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## NOTICE OF MEETING

**Notice is hereby given of the Extraordinary Meeting  
of the Infrastructure and Projects Committee  
to be held in the Victoria Room, Civic Theatre,  
88 Tay Street, Invercargill on  
Tuesday 9 July 2024 at 2.00 pm**

Cr G M Dermody (Chair)  
Mayor W S Clark  
Cr A J Arnold  
Cr R I D Bond  
Cr P M Boyle  
Cr S J Broad  
Cr T Campbell  
Cr A H Crackett  
Cr P W Kett  
Cr D J Ludlow  
Cr I R Pottfenger  
Cr L F Soper  
Cr B R Stewart  
Rev E Cook - Māngai - Waihōpai  
Mrs P Coote - Kaikaunihera Māori - Awarua

MICHAEL DAY  
CHIEF EXECUTIVE

# Extraordinary Infrastructure and Projects Committee - Public

09 July 2024 02:00 PM

Agenda Topic	Page
1. Apologies	
2. Declaration of Interest	
a. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.	
b. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.	
3. <a href="#">Submission to the Draft Land Transport Rule: Setting of Speed Limits (A5440816)</a>	3
3.1 <a href="#">Invercargill City Council Draft Submission on Land Transport Rule Changes (A5441103)</a>	7

## **SUBMISSION TO THE DRAFT LAND TRANSPORT RULE: SETTING OF SPEED LIMITS.**

**To:** Infrastructure and Projects Committee

**Meeting Date:** Tuesday 9 July 2024

**From:** Doug Rodgers – Manager – Strategic Asset Planning

**Approved:** Erin Moogan - Group Manager - Infrastructure Services

**Approved Date:** Thursday 4 July 2024

**Open Agenda:** Yes

**Public Excluded Agenda:** No

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### **Purpose and Summary**

The purpose of this report is to present the Committee a draft submission on the recent speed setting rule changes proposed by the Government.

The Minister of Transport has signalled the Government's vision for a land transport system that boosts productivity and economic growth and allows New Zealanders to get to where they want to go, quickly and safely.

The draft Rule proposes a more balanced approach to setting speed limits to ensure economic impacts and the views of local communities and road users are considered alongside safety. It enables a targeted approach to reducing speed limits that focuses on high crash areas and public acceptability.

### **Recommendations**

That the Infrastructure and Projects Committee

1. Receives the report "Submission To The Draft Land Transport Rule: Setting of Speed Limits".
2. Approves the draft submission.

### **Background**

The proposed speed setting rule was released to road controlling authorities and was recently covered by the recent Regional Transport Committee meeting and the Technical Advisory Group.

The draft rule is summarised in the consultation document as:

*The Minister of Transport has signalled the Government's vision for a land transport system that boosts productivity and economic growth and allows New Zealanders to get to where they want to go, quickly and safely.*

*The draft Rule proposes a more balanced approach to setting speed limits to ensure economic impacts and the views of local communities and road users are considered alongside safety. It enables a targeted approach to reducing speed limits that focuses on high crash areas and public acceptability.*

*The draft Rule also proposes to require reduced variable speed limits outside all school gates during drop-off and pick-up times, and will enable speed limits on expressways to be set at 110km/h more easily.*

### **Speed Management Plans**

Currently Council has a Speed Management Plan developed under the previous rule. The new propose rule does not require road controlling authorities to redevelop speed management plans already in place, nor does it require councils to have one.

Council currently has an existing plan in place, and is not required to re-examine it in the context of the proposed draft rule, but can do so, should it be seen as necessary in the future.

### **Issues and Options**

#### **Analysis**

The new proposed rule is intended as a catalyst and driver of economic benefits. The draft rule has a stated intent, amongst others, to:

1. Assist economic development
2. Improves access and mobility
3. Protects and promotes public health
4. Management of Infrastructure impacts
5. Ensures environmental sustainability

In summary the parameters of new draft rule:

- Reverses recent speed limit reductions
- Requires cost benefit analysis (CBA) to be undertaken when consulting on speed changes.
- Strengthens consultation requirements
- Requires variable speed limits outside school gates
- Introduces a Ministerial speed objective
- Contains changes to speed limits classifications
- Proposes to update the criteria RCAs must meet when submitting speed management plans for certification.
- The draft rule also enables some roads to have a speed limit of 110km/h

Within the proposed rule, Council has the opportunity to advance community views as drivers for strategies for speed management.

The new rule sets standards for schools signs (variable speed) and this has provided concerns across the RCA community.

### **Implications for Council**

The draft submission responds to the new priorities outlined above and focuses on the safety implications of the new rule and associated risks across network consistency.

### **Options**

1. Approve the draft submission
2. Approve the draft submission with minor changes
3. Do not approve the draft submission

### **Community Views**

Community views have previously been canvassed as part of the Speed management Plan development process and Regional Land Transport Plan development. Submissions on the proposed rule are open currently.

### **Implications and Risks**

#### **Strategic Consistency**

This report is consistent with strategic frameworks

#### **Financial Implications**

Council may face additional costs from BCA processes

#### **Legal Implications**

There are no legal implications

#### **Climate Change**

The contents of this report have no climate change implications. The proposed rule does not directly address climate change

#### **Risk**

There are no substantial risks associated with the submission.

### **Next Steps**

The submission will be finalised and submitted to Government.

### **Attachments**

1. Invercargill City Council Draft Submission on Land Transport Rule Changes (A5441103).



Thursday 4 July 2024

## **Invercargill City Council Submission on Land Transport Rule: Setting of Speed Limits 2024.**

Invercargill City Council (ICC) welcomes the opportunity to provide feedback on "the proposed Land Transport Rule: Setting of Speed Limits 2024.

Invercargill is the commercial centre for the Southland region. The council's vision is to create "Our city with heart – He Ngākau Aroha" reflected in significant public and private investment into the city centre over the last few years. The district has an estimated population in 2023 of 57,100. The city is not expected to have significant population growth but has the capacity in its infrastructure currently to satisfy a population of at least 60,000 or more. Its land area is around 49,000 hectares and includes the city, surrounding rural land and the port township of Bluff.

### **Our Road Infrastructure**

Invercargill City Council manages 295 km of urban sealed roads, 302 km of rural roads (123 km of those unsealed), 55 bridges, 500 km of footpaths (including off road cycle lanes) along with streetlights and off-street facilities.

The removal of previous speed limit reductions implemented since 2020, increases risk to pedestrians, cyclists and vehicle users.

Whilst an increased speed environment reduces travel time providing tangible and intangible benefits, higher speed environments have been shown to increase the severity of crashes and an increased risk of more serious injury.

### **Proposal 1 – Requiring cost benefit analysis (CBA) for speed limit changes**

The proposal will require benefit/cost analysis to be completed when consulting on speed limit changes. ICC would like to recommend that vehicle operating costs (VOC) are included as an impact to be considered in the draft rule. It is important to account for the fact that increased travel speed is correlated with increased fuel consumption.

There is a contradiction in the proposed rule that states:

*"Costs include any negative impacts attributable to the change (for example, **increased travel times** and increased number and severity of crashes) and implementation costs."*

However, it then states:

*"The approach **would not** enable negative impacts like increased travel times to be treated as a disbenefit for the purposes of calculating any benefit cost ratio."*

A5441103

It is difficult to understand how this is workable, given a disbenefit is treated in the manner as a cost in an economic sense, particularly for tangible costs.

Travel time savings based on actual speeds, and should not be confused with speed signs providing an arbitrary speed environment that often will not reflect actual speeds.

ICC is also concerned that costs are being passed to Road Controlling Authorities without a commitment to fund those additional costs for additional analysis being required using CBA.

Higher speeds in our network will result in additional risk to our users. There is also a higher inherent cost to manage higher speed roads when remedial works are being constructed.

## **Proposal 2 – Strengthening consultation requirements**

Councils have already been using the consultation approach being proposed and **supports** that all RCAs (ie including NZTA) follow the same consultation requirements.

ICC is therefore **concerned** that the Section 12.2 (2) & (3) of the proposed Rule is only available to NZTA and that there is no recognition given to the process Councils have used and the community support they have for recent changes.

ICC **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, to be able to work through the process to retain speed limits for roads that will be considered 'specified roads' under the proposed Rule.

## **Proposal 3 – School requirements**

ICC **does not support** the proposed hours of operation of variable speed limits outside school gates as they are excessive and will create un-necessary and new delays and will result in driver frustration and increasing likelihood of ignoring the signage.

Variable speed limits in accordance with Traffic Note 37, are bespoke to each school and are for 55minutes per school day.

The proposed Rule would increase this operating time by over 200%, or over three times, to 180 minutes each day, significantly increasing delays to drivers on main roads, and for no tangible safety benefit as there is little or no activity at the school gate during the increased times.

The excessive operating times will mean that there are speed limits operating when there is no activity at the school gate, leading to frustration and 'bad habits' for drivers as they will not understand the reason for slowing when no children are present:

- a) from 8am which is up to an hour before many schools start;
- b) up to 9.30 which is up to half an hour after most schools start;
- c) from 2.30pm which is half an hour before children are let out from classes; and
- d) up to 4pm which would be an hour after most schools have closed more than half an hour after children have left school completely.

The current variable speed limit best practice operating requirements, set out in Traffic Note 37 include:

- e) Factors required for the successful operation of a 40km/h variable speed limit in a school zone are:



- having times of operation coinciding with on-road, school-related activity  
The signs may operate for a maximum period of:
    - 35 minutes before the start of school until the start of school.
    - 20 minutes at the end of school commencing no earlier than five minutes before the end of school
- f) Unless the signs are manually turned off earlier, they must turn off automatically when the maximum period has elapsed.

ICC urges the retention of the approach outlined in Traffic Note 37 to continue, as it is workable. The proposed rule is not, i.e.

- *10 minutes at any other time of day when children cross the road or enter or leave vehicles at the roadside.*

This additional provision is regularly used by schools that have extra-curricular activities such as sports activities during the school day and at weekends, and ICC strongly recommends such provisions are retained.

ICC **strongly disagrees** with the proposal to introduce static variable speed limit signs on main roads. The following statement in the supporting documentation is incorrect:

Recent trials across New Zealand utilising static variable speed signs did not reach a conclusive view on the efficacy of these installations.

A recent comment on the outcome of these trials was:

*The purpose of this trial was to determine how effective the static school speed signs were at reducing vehicle speeds around schools. Because of the limitations in the data collection and mixed results that were observed, it is determined that the effectiveness of these signs is **inconclusive**.*

The other reason static variable speed limit signs have been shown not to work is that drivers don't know the specific time when they are driving past a school – they might understand what time they are likely to arrive at whatever their destination is, but the time of day is not front of mind for drivers at all times as it is not required for the driving task itself. Electronic variable speed limit signs are the only effective speed limit sign outside schools as they display the correct speed limit directly to the driver at precisely the time they need to know it and act on it.

- g) Professional experience shows that the provisions in Traffic Note 37 have been proven to work; and
- h) NZTA's own most recent 'inconclusive' trial of static variable speed limit signs, ...that "amending the TCD Rule and the *Land Transport (Road User) Rule 2004* to allow static variable speed limit signs on main roads" is contrary to best practice and will be detrimental to child safety.

ICC is concerned with the definition of 300m for 'outside a school gate' in urban environments. Children walk and cycle a lot further than 150m from the school gate, and communities. Recent school safety consultations in Invercargill confirm this.

Variable speed limits outside schools should enable flexible, sensible implementation as is provided by the current best practice guidance detailed in Traffic Note 37. This would improve the safe use of the road corridor for children.

ICC requests that specific 'lowest common denominator' lengths do not form part of the Rule and that the existing guidance from Traffic Note 37, which RCAs have used successfully for over 20 years, should be retained for the urban environments as guidance:

ICC **disagrees** with the proposed amendment to the *Land Transport (Road User) Rule 2004* to introduce default variable speed limit times and which would be reflected in the Road Code for two reasons:

- i) The proposed default times of 8-9.30 am and 2.30-4pm are too long and do not reflect school operating hours. For this issue one size does not fit all; and
- j) Drivers are not often aware of the time of day precisely when travelling. This is why static variable speed limit signs don't work as effectively as they should. In this scenario electronic speed limit signs are far more effective when travel speeds are higher and drivers are required to slow (i.e. main roads and in rural areas).

For these two reasons it is wrong to think that adding school times to the Road User Rule will make illegible static signs on main roads work. There is no evidence this has worked elsewhere.

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

Whilst ICC agrees with the proposal to introduce a Ministerial Speed Objective it is with the caveat that the objective is timely and well in advance of when the 'first draft State Highway speed management plan' is provided to Road Controlling Authorities.

Introducing the Ministerial Speed Objective at the time of the Government Position Statement reduces the time that Local Authorities and RCA's have to prepare and consult on Speed Management Plans in order to feed into the preparation of Long-Term Plans, so RCAs will all just default to the alternative method of setting speed limits.

#### **Proposal 5 - Changes to speed limits classifications**

ICC disagrees with the proposal introducing a binding schedule of speed limit classifications.

Road classifications are broad categories that are not equal by all parameters and variables. This is clearly reflected in the information that NZTA develops for speed management for roads.

#### **Proposal 6 – Reverse recent speed limit reductions**

We do not support the requirement to reverse recent speed limit reductions and particularly the differentiation between state highway and local road requirements. Where speed limit reductions have been implemented or proposed with community support the RCA should be given the opportunity to retain the status quo. That is leave the speed limit as change or continue with the implementation of the new proposed limits that have been consulted on and have community support.

The risks in requiring reversal of these speed limits include:

- The significant costs associated with these reversals, this does not align with the value for money or efficiency values set out in the GPS 2024.
- Loss of community and public confidence as speed limits change after public acceptance has already been gained and community desires have been heard.
- The requirement for reductions to meet a specified time frame will be difficult for many RCAs to achieve. Some of these speed limit changes have been made under the old Bylaw process and the rule does not take this into account.

**We recommend the requirement to reverse speed limit reductions since 2020 be reviewed to take into account the risks and comments in this submission.**

## **Conclusion**

Invercargill City Council request that due consideration be given to the matters raised in this submission. We welcome any feedback the Ministry can provide and look forward to a substantially redrafted rule being implemented.

Thank you once again for the opportunity to make a submission on the draft rule. Should you require any further information please contact Doug Rodgers, Manager – Strategic Asset Planning, [doug.rodgers@icc.govt.nz](mailto:doug.rodgers@icc.govt.nz).

Yours faithfully

Tom Campbell  
**Deputy Mayor**