



14 January 2025

Daisy Cadigan

Daisy.Cadigan@parliament.govt.nz

Dear Daisy Cadigan

Request for Information – Local Government Official Information and Meetings Act (the Act) 1987

We refer to your request dated 3 December 2024. We will answer each of your questions in turn.

- Any costs modelled or actualised necessary to meet new requirements under the Government's new Land Transport Rule: Setting of Speed Limits 2024 – **HCC has incurred no costs.**
- 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 **None.**
- Any crashes, deaths and serious injuries modelled from changing to the previous speed rule – Land Transport Rule: Setting of Speed Limits 2022 **None**
- 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. **See the attached Submission and Committee paper.**

If you are unhappy with this response, or with the way Council has arrived at the fees it charges, you can seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website. Please refer to the following link: www.huttcity.govt.nz/council/contactus/make-an-official-information-act-request/proactive-releases

Yours sincerely

Philip Rossiter

Senior Advisor, Official Information and Privacy

01 July 2024

File: ()

Report no: IARCC2024/3/182

Submission on the Land Transport Rule: Setting of Speed Limits Rule 2024

DECISION MAKING CHECKLIST

This checklist is designed to assist report writers and decision makers to more easily understand and comply with the obligations of the Local Government Act, whilst providing a legal record of how the process was followed.

There are specific obligations in the Local Government Act 2002 for Council to consider a range of factors when making decisions. The Decision Making Checklist is applicable to all reports seeking a decision to CLT, Council, Committees or Community Boards.

For information on decision making powers and delegations, check Council's [Terms of Reference](#), the [Delegations Register](#) and [Functions and Delegations for Community Boards 2019-2022](#).

For information on Council's approach to determining the significance of proposals and decisions, and when it will undertake engagement and/or consultation on those matters, check Council's [Significance and Engagement Policy 2018-2022](#).

LEGISLATIVE REQUIREMENTS		Comments
	Does this decision fit the purpose of local government by enabling local decision-making and action by, and on behalf of, communities; and promoting the social, economic, environmental, and cultural well-being of communities in the present and for the future <input checked="" type="checkbox"/>	

Does your report explain how the decision will promote the social, economic, environmental and cultural well-being of communities, and include reference to the relevant Council strategies covering these areas?		Not applicable	Click here to enter text.
Have you identified, and assessed, all reasonably practicable options in your report?		Not applicable	Click here to enter text.
Guided by the <i>Significance and Engagement Policy</i> , does the report address the views and preferences of persons likely to be affected by or have an interest in the matter, and provide opportunities for engagement or consultation with those parties, e.g. youth, iwi?		Not applicable	Click here to enter text.
If the decision sought is significantly inconsistent with Council policy or plans required by legislation, does the report identify the inconsistency, reasons for it, and any plans to amend documents in order to accommodate the decision?		Not applicable	Click here to enter text.
Are you providing opportunities for Maori to contribute to decision making on this matter? Refer to Community Engagement Strategy and Contact the Kaitakawaenga Kaupapa Maori		Not applicable	Click here to enter text.
OTHER CONSIDERATIONS			Comments
Does this report require specialist input (for example, advice from the Legal team, the Communications team, People and Capability, Finance, or Risk Management)?		No	Click here to enter text.
Health and Safety: Are there any health & safety implications or risks to others in making this decision? If so have these risks been assessed in accordance with the Health & Safety at Work Act 2015 and what actions may be taken to reduce the risk of harm?		No	Click here to enter text.

Purpose of Report

1. To approve the submission to be made on 11 July 2024 from Council on proposed Ministry of Transport changes to the Setting of Speed Limits Rule.

Recommendations

That the Committee:

- (1) approves the submission to be made on 11 July 2024 on the proposed Setting of Speed Limits 2024 consultation; and
- (2) notes that the consultation closes on 11 July 2024.

Background

2. The Ministry of Transport has sought feedback on proposed changes to the Setting of Speed Limits Rule. This consultation closes on 11 July 2024 and the consultation document is attached as Appendix 1 to the report.
3. The process for making speed limit changes sits in the Land Transport Act 1988 (the Act). The Act enables the Minister of Transport to set speed limits for roads and empowers road controlling authorities (RCAs) by setting out the criteria procedures to be complied with when setting speed limits.
4. The Setting of Speed Limits Rule was last changed by the previous government on 1 January 2020. This change resulted in speed restrictions around schools, on arterial roads and state highways. The consultation document proposes to reverse these speed limit reductions.
5. Road Controlling Authorities have been asked to provide feedback on seven proposals as set out in the consultation document.
6. The consultation document is silent on the availability of funding to achieve the objectives placing potential burden on Council budgets and works programmes.

Discussion

7. A summary of the main points of our submission is set out below.
 - a) Council does not fully agree with the proposal to require a cost benefit analysis for speed limit changes;
 - b) Council agrees with the proposal to retain the intent of the Local Government Act 2002 consultation requirements, thereby retaining existing consultation requirements;
 - c) Council does not agree with the proposal to require variable speed limits outside school gates;
 - d) Council does not fully support the proposed reversing of speed limits set under the current Speed Limit Setting Rule (2022).

- e) The draft rule does not provide sufficient evidence of the effectiveness of reversing speed limits and does not discuss how funding will be made available.

Options

8. Approval is sought for the Consultation Submission.

Climate Change Impact and Considerations

9. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.
10. There is no direct climate change implication.

Consultation

11. No external consultation or engagement was made.

Legal Considerations

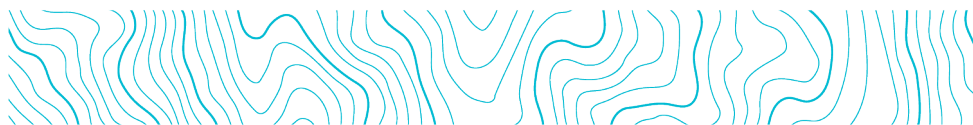
12. No legal process implications are foreseen to making this submission.

Financial Considerations

13. The consultation document does provide sufficient detail on the funding availability for the reversal of permanent 30kph zones around schools by 1 July 2025 or the introduction of variable speed signs outside school gates by 31 December 2027.

Appendices

No.	Title	Page
1	Appendix 1 - Council Submission on the Draft Land Transport Rule 2024	



Hutt City Council Setting of Speed Limits 2024 consultation feedback

11 July 2024

Introduction

This document represents Hutt City Council's response to the draft Land Transport Rule: Setting of Speed Limits Rule 2024 (the draft Speed Rule) that was released for public consultation on 13 June 2024.

Hutt City Council has undertaken considerable work since the publication of the Setting of Speed Limit Rule (2022). Three speed management plans have been approved by council for roads around CBD Schools, Non-CBD Schools and City Wide. Hutt City has also implemented the Non-CBD School Speed Management Plan. The cost to-date for development of the plans, consultation and implementation of 400 signs across 43 schools is approximately \$570,000.

Hutt City Council believes that the Council and Community have the best understanding of what speed limits are appropriate to create safe environments for all network users and the Setting of Speed Limits Rule should empower RCA's to incorporate this.

Our feedback is set out under each of the proposals below.

Engagement feedback proposal

Proposal 1 – Cost benefit analysis for all speed limit changes

Hutt City Council supports making well-informed decisions and developing an understanding of how decisions impact people, as well as the inclusion of economic benefits in the decision-making process.

Hutt City Council does not agree with the use of crash statistics in the Cost-Benefit Analysis because they are likely to be underreported. The primary source of crash data used by Hutt City Council (and other Road Controlling Authorities) is the Crash Analysis

System database. According to information provided by NZTA, the agency recognises that only one-fifth of all crashes are reported or recorded.

Furthermore, it is recognised that travel time equals distance divided by average speed. However, calculating the travel time saved by increasing speed is difficult due to its non-linear function. Provided that there is no association between safety and travel time with the Cost Benefit Analysis, the criteria set in the draft is deemed unsatisfactory.

Proposal 2 – Strengthen consultation requirements

We agree with the consultation requirements to follow the principles from the *Local Government Act 2002*.

Proposal 3 – Require variable speed limits outside school gates

Hutt City Council disagrees with this proposal. Changing the speed limits that were previously approved to operate at lower speeds (i.e., 30km/h) is likely to cause public opposition, as the perception of safety from the lower speed zones has already taken hold.

Since the sign-off of the School Speed Limits 2022, Council has been working broadly with Community Boards; undertaking public consultation with the community and key stakeholders. In 2023, Hutt City Council received approval to change the speed limits around 43 suburban schools, with these changes receiving support from the public. Feedback during consultation for these changes received 75% support from the community and 100% support from schools. Reversing these speed limits will likely cause safety issues and confusion around schools, due to changed or variable speeds when schools and the public are already used to the safer, lower speeds to protect our tamariki and rangatahi.

When the speed limit changes were proposed by Hutt City Council in 2023, an area-wide approach was recommended. The consultation document suggests implementing variable speed limit changes only on roads immediately adjacent to the schools. Limiting speed limits to operate exclusively near school gates (e.g. within 300m) will not provide a safer environment for whanau to travel to school.

Proposal 4 – Introduce a Ministerial Speed Objective

We believe it is too early to introduce changes to the expectations placed on Road Controlling Authorities regarding setting speed limits. The objectives do not provide evidence that reversing the speed limits will effectively improve transport safety and/or enhance access and mobility.

Councils know their communities the best and are, therefore, best placed to determine what the appropriate speeds and conditions are for their jurisdiction.

Without knowing what the proposed Ministerial speed objective could contain, it is difficult to provide any constructive feedback.

Page 3 of the draft states that “the exact impacts are difficult to quantify”. Council disagrees with this statement, as it is possible to use quantitative data to compare the results of the speed limit changes before and after the current speed limits.

Hutt City Council believes speed limit changes need to be based on a number of considerations including the environment of the road, pedestrian and cyclist usage, location of shops, schools and other amenities to make well informed decisions about speed limits.

Proposal 5 – Changes to speed limit classifications

Hutt City Council partially agrees with these changes. We are not in favour of increasing speed limits in areas where there is a high demand from pedestrians, cyclists and other vulnerable road users who may be exposed to unsafe speeding environments.

Additionally, Council does not support increasing speeds in urban connector areas and beach areas. Our strong preference is for speeds in places like community centres, CBDs, beaches and shopping centres to remain under the current settings.

Proposal 6 – Update the Director’s criteria for assessing speed management plans for certification

Hutt City Council understands that should the draft rule be finalised as presented, the Director’s criteria for assessing plans will be updated.

To reiterate our position, we oppose the use of underreported crash statistics in the Cost Benefit Analysis, the increase of speed limits in high pedestrian areas, and the reversal of recent speed limit changes around schools.

Proposal 7 – Reverse recent speed limit reductions

Hutt City Council does not support the proposed reversing of speed limits, particularly in school zones and areas with high pedestrian and cyclist demand.

The draft does not provide sufficient evidence of the effectiveness of reversing the speed limits and lacks clarity how funding will be distributed to Road Controlling Authorities to implement such changes. Council seeks more clarity on these issues.

The reversing of speed limits also creates an opportunity cost. To-date Hutt City Council has spent approximately \$570,000 on implementing speed limit changes. The money to reverse these changes is estimated to be of a similar order and is money that could have been diverted to other road safety measures.

For a Road Controlling Authority, reversing speed limits requires alternative speed control methods to be considered such as the implementation of traffic calming measures (e.g. raised crossings, chicanes etc). Provided that the GPS does not prioritise the implementation of such devices, HCC is concerned that alternative methods may not be effectively implemented due to budget constraints.

The consultation seeks feedback on the cost of implementing the changes. Excluding the removal of recently installed signage, the requirement for other traffic control engineering devices will vary to establish an estimated cost.

Conclusion

Hutt City Council does not agree with the intent of the proposed changes to the Land Transport Rule: Setting of Speed Limits 2024 (the draft rule).

We believe that the increases in safety for tamariki and rangatahi around our schools would be undone by the proposed changes that we have implemented around 43 schools over the past year. As noted in this submission, we believe that Councils are the best placed to set the appropriate speeds and safety for our communities under the settings of the current rule.