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Christchurch City Council submission on the Land Transport Rule: Setting of Speed Limits 2021 consultation

Christchurch City Council thanks Waka Kotahi for the opportunity to provide comment on its draft Land Transport Rule: Setting of Speed Limits 2021. We are encouraged to see Waka Kotahi and the Ministry of Transport reviewing the rules and legislative framework for setting of speed limits in an effort to achieve a more coordinated and transparent approach to speed management that supports the overall vision and targets of the Government's road safety strategy (Road to Zero) and the Tackling Unsafe Speeds programme.

The Council supports a wellbeing approach to considering regulatory change that considers the four aspects of community wellbeing – social, economic, environmental and cultural – as set out in the Local Government Act 2002.

While we support the general intent of the Rule provisions to achieve greater consistency in the setting of speed limits across the region, we have strong concerns regarding the proposals to replace the current Bylaw process with the Regional Speed Management Plan process.

We are particularly concerned that the proposed Regional Speed Management Plan processes fails to clarify the already confusing consultation process and will not provide members of our public (as well as stakeholder groups) with better opportunities to be involved in the speed limit review process than that provided through the current bylaw process. There is a definite lack of clarity around some aspects of the consultation provisions in the draft Rule, particularly around how the public will be notified of the release of draft Plans, and how the public can be involved in the subsequent submission process. We also believe that the proposed 3-year consultation cycle could create more confusion due to delays between consultation and implementation of new speed limits. How will this benefit local communities looking to improve the safety of their area?

In the last few years, Christchurch City Council have made significant advances in delivering the intent of Land Transport Rule: Setting of Speed Limits 2017, the Speed Management Guide 2016 and the Government Policy Statement on Land Transport. Specifically, Christchurch City Council have already addressed a significant majority of its identified top 10% DSi-saving road network sections in accordance with GPS targets. To achieve this, and when needed, we have collaborated with neighbouring road controlling authorities to achieve consistency. We are concerned that the proposed regional speed management plan processes will cause delays to Christchurch City Council delivering its own speed management plans and programmes. This could in turn result in negative outcomes for local communities.

Of particular note, Council is concerned that the addition of the RTC in the decision making process adds another layer of bureaucracy and removes a level of decision making from the Christchurch elected members who are serving on behalf of the Christchurch public.

We support the move to implement safer speed limits outside and around schools, with 30km/h (or 40 km/h) limits for urban schools and 60km/h (maximum) limits for rural schools. We also support the provisions in the draft Rule that encourage complimentary speed management (traffic calming) measures to support these safer speed limits. The desired outcome of a safer road network environment around schools that helps to encourage and support more sustainable transport modes like walking and cycling, is also aligned with the Government's and Christchurch City Council's greenhouse gas emission reduction goals.

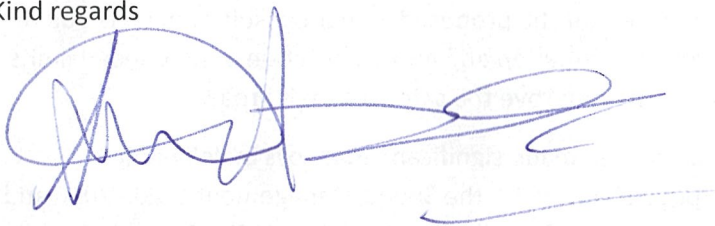
However, Council is concerned about the potential significant infrastructure costs associated with installing and maintaining new school speed limit signage (especially electronic variable speed limit signs) and complimentary speed management measures, and believe in order to meet the proposed requirements that this stream of work should be eligible for an increased funding assistance rate (FAR).

We generally support the proposed timeframes of having 40% of school speed limit changes completed by 30 June 2024 and reasonable efforts made to complete the remainder by 31 December 2029. This support is subject to existing 40km/h speed zones remaining compliant as currently proposed in the draft Rule. Christchurch City Council is already well placed to achieve these proposed targets, as we pioneered the current 40km/h variable speed limit 'school speed zones', and now have these operating at more than 50 (34%) of our 146 schools. We have also set permanent 40km/h safer speed limits for some suburban residential neighbourhoods that include schools, and have reduced speed limits around a number of our rural schools.

Further concerns and comments are outlined in our responses to the consultation questions attached. For any clarification on points within this submission, please contact Wayne Gallot at wayne.gallot@ccc.govt.nz.

We look forward to working with both Waka Kotahi and the Ministry (plus any other stakeholder groups – e.g. NZ Police) through this Rule change process, and welcome further discussion on points raised in our submission as we all seek to achieve the collective vision of a New Zealand where no one is killed or seriously injured in road crashes.

Kind regards



Lianne Dalziel

Mayor of Christchurch

When you provide your feedback, it would be helpful if you consider and comment on the following:

- What impact would the proposals have, and on whom? Waka Kotahi is particularly interested in your comments on any costs (to you or to your organisation) of implementing the proposals.
- Would any groups or individuals be disadvantaged by the proposals, and how?
- Would any groups or individuals benefit from the proposals, and how?
- Are there any implementation or compliance issues that would need to be considered?

Wherever possible, please provide examples to illustrate your point.

Speed Management Plans and Speed Management Committee

Question	Council Comment
<p>1. Do you think the proposed Speed Management planning process should replace the existing bylaw process? If not, why not?</p>	<p>No.</p> <p>While we support the general intent of the Rule provisions to achieve greater consistency in the setting of speed limits across the region, we have strong concerns regarding the proposals to replace the current Bylaw process with the Regional Speed Management Plan process (and associated National Speed Limit Register process). In the last few years, Christchurch City Council have made significant advances in delivering the intent of Land Transport Rule: Setting of Speed Limits 2017, the Speed Management Guide 2016 and the Government Policy Statement on Land Transport through the existing bylaw process. Specifically, Christchurch City Council have already addressed a significant majority of its identified top 10% DSI saving road network sections in accordance with GPS targets.</p> <p>We acknowledge that the proposed Regional Speed Management Plan process may provide benefits to some TLAs/RCA's in the region, specifically those who may have difficulty with their own speed management plans due to funding, resourcing and/or other issues. However, we are concerned that delays associated with preparing, establishing, certifying and implementing initial and subsequent regional plans will impact on Christchurch City Council operations and our continued implementation of our own speed management plans and programmes.</p> <p>We would likely still want / need to engage with the community and stakeholder groups, as well as involve Community Boards and obtain decisions of Council in the formation of our proposals to be submitted for inclusion in any Regional Speed Management Plan, therefore the proposed process seems to add more complexity and bureaucracy rather than simplify the current process. Worth noting is that the larger metropolitan areas have been successful at implementing Safe and Appropriate Speeds under the current process. Perhaps consideration should be given to excluding larger metropolitan centres / TLAs (e.g.</p>

	Auckland, Hamilton, Wellington, Christchurch, Dunedin) from the proposed regional plan process?
2. How do you think the timing of the Speed Management Plans should fit with the National Land Transport Programme process and Regional Land Transport Plans? For example, do you think the Speed Management Plans should be prepared at the same time as the Regional Land Transport Plans?	If progressed as proposed, the timing of Speed Management Plans should align with timing of the NLTP. Consideration will also need to be given to alignment with Council's own Long Term Plan and Annual Plan processes. This is relevant to Clauses 3.7(1)(b) and 3.7(2)(c). However, what are the implications of these not aligning?
3. Do you support the proposed joint consultation process for State highway and Regional Speed Management Plans? If not, why not?	No. Christchurch City Council have (for the most part) already achieved good results coordinating speed management proposals with Waka Kotahi under the current process. An example of that is the recent speed limit changes implemented around Yaldhurst village on the western fringe of Christchurch city. We do not believe the proposed Regional Speed Management Plan process will necessarily achieve a better outcome for all RCAs (or the general public) in terms of joint consultation of the State Highway and Regional Plans. There is also the question of timing, and coordination of proposals in the development of each plan prior to any joint consultation.
4. Do you think the content requirements are appropriate, both for full and interim Regional Speed Management Plans? If not, why not?	Generally yes, however clarification is required as to whether the detailed information relating to the 3-year implementation plan must/may be represented graphically (e.g. printed and/or digital/online maps) and/or in textbased lists. Will RTCs have access to, or will TLA/RCAs be required to provide under Clause 3.5, information on all current speed limits to provide the RTC with context on any changes proposed?
5. Do you support the proposed approach for the transitional period prior to 2023? If not, why not?	Notwithstanding comments already made in relation to not supporting the proposed Speed Management planning process, we generally support the proposed approach for the transitional period with respect to setting of speed limits, and also that a RCA may choose to set speed limits in the interim period through interim speed management plans.
6. Do you think the respective roles of RCAs and RTCs proposed under the new rule are appropriate? If not, why not?	No. We do not support Clause 3.5(5)(a)(ii) in giving powers to RTCs to make changes to a regional speed management plan without first notifying and seeking the views of the relevant TLA/RCA. This removes a level of decision making from the Christchurch elected members who are serving on behalf of the Christchurch public.

	<p>There should also be guidelines and/or criteria relating to circumstances in which RTCs may request the Director's approval for preparation of a variation to a regional speed management plan under Clause 3.3(4).</p>
<p>7. Do you support the proposed approach for consultation, including the separate requirement for Māori? If not, why not?</p>	<p>We have numerous concerns regarding consultation and therefore until these concerns are addressed we would generally not support this approach. Our concerns are;</p> <ul style="list-style-type: none"> • If RCA's choose to undertake consultation in the development of its proposals (prior to submitting to the RTC for inclusion in the regional speed management plan), then subsequent consultation of the regional plan will effectively be 'double consultation'. • The 3-year time period between consultations on draft regional speed management plan may result in some residents/communities/stakeholders being 'surprised' by the implementation of speed limits (particularly in the 2nd and 3rd years) due to; <ul style="list-style-type: none"> ○ Some submitters forgetting what was consulted on, and outcomes of that consultation process; ○ Some residents being new to the area after consultation was completed, and therefore unaware of planned changes; • Clause 3.8(1) – How will the Agency make interested parties aware that the consultation draft state highway speed management plan has been published on the internet? What about access to hard copies (or other formats) of the plan for certain groups of people who may have difficulty accessing the internet version (e.g. remote rural communities)? • Clause 8.3(2) – section 82 of LGA2002 provides for persons to make oral submissions (or present their views in any manner /format they prefer) – Is it intended that RTCs will receive oral submissions as well as written submissions? How will that be done? Is it intended that TLAs would have to establish a process to hear oral submissions under Clause 3.5(4) 'Step 4'? Section 82 of LGA2002 also requires that people should be provided with 'reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons'. How will RTCs make interested parties aware that the consultation draft regional speed management plan has been published on the internet? What about access to hard copies (or other formats) of the plan for certain groups of people who may have difficulty accessing the internet version (e.g. remote rural communities)? • Clause 3.8(3) – 'promptly' should be specified in terms of required number of days

	<ul style="list-style-type: none"> • Clause 3.8(4) – ‘promptly’ should be specified in terms of required number of days • Clause 8.3(5) – Section 83 of LGA2002 doesn’t contain principles – it sets out a process • Clause 3.8(6) - While this allows for concurrent consultation with the regional council’s other plans, it doesn’t address compatibility with the other plans of RCAs (e.g. Long Term Plans and Annual Plans) • Clause 3.8(7) – we generally support the requirement to separately consult with Māori • We do support the mention of the principles of consultation outlined in section 82 of LGA2002..
<p>8. Do you think the Speed Management Plan certification requirements are appropriate? If not, why not?</p>	<p>Notwithstanding previous comments made in relation to the overall proposed speed management plan process, we have the following concerns;</p> <ul style="list-style-type: none"> • That an RTC can make changes to a plan under 3.5(5)(a)(ii) without first notifying and seeking the views of the TLA/RCA if, for example, the Director does not initially certify the plan and refers it back to the RTC under Clause 3.5(6)(b). • All participating TLA/RCAs to a regional speed management plan will be impacted, if delays to the certification process are caused by one or more contentious proposals of other participating TLA/RCAs. For example, there is likely to be significant public opposition to speed reductions on some long, straight rural roads (e.g. Tram Road, Thompsons Track) even though the Safe and Appropriate Speed may be lower the existing speed limit. • That formal certification of speed management plans falls to one person, the Director.
<p>9. Do you think the scope of the Speed Management Committee’s role is appropriate? If not, why not?</p>	<p>Yes</p>
<p>10. Do you think the Speed Management Committee member requirements are appropriate? If not, why not?</p>	<p>Generally yes, however;</p> <ul style="list-style-type: none"> • Clause 3.16(2) – can / should the Minister also appoint the Director to the committee? • Clause 3.16(3) – should there also be a minimum number of members (in addition to the maximum of 9 members)? • Clause 3.16(4) and Clause 1(2)(b) in Schedule 2 – Should there be minimum and/or maximum term requirements for committee appointments? • Clause 3 in Schedule 2 – In addition to the qualification / suitability requirements for individual committee members, there should be guidance / requirements on the overall make up of the committee to reflect a broad representation of the individual qualification / suitability requirements (ie. broad industry representation), as well as a broad geographical

	representation (ie. north and south island / metropolitan centres and rural communities).
11. Do you think the settings for when to use the alternative process for making speed management changes are appropriate? If not, why not? Are there any other situations where the alternative process could be helpful?	We are generally concerned about the ability to set out-of-cycle speed limits, including where these need to be set urgently, particularly as the Director is the only person who can authorise this. If this proposal proceeds then there should be a time limit in Clause 2.6 for the Director to give approval (or not). There is also little guidance at present as to what information is required to be submitted to the Registrar under Clause 2.6(2)(b) of the draft Rule and section 200L of the Act.
12. Do you think the process for RCAs that are not territorial authorities to make speed management changes is appropriate? If not, why not?	Yes.

Use and lodgement of speed limits

Question	Council Comment
1. Do you support the proposed approach for creating an emergency speed limit? If not, why not?	Generally yes, however there is little guidance at present as to what information is required to be submitted to the Registrar under Clause 2.9 of the draft Rule and section 200L of the Act.
2. Do you see any issues with temporary speed limits sitting outside the Register for the time being? If so, what are these?	No. We do not support the inclusion of temporary speed limits in the Register at a later date. The volume of work that this would create should not be underestimated.
3. Do you think it is clear how the Register should be used? If not, why not?	Not entirely. See 1 above. Clarification is also required in terms of coordination of sign installations and the creation of a record in the register. It is understood that the intent at this stage is for the record to be created in the register, and then the RCA sets the speed limit by 'activating' the record once signage is installed. Will the RCAs be able to activate records directly (eg through a dashboard), or will they have to request the Registrar activate the record? A delay in this process may result in a road section having signage that doesn't correctly convey the legal speed limit. This has potential safety and administrative issues, as well as issues in terms of enforcement.
4. Do you support RCAs being able to set 70 and 90 km/h speed limits without approval from Waka Kotahi? If not, why not?	No. While it is understood that Waka Kotahi guidance may be forthcoming in relation to the use of 70km/h and 90km/h speed limits, the proposal to allow RCAs to set these limits without approval from Waka Kotahi will potentially undermine the regional consistency that the Rule changes seek to achieve. This is because other RCAs may seek to retain/set a wider range of speed limits (including 70km/h and 90km/h), whereas Christchurch City Council has already

	made significant changes to speed limits on its network to adopt 60km/h and 80km/h rural speed limits in accordance with the current Rule and Guide. Given the scale of changes Christchurch City Council has made to adopt and support the current 60km/h and 80km/h rural speed limit provisions, a shift in direction to retain/set 70km/h and 90km/h speed limits to achieve consistency with neighbouring RCAs could potentially damage our reputation and affect the level of community buy-in. Conversely, Christchurch City Council could come under public scrutiny if it maintains its approach of adopting a 60km/h and 80km/h rural speed limit framework despite other limits (70km/h and 90km/h) being available. This is particularly important as we are currently progressing a significant speed limit review that includes many (sealed and unsealed) rural roads within the Banks Peninsula area – many of which have their speed limit currently set inappropriately set at 100km/h.
5. Do you think RCAs should only have the ability to use 70 and 90 km/h speed limits as interim speed limits (as opposed to permanent speed limits)? If so, would three years be an appropriate term for these speed limits?	Yes, but only where it is for the purpose of rationalising speed limits around existing 70km/h or 90km/h speed limit sections of road. For example, if an RCA is reviewing speed limits on a road corridor, where one section is 70km/h and another is 80km/h, and where infrastructure changes would be required to support a safer 60km/h speed limit along the corridor, it may be useful to be able to initially reduce the 80km/h section to 70km/h during the interim plan period. In this case, a three year term would be appropriate.
6. Do you support RCAs being able to set variable speed limits without approval from Waka Kotahi? If not, why not?	Generally yes, however there will need to be clear guidance from Waka Kotahi so as to minimise regional inconsistencies in the application of variable speed limits. This includes guidance on variable speed limit signage requirements, which the draft Rule currently doesn't explicitly provide (other than to say that in Clause 4.8(3) that signage must be as specified by the Director).
7. Do you think the circumstances for setting variable speed limits without Waka Kotahi approval are appropriate? If not, why not?	Generally yes, however the circumstances set out in 4.8(1)(a) and 4.8(1)(b) are quite broad in their scope. As above, the absence of clear guidance on the appropriate use of variable speed limits may result in regional inconsistencies.
8. Do you think there are any situations where Waka Kotahi approval should be sought? If so, what are these?	No
9. Do you support the proposal to replace urban traffic areas with speed limits areas? If not, why not?	Yes
10. Do you think it is appropriate to use speed limits areas to set any speed limit (up to 100 km/h)? If not, why not?	Yes. We support the provisions in Clause 2.3 relating to declaring speed limit areas, as this will provide a much more flexible and efficient process of setting speed limits for current/future residential growth areas (eg suburban

	residential subdivisions and Outline Development Plan areas identified in District Plans) that will enable better integration and coordination with RMA consenting processes.
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Speed limits around schools

Question	Council Comment
1. Do you support the timeframes for introducing safer speed limits around schools (an initial 40% of changes to be completed by 30 June 2024 and the remaining by 31 December 2029)? If not, what do you think would be more suitable timeframes?	<p>Yes, subject to existing 40km/h speed zones around schools remaining compliant. There is some interest and support amongst our communities to expedite safer speed limits around schools, but we recognise tighter timeframes might be an imposition on other TLAs/RCA's in the region, and there doesn't appear to be any impediment in the Rule provisions to Christchurch City Council implementing safer speed limits around schools ahead of the timeframes in the proposed Rule.</p> <p>We are however concerned about the potential significant infrastructure costs associated with installing and maintaining new school speed limit signage (especially electronic variable speed limit signs) and complimentary speed management measures, and believe in order to meet the proposed requirements that this stream of work should be eligible for an increased funding assistance rate (FAR).</p>
2. Do you support the proposal that RCAs would designate rural areas? If not, why not?	<p>Generally yes, although clarification/guidance is perhaps required for unique situations where two or more RCAs have road network sections fronting (or near) the same school and have differing opinions on whether the school is urban or rural. For example, Duvauchelle School fronts a CCC road (Duvauchelle School Lane) and is in close proximity to a Waka Kotahi road (Christchurch Akaroa Road / SH75).</p>
3. Do you think the presence of a school nearby meets the 'point of obvious change in the roadside development' requirement for a change in speed limit? If not, why not?	<p>In most cases, yes. However, there are some schools in Christchurch on rear sites with a relatively small road frontage and limited visual 'presence' that would signal a point of obvious change in roadside development.</p> <p>In addition, the definition of 'school' in Clause 1.4(1) requires clarification of what is meant by '<i>...directly accessed from...</i>'. Does this relate to vehicle and/or pedestrian access? For example, as noted above, Duvauchelle School fronts a CCC road (Duvauchelle School Lane) and is in close proximity to a Waka Kotahi road (Christchurch Akaroa Road / SH75). The school could be considered to be directly accessed from SH75 if drop off / pick up occurs on the SH75 roadside (eg in front of the store).</p>
4. When setting variable speed limits around schools, do you support RCAs having the ability to determine school travel time periods (whilst having regard to	<p>Generally yes, however this may result in less consistency across the region and confusion for road users who may not be expecting a lower school speed limit at times other than the typical morning and afternoon school peak periods. This will have to be appropriately addressed in any Waka Kotahi</p>

guidance from Waka Kotahi)? If not, why not?	guidance. An example of why an RCA may need to set different school travel time periods is post-earthquake in Christchurch where we had schools sharing campuses with one school operating in the morning and another school operating in the afternoon. This resulted in school start times being earlier and finishing times later than normal.
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Other proposals

Question	Council Comment
1. Do you agree RCAs should not be able to change a speed limit for a period of five years, if directed to change the original speed limit by Waka Kotahi? If not, what do you think would be a more appropriate timeframe?	No. A lot can change in the period of five years, with rapid suburban residential development increasing on the urban fringes and significant post-earthquake regeneration works still occurring in and around Christchurch. A period of two years would be more appropriate or allowance made in the Rule to gain the Director's approval to change it.
2. Do you think the minimum length and signage requirements for speed limits should sit in guidance provided by Waka Kotahi? If not, why not?	Yes. Accommodating these requirements in Waka Kotahi guidance rather than embedded in the Rule itself, will enable more flexibility in terms of easier future reviews/amendments.
3. Do you think the use of mean operating speed should sit in guidance provided by Waka Kotahi? If not, why not?	Generally yes, however the current definition of 'mean operating speed' in Clause 1.4 of the Rule includes 'all classes of vehicles' meaning that the speed of any cycles (along with a number of other non-motorised vehicles in accordance with the LTA 1998 definition of vehicle) on the road must also be considered in the overall mean.