


OC240308

24 April 2024



Tēnā koe 

I refer to your email dated 25 March 2024, requesting the following under the Official Information Act 1982 (the Act):

*“Any written advice - and supporting information - provided to Ministers or their offices since the 2023 election relating to speed limit reductions.*

In your email, you also separately requested written advice and supporting information relating to petrol taxes. You will receive another letter containing the response to this part of your request.

Eight documents fall within the scope of your request and are detailed in the document schedule attached as Annex 1. The schedule outlines how the documents you requested have been treated under the Act.

Documents 1 to 6 were proactively released and are available at:

<https://www.transport.govt.nz/assets/Uploads/Proactive-release-documents-redacted.pdf>

Some information in Document 3 was withheld when it was proactively released. That information is now publicly available at: <https://www.nzta.govt.nz/assets/resources/rules/docs/Setting-of-Speed-Limits-Amendment-2023.pdf>

When Document 4 was proactively released, five paragraphs had information withheld under section 9(2)(f)(iv) of the Act. I am releasing this document again under this OIA request to include the previously withheld information contained in three of those paragraphs.

For Documents 4, 7 and 8, certain information is withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons
- 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

Regarding the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā



Natasha Rave  
**Acting Deputy Chief Executive, Regulatory**

## Annex 1

Doc #	Title of Document	Decision on request
1	Setting of speed limits Cabinet paper	Refused under section 18(d)
2	CAB-23-MIN-0482 Minute	Refused under section 18(d)
3	OC231031 Taking action on the 100-day commitment to stop blanket speed limit reductions – Briefing -Policy	Refused under section 18(d)
4	OC230910 Initial advice on the setting of speed limit rule – Briefing – Policy	Withheld some information under sections 9(2)(a), 9(2)(g)(i), and 9(2)(f)(iv)
5	URGENT: Speed rule next steps for the Minister's consideration	Refused under section 18(d)
6	Letter to Acting Chair of NZTA	Refused under section 18(d)
7	OC240201 - Approach to the new speed rule - Briefing - Policy	Withheld in full under section 9(2)(f)(iv)
8	Appendix to approach briefing	Withheld in full under section 9(2)(f)(iv)



1 December 2023

OC230910

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

**Action required by:**  
 At your convenience

## INITIAL ADVICE ON THE SETTING OF SPEED LIMITS RULE

### Purpose

To provide an update and next steps on work to implement the Government's commitment to reverse speed limit reductions where it is safe to do so.

### Key points

- The Government has committed to reverse speed limit reductions where it is safe to do so. The New Zealand National Party's (National Party) *Accelerate New Zealand* policy also includes a commitment to stop blanket speed limit reductions and start work on replacing the Land Transport Rule: Setting of Speed Limits 2022 (the current Rule).
- The Ministry of Transport (the Ministry) has commenced work on replacing the current Rule. There are a range of changes that you could consider making to the current Rule and other elements of the regulatory framework to achieve your policy intent. We can provide more weight to travel times, road user and community views as you have signalled, as well as revising the current approach to schools and temporary speed limits around road works.
- We recommend you also consider the role of Waka Kotahi NZ Transport Agency's (the Agency) guidance for road controlling authorities (RCAs) and the MegaMaps tool. Under the current Rule, the Agency's guidance has significant influence on RCAs' speed management plans. We recommend you consider this through the new Rule.
- With your agreement, officials will also engage with the Automobile Association and Transporting New Zealand to ensure road user views are being considered in the new Rule.
- We will provide you with a paper by the end of this year on key design elements for the new Rule and implications for the Agency's operational guidance. Agreement with you on the design of the new Rule will enable us to establish a process and timeline for the new Rule.
- While work on the new Rule is progressing at pace, we are mindful that RCAs are continuing to work on speed management plans under the current Rule. As you are aware, RCAs' speed management plans are currently due to the Agency by 29 March 2024. We understand your intention is for RCAs' speed management plans to take account of the new Rule before they are finalised. We have attached a draft letter for you to send to the Agency to signal this intention and reconsider the current deadline

for speed management plans. The letter also asks the Agency to take account of your intention for a new Rule.

- A key factor in enabling faster, but safe, speeds is ensuring we have roads built to appropriate standards that are well maintained, s 9(2)(f)(iv)

**Recommendations**

We recommend you:

- 1 **note** officials have commenced work to replace the Land Transport Rule: Setting of Speed Limits 2022 to implement the Government's policy and will provide substantive advice on recommended changes before the end of 2023
- 2 **note** officials will work in partnership with the Automobile Association and Transporting New Zealand to ensure road user and community views are represented in the rule changes
- 3 **sign and send** the attached letter to the Agency Yes / No

Bronwyn Turley  
**Deputy Chief Executive**

.01. / .12. / .2023.

Hon Simeon Brown  
**Minister of Transport**

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- 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)	✓

## INITIAL ADVICE ON THE SETTING OF SPEED LIMITS RULE

### The Government has made a number of commitments regarding speed management

- 1 The Coalition Agreement between the New Zealand National Party (National Party) and ACT New Zealand includes a commitment to “reverse speed limit reductions where it is safe to do so”.
- 2 Further, the National Party’s *Accelerate New Zealand (Accelerate NZ)* policy includes commitments to:
  - 2.1 introduce a new Rule to require road controlling authorities (RCAs) setting speed limits to take into account not only safety impacts, but also economic impacts, including travel time impacts, and the views of road users and communities;
  - 2.2 simplify and standardise speed limits to provide predictability for different road types, with 100km/h for rural highways, 50km/h for local roads and variations in between for different standards of arterial roads, unless it would be unsafe to do so;
  - 2.3 implement variable speed limits on roads approaching schools during pick up and drop off time;
  - 2.4 increase the speed limits on specified new motorways to 110km/h (including Transmission Gully and Kāpiti Expressway); and
  - 2.5 limit the unnecessary use of road cones and temporary speed limit reductions to keep traffic moving when there is minimal safety risk.
- 3 We understand, based on *Accelerate NZ*, that the Government intends to ring fence an initial \$30 million from the local road and state highway improvement and maintenance activity classes in the National Land Transport Fund. We understand the intent of this is to help cover the cost of lifting speed limits, including the purchase and installation of new signage and the removal of road markings indicating lower than standard speed limits.

### Officials have commenced work on a new Rule and will provide you with advice before the end of this year

- 4 Under the Land Transport Rule: Setting of Speed Limits 2022 (current Rule), speed limits are set out in speed management plans. A speed management plan outlines a 10-year vision and a three-year implementation plan (to align with the three-year National Land Transport Programme planning cycle). Speed management plans developed under the current Rule cover the plan for the area’s speed limits, safety infrastructure (such as median barriers), placement of safety cameras, monitoring, and enforcement.
- 5 Officials have commenced work to develop a new Rule in line with your policy direction. We will look at how the new Rule can more clearly enable RCAs to consider

economic factors and travel times, as well as ensure that road user and community views are considered alongside safety when speed limits are set or changed.

6 The current Rule provides the framework under which RCAs make decisions regarding speed limits. It requires the Agency to publish its view of what a safe and appropriate speed limit is. RCAs must take the Agency's view of safe and appropriate speed limits into account in their speed management plans.

7 This approach provides the Agency with significant influence over speed limit setting. The Agency's current approach to determine safe and appropriate speed limits is outlined in its speed management guide and its MegaMaps geospatial tool. It uses different road classifications and features to inform what speed limits are considered safe on different roads.

8 Under the Agency's current approach, it has concluded that 85 percent of speed limits are not safe and appropriate for New Zealand's roads. While the Agency's MegaMaps tool and the road classifications in its guidance were only intended to be an input into RCAs decision-making, we are concerned that in practice it leaves RCAs with little scope to take account of other factors such as economic impacts or community views.

9 s 9(2)(f)(iv)

10 We will work to revise the expectations for speed limits around schools in line with your commitment to focus on variable speed limits during pick up and drop off times. The current Rule requires RCAs to use reasonable efforts to reduce speed limits around all schools by the end of 2027, with an interim target of 40 percent of schools by 30 June 2024. We are aware that RCAs are taking different approaches to this and in some cases, RCAs have drawn the precinct around schools very widely to implement speed limit changes in significant portions of urban areas.

11 We will also provide advice on how to revise the requirements around temporary speed limits in line with your commitment to limit the unnecessary use of road cones and temporary speed limit reductions to keep traffic moving when there is minimal safety risk.

12 If you agree, we propose to work closely with key stakeholders, namely the Automobile Association and Transporting New Zealand, through the rule development process to ensure that the views of road users are being considered.

13 We will provide you with a paper before the end of the year outlining these key changes and other design elements of the new Rule for your consideration. The scope of design changes and your preferred approach to consultation will inform the process and timeline for a new Rule. We can report back to you on this.

14 While we are undertaking this work on the design of the new Rule, we suggest you immediately write to the Agency to inform it of your intention to make this rule change and seek the Agency's support to extend the deadline for RCAs to submit their current speed management plans to the Agency. Under the current Rule, speed management plans are due to the Agency by 29 March 2024. This date is set by the Agency to align with the National Land Transport Plan planning process.

- 15 We also recommend you make it clear to the Agency that it needs to consider your intention to replace the current Rule through its speed management plan for the State highway network.

**Next steps**

- 16 We have attached a letter for you to sign and send to the Agency. It outlines your expectation that RCAs consider your intention to make a new Rule in developing their speed management plans.
- 17 The Ministry has commenced work on a paper that outlines the key design elements of a new Rule.
- 18 We will provide this paper to you before the end of this year. Your choices around the design elements of the new Rule and the way consultation occurs will inform the process and timeline for the new Rule coming into force.

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT 1982



s 9(2)(g)(i)

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OFFICIAL INFORMATION ACT 1982