Exceptions will apply for permanent speed limits outside schools, all variable limits and approaching intersections.

Question 2	Agree	Disagree	Other comment
Do you think the minimum length and signage requirements for speed limits should sit in guidance provided by Waka Kotahi? If not, why not? (22 submitters)	16	3	NA

### Summary of submitter views

A total of 22 submitters commented on Question 2, Proposal 11.

Local government including AT, the Palmerston North and Upper Hutt City Councils and Waitaki District Council, among others, submitted in support of the proposal.

Christchurch City Council noted having these requirements in guidance will allow for flexibility in the future.

Timaru District Council submitted in support but suggested the proposed Rule is extended to “include consideration of the network context”.

Industry associations and special interest groups Grey Power, Insurance Council NZ and Transportation Group NZ submitted in support of the proposal.

Grey Power submitted in support and suggested sign placement around schools have a minimum length to recognise observed driver behaviour.

Transportation Group NZ submitted “there will always be exceptions to standard situations and best practice may change”. Their submission suggested these requirements be included in the Guide to enable the requirements to be updated in future.

An individual in support of the proposal noted “guidance is required to help councils but needs to be informed by best practice”. Several individuals who submitted in support commented on the need to have consistency across the network.

Local government including Ashburton and Waikato District Councils and Hamilton City Council submitted against the proposal.

Ashburton District Council and Hamilton City Council suggested these requirements should be included in the proposed Rule to achieve consistency.

Waikato District Council submitted these requirements should be included in the proposed Rule “as they help with the delivery of consistent speed management regionally and nationally.

NZ Police submitted against the proposal. Their submission noted signage requirements “should be set in the proposed Rule to provide consistency”.

An individual who submitted against the proposal commented “local authorities have more knowledge about their speed requirements”.

### Analysis

The Rule will amend the minimum road length requirements to provide for an average 3.6-second travel time for speed limits between 50km/h and 80km/h, or 500-800m respectively and a minimum of 2000m for 90km/h.

Schedule 1 of the Land Transport Rule: Setting Speed Limits 2017 sets out the road lengths for speed limits and will be retained. It is proposed to keep the same schedule in the new Rule. However, exceptions will be applied to minimum road length requirements in certain circumstances, as set out in the recommendation below.

### Recommendation:

Include Schedule 1 of the Land Transport Rule: Setting Speed Limits 2017 in the new Rule, which sets out the road lengths for speed limits.

Include exceptions for:

- a permanent speed limit outside a school
- all VSLs
- if it is impracticable for the road
- short lengths of adjoining roads.

### Mean operating speeds

RCAs will need to have regard to guidance on the use of mean operating speed in preparing speed management plans.

Question 3	Agree	Disagree	Other comment
Do you think the use of mean operating speed should sit in guidance provided by Waka Kotahi? If not, why not? (22 submitters)	13	6	NA

### Summary of submitter views

A total of 22 submitters commented on Question 3, Proposal 11.

Local government, including AT and the Matamata-Piako, New Plymouth Waitaki District Councils, among others, submitted in support of the proposal.

Ashburton District Council submitted “the use of mean operating speed should sit in guidance provided by Waka Kotahi, with the final decision resting with the RTC”.

Nelson City Council submitted in support but commented guidance should include “an outline of the limitations of the mean operating speeds provided”.

Timaru District Council submitted in support, provided the “guidance recognises that mean operating speed is only one factor to consider”.

Industry associations and special interest groups in support of the proposal included Grey Power, Transportation Group NZ, and VIA.

NZ Police requested additional clarity on how mean operating speed will be applied. Their submission also noted “evidence shows that a reduction in speed limit results in mean speed reduction, which in-itself provides road safety outcome benefits”.

Transportation Group NZ submitted in support of the proposal, commenting “guidance on the use of mean operating speeds would be better placed in supporting documentation...to avoid being constrained by the Rule technically disallowing some situations”.

Several individuals in support of the proposal did not leave additional comment or left comment out of scope of the question. Of those who commented within scope, these individuals noted the importance of national and regional consistency.

Local government who submitted against the proposal or provided conditional support included Northland RTC and the Tasman and Whanganui District Councils.

Northland RTC noted some concerns regarding how mean operating speeds are determined, remarking that mean operating speeds “should be one tool that is used to determine an appropriate speed limit”. Northland RTC suggested “more detail is required on how mean operating speeds are determined and the extent to which they need to be implemented”.

Whanganui District Council raised a concern in their submission that mean operating speed “does not capture the actual speed that drivers are trying to travel along the road”.

Industry associations and special interest groups, including IAA, Movement and the Southern DHB, submitted against the proposal.

IAA commented on the use of mean operating speeds, stating “the mean can be distorted by high or low values” and submitted “the median is a more reasonable assessment of the relative speeds typical of the use of roads”.

Movement NZ suggested in their submission the “use of 85<sup>th</sup> percentile operating speed over mean operating speed” and commented the proposed Rule is “unclear where and when this measurement of speed is to be used”.

Southern DHB submitted against the proposal, commenting “mean operating speed is invariably too high to be safe - especially for those engaged in active transport”.

An individual suggested the use of median operating speed rather than mean. Another individual submitted “operating speed should only be a guide to the choice of appropriate mitigations, never a guide to what the limit should be”.

### **Analysis**

Waka Kotahi will continue to provide guidance on how RCAs should consider mean operating speeds when setting speed limits, but it will no longer be a key criteria to determine if a speed limit can be reduced.

### **Recommendation:**

No change – proceed as consulted on.

## OTHER CHANGES

The consultation team received comments of a general nature from 47 submitters. Two of the topics covered – beaches and signage – warranted changes to the proposed Rule and are outlined below:

### Beaches

Northland RTC wanted to know how the proposed Rule would affect the setting of speed limits on beaches. They noted challenges under the 2017 Rule and queried how these speed limits will work under the proposed Rule, due to beaches in Northland being long with many access points.

*Analysis:* The proposed Rule required signage to be located within 20m of a speed limit change and for repeater signs to be used. There were no specific expectations for speed limits on beaches and it is acknowledged different treatment should apply for beaches. Consideration was then given to:

- where beach users are located
- how beaches are used by road users
- the nature of a beach environment
  - o eg shifting sands making repeater signs difficult, if not impossible, to maintain.

#### **Recommendation:**

The Rule will allow an exception for beaches and riverbeds from the repeater sign requirements and the requirement to require signage within 20m of a speed limit change.

### Signage

The consultation document proposed signs be within 50m of a speed change point, rather than the current 20m.

Taupō District Council noted the requirement to install electronic VSL signs on both sides of the road would be expensive to implement and maintain. NZ Police and the Waikato District Council did not support the change for signage to be within 50m of the speed change point.

*Analysis:* Further investigation of this proposed change found the impacts on speed limit enforcement and signage would be significant. The Rule will require signs to be 20m from the change point and allow for electronic VSL signage on the left-hand side of the road only.

#### **Recommendations:**

The Rule will:

- require signs to remain at 20m from the change point, rather than increasing this to 50m as consulted on
- allow for electronic VSL signs on the left-hand side of the road only.

# GENERAL COMMENTS AND ISSUES RAISED

The consultation team received comments of a general nature from 47 submitters. Many of the comments outlined below are beyond the scope for specific action in the Rule; however, the comments have been noted.

The comments have been grouped into three topics:

1. Default speed limits
2. Guidance
3. Other.

## 1. **Default speed limits**

Cycling Action Network, Greater Auckland Inc, Nelson City Council, Tasman District Council, Whanganui District Council, NZ Police, individuals, and other groups, commented on or called for a review of default speed limits.

*Response:* Default speed limits are out of scope for the Rule.

## 2. **Guidance**

AA, Dunedin and Nelson City Councils, Tasman District Council, Transportation Group NZ, and individuals, among others, made comment on the importance of guidance provided by Waka Kotahi as the Rule comes into force.

Brake commented the Guide will need to be updated to reflect the Vision Zero approach.

*Response:* Waka Kotahi will engage with the sector in developing the Guide. Waka Kotahi (as the regulator) will take a leadership role in the operationalising of the proposed Rule and provide support to RCAs and RTCs through the new process.

## 3. **Other**

Definition of school: Dunedin City Council, several schools and individuals commented or queried the definition of 'school' as used in the proposed Rule.

*Response:* The definition of a school was taken from the *Education and Training Act 2020* and does not include Early Childhood Centres (ECEs) or tertiary institutions. The Rule does not preclude an RCA from setting lower speed limits around ECEs or tertiary institutions in their SMP.

Road Safety Penalties: Transportation Group NZ noted a need to conduct a review of road safety penalties. The Waikato DHB commented it would support tougher penalties for speeding around schools.

*Response:* Te Manatū Waka, Waka Kotahi and other relevant agencies are developing advice for Government on road safety penalties.

Funding: Nelson and Wellington City Councils, Waikato RTC and Whanganui District Council, among others, commented on the need to ensure there are appropriate funding measures in place to ensure speed management can progress in alignment with the Rule.

*Response:* Aligning safety infrastructure change and speed management will be key when decisions are made under NLTF and RLTF processes.

Safety Camera Revenue: Tasman District Council requested local camera revenue be returned to local authorities as they do not believe they see their share of the consolidated fund.

*Response:* Te Manatū Waka, Waka Kotahi and other relevant agencies are developing advice for Government on road safety penalties.

Emissions Reductions: Queenstown Lakes District Council and AT recommended Waka Kotahi interventions should prioritise and progress emissions reductions at every opportunity.

*Response:* This work is being considered by other workstreams such as Te Hikina.

Definitions: AT requested certain definitions in the proposed Rule be refined for clarification and to ensure the unique division between AT and Auckland Council is properly reflected in the proposed Rule.

*Response:* These clarifications will be made in the Rule.

Comments outside of scope: Several individuals provided comment that fell outside the scope of the project. These included: changes to driver licence requirements, improvement of driver education, calls for an increase in enforcement and for specific speed limits to be lowered.

*Response:* These comments have been passed to other areas of Waka Kotahi, including driver licence and road safety penalties reviews.



## APPENDIX 1: LIST OF SUBMITTERS

Individuals' names have been withheld from this list of submitters at the submitter's request. If you wish to know these names, please contact Waka Kotahi which will consider your request under *Official Information Act 1982* criteria.

Submitter Number	Submitter name	Organisation
S001	Duncan	
S002	Geoff Upton	
S003	Dayal Withana	Auckland Transport
S004	Andy Pincombe	
S005	Chris Hadley	
S006	Allan	
S007	Michael Girvan	
S008	Trevor Wilkes	
S009	Chris S	
S010	James Thompson	
S011	Name withheld	
S012	Name withheld	
S013	Barry Taylor	C.A.U.R.
S014	Jarrod Crossland	
S015	S Robinson	
S016	Barbara Callaghan	
S017	Lynley Turvey	
S018	John Carter	
S019	Name withheld	
S020	Wayne McColl	

Submitter Number	Submitter name	Organisation
S021	Ed Jolly	
S022	Name withheld	
S023	Name withheld	
S024	Angela Goodwin	
S025	Mike Barton	
S026	Sarah Andersen	
S027	G G Ludtke-Faber	
S028	Name withheld	
S029	Martin Brabander	
S030	Anonymous	
S031	Katy Horwood	
S032	Rebecca Gray	
S033	Stephen Warden	Auckland Transport
S034	John Lieswyn	ViaStrada
S035	William Ireland	Tomtom
S036	Ritchie Wards	
S037	Name withheld	
S038	Jane Henwood	
S039	John	
S040	Michael Bird	

Submitter Number	Submitter name	Organisation
S041	Nadine	
S042	Name withheld	Te Kotahitanga o Ngati Tuwharetoa
S043	Lucinda Rees	NZ School Speeds
S044	Brian Price	Swannanoa School
S045	John Smith	
S046	Jeremy Dunningham	
S047	Andrew Hutchinson	
S048	Norman Dolamore	
S049	Jan Scott	
S050	Bob Shearing	
S051	Anonymous	
S052	Eva Neely	
S053	RAM Onderwater	
S054	Claire Coveney	
S055	Ronja Schipper	
S056	Ross Carrick	
S057	Malcolm Yurston	Imported Motor Vehicle Industry Association
S058	Westburn World	Westburn World
S059	Waterview School	Waterview School
S060	Addington Te Kura Taumatua	Addington Te Kura Taumatua
S061		Avondale Intermediate School
S062	James Cook High School	James Cook High School
S063	Gisborne District Council	Gisborne District Council

Submitter Number	Submitter name	Organisation
S064	Name withheld	
S065	Kerry Worsnop	
S066	Janet Crispin	Citizens Environmental Advocacy Centre
S067	Alexander Garside	
S068	Stephen Loomans	Otorohanga District Council
S069	Rachael Green	
S070	Robert Werry	The Bobby Holidays
S071	Deidre Senior	Weston School
S072	Name withheld	
S073	Isabel	Oamaru Intermediate School
S074	Erina Simpson	
S075	Teresa Allpress	
S076	G Buckley	
S077	Ray Kelly	Bailey Road School
S078	Jonathan Wright	Horotiu School
S079	Yaron Overeem	Kokopu School
S080	Patrick Gale	Rangitoto College
S081	Cheryl Frost	Wairau Valley Special School
S082	Sara Brown	
S083	Name withheld	Tisbury School
S084	Meegan Hill	Kohimarama School
S085	Linda Ireton	Keith Street School
S086	Jess Ward	Paraparaumu Beach School
S087	Danny Nicholls	Te Matauru Primary

Submitter Number	Submitter name	Organisation
S088	Brenda Cronin	Peninsula Primary School
S089	Name withheld	
S090	Josie Redmond	Pukekawa School
S091	Caroline Transom	Kumeroa School
S092	Sarah Allen	Riverhills School
S093	Name withheld	Kiwitahi School
S094	Nik House	Awapuni School
S095	Mary Munro	Stirling School
S096	Amanda O'Brien	
S097	Ludwig	Farm Cove Intermediate
S098	Amanda	
S099	Alison Hill	Alfredton School
S100	David Ivory	
S101	Rohan van Soest	
S102	Hazel Youngman	
S103	Melissa Bland	Te Uho o te Nikau Primary School
S104	Owen Corlett	
S105	Linda Larsen	Te Poi School
S106	Worth	
S107	G Finn	
S108	Fiona Dunnett	
S109	Kristi	
S110	Catherine Bryant	
S111	Wayne Gillard	Brookby School
S112	Rosie Sharp	

Submitter Number	Submitter name	Organisation
S113	Catherine	
S114	Robyn Russell	
S115	Betsy West	
S116	Lesley Mitchell	Dominion Road School
S117	Justine Driver	Sunnyhills School
S118	Name withheld	
S119	Tina-Maree Thatcher	Karapiro School
S120	Fiona McAlevey	
S121	Mary Ingle	
S122	Kieran Mullins	
S123	Caroline Holden	
S124	Jess Macauley	Nous Translations
S125	Maxine Goodwin	
S126	David Lowe	Rangiora High School
S127	Kelly Wilson	
S128	Kelsy Fletcher	Oamaru Intermediate School
S129	Tracy Moody	Albany Primary School
S130	James Hopkins	Albany Primary School
S131	Name withheld	
S132	Name withheld	Waitoriki School
S133	Jo Neal	Prebbleton School
S134	Name withheld	
S135	Cherie Harris	Prebbleton School
S136	Jo Craig	Prebbleton School
S137	Mike Crake	Albany Primary School

Submitter Number	Submitter name	Organisation
S138	Richie Cawthorn	Prebbleton School
S139	Name withheld	Prebbleton School
S140	Sacha Bradley	Farm Cove Intermediate
S141	Sarah Walls	Prebbleton School
S142	Jody Young	
S143	Sherryl Edmeades	
S144	Isla M	
S145	Thomas	
S146	Name withheld	
S147	Jill Reesby	
S148	Monika Ciolek	
S149	Tania Henwood	
S150	Dr Peter Catt	
S151	Amy Porter	
S152	Fraser Stephens	
S153	Michelle	Lichfield School
S154	Ronnie Syben	Lichfield School
S155	Name withheld	
S156	Veronika Lambert	
S157	Simon Berry	Ardgowan School Chairman
S158	Name withheld	Ardgowan School
S159	Sonya Creedy	Ardgowan School
S160	Name withheld	
S161	Rodney Devorms	
S162	Amelia Gardner	

Submitter Number	Submitter name	Organisation
S163	Corina McCulloch	
S164	Roger Hodson	
S165	Anonymous	
S166	Name withheld	
S167	Andrew Bigham	
S168	Louise Taylor	Waterview Primary School
S169	Liz Thomas	
S170	Name withheld	
S171	Cristene Trenuela-Chan	
S172	Beth Tootell	Turitea School Board
S173	Name withheld	
S174	Suzanne Turner	
S175	Stefan Mavor	
S176	Name withheld	
S177	Benedict Taylor	
S178	Sunia Foliaki	
S179	Name withheld	
S180	Mark Hillhouse	St. Brendan's School BOT
S181	Veronica Sawers	St. Brendan's School
S182	Logan Phillips	Waimata School
S183	Roland Oldengarm	
S184	Scott Gamble	
S185	Rebecca Bernhard	
S186	Name withheld	
S187	Margaret Littlejohn	Sancta Maria College

Submitter Number	Submitter name	Organisation
S188	Ken Crispin	Citizens Environmental Advocacy Centre Incorporated 2001
S189	Paul Tonkin	Alfriston School
S190	Matthew Gollins	Barton Rural School
S191	Richard Lauren	
S192	Steve Zonneville	Gleniti School
S193	Anna Redmond	
S194	Margaret Parfitt	Nelson City Council
S195	Mike Swanton	
S196	Julie Bassett	Somerfield Te Kura Wairepo
S197	Denis Mander	Department of Conservation
S198	Robert Cathie	South Waikato District Council
S199	Name withheld	John Paull II High School
S200	Kiri Shearer	
S201	Nick Banks	St Brendan's School BOT
S202	Jo Emerson	Longburn School
S203	Ben Sutton	Cashmere Primary Te Pae Kereru
S204	Jo Pereira	
S205	Derek Walsh	DW Transport Planning
S206	Phil Donnelly	
S207	Anna-Louise Sinnott	
S208	Richard Mabon	Ashburton District Council
S209	Kerry Arnold	Road Transport Forum
S210	Grant Fletcher	Greater Wellington Regional Council
S211	Barry Reid	Matamata-Piako District Council

Submitter Number	Submitter name	Organisation
S212	Errol Morrison	
S213	Max Robitzsch	
S214	Name withheld	Hira School
S215	Demelza O'Brien	Hutt Valley DHB
S216	Clare Cassidy	Tauranga City Council
S217	James Llewellyn	Bay of Plenty RTC
S218	Tim Jenkins	
S219	Mike Harrison	Waitaki District Council
S220	Graeme Edwards	
S221	Name withheld	
S222	Graeme Brunning	
S223	Adam Gardner	Lincoln High School
S224	Ludwig Wendzich	
S225	Robert McLachlan	
S226	Name withheld	
S227	Barbara Dean	Ridgway School Board of Trustees
S228	Deidre Fitzgerald	Insurance Council of New Zealand
S229	Monique Davidson	Central Hawkes Bay District Council
S230	John Lawson	
S231	Ellen Schindler	
S232	Michael Lowe	
S233	Michael Town	
S234	Dave Millar	
S235	Geertrui Van de Voorde	
S236	Bruce Conaghan	Hastings District Council

Submitter Number	Submitter name	Organisation
S237	Emma Kenagy	Community and Public Health - Canterbury DHB
S238	Leana Shirley	Horizons Regional Transport Committee
S239	Paul Baron	
S240	Phil Evans	
S241	Name withheld	
S242	Shirley Farrell	
S243	Karey Hardcastle	West Melton School BOT
S244	Brent Barrett	
S245	Ryan Nicholls	
S246	Mike Mellor	
S247	Edward Fletcher	
S248	Gay Richards	
S249	Robin Rawson	
S250	Hamish Wilson	
S251	Timothy Brown	
S252	Niki Carling	Rotorua Lakes Council
S253	Matthew Gibbons	
S254	Adrian Noaro	
S255	Andrea Nicols	Ruapehu District Council
S256	Stuart Knarston	New Plymouth District Council
S257	Russell Hawkes	Otago Southland RTC
S258	William Oosterman	
S259	Rebecca Sparrow	St Albans Catholic School

Submitter Number	Submitter name	Organisation
S260	Ngaire Atmore	Auckland Transport
S261	Ed Varley	Thames-Coromandel District Council
S262	Shirley Trunper	Rotorua Rural Community Board
S263	Moses Alatini	Safekids Aotearoa
S264	Mark Brougham	Hamilton City Council
S265	Dr Ingrid Johnston	Australasian College of Road Safety
S266	Fiona Ritson	Taranaki RTC
S267	Nigel King	Transport Special Interest Group
S268	Sally Lloyd	Palmerston North City Council
S269	Karen Le Sueur	NZ Police
S270	Nigel King	Waikato Regional Transport Committee
S271	Caroline Perry	Brake
S272	Claire Sharland	Taupo District Council
S273	Kay Kristensen	Waikato District Health Board
S274	Gareth Bellamy	Waikato District Council
S275	David Hawke	Halswell Residents Association
S276	Patrick Hanaray	Upper Hutt City Council
S277	Stacey Hitchcock	Dunedin City Council
S278	Peter Olorenshaw	Nelson Transport Strategy Group
S279	Joe Hewitt	Wellington City Council
S280	Ellen Cavanagh	Christchurch City Council
S281	Andrew Macbeth	
S282	Justin Walters	Whanganui District Council
S283	Clare Scott	Tasman District Council

Submitter Number	Submitter name	Organisation
S284	Patrick Morgan	Cycling Action Network
S285	Michelle Morss	Queenstown Lakes District Council
S286	Tim Jones	
S287	Wayne Levick	Auckland Safety Collective
S288		Nelson Tasman Climate Forum
S289	Glen Koorey	Via Strada
S290	Julie Geange	Federated Farmers
S291	Jonathan Coppard	Cycle Wellington
S292	Heidi O'Callahan	Greater Auckland NGO
S293	Simon Grainger	
S294	Christian Bopp	Clutha District Council
S295	Heidi O'Callahan	
S296	Mark Chamberlain	Selwyn District Council
S297	Fiona Bennetts	
S298	Name withheld	
S299	Sierra Alef-Defoe	Southern District Health Board
S300	Paul Arthur	
S301	Amanda Robinson	The Lightfoot Initiative
S302	Tracey Riley	West Melton School
S303	Name withheld	
S304	John Ascroft	

Submitter Number	Submitter name	Organisation
S305	Name withheld	
S306	Nicholas Booth	Newtown School - BOT
S307	Chris Davies	
S308	Peter Matcham	Grey Power NZ
S309	Bevan Woodward	Movement NZ
S310	Mary Hall	NZ School Trustees Association
S311	Alicia Hall	Parents for Climate Aotearoa
S312	Gretchen Bosacker	
S313	Hamish	
S314	Name withheld	
S315	Name withheld	
S316	Allan Taunt	
S317	Shawn Baker	Northland Transportation Alliance
S318	Sarah Geard	Automobile Association of NZ
S319	Jane Murray	Nelson Marlborough DHB
S320	Shawn Baker	Northland RTC
S321	Name withheld	
S322	Lisa Winchester	
S323	Timothy Hughes	
S324	Selina Kunac	Timaru District Council
S325	Shane Binder	Waimakariri District Council