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Te Manatū Waka Ministry of Transport  
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Dear Sir/Madam

**Waikato Regional Transport Committee Submission on Land Transport Rule Setting of Speed Limits 2024**

Thank you for the opportunity to submit on the proposed Land Transport Rule Setting of Speed Limits 2024. Please find attached the Waikato Regional Transport Committee's (the Committee's) submission regarding this document. The submission has been approved by the Chair of the Regional Transport Committee under delegated authority on 10 July 2024.

Should you have any queries regarding the content of this document please contact Nigel King, Acting Manager, Transport Policy and Programmes directly on (07)8590850 or by email [nigel.king@waikatoregion.govt.nz](mailto:nigel.king@waikatoregion.govt.nz).

Regards,

Councillor Mich'eal Downard  
**Chair, Waikato Regional Transport Committee**

## Submission from Waikato Regional Transport Committee on the Land Transport Rule Setting of Speed Limits 2024

### Introduction

This submission has been prepared by the Waikato Regional Transport Committee (Committee). The Committee comprises elected members from Waikato Regional Council and the region's territorial authorities, and regional representatives from Waka Kotahi NZ Transport Agency, KiwiRail, New Zealand Police and CCS Disability Action (Waikato).

The Committee acknowledges the Government's commitment to ensure speed limits are set to assist economic development. The Waikato regional transport network is a critical component of the Upper North Island transport system and freight task, and the safety and efficiency of transport along key strategic corridors is vital for ensuring wider regional and national economic outcomes.

The Waikato region, however, has a road safety problem, with deaths and serious injuries (DSI's) consistently one of the highest in the country. Over the last 5 years, the Waikato has represented on average 19% of New Zealand's total number of fatal crashes. Safety is one of the Waikato region's strategic objectives as outlined in the Waikato Regional Land Transport Plan 2024-2054 (RLTP) and is fundamental to contributing to a safer, more efficient transport network.

The Committee has significant concerns with the Government's direction for road safety, and for speed management in particular. The reversal of speed management decisions as required under the draft Rule will, in the opinion of the Committee, wind back the good work that has been done in this region and around the country, to make our road users and communities safer.

Road Controlling Authorities (RCAs) in the Waikato region have made substantive progress over the last few years, working with their communities to provide safer speed environments and some of these speed management settings have been embedded for a long time. These decisions have been evidence-based and are supported by the community.

It is the view of the Committee that speed management should be led by local government (RCAs) for and with local communities. Regional coordination will ensure consistency of approach in the setting of speed limits, and result in better speed management outcomes for the region. The Committee is therefore concerned to see the draft Rule propose to introduce a Ministerial Speed Objective which will allow the Minister of Transport to overreach the work of RCAs (discussed further under proposal 4).

The Committee is also concerned with the cost and resourcing implications for local government with the proposals to reverse recent speed limits, to require variable electronic signs and to require cost/benefit analysis for each and every speed limit RCA's wish to implement.

The Committee cautions the disregard of international best practice and evidence-based decision making behind the proposals and view this as a major step back for the road safety outcomes envisioned for our region. The reversal of speed management decisions as required under the draft Rule will, in the opinion of the Committee, undo the good work that has been done around the country, to make our road users and communities safer.

A summary of key messages and recommendations are outlined below, with the full submission relating to the draft Rule under the changes proposed in the Consultation Document attached subsequently.

## Key messages and recommendations

1. The Committee appreciates the opportunity to make a submission on the draft Land Transport Rule: Setting of Speed Limits 2024.
2. The Committee **does not support** the introduction of a separate and significantly different CBA used only for the setting of speeds.
3. The Committee **recommend** that if a Cost Benefit Analysis (CBA) is to be used for the setting of speeds, then this should be consistent with the Benefit Cost Ratio (BCR).
4. The Committee **recommend** specific funding is made available to RCAs for speed management work through the NLTF.
5. The Committee **supports** that NZTA follows the same consultation requirements as RCAs.
6. The Committee strongly **recommends** that not only NZTA, but also local RCAs have the ability to retain speed limits for roads, where they can demonstrate community acceptance.
7. The Committee **encourages** the Ministry of Transport to consult directly with schools before finalising this proposal.
8. The Committee **supports** section 3.10 (7) and agrees consultation alongside Māori partners is critical.
9. The Committee **supports** the inclusion of the wording from the previous Rule, to provide opportunities for Māori to contribute to the preparation of a speed management plan.
10. The Committee **recommends** allowing RCAs to consider the environment surrounding each school and tailor speed management applications appropriately.
11. The Committee **recommends** that speed management should be led by local government.
12. The Committee **recommends** that the Ministerial Speed Objective be included in the Government Policy Statement for land transport (GPS).
13. The Committee **encourages** where possible, corridors to be considered in their entirety when addressing speed limits to avoid fragmented decision making.
14. The Committee **agree** with the proposals to updating the Director's criteria for assessing speed management plans for certification.
15. The Committee is **very concerned** that the reversal of recent speed management reductions negates the extensive work that has been undertaken by RCAs and comes with the potential loss of community and public confidence.
16. The Committee is **concerned** that evidence-based, best-practice decision-making is not being considered under this proposal.
17. The Committee **recommends** retaining an **option** for Regional Councils being able to facilitate and compile a Regional Speed Management Plan, rather than mandatory.
18. The Committee **cautions** enabling speed limits of up to 120km/h and notes the additional investment would be better utilised in enabling an improved level of service.

### **Proposal 1 – require cost benefit analysis for speed limit changes**

19. The new Rule requires RCAs to undertake a cost benefit analysis (CBA) for each road when proposing future speed limit changes. However, the supporting consultation information outlines there is uncertainty around quantifying benefits associated with speed limit changes, as many factors need to be considered. Obtaining robust and quantifiable evidence to factor into a CBA will be difficult, time consuming and expensive for RCAs.
20. This could result in RCAs choosing to delay or avoid making necessary speed management changes due to a lack of resources in staff, time and funding. The introduction of compulsory CBA appears to be a way to limit the number of speed changes, while promoting economic development above improving access and mobility, protecting and promoting public health and improved environmental sustainability.
21. The Committee therefore **does not support** the introduction of a separate and significantly different CBA used only for the setting of speeds, as this creates inconsistencies across transport projects and perception of bias with different criteria applied.
22. To overcome the bias perception, the Committee **recommend** that if a CBA is to be used for the setting of speeds, then this should be consistent with the Benefit Cost Ratio (BCR) estimated using the Monetised Benefits and Costs Manual already in use by NZTA and industry. The BCR is currently the primary tool used to measure the efficiency of improvement programmes and activities other than minor improvements.
23. In addition, the Committee **recommend** specific funding is made available to RCAs through the NLTF to cover any increased costs associated with CBA processes, noting this added requirement for CBAs was not signalled earlier and has not been factored into council Long Term Plans (LTPs) or the Regional Land Transport Plan (RLTP).

### **Proposal 2 – strengthen consultation requirements**

24. The draft Speed Rule introduces additional consultation requirements. It is of the view of the Committee that further consultation requirements of RCAs present not only as an additional cost, but also make the process more cumbersome for both staff resourcing and the community. The Committee does however **support** that RCAs (including NZTA) must follow the same consultation process and requirements and that state highway and local road speed change consultation should be treated consistently.
25. A requirement in the new Rule to consult separately on each individual road with a proposed speed limit change will add further costs, complexities and extend timelines to review speeds.
26. The Committee is therefore concerned that Section 12.2 (2) & (3) of the proposed Rule is only available to NZTA – and permits NZTA (by written notice to the Director) to retain previously amended speed limits. There is no recognition given to the process RCAs have used and the community support they have rallied for recent changes.
27. The Committee **recommends** that local RCAs also have the ability to access 12.2(2) & (3), where they can demonstrate a robust community consultation has been used and have the ability to work through the process to retain speed limits for roads that will be considered ‘specified roads’ under the proposed Rule.

28. The Committee **supports** section 3.10 (7) and agrees consultation alongside Māori partners is critical, however, this section should also take into consideration that increased speeds have an impact on compromised road users - particularly Māori who are disproportionately affected in road safety outcomes.
29. The Committee also **supports** the inclusion of the wording from the previous Rule (that is not proposed in the new draft Rule) that RCAs must make reasonable effort to establish and maintain processes to provide opportunities for Māori to contribute to the preparation of a speed management plan.
30. Consultation requirements set out in Section 3.5 for a Regional Council remain unclear. The Committee expects this to be clarified in the final Speed Rule or with guidance from NZTA. Refer also to comments on Regional Speed Management Plans under the heading 'Other Matters' below.

### **Proposal 3 – require variable speed limits outside school gates**

31. The draft Rule requires variable speed limits outside school gates during school travel periods. These are to be replaced with variable 30km/h speed limits during drop-off and pick-up times (proposed as default 8-9:30am and 2:30-4pm nationwide) to slow down traffic as children enter or leave school.
32. Variable speed limits already implemented around schools can remain, however permanent speed limit reductions already implemented around schools will need to meet the new Rule requirements (discussed further in proposal 7). The high cost and maintenance of electronic variable signs and the sheer number of schools in some areas should be considered. Some councils have no funding allocated for speed management in either Long Term Plans or signalled in the Waikato Regional Land Transport Plan.
33. The Committee is disappointed that the new Rule's focus on undoing supposed 'blanket speed limits' and implementing distances (300m or 600m) for speed limits outside school gates and times of operation, will adversely impact the RCAs good speed management work and reputation with communities, developed over many years.
34. The Committee notes that school speed limits in the region have been developed with RCAs in line with national guidance, collaboratively with the schools and are bespoke to each school's circumstances. For this reason, school speed limits have safely (and transparently for drivers) supported school specific opening and closing times, together with their children's specific assembly and dispersion requirements for the surrounding neighbourhood.
35. While supportive of lower speed limits outside of schools, the Committee strongly **encourages** the Ministry of Transport to consult directly with schools before finalising this proposal and allow for individual differences in school operating times.
36. The Committee **recommends** allowing RCAs to consider the environment surrounding each school and tailor speed management applications appropriately.

#### **Proposal 4 – introduce a Ministerial Speed Objective**

37. The draft Rule proposes to introduce a Ministerial Speed Objective which will allow the Minister of Transport to set out the Government’s expectations for speed management. It is understood from the consultation document that through the Objective, the Minister can signal the pace, scale and focus of change they expect RCAs to work to, including directing the types of roads, percentage of the roading network, or other criteria RCAs should focus on.
38. As noted in the introduction to this submission, the Committee is concerned with what appears to be ministerial overreach in the draft Rule. The Regional Advisory Group to the Waikato Regional Transport Committee includes RCA technical staff who directly work in this space, and they are particularly alarmed that the Government is seemingly wading into the statutory role of RCAs, taking away the autonomy of RCAs to ‘do their job’.
39. It is the strongly held view of the Committee that speed management should be led by local government and that local decision-making, coordinated regionally to ensure consistency of approach, will result in better speed management outcomes for the region. This approach has been embedded in the 2024 Waikato RLTP. The proposal will take decision making away from local communities and councils and the view is that speed is being unnecessarily politicised.
40. Furthermore, it is considered the appropriate place for any ministerial speed management objective is in the GPS on land transport, and/or in an updated national road safety strategy, not in a Land Transport Rule.
41. The Committee **recommends** that the Ministerial Speed Objective be included in the GPS.

#### **Proposal 5 – changes to speed limits classifications**

42. The draft Rule proposes a schedule of speed limit classifications that specify speed limits available for each road type. The Committee encourages where possible, corridors to be considered in their entirety when addressing speed limits to reduce situations where there are fluctuations in speed due to fragmented decision making. This will ensure a consistent approach for road users across the region and limit inconsistencies within and between districts. The ability to apply multiple 10km variances as indicated in the Rule, becomes problematic for road users and are a step backwards from previous direction, to simplify setting of speeds and give consistency.

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

43. The draft Rule proposes to update the criteria RCAs must meet when submitting speed management plans for certification. The Committee agree with the proposals to updating the Director’s criteria for assessing speed management plans for certification.

#### **Proposal 7 – reverse recent speed limit reductions**

44. The draft Rule proposes that certain speed limits reduced since 1 January 2020 will be reversed by 1 July 2025 on the following roads:
- local streets with widespread 30km/h speed limits surrounding a school
  - arterial roads (urban connectors)
  - Rural State highways (interregional connectors)

45. Overall, the Committee is concerned that the reversal of recent speed management reductions negates the extensive work that has been undertaken by RCAs in developing their speed management plans. This includes undermining extensive community consultation and decision-making, and the cost of these reversals is not considered to be 'value for money', which is a key priority of the Government under the GPS.
46. With respect to the reversal of permanent 30km/h speed limits around schools, the Committee is concerned that removing these will undermine the RCAs good speed management work and reputation with communities, developed over many years (refer to comments on Proposal 3).
47. The consultation document acknowledges that reversing certain types of reduced speed limits may result in higher average operating speeds. It is particularly concerning that the level of impact of this proposal on land transport safety has not been assessed, seemingly brushed off as being too difficult to quantify. Yet on the other hand, the proposal requires RCAs to complete Benefit/Cost Analysis road by road, as discussed in proposal one of this submission.
48. The Committee is concerned that evidence-based, best-practice decision-making is not being considered under this proposal. Permanent 30km/hr speed limits recently introduced around schools and local neighbourhoods in the Waikato region (often where there are clusters of schools) would need to be reversed to meet the proposed requirements for variable speed limits instead (refer to comments under Proposal 3).
49. It is known through international best practice that 50km/h is not the safest speed to have in urban areas and neighbourhoods and many councils in the region have introduced 40km/h 'safer speed' areas. Hamilton City Council has front-footed this and has evidence that these areas, when gradually introduced, are safer than other areas in the City that remain at 50km/h.
50. With respect to the reversal of speed limit changes on rural state highways, there is an ability in the draft Rule for NZTA to retain lowered speed limits if they can demonstrate public support on all or part of the route. The Committee strongly **recommends** that this option should also be made available to all RCAs so that the speed limit can remain lowered on local roads, where there is demonstrated public support.
51. The Committee is concerned at the potential loss of community and public confidence as the speed reversals flip-flop and make previous public consultation redundant.

#### **Feedback on other matters**

#### **Regional speed management plans**

52. The 2022 Rule introduced the requirement for the development of regional speed management plans, the purpose of which was to support a whole-of-network approach and to ensure regional consistency of speed limits. Whilst in theory this sounds reasonable, the prescriptive process and doubling up of effort, especially with regards to consultation requirements, made it difficult to see the benefits of a regional speed management plan. The consultation document acknowledges that so far only one regional speed management plan has been submitted for certification.

53. In the Waikato region, coordination has taken place at the local level with a consultant working across multiple territorial authorities in developing local speed management plans, while the regional council has facilitated the development of a set of regional speed management principles to ensure consistency of approach.
54. From a Waikato perspective, a mandatory requirement for regional speed management plans to be developed is **not supported**. We have ten territorial authorities in the region, and while sharing common issues, they have particular speed management and community concerns, and varying degrees of ability to finance and resource the work. While some of our councils have been well ahead in their speed management planning, some have not.
55. The Committee **recommends** retaining an option for Regional Councils being able to facilitate and compile a Regional Speed Management Plan if that is the favoured direction of the RTC and local RCAs.

### **Higher speed limits on certain roads**

56. The Committee **cautions** enabling speed limits of up to 120km/h on roads that are built and maintained, and will be managed, to safely accommodate that speed. The level of investment into Roads of National Significance (RoNS) to enable 110km/h speed limits is significant already. The additional investment to enable 120km/h safely on a few short lengths of State highway would be better invested in enabling a better level of service across the 100,000km of State highway and local road network.
57. The raising of speed limits on RoNS may lead to increasing mean speeds on adjoining or neighbouring local roads and could lead to increased harm. If speed limits are increased, enforcement policing needs to be increased in the proximity of the RONS.
58. The Committee notes that the freight industry would receive no benefit from more 110 or 120km/h roads, as heavy vehicle speed limits are restricted to travelling at 90km/h.

### **Conclusion**

59. The Committee thanks the Ministry of Transport for the opportunity to comment on the draft Land Transport Rule Setting of Speed Limits 2024. We do not wish to be heard in support of this submission.

### **Submitter details**

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