

To: Kane Patena, Director of Land Transport

CC: Karina Morrow, Acting Senior Manager Regulatory System Design

From: Brian Nijman, Principal Technical Advisor, Regulatory Technical, Regulatory System Design, on behalf of Waka Kotahi’s Speed Management Assessment Panel

Date: 16 February 2023

Subject: **Land Transport Rule: Setting of Speed Limits 2022—Director approval sought for speed limits changes—submitted by the Northland Transportation Alliance on behalf of Far North District Council**

Purpose

To recommend you, as Director of Land Transport, approve various speed limit reductions in Moerewa in the Far North. Attachment 1 is a letter for your signature to Speed Limits Project Manager, Northland Transportation Alliance, approving the proposed speed limits, based on the assessment below.

Background

Director power to consider Alternative Method proposal

Clause 2.6 of the Land Transport Rule: Setting of Speed Limits 2022 (the Rule) [Attachment 2 refers] provides for the Director to give approval, under the Alternative Method, for an RCA to set a speed limit when a speed management plan is not applicable (including as a transitional provision, before an RCA’s first speed management plan has been certified).

Clause 2.6(4) states: “(4) The Director must give their approval if they are satisfied that **good reason** exists for the proposed speed limit to be set before the next relevant plan is published (including before an interim plan has been published)”.

The Alternative Method is applicable in this instance, as the Rule provides for it to be used to obtain Director approval for speed management proposals before the next speed management plan has been certified.

Attachment 3 is the Terms of Reference for the Waka Kotahi Speed Management Assessment Panel (the Panel), which enables it to comment on whether a speed limit change proposal submitted for Director approval through a pathway other than a speed management plan, should be considered a plan for certification purposes.

The proposals

On 7 February 2023, the Northland Transportation Alliance sought your approval [Attachment 4 refers] to amend three speed limits, as outlined below, provided for in the Far North Interim Speed Management Plan (the Plan) which you had previously certified. The proposed amendments are as follows:

- 1. Amendment 1: Otiria Road 60 km/h – from 200 metres west of intersection with Kingi Road to Otiria/Pokapu Intersection, and deletion of 80 km/h section on Otiria Road**

This amendment is consistent with the original proposed speed limit changes publicly consulted on for the Plan. After hearing further submissions more recently, Council proposes this revised speed limit for Otiria Road, as depicted in Figure 1, overleaf:

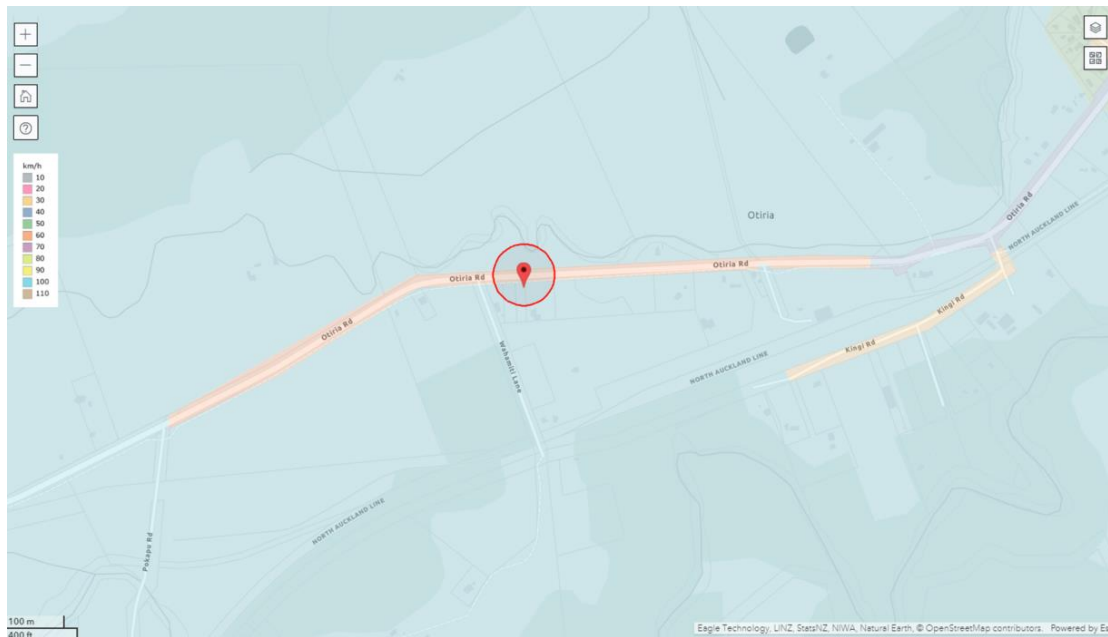


Figure 1: Proposed speed limits on Otiria Road, Morerewa

2. Amendment 2: Moerewa School—Intersection of Otiria/Snowden Roads to intersection Otiria/Willowbrook Roads. Includes Willowbrook Road and Lucas Road—30 km/h permanent.

Resulting from subsequent consultation, this amendment changes the speed limit outside of Moerewa School from a 30 km/h variable speed limit (applicable during times of operation) to a 30 km/h permanent speed limit (applying all times). The Panel considers this a positive move from a safety standpoint, consistent with the Speed Management Guide.

The revised speed limit is depicted in Figure 2:

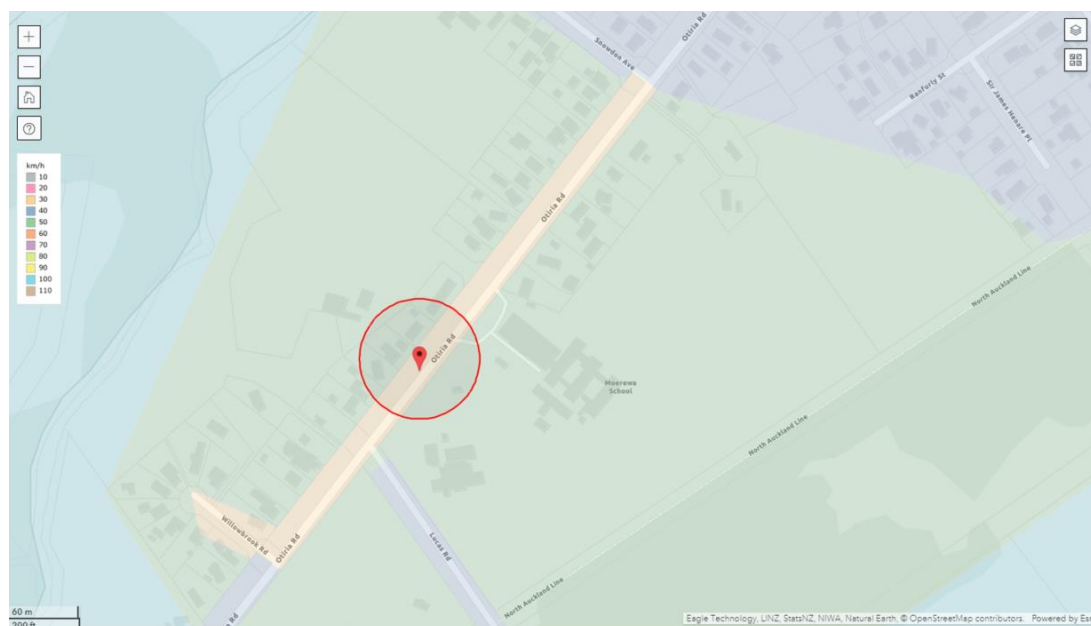


Figure 2: Revised speed limit outside Moerewa School

3. Amendment 3: Station Road (outside Te Kura Kaupapa Māori o Taumarere)—reducing existing 40 km/h permanent speed limit to a 30 km/h permanent speed limit

This amendment would lower the speed limit on Station Road to comply with the designation of Te Kura Kaupapa Māori o Taumarere as a Category 1 school / Kura. This was originally consulted upon in the Kaitaia—Awaroa—Kohukohu and Moerewa Speed Limit Review but not included in the Plan. The revised speed limit on Station Road is depicted in Figure 3, overleaf:

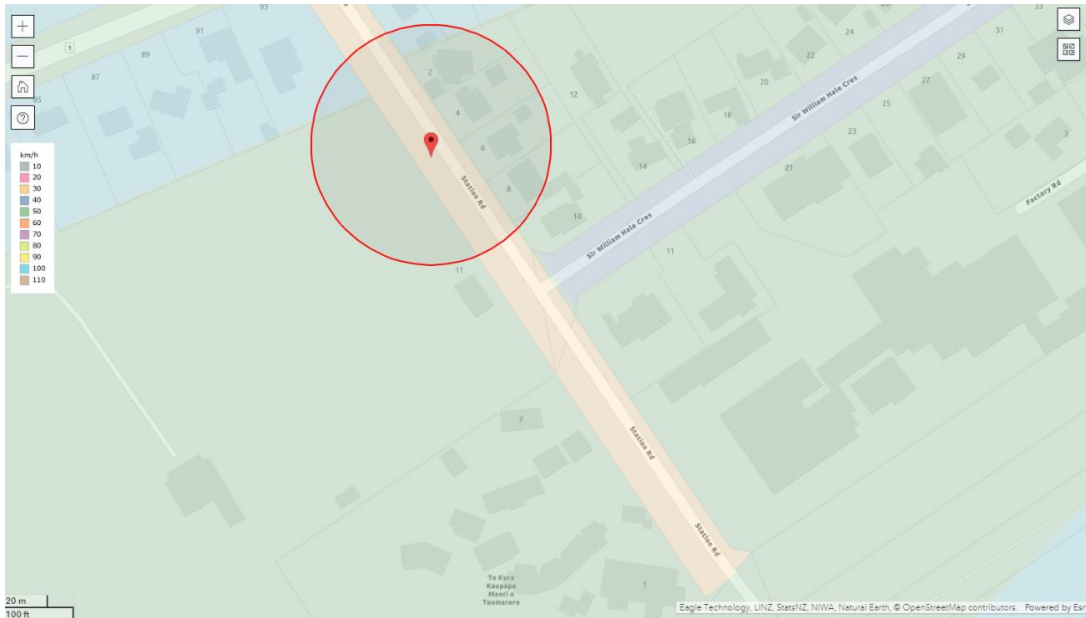


Figure 3: Revised speed limit outside Te Kura Kaupapa Māori o Taumarere

Figure 4 depicts the speed limits in Moerewa as a whole (as provided for in the Far North Interim Speed Management Plan and modified by the current proposals)

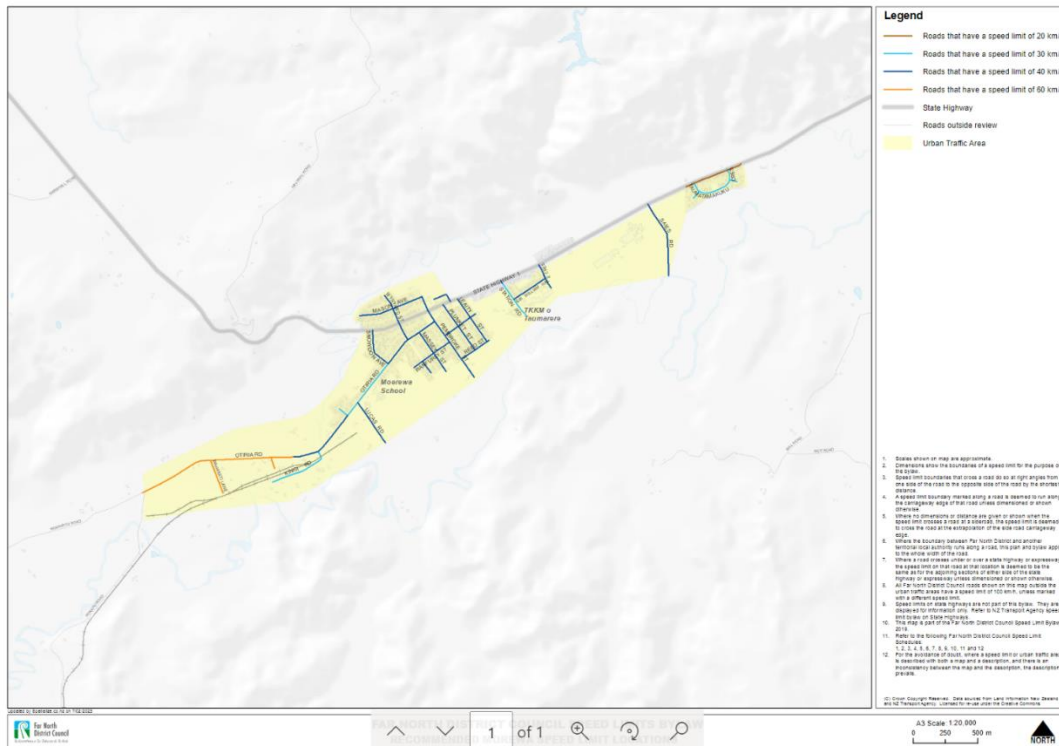


Figure 4: Speed Limits in Moerewa after implementation of the proposed speed limits

Assessment

The Speed Management Assessment Panel met on 14 February 2023 and agreed the 'good reason' condition under Clause 2.6 has as being met for the proposals to reduce speed limits in Moerewa, and we therefore support the proposals presented.



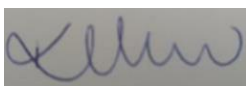
Brian Nijman

Principal Advisor, Regulatory Technical

Regulatory System Design

16 February 2023

Endorsed



Karina Morrow

Acting Senior Manager Regulatory System Design

16 February 2023

Attachments

- Attachment 1 Proposed letter for signature to Northland Transportation Alliance, approving the proposed speed limits under the Alternative Method provided for under Clause 2.6 of the Land Transport Rule: Setting of Speed Limits 2022
- Attachment 2 Land Transport Rule: Setting of Speed Limits 2022—Clause 2.6: *Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval before next plan* (extract)
- Attachment 3 Waka Kotahi Speed Management Assessment Panel—Terms of Reference
- Attachment 4 Speed limit proposals email from Northern Transportation Alliance

Recommendations

- 1. **Approve** the proposed speed limits on roads in Moerewa, as proposed by Northland Transportation Alliance. Yes No

- 2. **Sign** the enclosed letter to the Speed Limits Project Manager, Northland Transportation Alliance, advising your approval of these proposals under the Alternative Method pathway, as provided for under Clause 2.6 of the Land Transport Rule: Setting of Speed Limits 2022. Yes No

Signed



Kane Patena

Director of Land Transport

17 / February / 2022

Attachment 1:

Letter to Northland Transportation Alliance, approving the proposed speed limits



Chews Lane Office
50 Victoria Street
Private Bag 6995
Wellington 6141
New Zealand
www.nzta.govt.nz

16 February 2023

Shawn Baker
Speed Limits Project Manager
Northland Transportation Alliance

shawn.baker@wdc.govt.nz

Dear Shawn,

Land Transport Rule: Setting of Speed Limits 2022—Director approval to set speed limits

Thank you for your email dated 7 February 2023, requesting Director of Land Transport approval for various speed limits in Moerewa.

I am satisfied, in line with Clause 2.6(4) of the Land Transport Rule: Setting of Speed Limits 2022, good reason exists for the proposed speed limits. I therefore approve these proposals.

If you have any questions, please do not hesitate to get in contact with Karina Morrow (Acting Senior Manager Regulatory System Design, Te Rōpū Waeture - Regulatory Group) (karina.morrow@nzta.govt.nz).

Your sincerely,

A handwritten signature in blue ink, appearing to read 'Kane Patena', written over a light blue horizontal line.

Kane Patena
Director of Land Transport

Attachment 2:

Land Transport Rule: Setting of Speed Limits 2022—Clause 2.6: *Alternative method to set speed limits: Director approval before next plan*

Rule extract from Section 2—Speed Limits

- 2.6 Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval before next plan**
- (1) If the circumstances described in clause 2.5(1) do not apply, the Agency (as RCA) or a territorial authority may set a speed limit (other than a temporary speed limit) for a road under its control only with the Director's approval and after following the process in subclauses (2) to (7).
- (2) The Agency (as RCA) or a territorial authority must—
- (a) seek the Director's approval to set the speed limit for the road; and
 - (b) provide details to the Director of the proposed speed limit, including the information that would need to be submitted to the Registrar under section 200L of the Act.
- (3) Before seeking the Director's approval under subclause (2), the Agency (as RCA) or a territorial authority must—
- (a) when proposing the speed limit, have regard to guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15, including the guidance on the use of mean operating speed when setting speed limits; and
 - (b) when proposing a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.
- (4) The Director must give their approval if they are satisfied that good reason exists for the proposed speed limit to be set before the next relevant plan is published (including before an interim plan has been published).
- (5) If the Director gives their approval, the Agency (as RCA) or the territorial authority may proceed to set the proposed speed limit only if—
- (a) the Agency (as RCA) or the territorial authority consults on, or has recently consulted on, the proposed speed limit in accordance with clause 3.9; or
 - (b) the Agency (as RCA) or the territorial authority considers that the proposed speed limit is only a minor deviation from the speed limit for the road proposed in the relevant plan.
- (6) Clause 3.9 applies to any consultation under subclause (5)(a), with all necessary modifications.
- (7) Before setting the speed limit, the Agency (as RCA) or the territorial authority must consider any submissions received during any consultation under subclause (5)(a).
- (8) Once the Agency (as RCA) or the territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published)—
- (a) details of the speed limit; and
 - (b) whether or not the speed limit was consulted on under subclause (5)(a).

Attachment 3: Speed Management Assessment Panel—Terms of Reference

TERMS OF REFERENCE FOR SPEED MANAGEMENT PLAN ASSESSMENT PANEL REVISION 1.3 OCTOBER 2022

Purpose

The assessment panel (the Panel) supports the Regulatory Technical team in providing a balance of advice to the Director of Land Transport regarding the certification of speed management plans submitted by Road Controlling Authorities (RCAs) and/or Regional Transport Committees (RTCs).

The panel ensures both regulatory processes are followed and principles from the Road to Zero strategy are incorporated in the advice.

Frequency of Panel meetings

Panel meetings are coordinated by the Regulatory Technical team at an appropriate frequency, to assess speed management plans submitted for certification. The frequency of panel meetings in September and October 2022 is fortnightly.

Speed Management Plans Assessed

It is anticipated that the panel will primarily assess interim and full speed management plans submitted by Road Controlling Authorities and Regional Transport Committees.

To support RCAs in developing their first speed management plans, the panel may agree to review early draft speed management plans and provided guidance, where this is requested by RCAs.

The panel may assess speed limit change requests submitted by RCAs in an alternative pathway to speed management plans, where this is requested by the Facilitator.

The panel may also assess the interim State Highway Speed Management Plan for 2021-2024, should the Speed Management Committee not be up and running at the time.

Panel Details

The assessment panel is cross functional and is made up of the following members:

Role	Team represented	Number
Facilitator	Regulatory Technical team	1
Secretariat	Regulatory Technical team	1
Panel member	Speed and Urban Mobility	1
Panel member	Safe System Support	1
Panel member	Road Safety team (to address Māori contributions to speed management planning)	1

The facilitator is responsible for facilitating healthy discussion at panel meetings.

The minimum number of members for a panel meeting is two - the facilitator and one panel member.

Panel decisions may only be made by the facilitator and panel members.

Panel Invitees

The facilitator may invite subject matter experts from across Waka Kotahi, as appropriate. In keeping with taking a no surprises approach and bringing together representatives to inform the assessment, examples include:

- Area programme managers or directors of regional relationships may be invited to provide deeper background information on submitted speed management plans or RCs/RCAs.
- Speed management programme members or senior regulatory technical team members may be invited to observe the assessment panel process.

While panel invitees may contribute to panel meetings, they do not participate in panel decisions.

Panel Responsibilities

- Review panel documentation prior to the panel meeting.
- Assess interim and full speed management plans in a consistent manner, following a robust and transparent assessment process.
- Provide a technical assessment of speed management plan content regarding speed limits, road safety infrastructure and signage.
- Provide advice to the Director of Land Transport based on its' speed management plan assessment. This advice is provided (to the Director) in a coordinated and consistent way, with respect to Road Controlling Authorities and Regional Councils.
- The facilitator has overall responsibility for providing advice to the Director of Land Transport. Comments regarding plan content or presentation may also be provided as appropriate.
- The panel can comment on whether a speed limit change proposal submitted for Director approval through a pathway other than a speed management plan, should be considered a plan for certification purposes.
- Capturing issues with the current setting of speed limits rule 2022, or with information and guidance provided, to inform potential refinements in Agency speed management guidance and regulatory practice.

Running of Panel Meetings

The Secretariat and the Facilitator are responsible for agreeing the panel meeting agenda

- Meeting agenda example:
 - General discussion on speed management plan content and presentation.
 - Comments from technical assessment (infrastructure, variable speed signs etc.).
 - Are any proposed speed limit changes different to Safe and Appropriate Speeds?
 - Panel advice to Director, regarding assessed plans.
 - Any other business eg discussion on speed management plans comments/feedback, Opportunities for improvement (to be signalled to other RCAs developing their plans) etc.

The Secretariat is responsible for distributing the meeting papers to attendees in advance. Where possible, papers should be distributed three days before the panel meeting.

Key points and recommendations from the panel discussion are recorded. Panel meeting records are maintained in InfoHub.

Turnaround time for Speed Management Plan certification

- Waka Kotahi aims to assess and certify speed management plans within a 5-week (25 working day) timeframe. This timeframe starts when plans are received by Waka Kotahi and ends when RCAs or RTCs are notified of the publishing of their certified plan. It assumes sufficient time for the panel to meet and provide advice to the Director of Land Transport, the Director to assess the speed management plan & panel advice and for speed management plan certification and publishing.
- Speed management plans, submitted by RCAs should be acknowledged within 2 working days.

Assessment of Speed Management Plan content

1. The Panel should be satisfied that the speed management plans:
 - Address the Rules' content and form requirements for plans
 - (Full speed management plans) set out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan.
 - Are consistent with the road safety aspects of the current Government Policy Statement on Land Transport and any current Government road safety strategy.
 - Take a whole-of-network approach by including consideration of a range of speed management interventions [e.g., changing speed limits, safety cameras and safety infrastructure].
 - Take heed of the desirability of a road under the control of one RCA and an adjoining road under the control of another RCA having the same speed limit, unless there is good reason for different speed limits.
 - Include an implementation programme for at least three financial years from the start of the SMP setting out the changes (if any) being proposed to speed limits (including, to the extent practicable, the information that would need to be submitted to the Registrar to set the proposed speed limit), safety cameras and safety infrastructure on the relevant roads and the timeframe within which each change is proposed to occur.
 - Consider any:
 - explanation required under the Setting of Speed Limits Rule 2022 for speed limits proposed of 70 km/h or 90 km/h which are higher than the Agency's estimate of safe and appropriate speed, and
 - plan content provided in relation to any designation of a category 2 school, must include an explanation for why, having regard to any guidance provided by the Agency about speed limits outside schools, the speed limit outside the category 2 school is safe and appropriate for the road.
 - discussion provided of other matters related to speed management on the relevant roads, including matters regarding safety infrastructure changes, temporary speed limits, and safety cameras.
 - For any changes being proposed to a speed limit that do not align with the Agency's confirmed assessment of what is the safe and appropriate speed limit for the road, an explanation for why the road controlling authority proposes a speed limit that differs from the Agency's confirmed assessment, and
 - Comment on any review relevant to the region that has been completed since the previous plan published.
2. The Panel should be satisfied with an RCAs' confirmation that it has undertaken appropriate consultation on their speed management plan, including Māori contribution to plan development.
 - a) Demonstrate and/or reference an understanding of Māori interests in speed management identifying which iwi (tribe), hāpu (subtribe), hāpori (community) and kura (schools) may be affected.
 - b) Overview of how Māori have been included and/or an outline of the reasons why they may not have been included.
 - c) Comment on any capacity challenges for including Māori contributions and how Māori may contribute in future.

3. Where potential refinements in Agency speed management guidance and regulatory practice are identified, these should be communicated to the relevant Waka Kotahi teams, by the Facilitator.
4. Where agreed with the panel, Area Programme Managers may informally share panel feedback regarding “good practice”, with other RCAs developing their speed management plans, to improve the consistency across speed management plans.

Attachment 4:

Proposed speed limit reductions in Moerewa

From: Shawn Baker | NTA <shawn.baker@nta.govt.nz>
Sent: Tuesday, 7 February 2023 12:41 pm
To: Brian Nijman
Cc: Elizabeth Stacey | NTA
Subject: Moerewa speed Management Plan Minor Amendment
Attachments: Moerewa Amended Speed Limits - 7 Feb 2023.pdf

CAUTION: The sender of this email is from outside Waka Kotahi. Do not click links, attachments, or reply unless you recognise the sender's email address and know the content is safe.

Brian

As discussed on the telephone, we need to make a couple of minor adjustments to the Certified Speed Management Plan for the Moerewa Urban Area. These amendments are to correct an error that was made in the certified plan where a decision of Council was not accurately reflected in the final map, and to comply with the 2022 Setting of speed Limits Rule around Schools.

Amendment 1: Otiria 60kph – from 200 m west of intersection with Kingi Road to Otiria/Pokapu Intersection, and deletion of 80 kph section on Otiria Road

This amendment is consistent with the original proposed speed limit changes that were publicly notified and consulted on. As a result of community feedback received, the original proposal was amended in a staff Recommendations Report (to that which was certified). However, after hearing submissions, Council and consideration of the Recommendations Report, Council decided to amend the Recommendation back to what was originally proposed, with minor boundary adjustments. This final decision was not followed through properly in the maps submitted for certification.

The amendment to the Certified Plan we are seeking has been fully and specifically consulted on.

Amendment 2: Moerewa School - Intersection of Otiria/Snowden to intersection Otiria/Willowbrook Road. Includes Willowbrook Rd and Lucas Rd – 30 kph permanent.

This Amendment is a minor amendment changing the School Speed Limit from 30kph Variable to 30kph permanent in order to comply with the Setting of Speed Limits Rule 2022 and avoid the necessity to make signage changes within a short period of time. The School Speed Zone was fully consulted on as part of the proposals relating to Moerewa. Additional consultation has also been undertaken with Moerewa School.

Amendment 3: Station Road (School Zone) – all of Station Road from 40kph perm to 30 kph permanent

This amendment is to amend the School Speed Limit Zone to comply with the Setting of Speed Limits Rule 2022. This road was part of the original proposals that were subject to consultation in the Kaitaia - Awaroa - Kohukohu and Moerewa Speed Limit Review. Additional consultation was undertaken directly with the school, and a letter drop was undertaken seeking feedback from the local community on the additional amendment.

I have attached an updated map that incorporates the above amendments for your records.

Please do not hesitate to call me if you have any additional questions.

Thanks

Shawn Baker

Speed Limits Project Manager | Northland Transportation Alliance
Level 1, Walton Plaza, 4 Albert Street | Private Bag 9023, Whangarei 0148 |
Ph 09 430 4200 | E shawn.baker@wdc.govt.nz

NORTHLAND TRANSPORTATION ALLIANCE



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