



8 October 2021

OC210786

Hon Michael Wood

Action required by:

Minister of Transport

Friday, 15 October 2021

ENABLING BILINGUAL SCHOOL SIGNS

Purpose

Confirm your comfort with progressing work to enable bilingual school signs in advance of other bilingual signage (to align with the Speed Management Framework project), and indicate your preferred approach to consultation.

Key points

- On 28 September 2021, you met with officials to discuss bilingual signage, including the option of progressing with enabling bilingual school signs in advance of your preferred phased approach signalled in previous advice (OC210592 refers).
- There is an opportunity to align with the new Speed Management Framework project that will set speed limits and require new signs around schools. Aligning these projects will maximise resource and funding, and support your commitment to seeing bilingual signs across Aotearoa New Zealand by the end of this Government term.
- We will need to move quickly to align with the Speed Management Framework project. The new Land Transport Rule: Setting of Speed Limits 2021 is expected to be in force by 31 March 2022.
- Waka Kotahi NZ Transport Agency (Waka Kotahi) is proposing to undertake consultation on bilingual school signs, starting within the next month. Consultation requirements are set out in the Land Transport Act 1998 and you have delegated these statutory functions to Waka Kotahi.
- There are two ways we could progress, depending on if, and how, you would like to consult your colleagues on the amendment rule enabling bilingual school signs:
 - The preferred approach provides an opportunity for you to informally consult your colleagues and interested Ministers on the proposed amendment rule before signing, following a period of formal public consultation. This allows for a 6-week public consultation period by the end of the year, and reasonable time to work through design decisions, translations, and consultation feedback.
 - The other approach is for you to take this proposal to Cabinet if you thought your Cabinet colleagues would expect to be briefed on the proposed rule

amendment. This would only allow for a 4-week public consultation starting 25 October and the Cabinet process occurring in February 2022. This will be a tight timeframe to ensure we align the rule signing for both projects in March 2022.

- There is strong support for this project and expectations for more bilingual traffic signs. But we also anticipate some negative reaction initiated by this consultation. We have attached high-level key messages for you in Annex 2.
- We require a decision as soon as reasonably possible to ensure Waka Kotahi has sufficient time to prepare for consultation.

Recommendations

We recommend you:

- | | | |
|---|--|--------------------------|
| 1 | agree to progress with enabling bilingual school signs via an amendment to the Land Transport Rule: Traffic Control Devices 2004 to align with the Speed Management Framework project | Yes / No |
| 2 | indicate your preference to
EITHER
a 6-week public consultation then informally consulting with your colleagues before signing the amendment rule (preferred)
OR
a 4-week public consultation then taking the proposed amendment to Cabinet | Yes / No

Yes / No |
| 3 | confirm that the proposed consultation and period of consultation are satisfactory in this circumstance. | Yes / No |

Out of Scope

08 / 10 / 2021

Hon Michael Wood
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
Out of Scope		✓

ENABLING BILINGUAL SCHOOL SIGNS

You previously agreed to progressing with a selection of signs by the end of this Government term

- 1 In our previous advice (OC210592 refers), we set out a range of approaches to implementing bilingual traffic signs through the Land Transport Rule: Traffic Control Devices 2004 (TCD Rule). You indicated your preference for approach two, to enable and begin implementing a selection of signs within this term of Government. The rest of the signs will be enabled and implemented after this term of Government.
- 2 We met with you on 28 September 2021 to discuss this approach and raised the upcoming opportunity with school signs. The Speed Management Framework (the Framework) will replace the Land Transport Rule: Setting of Speed Limits 2017 (the Speed Rule) with a new 2021 Rule. As part of this Framework, the amendment will require 40 percent of schools to replace their signs by 30 June 2024
- 3 With this in mind, we propose a three-phase approach:
 - 3.1 progress quickly to enable and start implementing bilingual school signs
 - 3.2 identify, consider and enable a prioritised selection of bilingual signs by end 2023
 - 3.3 undertake a process to consider and, where appropriate, enable the rest of the signs from 2024.

The Speed Management Framework project is a great opportunity to get visibility of bilingual signs across New Zealand

- 4 The Framework project (OC210696 refers) proposes categorising schools into two groups for speed limits around those schools as follows:
 - 4.1 Category one schools would be the default position and the posted speed limit would be 30 km/h. However, schools with 40 km/h speed limits prior to the consultation on the Speed Rule would be in this category but could remain at 40 km/h.
 - 4.2 Category two schools would provide for using a maximum of 60 km/h speed limits, with an explanation.
- 5 Through the new Speed Rule, road controlling authorities (RCAs) would be required to replace existing signs with the new ones prescribed in the TCD Rule.
- 6 40 percent of school must replace their signs by 30 June 2024 to reflect the lower speed limit requirements. The rest of the schools must replace their signs by 31 December 2028. This equates to about 1,000 school signs by 2024 and 4,000 signs in total. Aligning the Framework and bilingual signs projects will lead to good visibility of a proportion of bilingual school signs across New Zealand, fulfilling part of your public commitment.

- 7 It also makes sense to align these projects to maximise the funding and resource required for implementation. If we require the bilingual version of school signs at the same time as the new speed limit requirements, RCAs can then go ahead and implement both requirements simultaneously.
- 8 Furthermore, Waka Kotahi often receive requests from Hapū and Iwi Māori to enable a bilingual version of school signs. So, we know there is a demand for these signs.

To align with the Framework project, we need to move quickly to prepare for consultation

- 9 The Framework project has already completed consultation. Pending your approval, Cabinet consideration of the Framework is expected to take place in early 2022, with the amendment rule signed in March 2022 to enable implementation.
- 10 Given the bilingual signs project has just started, we will need to consult on the bilingual school sign proposal. There are two ways we could approach this depending on the extent you wish to consult with your colleagues before signing the amendment rule.
- 11 A timeline for both approaches (and the wider bilingual signs project until the end of 2023) is set out in Annex 1.

The preferred approach is a 6-week consultation followed by an opportunity for you to informally consult with your colleagues

- 12 With this approach, we would aim to consult from early November to mid-December 2021. We will analyse submissions and finalise the amendment rule in January 2022. Then in February, you will have the opportunity to consult your colleagues before signing the rule amendment in early March 2022.
- 13 Amendment rules do not usually go to Cabinet unless it is a significant policy decision or controversial in nature. The policy decision on this project has already been made following your public commitment. Also, there are already about 60 bilingual signs on the network enabled through the TCD Manual. Therefore, the concept and practicality of bilingual signs already exists – this project will lead to more bilingual signs at a much quicker pace.
- 14 For these reasons, we do not think that this discrete change to enable bilingual school signs in legislation is controversial, even though consultation will likely elicit strong differing views.
- 15 The benefit of this approach is the flexibility and extra time it provides. Waka Kotahi has undertaken initial engagement with other interested Ministries and stakeholders. But having this extra time before consultation, consultation itself and before the amendment rule is made, will further support engagement and provide time to ensure the best decisions are made with regards to translations and sign design.
- 16 We also acknowledge there may be other Ministers who will have a keen interest in this amendment rule, and the wider project. Informal consultation could provide them with an awareness of this work, without the need to undertake the full Cabinet process.

The other option is a 4-week public consultation followed by quickly moving to progress through Cabinet before March 2022

- 17 With this approach, we would need to start consultation on 26 October for a duration of four weeks. A shorter four-week consultation would still be sufficient given the narrow scope of the changes being consulted on. This timing will also ensure this proposal can be included in the Framework Cabinet paper considered by Cabinet in February 2022, to remain aligned with the expected signing date of the new Speed Rule.
- 18 As mentioned in paragraph 13, we do not think this amendment rule needs to go to Cabinet. But we can undertake a Cabinet process if you think greater transparency and accountability is required in this circumstance.
- 19 There are a couple of risks with this approach:
- 19.1 Tight timeframe – this approach leaves no margin for delays. If we are delayed getting to Cabinet or our proposal does not progress through Cabinet at the expected time, we will miss out on those RCAs who are ready to implement the Framework signs by 1 April 2022. In consulting on the Speed Rule, RCAs have made been clear on their intent to start implementing lower speed limits around schools as soon as possible.
- 19.2 Sufficient time to engage – there is a risk that this shortened consultation period for the first bilingual traffic may not provide key stakeholders with sufficient time to submit feedback. Also, since this change is being made ahead of the wider bilingual signs project, there could be a risk that this first sign sets the precedent crucial design elements (like language positioning, and the colour, font and size of the words) which has yet to be fully considered through the wider bilingual signs project.

The scope of the consultation will be narrow to only focus on the school signs

- 20 The scope of the consultation will only be on the bilingual school signs but the document will also set out key questions on the design features of the sign. To manage submissions on the project and to ensure we can still progress quickly, the consultation document will acknowledge the further opportunity to engage with the wider bilingual signs project next year with the prioritised selection of signs.
- 21 Despite the narrow scope, we expect there will be positive and negative responses and submissions. For this reason, we have attached high-level project key messages for you in Annex 2. Once the consultation process has been confirmed, we will provide your office with further messages specific to the bilingual school signs.
- 22 Following your confirmation of the consultation approach, Waka Kotahi will undertake consultation.

Waka Kotahi will be responsible for fulfilling the consultation requirements

23 You have delegated some powers and functions to Waka Kotahi. For this project, Waka Kotahi will:

23.1 ensure it gives interested persons a reasonable time to make submissions on the proposal (section 161(2)(b) of the Land Transport Act 1998)

23.2 consider who is appropriate to consult with and undertake that consultation (section 161(2)(c) of the Land Transport Act 1998).

23.3 publish a notice in the Gazette, on your behalf, of your intention to make this ordinary rule (section 161(2) of the Land Transport Act 1998).

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

ANNEX 1 – INDICATIVE TIMELINE

Land Transport Rule: Traffic Control Devices 2004 – rule change to enable bilingual school signs

Milestone	6-week consultation & informally consult colleagues	4-week consultation & undertake Cabinet process
Consultation on bilingual school sign Rule change	1 November – 10 December 2021	26 October – 23 November 2021
Traffic Control Devices amendment rule finalised	January 2022	24 November – 3 December 2021
Informally consult with colleagues	February 2022	NA
Cabinet process (alongside the Speed Rule)	NA	Early December 2021 – late February 2022
Minister signs the Rule	Early March 2022	Early March 2022
Rule comes into force following 28-day period	31 March 2022	31 March 2022
Implementation can begin	April 2022	April 2022

Land Transport Rule: Traffic Control Devices 2004 – rule change to enable prioritised selection of signs by end of 2023

Milestone	Timing
Engagement with key stakeholders on signs to be prioritised for this term of Government	Late-October – December 2021
Develop translations and designs	December 2021 – June 2022
Draft changes to the Rule	July 2022
Consultation	Mid-late 2022
Cabinet process and Rule change approvals	Early-mid 2023

ANNEX 2 – TOHU HUARAHĪ MĀORI BILINGUAL TRAFFIC SIGNS PROJECT HIGH LEVEL KEY MESSAGES

- Waka Kotahi NZ Transport Agency and Te Manatū Waka Ministry of Transport want to see Te Reo Māori seen, spoken and heard wherever possible, to continue the revitalisation of the language.
- We have a multi-disciplinary team working to enable the use of bilingual traffic signs.
- The signs will be introduced in a phased approach and we will work with our partners to establish selection criteria to prioritise which signs will be enabled first.
- The changes are likely to require some engagement, consultation and legislative amendments.
- One of the first things we are investigating is an opportunity where we could enable bilingual signs for school speed limits signs.
- So far we have received input on the approach to bilingual road signs from Te Taura Whiri i Te Reo Māori and Te Mātāwai (provides leadership on behalf of iwi/Māori for te reo Māori) and we are looking forward to continuing to work alongside them as this project progresses.
- Tohu huarahi Māori bilingual traffic signs project team has also held workshops with counterparts in Wales.
- We understand the pace of change has been frustrating for many people across the motu who want to see Te Reo Māori seen, spoken and heard more widely. We are working through a complex process, but we have heard that many are ready to see the change now.
- In the long term the project aims to enable the use of Te Reo Māori and Te Āo Māori icons and symbols on traffic signage.

If required around existing rules:

- We accept the current rule around traffic road signs don't reflect many people's aspirations for Te Reo Māori and we, along with the Minister of Transport, want to see that changed.
- The layout and content of traffic signs in New Zealand is governed by law called the Land Transport Rule: Traffic Control Devices 2004. What is permitted on traffic signs is quite restricted in terms of wording and symbols.
- Some bilingual or Te Reo Māori signs have been allowed for example 'Marae' or tourist signs. But this change will enable more widespread and consistent use across Aotearoa New Zealand.
- In the long term the project aims to enable the use of Te Reo Māori and Te Āo Māori icons and symbols on traffic signage.