

## Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

Listed below are the most commonly used grounds from the OIA.

<u>Section</u>	<u>Description of ground</u>
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> <li>(i) the Government of any other country or any agency of such a Government; or</li> <li>(ii) any international organisation</li> </ul>
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)



20 December 2023

OC231067

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Friday, 19 January 2024

## **SETTING OF SPEED LIMITS RULE REVIEW - TERMS OF REFERENCE**

### **Purpose**

Seek your approval of the Terms of Reference for the review of the Land Transport Rule: Setting of Speed Limits 2022.

### **Key points**

- The Ministry of Transport (the Ministry) has prepared a draft Terms of Reference for a review of the Land Transport Rule: Setting of Speed Limits 2022 (the Rule) for your approval.
- The Government's 100-day plan includes a commitment to "Stop blanket speed limit reductions and start work on replacing the Land Transport Rule: Setting of Speed Limits 2022". On 12 December 2023 you announced amendments to the Rule, including revoking the deadline for road controlling authorities (RCAs) and regional transport committees (RTCs) to submit their speed management plans to the NZ Transport Agency (NZTA).
- You have signalled your intention to draft a new rule to ensure RCAs and RTCs take a more balanced approach to setting speed limits and consider economic impacts, travel times, and the views of road users and local communities alongside safety when making decisions. You have also signalled your preference for variable speed limits approaching schools at drop off and pick up times.
- The draft Terms of Reference and proposed timeline in Annex 1 outlines a targeted review that considers the issues you have raised. We have also recommended considering some broader matters to achieve your outcomes, such as the roles and responsibilities under the rule, including in relation to the Speed Management Committee, the Director of Land Transport and the NZTA's guidance.
- The review is intended to result in a new rule and associated guidance. The Ministry will lead the policy development process and the NZTA will draft the rule and make associated changes to its guidance as required. Following your feedback on the Terms of Reference, we can amend the scope of the work as required. We would also recommend publishing the Terms of Reference on the Ministry's website once approved.

- Under the proposed timeline, we will provide you with a briefing seeking policy decisions in late March 2024, with public consultation commencing in July.
- We have had initial meetings with the Automobile Association, Transporting New Zealand and National Road Carriers who have informed the scope of the review as proposed. We will continue to engage with them through this work. We also intend to undertake targeted engagement with RCAs and their representative groups throughout the policy development process.
- The Ministry has consulted with the NZTA as part of the development of the Terms of Reference.

**Recommendations**

We recommend you:

1 **agree** to the draft terms of reference in Annex 1 Yes / No



\_\_\_\_\_  
 Bronwyn Turley  
 Deputy Chief Executive, Regulatory  
 20./ 12./ 2023.....

\_\_\_\_\_  
 Hon Simeon Brown  
 Minister of Transport  
 ..... / ..... / .....

**Minister's office to complete:**  Approved  Declined  
 Seen by Minister  Not seen by Minister  
 Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Bronwyn Turley, Deputy Chief Executive, Regulatory	s 9(2)(a)	✓
Joanna Heard, Acting Manager, Safety	s 9(2)(a)	

**ANNEX 1 – TERMS OF REFERENCE**

PROACTIVELY RELEASED BY  
MINISTRY OF TRANSPORT TE MANATŪ WAKA



# Terms of Reference

## New Land Transport Rule for Setting Speed Limits

### Purpose

This Terms of Reference will guide work on replacing the Land Transport Rule: Setting of Speed Limits 2022 (the current Rule).

### Context

The Government wants a transport system that boosts productivity and economic growth and enables New Zealanders to get to where they want to go, safely and quickly.

Speed limit changes are guided by the current Rule, which introduced a more structured approach to setting and managing speed limits than previous processes. It did this by introducing a requirement for road controlling authorities (RCAs) and regional transport committees (RTCs) to produce speed management plans. It also introduced a National Speed Limits Register administered by the NZ Transport Agency (the NZTA).

The Government's 100-day plan includes a commitment to *"Stop blanket speed limit reductions and start work on replacing the Land Transport Rule: Setting of Speed Limits 2022"*.

The Government has signalled an expectation for a more balanced approach to speed limit setting, including:

- ensuring RCAs and RTCs consider not only safety impacts, but also economic impacts, including travel time, and the views of road users and communities when setting speed limits
- a focus on variable speed limits on roads approaching schools during pick up and drop off times.

Speed plays a significant role in determining the outcome in all road crashes. The framework for setting speed limits plays a vital role in promoting and improving road safety. Ensuring the framework for setting speed limits enables RCAs and RTCs to set speeds that are safe and appropriate for their roads and that are aligned with the expectations of road users and communities will support compliance.

### Scope of the review

The review is expected to result in a new setting of speed limits rule and supporting guidance. The work will consider a range of issues including but not limited to:

- Ensuring RCAs and RTCs sufficiently consider economic factors, including impacts on travel times alongside safety and the views of road users and communities when setting speed limits.
- Clarifying consultation requirements, including a stronger focus on the quality and responsiveness of RCAs and RTCs to community and road user views.
- Providing flexibility for RCAs and RTCs to address speed limits approaching schools in line with community views, including exploring the role of variable speed limits at pick up and drop off times.
- Prioritising speed management on the highest risk/benefit roads.
- Enabling RCAs and RTCs to raise speed limits where roads are safely engineered to allow higher speeds, including enabling new and existing Roads of National Significance to have speed limits of 110km/h where it is safe to do so.
- Enabling RCAs and RTCs to trial new speed limits before making them permanent.

- Investigating the roles and responsibilities under the rule, including those of:
  - the Minister of Transport
  - the Director of Land Transport
  - RCAs and RTCs
  - NZTA guidance, including its creation and approval.
  - the Speed Management Committee
- Reviewing how temporary speed limits are set around worksites to support safety and productivity.

A Regulatory Impact Statement will be prepared as part of the new rule policy development process. This will include a summary of the costs and benefits of any preferred option, including on road safety and economic development, and implementation and monitoring considerations. The general rule making provisions in the Land Transport Act 1998 will apply, including consultation requirements and factors that must be considered when making a rule.

### Roles and responsibilities

- The Ministry of Transport is the lead policy agency for the review. The Ministry will lead on drafting the consultation document and the submissions process with assistance from the NZTA.
- The NZTA will lead on drafting the new rule and any associated guidance material or information to accompany the new rule.

### Timeframes

The expected timing of this work is:

Milestone	Commencement date	Completion date
Terms of Reference (ToR) and cover briefing to Minister	December 2023	20 December 2023
Minister considers ToR and provides comments back to officials on additional matters for inclusion	December 2023	Mid January 2024
Ministry of Transport policy development: - Review of speed management plans and existing settings - Targeted engagement with RCAs and representative bodies, including road user groups. - Officials draft policy paper for the Minister to get agreement to specific matters for consultation.	Mid January 2024	Late March 2024
Officials prepare draft rule, consultation document, Cabinet paper and Regulatory Impact Assessment in line with agreed policy	Early April 2024	Late May 2024
Cabinet process including departmental consultation, Ministerial	Early June 2024	Mid July 2024

Milestone	Commencement date	Completion date
consultation, Cabinet Committee and Cabinet consideration		
Consultation commences on the draft rule and consultation document	Mid July 2024	Late August 2024
Officials analyse and summarise submissions and propose changes to the rule based on consultation	August 2024	Late September 2024
Minister briefed on outcome of submissions and proposed amendments	October 2024	-
Final Rule drafted	October 2024	November 2024
Final Rule provided to Minister for signing	November 2024	-
New Rule in force	28 days after notification in the <i>New Zealand Gazette</i>	
The Agency drafts new guidance	Around 6 months	

PROACTIVELY RELEASED BY  
 MINISTRY OF TRANSPORT TE MANATŪ WAKA



7 February 2024

OC240067

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Monday, 12 February 2024

## **NEW SETTING OF SPEED LIMITS RULE TIMELINE AND POLICY CONFIRMATION**

### **Purpose**

Provide you with a timeline and policy scope to deliver on your 100-day commitment to “replace the Land Transport Rule: Setting of Speed Limits 2022”.

### **Key points**

- Following our meeting with you on 25 January 2024, we understand the key matters you want delivered through the new rule are:
  - Ensure a stronger economic focus is brought into the rule to require Road Controlling Authorities (RCAs) to determine speed limits using consistent benefit-cost analysis criteria.
  - Ensure RCAs undertake genuine consultation with relevant parties, including communities and road users, on proposed speed limit changes and take feedback into account before finalising changes.
  - Take a targeted approach to speed limit reductions, focusing on areas with high safety risks. As discussed with you, the definition of high-safety risk roads needs to be considered further to ensure it reflects your intent. We will work with NZTA to consider alternative options and report back to you as this develops.
  - Require schools that have not yet had reduced speed limits introduced to implement variable speed limits outside the school gate during drop off and pick up times using static or electronic signs. Static signs are not currently widely permitted. Officials will consider whether any other regulatory amendments are required to ensure static signs are also available for RCAs.
  - Review speed limits on suburban streets that have had wide-spread 30 km/h introduced since the 2017 speed rule was introduced and consider for increased speed limits unless outside school gates or on main streets in town centres.
  - Review key State highways that have had speed limits reduced since the 2017 speed rule was introduced. This review will consider where

infrastructure improvements enabling limits to be raised where safe to do so. It will also include reviewing the speed limits to ensure the speed limit reductions are not applied for longer stretches than are necessary to address areas with the high safety risk parts of the network (noting high-safety risk needs further definition as noted above).

- Ensure expressways have a 110 km/h speed limit from inception where they are engineered to safely have this speed limit. Raise speed limits to 110 km/h on current expressways where they are engineered to be safe at this limit, pending a briefing from NZTA as to whether speed limits on these roads will already be increased under the current rule.
  - Tighten the scope of the NZ Transport Agency Waka Kotahi (NZTA) guidance to RCAs to ensure it aligns with the new rule.
  - Strengthen accountability across NZTA and other RCAs to meet the intent of the rule to focus on high-safety risk roads, as well as reviewing the role of the speed management committee and the Director. Our initial view is that we should strengthen the role of the Director to enable the Director to not certify speed limit changes if they do not meet the requirements or the intent of the rule, this includes considering whether the Director would review consultation or BCR quality. We note these changes will impact NZTA resourcing requirements for speed limit reviews s 9(2)(h) [REDACTED]  
 [REDACTED] Officials are working to develop the criteria for the Director's role further and can report back to you on any key risks in this area.
- We have prepared a draft timeline that would deliver these changes noted above. We are confident the rule could be finalised for your signature in August 2024.
  - There are risks and assumptions embedded in the timeline, including the speed at which drafting will be required and the tight consultation timeframe. It will be difficult for us to engage with RCAs and industry bodies ahead of public consultation.
  - We are seeking your agreement to this approach and timeline and for the Ministry to work with the NZTA on drafting the new rule.
  - We note there is a risk that introducing stronger economic analysis and consultation requirements may not always result in speed limits being reversed. The Ministry's economists will work with the NZTA to consider further how to implement this requirement. We will also consider whether there are other factors that RCAs need to review speed limit reductions against.
  - We have enquired with the NZTA about whether RCAs are continuing to progress speed management plans (SMPs) despite the letters you sent out late last year. The NZTA has advised that eight RCAs have confirmed in writing that they intend to progress with their SMPs.
  - These RCAs are: Hutt City Council, Northern Transportation Alliance/Far North District Council – North Hokianga Schools, Timaru District Council, Waitomo District Council, Hamilton City Council, Wellington City Council – Berhampore and Newtown, Wairoa District Council, and Waimate District Council.

- The NZTA is awaiting a response from Porirua City Council and from NZTA (as RCA) on State Highway 18. This list does not include RCAs that have not yet submitted SMPs to the Director.
- We have recommended a tighter timeline for developing the new rule given the advice of NZTA that the RCAs above are proceeding.
- You may want to communicate with all RCAs again, informing them of your intention to require speed limits that have been changed since the 2017 rule was put in place to be reviewed, to avoid them unnecessarily wasting time and resources.
- We also recommend that you meet with Auckland Transport to understand its plans for progressing or otherwise with its speed management plan and what changes it might consider based on the proposed changes for the new rule. We expect that many of the concerns about speed limit changes in urban areas may be in Auckland and it would be useful to understand if AT is considering any changes to some of the speed limits they have already reduced. Officials will also continue to engage with AT to understand its plans.
- You may wish to consider if you want Cabinet approval to the policy points above before you communicate them to RCAs. We could support you to do this.

s 9(2)(g)(i)

### Recommendations

We recommend you:

- |   |   |          |
|---|---|----------|
| 1 | <b>agree</b> to officials focusing on delivering a rule that will deliver on the points noted in this briefing  | Yes / No |
| 2 | <b>agree</b> to officials working to the indicative timeline provided at Appendix One   | Yes / No |
| 3 | <b>agree</b> to meet with Auckland Transport to discuss its plans for its Speed Management Plan   | Yes / No |
| 4 | <b>advise</b> whether you would like to receive advice on exploring funding options for speed limit reviews   | Yes / No |
| 5 | <b>note</b> that eight RCAs are continuing to progress with their speed management plans that they have already submitted to the Director of Land Transport |          |



- 6 **indicate** whether you want to write again to RCAs to inform them that you intend to require speed limits that have been changed in the last six years to be reviewed Yes / No
- 7 **indicate** whether you would like to take a paper to Cabinet to get in principle agreement to progressing the policy proposals outlined in recommendation one Yes / No



\_\_\_\_\_  
 Bronwyn Turley  
 Deputy Chief Executive, Regulatory  
 ....7/02/2024..

\_\_\_\_\_  
 Hon Simeon Brown  
 Minister of Transport  
 ..... / ..... / .....

- Minister's office to complete:**
- Approved
  - Declined
  - Seen by Minister
  - Not seen by Minister
  - Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Bronwyn Turley, Deputy Chief Executive, Regulatory	s 9(2)(a)	✓
Joanna Heard, Manager, Safety	s 9(2)(a)	

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 MINISTRY OF TRANSPORT TE MANATU WAKA

**ANNEX 1 PROPOSED INDICATIVE TIMELINE**

Milestone	Commencement date	Completion date
Officials prepare draft rule, consultation document, Cabinet paper and Regulatory Impact Assessment in line with agreed policy	Late Feb 2024	Mid April 2024
Cabinet process including departmental consultation, Ministerial consultation, Cabinet Committee and Cabinet consideration	Late April 2024	Mid May 2024
Consultation commences on the draft rule and consultation document	Mid May 2024	Mid June 2024
Officials analyse and summarise submissions and propose changes to the rule based on consultation	Start of June 2024	End of June 2024
Minister briefed on outcome of submissions and proposed amendments	Start of July	-
Final Rule drafted	Mid July 2024	End July 2024
Final Rule provided to Minister for signing	August 2024	-
New Rule in force	28 days after notification in the <i>New Zealand Gazette</i>	





15 February 2024

OC240121

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
At your convenience.

## **CABINET PAPER: UPDATE ON OUR 100-DAY COMMITMENT TO STOP BLANKET SPEED LIMIT REDUCTIONS AND START WORK ON A NEW RULE FOR SETTING SPEED LIMITS**

### **Purpose**

This briefing accompanies a draft Cabinet paper for your consideration, which provides an update to Cabinet on your policy direction for the new Rule for setting speed limits.

### **Key points**

- In response to previous advice (OC231067 and OC240067 refer) and through meetings with you, you have indicated your priorities for a review of the Rule and we have provided advice on a draft timeline that would deliver those changes. We also indicated our awareness that several road controlling authorities (RCAs) continue to progress speed management plans despite previous communications about your expectations.
- You have decided to advise Cabinet of your approach prior to announcing it at the Automobile Association conference on 8 March 2024, and subsequently communicating them to RCAs and RTCs by letter. The Ministry of Transport has prepared a draft Cabinet paper which updates Cabinet on your policy direction.

*Limited agency consultation has occurred with New Zealand Transport Agency (NZTA) and New Zealand Police*

- NZTA focused its comments on the downstream financial implications of the approach. RCAs are unlikely to have in-house capability for cost-benefit analysis of speed limit changes. It would likely entail high levels of reliance on external contractors for most RCAs to undertake fully informed economic analysis. The Ministry is working with NZTA on what guidance or tools could be provided to RCAs to minimise these costs.
- Police has sought to include comment outlining its view. This is noted in the consultation section of the Cabinet paper.

*Regulatory impact analysis will be required in due course*

- The Treasury has advised that Cabinet's impact analysis requirements apply to the proposals in the attached draft paper, and the Treasury has not exempted the proposal from the impact analysis requirements.
- We have not prepared an accompanying Regulatory Impact Statement for this paper because this paper is only noting your policy intentions and does not seek Cabinet

agreement. Given the early stages of the policy development process any analysis at this time will be incomplete.

- You will be returning to Cabinet with a draft Rule in May 2024 to seek permission to consult the public. As part of this, we will prepare regulatory impact analysis necessary to inform Cabinet's substantive consideration of the draft proposal and public consultation on the draft Rule.
- Final impact analysis and material to support consideration of matters required by in section 164 of the Land Transport Act 1998 will be provided to you after consultation, prior to you making a final Rule.

*We propose minor amendments to the policy direction from our previous briefing setting out the policy direction (OC240067)*

- You noted you would like a targeted approach to speed limit reductions, focusing on areas with high safety concerns. We suggest that public acceptability is considered alongside this, as the roads of highest safety concern may not align with public sentiment on acceptability of speed limit changes. We will report back to you through the Rule development process on what this will mean in practice (what roads it would likely be applied to) before final definitions are agreed in the Rule.
- We recommend broadening the reviews of urban speed limit reductions to include ensuring the approach to urban arterial and collector roads is appropriate, as well as areas reduced to 30 km/h since the introduction of the Setting of Speed Limits Rule 2017 (excluding speed limits outside school gates or on main streets in town centres).
- NZTA has advised there may be contractual repercussions from raising certain expressways to 110 km/h. Further advice on this will be provided as part of the May 2024 Cabinet paper and RIA. You are awaiting a briefing from NZTA about whether certain expressways and State highways can have speed limits raised under the current Rule.

• s 9(2)(g)(i)

PROACTIVELY RELEASED BY THE MINISTRY OF TRANSPORT

**Recommendations**

We recommend you:

1 **agree** to lodge the attached draft Cabinet paper

Yes / No



Bronwyn Turley  
Deputy Chief Executive, Regulatory

.....15 /02/2024

Hon Simeon Brown  
Minister of Transport

..... / ..... / .....

Minister's office to complete:

Approved

Declined

Seen by Minister

Not seen by Minister

Overtaken by events

Comments

**Contacts**

Name	Telephone	First contact
Bronwyn Turley, Deputy Chief Executive Regulatory	s 9(2)(a)	✓
Joanna Heard, Manager Safety	s 9(2)(a)	

PROACTIVELY RELEASED BY  
MINISTRY OF TRANSPORT TE MANATU WAKA



14 March 2024

OC240201

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Monday, 18 March 2024

## APPROACH TO THE NEW SPEED RULE

### Purpose

Seek your approval to our proposed approach for the new Land Transport Rule for setting speed limits. We would appreciate your feedback on whether these changes align with your policy intent as soon as possible to meet the timelines for the rapid development of the new Rule.

### Key points

*The attached table provides more detail on how the rule could implement your policy direction*

- Cabinet has agreed to the broad policy intent of the new Land Transport Rule for setting speed limits (the new Rule) [CAB-24-MIN-0058 refers]. This briefing includes a table that provides more detail on how the policy objectives can be delivered through the new Rule. Some main points of interest are discussed below.
- The table provides more detail on how we recommend to implement your key changes, including:
  - requiring consistent cost benefit analysis (CBA) in the new Rule
  - strengthened consultation requirements
  - requiring variable speed limits to be introduced on roads outside school gates during drop off and pick up off times, including allowing for static variable speed limit signs
  - reversing speed limits in urban areas and on state highways reduced since 2017, unless they meet certain criteria.

*There are also a number of other changes we recommend are included in the new Rule*

- We note there are limitations to the use of CBAs for making decisions on speed management changes. For example, initial analysis of the impacts of increasing speed limits on expressways to 110km/h can produce negative Benefit Cost Ratios (BCRs), due to the modelled increases in speed leading to modelled increased crashes. Therefore, we do not consider CBAs should be the sole decision-making

tool. Rather, the CBA should be considered alongside consultation feedback when making decisions on speed limit changes. We also do not recommend CBA is used when setting a speed limit on a new road as a CBA is generally used to measure a change.

- Given the limitations of CBA as a decision-making tool we also recommend the new Rule introduces a Ministerial Speed Direction as a tool to direct RCAs on where the Government would like to see speed changes targeted. This would allow you, and your colleagues to consider the types of roads you want to target and the pace of change for RCAs. This will be important to consider as part of the overall new road safety objectives document and the level of DSI reduction you wish to achieve.
- We could provide you with further advice on how you might like to set this Ministerial Speed Direction, alongside progressing drafting of the new Rule. We suggest further consideration is given to whether the Government continues to target the highest volume routes that were previously being targeted to achieve greatest modelled DSI reduction. Often this meant targeting long straight non-divided state highways where operating speeds were much higher than NZTA's recommend safe and appropriate speed limit. As these roads were seeking the greatest reduction in operating speeds they often are the most controversial. Alternatively, you may prefer RCAs to focus on roads that are likely to have higher public and road user acceptability as operating speeds are already lower and have greater alignment with the proposed safe speed. For example, windy roads where speeds are already lower.
- We also suggest consideration is given to whether the NZ Transport Agency Waka Kotahi (NZTA) should review the safe and appropriate speed ranges it currently provides in its guidance, to better integrate safety with mobility and public acceptance. Alternatively, the new Rule could outline speed limit classifications for specific locations and circumstances (taking into account the use and function of the road). This is discussed in the attached table and we have provided examples of how Victoria classifies roads and the suggested speed limits it provides in the annex.
- To deliver on the Coalition Government's commitment to reverse speed limits, we are seeking your views on what will amount to strong evidence to retain the lower speed limits. We would like to test your thoughts on these criteria, which are discussed further in the attached table.
- The focus to date has been on reversing speed limit reductions on urban roads and state highways. We have provided a recommendation below to get a steer from you as to whether you intend for rural roads to be captured by this too. If so, we recommend rural roads are considered against the same criteria.

*The proposals in the table would involve reinstating some of the parts of the Rule revoked under the December 2023 amendment*

- Firstly, we propose the Rule reintroduces the three-yearly speed management plan process as the mechanism for changing speed limits. Speed management plans are a mechanism for identifying and consulting on targeted speed limit changes and safety infrastructure as a package over a three-year period, rather than making ad hoc proposals on an ongoing basis. This improves efficiency and provides more predictability for planning and funding purposes. However, we suggest the new Ministerial Speed Direction tool is introduced to enable the Government to set the

pace, scale and focus of speed limit changes as noted above. We recommend the Rule require RCAs speed management plans to outline how they are consistent with the Ministerial Speed Direction.

- Secondly, we propose to reintroduce a target for having all speed limits on roads outside the school gate reduced at pick-up and drop-off times. Reducing speed limits around schools has been one of the most widely supported elements of the current Rule. In addition, consistency with having variable speed limits outside schools will help improve road user compliance. We recommend you set a target of all roads outside school gates to be treated with variable speed limits by 31 December 2027.
- The attached table also outlines some additional matters that we are still working through, and some trade-offs for you to consider. We note further issues for consideration are likely to arise as we work through the drafting process with the NZTA. We will keep you updated on these through either the Weekly Report or briefings for more substantive issues.

*We recommend consulting on opportunities to streamline processes and reduce costs under the new rule*

- While focusing on the policy objectives outlined in your recent Cabinet paper, reviewing the Rule has highlighted opportunities to streamline and simplify the process. We propose to include two other issues in the consultation document for feedback, which we will take into account before providing final advice to you.
- The first issue is whether to continue with the Speed Management Committee (the Committee). As discussed at our January 2024 meeting, the Committee's role is to independently review NZTA's speed management plan and provide oversight of the information and guidance NZTA provides RCAs. To date, the Committee has reviewed NZTA's interim State highway speed management plan, but has not reviewed the guidance as the Committee was not established at the time the guidance was published.
- NZTA has raised with us the costs of training and maintaining the Committee for what is a relatively small amount of work, noting the independence of the Director of Land Transport who certifies the plans. If this is removed, we may need to consider alternative assurance mechanisms on NZTA's guidance, for example requiring Ministerial approval. This approach could help to ensure alignment with Government direction.
- The second issue is the role of Regional Transport Committees under the Rule. Regional speed management plans are designed to support regional consistency of speed limits. Under the process, the intent is for RCAs to develop and consult on their speed management plans, then submit them to a Regional Transport Committee for consolidation into one regional speed management plan.
- NZTA has received one regional plan for certification from a unitary authority. NZTA notes that while some regional councils have tried to co-ordinate plans, progress has been slow due to regional council capacity and difficulty reaching alignment with other RCAs.

- We could consider whether there is a simpler way to ensure regional consistency, particularly on boundary roads between different RCAs. For example, requiring RCAs to consult with neighbouring RCAs.
- To date, we have not discussed reversing speed limit reductions on rural roads that aren't state highways. We anticipate that you would like these to be captured too. We recommend these are treated under the same reversal criteria, with the "strong evidence to support the reduced speed" criteria aligning with that for state highways.

*Next steps*

- We will continue to work with NZTA on the draft new Rule, and supporting documentation (public consultation document, interim Regulatory Impact Statement and Cabinet paper). We are aiming to provide this material to you by Wednesday 10 April 2024, for Ministerial, coalition and departmental consultation.

PROACTIVELY RELEASED BY  
MINISTRY OF TRANSPORT TE MANATŪ WAIKA



**Recommendations**

We recommend you:

- 1 **indicate your preferences** in the attached table to achieve each of your policy objectives. Yes / No
- 2 **indicate** your preferred approach to setting out safe and appropriate speeds:
  - (a) continue to require NZTA’s guidance to set out safe and appropriate speed ranges, or Yes / No
  - (b) include in the new Rule speed limit classifications for different road classifications and circumstances (taking into account the use and function of the road) Yes / No
- 3 **agree** to include rural roads for reversals and have them treated under the same criteria as for other roads. Yes / No
- 4 **agree** to seek feedback on the role of the speed management committee through the consultation document Yes / No
- 5 **agree** to seek feedback on the role of regional speed management plans through the consultation document Yes / No



Bronwyn Turley  
**Deputy Chief Executive, Regulatory**  
 14 / 03 / 2024

Hon Simeon Brown  
**Minister of Transport**  
 ..... / ..... / .....

- Minister’s office to complete:**
- Approved  Declined
  - Seen by Minister  Not seen by Minister
  - Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Bronwyn Turley, Deputy Chief Executive Regulatory	s 9(2)(a)	✓
Joanna Heard, Manager Safety	s 9(2)(a)	



## ANNEX 1 APPROACH TO POLICY ISSUES

Issue	Ministry's recommended approach	Discussion
<p>Ensure a stronger economic focus by requiring cost benefit analysis using consistent criteria to be undertaken when setting speed limits</p>	<ul style="list-style-type: none"> <li>• The new Rule will require a cost benefit analysis (CBA) using consistent criteria when an RCA:               <ol style="list-style-type: none"> <li>i. consults on any proposed speed limit changes, and</li> <li>ii. approves any speed limit change (an updated CBA will be required if there has been substantial change to the proposed speed limits as a result of consultation).</li> </ol> </li> <li>• We propose that the CBA must include the following mandatory impacts:               <ol style="list-style-type: none"> <li>i. number of crashes, and associated impacts on deaths and serious injuries (DSI)</li> <li>ii. travel time</li> <li>iii. implementation costs (including road signs and road markings, installation costs, overheads and administration costs).</li> </ol> <p>RCA's can include other impacts (e.g., environmental, disruption to the network caused by crashes) if they choose.</p> </li> <li>• Benefits would include positive impacts (including, for example, reduced DSI that typically arise from reduced speed limits) that are attributable to the proposed changes in speed limits. Costs would include any negative impacts (including, for example, increased travel times that may arise from reducing speed limits), and implementation costs for RCA's (including planning, delivery, administration and overhead costs).</li> </ul>	<ul style="list-style-type: none"> <li>• Undertaking a CBA will be a significant change for RCA's. Modelling the various impacts, including DSI and travel time, can be complex. Most RCA's will lack the capacity and capability to complete a CBA on their own. Costs to RCA's will be reduced if we are able to develop a CBA tool that they can use to conduct the analysis.</li> <li>• To simplify the approach, and potentially reduce the costs for RCA's, we recommend that the CBA focus on a limited range of impacts (crashes and associated impacts on DSI, travel time, implementation costs), but RCA's can include other factors if they wish to.</li> <li>• While broader social and environmental considerations are important, these can be more difficult to model and quantify, and (based on CBA for speed limit changes that we have seen) typically don't impact significantly on the resulting benefit cost ratio calculation.</li> <li>• We do not consider that a CBA is, in itself, a sufficient decision-making tool for speed limit changes, but it will make the impacts more transparent for the public and the RCA's.</li> <li>• In general, proposals for speed limit reductions typically result in positive benefit cost ratios. This is because lower speeds usually result in lower crash rates, with lower DSI. RCA implementation costs also tend to be low, when compared to monetised benefits associated with reduced DSI.</li> </ul>

Issue	Ministry's recommended approach	Discussion
	<ul style="list-style-type: none"> <li>The CBA criteria will require benefits and costs to be calculated using the monetary values set out in the NZTA Monetised benefits and costs manual.</li> </ul>	
<p>Ensure genuine consultation with relevant parties, including communities and road users, on proposed speed limit changes and that feedback is considered before finalising changes</p>	<ul style="list-style-type: none"> <li>RCAs are already required to adhere to the consultation principles set out in the Local Government Act, which include, among others: <ul style="list-style-type: none"> <li>that the Local authority must provide reasonable access to clear, relevant information, including reason for proposal and analysis of options.</li> <li>interested persons should be encouraged to provide feedback.</li> <li>that the Local authority should receive the feedback with an open mind and give due consideration.</li> <li>that the Local authority should provide access to a clear record or description of decisions, and explanatory material.</li> </ul> </li> <li>These principles are clear and robust, and we recommend are reflected in the new Rule, with some additional requirements noted below.</li> <li>However, NZTA is not currently bound by the Local Government Act requirements. Therefore we recommend these requirements are extended to NZTA under the new Rule.</li> <li>We recommend: <ul style="list-style-type: none"> <li>the new Rule require the NZTA and RCAs to be subject to the same consultation requirements</li> <li>the requirements are strengthened so that RCAs must do everything practicable to engage groups likely to</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The new requirements will mean RCAs are transparent about how they responded to the feedback received. But it strengthens the current requirements and extends them to NZTA.</li> <li>It also strengthens the requirements by requiring RCAs to provide to the Director an explanation of how feedback was considered and what changes were made in response, or the reason(s) for not making any changes. It will also make clear a range of groups whose views need to be considered.</li> <li>We recommend retaining the Māori consultation requirements in the current Rule. These require that Māori, as the Crown's Treaty partner, must be provided opportunities to contribute to regional and state highway speed management plans, and Māori capability to do so must be fostered. In addition, Māori affected by any proposed change in a regional speed management plan or state highway speed management plan must be consulted.</li> </ul>

Issue	Ministry's recommended approach	Discussion
	<p>be impacted by a decision, ensuring a representative view.</p> <ul style="list-style-type: none"> <li>○ classes of entities to be contacted as part of the consultation process would be listed in the new Rule: freight users, other road users, communities and businesses surrounding the impacted corridors, local government, and schools..</li> <li>○ RCAs must make available the draft speed management plan, cost benefit analysis, and any other evidence to support proposed change, as part of the consultation material.</li> <li>○ must receive views with an open mind and give due consideration to all views.</li> <li>○ when submitting plans to the Director for certification, the new Rule will require RCAs to include an explanation of how feedback was considered and what changes were made in response, or the reason(s) for not making any changes. This must be made public following the decision.</li> </ul>	
<p>Mechanism for progressing speed limit changes</p>	<ul style="list-style-type: none"> <li>● We recommend the new Rule retains a three-yearly cycle for speed management planning that complements the three-year cycle of the National Land Transport Programme.</li> <li>● This would require RCAs to develop speed management plans that include targeted speed limit changes in line with the Ministerial Speed Direction (see next topic). The plans can also include planned safety infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>● Speed management plans are a mechanism for identifying and consulting on targeted speed limit changes and safety infrastructure as a package over a three year period, rather than making ad hoc proposals on an ongoing basis. This improves efficiency, and provides more predictability for planning and funding purposes.</li> <li>● Providing an alternative method for setting speed limits outside of the speed management plan process enables RCAs to set speed limits for new roads or roads where changes might have</li> </ul>

Issue	Ministry's recommended approach	Discussion
	<p>treatments, including to engineer roads up to match current speeds, and information about speed cameras.</p> <ul style="list-style-type: none"> <li>The new Rule should also retain a process for setting speed limits outside the speed management plan process, with the Director of Land Transport's approval.</li> </ul>	<p>occurred (for example installation of a round about) in line with any relevant requirements in the new Rule and guidance provided by NZTA. For example, setting speed limits for new roads without going through full CBA and consultation requirements.</p>
<p>Ensuring a targeted approach to any speed limit reductions is taken, focusing on areas with safety concern and public acceptability</p>	<ul style="list-style-type: none"> <li>We recommend that the new Rule puts in place a new tool, called a Ministerial Speed Direction. RCAs must ensure any proposed speed limit changes they are considering are consistent with the Direction.</li> <li>The Direction could be issued through the Government Policy Statement on land transport, or as a separate document. Through the Direction, the Minister can signal the pace of change and the types of roads or other criteria they would like RCAs to focus on.</li> <li>We suggest we report back on what the Ministerial Speed Direction could look like and how it would achieve your objectives. One key consideration will be whether you wish for RCAs to continue to target the highest risk roads like the previous Government. We are aware these roads are likely to be seeking the greatest speed reduction from road users and therefore are likely to be the most controversial with the public (for example, wide high-volume straight undivided state highways). Or if you are interested in RCAs targeting roads that are likely to have greater public acceptability but potentially lower DSI reductions (for example, windy rural roads that already have lower operating speeds and are closer the recommended new speed limit).</li> </ul>	<ul style="list-style-type: none"> <li>Enabling a Minister to set the pace and scale of change through a Direction will enable the Government greater ability to direct the approach to speed management.</li> <li>This also provides a flexible approach which will enable the Minister to respond to how RCAs are implementing any speed limit changes. This could be adjusted in future years to respond to the impact of these changes or depending on the rate of change that is acceptable or the level of death and serious injury reduction a Government is seeking from speed management.</li> </ul>



Issue	Ministry's recommended approach	Discussion
Safe and appropriate speeds	<ul style="list-style-type: none"> <li>• The Rule currently requires the NZTA to publish its view of safe and appropriate speeds (SAAS) through its speed management guidance. The current Rule requires the RCAs to have regard to NZTA's guidance when preparing speed management plans.</li> <li>• The NZTA guidance, including the SAAS ranges, is aligned to Safe Systems principles and the previous road safety strategy. Principles of safety, community wellbeing (including encouraging active modes and improving equality), movement and place, and a whole of system approach underpin the approach to speed management contained in the current guidance.</li> <li>• We consider there is benefit in having different speed limits based on safety factors, as well as the movement and use of the road.</li> <li>• However, the currently assessed SAAS, particularly for urban roads, starts from a lower range (for example, 30 km/h for local streets, and 40 km/h for urban connectors and then increases if certain criteria are met) when compared to approaches taken in some Australian States (for example, in Victoria, a speed limit of up to 50 km/h can be selected for a local street, or 40 km/h where there is a high level of pedestrian/cyclist activity on the road, with 60 km/h the speed limit for most undivided arterial roads in built-up areas).<sup>1</sup></li> <li>• Current SAAS in the guidance aligns with recommended international practice (including from the World Bank,</li> </ul>	<ul style="list-style-type: none"> <li>• As set out in the guidance, SAAS are derived from: <ul style="list-style-type: none"> <li>○ safe system survivability thresholds (eg a road without a median barrier will have a SAAS no higher than 80 due to the risk of high speed head-on and run off road crashes)</li> <li>○ the One Network Framework that categorises roads and streets by their movement and place function. This approach to street categorisation places a strong emphasis on adjacent land uses and intended function for all types of road users. Roads and streets with a higher place function and a lower movement function (e.g., local streets) will tend to have a lower SAAS. Conversely, roads with a higher movement and a lower place function (e.g., transit corridors, which include motorways and urban expressways) will tend to have a higher SAAS.</li> <li>○ the Infrastructure Risk Rating, which is a road risk assessment methodology (e.g., road width, curvature, presence of safety features, intersection density, roadside hazards etc).</li> </ul> </li> <li>• The guidance provides safe speed ranges for each street/road category and guidance on what infrastructure would need to be present to choose the higher end of the safe speed range.</li> <li>• NZTA has aligned with international best practice in its SAAS for safe system principles. However, this might have gone too far, too quickly, for public acceptability in the New Zealand context. We are interested to test this with you.</li> </ul>

<sup>1</sup> We have been advised by NZTA that Austroads guidance on safe speed, which informs the approach taken in Australian states and territories, is currently under review.

Issue	Ministry's recommended approach	Discussion
	<p>United Nations, Global Road Safety Facility and other international experts).<sup>2</sup></p> <ul style="list-style-type: none"> <li>We could maintain the current SAAS approach and continue to work with NZTA to consider how the guidance will be updated following the new Rule being put in place.</li> <li>Alternatively, the new Rule could set speed limit classifications in the rule based on road type and use. For example, based on the Victorian approach, which is attached with some adjustments for the New Zealand context that we could continue to develop. This would provide you with certainty on the speed limit classifications.</li> </ul>	
Ensure any speed limit reductions on urban arterial and collector roads are appropriate	<ul style="list-style-type: none"> <li>The NZTA's speed management guide sets out the current criteria for SAAS on urban connector roads. The SAAS is assessed as 40km/h and increases up to 60km/h if certain criteria are satisfied.</li> <li>In Victoria, we are aware that a speed limit of 60km/h is suggested for most arterial roads in built up (urban and rural) areas. Higher speeds are permitted where there is low direct access to the roads and there is no significant pedestrian/cyclist activity.</li> </ul>	<ul style="list-style-type: none"> <li>As above.</li> </ul>

<sup>2</sup> For example, the World Health Organisation and the United Nations Regional Commissions have developed a guiding document to support implementation of the Decade of Action 2021 – 2030. This recommends States implement infrastructure treatments that ensure logical and intuitive compliance with the desired speed environment (e.g. 30 km/h urban centres; ≤ 80 km/h undivided rural roads; 100 km/h expressways) and that, in urban areas where there is a typical, predictable mix of road users (cars, cyclists, motorcyclists, and pedestrians), a maximum speed limit of 30 km/h should be established, unless strong evidence exists to support higher limits; <https://www.who.int/teams/social-determinants-of-health/safety-and-mobility/decade-of-action-for-road-safety-2021-2030>

Issue	Ministry's recommended approach	Discussion
	<ul style="list-style-type: none"> <li>We can continue to work with the NZTA on potential changes to the SAAS guidance as noted above. Alternatively, as noted above, the new Rule could set out recommended speed limits for different road types.</li> </ul>	
<p>Requiring speed limits that have been reduced in urban areas since the introduction of the Land Transport: Setting of Speed Limits Rule 2017 to be reversed, except where the reduced speed limits are:</p> <ol style="list-style-type: none"> <li>outside school gates</li> <li>on main streets in town centres</li> <li>in targeted areas where there is strong evidence to support the reduced speed</li> </ol>	<ul style="list-style-type: none"> <li>The Rule should set out that speeds that have been reduced since 21 August 2017 (the date at which the 2017 Rule came into effect) will have the speed limits increased to the speed limit that was in effect on 20 August 2017, unless the reduced speed limits were applied:               <ul style="list-style-type: none"> <li>as variable speed limits outside school gates</li> <li>on main streets in town centres and CBD areas for cities</li> <li>in targeted areas where there is strong evidence to support the reduced speed</li> </ul> </li> <li>We also recommend that speed limits are not reversed in areas including beaches, cemeteries, parks, reserves, carparks and marae.</li> <li>Our initial suggestion is that strong evidence to retain a speed limit is defined as the RCA having:               <ul style="list-style-type: none"> <li>undertaken economic analysis of the speed limit reductions from the previous higher speed limit, including travel time and death and serious injury impacts, with a resulting positive benefit cost ratio</li> <li>if available, considered post implementation data on operating speeds to determine whether operating speeds have come within the 85<sup>th</sup> percentile of the new post speed limit</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>We have suggested a high threshold for speed limit reductions to be retained under the new Rule. We need to test that the proposed criteria meets your intent and is clear enough for RCAs to implement.</li> <li><span style="background-color: #cccccc; padding: 2px;">§ 9(2)(g)(i)</span></li> <li>The NZTA has advised that the National Speed Limits Register does not show what speed limits have changed from particular dates. It could therefore be difficult to identify all speed limit reductions that have been made since the 2017 Rule come into effect. A technical work around will be required to deliver this, we will work with the NZTA on this. Alternatively, each RCA will be required to undertake manual identification of changes. This will need to be tested further through consultation.</li> <li>The NZTA has noted that it does not currently have resource to thoroughly assess the quality of the CBA or consultation process.</li> </ul>

Issue	Ministry's recommended approach	Discussion
	<ul style="list-style-type: none"> <li>○ demonstrated public acceptance of the lower speed limit (through previous or current submission analysis)</li> <li>● If the RCA can meet the requirements outlined above to retain targeted lower speed limits, they must provide this information to the Director within 12 months of the new Rule coming into force. The Director then has 6 months to process all the speed limit reduction reviews to confirm whether the information required by the Rule has been provided.</li> <li>● If the RCA is able to provide this information, the Director must certify that the reduced speed limit will remain.</li> <li>● If the information provided to the Director by the RCA does not meet these requirements, then the Director must inform the RCA what information it has not provided or how the information provided has not met the required threshold(s). The RCA will either provide the Director with the information to the Director or the speed limit will reverse.</li> <li>● If the reduced speed limits have not been recertified within 18 months of the new Rule coming into force, the speed limits will reverse to what was in place on 20 August 2017.</li> </ul>	
State highways that have had speed limits reduced since the introduction of the Land Transport:	<ul style="list-style-type: none"> <li>● As with the speed limit reductions in urban areas, the Rule will set out that speeds that have been reduced since 21 August 2017 (the date at which the 2017 Rule came into effect) will have the speed limits increased to the speed limit that was in effect on 20 August 2017,</li> </ul>	<ul style="list-style-type: none"> <li>● As above.</li> </ul>



Issue	Ministry's recommended approach	Discussion
Setting of Speed Limits Rule 2017 to be reversed, retaining only targeted reductions where there is strong evidence to support the reduced speed	<p>unless there is strong evidence to support the reduced speed.</p> <ul style="list-style-type: none"> <li>• What counts as strong evidence, and the process for retaining any targeted speed limit reductions, should align with the criteria outlined above for speed limit reductions on urban roads.</li> <li>• To date, we have not discussed reversing speed limit reductions on rural roads that aren't state highways. We anticipate that you would like these to be captured too. We recommend these are treated under the same reversal criteria, with the "strong evidence to support the reduced speed" criteria aligning with that for state highways.</li> </ul>	
Enabling expressways to have 110 km/h from inception and enabling existing expressways to have 110 km/h speed limits	<ul style="list-style-type: none"> <li>• Retain the current approach, which enables RCAs to set a speed limit of 110 km/h with the Director of Land Transport's approval.</li> <li>• The Director must give approval to a 110 km/h speed limit where the Director is satisfied that the road has been designed and constructed, and will be managed and operated, to the standard necessary to safely support 110 km/h.</li> <li>• Alternatively, in line with the section above on Safe and Appropriate speeds, if you are not comfortable with NZTA's SAAS criteria for 110km/h, you may prefer to specify in the rule the recommend speed limit for expressways.</li> </ul>	<ul style="list-style-type: none"> <li>• Retaining the current approach means that expressways that can be engineered to meet the existing criteria set out in NZTA guidance (see below) are able to have 110 km/h limits.</li> <li>• NZTA speed management guidance sets out the current criteria for a SAAS of 110 km/h. This includes that the corridor: <ul style="list-style-type: none"> <li>○ must be at least 5 km in length</li> <li>○ is dual carriageway or median divided with at least two lanes in each direction</li> <li>○ has an annual average daily traffic of less than 25,000 in each direction</li> <li>○ has alignment that is straight or curved</li> <li>○ has intersections that are grade separated with spacing of 1.5 km or more</li> <li>○ has a land use classification of "no access"</li> </ul> </li> </ul>

Issue	Ministry's recommended approach	Discussion
	<ul style="list-style-type: none"> <li>We also recommend that it is clear in the new rule that setting speed limits for new roads will not required be CBA or consultation.</li> </ul>	<ul style="list-style-type: none"> <li>has a low or low/median personal risk (this is the crash risk of an individual dying or being seriously injured on the road corridor, calculated by dividing the collective risk by traffic volumes. The collective risk is a measure of the number of deaths and serious injuries per kilometre that can be expected on a road over the next five years, based on the injury crash record over the last five year).</li> <li>We understand from NZTA that there are operational and contractual issues with raising the speed limits on some existing expressways. These issues cannot be address through a rule change.</li> </ul>
Ensure NZTA guidance for RCAs and RTCs on setting speed limits aligns with the intent of the new Rule	<ul style="list-style-type: none"> <li>As with the current Rule, the new Rule should require the NZTA to develop guidance for RCAs on speed management, including setting speed limits.</li> <li>The Rule should list what needs to be included in the guidance, which will reflect the new requirements for the new Ministerial Speed Direction, requiring cost benefit analysis and variable speed limits outside school gates.</li> <li>We have also considered alternative accountability mechanisms for the guidance.</li> <li>Under the current Rule, the Speed Management Committee's role includes providing oversight of the information and guidance provided by the NZTA, to ensure that it is up to date and fit for purpose.</li> <li>In the timeframes available, we have not come to a final recommendation on whether to maintain the Speed</li> </ul>	

Issue	Ministry's recommended approach	Discussion
	<p>Management Committee's oversight of the NZTA's guidance.</p> <ul style="list-style-type: none"> <li>• At this stage we suggest consulting on whether to retain the Speed Management Committee to provide oversight to the guidance, as well as the potential for removing it and replacing it with alternative mechanisms such as Ministerial approval of the NZTA's guidance. Ministerial approval would give you greater oversight of the guidance.</li> <li>• But we need to consider further how this might interact with NZTA's independent regulatory functions.</li> </ul>	
<p>Review the criteria used by the Director of Land Transport to assess speed management plans and other speed limit proposals to ensure the Director's powers are sufficient and align with the intent of the new Rule.</p>	<ul style="list-style-type: none"> <li>• We recommend that when RCAs submit plans for certification, they must include: <ul style="list-style-type: none"> <li>○ explanation of how the plan meets any Ministerial Speed Direction.</li> <li>○ summary of submissions from consultation.</li> <li>○ explanatory note on how feedback was considered and why (not) changes were made.</li> <li>○ summary of CBA.</li> <li>○ any other evidence of why a speed limit change is justified.</li> <li>○ explanatory note on how the decision was made and how above factors were considered.</li> </ul> </li> <li>• If the Director is satisfied that it meets the above requirements, they must certify the plan.</li> <li>• If the Director is not satisfied, they must refer it back to the RCA with reasons for the plan not meeting the requirements. To progress the changes, the RCA must</li> </ul>	<ul style="list-style-type: none"> <li>• The NZTA has noted that it does not currently have resource to thoroughly assess the quality of the CBA or consultation process. We do not propose it is required to do this. The internal NZTA panel (that informs the Director) will need to check that all requirements have been met.</li> </ul>

Issue	Ministry's recommended approach	Discussion
	<p>make edits in response to those comments and resubmit the plan.</p> <ul style="list-style-type: none"><li>• We recommend consulting on whether to retain the Speed Management Committee to review NZTA's speed management plan, in line with the proposal above.</li></ul>	

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## APPENDIX 2: VICTORIAN SPEED ZONING TECHNICAL GUIDELINES (EDITION 2, DECEMBER 2021)

Notional speed limits for roads in built-up areas <sup>3</sup>	
Local Street	Up to 50 km/h
Local street that has a higher movement classification	Up to 60 km/h where certain conditions are met (e.g., appropriate standard of road design and visibility, and low level of level of pedestrian and/or cyclist activity, and insignificant crash history and crash risk, and support of the local community and council)
Arterial road (undivided)	60 km/h where there is significant level of direct access to the road from abutting properties, or if there is significant pedestrian/cyclist activity 70 km/h if there is medium to low direct access and no significant pedestrian/cyclist activity 80 km/h if there is very low direct access and no significant pedestrian/cyclist activity
Arterial road (divided)	60 km/h where there is significant direct access or if there is significant pedestrian/cyclist activity 70 km/h if there is significant direct access, there are exclusive turn lanes and no significant pedestrian/cyclist activity 80 km/h if there is low direct access, there are exclusive turn lanes and no significant pedestrian/cyclist activity
Divided arterial road in an urban/rural or township / rural fringe area?	Up to 100 km/h
Freeway/motorway/tollway	100 km/h where road has full access control, well-spaced interchanges and high design standards 80 km/h speed limit may be appropriate on a permanent or variable basis to address geometric and operational concerns on specific sections (such as high levels of congestion, closely spaced interchanges and complex weaving manoeuvres, tunnels with confined cross sections)
Speed limits for school zones and activity centres	
Roads with school access points	May reduce speed to 40 km/h during school times
Local street or network of local streets where pedestrian/cyclist safety or residential amenity needs to be enhanced	May reduce speed to 40 km/h
Road with a high level of pedestrian activity	May reduce the speed limit where the activity occurs to 40 km/h during high risk periods for pedestrians
Location where pedestrians share the road space	May implement a 10 or 20 km/h shared zone
Speed limits for roads outside built-up areas	

<sup>3</sup> The guidance provides that these are notional speed limits, and that a different speed limit may be adopted under certain circumstances to achieve safer travel speeds that align with the function of the road. For example, the guidance states that lower speed limits may be appropriate along roads and in areas where there are high numbers of vulnerable road users or where the crash risk is high because of sub-standard infrastructure. Speed limits that are higher may be appropriate on higher standard roads on which the crash risk is low. 30 km/h, 70 km/h and 90 km/h are "special purpose regulatory speed limits", permitted in special circumstances.

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Rural road with developed abutting land (and roads that pass through small rural settlement with sparsely built-up development)	80 km/h
Roads with an overall low alignment and/or cross section standard, high crash risk or high crash rate	80 km/h
Unsealed road	Determined after a thorough assessment of the road environment has been conducted
Low crash risk, divided arterial road or freeway / motorway / tollway with a design speed of 120 km/h	110 km/h
Other sealed roads	100 km/h

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MINISTRY OF TRANSPORT TE MANATŪ WAKA

UNCLASSIFIED





10 April 2024

OC240312

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Thursday, 2 May 2024

## **THE NEW SETTING OF SPEED LIMITS RULE: PUBLIC CONSULTATION**

### **Purpose**

Provide you with a draft Cabinet paper that seeks agreement to proceed to public consultation on the draft Land Transport Rule: Setting of Speed Limits 2024. Following Ministerial and departmental consultation, the Cabinet paper needs to be lodged by 10am, Thursday 2 May 2024 for consideration at the Economic Policy Committee on Wednesday 8 May 2024.

### **Key points**

- We have prepared a draft Cabinet paper and consultation document on the draft Land Transport Rule: Setting of Speed Limits 2024 (the draft Rule), based on the policy intent outlined in our previous briefing [OC240201] and our recent discussions with you. The draft Cabinet paper and consultation document are attached. We expect to provide you with the draft new Rule by the end of this week (12 April 2024).
- The interim Regulatory Impact Statement (RIS) will be provided by next Thursday (18 April 2024). The RIS will not go for Ministerial and departmental consultation, but will be ready for lodgement with the final Cabinet paper.

### *New speed limit classifications*

- Building on our recent discussion with you, we propose to introduce a schedule of speed limit classifications into the draft new Rule. The classifications define the speed limits available for each road type and are drawn from those used in Victoria, Australia. They replace the safe and appropriate speed limits that are referenced in the current Rule and guidance.
- When considering speed limit changes under the new Rule, Road Controlling Authorities (RCAs) must align the proposed speed limit within the classification, unless an exception applies (for example, to target high risk intersections). New Zealand Transport Agency (NZTA) guidance will be relevant when RCAs are proposing speed limits using the new classifications.

*New speed limit classifications include 110 km/h speed limits for certain state highways*

- The new Rule removes the requirement for the Director of Land Transport's approval for 110 km/h speed limits. The new speed limit classifications enable 110 km/h as a speed limit available for state highways that meet certain requirements (median divided, with two or more traffic lanes in each direction, grade separated intersections, access controlled and with a straight or curved alignment).
- NZTA advises there are likely to be cost implications to meet the proposal to require a speed limit of 110km/h on all expressways under the new Rule. These costs relate to road design of new roads or retrofitting existing roads, for example corridor width in some sections, or sight distance and gradients. There may also be costs associated with meeting resource consent conditions, such as noise mitigation and potentially obligations to provide compensation for increased wear under roading operation contracts.
- For this reason, the new Rule enables, rather than requires, 110km/h on expressways. This approach will help NZTA to manage cost implications, by allowing some expressways to keep a 100km/h speed limit where it would be too cost-prohibitive to upgrade or build them to support a speed limit of 110km/h.
- We understand the NZTA is providing you with regular updates on the progress of its review of the suitability of 110km/h speed limits on specified roads.

*Deadline for reversals of speed limits reduced since 2017 Rule came into force on 21 September 2017*

- We have updated the reversal deadline, to align with your expectation that speed limits that have reduced since the Land Transport Rule: Setting of Speed Limits 2017 Rule came into force will be reversed by the end of 2025, unless there is strong evidence to support the lower speed limits or one of the exceptions applies.
- To meet this deadline, RCAs will need to provide evidence to support retaining lower speed limits to the Director of Land Transport by 30 June 2025. The Director must consider submissions and recertify the speed limits or request more information from RCAs by 31 October 2025. RCAs then have until 31 December 2025 to implement all necessary changes to the network, including installing new speed limit signs. This is a tight implementation timeline for RCAs and the Director.
- NZTA has also raised concerns about having the deadline as 31 December 2025, given it is in the middle of the holiday period when most people are not working.
- We expect to receive feedback on the implementation deadlines through the consultation process. We will consider further the implementation deadlines as part of the final recommendations to you on the final Rule.

*Threshold for reversals of speed limits reduced since 2017 Rule came into force on 21 September 2017*



- As you are aware, the proposed threshold for retaining lower speed limits includes a positive benefit cost ratio, public acceptance demonstrated through a consultation process and 85 percent of drivers complying with the lower speed limit. We note this is a higher threshold than required for speed limits going forward. We expect some RCAs may push back on this criteria, and the costs associated with meeting these requirements.
- We will keep you updated on feedback received on this, and other aspects of the draft new Rule, once consultation is underway.

*The next step is Ministerial and departmental consultation*

- Subject to your agreement, we will undertake consultation with the following departments concurrently with Ministerial consultation: NZTA, New Zealand Police, Treasury, WorkSafe, Accident Compensation Corporation, Department of Internal Affairs and Ministry of Education. We will inform the Department of the Prime Minister and Cabinet, Department of Corrections and Department of Conservation (the latter two departments set speed limits for roads under the Rule, for example, in prison grounds and conservation areas).

### **Timeline and next steps**

Ministerial and departmental consultation	Wednesday 17 April – Tuesday 23 April
Cabinet Office lodgement deadline	10 am, Thursday 2 May
Cabinet Economic Policy Committee ECO	Wednesday 8 May
Cabinet confirmation	Monday 13 May
Consultation on draft Rule	Wednesday 15 May – Wednesday 12 June [4 weeks]
Submissions analysis	Wednesday 12 June – Monday 8 July [4 weeks]
Briefing to Minister on outcome of consultation (including any substantive changes to the Rule)	Wednesday 10 July
Final draft Rule and cover briefing to Minister for signature	Wednesday 31 July
New Rule in force	28 days after notification in the <i>New Zealand Gazette</i>

## Recommendations

We recommend you:

- 1 **agree** to circulate the draft Cabinet paper, draft Land Transport Rule: Setting of Speed Limit 2024 and consultation document for Ministerial and departmental consultation.
- 2 **note** that subject to any changes post consultation your office will need to lodge the Cabinet paper, draft Land Transport Rule: Setting of Speed Limit 2024, consultation document, and Regulatory Impact Statement by 10am 2 May 2024 to be considered by the Economic Policy Committee on 8 May 2024.

Yes / No



Bronwyn Turley  
Deputy Chief Executive, Regulatory  
Group

10 / 04 / 2024

Hon Simeon Brown  
Minister of Transport

..... / ..... / .....

Minister's office to complete:  Approved  Declined  
 Seen by Minister  Not seen by Minister  
 Overtaken by events

Comments

## Contacts

Name	Telephone	First contact
Bronwyn Turley, DCE, Regulatory Group	s 9(2)(a)	✓
Joanna Heard, Manager, Safety	s 9(2)(a)	



1 May 2024

OC240430

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Monday, 6 May 2024

## **DRAFT SETTING OF SPEED LIMITS RULE FOR CONSULTATION**

### **Purpose**

Provide you with an updated draft Cabinet paper, the Regulatory Impact Statement, draft consultation document and draft Land Transport Rule: Setting of Speed Limits 2024 (the draft Rule). Following Ministerial and departmental consultation, the Cabinet paper needs to be lodged by 10am, Thursday 16 May 2024 for consideration at the Economic Policy Committee on Wednesday 22 May 2024.

### **Key points**

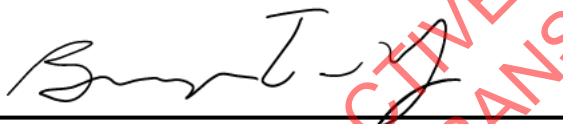
- Following our recent discussion with you, we have updated the draft Cabinet paper, consultation document, draft Rule and the Regulatory Impact Statement. Officials have continued to follow an iterative development process with the draft Rule.
- The updated documents propose a narrower scope of roads subject to speed limit reversals. The criteria for retaining lower speed limits have also been revised and RCAs will only need to demonstrate public support to retain the lower speed limits on arterial routes and rural State highways. This has been narrowed to rural State highways since the discussion with you. This is discussed further in this briefing.
- Further work is still required on the draft Rule before it goes to Cabinet, in particular, clause cross references need to be updated, and the reversal provisions need to explicitly enable reduced speed limits on rural State highways to be considered for various segments of the same corridor. There are also some drafting comments still remaining that are being worked through. The final draft Rule will be provided prior to lodgement.
- We propose renaming the Ministerial Speed Direction to the Ministerial Speed Objective and have changed the wording around its use. This is to reflect our conversation with you about the role of this tool, where you indicated your preference that RCAs should have regard to it, rather than give effect to.
- This briefing includes further information about consequential amendments to other land transport rules to enable static variable speed limit signs outside schools. The briefing also includes information about how variable speed limits outside marae are controlled, as you requested.

- Subject to your agreement, we will undertake consultation with the following departments concurrently with Ministerial consultation: New Zealand Transport Agency (NZTA), New Zealand Police, Treasury, WorkSafe, Accident Compensation Corporation, Department of Internal Affairs and Ministry of Education. We will inform the Department of the Prime Minister and Cabinet, Department of Corrections and Department of Conservation (the latter two departments set speed limits for roads under the Rule, for example, in prison grounds and conservation areas. However, no changes are proposed to the way speed limits are set for these areas).
- Under the timelines we are working to only one day has been allowed for making changes following Ministerial and departmental consultation. If significant comments come back this may delay the finalisation of the Cabinet paper.

**Recommendations**

We recommend you:

- 1 **agree** to officials undertaking departmental consultation on the draft Cabinet paper and draft discussion document Yes / No
- 2 **agree** to undertake Ministerial consultation on the draft Cabinet paper and draft discussion document Yes / No
- 3 **note** that under the current timeline we are working to the draft Cabinet paper will need to be considered at the Cabinet Economic Development Committee on 22 May 2024 to enable consultation to occur over the month of June 2024.



Bronwyn Turley  
**Deputy Chief Executive, Regulatory**  
 1/5/2024

Hon Simeon Brown  
**Minister of Transport**  
 ..... / ..... / .....

- Minister's office to complete:**
- Approved  Declined  
 Seen by Minister  Not seen by Minister  
 Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Bronwyn Turley, Deputy Chief Executive, Regulatory	s 9(2)(a)	✓
Joanna Heard, Manager, Safety	s 9(2)(a)	

## DRAFT SETTING OF SPEED LIMITS RULE FOR CONSULTATION

### Changes from the previous iteration of the draft Cabinet paper

- 1 Following our recent discussions with you we have updated the suite of documents for you to take to Cabinet. The changes are outlined in more detail below.

#### *Refining the scope and process for speed limit reversals*

- 2 The scope of roads to be considered for reversal has been narrowed from all roads that had speed limits reduced since the Land Transport Rule: Setting of Speed Limits 2017 came into effect, to certain roads with speed limits reduced since Road to Zero came into effect (1 January 2020).
- 3 The documents now propose to reverse speed limits reduced since 1 January 2020 in the following areas:
  - 3.1 Local streets with permanent 30km/h due to the presence of a school
  - 3.2 Urban connectors (arterial roads)
  - 3.3 rural State highways.
- 4 The stretch of road outside a school gate will need to meet the new variable speed limit requirements and the streets in the surrounding area will need to reverse to their previous speed limit.
- 5 Reduced speed limits on arterial roads and rural State highways can only be retained if the Road Controlling Authority (RCA) can demonstrate public support for the lower speed limit. For urban connectors the speed limit for the whole corridor will either be reversed or retained. For rural State highways, the RCA would be able to segment the corridor to consult on retaining reduced speed limits on sections where the topography changes, i.e. segmenting a corridor by straight segments and windy, hilly segments.
- 6 Regarding State highways, we understand your concerns are primarily around speed limits being reduced from 100km/h to 80km/h (or lower). To capture this we have referred to rural State highways in the draft Rule. This will exclude State highways in urban environments or passing through town centres.
- 7 The ability to segment rural State highways is not in the draft Rule as it currently stands. We will ensure it is covered off in the Rule prior to lodgement.
- 8 The RCA will need to undertake consultation in line with the new consultation requirements in the draft Rule. As part of obtaining public support, RCAs can present economic and safety analysis to inform the consultation process, but this is not mandatory (this is not explicitly covered in the Rule, but can be covered in guidance).
- 9 The narrowed scope is expected to deliver the reversals that you are expecting. It is also expected to be a less onerous task for RCAs as they will need to identify fewer roads to be considered for reversal. To retain lower speed limits, RCAs will only need

to demonstrate public support rather than the previously proposed criteria of public support, positive economic analysis and a high rate of compliance.

#### *Changes to the proposed Ministerial Speed Direction*

- 10 Following our discussion with you, we propose renaming the Ministerial Speed Direction to the Ministerial Speed Objective. This is to reflect our conversation with you about the role of this tool, where you indicated that RCAs should have regard to it, rather than give effect to. Therefore, the updated draft Rule requires RCAs to have regard to the Ministerial Speed Objective (alongside the Government Policy Statement on land transport) when considering speed limit changes.
- 11 The change in scope provides more flexibility for RCAs to respond to safety concerns on their network beyond what may be included in the Objective. Any proposed speed limit changes would have to align with the new speed limit classifications in the draft Rule, and be subject to cost benefit analysis and public consultation.

#### **Variable speed limits outside marae**

- 12 You asked for more information on speed limit reductions around marae. NZTA has advised there are two marae (Mahimaru and Karepōnia marae) on the State highway network with variable speed limits outside them. They are both on State highway 10 near Awanui in Northland with a posted speed limit of 80km/h.
- 13 In both cases, the electronic variable speed limit signs are activated automatically through sensor-pads embedded in the highway and the marae driveways. The sensors can detect when a vehicle is slowing down to turn into the marae. Once activated, the variable speed limit sign will display a 60km/h speed limit so vehicles can turn in and out of the marae safely. The speed limit returns to 80km/h five seconds after a vehicle has left the sensor.
- 14 Karepōnia marae also has a manual SMS solution that can be used when people are walking along the road from the marae to the urupa (cemetery). A designated person can send an SMS to activate the speed limit sign and reduce the speed to 30km/h for 10 minutes. There are limits to who can use this system and how often. This information is set out in a memorandum of understanding between NZTA and the marae, including:
  - 14.1 Only three users have access to the SMS system
  - 14.2 Only six activations per 24-hour period, each activation lasting ten minutes
  - 14.3 Access to system can be revoked if used inappropriately
  - 14.4 NZTA contact details if the system is not working as intended.
- 15 We have included an image at Annex One showing where the variable speed limits apply.



### Static variable speed limit signs outside school gates

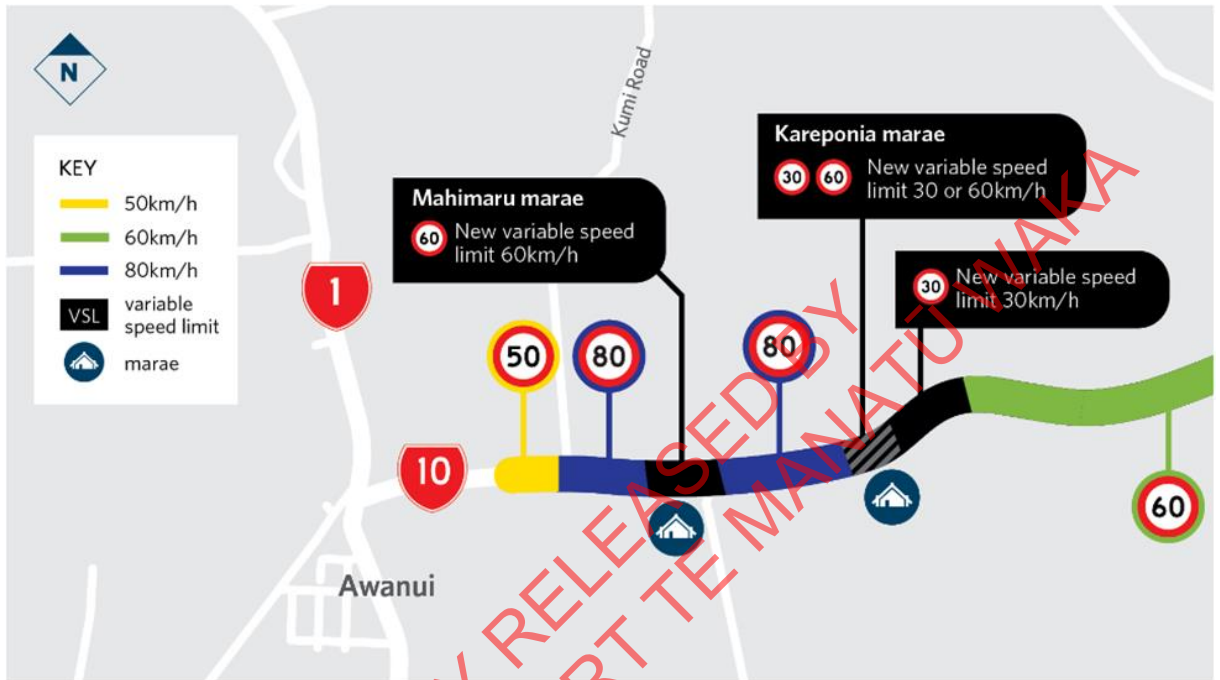
- 16 NZTA's manual of traffic signs and marking contains minimum legibility requirements for road signs to ensure drivers can read, comprehend and react to the information at a given speed. The static variable speed limit signs (static signs) contain quite a lot of information - the variable speed limit, times, 'school days' and 'school/kura'.
- 17 For this reason, the Land Transport Rule: Traffic Control Devices 2004 (TCD Rule) only allows static signs to be used on side roads adjacent to a main road with electronic signs. This is because vehicles are generally slowing down for a give way or stop sign on the side road and can read it. An amendment is required to allow them on the main road without an accompanying electronic sign.
- 18 To meet the legibility requirements for a main road, the font on the static sign would need to increase. The increased font would substantially increase the size of the sign to the point that it would require two poles and would not be practical in many instances.
- 19 To enable RCAs to use the existing static sign (not the large signs) we propose to consult on an amendment to introduce default variable speed limit times into the Land Transport Rule (Road User) 2004. The standard drop-off and pick-up times will be in the Rule and reflected in the Road Code. Drivers will be expected to know the school travel times and slow down when they see the school sign, even if they cannot read and comprehend all the information on the sign.
- 20 Any amendments to the Land Transport (Road User) Rule 2004 (the Road User Rule) need to be drafted by the Parliamentary Counsel Office (PCO). We are discussing the proposed change with PCO. The consultation document will consult on the proposal, rather than the amendments to the Road User Rule. We will work with PCO during and post the consultation to draft the required amendments.
- 21 Attached at Annex Two are examples of the static variable speed limit signs that will be outside schools.

### Changing road categories

- 22 You asked for more information on when or how an RCA can change the categorisation of a road. The NZTA has advised that there are two circumstances where this can occur through:
- 22.1 Annual reviews or updates – councils are expected to do an annual review or update to the road or street classification; however, any changes must be aligned with the guidance and is moderated by the NZTA.
- 22.2 Future network planning – councils may want to plan for longer-term changes to a road or street classification (i.e. a 10-20 year timeframe), but this would be dependent on RCA investment to support those changes.
- 23 You also asked for examples of road classifications, we have attached these at Annex Three.

# ANNEX 1

## Marae variable speed limit schematic

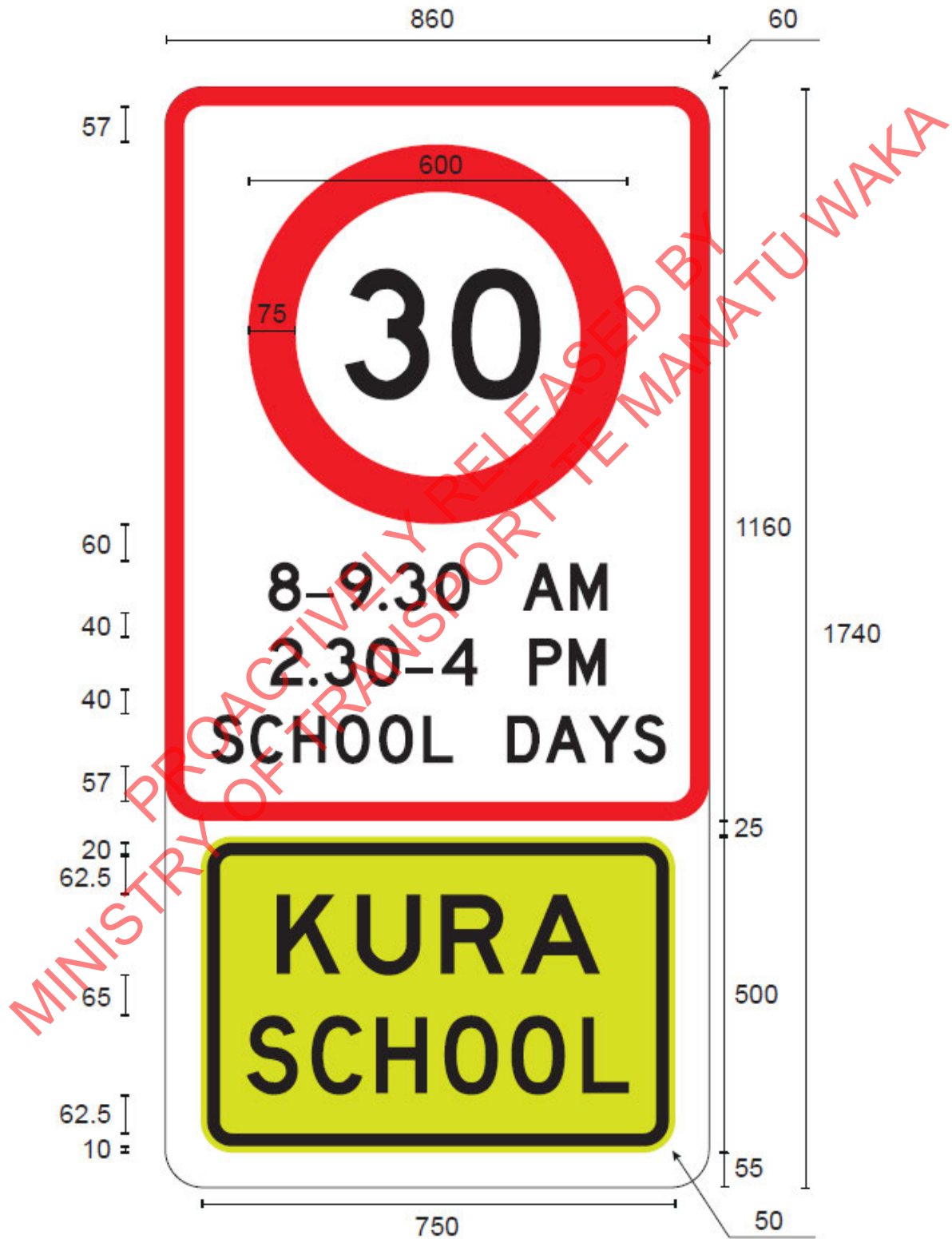


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MINISTRY OF TRANSPORT TE MANATU TRANZA

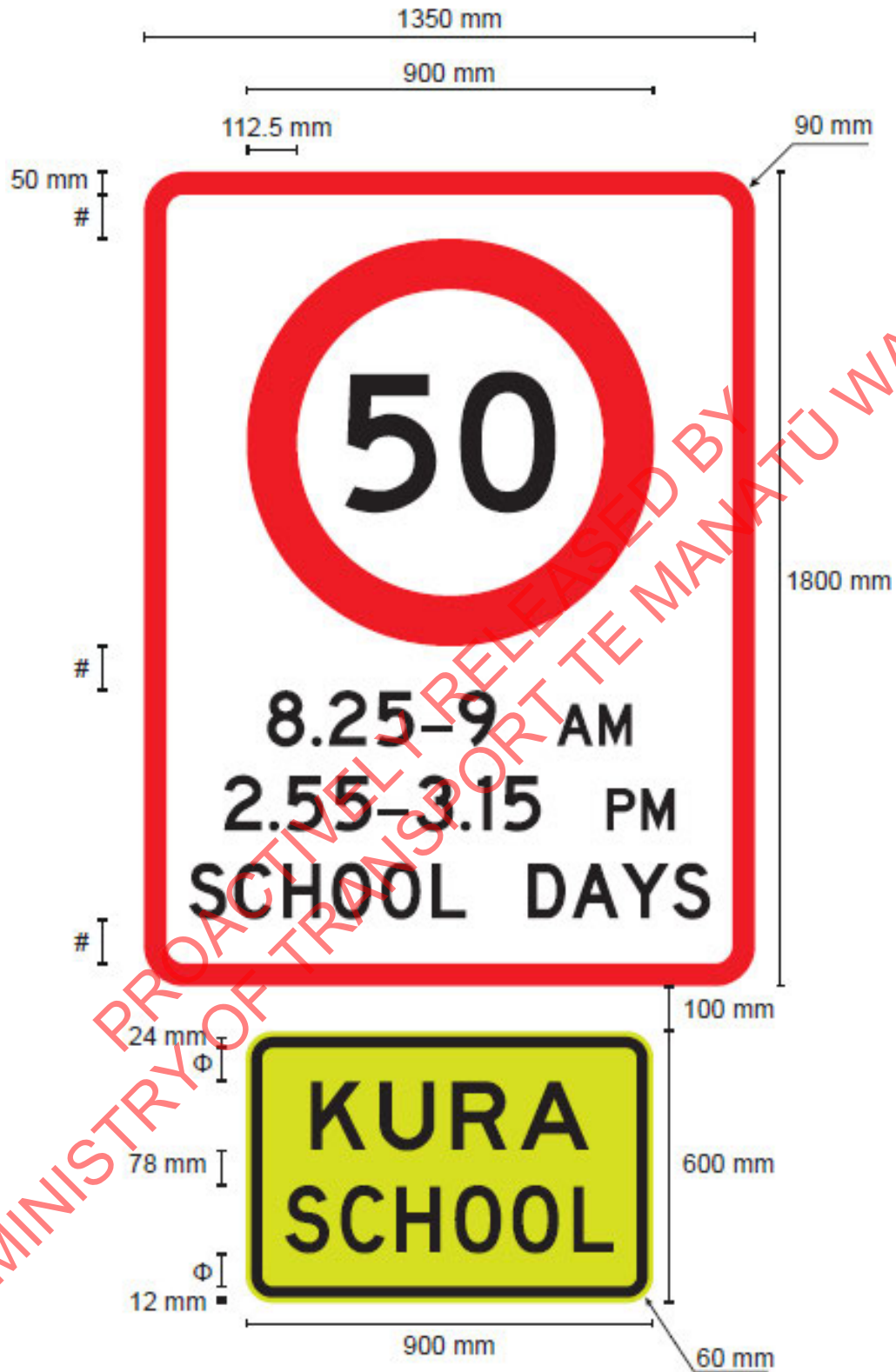
## ANNEX 2

### Static variable sign examples

Static variable 30km/h signs

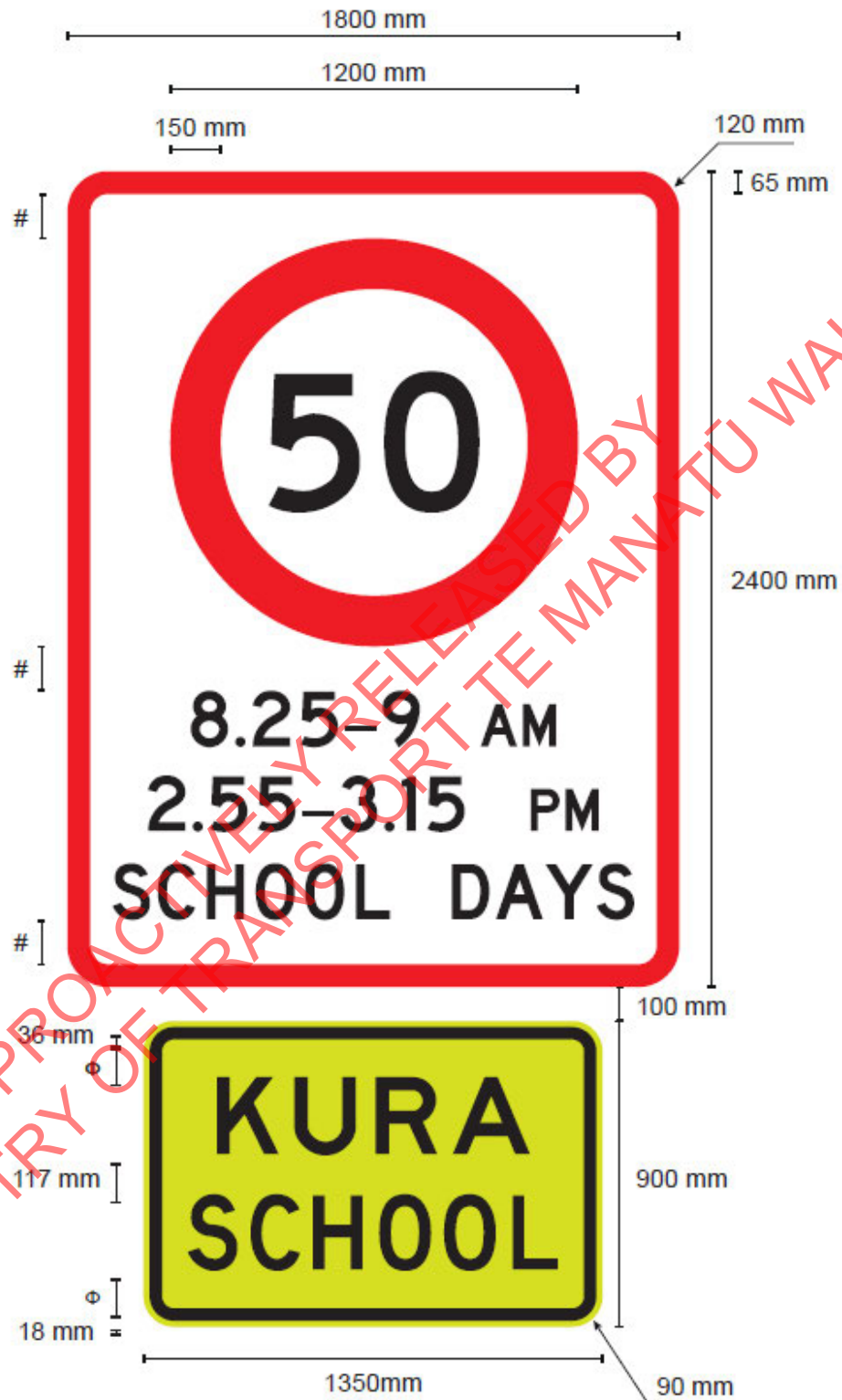


Static urban variable 50km/h signs



Type: Series 120D  
AM/PM: Series 92 D  
Kura: Series 150E  
School: Series 150D

Static rural variable speed limit signs



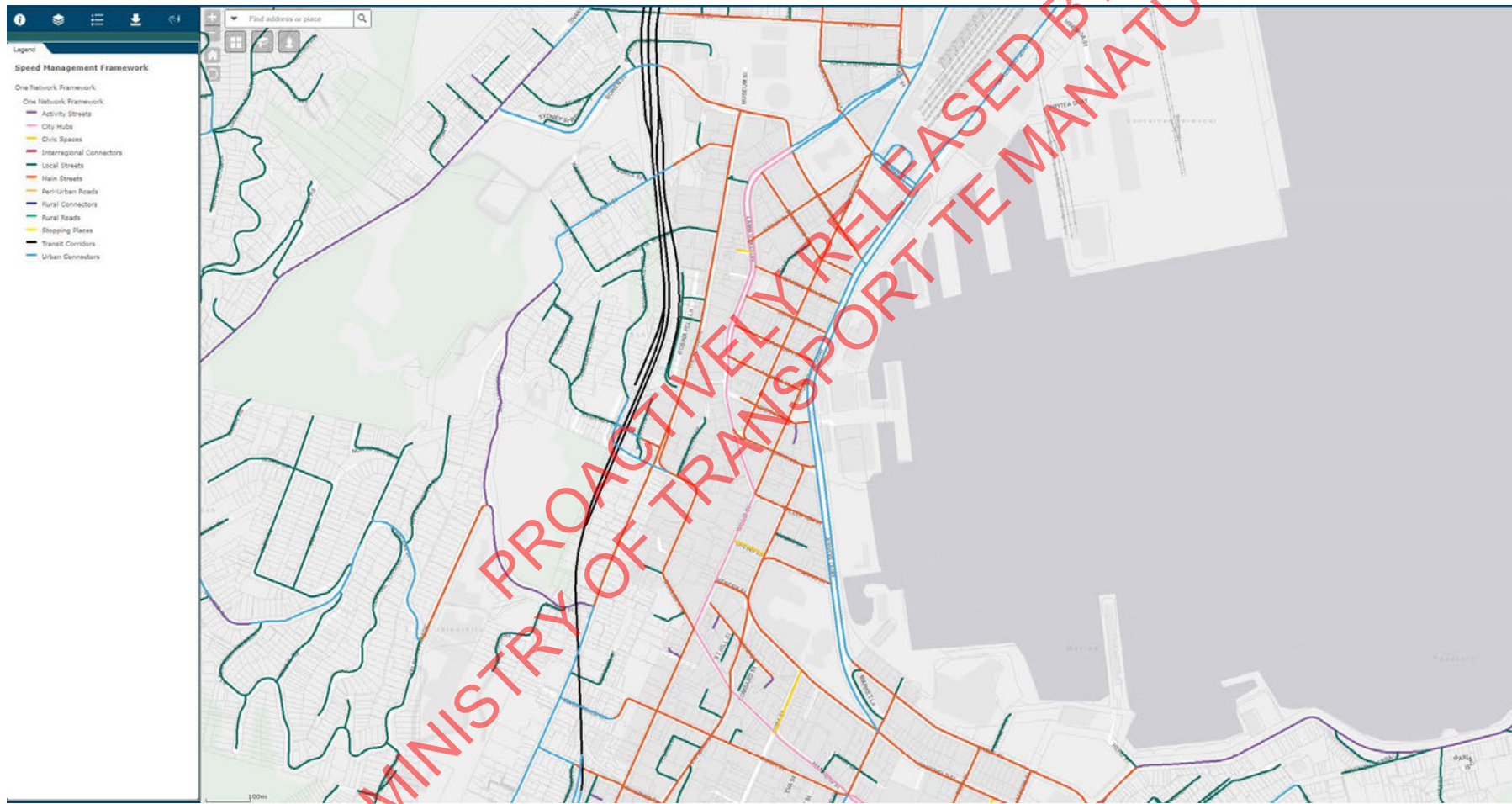
MINISTRY OF TRANSPORT RELEASED BY MANITU WAKA

Type: Series 160D  
AM/PM: Series 124D  
Kura: Series 225E  
School: Series 225D



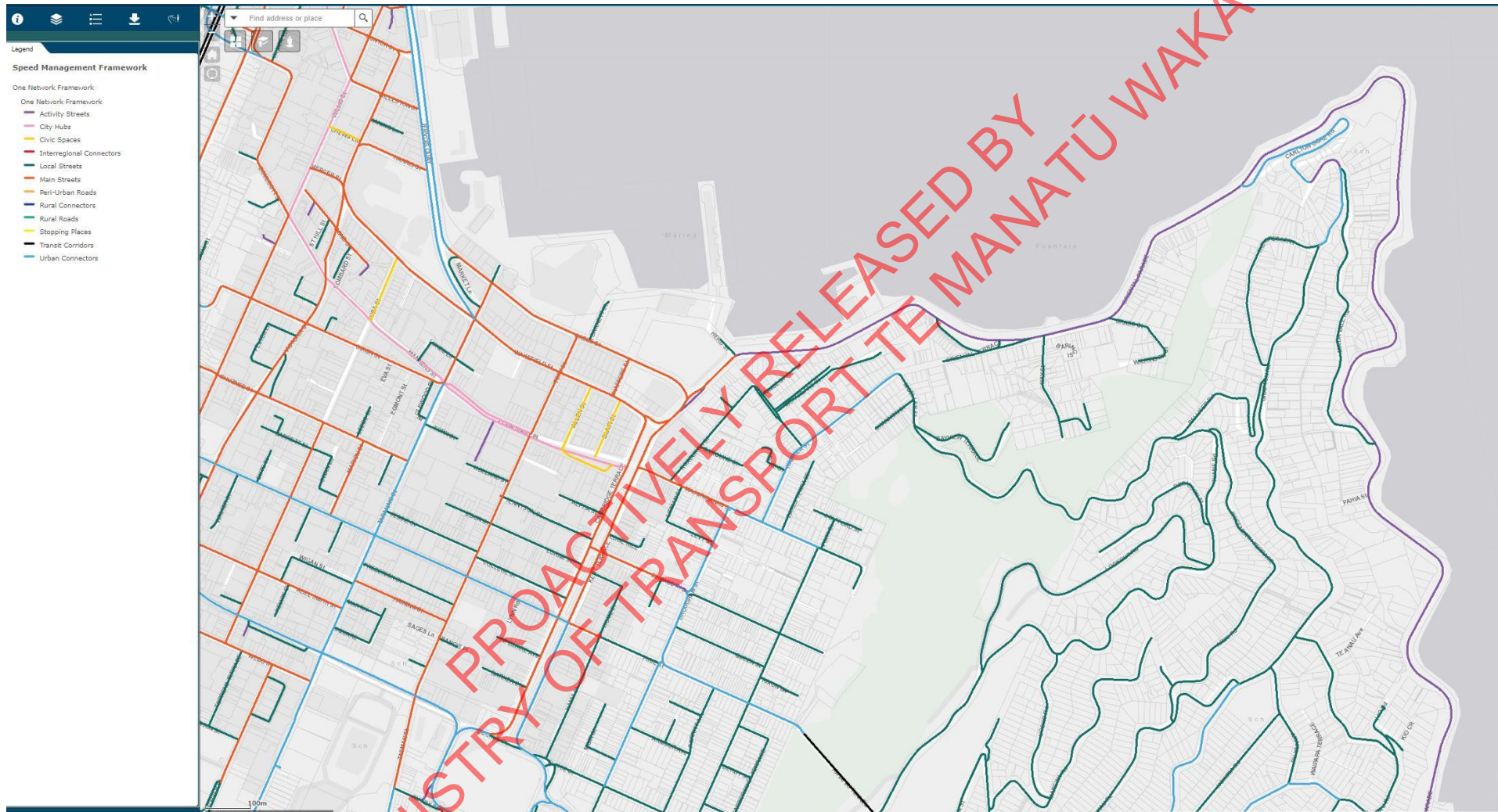
## ANNEX 3

### Examples of road classifications – Jevois Quay, Wellington

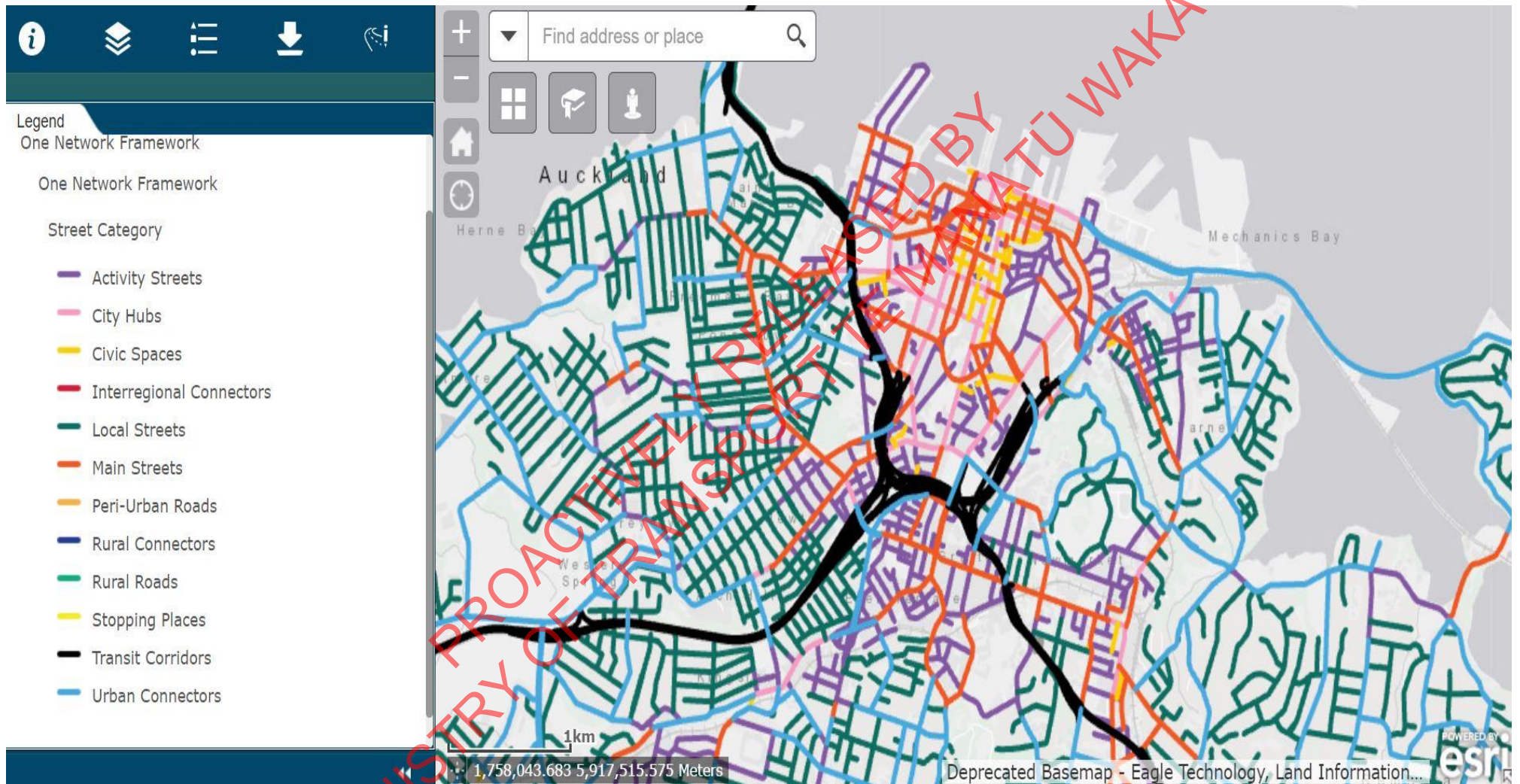




### Examples of road classifications – Oriental Bay, Wellington



### Examples of road classifications – Auckland CBD







15 May 2024

OC240517

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Thursday, 16 May 2024

## **SETTING OF SPEED LIMITS RULE PACKAGE FOR PUBLIC CONSULTATION**

### **Purpose**

Provide an updated Cabinet paper seeking agreement to proceed to public consultation on the draft Setting of Speed Limits Rule. The paper needs to be lodged with the Cabinet Office on 16 May 2024 for the Cabinet Economic Policy Committee (ECO) meeting on 22 May 2024.

### **Key points**

- We have updated the draft Cabinet paper and associated documents following departmental consultation and our recent discussion with you. Should you agree, the Cabinet paper needs to be lodged by 10am Thursday 16 May 2024 for consideration at the ECO meeting on 22 May 2024.
- Following the officials' meeting on 14 May 2024, we have updated the attached documents to reflect the changes we agreed with you. These are that:
  - you will return to Cabinet following consultation;
  - arterial road speed limits reduced since 1 January 2020 will reverse;
  - only State highway speed limits reduced since 1 January 2020 can be retained if the Road Controlling Authority (RCA) can demonstrate public support through a new consultation process; and
  - the deadline for reversals (or retaining lower speed limits on State highways) is 31 October 2025.
- Departmental and Ministerial consultation took place on the package of draft documents from 7-14 May 2024. We received comments from the New Zealand Transport Agency (NZTA), the Ministry of Education, the Department of Internal Affairs, the Department of Prime Minister and Cabinet (DPMC) and the New Zealand Police.
- We have made minor editorial changes to the consultation overview and regulatory impact statement in response to feedback. We have included a comment from Police in the Cabinet paper.

- Much of the remaining feedback relates to issues we expect will come through public consultation. We propose to consider the departmental comments alongside feedback received through consultation and incorporate any proposed changes into the final version of the Rule.
- We have summarised the feedback from departments and our response where necessary in the body of this briefing.
- Officials are preparing talking points for you to have at ECO.

**Recommendations**

We recommend you:

- |   |   |          |
|---|---|----------|
| 1 | <b>agree</b> to the changes made to the Cabinet paper and associated documents following Ministerial and departmental consultation.   | Yes / No |
| 2 | <b>agree</b> to lodge the attached Cabinet paper with the Cabinet Office by 10am 16 May 2024 for consideration at the Cabinet Economic Policy Committee meeting on 22 May 2024. | Yes / No |




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Paul O’Connell  
**DCE, Sector Strategy Group**  
 15 / 05 / 2024

---

Hon Simeon Brown  
**Minister of Transport**  
 ..... / ..... / .....

**Minister’s office to complete:**

<input type="checkbox"/> Approved	<input type="checkbox"/> Declined
<input type="checkbox"/> Seen by Minister	<input type="checkbox"/> Not seen by Minister
<input type="checkbox"/> Overtaken by events	

**Comments**

**Contacts**

Name	Telephone	First contact
Paul O’Connell, DCE, Sector Strategy Group	s 9(2)(a)	✓
Joanna Heard, Manager Safety	s 9(2)(a)	

## SETTING OF SPEED LIMITS RULE PACKAGE FOR PUBLIC CONSULTATION

We have summarised departmental feedback in the table below

Department	Nature of feedback	Comment
NZTA	<ul style="list-style-type: none"> <li>• Concerns around the funding for implementing speed limit reversals and new requirements around schools.</li> <li>• The timeframe for implementing changes is tight for local RCAs and NZTA as RCA.</li> <li>• Speed limit reversal should require cost benefit analysis (CBA) to be considered.</li> <li>• Suggest, where the reduced speed limit is consistent with the proposed classifications, reversal is not required.</li> <li>• The classification schedule removes the option for 30 and 40km/h speed limits on local streets and roads. In doing so, this will remove the option to align speed limits on these roads with the survivable speed threshold for people outside vehicles.</li> <li>• Recommend the CBA tool is mandatory to help with consistency.</li> </ul>	<ul style="list-style-type: none"> <li>• The NZTA's comment about the timeframe for implementing changes may be somewhat alleviated by your decision to reverse all arterial roads along with 30km/h zones that were reduced due to the presence of a school. This will mean that RCAs will only need to identify the roads and then reverse them.</li> <li>• We also note that you are intending to prioritise funding for speed limit reversals in the final GPS.</li> <li>• We note that the new speed limit classifications still allow for lower speed limits to be implemented over time, on some road classifications, to improve safety. The speed limit classifications do still allow for 30 km/h and 40 km/h in certain circumstances where there are high numbers of pedestrians to align with the survivable speed thresholds. Certain classifications have changed to allow for a more incremental implementation of reduced speed limits where the other requirements of the new Rule are met. The intention of the consultation is to test whether this approach is more publicly acceptable, while also considering safety and economic</li> </ul>

Department	Nature of feedback	Comment
		<p>implications. Changes to the classifications could be considered as part of the final Rule, depending on consultation feedback.</p> <ul style="list-style-type: none"> <li>We continue to work with NZTA on the way the CBA requirements are implemented and will be reporting back to you on sensitivity testing of CBA requirements in mid-June. We will also consider consultation feedback on the way CBA requirements are implemented.</li> </ul>
Police	<ul style="list-style-type: none"> <li>Police want to be listed in the Rule as an entity RCAs must consult with when making speed limit changes.</li> <li>Speed limit reversal should require CBA to be considered.</li> <li>The Residential/local street classification range should be 30km/h-50km/h.</li> <li>Other relevant Ministers e.g. Minister of Police should be consulted and/or invited to contribute to the development of the Ministerial Speed Objective.</li> <li>Cabinet paper should include cost of living implications e.g. rates increases to cover RCA costs.</li> </ul>	<ul style="list-style-type: none"> <li>We could include Police, Fire and Emergency New Zealand and ambulance providers as groups to be consulted. We will consider this further alongside consultation feedback.</li> <li>We expect RCAs will present the economic and safety case for a lower speed limit as part of seeking public acceptance for the lower limit. See other comments on CBA above.</li> <li>See other comments on speed limit classifications above.</li> <li>You could take the Ministerial Speed Objective to Cabinet before the implementation of the new Rule to enable other Ministers to be consulted.</li> <li>Paper has been updated in relation to potential cost of living implications.</li> </ul>
Department of Internal Affairs	<ul style="list-style-type: none"> <li>Concerns about the costs and capacity of RCAs to undertake the reversals in the timeframe specified.</li> </ul>	<ul style="list-style-type: none"> <li>These comments may be somewhat alleviated by your decision to reverse all</li> </ul>



Department	Nature of feedback	Comment
	<ul style="list-style-type: none"> <li>Expect RCAs to request extensions to the deadline or to provide options for phasing the changes through consultation.</li> </ul>	<p>arterial roads along with 30km/h zones that were reduced due to the presence of a school. This will mean that RCAs will only need to identify the roads and then reverse them.</p> <ul style="list-style-type: none"> <li>However, we also expect feedback on the deadlines through the consultation process and will take these into account in our recommendations to you on the final Rule.</li> </ul>
<p>Ministry of Education</p>	<ul style="list-style-type: none"> <li>Notes the joint Health and Safety and Work responsibilities of RCAs and school boards for road safety around schools.</li> <li>Concerns RCA shifting costs associated with changes onto the school. Recommend include costs to school as part of the CBA.</li> <li>Suggest Rule allows for flexibility and pragmatic decision-making to suit each school.</li> </ul>	<p>s 9(2)(h)</p> <div style="background-color: #cccccc; height: 200px; width: 100%;"></div> <ul style="list-style-type: none"> <li>We expect NZTA and local RCAs to continue to work with schools to improve road safety outside schools overtime. This Rule does not directly impose costs on schools.</li> <li>Standard school travel times are designed to be wide enough to capture most schools and to support consistency and compliance. However, if</li> </ul>

Department	Nature of feedback	Comment
		<p>through the public consultation there are concerns that certain schools do not fit within these times we will consider how to introduce a level of flexibility to allow for that.</p>
DPMC	<ul style="list-style-type: none"> <li>• Recommends returning to Cabinet following public consultation, regardless of changes proposed.</li> </ul>	<ul style="list-style-type: none"> <li>• We expect this can be achieved within timeframes previously announced and included in the draft Rule. That is:                             <ul style="list-style-type: none"> <li>○ Rule in place before the end of this year.</li> <li>○ Reversals completed by end of 2025.</li> </ul> </li> <li>• We have updated the Cabinet paper to reflect this change.</li> </ul>
Department of Conservation, WorkSafe, Department of Corrections	No feedback received.	

PROACTIVELY RELEASED BY  
 MINISTRY OF TRANSPORT & INFRASTRUCTURE

**ANNEX 1**

PROACTIVELY RELEASED BY  
MINISTRY OF TRANSPORT TE MANATŪ WAKA



7 August 2024

OC240892

**Hon Simeon Brown**  
**Minister of Transport**

**Action required by:**  
Monday, 12 August 2024

## **SEEKING DIRECTION ON THE NEW SPEED RULE POST CONSULTATION**

### **Purpose**

Seek your direction on any changes to the draft Land Transport Rule: Setting of Speed Limits 2024 after public submissions.

### **Key points**

- The draft Land Transport Rule: Setting of Speed Limits 2024 (the draft Rule) was released for consultation between 13 June 2024 and 11 July 2024.
- A high volume of submissions on the draft Rule was received, with 7,208 survey responses and 980 email responses. A draft summary of submissions is attached (see Annex 1).
- Further work is being done to finalise the summary. We have done an initial check for duplicates or other erroneous responses on the survey responses (over 1,000 in total) but have not yet cross checked the survey responses against the email responses for duplicates. We will provide you with a final version prior to you taking any policy changes to Cabinet.
- The attached table seeks your direction on some key choices officials have identified post consultation to the draft Rule for your consideration (see Annex 2). The key choices reflect a combination of suggestions from submission feedback and matters that officials have identified. Please indicate on the table which option(s) you want included in the final Rule.
- Following your confirmation of any changes, we will work with the NZ Transport Agency (NZTA) to update the Rule.
- We are also working our way through other possible changes to the draft Rule with NZTA, including technical and operational improvements. If we propose to progress any other more substantive changes, we will seek your decision on these through the Weekly Report.

*Seeking approval to engage some RCAs on implementation of the draft Rule*

- The following RCAs raised concerns about the operational ability to meet the 1 July 2025 deadline for reversing speed limits: NZTA, Dunedin City Council, West Coast

Regional Council, Christchurch City Council, Marlborough District Council, Western Bay of Plenty District Council, Waikato District Council and Auckland Council.

- RCAs suggested an 18 month implementation timeline or a three year implementation timeline for reversals. We are aware this is not aligned with the Government Policy Statement on Land Transport which sets out that the new Rule will require Road Controlling Authorities to reverse blanket speed limit reductions by 1 July 2025. We want to work with the NZTA to deliver a timely process.
- As part of this, we consider it would be worth engaging with NZTA and a select group of local RCAs to understand what the barriers to the 1 July 2025 date are, and how we might be able to address them.
- You also asked us to consider whether the deadline for variable speed limits outside all school gates could be brought forward to 31 December 2026. We have not consulted RCAs on this, we consider it would also be beneficial to engage with NZTA and a select group of local RCAs to ensure this deadline is workable.
- If you are comfortable, we will discuss with NZTA which RCAs we will engage with and report back to your office before proceeding with engagement. We can then update you on the outcomes through the Weekly Report.

*Next steps*

- The timeline below outlines the next steps. You are due to go back to Cabinet with the outcomes of the consultation process before signing the final Rule before the end of September. We recommend that you update Cabinet on the outcomes of the consultation process and any key policy changes. We propose that you do not take the final Rule back to Cabinet, as that would not allow sufficient time for NZTA drafters to complete drafting and quality assurance on the Rule before it is submitted for your signature.

Process	Dates
Minister's direction on changes to the draft Rule	12 August 2024
Draft Cabinet paper, summary of submissions and final Regulatory Impact Assessment to Minister	28 August 2024
Ministerial and departmental consultation	3 – 10 September 2024 [1 week]
Cabinet paper lodged	12 September 2024
Cabinet paper speaking points and draft press release to Minister	13 September 2024
Cabinet Economic Policy Committee	18 September 2024
Cabinet confirmation of ECO decisions	23 September 2024
Final Rule to Minister for signing	After Cabinet's meeting on 23 September 2024
New Rule in force	Late October 2024 (28 days after notification in the NZ Gazette)

**Recommendations**

We recommend you:

- 1 **review** the attached table and provide final policy direction on the draft Rule by indicating your preferred options
- 2 **agree** to officials seeking further feedback from NZTA and a select group of local RCAs on the reversals deadline and bringing forward the deadline for implementing variable speed limits outside schools to 31 December 2026. Yes / No

---

Paul O'Connell  
**Deputy Chief Executive Sector Strategy**  
 7 August 2024

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Hon Simeon Brown  
**Minister of Transport**  
 ..... / ..... / .....

- Minister's office to complete:**
- Approved  Declined
  - Seen by Minister  Not seen by Minister
  - Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Paul O'Connell, Deputy Chief Executive, Sector Strategy	s 9(2)(a)	✓
Joanna Heard, Manager, Safety	s 9(2)(a)	

**Attachments**

- Annex 1: Summary of submissions
- Annex 2: Table summarising options to respond to feedback received on the draft Rule



## Annex 1: Options for policy changes to the draft Land Transport Rule: Setting of Speed Limits 2024 post consultation

Proposal	Selective feedback	Options	
<p><b>Proposal 1: requiring Cost Benefit Analysis (CBA)</b></p>	<p>While there was overall support for the concept of CBA being undertaken, there were a range of technical concerns raised about the practicalities of completing CBAs. Officials share concerns about the practicalities of applying the CBA requirements in the rule, as well as the possibility of single monetised CBA figures masking significant assumptions in projections (e.g. assumptions about future safety outcomes based on limited historical data and estimates of emissions reductions that have no net impact on New Zealand's overall emissions).</p> <p>Conducting CBA at an individual road level is not always practical, particularly for urban streets with insufficient safety data and minimal impact on travel times. This is consistent with our sensitivity testing across different road classifications.</p> <p>Concerns were expressed about the different approach used to calculating Benefit Cost Ratios in the draft Rule (where negative impacts are treated as costs), compared to the following NZTA's Monetised Benefits and Costs Manual (which treats negative impacts as disbenefits).</p>	<p>1.a Retain as drafted.</p>	<p>Agree / Disagree</p>
	<p>Some RCAs raised concerns about CBA being time-consuming and costly, and recommended that speed limit proposals for certain roads be exempt from these requirements. For example:</p> <ul style="list-style-type: none"> <li>• where the proposals are in response to community requests,</li> <li>• are for low volume roads or</li> <li>• for short sections of roads.</li> </ul>	<p>1.b Require a <i>description</i> and <i>publication</i> of the key costs and benefits of a proposed speed limit change. The description could include the estimated:</p> <ul style="list-style-type: none"> <li>• safety impacts. This would cover the road safety issues that are being addressed through the proposed speed limit changes (including the number and severity of crashes on the road(s) in recent years), and the estimated impact of the speed limit changes on the future number and severity of crashes.</li> <li>• travel time impacts. This would include information on current mean operating speeds, the estimated impact of the speed limit change on mean operating speeds, and the estimated impact on journey times.</li> <li>• implementation costs.</li> </ul> <p>This approach would overcome concerns about using different approaches to calculating Benefit Cost Ratios. Officials also consider this would be a more transparent approach that would aid consultation processes.</p> <p>This could be called a "Quantified Costs and Benefits Disclosure Statement" or similar.</p>	<p>Agree / Disagree</p>
		<p>1.c Under either of the options outlined above (1a and 1b), allow the analysis to be conducted at an individual road, area or network level, depending on the nature of the proposed speed limit changes.</p>	<p>Agree / Disagree</p>
		<p>1.d Under either of the options outlined above (1a and 1b), only apply requirements to higher volume roads where speed limit changes are proposed over longer stretches (for example, 500 m or more).</p>	<p>Agree / Disagree</p>
<p>Proposal 2: Consultation</p>	<p>Overall, the consultation proposal was well supported.</p> <p>However, many submitters felt that consultation on each road is not necessary and will be costly and lead to 'consultation</p>	<p>2.a Retain as drafted.</p>	<p>Agree / Disagree</p>

	<p>fatigue' among local communities. These submitters suggested a network approach to speed changes would be more appropriate.</p> <p>Some submitters suggested four weeks is not long enough.</p> <p>Officials consider the consultation proposals overall to be appropriate. But note that as per the suggestion for an alternative approach to CBA under proposal 1b that the description of costs and benefits should be disclosed and consulted on.</p>	<p>2.b Increase the minimum period for consultation, from 4 weeks to 8 weeks.</p>	<p><b>Agree / Disagree</b></p>
		<p>2.c In addition to disclosing safety and travel time impacts, and implementation costs, require the following information to be published as part of the consultation material:</p> <ul style="list-style-type: none"> <li>• the role and function of the road(s) that are proposed to have new speed limits</li> <li>• how the road(s) is/are used, including the different types of road users</li> <li>• why speed limit changes are proposed, rather than any other intervention.</li> </ul>	<p><b>Agree / Disagree</b></p>
<p>Proposal 3: Variable speed limits outside school gates</p>	<p>This proposal contains several aspects and as such received very mixed feedback.</p> <p>Flexibility was sought to work with schools to determine what works best for each school.</p> <p>Some RCAs preferred the option of permanent or variable limits, while some noted the proposed school travel periods are much longer than existing variable speeds (most operate for 55 minutes per day; the draft rule proposed 3 hours to capture variances among schools).</p> <p>Submitters pointed out that the current rule enables schools to "turn on" the lower speed limit for 10 minutes to enable, for example, children to safely get onto buses for school trips, and asked that this be retained.</p> <p>Concerns that the definition of outside the school gate does not consider walking routes and will not address congestion, or realise other benefits of active independent travel to school.</p>	<p>3.a Retain as drafted.</p>	<p><b>Agree / Disagree</b></p>
		<p>3.b Allow for both variable and permanent speed limit changes outside of schools.</p>	<p><b>Agree / Disagree</b></p>
		<p>3.c Provide more flexibility in the setting of variable speed limits outside of schools, for example:</p> <ul style="list-style-type: none"> <li>• removing the set times for drop off and pick up and allow RCAs to set variable speed limits that suit each school (i.e. by changing the definition of 'school travel period' to mean the start and end time of each school day with up to 30 minutes either side of the bell).</li> <li>• enabling electronic or larger static signs on the main road and leave it to RCA discretion to determine what works best for each location. This would mean NZTA would need to develop a larger static sign for use on main roads.</li> <li>• for schools that have electronic signs, enabling lower speed limits to be switched on for 10 minutes outside drop off and pick up times when there is significant activity outside of the school (for example a school assembly or sports event).</li> </ul> <p>If you agree to taking a more flexible approach to setting of variable speed limits, the amendment to introduce standard school travel periods into the Land Transport (Road User) Rule 2004 would not be progressed.</p>	<p><b>Agree / Disagree</b></p>

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Proposal 4: Ministerial Speed Objective	<p>Most submitters supported this proposal. .</p> <p>However, others pointed out that the option of using the GPS to do this is already available.</p> <p>Officials consider that having multiple guiding documents could lead to inconsistency.</p>	4.a Retain as drafted.	<b>Agree / Disagree</b>
		4.b Remove the option of a Ministerial Speed Objective and rely on the current tool of the GPS to signal the Government's objectives for speed management.	<b>Agree / Disagree</b>
Proposal 5: Speed limit classifications	<p>Overall, most supporters either supported this proposal or supported it with some exceptions.</p> <p>Concerns were raised that the speed limits would not be set road-by-road and would fail to address unique circumstances of individual roads. Some RCAs recommended the schedule uses classifications consistent with the One Network Framework.</p> <p>A number of submitters suggested providing ranges for urban streets from 30-50km/h. A smaller number of submissions included suggested ranges for inter-regional connectors (for example, 60-100km/h or 80-100 km/h).</p> <p>Some submitters were unsure whether the speed limit classifications apply to seasonal, variable or temporary speed limits.</p>	5.a Retain as drafted, with the clarification that the speed limit classifications apply only to permanent speed limits.	<b>Agree / Disagree</b>
		5.b Retain most classifications but amend the exemption for significant pedestrian and cycling activity to allow 30 k/h or 40 km/h.	<b>Agree / Disagree</b>
		5.c Include an additional exception for interregional connectors that have a history of serious road crashes and allow 70 – 90 km/h to be set on these stretches. If this approach is taken, the NZTA has raised a question of how the history of serious road crashes would be defined. We would continue to work through this with the NZTA.	<b>Agree / Disagree</b>
		5.d Align all the classifications with the One Network Framework.	<b>Agree / Disagree</b>
Proposal 6: Director's criteria	<p>Some submitters acknowledged this was largely administrative and needed to be consistent with the requirements of the Rule.</p> <p>Some submitters suggested setting speed limits should be left to RCAs.</p>	6.a Retain (ensure it is updated to align with any potential changes to the Rule).	<b>Agree / Disagree</b>
		6.b Remove requirement for Director to certify speed limits.	<b>Agree / Disagree</b>
Proposal 7: Reversals	<p>Overall the reversal provisions received the most submissions. Of the 6,649 individuals who commented on this proposal, 4,372 supported and 2,055 did not support. 422 of those who supported wanted the reversals actioned sooner than the proposed date.</p>	7.a Retain as drafted.	<b>Agree / Disagree</b>

<p>Some key technical questions were raised on the provisions.</p> <p>A key question was why only NZTA can retain lower speed limits if there is public support and suggested this is extended to other road types.</p> <p>Some technical submissions sought clarification about what the presence of a school means for the 30 km/h speed limit reductions on local streets, e.g if a school was only one of a number of reasons for a reduced speed zone would reversal be required?</p> <p>Clarification sought around change in use or classification of the road and whether there should be exemptions for these scenarios (where the higher speed limit would not make sense).</p> <p>Concerns that where the road has been reengineered, such as speed calming measures, and reversing the speed limit would not align with the new engineering.</p> <p>Comment that some urban connectors (arterial streets) are multimodal, narrow and have high volumes of people using them, and there needs to be an ability to appropriately balance the competing interests of safety with efficiency.</p> <p>RCA's raised concerns around the cost and timeframes for reversals. Some suggested the implementation period for reversals should be extended to 18 months or 3 years.</p> <p>NZTA suggested that the Director of Land Transport's certification role for the speed limit reversals be removed to streamline the process.</p> <p>NZTA pointed out that several hundred technical speed limit corrections were made following the release of the National Speed Limits Register. If these are not excluded from the reversal process, this would impose a significant administrative burden on RCAs to reverse and reinstate the corrected speed limits. Examples include where a posted speed limit aligned with the relevant bylaw, but the start and end point for the speed limit did not. In other cases, the relevant bylaw</p>	<p>7.b Enable all RCAs to be able to retain reduced speed limits if they complete new consultation and public support requirement (in line with the State highway approach).</p>	<p><b>Agree / Disagree</b></p>
	<p>7.c Clarify that the reversal requirement for local roads with permanent 30 km/h applies where <i>one of the reasons</i> for introducing the lower speed limit was because there is a school in the area.</p>	<p><b>Agree / Disagree</b></p>
	<p>7.d Exempt roads where the reversals would be inappropriate due to changes in the road or surrounding environment, due to:</p> <ul style="list-style-type: none"> <li>• changes in land use (for example, new residential developments)</li> <li>• resource consent requirements, where a reversal of the lower speed limit would result in a resource consent breach (for example, where resource consent for a new supermarket is subject to a lower speed limit being introduced)</li> <li>• changes to road infrastructure (for example, a new roundabout) requiring the lower speed due to the risk of crashes/loss of control at the higher speeds.</li> </ul>	<p><b>Agree / Disagree</b></p>
	<p>7.e Clarify reversals for urban connectors to be urban connectors with two or more lanes in one direction – e.g. a three-lane road with two lanes in one direction and one lane in the other direction would be captured.</p>	<p><b>Agree / Disagree</b></p>
	<p>7.f Clarify that speed limit reductions made to correct speed limit records are not subject to reversals.</p>	<p><b>Agree / Disagree</b></p>
	<p>7.g Officials to explore approaches to meeting the reversal deadline, like removing the certification process.</p>	<p><b>Agree / Disagree</b></p>



	was not updated to account for new residential developments.		
<b>Additional matters</b>			
Speed management committee	Support for retaining the speed management committee focused on providing independent oversight of NZTA and ensuring a clear separation of its roles as regulator and RCA. However, a number of submitters suggested the NZTA has the resource and expertise to audit itself. The NZTA as RCA submitted that it welcomed a more efficient process.  On balance officials support removing the Committee.	8.a Retain the Committee as is.	Agree / Disagree
		8.b Remove the Committee.	Agree / Disagree
Regional Speed Management Plans	Some submissions were supportive of retaining the option of Regional Speed Management Plans to ensure a region wide approach where there is a desire for that.  Alternative view is that Regional Speed Management Plans are not necessary, as achieving greater consistency in setting speed limits across regions can be achieved more simply through collaboration between local councils and NZTA (for adjacent state highway speeds).  On balance, officials support removing regional speed management plans as this option has not been well used under the current rule.	9.a Retain option for Regional Speed Management Plans.	Agree / Disagree
		9.b Remove option for Regional Speed Management Plans.	Agree / Disagree
Enabling 120kph on roads built and maintained to that standard	NZTA noted that no roads have been constructed for 120km/h and the cost to upgrade or build for this speed limit is likely to be considerable.  Many RCAs expressed the view that investment is better directed at delivering more state highway projects designed for	10.a Include option for 120km/h on roads built and maintained to a standard to safely support this higher speed limit to future proof the Rule.	Agree / Disagree

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	<p>100-110km/h speed limits, over fewer roads designed for 120km/h.</p> <p>Other submissions noted the speed differential between heavy vehicles (90km/h) and light vehicles travelling at 120km/h, and that driver training/behaviour would need to change before these speed limits are introduced.</p>	<p>10.b Do not include 120km/h option.</p>	<p><b>Agree / Disagree</b></p>
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28 August 2024

OC240963

Hon Simeon Brown

Action required by:

Minister of Transport

Monday, 2 September 2024

## DRAFT SETTING OF SPEED LIMITS RULE 2024 - POST CONSULTATION REPORT BACK

### Purpose

To provide you with a Cabinet paper on the updated draft Land Transport Rule: Setting of Speed Limits 2024 following public consultation.

### Key points

- You are due to sign a new Setting of Speed Limits Rule by 30 September 2024, as set out in the Government's Q3 Action Plan.
- We have prepared a Cabinet paper that summarises the feedback received on the draft Rule through consultation and seeks Cabinet's agreement to key changes, which are:
  - the introduction of the requirement to consult on a cost benefit disclosure statement. This will include information on travel time and safety impacts of the proposed change, as well as the rationale for the change;
  - the requirements for variable speed limits outside schools will be amended by removing standardised times for drop off and pick up (when lower speed limits will apply) and allowing RCAs to set these times for each school;
  - the Ministerial Speed Objective, speed management committee and regional speed management plans will be removed from the Rule;
  - a speed limit of 120 km/h will be enabled on roads built and maintained to a standard to safely support this speed.
- The Cabinet paper attaches an updated Regulatory Impact Statement. A draft summary of submissions is attached to this briefing. With your approval, we will publish this on our website after the final Rule has been signed.
- We have included a timeline below with the steps required to meet the Government's Q3 Action Plan deadline of having the Rule signed by 30 September 2024. Subject to your approval of the documents, we recommend ministerial and departmental consultation commences on 3 September 2024 for one week.

- We are working with the New Zealand Transport Agency to update and finalise the draft Rule. We will provide this to you by 13 September 2024 to sign by 30 September 2024.

### Timeline

- The below timeline will ensure you meet the Government's Q3 Action Plan deadline to sign the Rule by 30 September 2024:

Ministerial and departmental consultation	3 – 10 September 2024
Cabinet paper lodged	12 September 2024
Updated draft Rule provided to your office	13 September 2024
Cabinet Economic Policy Committee (ECO) consideration	18 September 2024
Cabinet approval of ECO decisions	23 September 2024
Final Rule to you for signing	After Cabinet consideration
New Rule in force	Late October 2024 (28 days after notification in the NZ Gazette)

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**Recommendations**

We recommend you:

- 1 **agree** to commence ministerial and departmental consultation on the Cabinet paper and Regulatory Impact Statement on 3 September 2024 for one week Yes / No

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Paul O’Connell  
**Deputy Chief Executive, Sector Strategy**  
 ..... / ..... / .....

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Hon Simeon Brown  
**Minister of Transport**  
 ..... / ..... / .....

- Minister’s office to complete:**
- Approved  Declined
  - Seen by Minister  Not seen by Minister
  - Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Joanna Heard, Manager Safety	s 9(2)(a)	✓
Paul O’Connell, Deputy Chief Executive, Sector Strategy	s 9(2)(a)	

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**ANNEX 1 – DRAFT CABINET PAPER**

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## Table for discussion with the Minister 29 July 2024.

Key points to note about the following table:

- We are working through the large number of submissions received on the draft Setting of Speed Limits Rule.
- There have been a range of views expressed about the proposals, both in support and in opposition. We will provide a summary of the submission analysis in our briefing due on 7 August 2024.
- The following table summarises some of the key technical matters that officials have identified for consideration to enable the Rule to be finalised. These have primarily been raised by RCAs and stakeholder groups who are more familiar with the technical detail of applying speed limit rules. However, officials are continuing to test these matters against the views of individual submitters as the submissions analysis is completed.
- These comments are not representative of all the submissions received, but are presented to test the Minister's appetite to amend any of the technical details of the Rule.

Proposal	Feedback	Options
<p>Proposal 1: requiring CBA</p>	<p>While there appears to be principle level support for considering the costs and benefits of a speed limit proposal from some submitters, those more familiar with the practicalities of completing CBA have raised some concerns with their application.</p> <p>Conducting CBA at an individual road level isn't always practical, particularly for urban streets with insufficient data and minimal impact on travel times.</p> <p>RCAs have raised concerns about CBA being time-consuming and costly. Certain speed limit proposals could be exempted from CBA requirements.</p>	<p>Retain as drafted.</p> <p>An alternative approach is to require a description of the key costs and benefits, including the estimated safety time impacts, travel time impacts, impacts on operating speeds and implementation costs.</p> <p>If the CBA requirement is retained, consideration could be given to technical changes to the way it is applied, for example:</p> <ul style="list-style-type: none"> <li>• Enable CBA to be conducted over road, area or network level, depending on the nature of the proposed speed limit changes.</li> <li>• Only apply to CBA to higher volume roads where speed limit changes are proposed over longer stretches.</li> </ul>



Proposal	Feedback	Options
<p>Proposal 2: Consultation</p>	<p>General support for the same public consultation process for all RCAs, including NZTA. Many RCAs felt the consultation requirements were already being met and didn't need to be prescribed.</p> <p>View expressed by the AA that the 4-week consultation window is too short; 8 weeks was preferable. As noted above the AA suggested a more prescriptive list of information is included in consultation. The AA also suggested that the Rule should require RCAs to be satisfied with the level of public support before proceeding with changes.</p>	<p>Retain as drafted.</p> <p>The draft Rule requires a minimum 4 week consultation, so RCAs could consult over a longer period if they choose. Alternatively, this minimum period could be increased.</p> <p>As noted above, consideration could be given to requiring a more prescriptive list of information being published when speed limit consultation occurs. Or this could be left to NZTA's guidance. Similarly, expecting RCAs to be satisfied with the level of public support could be considered further for the Rule or guidance.</p>
<p>Proposal 3: Variable speed limits outside school gates</p>	<p>RCAs and other stakeholder groups provided a lot of comment on the school proposals. RCAs and the AA seemed to want to maintain flexibility for RCAs to work with communities and implement variable speed limit times that works for each school.</p> <p>Some raised the option of permanent or variable speed limits. Existing permanent zones being well supported by communities being cited.</p> <p>Concerns that the definition of outside the school gate does not consider walking routes and will not address congestion, or realise other benefits of active, independent travel to school.</p>	<p>Retain as drafted.</p> <p>Allow a more flexible approach to variable speed limit times and distances for each school environment, as well as existing option to activate speed limits for special events outside these times (for example sports event or assembly). This is likely to require maintaining the use of electronic signs on main roads.</p> <p>Allow for variable and permanent speed limit changes outside of schools.</p>
<p>Proposal 4: Ministerial Speed Objective</p>	<p>Some concerns raised over the risk of the Speed Objective interfering with local decision making and that it potentially signalled a less evidence-based approach.</p> <p>Suggestion that the GPS is a better mechanism for the Government to outline its objectives for speed management.</p>	<p>Retain as drafted.</p> <p>Remove and leave GPS to signal the Government's objectives for speed management.</p>

Proposal	Feedback	Options
<p>Proposal 5: Speed limit classifications</p>	<p>Some submitters supported the clarity the classifications would provide to ensure consistency. We also need to consider further individual submitters views on the proposed speed limit classifications.</p> <p>However, a number of the RCA and stakeholder submissions raised concerns that the speed limits were based on road type, rather than the form and function of the road and that the classifications moved away from NZTA's One Network Framework.</p> <p>Suggestions were made about providing ranges for urban streets from 30-50km/h. A smaller number of submissions included suggested ranges for inter-regional connectors (60-100km/h or 80-100 km/h).</p>	<p>Retain as drafted.</p> <p>Retain most classifications but amend urban streets to allow 30-50km/h or amend the exemption for significant pedestrian and cycling activity to allow 30 k/h or 40 km/h.</p> <p>Include a range for inter-regional connectors to allow speed limits of less than 100 km/h.</p> <p>Align the classifications and ranges with the existing One Network Framework.</p>
<p>Proposal 6: Director's criteria</p>	<p>Some submitters acknowledged this was largely administrative and needed to be consistent with the requirements of the Rule.</p> <p>Some submitters suggested setting speed limits should be left to RCAs.</p>	<p>Retain (ensure it is updated to align with any potential changes to the Rule).</p> <p>Remove and leave decisions to RCAs.</p>
<p>Proposal 7: Reversals</p>	<p>Very mixed and strongly held views, particularly between RCAs and individuals. Individual submissions also tend to be strongly in favour or strongly against.</p> <p>RCAs expressed concerns about overriding local decisions that went through robust consultation processes and overriding community wishes. Many queried why only NZTA has ability to retain lower speed limits if there is public support and suggested this is extended to other road types.</p> <p>Some technical submissions sought clarification about what the presence of a school means for the 30 km/h speed limit reductions on local streets, e.g if a school was only one of a</p>	<p>Retain as drafted.</p> <p>Enable all RCAs to be able to retain reduced speed limits with a new consultation and public support (in line with the State highway approach).</p> <p>If the school was only one reason for introducing 30 km/h, clarify that reversal applies.</p> <p>Exempt roads where the land use has changed or there is a consent for a business that is subject to the reduced speed limit.</p>

Proposal	Feedback	Options
	<p>number of reasons for a reduced speed zone would reversal be required?</p> <p>RCAs raised concerns around the cost and timeframes for reversals. Some suggested the implementation period for reversals should be extended to 18 months or 3 years.</p> <p>Clarification sought around change in use or classification of the road and whether there should be exemptions for these scenarios (where the higher speed limit wouldn't make sense).</p> <p>Concerns about where the road has been reengineered and reversing the speed limit would not align with the new engineering.</p> <p>General concerns about safety impacts of reversals.</p> <p>Comment that some urban connectors (arterial streets) are multimodal, narrow and have high volumes of people using them, and there needs to be an ability to appropriately balance the competing interests of safety with efficiency.</p> <p>Some legal and ethical standard issues have been raised that officials are looking into further.</p>	<p>Enable speed limits to be retained where a road has been reengineered.</p> <p>Clarify reversals for urban connectors to be urban connectors with two or more lanes.</p>
<i>Additional matters</i>		
Speed management committee	<p>More RCAs support retaining the Committee than not. Even split between interest groups.</p> <p>Some RCAs feel NZTA has the resource and expertise to audit itself.</p> <p>Chair of the Speed Management Committee submitted the view that as the Rule stands, there seems to be little value in continuing the Committee.</p>	<p>Retain the Committee as is.</p> <p>Remove the Committee.</p>

Proposal	Feedback	Options
Regional Speed Management Plans	<p>Some submissions supportive of retaining the option of Regional Speed Management Plans to ensure a region wide approach where there is a desire for that.</p> <p>Alternative view is that Regional Speed Management Plans are not necessary, as achieving greater consistency in setting speed limits across regions can be achieved more simply through collaboration between local councils and NZTA (for adjacent state highway speeds).</p>	<p>Retain option for Regional Speed Management Plans.</p> <p>Remove option for Regional Speed Management Plans.</p>
Enabling 120kph on roads built and maintained to that standard	<p>Many individuals were supportive (noting the question was framed around roads being built and maintained to this standard).</p> <p>However, NZTA noted that no roads have been constructed for 120km/h and the cost to upgrade or build for this speed limit is likely to be considerable.</p> <p>Many RCAs expressed the view that investment is better directed at delivering more state highway projects designed for 100-110km/h speed limits, over fewer roads designed for 120km/h.</p> <p>Other submissions noted the speed differential between heavy vehicles (90km/h) and light vehicles travelling at 120km/h, and that driver training/behaviour would need to change before these speed limits are introduced.</p>	<p>Include option for 120km/h on roads built and maintained to a standard to safely support this higher speed limit, to future proof the Rule for this possibility.</p> <p>Do not include 120km/h option.</p> <p>Ask officials to consider this issue further next year as part of the development of the RONS.</p>

MINISTRY OF TRANSPORT  
 PUBLICLY RELEASED BY  
 MANATŪ WAIKŪ



4 December 2024

OC241411

Hon Simeon Brown

Action required by:

Minister of Transport

Thursday, 5 December 2024

## LAND TRANSPORT RULE: SETTING OF SPEED LIMITS AMENDMENT 2024

### Purpose

The purpose of this paper is to provide you with a paper for submission to the Cabinet Legislation Committee (LEG) for its meeting on Thursday 12 December 2024. The paper seeks agreement to amend the Land Transport Rule: Setting of Speed Limits 2024 (the Rule) to align the specified roads subject to the reversal provisions with the intended scope.

### Key points

- The public consultation document that led to the Rule included broad references to specified road types that would be subject to the reversal provisions. These road types included arterial roads primarily designed for the efficient movement of people and goods between different parts of urban areas, and rural state highways. The Rule includes technical road classifications that are narrower in scope than the broader references used in the consultation document.
- Attached is a draft LEG paper seeking Cabinet's agreement to submit an Order in Council (OIC) to amend the Rule to align the reversal provisions with those in the consultation document. This means adding transit corridors and State highway rural connectors to the reversal provisions in the rule.
- If Cabinet agrees to the amendments, any lower speed limits introduced on these road types since 1 January 2020 would need to revert to the previous higher speed limits by 1 July 2025.<sup>1</sup>
- Transit corridors either under the control of the New Zealand Transport Agency (NZTA) or other local road controlling authorities (RCAs) will automatically reverse in line with the requirements for urban connectors. State highway rural connectors, referred to in the OIC as rural connectors under the control of NZTA (i.e. State highways), will be subject to the same provisions as interregional connectors and will reverse unless NZTA can demonstrate public acceptance of the lower limit through a

<sup>1</sup> The existing limited exceptions in the Rule remain unchanged. This means an RCA can retain a reduced speed limit if it would be inappropriate to revert to the previous speed limit due to significant change in the land use adjacent to the road (for example, where a new residential development has been built) since 31 December 2019.



new consultation process. This aligns with the discussion in the consultation document.

- The amendment Rule also makes a minor technical amendment to the definition of “urban transit corridors” in the Rule. It removes the word “urban” to just refer to “transit corridors”. This is being done for completeness to align with the existing technical definitions in the One Network Framework. We do not consider it has any practical effects other than to ensure absolute clarity for RCAs about the roads that the reversals apply to.
- The amendment Rule is proposed to be made via OIC to ensure that it can be notified in the *New Zealand Gazette* this year and come into force early next year. This will give road controlling authorities time to plan for the changes.
- Under section 152A of the Land Transport Act 1998 (the Act), the Governor-General may make, amend, or revoke ordinary rules, by Order in Council, on the recommendation of the Minister of Transport.
- As the Minister of Transport, you must have regard to the criteria specified in section 164(2) of the Act, before recommending that the Governor-General amend the Rule.
- You already had regard to the section 164(2) criteria when making the rule in September 2024 (OC241091 refers). Our advice on these matters remains the same as our previous advice and is a summary of our advice in our Regulatory Impact Assessment on the Rule. This amendment has received a RIA exemption as these roads were already considered as part of that RIA. However, for completeness we have provided our advice again on these matters in Appendix One.

## Recommendations

We recommend you:

- 1 **have regard to**, and give such weight as you consider appropriate in each case, the advice in this briefing on the following matters, as set out in section 164(2) of the Land Transport Act 1998:
  - i. the level of risk existing to land transport safety in each proposed activity or service Yes / No
  - ii. the nature of the activity or service for which the rule is being established Yes / No
  - iii. the need to maintain and improve land transport safety and security Yes / No
  - iv. the appropriate management of infrastructure including impact of vehicles and whether the costs are greater than the economic value generated Yes / No
  - v. whether the proposed rule assists economic development Yes / No
  - vi. whether the proposed rule assists access and mobility Yes / No
  - vii. whether the proposed rule ensures environmental sustainability Yes / No

- viii. the costs of implementing measures for which the rule is being proposed Yes / No
  - ix. New Zealand's international obligations concerning land transport safety Yes / No
- 2 **agree** to lodge the attached Cabinet paper by 10 am Thursday 5 December 2024 for consideration by the Cabinet Legislation Committee meeting of 12 December 2024. Yes / No

*Paul*

*S-B*

Paul O'Connell  
**Deputy Chief Executive, Sector Strategy**  
 4 / 12 / 2024

Hon Simeon Brown  
**Minister of Transport**  
 4 / 12 / 2024

- Minister's office to complete:**
- Approved
  - Declined
  - Seen by Minister
  - Not seen by Minister
  - Overtaken by events

**Comments**

**Contacts**

Name	Telephone	First contact
Paul O'Connell, Deputy Chief Executive, Sector Strategy	s 9(2)(a)	✓
Joanna Heard, Manager, Safety		

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**Appendix One Ministry of Transport advice on the Land Transport Rule: Setting of Speed Limits 2024, from September 2024.**

Matter to be considered	Comment
<p><b>Section 164(2)(a)</b></p> <p>The level of risk existing to land transport safety in each proposed activity or service</p>	<p>Speed is a contributing factor to the number and outcomes of crashes on our roads. Reversing reduced speed limits would likely result in an increase in the average speed on these roads. Where the average speed increases, the risk of fatal and serious crashes also increases. The amount of increased risk will depend on how much the average speed increases on roads that have their speed limits increased.<sup>2</sup></p> <p>Several studies have modelled the change in crash and casualty numbers with a change in mean speeds. For example, the power model presented by Elvik (2009) predicts that every one percent increase in mean speed results in a four percent increase in the risk of a fatal crash and a two percent increase in the risk of serious crashes.<sup>3</sup></p> <p>The risk to pedestrians also increases with increased speed. Studies show that the risk of death is about 4-5 times higher in collisions between a car and a pedestrian at 50 km/h compared to the same type of collisions at 30 km/h.<sup>4</sup></p>
<p><b>Section 164(2)(b)</b></p> <p>The nature of the particular activity or service for which the rule is being established</p>	<p>The Rule sets out criteria, requirements and procedures to be followed by road controlling authorities (RCAs) when reviewing and setting speed limits for roads within their respective jurisdictions.</p>
<p><b>Section 164(2)(c)</b></p> <p>The level of risk existing to land transport safety in New Zealand in general</p>	<p>See Section 164(2)(a)</p>
<p><b>Section 164(2)(d)</b></p> <p>The need to maintain and improve land transport safety and security, including (but not limited to) personal security</p>	<p>We have not identified any risks to land transport security arising from the Rule.</p>

<sup>2</sup> See, for example, *Saving Lives Beyond 2020: The Next Steps - Recommendations of the Academic Expert Group for the Third Ministerial Conference on Global Road Safety 2020*, (Trafikverket, Swedish Transport Administration), available at

[https://www.roadssafetysweden.com/contentassets/c65bb9192abb44d5b26b633e70e0be2c/200113\\_fi nal-report-single.pdf](https://www.roadssafetysweden.com/contentassets/c65bb9192abb44d5b26b633e70e0be2c/200113_fi nal-report-single.pdf).

<sup>3</sup> Elvik, R. (2009) *The Power Model of the Relationship between Speed and Road Safety*, Update and New Analyses. Institute of Transport Economics, Oslo.

<sup>4</sup> Krøyer et al (2014), quoted in International Transport Forum (2018) *Speed and Crash Risk*, OECD, available at <https://www.itf-oecd.org/sites/default/files/docs/speed-crash-risk.pdf>

Matter to be considered	Comment
<p><b>Section 164(2)(da)</b></p> <p>The appropriate management of infrastructure, including (but not limited to)—</p> <p>(i) the impact of vehicles on infrastructure; and</p> <p>(ii) whether the costs of the use of the infrastructure are greater than the economic value generated by its use</p>	<p>The Rule will affect the management of infrastructure. At a minimum, speed limit changes will require changes to signage, including variable speed limit signs (either electronic or static) outside school gates.</p> <p>The Rule and subsequent speed limit changes may also result in wider engineering changes to accommodate new speed limits (either higher or lower) depending on decisions taken by RCAs. This is likely to have cost implications for the National Land Transport Fund (NLTF) and RCAs.</p> <p>The New Zealand Transport Agency (NZTA) will need to consider the cost of any funding requests and the economic value of the request under its decision-making framework.</p>
<p><b>Section 164(2)(e)(i)</b></p> <p>Whether the proposed rule assists economic development</p>	<p>The Rule requires RCAs to consider economic impacts of proposed speed limit changes by developing a cost benefit disclosure statement. RCAs will need to estimate the change in safety implications and travel time after the proposed speed limit and disclose implementation costs.</p> <p>Increased speed limits are likely to result in increased average speeds which are likely to result in reduced travel time in some circumstances. Travel time savings will likely be more significant on long, uninterrupted stretches of road with low congestion, such as on State highways. Changes to travel time are likely to be less noticeable in urban areas where there is congestion, traffic signals, vulnerable users sharing the road, and other factors affecting operating speeds.</p> <p>Where speed limits increase and this leads to an increase in operating speeds, and there is an increase in the seriousness of any crashes, we would expect the costs to the economy also increase.</p> <p>The Government is implementing other measures to improve road safety outcomes. We are unable to quantify how these initiatives will interact to determine the overall economic impact of the Rule.</p>
<p><b>Section 164(2)(e)(ii)</b></p> <p>Whether the proposed rule improves access and mobility</p>	<p>Increasing speed limits which lead to higher operating speeds will increase the level of mobility that the transport system provides to motorised vehicle users.</p> <p>Increasing speed limits may negatively affect people's transport choice and access if they perceive the new speed to be unsafe to walk or cycle around their streets<sup>5</sup>. This is more likely to affect children, people with disabilities, and those who rely on walking.</p>
<p><b>Section 164(2)(e)(iii)</b></p> <p>Whether the proposed rule protects and promotes public health</p>	<p>Where speed limits increase, average speeds are likely to increase. Increased average speeds may affect public and population health through increased air and noise pollution and reduced physical activity. The increased risk of fatal and serious crashes may result in an increased burden on the public health system.</p>

<sup>5</sup> Garrard (2008), Safe speed: promoting safe walking and cycling by reducing traffic speed.



Matter to be considered	Comment
<p><b>Section 164(2)(e)(iv)</b></p> <p>Whether the proposed rule ensures environmental sustainability</p>	<p>The Rule may result in increased greenhouse gas emissions on some stretches of road and decreased emissions on others. Emissions in the land transport system are priced through the New Zealand Emissions Trading Scheme.</p> <p>Speed is one factor that can affect emissions. There are generally high emission factors at low speeds and somewhat higher emissions at higher speeds, with generally lower emission rates in the middle of the speed range. This is because low average speeds generally represent stop-and-go driving, with high fuel use and emissions. At high speeds, higher engine loads and aerodynamic resistance can require more fuel and generate more emissions.<sup>6</sup></p>
<p><b>Section 164(2)(ea)</b></p> <p>The costs of implementing measures for which the rule is being proposed</p>	<p>Some RCAs provided estimated costs of implementing the reversal proposal. For example:</p> <ul style="list-style-type: none"> <li>• Auckland Transport estimates implementation costs of between \$7 million and \$21 million.</li> <li>• Hutt City Council estimates reversing speed limits will cost around \$570,000.</li> <li>• New Plymouth District Council estimates between \$100,000 and \$810,000 to implement variable speed limits outside schools (using static and electronic signs respectively).</li> <li>• Hamilton City Council estimates reversing speed limits will cost \$600,000.</li> </ul> <p>The final cost to RCAs is yet to be determined. NZTA will consider what funding can be provided through the NLTF for implementation. These are decisions for NZTA. Remaining costs will likely fall to local authorities.</p>
<p><b>Section 164(2)(eb)</b></p> <p>New Zealand's international obligations concerning land transport safety</p>	<p>Amending the Rule will have no direct impact on our international obligations for land transport safety.</p> <p>There are international declarations and resolutions, and the UN Sustainable Development Goals, that focus on road safety. These include the UN General Assembly resolution A/RES/74/299 <i>Improving global road safety</i><sup>7</sup> and the Stockholm Declaration following the third Global Ministerial Conference on Road Safety<sup>8</sup>, both in 2020. These documents invite, encourage and call on Member States, including New Zealand, to take various actions to improve road safety. None of these create binding international obligations in relation to setting speed limits.</p>
<p><b>Section 164(2)(f)</b></p> <p>The international circumstances in respect of land transport safety</p>	<p>See section 164(2)(eb).</p>

<sup>6</sup> Metcalfe, J and Boulter, P (2023) Effect of speed on greenhouse gas emissions from road transport – a review, available at <https://www.nzta.govt.nz/assets/Highways-Information-Portal/Technical-disciplines/Air-quality/Planning-and-assessment/Vehicle-emissions-prediction-model/Effect-of-speed-on-greenhouse-gas-emissions-from-road-transport-a-review.pdf>

<sup>7</sup> Available at <https://documents.un.org/doc/undoc/gen/n20/226/30/pdf/n2022630.pdf>

<sup>8</sup> Available at <https://www.roadsafetysweden.com/about-the-conference/stockholm-declaration/>



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Matter to be considered	Comment
<b>Section 164(2)(g)</b> Such other matters as you consider appropriate in the circumstances	NA

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**In Confidence**

Office of the Minister of Transport  
Cabinet Legislation Committee

**Land Transport Rule: Setting of Speed Limits Amendment 2024**

**Proposal**

- 1 This paper seeks agreement to targeted amendments to the Land Transport Rule: Setting of Speed Limits 2024 (the Rule). The amendments will require speed limits on transit corridors and State highway rural connectors reduced since 1 January 2020 to revert to the previous higher speed limit, with limited exceptions. The reversals must take effect by 1 July 2025.
- 2 This paper also recommends the Cabinet Legislation Committee authorise the submission of the Land Transport Rule: Setting of Speed Limits Amendment 2024 (the Amendment Rule) to the Executive Council to give effect to the changes outlined above.

**Relation to government priorities**

- 3 This paper relates to the Government's commitment to sign a new speed limit rule to reverse the previous government's blanket speed limit reductions.

**Executive Summary**

- 4 The Rule requires speed limits on specified roads reduced since 1 January 2020 to revert to the previous higher speed limit, with limited exceptions. The reversals must take effect by 1 July 2025.
- 5 The public consultation document that led to the Rule included broad references to specified road types that would be subject to the reversal provisions. These road types included arterial roads primarily designed for the efficient movement of people and goods between different parts of urban areas, and rural State highways. The Rule includes technical road classifications that are narrower in scope than the broader references used in the consultation document.
- 6 I propose that the Cabinet Legislation Committee approves targeted changes to expand the list of specified roads subject to the Rule's reversal provisions. The targeted change would include transit corridors and State highway rural connectors within the reversal provisions, aligning with the policy intent described in the public consultation document.

**Background**

- 7 In May 2024, the Cabinet Economic Policy Committee approved the release of a draft Rule and associated public consultation document and invited me to report back following consultation [ECO-24-MIN-0080 refers]. In September

2024, following public consultation, Cabinet Expenditure and Regulatory Review Committee agreed to some changes to the Rule and noted my intention to sign the Rule [EXP-24-MIN-0052 refers]. I signed the Rule on 28 September 2024, and the Rule came into force on 30 October 2024.

- 8 The Rule requires speed limits on specified roads reduced since 1 January 2020 to be reversed, with limited exceptions. The reversals must take effect by 1 July 2025.
- 9 Under the Rule, responsibility for setting speed limits and reversing the speed limits on specified roads sits with Road Controlling Authorities (RCAs). The New Zealand Transport Agency Waka Kotahi (NZTA) is the RCA for State highways, and territorial authorities are the RCAs for local roads.

**I propose a targeted Rule amendment to expand the types of roads subject to speed limit reversals**

- 10 The public consultation document for the Rule included broad references to specified road types that would be subject to the reversal provisions. This included arterial roads primarily designed for the efficient movement of people and goods between different parts of urban areas, and rural State highways. The Rule includes technical road classifications (urban and interregional connectors) narrower in scope than the broader references used in the public consultation document.
- 11 I am therefore proposing to expand the list of specified roads subject to the reversal provisions in the Rule to align more closely with what was described in the public consultation document, and what was intended.
- 12 The specified roads I propose to add to the reversal process in Schedule 2 of the Rule are:
  - 12.1 Transit corridors – this road classification covers mass transit corridors primarily through urban areas. They are mainly urban State highways managed by NZTA. Some transit corridors are under the jurisdiction of territorial authorities. I propose the lower speed limits on these roads set since 1 January 2020 will reverse back to the higher speed limit by 1 July 2025. This aligns these roads with the treatment of other arterial roads (urban connectors) already being reversed under the Rule.
  - 12.2 State highway rural connectors – these are State highways that link rural roads with interregional connectors. Interregional connectors (the significant State highways running the length of the country) are already covered by the reversal provisions. I propose that, like interregional connectors, the lower speed limits on these roads must reverse back to the previous higher speed limit by 1 July 2025 unless NZTA is satisfied there is public acceptance for the lower speed limit, ascertained through a fresh consultation exercise.
- 13 Transit corridors are currently referenced in another part of the Rule as ‘urban transit corridors’. This will be renamed ‘transit corridors’ to align with the NZTA

One Network Framework road classification system. This is a minor technical change to ensure clarity for RCAs.

### Legislative Implications

- 14 Under section 152A of the Land Transport Act 1998 (the Act), ordinary land transport rules may be made, amended or revoked by the Governor-General by Order in Council, on the recommendation of the Minister of Transport. The other relevant empowering provisions for making rule and rule amendments are section 157(1)(d) and (e) of the Act, which specify that rules may provide for the setting of speed limits for roads and empower or require RCAs and RTCs to set speed limits for roads within their jurisdiction.
- 15 To give effect to the recommendations referred to above, I recommend the Amendment Rule be made under these provisions of the Act.

### Timing and the 28-day rule

- 16 The Amendment Rule will come into effect 28 days after it is notified in the *New Zealand Gazette*. This will enable RCAs to undertake the necessary steps to reverse speed limits on transit corridors and State highway rural connectors before the 1 July 2025 deadline already specified in the Rule.

### Compliance

- 17 The Amendment Rule complies with:
  - 17.1 the principles of the Treaty of Waitangi;
  - 17.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
  - 17.3 the principles and guidelines set out in the Privacy Act 2020;
  - 17.4 relevant international standards and obligations; and
  - 17.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 18 Section 152A(2) of the Act requires me to have regard to the criteria specified in section 164(2) of the Act before making a recommendation that the Governor-General make a rule under section 152A(1). The Ministry provided advice to me under section 164(2) of the Act in September 2024 when I signed the rule. The Ministry has reiterated its advice on these matters. I can confirm that I have had regard, and have given such weight as I considered appropriate, to those criteria in recommending the Governor-General make the Amendment Rule.

## Regulations Review Committee

- 19 I have been advised it is unlikely there are any grounds for the Regulations Review Committee to draw the Amendment Rule to the attention of the House of Representatives under the Standing Orders.

## Certification

- 20 In accordance with section 152A(6) of the Act, the Amendment Rule was drafted by NZTA and reviewed by the Ministry. The Chief Legal Adviser, Ministry of Transport, has certified the Amendment Rule as being in order for submission to Executive Council.

## Cost-of-living Implications

- 21 Reversing speed limits would likely result in reduced travel times on roads where speed limits are reversed.
- 22 Depending on funding availability through the National Land Transport Fund, some of the costs of undertaking speed limit reversals may fall to territorial authorities, which could be passed on to ratepayers. See Financial Implications section below.

## Financial Implications

- 23 There are no direct financial implications to the Crown.
- 24 The Amendment Rule will have financial implications for RCAs. NZTA has indicated funding is available to support territorial authorities implementing the Rule through the National Land Transport Fund (NLTF), with priority being given to reversals. The changes to the scope for reversals proposed in this paper could have implications for those funding decisions and work already underway with councils to determine activities eligible for funding. Any costs not covered by the NLTF will fall to territorial authorities. I expect these will be minimal, as the majority of the roads subject to the Amendment Rule provisions are the responsibility of NZTA.

## Impact Analysis

### Regulatory Impact Statement

- 25 The Ministry for Regulation has determined that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has been addressed by existing impact analysis [EXP-24-MIN-0052 and the Regulatory Impact Statement for the Rule<sup>1</sup>]. The proposal aligns the technical road classifications in the Rule's reversal provisions with the policy intent as explained in the Regulatory Impact Statement and public consultation document.

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<sup>1</sup> Available at [www.transport.govt.nz/assets/Uploads/Final-Regulatory-Impact-Statement-Land-Transport-Rule-Setting-of-Speed-Limits-2024.pdf](http://www.transport.govt.nz/assets/Uploads/Final-Regulatory-Impact-Statement-Land-Transport-Rule-Setting-of-Speed-Limits-2024.pdf)

### Climate Implications of Policy Assessment

- 26 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met. Any changes to speed limits are likely to impact emissions. However, it has been determined that the net change would not exceed the CIPA threshold.

### Population Implications

- 27 There are no specific population implications identified from the proposal in this paper.

### Use of external resources

- 28 No external resources were used in the production of this Cabinet paper.

### Publicity

- 29 The Amendment Rule will be notified in the *New Zealand Gazette* and published on NZTA's website. I intend to issue a press release about the effect of the Amendment Rule. NZTA will notify territorial authorities of the Amendment Rule changes.

### Proactive Release

- 30 I intend to proactively release this paper within 30 business days of the Cabinet decision.

### Consultation

- 31 Public consultation on the Rule was undertaken from 13 June to 11 July 2024. The Ministry of Transport received approximately 8,180 submissions. The majority of submitters were in support of the proposals in the Rule, including 65% in support of reversing the previous government's blanket speed limit reductions.
- 32 NZTA and the Ministries of Regulation (Regulatory Stewardship Team) and Environment (CIPA Team) were consulted in the development of this paper. The Department of Prime Minister and Cabinet and the Treasury have been informed.

### Recommendations

I recommend that Cabinet Legislation Committee:

- 1 **note** that the Land Transport Rule: Setting of Speed Limits 2024 (the Rule) requires speed limits on specified roads that have been reduced since 1 January 2020 to be reversed back to the previous higher speed limit by 1 July 2025, unless limited exceptions set out in the Rule apply;



- 2 **note** that the public consultation document that led to the Rule included broad references to specified road types that would be subject to the reversal provisions, including arterial roads primarily designed for the efficient movement of people and goods between different parts of urban areas, and rural State highways;
- 3 **note** that the reversal provisions in the Rule include technical road classifications narrower in scope than the broader references used in the consultation document noted in recommendation 2 above;
- 4 **agree** that the Rule be amended to include the following roads within the reversal provisions, to better align with the consultation document and policy intent:
  - 4.1 transit corridors, where lower speed limits on these roads that were set on or after 1 January 2020 will reverse back to their higher speed limits by 1 July 2025; and
  - 4.2 State highway rural connectors, where lower speed limits on these roads set on or after 1 January 2020 will reverse back to their higher speed limits by 1 July 2025 unless the New Zealand Transport Agency is satisfied there is public acceptance for the lower speed limit ascertained through a fresh consultation exercise; and
- 5 **note** that section 152A(2) of the Land Transport Act 1998 requires the responsible Minister to have regard to the criteria specified in section 164(2) of that Act before recommending the making of a rule, by Order in Council, under section 152A(1);
- 6 **note** the advice of the Minister of Transport that the criteria noted in recommendation 5 above has been met;
- 7 **agree** that the Land Transport Rule: Setting of Speed Limits Amendment 2024 (the Amendment Rule) will give effect to recommendation 4 above;
- 8 **authorise** the submission of the Amendment Rule to the Executive Council; and
- 9 **note** that the Amendment Rule will come into force 28 days after it has been notified in the *New Zealand Gazette*.

Authorised for lodgement

**Hon Simeon Brown**

**Minister of Transport**



# Cabinet Legislation Committee

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Land Transport Rule: Setting of Speed Limits Amendment 2024

Portfolio                      Transport

On 12 December 2024, the Cabinet Legislation Committee:

- 1        **noted** that the Land Transport Rule: Setting of Speed Limits 2024 (the Rule) requires speed limits on specified roads that have been reduced since 1 January 2020 to be reversed back to the previous higher speed limit by 1 July 2025, unless limited exceptions set out in the Rule apply;
- 2        **noted** that the public consultation document that led to the Rule included broad references to specified road types that would be subject to the reversal provisions, including arterial roads primarily designed for the efficient movement of people and goods between different parts of urban areas, and rural State highways;
- 3        **noted** that the reversal provisions in the Rule include technical road classifications narrower in scope than the broader references used in the consultation document noted in paragraph 2 above;
- 4        **agreed** that the Rule be amended to include the following roads within the reversal provisions, to better align with the consultation document and policy intent:
  - 4.1      transit corridors, where lower speed limits on these roads that were set on or after 1 January 2020 will reverse back to their higher speed limits by 1 July 2025; and
  - 4.2      State highway rural connectors, where lower speed limits on these roads set on or after 1 January 2020 will reverse back to their higher speed limits by 1 July 2025 unless the New Zealand Transport Agency is satisfied there is public acceptance for the lower speed limit ascertained through a fresh consultation exercise; and
- 5        **noted** that section 152A(2) of the Land Transport Act 1998 requires the responsible Minister to have regard to the criteria specified in section 164(2) of that Act before recommending the making of a rule, by Order in Council, under section 152A(1);
- 6        **noted** the advice of the Minister of Transport that the criteria noted in paragraph 5 above has been met;
- 7        **agreed** that the Land Transport Rule: Setting of Speed Limits Amendment 2024 (the Amendment Rule), attached to the paper under LEG-24-SUB-0265, will give effect to the decision in paragraph 4 above;

- 8 **authorised** the submission of the Land Transport Rule: Setting of Speed Limits Amendment 2024 to the Executive Council;
- 9 **noted** that the Amendment Rule will come into force 28 days after it has been notified in the New Zealand Gazette.

Tom Kelly  
Committee Secretary

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**Present:**

Hon Simeon Brown (Chair)  
Hon Shane Jones  
Hon Paul Goldsmith  
Hon Todd McClay  
Hon Tama Potaka  
Hon Casey Costello  
Hon Nicole McKee  
Hon Simon Watts  
Hon Chris Penk  
Hon Andrew Bayly  
Hon Scott Simpson, MP  
Jamie Arbuckle, MP  
Todd Stephenson, MP

**Officials present from:**

Official's Committee for LEG

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# Cabinet

## Minute of Decision

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### Report of the Cabinet Legislation Committee: Period Ended 14 December 2024

On 16 December 2024, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 14 December 2024:

Out of Scope

LEG-24-MIN-0265

**Land Transport Rule: Setting of Speed Limits Amendment 2024**  
Portfolio: Transport

CONFIRMED

Out of Scope

Rachel Hayward  
Secretary of the Cabinet