

Reference Number: 2024/1173

17 December 2024

[REDACTED]

Tēnā koe [REDACTED]

Thank you for your email dated 3 December 2024 requesting under the Local Government Official Information and Meetings Act 1987 (LGOIMA), information relating to the new government speed setting rule. Please see outlined below a response to each part of your request.

Any costs modelled or actualised necessary to meet new requirements under the Government's new Land Transport Rule: Setting of Speed Limits 2024

This is a difficult question to accurately answer, we are unable to accurately estimate costs which could be incurred in meeting the new requirements, but can provide a rough estimate.

Regarding requirements to reverse speed limit changes set under the 2022 Rule, Council will not incur any costs. Council completed our 2023 Speed Management Plan, which included a number of speed limit changes. Implementation of the speed limit changes was delayed with consideration of the risk of law changes in the leadup to the 2023 election, therefore no speed limits were implemented under the 2022 Rule.

In order to achieve a safe and effective transport network for the Horowhenua, speed limit changes will be required, and this will require the same work undertaken in our 2023 Speed Management Plan to be repeated. Although under the new rule the makes Speed Management Plans optional, the new Rule's processes for changing speed limits is not meaningfully different, except for new, more burdensome processes such as cost-benefit analysis being added.

We can very roughly estimate the cost impacts of the new Rule's requirements to be similar to the costs involved in repeating our 2023 Speed Management Plan, with minor increases to allow for cost escalation and additional processes required by the new rule. The actual speed limit changes we anticipate to be made would be similar to our proposed changes in 2023, with the only change to be 8 school zones which would require variable speed limits rather than permanent speed limits. We would not look to use active, electronic signs for these sites, so we do not expect there to be any significant variance in implementation costs. Our 2023 Speed Management Plan cost \$44,099 in total to complete, we now estimate repeating this process under the new Rule to cost approximately \$52,000.

Any crashes, deaths and serious injuries modelled as a result of speed limit changes to meet requirements under the Government's new Land Transport Rule: Setting of Speed Limits 2024

It is very difficult to quantify, two identifiable safety impacts of the new Rule for Horowhenua would be the delay in implementing speed limits which leaves parts of our network less safe than they otherwise would be for longer and; the possibility that the variable school zone speed limits prescribed in the new Rule would result in a higher crash risk than the permanent speed limits our Speed Management Plan initially proposed.

Our 2023 Speed Management Plan was primarily focused on School Zones, over a 10-year period (01/07/2013-10/07/2023) 103 death or serious injury crashes occurred within local road school zones in the Horowhenua, which account for 9.7% of the death or serious injury crashes on our network, despite the school zones only making up 1.23% of our local roading network.

The impact has not been modelled. However, if we assume that the implementation of speed limits has been delayed by 24 months, and that originally proposed speed limits would have reduced the frequency of death and serious injury crashes by 50%, then it is reasonable to consider 1 more death and serious injury crash is likely to occur due to the new Rule.

We're not familiar with any solid evidence that a variable speed limit will reduce the risk of death and serious injury crash less than a permanent speed limit outside a school, though our expectation is that there would be a reduction, with an expected lower compliance of speed limits in variable zones, and with high usage of vulnerable road users outside the variable speed time periods. We couldn't put an assumed or estimated difference in death and serious injury crash frequency with the information we have.

Another complicating factor is that, in our opinion, our proposed speed limits outside schools were not going to be effective in isolation, and our ongoing safety improvement programme, which NZTA have entirely cut funding for, would have delivered the majority of safety benefits across our network. Raised safety platforms at crossing points are far more effective at reducing the risk of death and serious injury crashes than speed limit signs.

Any crashes, deaths and serious injuries modelled from changing to the previous speed rule - Land Transport Rule: Setting of Speed Limits 2022

I believe the previous answer covers this question.

Any submission your organisation prepared for the consultation on the draft Land Transport Rule: Setting of Speed Limits 2024, and any feedback otherwise given to the Ministry of Transport, Waka Kotahi, the Minister of Transport or his office on the Rule or the new approach to setting speed limits.

Please find the attachment: "Setting of Speed Limits 2024 Submission - 11 July 2024"

You are entitled to seek an investigation and review by the Office of the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you would like to discuss this decision or any of the information provided as part of this request, please contact Daniel Haigh (Group Manager Community Infrastructure) on danielh@horowhenua.govt.nz, or LGOIMAOfficer@Horowhenua.govt.nz.

Ngā mihi



Monique Davidson
Chief Executive

11 July 2024

The Ministry of Transport
P O Box 6140
WELLINGTON 6140

Submission of the Horowhenua District Council on the Land Transport Rule: Setting of Speed Limits 2024 (the draft Rule)

Introduction

The Horowhenua District Council (the Council) appreciates the opportunity to make a submission on the Land Transport Rule: Setting of Speed Limits 2024 (the draft Rule)

This submission has no commercially sensitive information and I have no objection to it being made publicly available.

The Council supports the overarching goal for developing a balanced approach to setting speed limits, with a targeted approach that focuses on high crash areas.

The Council is concerned that the draft Rule will present an unreasonable and unplanned cost and resource burden to Road Controlling Authorities (RCAs), and could cause a loss of public confidence due to reversing, or stopping recently implemented speed limit changes, particularly when robust public consultation processes have been undertaken for recently implemented speed limit changes.

Proposal 1 – require cost benefit analysis for speed limit changes

The draft Rule requires RCAs to undertake cost benefit analysis (CBA) when consulting on proposed speed limit changes.

This proposal has merit for higher volume transport corridors, where the cost impact of travel time and vehicle operating costs can be expected to be more than negligible, and should be considered against potential benefits.

For lower volume, and shorter length roads, it is difficult to imagine a scenario where the cost of undertaking a CBA would be less than the potential economic impacts of a speed limit change, particularly where existing operating speeds do not significantly vary from the proposed speed limit.

There are many roads where a small proportion of motorists exceed speed limits by 20kph or more, but the road's operating speed is lower than the existing posted speed limit. In these situations lowering the speed limit to a reasonable degree, such as 50kph to 30kph or 40kph, in areas such as a school zone or areas with large numbers of pedestrians, will be unlikely to significantly alter the road's operating speeds. In this scenario a CBA would be a misuse of resources. The benefit of such a speed limit change would

allow Police to deliver stronger enforcements to motorists who present a greater risk to the more vulnerable parts of the road network.

Recommendation

We recommend including two exceptions for this requirement:

1. A CBA is not required for sections of road with less than 2000 average annual daily traffic, for speed limit areas with a cumulative centreline length of less than 2km.
2. A CBA is not required where the existing 85th percentile operating speed is not more than 5kph higher than the proposed speed limit.

Proposal 2 - strengthen consultation requirements

The draft Rule ensures RCAs undertake genuine consultation and increases transparency of decisions in response to feedback received.

Council support the requirement to have NZTA to follow the same process as other RCAs, although anecdotally, it is understood NZTA have generally followed these requirements.

As an RCA which has recently undertaken a consultation process for speed limit changes using the 2022 rule, we are confident that our consultation process meets these requirements. Requiring RCAs to repeat this process if speed limit changes under the 2022 Rule comply with the 2024 Rule, would be enormously wasteful. Meaningful engagement with the public could not be expected when consulting on the same changes in such a short period, and would damage the public's trust.

Recommendation

It is recommended that speed limit change consultation completed under the 2022 rule are not required to be re-consulted on if the changes comply with the 2024 Rule.

Proposal 3 – require variable speed limits outside school gates

The draft Rule requires variable speed limits outside school gates during school travel periods.

There are many circumstances where a permanent speed limit delivers better outcomes than a variable speed limit. A blanket approach of variable speed limits rather than selecting the best option for the specific circumstances, in consultation with road users and schools is arbitrary and inefficient.

Variable speed limits require significantly higher implementation costs, it is unreasonable to expect RCAs to select and fund higher cost options in situations where a permanent speed limit presents negligible economic impacts.

Recommendation

It is recommended that permanent speed limits outside schools remain an option, and existing permanent speed limits can remain in place, provided an RCA is able to demonstrate there are no significant economic impacts and consultation with road users and schools has been undertaken.

Proposal 4 – introduce a Ministerial Speed Objective

The Objective will set out the Government's expectations for speed management.

The intention of this proposal appears to seek to empower the Minister to broadly direct speed limit changes at a national level. It is unclear how this direction is intended to interact with the direction of an RCA, specifically elected representatives of local governments. The Minister cannot reasonably expect

that their direction would take precedence over the direction of locally elected politicians, unless full responsibility for setting and implementing speed limits is appropriated by central government.

Recommendation

It is recommended that:

1. Further clarification on the intention of this proposal be provided.
2. Clarification of the how RCA's should treat variations between the direction of their governing bodies and the direction of the Ministerial Speed Objective.

Proposal 5 – changes to speed limits classifications

The draft Rule proposes a schedule of speed limits classifications for each road type.

Council support the schedule of speed limit classifications, and recommended one minor change.

Recommendation

It is recommended that the Description of “Unconventional, low-volume or low speed road types” include the words “extended sections of narrow road, where 2 vehicles cannot pass without one leaving the carriageway” or words to similar effect.

Proposal 6- update the Director’s criteria for assessing speed management plans for certification

The draft Rule proposes to update the criteria RCAs must meet when submitting speed management plans for certification.

Council has no recommendations on this proposal.

Proposal 7 – reverse recent speed limit reductions

The draft Rule proposes that certain speed limits reduced since 1 January 2020 will be reversed by 1 July 2025.

Council does not have an appetite to expend further resources on speed limit changes between now and 1 July 2025. Council has far more significant and pressing matters than repeating a process mandated by central government in such a short time period. All information regarding Council’s recent speed limit changes have been supplied to NZTA. It is Council’s expectation that the steps listed in this proposal can be completed without further Council expenditure.

In the interest of avoiding unproductive expenditure, Council hopes that the more erroneous Proposals in the draft Rule are amended in the final Rule, and no work to reverse speed limit reductions is required.

Recommendations

It is recommended that central government and the agencies working on its behalf, budget to undertake any required work to reverse speed limit changes, and accept that RCAs will not be allocating funding towards this activity.

Feedback on other matters

Speed Management Committee

Council has had no notable interaction with the Speed Management Committee and cannot offer any comment on its value. Eliminating the Speed Management Committee should be considered if its value is not clearly demonstrable. This could serve to streamline speed limit setting processes moving forwards.

Regional Speed Management Plans

These provide no meaningful value. The 2022 Rule is descriptive enough to ensure regional and national consistency, and the draft 2024 Rule is similar in that regard. Council is encouraged to see that this has been identified, and support removing the requirement for Regional Speed Management Plans.

Higher speed limits on certain roads

If suitably qualified engineers assess and endorse raising a speed limit above 110km/h, with consideration to all relevant factors, including safety, maintenance and economic impacts, the Rule should enable the speed limit to be raised.

Conclusion

In conclusion, the Council would like once again thank the Ministry of Transport for the opportunity to lodge a submission on the Land Transport Rule: Setting of Speed Limits 2024. If there are any questions about this submission, please contact me via email at [REDACTED]

Yours sincerely



Monique Davidson

Chief Executive | Tumuaki

Horowhenua District Council