

Proposed Speed Limits Amendment Bylaw 2020 and Statement of Proposal

For decision:

For noting:

Ngā tūtohunga / Recommendations

That the Auckland Transport Board (board):

- a) Endorse the findings of the review assessments in **Attachment 1**.
- b) Propose new permanent speed limits for each of the 26 roads at the safe and appropriate speed limit identified through the reviews, to come into effect from 31 May 2021 by way of amendment to the Auckland Transport Speed Limits Bylaw 2019.
- c) Approve the proposed Auckland Transport Speed Limits Amendment Bylaw 2020 (**Attachment 2**) for consultation.
- d) Adopt the attached Statement of Proposal (**Attachment 3**) to support the public consultation on the proposed bylaw amendment under the special consultative procedure.
- e) Establish a hearings panel to receive submissions on the proposed bylaw amendment via hearing(s) in person, with the panel to be chaired by two board directors and to include two Executive Leadership Team members.
- f) Delegate authority to the Chief Executive to approve any minor and technical amendments to the proposed bylaw amendment before it is released for public consultation.
- g) Note that a review of the existing permanent speed limits for 26 rural roads in Auckland's West and North has been completed in accordance with the Land Transport Rule: Setting of Speed Limits 2017, as part of AT's Safe Speeds Programme and the findings support a proposal for new safe and appropriate speed limits for all 26 roads.
- h) Note the legal framework for the setting of speed limits and, in particular, requirements under the Land Transport Rule - Setting of Speed Limits 2017 that speed limits must be safe and appropriate for the function, design, safety and use of the roads for which they are set.
- i) Note that if, following review and consultation, Auckland Transport decides that the existing speed limit for a road is not safe and appropriate, it must either (a) set a new speed limit that it considers to be safe and appropriate for that road; or (b) take other measures to achieve travel speed limits that are safe and appropriate on that road.

- j) Note the attached Communications and Engagement Plan (**Attachment 4**), proposed consultation brochure (**Attachment 5**) and proposed consultation letters (Attachment 6), which will support the consultation on the proposed bylaw amendment and speed limit changes.
- k) Note that following consultation on the proposed bylaw amendment, officials will report back to the board with recommendations on the making of the proposed bylaw amendment.

Te whakarāpopototanga matua / Executive summary

1. Work to review speed limits across AT's road network is continuing under the Safe Speeds Programme ("the Programme").
2. Following speed limit reviews completed under Tranche One of the Programme (which resulted in the board making the Auckland Transport Speed Limits Bylaw 2019 in October last year), 26 roads in Auckland's West and North were identified as appropriate for review. These roads were previously assessed as being high or medium-high risk but were inadvertently included in the wrong schedule of the proposed bylaw that went out for public consultation.
3. Reviews of the speed limits for these 26 roads are now complete and the findings support a proposal for new safe and appropriate speed limits for each of the 26 roads. The board is being asked to endorse the review findings to enable the proposal for change.
4. The board's approval of the draft Speed Limits Amendment Bylaw 2020 is needed to confirm the proposal for consultation, and the board's adoption of the draft Statement of Proposal is needed to support the consultation.
5. A hearings panel needs to be established for the purposes of hearing any submissions in person on the proposed speed limit changes. The board is being asked to establish the panel.
6. To enable any minor and technical changes to be made to the proposed bylaw amendment before it is released for consultation without recourse to the board, the board is being asked to delegate such authority to the Chief Executive.

Ngā tuhinga ō mua / Previous deliberations

7. The board has not previously deliberated on any proposal to change speed limits for the 26 roads concerned by the current proposal. The board has previously deliberated on other matters and proposals concerning the wider Safe Speeds Programme, which the current proposal is being progressed under, including approval of a resolution to make minor corrections to the Bylaw 2019 by the board on 1 September 2020.
8. Figure 1 in **Attachment 7** illustrates the previous deliberations.

Te horopaki me te tīaroaro rautaki / Context and strategic alignment

9. Noting an adverse trend in road safety across Aotearoa, the Government Policy Statement on Land Transport (GPS) 2018/19 - 2027/28 has a renewed emphasis on safety, with a doubling of investment in road safety promotion and a significant increase in road policing.
10. In September 2019, the Board approved Vision Zero for Tamaki Makaurau, a Transport Safety strategy and Action Plan to 2030, which sets a target on no more than 250 deaths and serious injuries by 2030 and includes *“Providing a safe transport environment by increasing investment in safe infrastructure, technology and speed management”* as a strategic priority.
11. In December 2019, the New Zealand Government released Road to Zero, New Zealand’s Road Safety Strategy 2020-2030, which set a target to reduce deaths and serious injuries by 40%, equivalent to approximately 750 fewer deaths and 5,600 fewer serious injuries, over the next decade and, *“...requires us to establish safe and appropriate travelling speeds across our road network.”*
12. Reviewing and setting safe and appropriate speed limits is a critical part of the total road safety response for Auckland. It provides the most cost effective and fastest reductions in deaths and serious injuries on our network. In addition to road safety gains, speed management also contributes to positive environmental sustainability outcomes.
13. In response to the poor safety performance of roads across Auckland, AT, together with road safety partners and key stakeholders, developed the Safe Speeds Programme which involves a multi-year programme of speed limit reviews.
14. In October 2019 the board made the Auckland Transport Speed Limits Bylaw 2019 (“the Bylaw”) to set safe and appropriate speed limits on 828km of roads across the network. Those changes were the result of the first tranche of speed limit reviews under the Safe Speeds Programme.
15. The current proposal is a continuation of work under the Safe Speeds Programme and progresses AT’s response to Auckland’s road safety performance issues.

Ngā matapakinga me ngā tātaritanga / Discussion and analysis

16. In the process of consulting on the Bylaw 2019, it was identified that 27 roads had inadvertently been included in the incorrect bylaw schedule (Schedule 7 instead of Schedule 3) in the original draft bylaw proposal and so speed limits were not able to be changed as part of the Bylaw, when made. These roads have the support of the local communities to have the speed limits reduced. To address this issue, management agreed (as per the 22 October 2019 Proposed Speed Limits Bylaw 2019 board paper, paragraph 79) that the speed limits for the 27 roads should be reviewed and consulted on afresh, and any new proposal to change any of them be presented back to the board for consideration as a future bylaw amendment. One of the 27 roads was subsequently found to be located within the Urban Traffic Area boundary and so already has a safe and appropriate speed limit of 50km/h. The purpose of this paper is to seek approval from the board to publicly consult on the proposed bylaw amendment for the remaining 26 roads.

17. The 26 roads proposed for speed limit changes are:

| Road Names | Suburb |
|---|------------|
| Baddeleys Beach Road, Bishop Lane, Buckleton Road, Campbell Road, Clinton Road, Haywood Lane, Kookaburra Drive, Pigeon Place, Takatu Road, Whitmore Road* | Tawharanui |
| Govan Wilson Road | Whangaripo |
| Edwards Road, Hepburn Creek Road, Hodgart Road, Wilson Road | Warkworth |
| Matakana Valley Road, Smith Road, Ward Road | Matakana |
| Birdwood Road, Chamberlain Road, Mudgeways Road, Yelash Road | Massey |
| Christian Road, O'Neills Road, Tram Valley Road, Welsh Hills Road | Swanson |

* It is noted that the existing 50km/h speed limit sign on Whitmore Road is in the incorrect location. At present, it is 350m north of Buckleton Road, whereas it should be located 1200m north of Bishop Lane, as per the current Bylaw 2019.

18. As the road controlling authority for all roads within the Auckland transport system, AT is responsible for reviewing the speed limits on such roads to ensure they are 'safe and appropriate' for their function, design, safety and use. AT is required to review speed limits by, and in accordance with, the Land Transport Rule: Setting of Speed Limits 2017 ("the Rule").

19. Following review and consultation:

- if AT decides that a speed limit on any particular road is not safe and appropriate it must either:
 - set (by way of bylaw) a new limit that it considers is safe and appropriate,
 - or take other measures to achieve travel speeds that are safe and appropriate on that road.
- if AT decides that an existing speed limit is safe and appropriate for any particular road, it must retain the speed limit for that road.

20. The Rule requires road controlling authorities to have regard to NZ Transport Agency's Speed Management Guide (Guide) when reviewing and setting speed limits.

21. *Safe and appropriate* is defined in the Guide as *‘travel speeds that are appropriate for road function, design, safety and use’*¹. The concepts of function and use of roads clearly link to the concept of a transport system that is effective and efficient as set out in AT’s statutory purpose². Effectiveness and efficiency of road journey experience for all road users (including freight vehicles, cars, motor cyclists, people on bikes, and pedestrians) needs to be taken into account and balanced with safety considerations when determining a ‘safe and appropriate speed’ for any road.
22. AT’s project team has completed a review of the 26 roads in accordance with the Rule. The review assessed risk in terms of safety whilst also considering the appropriate speed for the roads, having regard to the mandatory relevant considerations of the Rule³. The methodology for the review involved AT working with key stakeholders and road safety experts from professional services organisations and included:
- A review of the recommended safe and appropriate speeds for the 26 roads as prescribed by the tools contained in the Guide.
 - Site visits to the roads to better understand the current operating environment including design and use. This included consideration of elements such as roadside hazards, sealed or unsealed roads, road geometry, visibility, road run off areas and land use etc. The drive overs also gave the engineers a sense of what the current operating speed environments are.
 - Review of NZ Transport Agency’s Crash Analysis System (CAS) to better understand safety history of these roads. The NZ Transport Agency Megamaps tool was also used to determine the safety risk rating of each road.
 - An assessment was undertaken, and consideration given to determine the legibility of the roads where changes are proposed so that they make sense to the user.
23. The review also included working through a range of ‘treatment’ options set out in the Guide to address roads where speed limits were not currently considered to be safe and appropriate. Specifically, these treatment options included:
- ‘Engineering up’ – this involves planning and investment in significant engineering interventions to make the road safe for travelling at the posted speed limit. This treatment option is typically taken on roads which are economically important (supporting the level of capital investment required) where travel speeds tend to be close to the existing speed limit.
 - ‘Challenging conversations’ – this treatment option is, as is suggested in the Guide, having discussions with the community which can be challenging because travel speeds are often above the calculated appropriate and safe travel speed and safety performance is poor.

1 NZ Speed Management Guide First Edition (November 2016). p7.

2 s39, Local Government (Auckland Council) Act 2009

3 Land Transport Rule: Setting of Speeds 2017 s4.2(2)

- 'Self-explaining' – this treatment option is typically applied on roads where the posted speed limit is higher than the safe and appropriate speed, but due to the broader roading environment, congestion, or other factors road users are already travelling at the safe and appropriate speed. These are high benefit opportunities because changes to the proposed speed limit will be credible to road users.
24. The 26 roads in the proposed bylaw amendment for consultation comprise approximately 62km of roads and have all been assessed to be 'self-explaining' roads that already operate at lower speeds than their existing speed limits.
 25. The findings of the reviews for each of the 26 roads are recorded in the review assessments in **Attachment 1**. These findings form the basis for the proposed bylaw amendment. The proposed Auckland Transport Speed Limits Amendment Bylaw 2020 is included as **Attachment 2**.
 26. Consultation will be conducted in accordance with the Special Consultative Procedure described in section 83 of the Local Government Act 2002, will be open for a minimum of one month from November 2020 to January 2021, all submissions will be considered and hearings will be held as required, before a recommendation is presented back to the board. The required Statement of Proposal is included as **Attachment 3**.
 27. The bylaw amendment is proposed to come into force on 31 May 2021 with the proposed speed limits to take effect from that date.

Ngā tūraru matua / Key risks and mitigations

| Key risk | Mitigation |
|---|---|
| AT has given an undertaking to the Local Boards to progress the reviews for the proposed bylaw amendment in parallel with Tranche One of the Safe Speeds Programme, which is scheduled for completion by 30 June 2021. | Ensure the Local Board members are kept informed of progress and particularly if presentation of the consultation feedback for proposed bylaw amendment back to the board is delayed. |
| A significantly higher than expected number of submissions in opposition to the proposed speed limits may take more time than currently anticipated for the project team to consider and could delay the recommendations on the proposed bylaw amendment back to the board. | Ensure sufficient additional resource is available to consider substantial numbers of submissions, if required |
| There is a risk of significant negative public and media feedback on the proposal to reduce speed limits on these roads | Ensure a strong narrative that points back to strategic intent and evidence-based mandate in all communications. |

Ngā ritenga-ā-pūtea me ngā rauemi / Financial and resource impacts

28. The budget required to change the speed limits and implement engineering solutions to create low speed zones was secured through the Auckland Regional Land Transport Plan (RLTP) 2018.
29. The single stage business case for the safe speeds programme was approved by the Transport Agency in March 2020, securing \$32,921,688 of funding for programme delivery by 30 June 2021.
30. Following approval of the Auckland Council Emergency Budget for 2020/2021, Tranche 1 of the Safe Speeds Programme was prioritised over the remainder of the road safety programme works, which includes funding provision for these 26 roads.

Ngā whaiwhakaaro o te taiao me te panonitanga o te āhuarangi / Environment and climate change considerations

31. Speed has important impacts on the environment, and these are highlighted in more detail in the SSBC.
32. Slower speeds can reduce transport emissions, which would support the council's ability to achieve its climate goals and is well aligned with Te Tāruke-ā-Tāwhiri: Auckland's Climate Action Framework and with the in-principle changes to this framework endorsed by the Environment and Climate Change Committee (ECC/2020/12).
33. Slower speeds also make active mode choices safer and more attractive, contributing to a shift to a lower carbon transport system.
34. It is therefore considered that the speed limit reductions currently proposed for the 26 roads will have positive environmental impacts.

Ngā reo o mana whenua rātou ko ngā mema pooti, ko ngā roopu kei raro i te maru o te Kaunihera, ko ngā hāpori katoa / Voice of mana whenua, elected members, Council Controlled Organisations, customer and community

35. Following the making of the Bylaw in 2019, AT received enquiries from the Rodney, Waitakere Ranges and Henderson-Massey Local Boards about why those of the 26 roads within their respective areas were not included for speed limit changes under the Bylaw. In February 2020, the Rodney Local Board was informed of the issue with the Bylaw and AT committed to prioritising the 26 roads for review under the Safe Speeds Programme. The Rodney Local Board responded with disappointment and highlighted community support for speed limit reductions on the roads within their area that fall within the 26 roads now proposed for change. In May 2020, AT further informed the Rodney Local

Board that, subject to the outcome of the consultation, the delivery on the 26 roads would coincide with Tranche One delivery on or before 30 June 2021.

36. A Communications and Engagement Plan, and all associated consultation material, have been created to ensure AT meets its legal obligations under:
- The Land Transport Act 1998
 - The Local Government Act 2002
 - The Land Transport Rule: Setting of Speed Limits 2017.
37. A comprehensive stakeholder list has been created, which includes the parties AT is legally required to consult with and other relevant stakeholders.
38. **Mana whenua** - The project team has worked with AT's Māori Engagement Team to commence early engagement on the proposed 26 roads with Mana Whenua at the northern transport hui held on 1 July 2020 and at the central transport hui held on 8 July 2020. AT is committed to meeting its responsibilities under Te Tiriti o Waitangi, and its broader legal obligations in being more responsible or effective with Māori.
39. **Elected members** - The consultation team will work closely with our Elected Member Relationship Team to ensure elected members are consulted and well informed.
40. **Council Controlled Organisations** - CCOs will be communicated with, as appropriate.
41. **Customer and community** - The communities, where these changes are proposed, and general public will be consulted with as part of a multi-channel communication approach that will involve letters, brochures, newspaper advertisements and geo-targeted social media advertising.
42. AT will take all practicable steps to ensure the public is made aware of the proposed changes and has the opportunity to provide feedback.
43. For more information, please refer to:
- The Communications and Engagement Plan (**Attachment 4**)
 - The proposed consultation material:
 - Brochure (**Attachment 5**)
 - Letter to local residents (**Attachment 6**)
 - Letter to those who provided feedback on the Safe Speeds Programme consultation in 2018 (**Attachment 6**).

Ngā whaiwhakaaro haumaruru me ngā whaiwhakaaro hauora / Health, safety and wellbeing considerations

44. Speed management has direct safety benefits and is consistent with Vision Zero principles. The aim of the Safe Speeds Programme is to achieve sustained reductions in deaths and serious injuries on the Auckland road network.
45. Implementation of safer speeds will make walking and cycling facilities safer and more attractive and will encourage safe road user behaviour.
46. Even modest speed reductions can prevent the occurrence of collisions and can significantly reduce the outcomes when crashes do occur.

Ā muri ake nei / Next steps

47. Consultation

- November to January 2020 – Public consultation on the proposed bylaw amendment.
- February 2021 – Submissions received on the proposed bylaw amendment will be summarised into a report prepared for the AT Board with recommendations regarding the making of the bylaw amendment. Should a hearing be requested, this will be scheduled in this period.

48. Board to consider making the proposed bylaw amendment


- March 2021 – Taking account of the submissions received through consultation the proposed bylaw amendment (incorporating any necessary changes) and recommendations will be presented to the board.

Ngā whakapiringa / Attachments

| Attachment number | Description |
|-------------------|---|
| 1 | Process Summary, Glossary and Assessments for the 26 Roads |
| 2 | Proposed Auckland Transport Speed Limits Amendment Bylaw 2020 |
| 3 | Statement of Proposal |
| 4 | Communications and Engagement Plan |
| 5 | a. Proposed Consultation Brochure |

| Attachment number | Description |
|-------------------|-------------------------------|
| | b. Feedback Form |
| 6 | Proposed Consultation Letters |
| 7 | Previous Deliberations |

Te pou whenua tuhinga / Document ownership

| | | |
|-------------------------|--|--|
| Submitted by | Randhir Karma Group Manager Network Management |  |
| | Recommended by | Andrew Allen Executive General Manager Service Delivery |
| Approved for submission | Rodger Murphy Executive General Manager Risk and Assurance |  |
| | Shane Ellison Chief Executive |  |