

AGENDA



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MEMBERSHIP: Pat Seymour (Chair), Bill Burdett, Andy Cranston and Kerry Worsnop.NZ Transport Agency Director Regional Relationships (Central North Island) Linda Stewart.
Community Advisors: Francis (Matt) Broderick, Andrew Gaddum, Campbell Gilmour, Colene Herbert, Jason Lines, Ingrid Meister, Barney Tupara and Steve Weatherell

REGIONAL TRANSPORT Committee

DATE: Wednesday 7 September 2022

TIME: 1:00PM

AT: Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne

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Regional Transport

Reports to:	Council
Chairperson:	Cr Pat Seymour
Deputy Chairperson:	Cr Bill Burdett
Membership:	As specified in the Land Transport Management Act 2003 Four Councillors One NZ Transport Agency representative
Quorum:	Three
Meeting Frequency:	Four times a year

Purpose

To prepare a regional land transport plan, or any variation to the plan, for the approval of the Council.

To provide the Council with any advice and assistance the Council may request in relation to its transport responsibilities. (Section 106 Land Transport Management Act 2003)

Terms of Reference

- Facilitate the overall aim of achieving an integrated, safe, responsive and sustainable transport system in the region that satisfies, as far as practicable, the objectives of the Land Transport Act 1998 and the Land Transport Management Act 2003.
- Oversee, prepare and monitor:
 - Regional Land Transport Plan (RLTP)
 - Regional Public Transport Plan
 - Regional Land Transport Programme or variations.
- To approve submissions to external bodies on policy documents likely to influence the content of the RLTP.
- Co-ordinate applications for regionally distributed funding.
- Facilitate the objectives of economic development, safety and personal security, public health, access and mobility, cultural interests and environmental sustainability.

Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee, subject to the limitations imposed.
- To appoint non-voting advisory members to assist the Committee.

Power to Recommend

- To Council and/or any standing committee as it deems appropriate.

Special Notes

The Committee has no delegated authority.

The NZ Transport Agency: The Land Transport Management Act 2003 regulates an automatic NZ Transport Agency membership on the Regional Transport Committee. They have voting rights on:

- The Regional Land Transport Plan
- The Regional Land Transport Programme
- The Regional Public Transport Plan
- Allocation of Regionally Distributed Funds
- All reports presented to the Committee.

The Committee has provided the NZ Transport Agency member the ability to nominate a delegate in the event the NZ Transport Agency member cannot attend a Committee meeting. The delegate has full voting rights. The NZ Transport Agency member may abstain from voting on issues that they consider have political repercussions.

3.1. Confirmation of non-confidential Minutes 26 May 2022

MINUTES

Draft & Unconfirmed



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MINUTES of the REGIONAL TRANSPORT Committee

Held in Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne on Thursday 26 May 2022 at 9:00AM.

PRESENT:

Pat Seymour (Chair), Bill Burdett, Andy Cranston, and Kerry Worsnop.

NZ Transport Agency Director Regional Relationships (Central North Island) Linda Stewart.

Community Advisors: Francis (Matt) Broderick, Colene Herbert, Jason Lines, Ingrid Meister, Barney Tupara, Steve Weatherell

IN ATTENDANCE:

Her Worship the Mayor Rehette Stoltz, Chief Executive Nedine Thatcher Swann, Chief of Strategy and Science Joanna Noble, Strategic Planning Manager Charlotte Knight, Principal Project Manager Mike Creamer, System Manager Manawatu Rob Service, System Design Waka Kotahi Sarah Downes, Democracy & Support Services Manager Heather Kohn and Committee Secretary Penny Lilburn.

The meeting commenced with a karakia.

Secretarial note: Cr Cranston, Strategic Planning Manager Charlotte Knight, Community Advisor Barney Tupara, Principal Project Manager Mike Creamer and System Manager Rob Service attended via audio link.

1. Apologies

MOVED by Cr Burdett, seconded by Cr Worsnop

That the apologies from Campbell Gilmore and Andrew Gaddum be sustained.

CARRIED

2. Declarations of Interest

There were no declarations of interest.

3. Confirmation of non-confidential Minutes

3.1 Confirmation of non-confidential Minutes 3 March 2022

MOVED by Cr Burdett, seconded by Cr Worsnop

That the Minutes of 3 March 2022 be accepted.

CARRIED

3.2 Action Sheet

Noted.

3.3 Governance Work Plan

A more detailed Recovery Plan will be presented through the Civil Defence Emergency Management Group with greater information regarding the budgets and fixtures from the recent flood events.

4. Leave of Absence

There were no leaves of absence.

5. Acknowledgements and Tributes

There were no acknowledgements or tributes.

6. Public Input and Petitions

There were no public input or petitions.

7. Extraordinary Business

There was no extraordinary business.

8. Notices of Motion

There were no notices of motion.

9. Adjourned Business

There was no adjourned business.

10. Reports of the Chief Executive and Staff for INFORMATION

10.1 22-94 2021-2031 RLTP 2021/22 Quarter 3 Monitoring Report

- Item 17 has been listed as possible funding out of this year's Long Term Plan (LTP) but due to the Activity class for walking and cycling being significantly over-subscribed there are no more secured funds for the Taruheru walk/cycleway project, and will have to wait till the end of this financial year.
- On page 35, there is caution for accident around the footpaths when buses are going through roundabouts. Mr. Tupara stated from his knowledge that there were a lot of accidents in Auckland where people stood on corners of footpaths, and would it be prudent to put a barrier on these roads? This will be better touched on when the project is finished, and the issue can be better raised.
- The Gisborne community is incredibly thankful for the great communication around the Gisborne District Council Roadway Infrastructure Projects on page 21 & 22, and the Mayor publicly thanked the Chief Executive and the Waka Kotahi team for the huge amount of work that it has taken to open 55 roads to get people connected again.

- Further reports will be submitted to future Finance & Performance and Operations committees regarding the enormity of damage from the previous weather events which will have further information on local roads.
- The weather has created some delays to the sealing programmes and will also delay some of the reseal programmes. A substantial report will go to Waka Kotahi in July for emergency funding which will go through the delegation committee and then onto the board, given the significant size of application. Once it is received, a Senior Investment Advisor will work with Council to examine both sides and then will start processing it through the system.

MOVED by Cr Burdett, seconded by Cr Worsnop

That the Regional Transport Committee:

1. Notes the contents of this report.

CARRIED

10.2 22-96 Regional Waka Kotahi Update May 2022

NZ Transport Agency Director Regional Relationships Linda Stewart presented and answered the following questions of clarification.

- The 30yr National Transport Plan is available on the Waka Kotahi website. Local Governments have fed into the plan and systems on how it should look for road users.
- The Business Case Project is fundamental on how Waka Kotahi make decisions for the National Land Transport Programme (NLTP). The upcoming refresh is focused on improving the overall experience for everyone and feedback currently is that the processes are not as effective and efficient as possible. Feedback is now open via the Waka Kotahi website and Waka Kotahi encourages Council to offer their opinions and ideas so that when a business case is being made it reflects the Tairāwhiti region.
- The launch of the Māori bi-lingual signs took place last month to help the support the revitalisation of the Māori language. Waka Kotahi have been working with a multi-disciplinary team alongside local government and a team in Matawai. The kura school signs have now been formally released in Napier and they will begin to be rolled out across the rest of the network. It is now a rule of requirement that any signs coming up for replacement need to be a kura bilingual sign.
- Mr Tuapara notes that it is commendable that Waka Kotahi are using signs in Te Reo, but tribal areas do differ in phrases and sayings, and there needs to be consultation with Iwi about the correct wording.
- Significant progress has been made in increasing better access to driver training and licenses for the community. This is primarily around equity of access to the system and for greater access to the services in the region, as well as making improvements to the booking systems to make them much more user friendly and available.

- Under the new Government budget there is additional funding for a definitive estimate of 64,000 New Zealanders to benefit through improved access to the driver licensing system. Waka Kotahi have partnered with the Ministry of Social Development (MSD) to help with the theory training as well as support through these processes.
- Waka Kotahi is committed to having more driving testing officers on site in Gisborne and in order to achieve this, are working with McInnes Driving Training Group to launch a pilot in order to look at alternative ways of delivering driving licensing services. The Director of Land Transport will be coming early July for an official signing of the MoU which will signify the start of the pilot programme.
- In areas of isolation along the East Coast where there are no key components for the driving tests e.g. traffic lights or roundabouts, new ideas are being developed on how to help people gain their licenses such as mobile traffic lights.
- The details of the pilot will be worked out with McInnes group on where it will occur and when, but the primary goal is to build capability and capacity into the driving testing services to ensure whenever possible people are not having to travel the length of the region to access these services.
- Having a license helps reduce family harm and provides teenagers with work which is particularly important in the Tairāwhiti region. To do this the testing needs to become much more efficient.
- There is a missing market for training instructors and examiners but there are many different factors leading into this such as access to legal cars, good mentors and people need to want this for their chosen pathway. It is wider than what just Waka Kotahi and MSD can offer.
- Regarding the state of SH35 and particularly three problem areas; Waikura Valley drop-out, Kopuaroa Hill and Huia Hill dropout, Waka Kotahi, alongside Council and contractors are working tirelessly day and night to ensure the community is connected. Some of the significant slips are in the emergency works process and must be checked that they are safe to be open. The long-term problems such as dropouts require more time for the engineering and Geotech responses, which is an estimated four months away to get designs and consents to adequately repair the damage.
- A drilling rig is being moved to Kopuaroa Hill within the next two weeks. Waka Kotahi is working closely with Council on improvements to Busby's Hill.
- The Speed Management Plan has changed so that there is a meeting every three years, rather than consulting at different points over three years, much the same way the Regional Land Transport Plan (RLTP) works. Once it is in place it provides a principle-based approach to engage communication much more swiftly than the bylaw process had enabled Council previously.
- When creating the principles for the speed consultation process, it should involve Marae and villages as well as kura particularly in this region.
- Speed reviews are pending while quality discussions with iwi partners are still continuing. A date will be confirmed for engagement later in the year.

- Maintenance and operations teams have been unable to complete the reseals due to the weather event in March. The drain renewal programme is at 60% for SH2 and 67% for SH35 which are still being worked on. The uncompleted sites will be moved into next year's programme because it is critically important to complete.
- Eastlands Port access are still waiting to lodge their consent for the expansion of the Port, and once accepted this will trigger Waka Kotahi to be able to look at the intersection and what needs to be done to improve the safety and accessway.
- Wairere Road and SH35 intersection will be looked at regarding a series of different road speed signs.
- On Page 52, although the vegetation provides a lot of stabilisation at the site of network, it requires a lot of funds and maintenance to ensure they are not overcome by weeds whilst the plants root.
- Pampas and wilding pines need to be dealt with on the side of the highways as it is continuously growing and spreads into farmers paddocks. Pampas is also present on cycleways and can cause injury as it overshadows the cycleways and cyclists are required to swerve out onto the road to avoid it.
- For every planting project there is 3 years' worth of maintenance built in to get it above the weeds and it includes replacing any plants that have died.

MOVED by Cr Burdett, seconded by Cr Worsnop

That the Regional Transport Committee:

1. Notes the contents of this report.

CARRIED

10.3 22-129 Strategic Case for Freight and Logging

Questions of Clarification included:

- Waka Kotahi is looking at providing a strategic way forward on managing the ongoing issues of freight and in particular heavy logging trucks. The strategic case will outline a pathway forward to other pieces of work e.g., a proactive maintenance program where certain roads are targeted to get an increased level of maintenance.
- The strategic case will be able to flush out a better idea of boundary questions particularly with the central north island and will help define what happens in the next stage of the business case process.
- There is currently no consideration for walkers and cyclists into the Port and it is noted that they are a specific community that needs to be incorporated into this case.
- The Council alongside Wairoa District Council and Hawkes Bay Regional Council have completed a report that is going to the Minister for review of the rail line and whether it can be reinstated in Gisborne.

MOVED by Cr Seymour, seconded by Cr Burdett

That the Regional Transport Committee:

1. Notes the work underway by Waka Kotahi to progress the Strategic Case for logging and freight

CARRIED

11. Close of Meeting

There being no further business, the meeting concluded at 3:03 pm with a karakia.

Pat Seymour

CHAIR

3.2. Action Sheet

Meeting Date	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date
02/12/21	11.1	21-267 2021 RLTP Quarter One Monitoring	Completed	Provide information to the Committee on the 2021/2022 Summer Campaign being launched 1 December 2021.	Lauriel Chase	08/02/2022 Lauriel Chase An update will be included in the Road Safety report.	15/02/22

3.3. Governance Work Plan

REGIONAL TRANSPORT - STATUTORY COMMITTEE							Meeting Dates	
Group Activity	Activity	Name of agenda item	Purpose	Report type	Owner		7-Sep	1-Dec
Community Lifelines	Journeys Operations	Tolaga Bay Wharf	The purpose of this report is to provide information on the safety improvements Gisborne District Council has completed for Tolaga Bay Wharf and any of the ongoing issues that have been identified.	Information	Kellee Tupara			
Strategy and Science	Strategy and Science	2021-2031 RLTP Annual Monitoring Report	Present an overview of progress in the last 12 months against the 201-2031 RLTP programme of works and performance measures.	Information	Charlotte Knight			
Strategy and Science	Strategy and Science	Road Safety Penalties	To present a request from Auckland Transport for the Committee to advocate to Government on the review of the fines and infringement penalties framework	Decision	Charlotte Knight			
Strategy and Science	Strategy and Science	Regional Waka Kotahi Update 2022	The purpose of this report is to introduce the Waka Kotahi New Zealand Transport Agency Regional update on activities over the last quarter.	Information	Charlotte Knight			
Strategy and Science	Strategy and Science	2021-2031 RLTP 2021/22 Quarterly Monitoring Report	The purpose of this report is to provide an update on the progress against the 2021-2031 Regional Land Transport Plan programme of works and performance measures.	Information	Charlotte Knight			
Strategy and Science	Strategy and Science	Waka Kotahi National Emissions Reduction Plan Update		Information	Charlotte Knight			

10. Reports of the Chief Executive and Staff for DECISION



22-158

Title: 22-158 Road Safety Penalties Review
Section: Strategy
Prepared by: Charlotte Knight - Strategic Planning Manager
Meeting Date: Wednesday 7 September 2022

Legal: No

Financial: No

Significance: **Low**

Report to REGIONAL TRANSPORT Committee for decision

PURPOSE

The purpose of this report is to seek direction from the Committee on whether it wishes to advocate to Government for a review of the fines and infringement penalties under the Effective Financial Penalties Framework.

SUMMARY

Some transport penalties, particularly for more serious offences, were set three decades ago. In addition, many penalty levels have been developed in relation to a specific topic or legislation, in isolation to other transport legislation or comparable regimes. To address this, the Ministry of Transport has developed the Effective Financial Penalties Framework and associated categorisation Tool. The Framework provides a set of principles and a systematic approach to support the process for setting more consistent and appropriate financial penalty levels (infringements fees and fines) across the three transport modes (land, maritime and aviation). The Ministry is taking a staged approach to reviewing transport penalties, as and when specific projects allow. No specific dates for reviews or public consultation are listed on the website.

Auckland Transport have contacted the Gisborne District Council requesting Council join them in "advocating to the Government the importance of the review at this time" and to "contribute through public consultation processes". This report seeks direction from the Committee on any advocacy action the Committee may wish to take in response to this request.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Regional Transport Committee:

1. Confirms if the Committee wish to:
 - a. Take no action; or,
 - b. Advocate to the Government the importance of the review at this time and the work to be given priority; and/or,
 - c. Submit on any public consultation processes.

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: road safety, road to zero, Government, advocacy, transport penalties and infringement

BACKGROUND

Te Manatū Waka Ministry of Transport (further information on [website](#))

1. Financial penalties for transport offences are one of the many tools that regulators can use to enforce the requirements of the system. Unlike some of the other regulatory tools, such as education, warnings, and licencing, financial penalties tend to become out-of-date over time. Some transport penalties, particularly for more serious offences, were set three decades ago. In addition, many penalty levels have been developed in relation to a specific topic or legislation, in isolation to other transport legislation or comparable regimes.
 2. Consequently, many of the transport specific penalties are inconsistent, out of step with comparable modern legislation, and potentially not acting as an effective deterrent. In response to these issues, the Ministry of Transport has developed the Effective Financial Penalties Framework (the Framework) and associated categorisation Tool (the Tool).
 3. The Framework is a new, systematic approach to support the process for setting more consistent and fit-for-purpose financial penalty levels (infringement fees and fines imposed by a court) for offences across transport legislation. The aim is for financial penalty levels for offences that are more consistent:
 - a. across the three transport modes (land, maritime, aviation)
 - b. with relevant external regulatory frameworks (for example health and safety at work)
 - c. with the severity of expected harm from offences.
 4. The Framework provides a set of principles and a systematic approach to support the process for setting more consistent and appropriate financial penalty levels across the three transport modes (land, maritime and aviation). These principles are:
 - a. Respond to the offences' severity (through assessment of the expected types of harm).
 - b. Act as a deterrent (penalties are set at a level that will credibly deter offending).
 - c. Be proportionate (to harm, and in relation to offences risking similar harm across transport and other legislation).
 5. The Framework includes two key types of financial penalties:
 - a. Infringement fees – issued by enforcement or regulatory agencies like NZ Police, the transport Crown entities, or councils. Infringement fees address comparatively minor law breaches and are immediate sanctions with relatively low penalty levels (for example, fees from speeding tickets).
 - b. Fines – usually imposed by a judge via the court process to address more serious offences and having comparatively higher penalty levels.
 6. The Tool is designed to support the application of the Framework, providing a step-by-step process to propose financial penalty levels for offences.
 7. The Ministry is taking a staged approach to reviewing transport penalties, as and when specific projects allow. No specific dates for reviews or public consultation are listed on the website.
 8. Attached is the Ministry's FAQ document on the Framework and Tool (**Attachment 4**).
-

DISCUSSION and OPTIONS

9. In June, Council's Chief Executive received correspondence from the Auckland Transport Chair and Chief Executive about the review Te Manatū Waka Ministry of Transport are working on for the fines and infringement penalties framework (**Attachment 1**). The letter requested Council join Auckland Transport in “advocating to the Government the importance of the review at this time” and to “contribute through public consultation processes”.
10. Auckland Transport have shared their work on *the Road to Achieving Vision Zero – Reclaiming lost opportunities* (**Attachment 2**) and *Equity of Road Safety Fines and Penalties* (**Attachment 3**).
11. Staff had not included responding to this work in the Council submissions work programme (**Report 22-38**) due to resourcing constraints and because there are no known timeframes at the time of writing.
12. Options for the Committee to consider are:
 - a. Status quo – do not actively advocate to Government on this matter
 - b. Advocate to the Government the importance of the review at this time and the work to be given priority; and/or
 - c. Submit on any public consultation processes.
13. Advocacy under Option B could include
 - a. Letters to local MPs and/or Transport Minister on what the Council/Committee would like to see come out of the review, and any comments on timing
 - b. Joining with other councils/CCOs in joint initiatives
 - c. Propose a Local Government New Zealand remit at the next AGM (if there is no progress by that time) on matters the Council/Committee would like to see.

ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: Low Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: **Medium** Significance

This Report: **Low** Significance

The level or history of public interest in the matter or issue

Overall Process: **Medium** Significance

This Report: **Low** Significance

14. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI AND COMMUNITY ENGAGEMENT

15. There has been no engagement with tangata whenua and the community on the correspondence received.

CLIMATE CHANGE – Impacts / Implications

16. There are no climate change implications/impacts for the recommendations of this report.

CONSIDERATIONS

Financial/Budget

17. There are no financial implications/impacts for the recommendations of this report. Any advocacy work or submission writing would be undertaken by staff.

Legal

18. There are no legal implications/impacts for the recommendations of this report.

POLICY and PLANNING IMPLICATIONS

19. There are no policy and planning implications for the recommendations of this report. Changes to penalties aligns with the strategic framework of the 2021-2031 Regional Land Transport Plan (RLTP), in particular the 'safety' strategic objective that aligns with the national Road to Zero programme. However, advocating to Government on changes to penalties was not specifically included as an action in the RLTP.

RISKS

20. There are no major strategic risks associated with the recommendations of this report.

NEXT STEPS

Date	Action/Milestone	Comments
TBC	Actions as determined by the Committee	

ATTACHMENTS

1. Attachment 1 - Letter from Auckland Transport June 2022 [**22-158.1** - 7 pages]
2. Attachment 2 - Auckland Transport: On the road to achieving Vision Zero - Reclaiming lost opportunities [**22-158.2** - 15 pages]
3. Attachment 3 - Auckland Transport: Equity of road safety fines and penalties [**22-158.3** - 46 pages]
4. Attachment 4 - Te Manatū Waka Ministry of Transport Effective Transport Financial Penalties FAQ May 2022 [**22-158.4** - 7 pages]

17 June 2022

Nedine Thatcher Swann
Gisborne District Council
By email: ceo@gdc.govt.nz

Tēnā koe Nedine

Road Safety Penalties review

I hope this letter finds you well and safe.

As I'm sure you are aware, Te Manatū Waka, Ministry of Transport is expected to soon undertake consultation on a review of the fines and infringement penalties framework. This review will help update the framework to ensure it is achieving the Government's objective of a safer land transport system. Our research shows that there is strong public support for strengthening fines and penalties and that equity issues can be addressed through a revised framework.

We are writing to you to join us in advocating to the Government the importance of the review at this time. We encourage all our transport system partners to contribute through public consultation processes, when these are open for feedback, and wish to offer you any support, should you require it. Together, we can ensure our fines and infringement penalties framework is fit for purpose and supports a system response to road safety in 2022 and beyond.

Auckland Transport

Auckland Transport (AT) is one of Aotearoa New Zealand's largest Road Controlling Authorities, and the safety of Aucklanders is paramount to us.

We have committed to Vision Zero road safety outcomes, consistent with the New Zealand Government's Road to Zero Strategy. Working together with our road safety partners, including other Road Controlling Authorities and elected members, we want to make sure that no one dies or is seriously injured as we travel on our roads.

Our partnerships are critical in reducing deaths and serious injuries

In 2021, more than 300 New Zealanders died on our roads. Their 'crime'? – they were simply traveling on our roads to get to their destinations. Sadly, over the past 10 years, there has been only minimal overall improvement to these figures. The Road to Zero Action Plan set us on the right path to keep New Zealanders safe on our roads. It is built off a solid evidence base, and we now know what we need to do, and it is the time to deliver.

Our partnerships are critical in keeping fellow New Zealanders safe as we travel on our roads. We want to work closely with Road Controlling Authorities and elected representatives, as you play a vital role in helping us achieve a safe road system for everyone.

What New Zealanders are saying about road safety and penalties?

Independent research commissioned by AT of the views of local communities shows that New Zealanders are very concerned about the crisis on our roads and want the Government, Road Controlling Authorities, and Councils to do more to protect human life. They want to be able to travel and get home every time without risking life or limb. AT has captured these sentiments in our survey research – *On the road to achieving Vision Zero – Reclaiming lost opportunities* – conducted by our independent panel partners, Dynata, which we have attached with this letter.



On the road to achieving Vision Zero – Reclaiming lost opportunities survey research results tie in very closely with the [Auckland Transport Road Safety Business Improvement Review 2021](#) (BIR 2021) written by international road safety expert, Eric Howard.

With this in mind, Auckland Transport's advocacy priorities are:

- Enhanced enforcement of road safety
- Review of road safety penalties
- Accelerated roll out of safety cameras

Our research shows that New Zealanders want penalties for speeding 10k km/h over the speed limit, and for driving through a red light to increase significantly. They believe strong deterrence will encourage behaviour change and go a long way in reducing deaths and serious injuries on our roads.

The survey research and BIR 2021 support the work by Ministry of Transport as it reviews New Zealand's current road safety fines and penalties framework. An effective fines and penalties framework that reflects the risk of harm caused by the offending behaviour will be key in the successful delivery of the Government's Road to Zero Action Plan. From our research we know that 95% of New Zealanders agree that we need more severe penalties for dangerous driving, and 90% agree we need better enforcement of the road rules⁹¹.

Unacceptable loss of life and serious injuries across the country

Road safety data from across the country's regions between 2017 and 2021 tell a sobering story. We must work together to bring these figures to zero as quickly as possible.

Region	Deaths	Serious injuries	Totals
Auckland Region	247	2,938	3,185
Bay of Plenty Region	157	809	966
Canterbury Region	239	1,425	1,664
Gisborne Region	31	212	243
Hawke's Bay Region	82	534	616
Manawatū-Whanganui Region	158	894	1,052
Marlborough Region	20	125	145
Nelson Region	10	120	130
Northland Region	163	770	933
Otago Region	80	682	762
Southland Region	52	390	442
Taranaki Region	50	380	430
Tasman Region	25	175	200
Waikato Region	321	1,816	2,137
Wellington Region	68	974	1,042
West Coast Region	25	159	184
Totals	1,735	12,461	14,196

Equity of Road Safety Fines and Penalties report

In addition to our own survey research set out above, you will also find attached an independent report that we commissioned – *Equity of Road Safety Fines and Penalties* by MR Cagney.

Its findings show that New Zealand has an inequitable system of road safety fines and penalties. People who face the most disadvantage in everyday life, also incur the most hardship from fines and penalties for reasons both within and outside of their control.

⁹¹ Research report commissioned by Auckland Transport and conducted by our independent panel partners, Dynata, to gauge New Zealanders attitudes towards the current road safety regulatory regime. The sample was representative of all New Zealanders and the margin of error is +/- 4.4% at the 95% confidence level.



The report explores what 'good' looks like in addressing this inequity and provides potential solutions to address equity issues. It includes, in the short term, providing flexible fines payment plans, increasing access to legal aid for alcohol interlocks, and increased automated enforcement. Over the longer term, providing community-centric alternatives to fines and demerit points and provide a fines structure more closely linked to people's ability to pay.

Our call to action

When the Ministry of Transport opens consultation on its fines and penalties framework review later this year, we urge Road Controlling Authorities and elected members to support this work and advocate for a fit-for-purpose road safety and penalties framework – one that encourages positive driver behaviour and prevents deaths and serious injuries.

In addition to our survey research, we have included an information pack that explains:

- The New Zealand Government's Road to Zero Action Plan
- The Ministry of Transport's on-going fines and penalties framework review
- Auckland Transport's priorities for the fines and infringement penalties framework review.

We will continue to work closely with Ministry of Transport through this review and other key Road to Zero initiatives and look forward to partnership with you to keep every New Zealander safe and he/she/they travel on our roads.

Please do not hesitate to contact us and we look forward to working closely with you.

Naku iti noa, na

Adrienne Young-Cooper
Chair

Shane Ellison
Chief Executive

Attachment

*On the road to achieving Vision Zero – Reclaiming lost opportunities
Equity of Road Safety Fines and Penalties by MR Cagney
Letter to Road to Zero Ministerial Oversight Group*



Road to Zero

What is the New Zealand Government's Road to Zero strategy?

Road to Zero is based on Vision Zero, a world-leading approach that refers to a societal commitment to work towards zero harm on the road. First launched in Sweden in 1997, it has been adopted in Norway, New York and London.

Under the Vision Zero philosophy, no loss of life is acceptable. It is based on the fact that we are human and make mistakes so, while the road system needs to keep us moving, it must also be designed to protect us.

Vision Zero is framed as 'Towards Zero' in some jurisdictions, such as Victoria and New South Wales in Australia, as well as Canada and the European Union. A number of New Zealand cities and regions, including Auckland, Waikato, Otago and Southland, have adopted Vision Zero principles.

On average, one person is killed every day on New Zealand roads and another seven are seriously injured. Deaths or serious injuries should not be an inevitable cost of travelling. The Road to Zero strategy sets out the Government's vision for a New Zealand where no one is killed or seriously injured in road crashes. It includes guiding principles for how the Government designs the road network and makes road safety decisions, and sets targets for 2030.

What are the Government's plans to achieving zero deaths and serious injuries on our roads?

The Government's Road to Zero vision is a New Zealand where where no one is killed or seriously injured in road crashes'. It is based on Vision Zero.

Adopting this vision means no longer viewing the deaths on our roads as a 'toll' we're prepared to pay for mobility. Systems cannot be designed to prevent every crash. But they can, and should, keep people alive when crashes happen.

Loss of life is not considered to be an inevitable and acceptable part of the aviation and maritime sectors. Vision Zero applies that same expectation to the road system.

We recognise that zero deaths and serious injuries on our roads may not be achievable in the next 10 to 20 years. But adopting this vision means taking meaningful and sustained steps to reducing road trauma.

How did the Government decide on a target to reduce deaths and serious injuries?

The target to reduce road user death and serious injuries by 40% by 2030 resulted from modelling of a substantial programme of road safety improvements over the next 10 years. The modelling is based on international evidence on how effective some interventions are.

The modelling shows that the best gains can be achieved by sustained investment in infrastructure improvements and effective enforcement, alongside safer speeds, safer vehicles, deterring high-risk behaviours and understanding that as human, we make mistakes everyday – those mistakes should not automatically lead to deaths or serious injuries.

The model also takes into account a potential shift in modes of transport resulting from government investment in public transport and rail infrastructure, and also tries to anticipate potential technologies that might develop over the next 10 years.

Other countries that have adopted Vision Zero have typically aimed for reductions of between 40% and 60% in every 10-year period.

How does the Government plan to achieve the 40% target?

Modelling suggests that just over half the target could be achieved through a combination of infrastructure improvements, such as:

- Median barriers and intersection treatments
- Setting safe speed limits
- Increased levels of enforcement, both by safety cameras and police officers.

Up to a further 25% could be achieved by lifting the safety performance of the vehicle fleet and mandating ABS for motorcycles.

The remaining 25% could be achieved by a combination of other interventions, such as improvements to driver licensing and *increases to penalties for safety offences*, as well as broader factors, such increased uptake of public transport and changes in vehicle technology.



Fines and penalties framework review

Why is the Government reviewing New Zealand's road safety penalties framework?

Infringement fees and fines in the transport sector have evolved over many years and have not been developed or reviewed systematically. As a result, a number of road safety related penalties may be poorly targeted, may be too low to deter undesirable behaviour and do not align with the level of risk. This review was signalled in the Road to Zero Action Plan released late 2019.

Reviewing road safety penalties will go a long way to ensure that they are proportionate to the risk of harm reflect New Zealand's communities and society's expectations.

Have there been any recent changes to the penalties framework?

Yes. Distracted driving due to mobile phone use is a contributing factor in road crashes. The fee for using a mobile phone while driving is \$80, which is out of step with other moving vehicle offences (set at \$150).

In March 2021, Cabinet agreed to raise mobile phone penalties to \$150 from 30 April 2021.

This change creates a consistent baseline for further work to be undertaken as part of the wider review of key road safety penalties. The review will include further analysis around what the most appropriate fees for key road safety related offences might be and may also include consideration of demerit points.



Auckland Transport's priorities for this review

Based on our research – *On the road to achieving Vision Zero – Reclaiming lost opportunities* survey research together with findings from the *Auckland Transport Business Improvement Review 2021 (BIR 2021)* written by international road safety expert, Eric Howard, our priority focus areas are:

Demerit points added to camera issued infringements

- Previous work completed by the Ministry of Justice⁹² with young drivers (16-24yrs) found that financial penalties alone were not a strong deterrent to infringing behaviour, combined with the accumulation of demerit points ultimately leading to a loss of licence, is a stronger deterrent. Demerit points should be applied to camera issued infringement notices, this will support the effectiveness of the planned safety camera expansion programme
- In 2019 there were NZ Police issued 621,718 speed infringements in Tāmaki Makaurau Auckland. Of these, only 59,144 were issued by officers, meaning only 9.5% of drivers received demerit points⁹³.

An increase of all road safety fines to above \$100

- Waka Kotahi research⁹⁴ into the current system found repeat offending was only significantly reduced when demerit points were incurred along with a fine of at least \$100.

Aligning fines to the risk of the driving behaviour

- Penalties must reflect the level of risk that is involved with offences. Riskier and more dangerous behaviours should result in more severe penalties. This means that the fines for offences which are less risky, may need to be reduced.
- As an example, currently speeding up to 10km/h over the limit carries a \$30 infringement fee. In comparison, the fine for travelling on public transport without a ticket is \$150, for driving a vehicle without a current registration is \$200. We know speed has a direct influence on the chance of a crash occurring and severity of the outcome, and is therefore, a much riskier behaviour than either of these examples

Changes to fines and penalties should not lead to or increase inequitable outcomes and we support MOT in their work to ensure equity is included in their review. Our existing system is hurting those experiencing the greatest social and economic challenges. Tāmaki Makaurau Auckland research⁹⁵ tells us Māori, Pacific people and those living in lower income areas have a significantly higher risk of experiencing road traffic injuries, particularly young adults, children, and the elderly. Children living in the most socio-economically deprived areas are three times more likely to suffer injury than children living in the least deprived areas.

Why are these changes needed?

Adding demerit points to camera issued offences

Offences detected by cameras do not currently incur demerits. New Zealand is among a small number of comparable countries/jurisdictions that does not have demerits on safety camera offences.

Demerit points are currently only applied to speed offences issued by officers and not camera issued (around 80% of Auckland's speeding infringements are camera issued)

- Not including offences for speeding simply on the basis of how they are detected undermines the deterrence effect of the Licencing Points System and at the same time allows the perception that speeding offences detected by camera are less of concern than Police-detected offences.
- Waka Kotahi research shows the value of tailoring the LPS (licencing point system) to drivers who become more compliant when their demerit points approach the point threshold (approx. 18% of sample) rather than those who are generally complaint (80%) or those who are not influenced by demerit points (approx. 2%). Adjusting for relevant variables, ever having points was four times more

⁹² Young People and Infringement Fines: A Qualitative Study, 2005 <https://www.justice.govt.nz/assets/Documents/Publications/young-people-infringement-fines-qualitative-study.pdf>

⁹³ Road Policing Offence Data, <https://www.police.govt.nz/about-us/publication/road-policing-driver-offence-data-january-2009-september-2021>

⁹⁴ NZ Transport Agency Research report 657: Human Factor considerations for a licensing point system, September 2019

⁹⁵ Social and geographical differences in road traffic injury in the Auckland Region, 2013, <https://at.govt.nz/media/imported/4468/social-geographical-differences-report-2013.pdf>



likely for respondents who change their driving when they have a few points (compared with respondents who reported driving to avoid getting any).⁹⁶

Financial penalties below \$100 have minimal impact

- Waka Kotahi research into the current system found that repeat offending was only significantly reduced when points were incurred along with a significant fine of at least \$100 and the best deterrence effects occurred with at least a 20-point penalty in combination with a higher fine⁹⁷.

Penalties can be educational by signalling the level of risk that is involved with various offences. It is important that riskier and more dangerous behaviours result in more severe penalties.

- To enhance deterrence, consideration should be given to increasing the penalties for speeding, which represents such a large proportion of the offences. Low-range speeding (exceeding by 10 km/h or less) should be addressed in particular, because this offence currently attracts the lowest number of points, and so is subject to the least deterrent effect. Accompanying campaigns might inform the public that low-level speeding is the most prevalent type of fatal speed-related crashes⁹⁸ and that 'revenue' is reinvested into road safety initiatives (hypothecation).

What role will the review play in improving road safety across New Zealand?

While an effective, fit for purpose fines and penalties framework for road safety offences is a key part of a system response to road safety, it will not deliver sustainable road safety gains on its own.

- If drivers perceive that the likelihood of their being detected and punished is low, then the effect of the penalty, even if severe, is likely to be small.
- Ministry of Transport research into NZ crash data 2010-2017⁹⁹ concluded that reduced levels of enforcement can undermine successful road safety initiatives. The number of road policing staff in Auckland has a direct impact on the safety of our transport system.

To be effective, the penalties system will be supported by other interventions across the system such as driver education and training, infrastructure improvements, and encouraging mode shift towards public and active (walking/cycling/scooting) transport. Penalties also require enforcement, which depends on NZ Police's enforcement approach, priorities and demands, and staffing and funding levels.

⁹⁶ NZ Transport Agency Research report 657: Human Factor considerations for a licensing point system, September 2019. <https://www.nzta.govt.nz/assets/resources/research/reports/657/657-Human-factor-considerations-for-a-licensing-point-system.pdf>

⁹⁷ NZ Transport Agency Research report 657: Human Factor considerations for a licensing point system, September 2019. Retrieved from <https://www.nzta.govt.nz/assets/resources/research/reports/657/657-Human-factor-considerations-for-a-licensing-point-system.pdf>

⁹⁸ Job et al 2012

⁹⁹ Walton, Darren & Jenkins, Dan & Thoreau, Roselle & Kingham, Simon & Keall, Michael. (2019). Why is the rate of annual road fatalities increasing? A unit record analysis of New Zealand data (2010–2017). Journal of Safety Research

On the road to achieving Vision Zero

Reclaiming lost opportunities



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Foreword

This research document presents key findings into attitudes to road safety and the regulatory regimes needing to be changed in order to save lives and reduce the number of people being maimed and seriously injured on our roads.

The people of Aotearoa New Zealand have told us that they are concerned about the crisis on our roads and want the Government to do more to prevent deaths or serious injuries.

The survey – Public Perceptions of NZ Road Safety: Penalties and Enforcement, conducted in July 2021 ties in closely with the independent review conducted by international road safety expert Eric Howard – 2021 Report on Auckland 2018 Road Safety Business Improvement Review Implementation (BIR 2021).

Both studies show that the people of Aotearoa New Zealand are concerned about the crisis on our roads and want the Government to do more to prevent deaths or serious injuries.

Some of the highlights from the Public Perceptions of NZ Road Safety include:

- Two thirds of people believe that the penalty for driving 10km/h over the speed limit should be increased.
- 87% agree that 20 years is too long between reviews of speeding fines.
- 64% believe the penalty for driving 10km/h over the speed limit should be increased
- What New Zealanders tell us the infringement value should be for speeding 10km/h over the posted speed limit*. The current infringement value is \$30. The average for all survey respondents is \$105 and the average for those who believe it should be increased feel it should be increased to \$149.
- 68% believe driving through a red light warrants demerit points and 62% say speed offences warrant demerits.

Based on what New Zealanders have told us in this research, the evidence from high performing jurisdictions internationally, and the lapse in time since the last review, Auckland Transport is calling on Central Government to give New Zealanders a fit-for-purpose road safety regulatory system.

Source: Public perceptions of NZ Road Safety July 2021. n=658





Shane Ellison
Chief Executive
Auckland Transport

Figure 1. 2020 road safety key facts



2020 road safety key facts



 Speeding* was a factor in road deaths  **42%**

 Alcohol/impairment suspected, confirmed or blood results pending in road deaths  **47%**

 Deaths where people were travelling outside a vehicle  **56%**

2020 compared to 2019

 Deaths and serious injuries where speeding* was a factor  **11%**

L  Deaths and serious injuries involving young drivers aged 15-24 on restricted or learner licences  **16%**

 Deaths and serious injuries involving people on motorbikes or mopeds  **24%**

One that supports reduced deaths and serious injuries on our roads and is friendlier for sustainable mobility. We ask other Road Controlling Authorities, elected representatives, and other interest groups to join us.

We hope these findings will inform nationwide policy changes that are long overdue; in some cases, fines, for example, have not been reviewed for more than 20 years.

The Road Safety situation in Aotearoa New Zealand is simply unacceptable. The research was commissioned as part of the Vision Zero strategy for Tamaki Makaurau.

In 2018 Auckland Transport commissioned international road safety expert, Eric Howard to complete an independent review into road safety. This followed a year in which 64 people died and an additional 749 were seriously injured on our roads. That was more than sixteen people every week – a situation which simply could not continue. There was a similar story nationally with a spike in road deaths in 2017, with 378 fatalities and 2862 serious injuries (Figure 1).

The situation improved through to 2020 when in Tāmaki Makaurau, Auckland 36 people died, and an additional 489 people were seriously injured:

- Inappropriate speed was a factor in 42 percent of deaths in 2020.
- Alcohol/impairment (drugs) was proven a factor in 47percent of deaths in 2020.
- 56 percent deaths were people travelling outside a vehicle – people walking or cycling, children and the elderly

While the decrease in the number of people dying or being seriously injured (DSI) since 2017 is welcome, a lot of work remains to be done.

Driving at inappropriate speed and under the influence of drugs and/or alcohol have emerged as the two main factors contributing to crashes on our roads

In addition to the human loss and devastation that affects whānau, communities and friends, the costs to Aotearoa New Zealand's economy are staggering.

As per Ministry of Transport research figures, the total cost of motor vehicle injury crashes in 2018 is estimated at \$4.9 billion¹. This amounts to a 1.51 percent impact on New Zealand's GDP².

In mid-2021, AT again engaged Mr. Howard to report on the progress made since his 2018 review. Of his recommendations, one of the most crucial is for the Government to pursue significant road safety regulatory reform at the national level:

- Seek higher fines for speeding especially fines for low-level speeding (10 km/h above the limit) and stronger license sanctions for speeding 25 km/h over the limit and a review of the demerit point system.
- Seek increased fines and demerit points for commercial vehicle drivers.
- Improved vehicle safety performance standards for new and used vehicles entering NZ.
- Introduction of a zero Blood Alcohol Content limit for commercial drivers and for all repeat drink driving offenders.
- Strengthening of the graduated licensing system for novice drivers through the review of the Graduated Licensing System (which is in progress by the Ministry of Transport (MoT).
- MoT to examine forming a road safety fund from the net increase in camera fine receipts.
- Deliver improved pedestrian (and other Vulnerable Road Users) safety across the arterial and other roads in the network.

2020 DSI data shows that speed and drink/ drug driving were the main causes of serious crashes. Mr. Howard notes that New Zealand lags behind other OECD countries, ranking 32 out of 36 for road safety performance³.

As Mr Howard notes:

"Sadly, road safety in the country has not received the attention it demands and deserves. Neither have there been any meaningful changes to the penalties and enforcement policies for more than two decades".

With the Ministry of Transport undertaking a review of current national policies and rules on penalties and enforcement, now is the opportune time to make up for what we've lost collectively as a nation.

At the very least, as Road Controlling Authorities, Councils and Government, we owe it to the memory of those who have unnecessarily died or are suffering life-long and life-changing injuries to stop their tragedies from repeating themselves. We owe the people of Aotearoa New Zealand, a Vision Zero transport network, because everyone deserves to get home safely.

It is the right thing to do.

\$4.9 billion

Annual cost to New Zealand's economy due to motor vehicle crashes.

\$5,374,100

Cost to New Zealand's economy per road related death.

\$551,700

Cost to New Zealand's economy per serious injury.

Source: Ministry of Transport. (2020). Social cost of road crashes and injuries - June 2019 update. Wellington: Ministry of Transport.

3. The International Transport Forum at the OECD is an intergovernmental organisation with 62 member countries. It acts as a think tank for transport policy and organises the Annual Summit of transport ministers. ITF is the only global body that covers all transport modes. The ITF is administratively integrated with the OECD, yet politically autonomous. The OECD - The Organisation for Economic Co-operation and Development is an intergovernmental economic organisation with 37 member countries, founded in 1961 to stimulate economic progress and world trade. It is a forum of countries describing themselves as committed to democracy and the market economy, providing a platform to compare policy experiences, seek answers to common problems, identify good practices and coordinate domestic and international policies of its members. Retrieved from oecd.org/about.

4. Howard, Eric (2021). Executive Summary: 2021 Report on Auckland 2018 Road Safety Business Improvement Review Implementation, page 7.

5. Howard, Eric (2021). Full Report: 2021 Report on Auckland 2018 Road Safety Business Improvement Review Implementation, page 39.

6. Howard, Eric (2021). Full Report: 2021 Report on Auckland 2018 Road Safety Business Improvement Review Implementation, page 9.

*This means the police officer completing the traffic crash report selected the category 'inappropriate speed'.

1. Ministry of Transport. (2020). Social cost of road crashes and injuries - June 2019 update. Wellington: Ministry of Transport, page 4. Retrieved from: transport.govt.nz/assets/Uploads/Report/SocialCostof-RoadCrashesandInjuries2019.pdf

2. Stats NZ Tatauranga Aotearoa. (2021). Regional gross domestic product: Year ended March 2020. Retrieved from: stats.govt.nz/information-releases/regional-gross-domestic-product-year-ended-march-2020



Regional Transport Committee 7 September 2022

Setting the scene

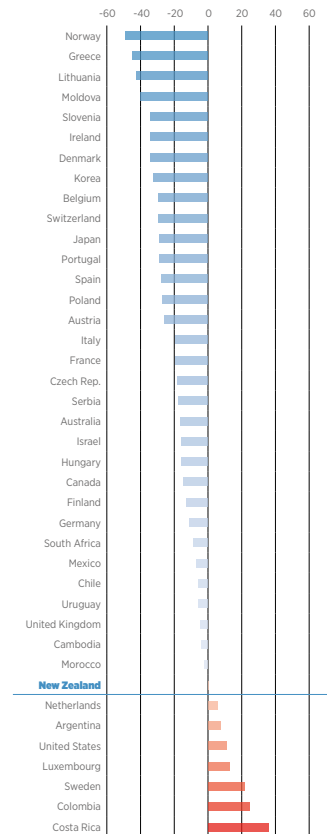
New Zealanders value equality and fairness. However, this notion of equality and fairness where the well-being of its people travelling on its transport network is concerned, New Zealand has consistently failed over the last decade.

Aotearoa New Zealand has traditionally been a trailblazer in many aspects of society: creating indigenous parliamentary seats (1857); granting women the vote (1893); advocating an eight-hour working day (1840); state-funded old-age pensions (1898); the world's most extensive system of pensions and welfare (1938); and its unique no-fault accident compensation scheme (1974). These have been driven by traditional notions of equality, fairness and honesty.

Stephen Levine, professor of political science at Victoria University of Wellington, writing in Te Ara, the nation's official online encyclopedia – another world first – says New Zealand likes the idea of leading the world by example, through idealism and pragmatic innovation. New Zealanders value equality and fairness. However, this notion of equality and fairness where the well-being of its people travelling on its transport network is concerned, New Zealand has consistently failed over the last decade.

International comparisons to other OECD/ITF countries (Figure 2) show the relative risk of being killed while using the New Zealand road network has not changed since 2010. The efforts of central government have not achieved reduction in death and serious injury when compared to other developed countries. This situation has made the task of improving road safety outcomes more difficult for Tāmaki Makaurau Auckland. Particularly given that enforcement, policy and regulatory decisions are the responsibility of central government agencies.

Figure 2: Road Safety Annual Report 2020, OECD/ITF 2020: Percentage change in the number of road deaths, 2010-18



7. McDonald, Ewan, 2020, Why is New Zealand so progressive? BBC, Retrieved from: [BBC.com/travel/article/20200518-why-is-new-zealand-so-progressive](https://www.bbc.com/travel/article/20200518-why-is-new-zealand-so-progressive)

8. Levine, Stephen, 'Political values', Te Ara - the Encyclopedia of New Zealand, Retrieved from: [TeAra.govt.nz/mi/political-values/print](https://teara.govt.nz/mi/political-values/print)

9. Retrieved from: itf-oecd.org/about-itf Retrieved from: oecd.org/about

“ If Aotearoa New Zealand had delivered a rate of fatalities to match Norway’s in 2019, (2.0 fatalities per 100,000 population, a country with a similar population to Aotearoa) then two hundred and nine (209) fewer New Zealanders would have perished on New Zealand roads ”

Mr Howard’s 2021 review highlights stark differences in the way countries such as neighbouring Australia or world-leaders such as Norway protect their citizens when traveling on their roads:

Norway

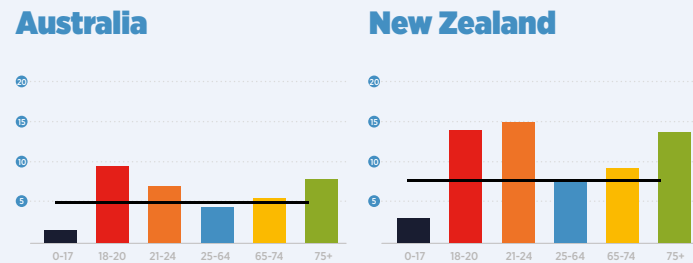
If New Zealand delivered a rate of fatalities to match Norway’s in 2019 i.e. two fatalities per 100,000 population, a country with similar population to New

Zealand, then two hundred and nine fewer New Zealanders would have died on our roads.

Australia

When comparing road deaths per 100,000 people in each age group (using 2018 data in Figure 3), between New Zealand and Australia, the results are stark for New Zealand.

Figure 3. Mortality rate by age group. Road deaths per 100,000 inhabitants in a given age group, 2018*



* The grey line shows the average fatality rate per population for each country. Note the high rates in New Zealand compared to the average for the 21 – 24 and 75+ year age groups. Note that the 18 – 20 age group is also at a high level in absolute terms.

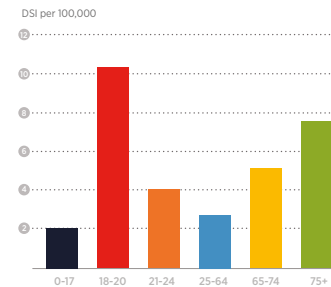
“ New Zealanders value equality and fairness. However, this notion of equality and fairness where the well-being of its people travelling on its transport network is concerned, New Zealand has consistently failed over the last decade”

The higher rate of deaths for the over 75 age group (figure 4) for New Zealand may reflect a greater demographic of elderly, but also indicates poor quality cars operating on poorer quality roads with inappropriately high-speed limits. The differences with Australia are noticeable.

The relatively higher 18 to 20 and 21 to 24-year age group fatality rates than in Australia may reflect undeveloped opportunities from strengthening graduated licensing settings, a lower solo licensing age, and shortcomings in deterrence of speeding and drink and drug driving due to inadequate penalties and limited enforcement.

Other factors may also include, the current permitted blood alcohol content (BAC) limit of 0.05 is considered high and could play a role in serious crashes. Data for Auckland is shown opposite.

Figure 4: Fatality rate by age from road crashes, Auckland, 2018 (Auckland Transport)



The relatively high fatality rate for 18-to 20-year-olds in Auckland in 2018 is a deeply concerning situation – see Figure 4. We note and welcome the on-going review of the graduated licensing system (GLS) for New Zealand. The fatalities rate for the 75+ age group is also a major concern.

Vulnerable road users (people not inside vehicles), in Auckland made up the bulk of all deaths in 2020






- 56 percent of all fatalities were people travelling outside vehicles (people walking – 27 percent; people cycling – 8.1 percent; and people riding motorcycles – 21.6 percent).
- Although it is difficult to get a clear trend from 2020 data due to COVID-19 lockdowns and incomplete finalising of reporting, there does not appear to be any notable improvement to the relative safety of people outside vehicles since 2017. However, there is improvement to the DSI for people inside motor vehicles.

- Data from Waka Kotahi’s Crash Analysis System significantly underplays the true extent of serious harm to transport users outside motor vehicles, as identified by Ministry of Health hospital data¹⁰.

This sadly is not an Auckland only problem. The rest of New Zealand faces similar issues. Dr Kirsty Wild¹¹ is an environmental sociologist in the field of environmental health. Her research shows that eight out of 10 new passenger vehicles currently sold in the country are light trucks – SUVs or double-cab utes. 10 years ago, none of the best-selling vehicles were in this category¹².

Dr. Wild’s research shows that New Zealand vehicle data confirms the U.S. experience that these vehicles are neither safer nor remotely green. The shift to larger passenger vehicles has largely wiped out the gains in fuel efficiency New Zealand has made in the last 20 years. Our number one seller since 2015, the Ford Ranger, produces nearly twice the carbon dioxide emissions of the Toyota Corolla.

Figure 6. Fatalities by road user group, Auckland 2014 to 2020 and percentage share in 2020 Image:

	2014	2015	2016	2017	2018	2019	2020 % of overall fatalities
 Vehicle driver	17	22	23	27	23	19	11 29.7%
 Vehicle passenger	5	14	7	16	8	5	5 13.5%
 Pedestrian	8	7	6	9	13	5	10 27%
 Motorcyclist	5	7	11	10	8	7	8 21.6%
 Cyclist	2	2	0	2	2	4	3 8.1%
TOTAL	37	53	47	64	54	40	37

10. ViaStrada, March 2021, Safety of people travelling outside vehicles. Report prepared for Auckland Transport.

11. Dr Kirsty Wild, a Senior Research Fellow, is an environmental sociologist working in the field of environment health in the Faculty of Medical and Health Sciences at the University of Auckland. Retrieved from <https://unidirectory.auckland.ac.nz/profile/k-wild>

12. Wild, Dr Kirsty (2021), The rise of the urban light truck: What to do about it?. Greater Auckland. Retrieved from <https://www.gtauckland.org.nz/2021/06/02/the-rise-of-the-urban-light-truck-what-to-do-about-it/>

13. Professor Alistair Jack Woodward of the Faculty of Medical and Health Sciences is an epidemiologist and public health doctor. His research and teaching is concerned primarily with environmental matters and the social determinants of health. Retrieved from: [Unidirectory.auckland.ac.nz/profile/a-woodward](https://unidirectory.auckland.ac.nz/profile/a-woodward)

University of Auckland Professor Alistair Woodward¹³ specialises in public health and climate change. His research shows that utes cause more pollution, more traffic jams and encourage dangerous driving habits. Utes and SUVs emit 1.5 times more carbon dioxide, a trend which is out of synch with New Zealand’s decarbonisation goals¹⁴.

Research also shows that New Zealand drivers generally have a poor understanding of the risks of SUVs, with a tendency to employ “naïve physics heuristics” that position ‘bigger as better’ and safe. Yet the mass and height of light trucks, as well as their square accessorised front ends, present increased safety risks to pedestrians and other vehicle users, as well as unique safety risks to light truck drivers themselves¹⁶.

Analysis of Australian and New Zealand Crash data from 1987-2017 showed that ‘other affected road users’ are 1.5 to 2 times

more likely to be killed or require a hospital admission if struck by a Ford Ranger than a lighter Toyota Corolla. Even the drivers of these vehicles themselves faced safety risks: A New Zealand study of vehicle crashes in 2015 – 2016 found that modern vehicles were generally safer than older models, but that light trucks (SUVs and utes) were more likely to cause serious or fatal injury in roll-over crashes¹⁷.

2020 vs 2019 road safety data shows increases in DSI

- There was a 16 percent increase in deaths and serious injuries for 16 to 24 year-old drivers on restricted or learner licenses.
- There was a 12 percent increase in deaths and serious injuries from 2019 where speeding was a factor; inappropriate speed was a factor in 42 percent of deaths in 2020.



14. WPX_ (2020). Utes, 'Bigger Than Ever': Professor Alistair Woodward On The Super-Sizing Of The Urban Light Truck In New Zealand News. Retrieved from: <https://adex.co.nz/utes-bigger-than-ever-professor-alistair-woodward-on-the-super-sizing-of-the-urban-light-truck-in-new-zealand-nz-news/>

15. Wild, Dr Kirsty (2021). The rise of the urban light truck: What to do about it?. Greater Auckland. Retrieved from [Greatauckland.org.nz/2021/06/02/the-rise-of-the-urban-light-truck-what-to-do-about-it/](https://www.greatauckland.org.nz/2021/06/02/the-rise-of-the-urban-light-truck-what-to-do-about-it/)

16. Thomas, Jared and Walton, (2006), Darren, Is Bigger Better? Vehicle Size and Driver Perceptions of Safety, Opus Central Laboratories, Lower Hutt, New Zealand, Retrieved from [Australiantransportresearchforum.org.au/sites/default/files/2006_Thomas_Walton.pdf](https://www.austlii.edu.au/au/other/australiantransportresearchforum.org.au/sites/default/files/2006_Thomas_Walton.pdf)

17. Mackie, H. W., P. Gulliver, R. A. Scott, L. Hirsch, S. Ameratunga and J. de Pont (2017). Serious injury crashes: How do they differ from fatal crashes? What is the nature of injuries resulting from them? Auckland, New Zealand: Mackie Research, The University of Auckland, and TERNZ prepared for the AA Research Council. Retrieved from [AA.co.nz/assets/about/Research-Foundation/Serious-Injuries-vs-Fatal-Crashes/Serious-Injuries-Final-Report-September-2017.pdf?m=1510009394%22%20class%3Dtype%7Bodf%7d%20size%7b2.5%20MB%7d%20file](https://www.aa.co.nz/assets/about/Research-Foundation/Serious-Injuries-vs-Fatal-Crashes/Serious-Injuries-Final-Report-September-2017.pdf?m=1510009394%22%20class%3Dtype%7Bodf%7d%20size%7b2.5%20MB%7d%20file)

Figure 7. Confirmed drink driving involvement in deaths, 2015 – 2019

	2015	2016	2017	2018	2019	TOTAL
Overall road deaths	52	47	64	54	40	257
Drink driving involved road deaths	15	17	23	6	12	73
Year total %	29	36	36	11	30	28.4%

Over the five year period (2015 –19) 73 of 257 deaths involved drink driving (28.4 percent)

Drink driving in 2019 (figure 7)

- 30 percent of fatalities in 2019 (12 of 40, or 30 percent) involved illegal Blood Alcohol Content levels.
- This was a 31 percent increase (an increase of 29 people dying) in the number of deaths and serious injuries where alcohol was reported as a contributory factor (from 75 deaths in 2018 to 104 deaths and serious injuries in 2019). The majority of these occurred in the Auckland City Police and Counties-Manukau Police Districts.
- 28.4 percent of road crash fatalities from 2015 to 2019 inclusive, involved drink driving.

Speeding: Inappropriate speed

- Inappropriate speed was a factor in 42 percent of fatalities in 2020.
- High proportion of total deaths and serious injuries with alcohol and speed as a contributing factor in the crash.

2021 deaths year to date to end March 2021

- YTD 2021 fatalities are tracking at almost double the level at this time last year, and this is a concerning trend in early 2021 after the 2020 reductions, which would have reflected in part the impacts of COVID-19 on travel across Auckland.

Figure 8. Road deaths by year: April 2021, 12 months rolling

	2016	2017	2018	2019	2020	2021	TOTAL
Drivers	9	8	8	9	3	4	41
Passengers	3	6	2	2	0	6	19
Pedestrian	0	2	4	2	1	3	12
Motorcyclist	2	1	4	3	2	4	16
Cyclist	0	0	0	1	1	2	4
YEAR TOTAL	14	17	18	17	7	19	92

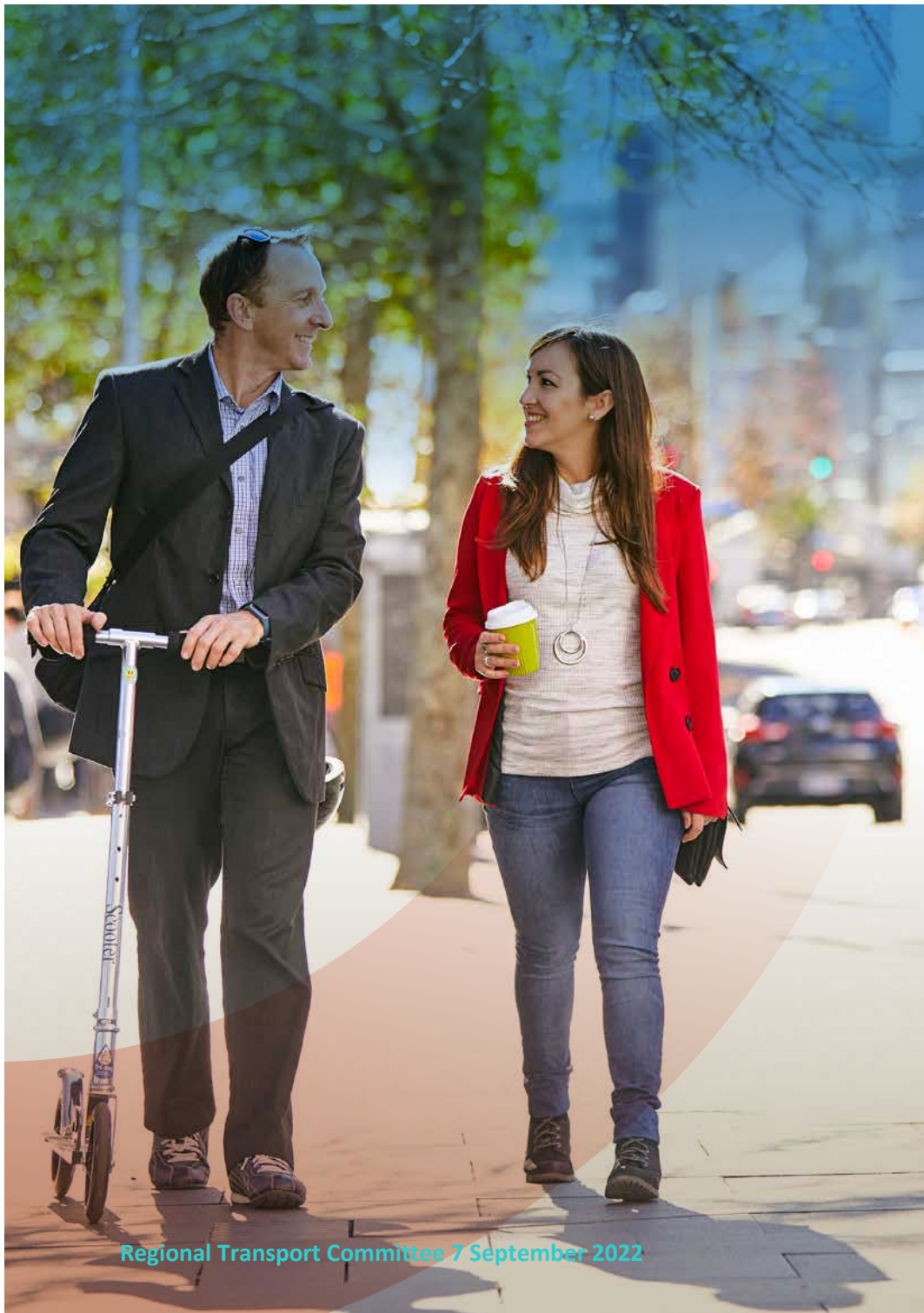
Why do all these numbers matter?

The answer is simple. Behind each number is a person who has died or has been seriously injured. In addition to loss of human life and the devastating impacts DSIs have on families, friends and communities, there are several costs to society and the economy.

The social cost of road trauma for New Zealand as calculated by the Ministry of Transport for 2019 is \$4,562,000 per fatality, \$477,600 per serious injury and \$25,500 per minor injury. This is what every death or serious injury costs New Zealand. Often a crash can involve multiple fatal, serious, and minor injuries.

For Tāmaki Makaurau Auckland, the social costs per fatality is \$5,125,000 and \$921,000 per serious injury. This is what every death or serious injury costs the Auckland tax and ratepayer. These figures include the value of statistical life (for deaths) or loss of life quality (for serious and minor injuries), reduced economic productivity, medical and other resource costs.

The recent adverse trend in road safety performance is incongruous with AT's Vision Zero and the Government's Road to Zero approaches.



Our research approach and international practice to road safety regulation

Figure 9. Methodology for the 2021 Public Perceptions of NZ Road Safety: Penalties and Enforcement survey



In July 2021, AT used an independent panel partner – Dynata – to gauge New Zealanders attitudes towards current road safety policies and enforcement. From 16 – 30 March 2021, Dynata conducted independent fieldwork for our research via an online survey. The sample was representative of New Zealand based on age, gender, and location with a total of 658 New Zealanders with the Auckland survey adding an additional 300 respondents. Data was post-re-weighted to represent New Zealand’s and Auckland’s populations as per 2018 Census data. The margin of error for the sample is +/- 4.4% at the 95% confidence level. See Figure 9 for the methodology for the 2021 online survey.

The people of Aotearoa New Zealand have told us that they are concerned about the crisis on our roads and want the Government to do more to prevent deaths

or serious injuries. They want to be able to travel and get home every time without risking life or limb. We know that there is public demand for Road Controlling Authorities, Councils, and the Government to do more to protect human life.

This chapter highlights findings from a July 2021 survey – *Public Perceptions of NZ Road Safety: Penalties and Enforcement* that ties in closely with Mr. Howard’s BIR 2021 recommendations to improve greater deterrence of drink driving, speeding, and advocating for policy reform at the national level.

Another important element to note is the difference in the deterrence levels between New Zealand, neighbouring Australia (Australian state breakdown) and Sweden, whose road safety performance is better – see Figure 10.

Key

- F** Fine
- D** Demerit points

DS - Day Suspension

MS - Month Suspension

* Driver Only

¹ when speed limit is 50km/h or lower

² when speed limit is 50km/h or higher

Notes

NZ Demerits do not apply to speed camera infringements. Active for 2 years. 100+ points = 3 months suspension

NSW Demerit points - active 3 years, 13 - 15 = 3 month suspension, 16 - 19 = 4 month suspension, 20+ = 5 month suspension.

Tasmania, QLD, South Australia Demerit points - active 3 years, 12 - 15 = 3 month suspension, 16 - 19 = 4 month suspension, 20+ = 5 month suspension.

Victoria Demerit points - active 3 years, 12+ points = 3 months suspension plus 1 month for every additional 4 points.

Sweden has no demerit point system.

Figure 10. Speeding and general offences comparison between New Zealand and Australian States and Sweden

	Km/h over speed limit	10 or less	11 to 15	16 to 20	21 to 25	26 to 30	31 to 35	36 to 40	41 to 45	46 to 50	Mobile Phone use	Red light	Not wearing seatbelt
NZ	F	30	80	120	170	230	300	400	510	630	150	150	150
	D	10	20	20	35	35	40	50	50	50	20	NIL	NIL
Victoria	F	224	356	356	356	490	580	670	758	892	538	448	358
	D	1	3	3	3	3 MS	3 MS	6 MS	6 MS	12 MS	4	4	4
NSW	F	132	306	306	526	526	1005	1005	1005	2709	387	499	379
	D	1	3	3	4	4	5	5	5	6	5	3	3*
QLD	F	190	190	286	477	577	669	669	1338	1338	1079	430	430
	D	1	1	3	4	4	6	6	8+ 6 MS	9+ 6 MS	4	4	4
S. Aust	F	197	445	445	904	904	1644	1644	1644	1851	596	543	425
	D	2	3	3	5	5	7	7	7	9+ 6 MS	3	3	3*
Tasmania	F	92	139	185	324	324	555	786	786	1063	370	185	370
	D	2	2	3	3	3	5	6+ 3 MS	6+ 3 MS	6+ 4 MS	3	3	3
Sweden	F¹	338	405	473	540	608	675	675	675	675	255	509	254
	F²	253	338	405	473	540	608	675	675	675	-	-	-

New Zealand's penalties for driving offences are comparatively light in contrast to other countries that have better road safety performance. This influences the behaviour of drivers as the fines do not match the risk of speeding, especially low levels of speeding. In New Zealand there is only a \$30 fine if travelling 1 - 10km/h over the speed limit.

However, driving just 'a little over matters,' - exceeding the speed limit by 3km/h is associated with a 25 percent increase crash risk. Compared to a \$150 infringement for fare evading on public transport, the \$30 infringement is disproportionate to the risk in behaviour.

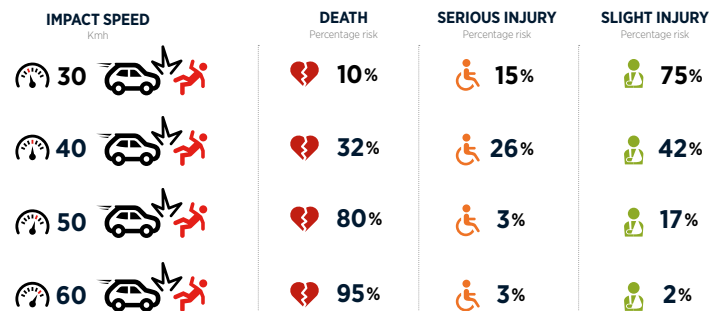
The evidence to show the damage driving just 'a little over' the speed limit does, is compelling. Research from various road safety organisations including Austroads and the International Traffic Safety Data and Analysis Group (IRTAD) shows that a direct impact speed of 30km/h is the maximum a healthy human body can

withstand without sustaining serious life-changing injuries. Research has also indicated that the death risk is about four to five times higher in collisions between a car and a pedestrian on foot at 50km/h compared to the same type of collisions at 30km/h.

The 2018 IRTAD Speed & Crash Risk report shows that if impact speed increases from 30km/h to 40km/h, the risk of fatal injury is about doubled - refer to Figure 11, which shows the death and serious injury percentages at different speeds. It is important to note that the risk of death at impact speed of 30km/h is approximately 10 percent and at 40km/h, it jumps to approximately 32 percent.

Additional road safety research from experts like Höskuldur R.G.Krøyer of the Department of Technology and Society, Lund University, Sweden shows that children or the elderly may not survive direct impact speeds of 30km/h²⁰.

Figure 11. Death and injury percentages



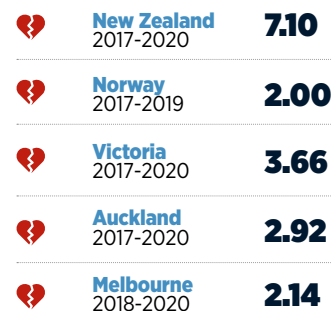
Survivability rates vary significantly based on a number of factors and scenarios. AT takes a preventative approach with respect to the survivability of our most vulnerable road users. Data taken from Research Report AP-R560-18 published in March 2018 by Austroads - the Association of Australian and New Zealand Road Transport and Traffic Authorities.

We note that the deterrence in New Zealand is not strong enough to encourage behaviour change. This is also highlighted in Mr. Howard's BIR 2021, which emphasises greater enforcement with higher penalties.

With the Ministry of Transport undertaking a review of current national policies and rules on penalties and enforcement, now is the opportune time make the changes New Zealanders want from us.

Figure 12: Fatalities per 100,000 population New Zealand (2017 - 2020) mean annual fatalities comparative performance with Norway (2017 - 2019) and Victoria, Australia (2017 - 2020); and Auckland (2017 - 2020), mean annual fatalities comparative performance with Melbourne, Victoria (2018 - 2020)

Fatalities per 100,000 population - Mean rate



If we compared New Zealand's fatality rate per 100,000 population to Norway and Victoria in Australia, New Zealand has a substantially higher death rate. New Zealand lags behind and many lives can be saved with more stringent enforcement measures²¹.

20. Krøyer, H. R. G. (2015). Is 30 km/h a 'safe' speed? Injury severity of pedestrians struck by a vehicle and the relation to travel speed and age. International Association of Traffic and Safety Sciences Research, 39, 42-50. Retrieved from Sciencedirect.com/science/article/pii/S038611121400235

21. Howard, Eric (2021), Full Report: 2021 Report on Auckland 2018 Road Safety Business Improvement Review Implementation, page 8

A core principle in adopting the Vision Zero approach is accepting that as human beings, we all make mistakes. AT and its road safety partners are pulling on all the levers of the Safe System-Vision Zero approach to prevent unnecessary suffering due to deficiencies in our road transport network.

Nevertheless, we must have a fit-for-purpose policy and regulatory that sets those travelling on our roads to operate their vehicles safely and encourages the right behaviour.

Government and Councils will plan for as many people as possible to have easy, walkable access to the places they are most likely to need to go. i.e. schools, playgrounds, jobs, entertainment venues, public transport hubs, restaurants, and stores²².

This makes using public transport and more active modes like walking, cycling or scooting a more attractive option, especially when everything is in close walkable or cyclable distance. And this brings road safety into the forefront of transport planning. With many more people walking and cycling, they need to be kept safe, always.

Over the past 12 months, it has become glaringly obvious to AT that a fit-for-purpose policy and regulatory environment is going to be critical achieving a safe transport network for all New Zealanders.

In respect of road safety and the extensive modelling work that we have done around climate change, the data shows that investment in infrastructure alone will not get us there. Behaviour change will be cornerstone to achieving our transport goals and the behaviour change is going to require much more than smart and well thought marketing and communications campaigns.

What Kiwis want

AT's research shows both high awareness of road safety issues and an understanding that stronger penalties will change behaviours.

84%

The majority of New Zealanders are concerned about the number of people killed or seriously injured on our roads and it's cost to taxpayers.

Their biggest road safety concerns are:



89% People using mobile phones while driving



88% People drink driving



78% People speeding on residential roads



78% People red light running



73% People speeding on open roads

62%

Almost two thirds of New Zealanders feel that the government isn't doing enough to prevent deaths on our roads.

The majority agree that New Zealand needs:



95% More severe penalties for dangerous driving



90% Better enforcement of the road rules

64%

Two thirds of New Zealanders believe that the penalty for driving 10 km/h over the speed limit should be increased as the current fine does not reflect the risk, and many believe that increasing the fine will change behaviour.



New Zealanders are very supportive at exploring overseas road safety policies as a way to improve road safety on our roads.

There is also broad agreement that there should be stricter policies towards:



86% Issuing work related licences to disqualified drink-driving offenders



91% Alcohol interlocks to all mid to high range drink driving offences

71%

Most New Zealanders believe the demerit points system is an effective way of encouraging safer driving behaviour, and there is general agreement that it should be used for more road safety offences.

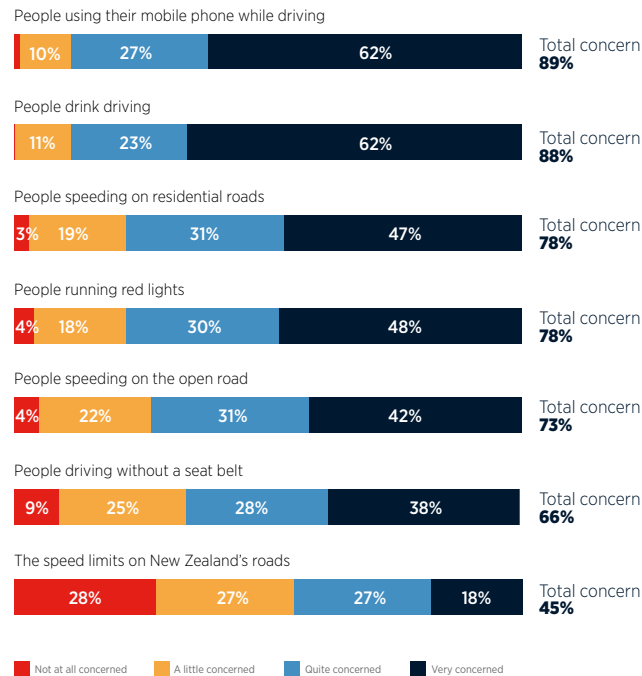
22. Martin, Shane (2021). Government reforms: Ensuring good intentions become good practice, Auckland Economic Quarterly, Retrieved from https://musercontent.com/b43f28335c582c39586c0c7files/4b1acb4a-7204-9194-507f-545c12e8eb26/August_2021_AEQ.pdf (At the time of writing this document, Shane Martin is the (acting) Chief Economist with Auckland Region)

“When prompted, using a mobile phone while driving and drink driving are seen as the biggest safety concerns”

89%
are concerned with the use of mobile phones while driving.

88%
are concerned with people drink driving.

Levels of concern with a wide range of poor driving behaviours in their area



“Fast speed may be one of the problems and people need to be trained well before driving on the road, also alcohol and drugs are the most important reasons”

“Too much speed, tired drivers, stressed drivers, influence of drugs and alcohol”

“Speed, lack of concentration (e.g. cell phone use whilst driving)”

Source: Public perceptions of NZ Road Safety July 2021, n=658

“Almost two thirds of New Zealanders feel that the government isn't doing enough to prevent deaths on our roads”

95%
agree that more severe penalties are needed for dangerous drivers.

90%
think the road rules need to be better enforced.

84%
agree that better enforcement of the speed limit is required.

72%
think speed cameras would help reduce the road death toll.

Attitudes towards penalties and enforcement

Drivers should face the risk of losing their licence if they put other people's lives at risk



Dangerous driving should have more severe penalties



People speeding on residential roads



People running red lights

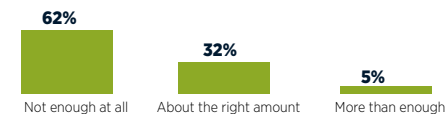


People speeding on the open road



Legend: Strongly disagree (red), Disagree (orange), Agree (blue), Strongly agree (dark blue)

In your opinion do you think the New Zealand government is doing enough to prevent deaths on our roads?



Source: Public perceptions of NZ Road Safety July 2021, n=658

“Two thirds of people believe that the penalty for driving 10km/h over the speed limit should be increased”

87%

agree that 20 years is too long between reviews of speeding fines.

64%

believe the penalty for driving 10km/h over the speed limit should be increased.

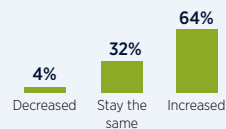
“I don't think \$30 is enough incentive for drivers to stick to the speed limit”

“Speed kills. If someone gets a hefty speed fine once, they will surely think again before going over the limit in the future”

“Because \$30 is affordable for most people, so it's not much of a disincentive, and it is out of step with the UK and Australia”

“Higher cost for lower infringements may stop speeding at higher speed because of the fine”

The penalty for driving 10km/h over the speed limit is \$30. Should it be...



What New Zealanders tell us the infringement value should be for speeding 10km/h over the posted speed limit



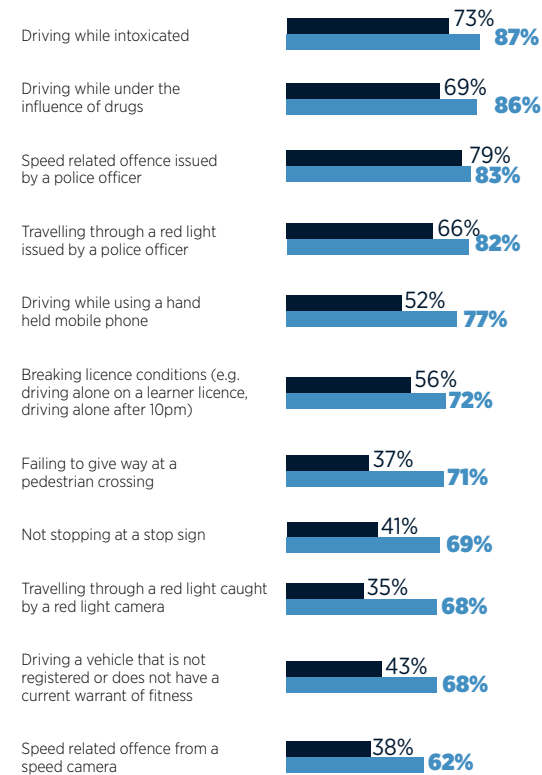
Those who believe it should be increased feel it should be increased to \$149. If we take the average from all respondents including those who believe it should decrease and stay the same the average is \$105, an increase of \$75.

People don't feel the current fine reflects the risk with many feeling that increasing the fine will change behaviour.

Source: Public perceptions of NZ Road Safety July 2021. n=658

“The demerit points system is believed to be an effective way of encouraging safer driving behaviour and should be used for more road safety offences”

Types of driving offences people think warrant demerit points currently vs should be issued



71% of New Zealanders believe that demerit points are effective in encouraging safer driving behaviour with only 29% feeling they are ineffective.

There is a lot of confusion as to which infringement demerit points are currently issued for, but people are generally supportive of demerit points being applied across a broad range of infringements.

When advised that demerit points were only issued for 28% speed related infringements, two thirds (67%) of people were supportive that demerit points for tickets issued by speed cameras and 73% red light cameras (Aucklanders are slightly more supportive for both of these).

■ Currently ■ Should be



Regional Transport Committee 7 September 2022

Vision Zero principles



Ethics

People shouldn't die or be seriously injured in transport journeys.



Responsibility

System designers are ultimately responsible for the safety level in the entire system - systems, design, maintenance and use. Everyone needs to show respect, good judgement and follow the rules. If injury still occurs because of lack of knowledge, acceptance or ability, then system designers must take further action to prevent people being killed or seriously injured.



People centered

System designers must accept that people make mistakes and people are vulnerable.²



System response

We need to look at the whole system and develop combinations of solutions and all work together to ensure safe outcomes.⁴

There has never been a greater need for Government to pursue significant road safety regularly reform at the national level, than now.

Adoption of these changes would have a radical effect in improving road safety in New Zealand. These are all changes that have improved road safety in other countries including Australia, Norway and Sweden.

A core principle in adopting the Vision Zero approach is accepting that as human beings, we make mistakes. AT and its road safety partners are making every effort through the Safe System-Vision Zero approach, to prevent unnecessary suffering. Nevertheless, we must have a fit-for-purpose policy and regulatory framework that encourages safe driving practices and the right behaviour change.

Road Controlling Authorities, Councils and the Government need to be bold – we have lost a lot of time and we are a long way behind better performing states and

countries in terms of the safety of our whānau, our friends, our colleagues, and the people of our community when they are on our transport network. Evidence tells us this is so.

We need to pay less attention to the loud voices. Those who claim that any new regulation to save lives is merely a disguise for "revenue-gathering". AT like other Road Controlling Authorities receive no monetary benefit from speeding, seat belt or drink driving infringements. All infringement revenue collected goes directly into the Central Government Consolidated Fund²³.

As government agencies, we need to acknowledge that the general population wants us to do more to prevent unnecessary road deaths and serious injuries and that they want a fit-for-purpose transport regulatory system.

Taking a bold stance, will not only save lives but create a more equitable and sustainable New Zealand.

²³New Zealand Police. Where does the money from infringements/finer go? Retrieved from <https://www.police.govt.nz/where-the-money-info/where-the-money-go>

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Equity of Road Safety Fines and Penalties

Final Report

Prepared for: Auckland Transport

Prepared by: MRCagney (NZ) Ltd

Document Information

Project Name	Equity of Road Safety Fines and Penalties
Status	Final Report
Client	Auckland Transport
Client Reference	805-22-497-PS
MRC Reference	NZ3218

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Quality Assurance Register

Issue	Description	Prepared by	Reviewed by	Authorised by	Date
1	Draft Report	Bridget Doran	Pippa Mitchell	Pippa Mitchell	30 March 2022
2	Final Report	Bridget Doran and Allie Knight	Bridget Doran	Jenson Varghese on behalf of Pippa Mitchell	22 April 2022

Executive Summary

Auckland Transport is interested in advocating for changes to road safety fines and penalties to reduce road trauma and improve road safety outcomes. Road safety fines and penalties are typically for infringements related to restraints (seatbelts), impairment (driving under the influence of drugs and/or alcohol), distraction (including using a mobile phone while driving) and speeding. Given political awareness of inequity in transport and other areas of government, the purpose of this research was to address the following questions:

1. **What is the problem?**
2. **What does good look like in addressing the problem?**
3. **What are potential solutions to the problem?**
4. **What are the benefits and risks to these solutions in the NZ context?**

With the above questions in mind, Auckland Transport is interested in advocating for two specific changes to the road safety fines and penalties:

1. **A minimum \$100 fine** for a road safety infringement (an increase from the current minimum of \$30)
2. **Driver licence demerit points** to be attached to fixed speed camera fines (and potentially, any fines related to infringements detected by cameras)

This research addressed the above questions with a review of local and international literature, and interviews with 13 stakeholders from the social services and legal sectors, academia, the transport sector and from among mana whenua.

In summary, the research addressed these questions as follows:

1. **What is the problem?** *What are the equity concerns with any changes to road safety fines and penalties? Who could be impacted? In what way? What are the equity concerns if there are no changes to road safety fines and penalties?*

Aotearoa New Zealand has an inequitable system of road safety fines and penalties. For various reasons, people who face the most disadvantage in everyday life also incur the most hardship from fines and penalties, for reasons both within and outside of their control.

2. **What does good look like in addressing the problem?** *What is the ideal outcome for the fines and penalties review from an equity perspective? How would we know equity outcomes have been adequately addressed?*

A good outcome would be for road safety fines and penalties to be equitable. There are no clear measures of equity in fines and penalties, so in practical terms addressing the problem relies on stronger, trusted connections to stakeholders at the forefront of community hardship. Their feedback into changes to fines and penalties, and in supporting people and communities to be stronger overall, can help the transport sector know whether it is improving equity of fines and penalties and equity in road safety outcomes.

3. What are potential solutions to the problem? *What do other jurisdictions do to address these issues? How applicable are these solutions to the NZ context? How effective are they in addressing equity issues in NZ?*

There are several potential ways to improve equity of road safety fines and penalties directly. They include:

- Provide a fines structure that is more closely related to people's ability to pay: that is, having different fines for people with higher and lower incomes
- Provide flexible fines payment plans by default and strengthen social sector support for people who accrue fines and penalties
- Increase access to legal aid and community law services and alcohol interlocks: people on lower incomes cannot access enough financial support to apply for a limited licence if their licence is suspended or revoked, and alcohol interlocks can be prohibitively expensive. These inequities can be removed with subsidies.
- Increase automated enforcement where possible to remove potential enforcement bias: while speed cameras do not discriminate, mobile speed enforcement by police officers is less objective, so there is an opportunity to improve both the perceived and actual objectivity of speed enforcement with more cameras that detect infringements including speed.
- Provide flexible, community-centric alternatives to fines and demerit points: for people who simply cannot pay a fine, community-based solutions are likely to be more equitable.

As well as direct solutions, broader interventions to create more equitable access to transport and support mental and physical well-being in all communities would help address the root problems that create inequity in Aotearoa New Zealand.

4. What are the benefits and risks to these solutions in the NZ context? *What are the strengths and weaknesses of the potential solutions to our context? How could they be adapted to work for NZ?*

Equity of fines and penalties is a complex problem, so there is a risk that investing in interventions to reduce inequity will not show a tangible improvement. However, there is also an opportunity to create stronger connections across the social, community and transport sectors so that mana whenua and community voices play a stronger role in road safety more broadly. The benefits of this more comprehensive approach will be realised in reduced road trauma and healthier communities.

Regarding the specific proposals related to increasing the minimum fines from \$30 to \$100 and attaching demerit points to speed cameras, this research found no clear reasons *not* to advocate for those changes. As discussed above, there are solutions that can be used to mitigate equity concerns.

As a next step, it is recommended that Auckland Transport consider ways to promote equity in road safety fines and penalties by adopting this report's recommendations. Further exploration of equity in road safety more broadly, including clearer ways to articulate it within and beyond the road safety professional community, would be worthwhile.

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Appendix A Transport fines and penalties

Appendix B Interview participant information sheet

1 Introduction

Road safety fines and penalties exist to discourage behaviour that contributes to crash risk. We have unacceptable crash and injury rates from driving in Aotearoa New Zealand. In 2019, 350 people died in traffic crashes, and 14,753 were hospitalised with injuries (Ministry of Transport, 2020). In 2020, 48% of fatal crashes were attributed to alcohol and drugs, 32% to going too fast for conditions and 14% to inattention (Ministry of Transport, 2020). Moreover, wearing a seatbelt reduces the risk of death for drivers and front seat occupants by 45 – 50%, and the use of child restraints may lead to a 60% decrease in death (WHO, 2021).

Enforcement of road rules and behaviour is a key pillar of the government's Road to Zero Road Safety Strategy (Ministry of Transport, 2021). However, it is unclear how fines and penalties affect Aotearoa New Zealand's diverse people and communities differently. If the fines and penalties system is not equitable, some people may accrue more harm from road trauma than others, and some may also be harmed by the fines and penalties regime itself. This report explores equity of road safety fines and penalties in the Aotearoa New Zealand context.

As well as discussing the range of factors affecting equity of road safety fines and penalties the report addresses four key questions, with two specific proposals in mind:

- 1. What is the problem?** *What are the equity concerns with any changes to road safety fines and penalties? Who could be impacted? In what way? What are the equity concerns if there are no changes to road safety fines and penalties?*
- 2. What does good look like in addressing the problem?** *What is the ideal outcome for the fines and penalties review from an equity perspective? How would we know equity outcomes have been adequately addressed?*
- 3. What are potential solutions to the problem?** *What do other jurisdictions do to address these issues? How applicable are these solutions to the NZ context? How effective are they in addressing equity issues in NZ?*
- 4. What are the benefits and risks to these solutions in the NZ context?** *What are the strengths and weaknesses of the potential solutions to our context? How could they be adapted to work for NZ?*

With the above questions in mind, Auckland Transport is interested in advocating for two specific changes to the road safety fines and penalties, which are discussed in the Recommendations section of this report:

- 1. A minimum \$100 fine** for a road safety infringement (an increase from the current minimum of \$30)
- 2. Driver licence demerit points** to be attached to fixed speed camera fines (and potentially, any fines related to infringements detected by cameras)

The report includes a review of literature, a summary of interviews with road safety stakeholders, and recommendations for consideration of equity in reviewing the road safety fines and penalties structure to address the above questions.

2 Literature review

The literature review has been structured around the following questions. They all overlap the key questions listed in the Introduction. This approach has been used to cover the necessary background to understand equity of road safety fines and penalties. The literature reviewed includes peer-reviewed journal articles and government reports from New Zealand and overseas.

- 1) Who suffers road trauma?
- 2) Why do people break the law while driving?
- 3) What are the fines and penalties for driving offences in Aotearoa New Zealand?
- 4) Who incurs the most driving penalties in Aotearoa New Zealand?
- 5) Are current road safety fines and penalties equitable?
- 6) How could road safety fines and penalties be more equitable?

2.1 Who suffers road trauma?

Road trauma is a collective term for deaths and injuries that happen while people are using transport networks. In terms of worldwide statistics, over half of traffic fatalities are vulnerable road users: pedestrians, cyclists and motorcyclists (WHO, 2021). However, the same cannot be said for Aotearoa New Zealand, as most deaths are vehicle occupants (EHINZ, 2020). This difference in statistics is likely attributable to our high rates of car travel and prevalence of footpaths, as most traffic deaths (93%) occur in low and middle income countries (WHO, 2021) that have more vulnerable road users and more limited infrastructure.

In terms of demographics worldwide, according to the World Health Organisation (2021), traffic fatalities are the leading cause of deaths for peoples aged between 5 – 29 years old. Males under 25 are over-represented in this data as they make up 73% of all traffic deaths and are "... 3 times as likely to be killed in a road traffic crash as young females." (WHO, 2021).

In Aotearoa New Zealand, similar age and sex trends are observed. Between 2014 and 2016, in every age group except for infants between 0 and 4 years old, males had higher road traffic injury (RTI) mortality rates. The age and sex groups with the highest mortality rates were males between 15 – 24 years of age and everyone aged over 85.

Road trauma rates are not the same for every ethnic and socio-economic group. For example, Newbury et al. (2008) compared census data from the Auckland region to local child (0-14 years) pedestrian hospitalisation rates related to traffic injury. Their analysis discovered that injury rates were not equal amongst children; male children made up 63% of the injuries, and Māori and Pacific Island children were well over-represented. It was hypothesised child pedestrian injuries might be associated with an unequal distribution of wealth. Māori and Pacific families have lower incomes on average than other ethnicities, so they may be more exposed to risk of road trauma through the necessity of walking.

Hosking et al. (2013) also investigated injury inequality in the Auckland Region for all age groups between 2000 – 2008. The results also include injuries sustained by car/van occupants. Māori had higher injury rates in each age group, both as pedestrians and as car occupants, except for pedestrians over 65 years. Pacific Islanders also had high injury rates but only between the ages of 0 – 24. This finding was especially prominent for pedestrians, i.e., Pacific children were particularly at risk for being hit as pedestrians. The Aotearoa New Zealand European/other and Asian groups tended to have lower risks in most age groups.

Additionally, Hosking et al. (2013) assessed injury rates by deprivation rating and region. Rural areas and southern urban areas had the highest injury rates. The finding that rural areas have higher injury rates is common throughout the world, probably due to various factors like higher speed limits and spending longer travelling on lower-quality roads. Higher deprivation levels may explain why southern urban areas had higher mortality rates. Increased deprivation was associated with higher injury rates for all age groups. This

relationship was especially prominent for children aged 0 – 14 (9% increase per decile decrease) and adults aged 25 – 64 (11% increase per decile decrease), compared to adults over 65 years (3% increase per decile decrease). Children had the highest rates of injuries as pedestrians and a similar rate to adults for cycling injury rates.

The relationships between socioeconomic status and ethnicity are seen overseas too. For example, Brussoni et al. (2018) conducted a similar study to the above. First, in their literature review, the majority of the papers they covered found that young males and indigenous peoples are over-represented in road trauma statistics, with only a few studies finding no relationship. Second, they assessed injury rates in British Columbia between aboriginal people living on and off reserve, and non-aboriginals to see if the same pattern emerged. Their results found that it did; rural populations had a greater risk of road trauma, as did aboriginal people. Low education levels also increased trauma rates. The authors found that the gap of injury inequality was closing over time, perhaps due to road safety programs and funding focused on the communities most at risk. The authors concluded from this finding that socio-economic disadvantage was the cause behind this groups' higher injury rates.

Road traffic injury mortality rates by age group and sex, and by ethnicity are shown in Figure 1 and Figure 2. Note that the data in Figure 2 are not broken down further by ethnic group, so there is no category for Pakeha / New Zealand European.

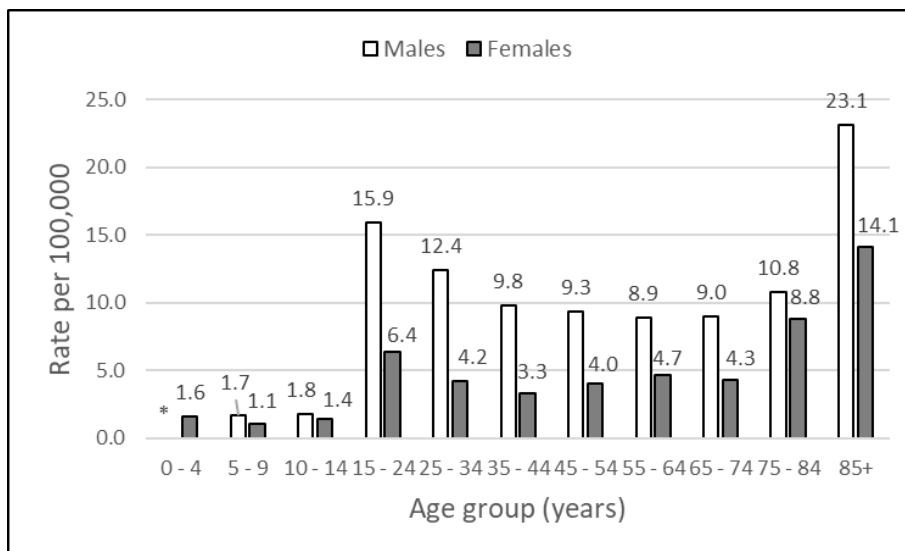


Figure 1 Aotearoa New Zealand road traffic injury mortality rates, by age group and sex, 2014 - 2016¹

¹ https://www.ehinz.ac.nz/assets/Factsheets/Released_2020/Road-traffic-injury-mortality.pdf

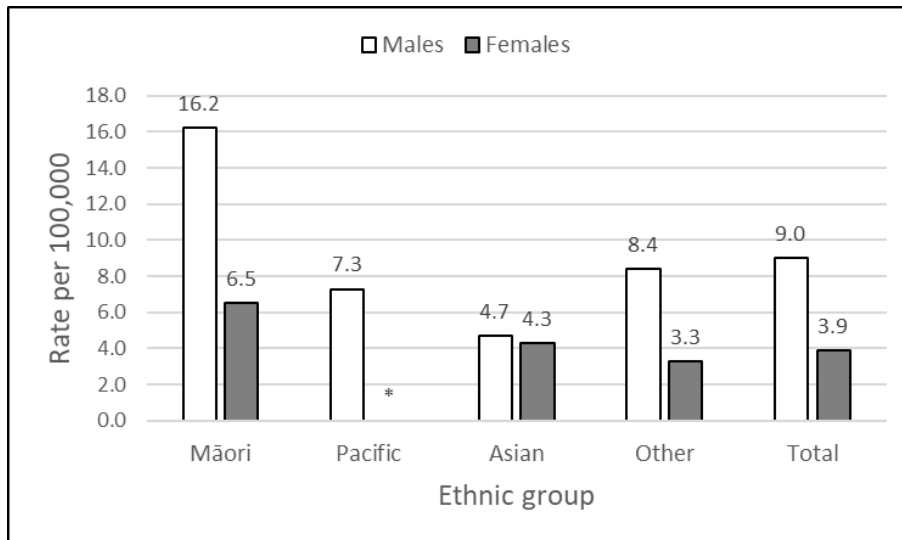


Figure 2 Aotearoa New Zealand road traffic injury mortality rates, by ethnic group and sex, 2014 – 2016¹

2.2 Why do people break the law while driving?

2.2.1 Cognitive basis of road law-breaking

A road user can break the law for various reasons. From a cognitive perspective, these errors can broadly be grouped as intentional violations or unintentional lapses of attention (Parker et al., 1995). Intentional violations are when a driver (for example) knowingly drives at excessive speed, motivated by enjoying driving fast, racing, showing off, or a myriad other reasons. Driving under the influence of drugs or alcohol is also typically a violation, as choosing to drive happens after consuming drugs or alcohol.

Violations are typically addressed through fines and penalties when drivers are caught in the act, and by education initiatives to target the decision-making process that leads to the decision to break the law. Lapses of attention are different from violations in the nature of a driver's (or other road user's) intention. A lapse is an unintentional failure to do the right thing. For example, a driver might unknowingly take the wrong lane through an intersection; turn their indicators on instead of their windscreen wipers; or travel faster than the speed limit without realising it (Parker et al., 1995).

Lapses of attention can be corrected in the short term with infringements such as fines and penalties. However, it is difficult to eliminate lapses through enforcement because of long-term habits in driving behaviour. Instead, minimising unintentional speeding is best addressed through road and street design that naturally fosters appropriate speeds: so-called 'Self-explaining roads' (Charlton et al., 2010).

2.2.2 Law-breaking and socio-demographic variables

Socio-demographic data often correlates with offending. For example, low income has been associated with the non-use of safety equipment (Factor, 2017), drunk driving, and driving while disqualified (Impinen et al., 2011). Similar trends are seen with youth offending: low parental income and education are often both found to be predictors of general offending and youth driving offences (Impinen et al., 2011; Litmus Limited, 2005; Galloway & Skardhamar, 2010).

However, the relationships between factors such as income, education and driving charges are not absolute. For example, Factor (2017) found that higher socio-economic groups were more likely to have speeding tickets in Israel.

What does seem to be a consistent influence on youth driving offences, is low parental monitoring and involvement. While not all children with low parental monitoring will drive recklessly and vice versa, the relationship between the two is strong (Cavallo & Harrison, 2014).

The associations are complex. A variety of personal factors, including material and social conditions, character traits, and individual choice, all affect road safety outcomes. Some research suggests that some groups (youths, racial and ethnic groups and those with older vehicles) appear to be targeted more by police (Wahlquist, 2020; Baumgartner, 2017; Litmus Limited, 2005). Therefore, the true rate of infringement (independent of being caught) is unknown.

Some driving charges people commit can be tied to material circumstances. Two examples of this are driving without a warrant or registration and driving while disqualified. Many people in Aotearoa New Zealand rely on a car to live their life (MRCagney, 2020). For example, many jobs require drivers to have a full license and their own car. These requirements come both as a mandate from employers on the terms of employment and as a practical reality. Shift work and living far away from places of employment make this latter observation especially true, affecting those on the lowest incomes the most as they have the fewest choices about where to live and work. Public transport can be sparse away from denser urban centres and absent in many more remote locations.

The car-centric nature of our communities leaves those without licenses and who cannot afford the work needed to get a warrant, or even the cost of warrants and registrations themselves, in a place where they may need to choose between meeting their basic needs and breaking the law (Litmus Limited, 2005). The same is seen in those with disqualified licenses (Quilter & Hogg, 2018) or who have never sat for the appropriate license. The more rural people get, these issues are less avoidable (Brussoni et al. 2018; Fitzgerald, 2012).

2.3 What are the fines and penalties for driving offences in Aotearoa New Zealand?

In Aotearoa New Zealand, driving offences such as driving while intoxicated, using cell phones while driving, speeding, and not using a seatbelt can result in legal consequences, which we summarise as fines and penalties. The level of fine and nature of penalty depends on various factors, including the severity of the offence and the infringer's driving offence history.

Two of the most common penalties are receiving infringement notices and demerit points. Infringement notices require the infringer to pay a monetary fine as punishment for their behaviour. These are issued outside the court and require the receiver to pay the full amount within 28 days. If the amount is not paid within this time window, the notice will escalate to the court system. People with low incomes can contact the court to ask for a payment plan or to discuss other penalty options if they cannot immediately pay the fine in full. Escalation adds additional court charges to the infringers' balance to pay off, starting with a \$30 court fee and then a \$102 fee if the court takes enforcement action (Ministry of Justice, 2021). Enforcement action can then include direct deductions from a person's bank account, clamping their vehicle, claiming and selling their property, barring overseas travel and driver's license suspension (Community Law, 2022; Ministry of Justice, 2021).

After fines escalate to court, the infringer can apply to create a payment plan instead of paying their balance in a lump sum. (Ministry of Justice, 2021). Some of the amounts listed in Table 1 also include court issued fines as those charged with driving under the influence are more likely to go to court to receive their penalties. Imprisonment is also a higher possibility for those charged with driving under the influence.

In addition to incurring fines or imprisonment, drivers will also receive demerit points or immediate license disqualification. Demerit points are points that a person accumulates for various traffic offences, which, if enough are accumulated within a set period, may result in the suspension of their license. In Aotearoa New Zealand, 100 or more points within two years will lead to license suspension for three months. Someone may accrue 100 points if, for example, they refuse to stop for an evidential breath test and are then found to be intoxicated behind the wheel. Conversely, a driver may reach 100 points through repeated, lesser offences such as several speeding tickets where the person did not exceed 20 km/h (Waka Kotahi NZTA, 2022a). Demerit points are only issued by police officers and the courts, not by speeding cameras.

Those who have repeated driving offences involving drugs and alcohol may have an indefinite disqualification with a minimum period of one year and one day. After suspension, the driver must then 'reinstate' their license. Reinstating a license generally includes completing an application form and eye-sight test, providing ID and medical certificate (if required), taking a new photo and paying a reinstatement fee of \$66.40. Those who receive indefinite disqualifications need to provide additional proof that they have dealt with their alcohol and drug problem when reinstating their license (Waka Kotahi NZTA, 2022a).

In cases where not having a licence causes hardship, drivers can apply for a limited licence. The application is to the court and requires a lawyer to assist with documentation and the application. Criteria related to the driving offence and the specific circumstances of the applicant are considered, and if approved, the applicant then pays a fee and completes an application for the licence itself to Waka Kotahi (Waka Kotahi NZTA, 2022b).

Road safety offences can also result in prison sentences. For example, driving under the influence of alcohol or qualifying drugs can lead to a fine of \$4,500 or jail up to three months for the first and second charges (Community Law, 2022), and a \$6,000 fine or imprisonment for up to two years for a third or subsequent offence. Moreover, if someone causes injury or death while intoxicated, they can be fined up to \$10,000 or sentenced to prison. However, if a blood test proves the person was over the legal limit, the fine increases to \$20,000 or they can be imprisoned for up to five years. (Waka Kotahi NZTA, 2018).

In addition to the road safety fines and penalties listed in Table 1 below there are a variety of other transport-related fines and penalties for offences that are not directly related to road safety, or outside the scope of this report. The fines and penalties associated with other offences are listed in Appendix A: Transport fines and penalties.

Table 1 Fines and demerit points (Waka Kotahi NZ Transport Agency, 2022a)

Type of infringement	Specifics	Infringement fee/court fine	Demerit points (Officer-issued infringements only)
Speeding	10km/h or less over speed limit	\$30	10
	11 – 15km/h over speed limit	\$80	20
	16 – 20km/h over speed limit	\$120	20
	21 – 25km/h over speed limit	\$170	35
	26 – 30km/h over speed limit	\$230	35
	31 – 35km/h over speed limit	\$300	40
	36 – 40km/h over speed limit	\$400	50
	41 – 45km/h over speed limit	\$510	50

Type of infringement	Specifics	Infringement fee/court fine	Demerit points (Officer-issued infringements only)
	46 – 50km/h over speed limit	\$630	50
Seat belt use	Issued to driver if they or a passenger under 15 years old is not wearing a seatbelt/child restraint. Issued to passengers over 15 years of age if they are not wearing a seatbelt.	\$150	
Driving while intoxicated	First and second charge	\$4,500	50
	Third or subsequent charge	\$6,000	50
	Causes injury or death under the influence of qualifying drugs or alcohol	\$10,000 - \$20,000	
Using a hand held cell phone	All instances	\$150	20

2.4 Who incurs the most driving penalties in Aotearoa New Zealand and overseas?

2.4.1 Demographic details of people who accrue traffic fines and penalties

Figure 3 to Figure 5 show a summary of the demographics of those charged with regulatory driving offences between January and December of 2018 compared to the demographics of Aotearoa New Zealand from the 2018 census.

As shown in Figure 4, Māori are well over-represented in traffic charges, where they incurred 44.5% of the charges whilst they only made up 16.5% of the population. Conversely, NZ Europeans only incurred 35.9% of the charges whilst they were 70.2% of the population. A similar split can be seen with sex. Figure 3 shows males made up 76% of those with regulatory driving offences while females made up 24%, even though they had a near even split in the population. Lastly, young people are grossly over-represented for driving offences compared with those aged 35 years and over (New Zealand Police, n.d.).

Trends like these are not Aotearoa New Zealand specific. Disadvantaged ethnicity groups, those in lower socio-economic positions, young people and males make up most charges in Australia (Wahlquist, 2020), the United States of America (Kamanga et al., 2021) and the United Kingdom (Factor, 2018). Considering the lower financial position of disadvantaged ethnicities, young people and those in lower-socio economic positions, determining how fines and demerit points affect these groups is crucial.

Note that data for regulatory offences rather than infringement notices are shown because these are the only data available. While infringements can result in a criminal record, regulatory offences do not. The data do not separate out all offence types so they are provided as an indication of driving offences by demographic group, rather than a precise description of who incurs road safety fines and penalties.

Figure 3 Proportion of regulatory driving offences by stated sex (note: data that includes people identifying with non-binary genders was not reported)

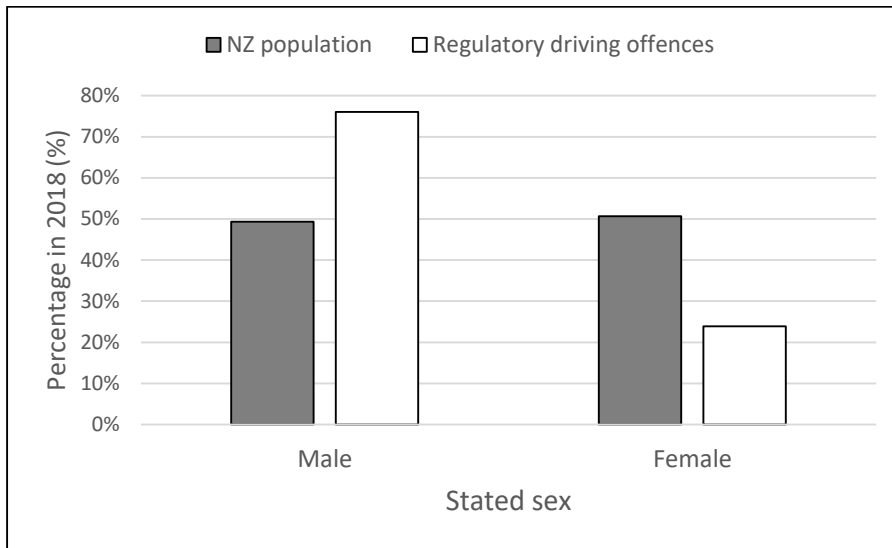


Figure 4 Proportion of regulatory driving offences by stated ethnicity

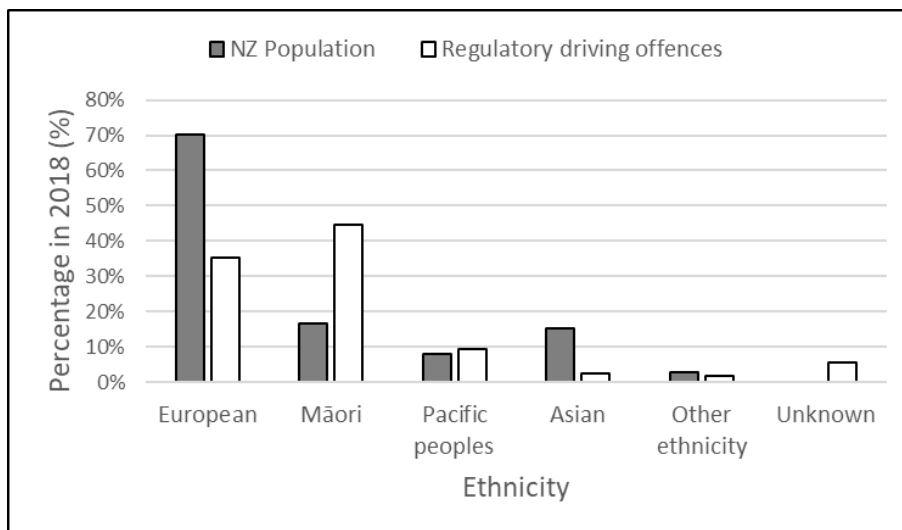
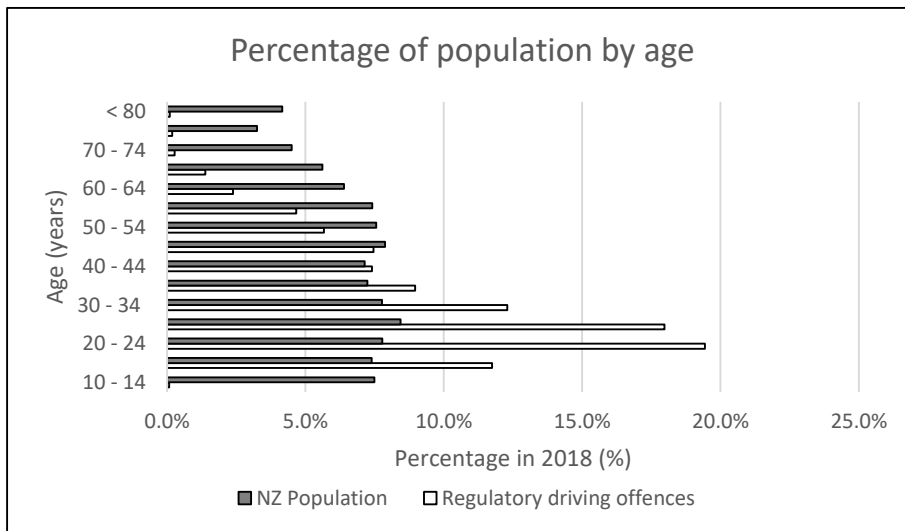


Figure 5 Proportion of regulatory driving offences by age group



2.4.2 Inequity of fines and penalties: who accrues the most costs?

In 2012, A Waka Kotahi research report (Fitzgerald, 2012) investigated the social impacts of a lack of access to transport in rural Aotearoa New Zealand, with implications for road safety fines and penalties. It was suggested that high reliance on motor vehicles, low incomes, and a lack of license testing agencies and garages that can issue warrants of fitness combine to push some local people to break the law. For example, many young people in rural areas drive for years without a license, and many people have unwarranted and unregistered cars. It was also noted that Māori, older people, those with low incomes and low levels of education were less likely to live in areas with high-quality public transport.

Similar issues have been highlighted internationally. For example, in an article titled “the hidden punitiveness of fines”, Quilter and Hogg (2018) argue that fines and infringement notices are inherently inequalitarian in Australia. At the core of this claim is the knowledge that most of those who do not pay fines cannot afford to, and those who do not pay usually incur further penalties. This relationship means that those who are already disadvantaged eventually receive much harsher penalties which affect their lives and livelihoods to a greater extent than those who can pay straight away.

Fines are often escalated if unpaid because disadvantaged people cannot afford them, and many disadvantaged people do not have the resources to ‘fight’ the charges. They have the option of proving their income is not high enough to make immediate payment; however, it’s put on the defendant to provide this information, and they have to go to court to do so. As Quilter and Hogg (2018) stated, “... indigenous Australians, the young, homeless, the welfare dependent, mentally ill people, those with intellectual disabilities and prisoners...” struggle to advocate for themselves or follow the correct procedures due to “... literacy and numeracy problems...” and “... language difficulties...”. These issues provide context to why most unpaid infringement notices go to court and incur added charges even if the person can not pay. If the disadvantaged people can prove they cannot pay off their fines, they can usually pay it off in instalments (which compete with other bills they have) or do community service.

Even if low-income people can pay their debt off by community service, this itself can cause issues because of their low income status. For predominantly women, finding childcare while they attend community service can make this option impossible. For those in low-income jobs, those with dependents, or other debts, taking days off to attend community service also has dire financial consequences. In some parts of Australia,

infringers can opt to serve a prison sentence instead if they can prove they can't afford the amount or do community service, in which prison sentences are a lot shorter. This option incentivised many aboriginal women especially, to go to prison instead to "pay off" their fines. Going to prison has made it harder for those to secure employment since, locking in cycles of poverty. For others who don't have this option, they may not attend their community service. Breaching community service can lead to service extensions, more fines or imprisonment.

Secondly, the authors claimed that suspending low-income peoples' license has added invisible punitiveness. For example, driving while disqualified lead to many additional charges in Australia, especially for aboriginal men. The authors cited a report that investigated why people drive while disqualified. Often, those with lower incomes are faced with the decision to break the law, lose out on employment, or fail to attain essential services for themselves or their dependents. These consequences come from living in car-dominated areas, where jobs expect people to have full licenses and affordable, timely alternative forms of transport are not available. They found this was especially true from those living rurally or away from city centres.

It is likely that similar inequity exists in Aotearoa New Zealand. The New Zealand community law website states:

"On your first or second conviction for driving while disqualified, you can be jailed for up to three months or fined up to \$4,500. You'll also get an additional disqualification for at least six months. On your third or later conviction you can be jailed for up to two years or fined up to \$6,000, and you'll get an additional disqualification for at least one year."

Communitylaw.org.nz, 2022

So for those in NZ on disqualified licenses who, through necessity, continue to drive, getting caught can have huge financial consequences or long-lasting impacts on their ability to gain employment. These consequences do not mention the psychological, social and emotional consequences that come with incarceration or cumulative debt.

2.5 Are current road safety fines and penalties equitable?

In considering equity of road safety fines and penalties, we must consider both those who receive fines as well as the victims of dangerous driving. As covered in section 2.1, the concentration of road trauma on disadvantaged groups and males accentuates health inequalities in society. Therefore, something must be done to reduce dangerous driving practices. However, it is also worth considering whether our current fines and penalties structure is punishing all people in the same way and if it is causing more harm to some socio-demographic groups than others.

Some studies have asked whether fines are an equitable form of punishment, especially when considering people's income differences. Fines and license suspension can have inequitable impacts on disadvantaged groups. These impacts come from the original fine sum and people's practical ability to pay it, and because punishments escalate when people do not pay their fines or are caught driving after license suspension. In summary, people with less money have fewer means to pay fines and penalties than those with higher incomes.

Some aspects of equity, or fairness in road safety fines and penalties include:

2.5.1 Many low-income people suffer hardship whether they pay a fine or not.

If a low-income person does pay a road safety fine, it can mean giving up necessities such as food, rent, or payment of other debts. When people do not pay a fine because they cannot afford it, punishment may escalate. Therefore, it can be argued that escalation is most harmful to those most disadvantaged in the first

place. The penalty of an increasing infringement is related to their inability to pay rather than to anything related to the seriousness of their infringing, which is arguably unfair.

2.5.2 Those in vulnerable positions find interacting with the court overwhelming, and many do not have the skills to interact with it correctly.

People with learning disabilities, the young, those with low numeracy and literacy skills are likely to struggle with administration, making them more likely to accrue additional fines (Litmus Limited, 2005; Williams & Gilbert, 2011; Quilter & Hogg, 2018).

2.5.3 Extra punishments accrue if fines are not paid or if a negotiation is not made between the courts and the infringers.

As noted above, extra fees are charged when an infringement notice is not paid within 28 days without a discussion and agreement with the court to set up a payment plan. Extra fees are also charged if infringers miss a payment in a payment plan. If fees continue to not be paid, the court can take money directly from infringers' bank accounts, can camp their car, seize and sell their car and property, suspend their licence, stop them from going overseas and reduce their ability to acquire loans (Ministry of Justice, 2021). Additionally, unpaid fines can also lead to an escalation of harsher, non-monetary based punishments.

Some infringers are given a community service sentence instead of a larger fine. However, not turning up to community service can accrue extra penalties (Department of Corrections, n.d.). Missing a day of work to do community service is not the same punishment for people of different economic situations. A missed day of work is a missed day of income and there are those who cannot afford to miss any days. There is an unequal incentive to miss community service for these individuals, especially if they have dependents or high living expenses relative to their income.

Similar income-related disparities exist when considering demerit points that lead to disqualification from driving. Pressures exist here to drive while disqualified. Poorer individuals have a higher likelihood of license disqualification because they are more likely to live and work in places without alternatives to driving, so the pressure to drive while disqualified is higher. If someone is caught driving while disqualified, their car can be impounded. The price to retrieve the vehicle is \$306.67 (for an average vehicle) or \$715.56 (heavy vehicle) after 28 days and increases by \$12.27 (average vehicle) or \$28.62 (heavy vehicle) each day thereafter. The registered owner has 38 days to pay the sum. If the owner has not done so or appealed to the towing company for a payment plan, the towing company can request permission from the police to dispose of the vehicle (Waka Kotahi NZTA, 2018). In addition to the above, being caught driving while disqualified can result in significant legal and monetary consequences:

"On your first or second conviction for driving while disqualified, you can be jailed for up to three months or fined up to \$4,500. You'll also get an additional disqualification for at least six months. On your third or later conviction you can be jailed for up to two years or fined up to \$6,000, and you'll get an additional disqualification for at least one year."

- Community Law, 2022

Spending time in prison immediately impacts people's career trajectories, and it also makes finding employment difficult afterwards. Moreover, there are other consequences for going to prison like: decreased wellbeing, relationship breakdowns, the material and emotional wellbeing for those related to the infringers, and further involvement with the justice system. All of this is to say, in our current traffic safety penalty structure, the same behaviour may lead to a punishment that would be annoying or, even, barely noticeable

for some, or to a stressful string of interactions with the justice system with life changing consequences for others.

It is concluded that fines and penalties are inherently unfair because they exist as structures within an unfair society. Layers of disadvantage and deprivation interact such that road safety fines and penalties are just one of a multitude of government structures that affect some people for the worse, and those people are more likely to be disadvantaged in the first place.

2.6 How could road safety fines be more equitable?

When considering how fines and penalties could be more equitable, there are two ways of conceptualising equity. Two central concepts are vertical and horizontal equity. Horizontal equity exists when everyone experiences the same punishment or pays the same amount for something. Aotearoa New Zealand has a set fine structure that is horizontally equitable: in theory, at least, everyone gets the same punishment for the same infringement.

In contrast to horizontal equity, where fines and penalties are independent of personal circumstances, vertical equity involves calibration of prices and punishment to suit these differences. Two solutions are the "day fine" and the "simple fine". A 'day fine' is when people are charged the amount they would earn over a set of days instead of fining everyone at a fixed amount. However, in many countries, the concept is based on a number of days where the offender has to pay their *expendable* income to the courts. The idea behind this, is that it's taking away the offender's access to pleasure for so many days without restricting their ability to meet their basic needs (Eriksson and Goodin, 2007).

A common criticism for 'day fines' is that it favours those who are 'asset rich' and 'income poor' and punishes the inverse more (Hamilton, 2004). In Sweden, they take this into account by assessing the person's assets, savings, and income stream to determine the amount the person must pay each day. The next main criticism for the day fine is the administrative burden it places on the courts to provide and assess this information. This reason may be especially pertinent in countries with low communication between governmental bodies. Considering the fine is favoured because of its low administration and revenue collecting abilities, expending more effort and resources from government agencies may not be favoured by decision makers, even if it means extra income from wealthy offenders (Eriksson and Goodin, 2007).

In contrast, the simple fine is also based on peoples' incomes, except instead of creating a sentence based on days and the offender's income, a tiered fine system exists. So, for any charge, there are multiple set fines and the offender's income is matched to a strain that seems justifiable. However, this solution still requires administrative burdens as infringers' income still needs to be known to be matched up to the appropriate amount (Eriksson and Goodin, 2007).

Hamilton (2004) proposed a solution for the administrative burden attached to the simple fine. They suggested everyone should get the maximum charge for an infringement, and it's the infringer's responsibility to prove their income levels are lower to get a lower fine level. Central to the argument is that doing the administration is the least the accused can do, considering their negative behaviour (Hamilton, 2004). However, as already discussed, those most at risk of receiving fines and not being able to pay them, also lack the confidence, skills, and knowledge in dealing with administrative systems to prove they have lower incomes in the systems that exist (Quilter & Hogg, 2018; Litmus Limited, 2005). It is possible, this outcome would not change if the system did.

Lastly, it must be mentioned that changing the fine structure to something more vertically equitable may have political issues attached to it. When Sweden decided to change its fine structure, the population was in general agreement that set fines were unfair, and the legal system was favouring the rich by enforcing them (Eriksson and Goodin, 2007). In Aotearoa New Zealand, we may not have the same attitudes.

A study published in 2015 showed Aotearoa New Zealanders had meritocratic attitudes, where they believe the rich should not have more taken away from them because they've earned it. Similarly, most people suggested that poor people are poor because of individual fault (Skilling & McLay, 2015). Conversely, a study of Finnish people showed respondents believed structural issues, rather than deservingness, were the cause behind relative poverty (Niemelä, 2008), and as mentioned, they believe in taxing the poor less (Bosmans & Esposito, 2015). Therefore, it may be politically difficult to implement a vertically equitable fines structure for road safety in Aotearoa New Zealand.

3 Interviews

To gain specific insights into the equity effects of changes to road safety fines and penalties in Aotearoa New Zealand, we interviewed 13 stakeholders about their perceptions. Table 2 below outlines the different areas of knowledge that the interviews covered, and the question areas directed at different interviewees.

The interviews were all conducted over the phone or videoconference in March 2022 due to Covid restrictions. Several dozen individuals and organisations were contacted, inviting them to express interest in being interviewed. From those, eleven interviews were completed (including one interview involving three participants from the same organisation).

Interviewees were given an information sheet (Appendix B) and an opportunity to ask questions before agreeing to be interviewed. After the interview, a summary of the conversation was offered to interviewees for their review; however, transcripts were not recorded.

To maintain confidentiality, no participants are identified in the discussion of interview themes. The discussion of interview themes combines responses from all of the interviews with some quotes to provide context, and participants identified only by their interviewee group.

Table 2 Interviewees

Interviewee group	Number of interviews	Interview question areas
Social Services sector workers (e.g., budget advisors, social service agency representatives, support workers for low-income people)	2	The ability of different people in Aotearoa New Zealand to pay fines, and the impact of penalties on their lives and livelihoods
Legal/judicial system (including people who work on road traffic law and violations)	2	The practicalities of changing the system of fines and penalties, including their thoughts on making it fairer
Academics with experience in transport, law, ethics and/or other areas relevant to road safety fines and penalties	2	Equity implications of changes to road safety fines and penalties with reference to cognitive psychology, and public health
Transport authority representatives	1 (3 interviewees)	The relationship between road safety policy and fines and penalties, including their impression of equity impacts of any changes to fines and penalties.
Iwi and mana whenua representatives	4	The specific impacts of road safety fines and penalties on Māori; impact of road trauma on Māori

4 Discussion of interview themes

The interviews provided rich data about equity of road safety fines and penalties. Many interviewees touched on high-level issues, including inequity in society as a whole and personal challenges that might contribute to someone being fined or penalised while driving. The discussion here is structured to provide the broadest overview first. It then discusses the detail of fines and penalties themselves; their impact on different people in society; and specific insights related to mana whenua. Finally, the consequences of an increase in fines and opportunities to improve equity of fines and penalties are presented.

4.1 Road safety fines and penalties are just one part of an inequitable society

Many interviewees described system issues beyond fines and penalties themselves as needing to be addressed for a more equitable society. Discussion ranged from the causes of drug and alcohol addiction to the need for many people in Aotearoa New Zealand to have a car because of a lack of other options.

The inequitable outcomes after someone has been fined or penalised were also discussed. When road safety penalties result in someone losing their licence, it is more likely that lower income people will risk driving without a licence because they feel they have no realistic alternative. People on higher incomes are more likely to be able to afford a taxi, and they are also more likely to live somewhere well served by public transport.

Some interviewees discussed addressing the causes of offending, particularly repeat violations where people are completely aware that they are breaking the law. Repeated choices to drive with excessive speed or under the influence of drugs or alcohol may seem like isolated bad choices. But they are often linked back to problems within a person's life, such as drug or alcohol addiction, or to childhood trauma that makes risk-taking behaviour such as speeding more likely.

Some suggested that the systemic nature of road safety problems could be addressed by working with communities, including mana whenua, on initiatives to support healthier life choices, better mental health, and more supportive environments overall.

Examples of interview quotes about systemic problems that relate to road safety fines and penalties include:

"Problem in New Zealand is we don't have public transport that can be relied upon. Driving is a necessity for most people. Very small percentage of New Zealand who can access public transport. To take someone's licence is massively punitive. Whereas I lived in London for many years, didn't need to drive. On the odd occasion you'd hire a car. It's the opposite here – to take away a young person's mode of transport, it's like a lifeline you're cutting off, like turning off the wifi. A car is access, connection to the world. If you're in a group where you feel excluded, to lose your licence only enhances that view."

– Legal sector representative

"I suppose there are certainly groups in this area of forced car ownership where the financial impacts are disproportionate on them of owning and operating a car. And I suppose things like registration and warrants are one of the costs that people can sometimes struggle to meet. So putting fines on top of that can make things even more difficult."

- Academic

"We're seeing guys who are going up fighting, driving, domestic violence are all wrapped together – a lot of these things don't happen in a vacuum."

– Legal sector representative

"If you're in a socioeconomic group where you think life sucks, what's the point, school doesn't work for me, employment doesn't work for me, I'm bored. I've got - between the internet and gang members - unrealistic expectations of life and the universe."

- Legal sector representative

In discussing drug and alcohol offences in particular, interviewees frequently discussed addressing the cause of drug and alcohol use rather than waiting for a driving offence to take place. For example:

[Society] needs to find better ways to be able to rehabilitate and or help people to address the issues. Usually [with] drugs and alcohol, my understanding is, that there's a source to that.

- Mana whenua representative

I think it's about understanding the situation. When it comes to drugs and alcohol, I just think that mental health is really prevalent right now. And so, I think mental health is one of the biggest issues that this country is going to face in the coming years. And what I know from some of the experiences that we've had, ways in which people cope with anxiety, with depression, with fear, with loss, trauma with grief and or from experience of violence; it's been dealt [with] through drugs and alcohol. That is the way in which people have dealt with it.

- Mana whenua representative

4.2 Some fines and penalties seem fairer than others

The issue of fairness of road safety fines and penalties was raised in two main ways. The amount of intent or disregard for the law is one aspect, whereas the other relates to where enforcement happens. Several interviewees described the difference in fairness and outcome between people they describe as behaving recklessly or intentionally breaking the law, often repeatedly, and those who make a one-off mistake. Those who intentionally break the law are seen as more deserving of fines and penalties, regardless of income. However, the fines and penalties often do not act as a deterrent to behaviour.

The issue of police discretion regarding who is fined or penalised and where enforcement happens came up in several interviews. Some interviewees suggested that people know where the police tend to issue the most infringements, and they avoid those places. They felt that some people, particularly people in lower-income areas, and Māori and Pasifika people – are more likely to be enforcement targets. Conversely, some interviewees highlighted positive aspects of police discretion. For example, police in smaller towns and rural areas may get to know the local community. With that knowledge they sometimes use discretion and take an education approach if they understand the detrimental impact of a fine or disqualification might have on someone's life.

Examples of quotes related to some fines and penalties seeming fairer than others include:

"I got a speeding ticket, it was so bad, I was horrified as I didn't realise I was speeding, it woke me up, I thought oh my gosh that's food out of my kid's stomach – that's me, not everybody thinks like that. We've got these

recidivist offenders, we need to be impacting them where it affects them, community service, not fines and demerits.”

- Social sector representative

“Sometimes they’re for things that they can take responsibility for themselves, like wearing their seatbelt and speeding. But sometimes when it’s around costs of the car like registration, warrant of fitness, getting new tyres and doing some sort of maintenance before getting their warrant – that can really impact if you’ve got a low income.”

- Social sector representative

“It’s not uncommon in a working class and or a polynesian or māori family, mum stays home looks after the kids, dad comes home, mum goes out and does cleaning at night time. The car’s in use all the time. Large families, large outgoings. They are only one of these tickets away from financial problems, and they can be tipped over by failing a warrant, or a small car accident, they can’t afford to get it fixed, they end up robbing peter to pay paul in and effort to keep driving for work and family purposes... .. The flipside of that, if I politely call them the car enthusiasts. They don’t give a shit how big the fines are because they’re never going to pay them, if you take their cars they just buy shitters off the side of the road, unregistered unwarranted and they often have tragic consequences. You can’t fine these people into compliance.”

- Legal sector representative

4.3 Fines and penalties affect poor people more than wealthier people

All interviewees articulated the inherent unfairness of a fixed fine structure being less affordable for low-income people than wealthier people. The interaction of having a low income and not being able to pay for a good quality vehicle increases the risk of failing a Warrant of Fitness, for example. Other affordability challenges across people’s lives impact their ability to pay a fine in the same way as any other bill payment is challenging.

Issuing fines at a fixed rate to people with different abilities to pay means that some people will not pay fines because they cannot afford them. Many interviewees described challenges that lower-income people face accruing fines, with broadly two kinds of outcomes. Some people do not pay fines and continue to accrue them, resulting in very high amounts. It is not uncommon for a judge to assess someone’s ability to pay and order the fines to be paid back at \$10 or \$15 per week. For some people, the fines can take years to pay back, with little real impact on their driving behaviour. If they get another fine, it makes no difference to the amount they pay per week, so they do not necessarily see the impact of the fine. As a result, large amounts of fines for low-income people are unlikely to achieve their purpose as a deterrent.

For other people on low incomes who do pay a road safety fine, it can mean that they forego food or rent to pay it. Others might get a loan to pay the fine. People on low incomes cannot always access loans at the same interest rates as wealthier people, so they face debts much higher than the original fine, with penalties for non-payment. These issues are increasingly stark because of rising costs of living.

Examples of quotes related to fines and penalties affecting poorer people more than wealthier people include:

"For example a polynesian large family with a people-mover, might be the only vehicle in the family, might be on a benefit or working on would be on what we call struggle street. No discretionary income. Things like WoFs, registration, road user charges are one traffic ticket or traffic accident away from financial disaster. Those people get absolutely hammered by tickets now anyway. Not the only factor but often the factor that tips them over in to money problems. So as a consequence, you end up with unlicensed, unregistered, unwarranted drivers who just have to keep driving to work or survive– they don't have the resources to pay for unexpected financial hits"

-Legal sector representative

"They are only one of these tickets away from financial problems, and they can be tipped over by failing a warrant, or a small car accident, they can't afford to get it fixed, they end up robbing peter to pay paul in and effort to keep driving for work and family purposes. There are variations of that all the time. All you need is your stupid teenage son or daughter and gets caught driving illegally and the car gets impounded and their financial world takes a hit."

-Legal sector representative

"I also would say that much of the fines that are done also have social circumstances, i.e. when you can't afford to go and get your tyre replaced, which means you don't get your warrant of fitness which means you can't get a good bill of health, which means you're going to end up with a fine. It cascades."

- Mana whenua representative

- *"The [council] decided to change the parking and make everything paid, no free parking. They have a new scheme that scans numberplates to know whether the warrant and rego was up. So we had people going to WINZ to get an allowance to pay their rego and while they were parked at WINZ they got a \$400 ticket for not being registered or warranted."*

- - Legal sector representative

"I represented a guy, pleaded guilty to something, and the judge said what about his fines – the judge stood up and raised his arm, the list of fines dropped to the floor, \$20,000 of fines, a 17 year old in 2000. I don't know the ins and outs but we often see people with several thousand dollars worth of fines and they're 17, 18, 19, 20."

- Legal sector representative

I think in this particular time, when there is surging inflation, the cost of living is high and there is a significant proportion of working poor, many of whom are Māori and Pacific and minority groups – the impact is high. When a whole heap of disposable income that you don't have is then having to be used on fines. What do you think the impact will be and who do you think might be impacted by that? So, let's think about that.

And right in the middle of Tamaki it is the most expensive place in this country to live. And if you are Ngāti Whātua it is impossible to be able to live well and then to be able to have funds at your disposal that can actually help you not to get those things [warrant of fitness failures]. So, I agree when people are speeding, they should get a ticket. They should because it's kino, wrong. But for things like [parking infringements], they are shocking, I feel like they are witch-hunting particular populations. They go places and spaces where they know they're going to find people that are infringing. That's how I feel. That's our experience".

- Mana whenua representative

"We've worked with a couple of clients who have had to have the breathylser put on their car. The impact financially was really good: it was hard for them to do it, but their need to be able to drive was more important, so they had to figure out how to pay it and have everything installed. It gave them a 'oh my gosh I better wake up' moment. The two that I'm thinking of, neither of them drink now, they realise the impact on them financially as well as the danger it was putting them in. There was a cost to get the breath/interlock installed, but the cost was no greater than what they were spending on alcohol."

- Social service representative

"If we have prescribed financial penalties, the deterrent impact on one of our clients compared to a CEO or commissioner of police is totally different. My thoughts are that it should be pegged to some sort of IRD or income declaration, that should be used to determine how much discretionary income people have – fines should be based on discretionary income. Depriving people of that, rather than potential living costs. For some people it's paying the fine, or rent or food."

- Legal sector representative

"On board with [demerit points] in concept, but we are in a new climate. Young people have to work now. Dropping out of school to work in year 12, so we need to be more flexible in how we allocate the services."

- Transport sector representative

4.4 Specific insights related to Māori disadvantage

The importance of equity of road safety fines and penalties overlaps with several aspects of disadvantage and multigenerational trauma experience by Māori. Therefore, the inequity described by all interviewees has some overlap with unfairness for mana whenua in particular. However, many interviewees noted that Māori are a diverse people. While no one issue affects them in isolation from other people, we have obligations under Te Tiriti to engage with and support mana whenua in particular. Some suggest these obligations are far from being met when it comes to both road safety trauma, and fines and penalties.

Examples of quotes related to the effects of fines and penalties on Māori in particular include:

"Well, look if I think nationally, there is a disproportionate number of Māori people who are incarcerated for traffic fines and or lack of driver licenses and the like. It's disgusting, the scale in which Māori people are incarcerated for, what I call, kind of things that you could overcome."

The impact of what happens when you are incarcerated, when you're sent to prison for something like that, something that can be worked through – getting a license, say, and then all the fines that go with it – the impact that that has on the social circumstance of the families that they support, the amount of whakamā or embarrassment and or shame that comes with having a parent and or a loved one and or a sibling being incarcerated. Whether or not it's for thing A, B or C, it's [for] something that I could consider relatively minor and easy to overcome. That's not just about a fine. That's about intergenerational trauma."

- Mana whenua representative

"There is a perception that police sit in areas to meet a certain target. Whether that is true or false, we haven't addressed that issue with mana whenua... ..They sit in areas where they will get a high level of speeding. When we change speed, we haven't engaged with mana whenua or anyone about what the changes will be. Some previous speed changes were not communicated around schools, around other areas."

- Transport sector representative

[In some areas the transport sector is] working with police, now connected to the marae, warrants – they can scrub the tickets if the driver gets [the warrant within] a certain time. There are other ways to do this.

- Transport sector representative

It is absolutely true that any fines that are levied against the general population disproportionately, negatively impact Māori... .. So, specifically when it comes to fines, one of the things that are relevant is Māori are, generally, socio-economically in a less positive position relative to the rest of the population.

So, we're poorer, we're less educated, we're more likely to drive vehicles that are unwarranted or unregistered or not in a position to be able to make the necessary repairs to vehicles. So, when you get stopped and get fined \$200 or \$400, or whatever it is, for not having a registration or a warrant. And then, go and have a look, Māori are disproportionately over-represented for those who don't have car licenses. And so, the impact is a significant financial burden on Māori. In addition to the financial burden on Māori, there is in the incidence of people being jailed for having things like overdue fines, which is absolutely ridiculous.

This is a real, lived reality for most Māori. All you have to do is have a look at places like South Auckland and the incidence of poverty and socio-economic circumstances that mean that Māori, and particularly in our immediate whānau that we are very closely connected to, are experiencing these struggles and barriers everyday. It happens to my daughters, it happens to my cousins. I mean, I don't know a whānau that's not impacted by this to be perfectly honest.

- Mana whenua representative

4.5 Consequences of increased fines

The situations described by interviewees suggest that equity of fines and penalties is not as straightforward as poorer people pay more. Some lower-income people take on more debt or forego the necessities of life to pay a fine. Others accrue so many fines that there is no practical way to pay them. These two scenarios show that the impact of higher fines will be different for different lower-income people. Some people will face increased hardship. Others will likely continue to ignore and accrue fines. Some people will always look for ways to evade fines and penalties through illegal means. For example:

"You double the fines, you'll double the attempts at evasion. You'll likely create a more lucrative kind of forgery system for id or licences or regos or whatever"

- Legal sector representative

4.6 Opportunities to improve equity of road safety fines and penalties

Some interviewees described potential alternatives to fines and penalties that could be used with discretion so that lower-income people in particular are not given a relatively unfair burden.

4.6.1 Switching to a more vertically equitable fines structure

The opportunity to give lower fines to people on lower incomes was discussed by several interviewees. All noted that the issue is not necessarily straightforward, but the difficulty involved is not a reason to avoid investigating it. This was because the current system, where everyone gets the same fine regardless of their ability to pay, is so obviously inequitable. An addition to the concept of vertical equity is to reward people for compliance with laws in potentially creative ways. Quotes that highlight issues of vertical equity include:

I think it would be fairly straightforward, it would be an IRD type income – it's the communication between police and IRD. It shouldn't be put in the too-hard basket. It's worked in other countries for example, where police will look at a taxpayer database and there'll be some sort of scale, and a matter of redrafting the schedule of fines that allows for percentages of discretionary income instead of a prescribed fee. In the parent legislation there'd be some sort of method for communication between IRD and the police or Waka Kotahi.

- Legal sector representative

"A number of years ago VW ran a contest to see what people thought about other ways of enforcing speeding fines. Very popular way was to take all the money collected each day from a given speed camera and hand it out to all those who drove the correct speed. Lots of creative ideas out there – just have to try them."

- Academic

4.6.2 Improved equity of access to alcohol interlocks, limited licences, and fine payment plans

Many interviewees, particularly those from the social and legal sectors, described inequity of access to different parts of the system, from payment plans that avoided the need for a lump sum through to alcohol interlocks and limited licences. All interviewees described complexities about fines and penalties, and their interaction with equity – including all sorts of inequities throughout social and legal systems, some of which could be improved.

For example, alcohol interlocks, which are installed on an offender's vehicle so that it cannot be started unless they are sober, are an effective way to reduce drunk driving. However, they are expensive and not always readily available.

Interviewees from the legal sector described the unfair access to limited licences. People who can afford the legal and administration fees are more likely than lower-income people to get a limited licence, which minimises or removes the impact of disqualification. The fees for limited licences are not typically covered by legal aid or community law services, so the cost is prohibitive for people on low incomes.

Community service can be a fairer alternative to paying fines for people with low incomes. Additionally, it can also help to motivate people to make positive changes in their lives, according to interviewees from the social services sector. However, without good access to legal advice, people may not know that community service might be an option for them, or they do not have anyone to advocate for it on their behalf.

The issue of payment plans for fines also affects low-income people because typically, only very large fines are converted into a payment plan of \$10 or \$15 per week to make them more affordable. One-off fines of \$100 are not usually issued with payment options, which can have significant effects on low-income people. Paying that fine off over a longer period can be much more manageable and less overwhelming than a large fine weighing over them. However, paying off a large fine over a long time period can lessen the impact of the punishment on driving behaviour because it can become an invisible expense.

A quote related to alcohol interlocks stated:

"Interlock licences, for people who blow over 800 on an evidential breath test, or who are repeat offenders... ..The costs can be prohibitive for the working poor... ..There's a setup cost and an ongoing lease, it works out over a thousand. The monthly unsubsidised rental cost is \$175 per month. If someone is working poor, they're going to earn too much to qualify for that. It's not a very realistic, real-world subsidy."

- Legal sector representative

Quotes about equitable access to limited licences included:

"These limited licences are mainly accessed by middle class because they are expensive and you in most cases need to be in employment as you can apply for a work licence if you can show that losing the licence will create hardship to yourself, typically if you lose your job. Limited licences start at \$1500 plus court costs, & GST. Some lawyers charge \$2000, \$2500. That prices out poorer people. The rich will get disqualified and it'll be back on the road real quick – if it's demerits, within the week. If it's disqualification, a mandatory 28 days but they'll be back driving for 5 of their 6 months disqualified. The poor people, in most cases they continue to drive, as they won't be able to afford a limited licence or make out the hardship grounds to qualify for one"

- Legal sector representative

"There's a discrepancy where limited licences aren't covered by legal aid. Our advice might be that people could apply for a limited licence, but your next bit of advice is that it's not covered, you'll have to pay a thousand dollars for it. Something that could be implemented straightforwardly is that legal aid should cover limited licences... ..Our legally aided clients are much more likely to need a limited licence. The test for a limited licence is all around 'undue hardship' which is going to be just more real with legally aided clients."

- Legal sector representative

Quotes related to fine payment plans included:

"A lot of people who have come to us over the years have been in strife because they are a little bit disorganised with their money. So paying a regular payment is much better for them. We find that with electricity – nobody pays for electricity monthly anymore, especially a low income earner. It's getting them onto that regular weekly [payment scheme], and then if they miss a week it's not so bad as missing a month."

- Social sector representative

"Usually people are hungry when they're coming in here [Social service] or they're about to lose something that is important to them – that's what drives them in here. And when we come up with something they can do, and it brings the budget right, then it's a win-win for us, because it's not just

about what we do, it's about what they do. So maybe if there was more of that or if it [community service] was more of an option it could be a good thing."

- - Social sector representative

"By the time it gets to court, there are massive fees and the person can't do anything about it except wait for it to get to court and then pay it off at \$10 a week. But if they were able to pay it off [with a payment scheme] in the first instance, then we wouldn't have so much of a problem. A lot of people would be able to pay it off when it is smaller... .. In that instance I would recommend that you don't just say "let's just let you pay it off [slowly]" or "let's just give you a lower fine because you're really poor". I would say send them to a budget service where they can get some help. Because we know your level of income isn't really impactful, it's how you're spending that it really impactful."

- Social sector representative

"I definitely think it [the fines and penalties system] should have some form of social welfare service. That service has to be available for them to go to for that form of assistance. I'm not into taking away fines – otherwise it just becomes a free for all, and that's what we don't want to endorse."

- Mana whenua representative

4.6.3 Alternatives to fines or penalties

The issue of whether or not fines and penalties improve road safety was raised by several interviewees, with some more direct approaches recommended to encourage safe choices and behaviour. For example, some interviewees suggested that people who receive a fine for driving without a valid warrant of fitness or registration could be given the opportunity to get the warrant or registration to avoid the fine. More leniency was recommended, particularly for registrations and warrants of fitness.

As well as addressing the problem directly, by referring people to social service sector advisors for example, a theme from several interviewees was the lack of connection between the infringement or offence, and the outcome. Improving societal understanding of why road safety fines and penalties exist was seen as important. This is particularly important in small and rural areas, where the police are part of a community, and everyone knows each other.

Several interviewees described alternatives to fines and penalties that may reduce inequity, including examples from other countries. Many of these alternatives related to broader transport system interventions that target the causes of offending rather than the outcome, for example driver training.

Quotes related to alternatives to fines and penalties included:

"Clearly breaking the law (no license, no rego, no warrant etc.) but going to work to feed their family... ..Close relationship with people up north – all want the best outcomes... ..Have to look at the moral obligations as well as the legal obligations. Papakura working with police, now connected to the marae, warrants – scrub the tickets if got [the warrant] in a certain time"

" – Transport authority representative

"Rural police often don't enforce speeding fines because they have to live with the people. If fines were increased, they would be even less inclined to infringe people. So have to make it clear why we're doing it, even to the Police."

- Academic

More Māori are losing their license. It would be better to focus the resource on getting better behaviour, better compliance. Having heavy penalties isn't fixing it.

- Transport sector representative

"Now, I don't even know whether or not they have considered any other ways to reduce speeding. You know, if I think about the way that they do it in other countries. Speeding is bad, but speeding can be managed when they've got good drivers. They put a lot more effort into defensive driving and the age of people when they can get their licenses."

- Mana whenua representative

"You know, maybe the answer is if you get a demerit point, you can reclaim your demerit point if you go and do driving lessons. Like how do you lose [a demerit point] but gain at the same time? How do you turn something like that, some penalty into a space where people have the ability to redeem themselves? I've never seen anything like that."

- Mana whenua representative

"At the time of the infringement, instead of a fine for some of them, put them to work and enforce it. Make them go out and do conservation, do roadside cleanups, make them work in a hospital where they have to help the overwhelmed nurses put people back together after a car crash... .. For even the low level [offences] making those ones enforced – doesn't have to be jail time or monetary – but making people spend time and putting them in contact with various contingencies of their actions. Put them on the roadside in an orange vest. Put them in a hospital. And that needs to be done."

- Academic

If the problem we're trying to solve is "we want people to slow down", then do some more work to get a better communications strategy, do some more work to find out, are the vehicles people are driving safe vehicles? Do they even know they were speeding? Y'know, is there driver education going on? I would much rather see driver education particularly targetting Māori and licensing, and safe driving habits, targetting Māori before we see any support of any increase in any fines.

- Mana whenua representative

4.6.4 Addressing equity of enforcement

Some interviewees discussed the nature of enforcement bias. As suggested by literature (see section 2.4.1), some suggested that enforcement bias, or as a minimum, the perception of bias, affects how equitable people think that fines and penalties are. There are ways to account for that bias in both the location of enforcement, and in road and street design that reduces the need for enforcement in the first place.

Some quotes around equity of enforcement and designing out enforcement included:

"It also depends on where you do the enforcement. So if some areas have stronger enforcement than others, or different enforcement or resourcing practices, then that sort of location base can also be important for the equity impacts."

- Academic

"When it comes to speed, there are strategies that don't require enforcement such as design based approaches such as self-explaining roads – the human factors type approaches that intrinsically slow how fast people travel and therefore don't need enforcement because the road is making people drive slower even though the speed limits haven't changed. Or you might have a reduction in speed limit and support that with design based approaches so that you know that fewer people are going to be exceeding the new limit and therefore that reduces the need for enforcement."

- Academic

"Speeding is harder [to educate for] because it's not just one decision. Its a decision you make moment to moment to moment. A lot of that decision making is made unconsciously. You drive to suit the road, or at a speed that you drove on that road previously or a similar looking road. If its a new road you make decisions about the speed to drive at based on assumptions that people are typically very bad at making, particularly around the risk inherent in the road and their own driving skill."

- Academic

4.6.5 Transport system improvements to avoid the need to drive

Related to the systemic issue about people's reliance on cars is the obvious response of improving people's transport choices. Several interviewees talked about strengthening land use and transport planning so that all people, but particularly low-income people are not as reliant on cars in the first place. Quotes related to transport system improvements that avoid the need to drive included:

"Absolutely, reducing the need to drive – there are lots of reasons to do that. And it absolutely does reduce the need for enforcement for driving related behaviours like speeding. Being able to met their needs and access their needs is important for a range of reasons including health, education, employment and social participation – they're all associated with good health, even if it's a relatively indirect effect. So it's all really important that people can access these things by means other than car use – there are a whole range of benefits from that."

- Academic

"Also something to be said about people who don't have an alternative to driving personal transport are usually working poor. So it's easier for higher income people to work from home or arrange alternative transport, they're probably living in cities. I'm based very regionally, there's no public transport, it's probably a lower income area too. The impact on someone [more regionally] is a lot more than someone in Auckland."

- Legal sector representative

4.6.6 Broader society interventions to reduce road trauma

At a broader level than transport interventions, some interviewees discussed investment in mental health services can support people to be healthier, reducing their likelihood to take risks related to road safety. Systemic interventions can also be applied related to drug and alcohol use, for example:

"In terms of helping to reduce the harms that might come from enforcement, strategies to reduce alcohol consumption overall could certainly be part of that. And the main... ..strategy is about changing the alcohol environment rather than focusing on people and individuals."

- Academic

4.7 Summary of interviews

The following key points were clear themes across several interviews:

- Road safety is a serious issue in Aotearoa New Zealand and we should do all we can to reduce road trauma.
- The current road safety fines and penalties structure is not equitable.
- Low-income people are least able to afford road safety fines, and often either do not pay them, or pay them at great cost to their wellbeing.
- There is inequal access to legal help when people face hardship due to road safety fines and penalties.
- The consequences of losing a driver's licence are most severe for people who either have low incomes, few or no other transport choices, and who live in rural areas.
- There is inequity in demerit points due to wealthier people having greater access to limited licences if they are suspended or disqualified from driving.
- Fines for not having a warrant of fitness or registration are seen as disproportionate to the offence.

All of the interviewees discussed the complexity of road safety fines and penalties, suggesting that across the many different situations people find themselves in, there is no obvious, inherent way to make the system 'fair' or entirely equitable. The differences in intent are opaque, and differences in people's life situations and ability to pay are not clear-cut. There is no direct link between punishment and changed behaviour, because (as described in Section 2.2) people break driving-related laws for many reasons – including unintentionally and unknowingly. Even when people do make a conscious decision to speed, for example, their life situation and propensity to take risks are influenced by factors outside of their control, sometimes stemming from childhood disadvantage or deprivation.

Despite these complexities, most interviewees agree that having fines and penalties is appropriate. They also agreed that road trauma is a serious problem in Aotearoa New Zealand, and lack of equity is not a reason to ignore the potential for improvement in road safety through changes to fines and penalties structures.

All interviewees were told that the project includes fines and penalties related to speeding, driving under the influence of drugs and/or alcohol, distractions such as mobile phones, and incorrect use of restraints. Of those, equity of fines and penalties related to mobile phones and restraints were mentioned by the fewest interviewees, despite specific questions if they had not mentioned them elsewhere in the interview. Interviewees said either that they were not sure what could be done about mobile phone use and restraints, or that they did not come across those issues enough in their work to have a strong opinion one way or the other.

5 Conclusions and recommendations

This research sought to explore equity in road safety fines and penalties, and to recommend actions to improve equity alongside a potential review of fines and penalties. Insights from the review of literature and interviews combine to provide answers to the problems listed at the beginning of this report. Overall, the evidence shows a complex and nuanced problem.

5.1 Research questions and summary of findings

- 1. What is the problem?** *What are the equity concerns with any changes to road safety fines and penalties? Who could be impacted? In what way? What are the equity concerns if there are no changes to road safety fines and penalties?*

The main problem highlighted by this research is that road safety fines and penalties are inherently inequitable. People with the least ability to pay or to absorb a penalty suffer the most. Further, people with the most social deprivation or disadvantage are more likely to break laws in the first place, often through reasons outside of their realistic control. Therefore, there is concern that changes to fines and penalties will exacerbate inequity by applying even more burden to those least able to cope with it.

However, the situation is not as straightforward as lower-income people suffering increased hardship with a commensurate increase in fines or penalties. Many low-income people do not pay fines in the first place, because they cannot afford it. There are wide-ranging impacts from non-payment, sometimes resulting in the worst possible outcomes such as driving an unsafe vehicle in an unsafe way and causing or receiving an injury on the road or ending up incarcerated.

Other low-income people do pay the fines, but at great cost to them and to their family's wellbeing. The impact of increased fines for these people could therefore add even greater stress and hardship. With increasing pressures on many people in modern society, there is a risk that increases to fines and penalties could result in more people suffering because the proportion of those unable to pay is arguably increasing.

Conversely, there is some evidence that punishment for infringement or offence works as a deterrent to offending. For some people, a fine or penalty such as an alcohol interlock, community service or a loss of driver licence can trigger a shift in their motivation to get help and get better.

Alongside complexities defining the problem of equity of road safety fines and penalties is the inherent inequity of road safety *outcomes*. The most deprived people are also those most over-represented in road trauma. There is clear recognition from stakeholders in road safety and in communities that efforts to reduce road trauma should improve.

- 2. What does good look like in addressing the problem?** *What is the ideal outcome from an equity perspective for the fines and penalties review? How would we know equity outcomes have been adequately addressed?*

The ideal outcome from an equity perspective in addressing road safety fines and penalties is that they are considered as part and parcel of an inequitable society, rather than being an isolated component of the transport system. That means that any restructuring of the fines and penalties takes a truly system-wide

approach, involving (for example) co-design with mana whenua and the social service sector to provide flexible, community-centric supports and initiatives alongside fines and penalties. Nobody in the academic literature or in the road safety stakeholder community suggests that fines and penalties should not exist. Rather, they all agree that for those at most disadvantage – including many mana whenua and many on low incomes – the reasons they cannot pay fines, or cope when they lose their licence are related to much deeper problems and challenges in their lives, often traceable back through generations.

Mana Whenua experience of fines and penalties is clearly inequitable. It would be in alignment with Te Tiriti that Māori consultants are hired to help research and shape any policy changes that will go ahead, and that Māori voice is strong in any and all changes to road safety policy more broadly.

We will know when equity outcomes are addressed in two main ways. First, there will be no inequity of road trauma outcome with respect to social deprivation, or between mana whenua and other Aotearoa New Zealanders.

Second, we will know when equity of road safety fines and penalties exists when interviews with social service and mana whenua stakeholders cannot highlight any challenges *unique* to those who are already most marginalised. That is, if we ask about road safety fines and penalties, we may not get any response from the social sector because it is simply not an issue. Or they may say that the supports people have to address both the causes of infringement, and the ability to respond to a fine, penalty or some other alternative, are working well in their communities.

Both of these outcomes represent huge shifts in outcome compared to the status quo. Clearly this is a huge challenge for the transport sector and all of its road safety and community partners. It extends also beyond transport and community to the legal and social service sectors, and to governance within mana whenua. However, the potential rewards are great, so it is also worthy of continued efforts to improve both our understanding of equity in road safety, and to improve our efforts to create more equitable transport system.

3. What are potential solutions to the problem? What do other jurisdictions do to address these issues? How applicable are these solutions to the NZ context? How effective are they in addressing equity issues in NZ?

There are direct and indirect ways to improve equity of road safety fines and penalties. Several of those were suggested by findings from the literature review, but the detail and outcomes of implementing them overseas was a gap in literature. Consequently, in section 5.2 below we outline a series of recommendations for consideration, these are divided into solutions directly or indirectly related to road safety fines and penalties,

4. What are the benefits and risks to these solutions in the NZ context? What the strengths and weaknesses of the potential solutions to our context? How could they be adapted to work for NZ?

One of the main challenges implementing equity solutions is that it is inherently difficult to define and measure 'equity' in a system where relative disadvantage is complex. The literature did not include any clear ways to measure equity of fines and penalties before or after interventions were made in overseas case studies, so there is a risk that the recommendations – which were largely drawn from subjective experiences of stakeholders – will be difficult to prove beneficial.

However, the main strength of the solutions is their grounding in community, particularly those that involve engaging with mana whenua and community support agencies such as budgeting advisors. If we trust those stakeholders to be able to report on inequity of the current fines and penalties structure, we can also trust

their feedback through system changes to give us confidence in the effectiveness of any interventions. If interventions are not improving equity from the perspective of those at the coalface of community and individual hardship, their voice can inform continuous improvement by trying again with different options.

Ultimately the benefit to be gained from efforts to improve equity of road safety fines and penalties will be in reduced road trauma, and improved equity of road safety outcomes. Being increasingly explicit about known inequities, and working to remove them, is challenging because it brings to the forefront issues of material hardship that are not always obvious to road safety professionals. However the challenges facing transport decision-making in coming years can only be addressed if they are faced with honesty and courage.

5.2 Recommendations

5.2.1 Solutions directly related to road safety fines and penalties:

- Provide a fines structure that is more closely related to people's ability to pay: instigate a fines structure that is linked either to personal income bands, or to a proxy measure of income such as holding a Community Services Card. Such systems appear effective in some overseas countries, although as the outcomes in terms of equity are not reported, it is unclear how well they improve equity of fines and penalties beyond inherently presenting as a fairer way to fine people.
- Provide flexible fines payment plans by default and strengthen social sector support for people who accrue fines and penalties: For people least able to pay, fines payment plans can help trigger a fresh approach to their budgeting. Therefore, it is important that alongside payment plan options, people are connected to community support services such as budgeting advisors. With appropriate support, people can approach a fine or penalty in the context of their income, their spending, and other factors that affect their ability to pay and to live their life.
- Increase access to legal aid and community law services and alcohol interlocks: There is a clear inequity in people's access to a limited driving licence when they are suspended or disqualified. Providing for legal aid to cover applications for a limited licence, including covering court administration costs, would directly address this inequity. The same problem exists for access to alcohol interlocks, which are prohibitively expensive for many people. Subsidising their purchase and connecting people who qualify for subsidies with budgeting support, would reduce the inequity.
- Increase automated enforcement where possible, to remove potential enforcement bias: Evidence from overseas and from Aotearoa New Zealand has repeatedly shown that in a general sense, communities with higher social deprivation are more likely to receive fines and penalties than people from less-deprived areas, for a variety of complex reasons. One way to improve equity of fines and penalties, particularly in the case of speed cameras (whether or not demerit points are assigned to them) is to automate enforcement. It is a straightforward exercise to knowingly and explicitly operate speed cameras evenly across all communities, and to publish their locations and timeframes. In this way, attaching demerit points to speed camera offences is arguably more equitable than having them issued by mobile police officers in patrol cars, whose motivation for which street to target may be more subjective, and less public, than an assignment of cameras based on a map. That is not to say that there should be *no* mobile road safety enforcement, rather that speed cameras as a specific example are operated as much in wealthier communities as in poorer ones.
- Provide flexible, community-centric alternatives to fines and demerit points: In communities where police, mana whenua, community services and the judicial system work together, successful programs can be created where people work in the community instead of receiving a fine or penalty. For the best road safety outcomes, the community response would include broader education about the

reasons for road rules, and people who break the law would be part of programmes that improve their understanding of road trauma, its impact on real people in their own community, and how to avoid it.

5.2.2 Solutions indirectly related to road safety fines and penalties

- Improve education and awareness throughout communities of the reasons for road safety rules, fines and penalties: engage with mana whenua and local communities to increase the profile of road safety so that the consequences of risky behaviour are more apparent. While road safety education at a national and regional level has made great gains in recent years, there is further opportunity to embed road safety programmes at a local level, responding more directly to the most pressing local issues and opportunities.
- Target road safety enforcement to risk: improving enforcement of safe driving behaviour in places with identified crash problems, and communicating that approach effectively, is likely to improve both compliance, and road safety sector credibility. There is widespread perception that enforcement is not targeted to risk, so further education around the differences between collective and personal risk, for example, and linking those risk profiles to enforcement activities would help to improve driver behaviour.
- Strengthen public and community transport in small towns, urban fringes and rural areas: for many people, losing a licence is akin to losing access to living a good life, or even surviving within the law. Many people, particularly those on low incomes and in remote or rural areas, cannot meet their everyday needs for employment, study, food, and supporting their families without a licence and a car. In urban areas, strengthened public transport that is reliable and frequent even to urban fringes would give people more choices. In more sparsely populated areas, volunteer-based community transport services meet people's need for affordable transport. Government support for these schemes can support safe driving habits in the first place, and meet people's need for transport if they cannot afford a car or cannot access one because they lose their licence.

5.3 Specific changes to fines and penalties

Two specific changes to the fines and penalties regime are proposed: increasing the minimum fine from \$30 to \$100 and attaching driver licence demerit points to speed camera fines. This research did not find any specific reason to make, or not make those specific changes. Rather, it arrived at conclusions about how the current and future fines and penalties structure can be more explicit about equity, and how inequities might be reduced.

The following conclusions are drawn about the proposed changes.

1. **A minimum \$100 fine** for a road safety infringement (an increase from the current minimum of \$30)

It was clear from literature and interviews that equity of road safety fines is not a simple case of lower-income people suffering more hardship from fines than higher-income people. The situation is far more complex than that. Those on high incomes are less likely to incur fines in the first place, because of their more privileged lives meaning they are less likely to experience social problems that correlate with engaging in risk-taking behaviour. They also have a broader range of transport choices and suffer less hardship if they do incur a fine.

Conversely, higher fines do not simply mean that lower-income people will pay more. Some people end up paying off road safety fines at a rate of \$10 or \$15 per week because their fine has been escalated to the courts. It is likely that for these people, fine increases will have no material effect. However, for some people the difference between a \$30 fine and a \$100 is significant. There is no doubt that the increase in minimum fine may cause hardship for some people. However, it may also have the desired effect of promoting more awareness of road safety rules. If people know that they cannot afford a fine, some will adjust their behaviour to reduce their risk.

Therefore, this research found no clear reason *not* to advocate for an increase in the minimum road safety fine. There are solutions that can be applied to mitigate equity concerns, which are discussed further below.

- 2. Driver licence demerit points** to be attached to fixed speed camera fines (and potentially, any fines related to infringements detected by cameras)

Equity of demerit points is a more complex issue than for fines. Demerit points only have a tangible effect on a driver when their licence is suspended or revoked. At that time, issues of equity arise due primarily to inequitable access to limited licences. There are ways to improve the equity of this situation, as discussed in section 5.2.2. Speed cameras are automatic and do not have any inherent bias once they are positioned. Therefore, this research found no clear reason *not* to advocate for driver licence demerit points to be attached to any fines related to infringements detected by cameras.

5.4 Next steps

It is recommended that Auckland Transport consider ways to promote equity in road safety fines and penalties by adopting this report's recommendations. Further exploration of equity in road safety more broadly, including clearer ways to articulate it within and beyond the road safety professional community, would also be worthwhile.

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Appendix A Transport fines and penalties

Table 3 Transport fines and penalties (Community Law, 2022; Waka Kotahi NZ Transport Agency, 2022a)

Type of infringement	Specifics	Infringement fee/court fine	Demerit points
Driving without a current or valid license	First time offence	\$400.00	
	Mutliple offences	\$1,000.00	
Other license related offences	Drives motor vehicle contrary to the GDLS conditions of his or her driver licence (excluding the requirement to display L plates)		35
	Failure to display L plate as required		25
	Drives a motor vehicle contrary to the non-GDLS conditions of his or her driver licence		25
	Drives in breach of conditions applying to stage 2 of accelerated licensing process		35
	Drives in breach of conditions applying to stage 3 of accelerated licensing process		35
Driving while disqualified	First or second conviction	\$4,500.00	
	Third or further conviction	\$6,000	
Vehicle related	Driving or using a vehicle on road without an up-to-date registration	\$200.00	20
	Driving or using a vehicle on road without an up-to-date warrant of fitness	\$200.00	15
	Operating motor vehicle on road without plates affixed		20
	Using trade plate when not eligible		20
	Operating motor vehicle displaying plates or licence not authorised for that motor vehicle		25
	Operating motor vehicle displaying object or design likely to be mistaken for plates or licence authorised for that motor vehicle		25

Type of infringement	Specifics	Infringement fee/court fine	Demerit points
	Operating motor vehicle with plates or licence that is wholly or partially obscured or not easily distinguishable		25
	Operating motor vehicle with temporary exemption granted under regulation 20 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011		20
	Failure to operate a motor vehicle with an exhaust system that complies with relevant noise output standards		25
	Operate vehicle that creates excessive noise		25
	Create excessive noise within or on vehicle		25
Non-compliance related offences	Failure to stop on request of an enforcement officer, or on being followed by motor vehicle displaying flashing blue, or blue and red, lights or sounding a siren.		35
	Failure to remain stopped for an enforcement officer		35
	Driving or attempting to drive when forbidden by an enforcement officer		35
	Failure or refusal to accompany an enforcement officer when so required		50
	Person fails to produce zero alcohol licence		25
	Holder of an interlock licence or zero alcohol licence contravenes specified breath or blood alcohol level		50
Pedestrian crossing and pedestrian zone related offences	Driver fails to give way at pedestrian crossing		35
	Driver enters pedestrian crossing when passage blocked		35
	Driver of vehicle fails to give way to pedestrian on shared zone		35

Type of infringement	Specifics	Infringement fee/court fine	Demerit points
	Fail to comply with school patrol sign		20
	Passing at school crossing point or pedestrian crossing		20
Rail related offences	Driver fails to give way to rail vehicle approaching level crossing		20
	Drive etc, cycle, vehicle, or animal across level crossing when risk of collision with rail vehicle		20
	Fail to comply with stop sign at level crossing		20
	Fail to remain stationary at stop sign until level crossing clear		20
	Driver enters controlled area of level crossing when red signal displayed		20
	Driver enters controlled area of level crossing when barrier arm lowered		20
Road rules related offences	Fail to drive as near as practicable to the left of the roadway		20
	Fail to allow impeded traffic to pass		20
	Unsafe passing		35
	Impeding vehicle when passing		35
	Passing to right of no-passing line		35
	Drive in emergency stopping lane		10
	Fail to comply with handheld stop sign		20
	Driver fails to give way at stop sign		20
	Driver fails to stop at stop sign		20
	Driver fails to give way at give-way sign		20
	Driver fails to give way at give-way sign controlling a one-way section of road		25
	Driver of vehicle changing lanes or turning fails to give way to vehicle not changing lanes or turning		20

Type of infringement	Specifics	Infringement fee/court fine	Demerit points
	Driver of right-turning vehicle fails to give way to an approaching left-turning vehicle		20
	Driver at intersection fails to give way to vehicle approaching from right		20
	Driver on terminating road approaching or crossing a T intersection fails to give way		20
	Driver fails to give way to road user on footpath when entering/exiting driveway		20
	Driver fails to give way to a vehicle on roadway when exiting driveway		20
	Driver entering roundabout fails to give way		20
	Drive too close to vehicle in front		20
	Exceed speed for stopping distance		20
	Exceed speed for stopping distance on road not marked in lanes		20
	Driver permits riding dangerously		20
	Careless or inconsiderate use of motor vehicle		35

Appendix B Interview participant information sheet

Equity in road safety fines and penalties: Interview Participant Information Sheet

About the project

Thank you for your interest in our project, Equity in road safety fines and penalties.

The purpose of this project is to explore evidence and perspectives on equity in road safety fines and penalties

The findings from this research will be used to inform advocacy for changes to road safety fines and penalties, including making the pros and cons of fines and penalties, and who they impact, clearer to policy-makers.

What we are asking participants to do

We are recruiting people in the community including those working in social services, academics and those in the judicial system to hear their perspectives on equity of road safety fines and penalties.

If you volunteer to be interviewed, an MRCagney staff member will phone you at an agreed time. The interview will likely take up to half an hour to complete. Your participation is voluntary and you can withdraw at any time.

Your participation is confidential. You will not be identified in any of our reporting. After the interview we will share with you the way that we will describe you in our report, for example "Budget advisor" or "Law academic". You will be invited to receive a plain English summary of our research findings if you would like to.

Who you can contact if you have questions

If you have any questions about this project, please contact the research lead, Bridget Doran bdoran@mrcagney.com This research is funded by Auckland Transport.

This research approach has been reviewed by MRCagney's Research Ethics committee.

Effective Transport Financial Penalties – Policy Framework and Tool

Questions and Answers

1. What are the Effective Transport Financial Penalties Policy Framework (the Framework) and associated Categorisation Tool (the Tool) and what is their purpose?

Framework

The Framework is a new, systematic approach to support the process for setting more consistent and fit-for purpose financial penalty levels (infringement fees and fines imposed by a court) for offences across transport legislation. The aim is for financial penalty levels for offences that are more consistent:

- across the three transport modes (land, maritime, aviation)
- with relevant external regulatory frameworks (for example health and safety at work)
- with the severity of expected harm from offences.

Tool

The Categorisation Tool is designed to support the Ministry of Transport (MoT) and the transport regulatory agencies (Waka Kotahi NZ Transport Agency, Maritime New Zealand, Civil Aviation Authority) to implement the Framework.

The Tool provides a step-by-step process to propose financial penalty levels for offences. This is achieved by applying the Framework's principles, including assessing expected severity and risk of harm, and then using a penalty-level matrix which lists recommended penalty levels for three different offender groups (individuals, special regulated individuals, businesses or undertakings).

2. What types of financial penalties does the Framework focus on?

The Framework focuses on addressing two key types of financial penalties:

- Infringement fees – issued by enforcement or regulatory agencies like NZ Police, the transport Crown entities or councils. Infringement fees address comparatively minor law breaches and are immediate sanctions with relatively low penalty levels (for example, fees from speeding tickets)
- Fines – usually imposed by a judge via the court process to address more serious offences and having comparatively higher penalty levels.

3. Why is a new approach needed to set financial penalty levels in transport legislation?

We have identified various issues with the process by which financial penalties in transport legislation have been developed and maintained. This has included:

- Isolated, arbitrary development: Historically, we have at times tended to set penalty levels related to single topics or pieces of transport legislation in isolation. Sometimes this has occurred without considering comparable offences and penalties within and across the three transport modes (land, maritime, aviation) or in other comparable legislation.
- Lack of review to ensure currency: Some transport penalties, particularly for more serious offences, were set three decades ago. Consequently, maximum transport penalties are out of touch with comparable modern legislation.

For example, the maximum financial penalty for an offence in transport legislation is \$500,000 (for just three offences in the Railways Act 2005), compared to \$3,000,000 for comparable offences in Health and safety at Work Act 2015 (HSWA). This is despite both HSWA and transport legislation having offences of similar levels of seriousness, and in the maritime and aviation sectors, Maritime New Zealand and the Civil Aviation Authority also being HSWA designated regulators.

These process issues have led to problems that reduce the effectiveness of transport-related financial penalties, including:

- Inconsistency across legislation: Penalty levels are sometimes inconsistent across transport legislation or wider related legislative frameworks. For example, there is a \$150 penalty for running a red light in land transport regulation; compared to \$500 for flying a drone over private property without permission in civil aviation regulation. This is despite the former offence arguably risking more severe harm, such as resulting in serious injury or even death.
- Disproportionality to level and risk of harm: Financial penalties are not always proportionate to the level of risk and potential harm that may result from offences. This is also illustrated in the example above.
- Inappropriate penalty levels for different offender types: Penalties are not always set at levels effective for particular offender types, such as 'regular' individuals, people with professional transport responsibilities, or body corporates. For example, there is a \$600 fee for an unsecured item on a vehicle, whether the vehicle is a domestic car or a large commercial truck. A higher penalty would likely be needed to deter a large commercial operator. Therefore, it would be more effective to designate separate penalty levels appropriate to individuals and commercial entities (for example, body corporates).

How will the Framework improve penalty levels?

The Framework will provide a more systematic and comprehensive approach to help set penalty levels by encouraging regulators to consider four principles for effectiveness:

1. Respond to offences' severity (assess expected types of harm)
2. Act as a deterrent (be set at a level that will credibly deter offending)

3. Be proportionate (to harm and in relation to offences risking similar harm across transport legislation and in other relevant regulatory frameworks)
4. Consider the responsibilities and financial capacity of the individual or entity.

We expect that addressing the above principles will lead to penalties that are more logical, consistent and better targeted to address particular offending and groups of offenders.

Alongside applying the above principles, once the expected harm from a group of offences or an offence is determined, the Framework's Tool provides recommended penalty levels. The Tool enables consistent, logical penalty levels to be set. These levels relate to the:

- severity of expected harm from the offences
- likelihood that the expected harm will actually result if the offences were committed
- nature of the offender – individual, special regulated individual, business or undertaking.

What's new and innovative about the Framework

The Framework's whole approach of a principles-based method of systematically assessing offences and then applying logically structured penalties is new and innovative for the transport sector. However, two particular new features include:

- Assessing offences' severity by considering three types of possible harm:
 - *System* – harm to the transport system itself by breaking any rules designed to support a safe and effective system (for example, not having a proper transport operating licence) – system harm arises from all offences
 - *Safety* – tangible harm that may occur or has occurred to people (for example, arising from inherently dangerous actions like operating a vehicle or craft recklessly)
 - *Environmental or property* - tangible harm that may occur or has occurred to the environment or property (for example, arising from discharge of hazardous substances into the sea or damage to a vehicle or craft).
- Identifying two new categories of potential offenders that penalties can apply to:
 - *special regulated individuals* – commonly individuals with professional responsibilities in the transport system
 - *businesses or undertakings* – commercial operators (for example, sole traders or companies); or not-for-profit organisations (for example, councils or charities)

Current transport legislation recognises only three categories of potential offender that penalties can be applied to: individuals, body corporates, persons other than individuals ('persons' can include a corporation sole, body corporate, unincorporated body). The Framework's new category of 'special regulated individuals' provides penalty levels suitable for individuals with greater responsibilities than 'regular' individuals, and of whom we have greater expectations.

The new category of ‘businesses or undertakings’ includes a wider range of commercial entities than merely body corporates, such as sole traders. The term ‘undertakings’ also includes not-for-profit entities such as councils or charities. We consider that the term ‘businesses or undertakings’ better covers the range of entities that we both have higher expectations of (for example, because they offer services to people), and that may have greater financial capacity given that they are businesses or undertakings.

How can the new offender categories of special regulated individuals and businesses or undertakings be applied, given they don’t appear in current transport legislation?

The Framework’s penalty levels for special regulated individuals can be applied to offences that can only be committed by individuals that meet the criteria of special regulated persons. For example, for offences that have been drafted so they only apply to a ship’s master. In these cases the offence will still reference an individual in legislation, but that individual will face special regulated individual level penalties.

The Framework’s penalty levels for businesses or undertakings can be applied to any entities that are body corporates or potentially ‘persons other than individuals’, where these categories are designated in the offences. However, merely being a business or undertaking is not enough to incur businesses or undertaking-level penalties.

What are the positive outcomes envisaged from this new approach?

We expect a range of positive outcomes from applying the Framework, culminating in financial penalties that are more effective at helping prevent and respond to offending. Expected positive outcomes include penalty levels that are:

- more proportionate to the severity of harm expected from offences
- more consistent across offences in the three transport modes (land, maritime, aviation)
- more consistent with comparable offences in other relevant regulatory framework’s legislation (for example, Health and Safety at Work Act 2015, Resource Management Act 1991)
- set at levels better able to be credible deterrents to offending, and reflecting the transport sector and societies’ current views on the severity of offences
- better able to reflect a broader range of offender types of whom we may have higher expectations, including ‘special regulated individuals’ and ‘businesses or undertakings’.

How many transport offences are there in legislation?

We estimate there are around 6,000 offences across transport legislation (in Acts and regulations), excluding those in local bylaws.

What is the implementation timeframe?

There is currently no set timeframe to implement the Framework. MoT and the transport regulatory agencies take a ‘regulatory stewardship’ approach to reviewing transport legislation ongoing, to ensure it is up-to-date and fit-for-purpose. As we review legislation we will take opportunities to apply the Framework to ensure effective penalty levels for offences in that legislation. Currently MoT is reviewing penalty levels for selected offences as part of work involving the Civil Aviation Bill and civil aviation, maritime and marine regulations.

Applying the Framework across all transport offences will be a long-term goal over several years, given the number of offences in transport legislation and the comprehensive process

that must be followed in reviewing and potentially changing these. However, MoT may progress a dedicated project to speed up this process.

How was the new Framework developed?

The Framework was developed through the MoT undertaking a comprehensive policy development process over more than two years. We assessed the problems with financial penalty levels in current transport legislation and options for a more systematic way to set levels. This process has included considering academic research on compliance and enforcement, approaches to financial penalties taken in other New Zealand legislative frameworks outside transport and internationally, and input from transport Crown entities and other government agencies.

Who was consulted in developing this framework?

In developing the Framework, the Ministry of Transport consulted with:

- the three transport regulatory agencies – Waka Kotahi NZ Transport Agency, Maritime New Zealand, the Civil Aviation Authority
- other selected government agencies including the Ministry of Justice, New Zealand Police and The Treasury.

How much money is collected for transport-related infringement offences?

NZ Police publishes road policing offence data for selected offences for January 2009 to December 2020. This data includes the money collected from infringement fees for the following unsafe driver behaviours commonly associated with road trauma:

- alcohol-related offences (driving under the influence of alcohol)
- speeding (offences detected by mobile or static speed cameras or issued by officers)
- mobile phone offences (using a hand-held device for calling or texting while driving)
- red light-related offences (officer issued and red light camera, for running red lights at intersections for both vehicles and pedestrians)
- safety belt offences (restraint use offences - safety belts and child restraints).

The total money in infringement fees associated with the above offences and processed in the Police infringement processing system at 'face value' is:

- January to December 2019 - \$129,683,950
- January to December 2020 – \$122,353,090.

It is important to recognise, however, that the fee totals noted above associated with these offences are nominal only and may be paid, unpaid or referred to court. Many fees will be waived under NZ Police discretionary policy (for example, satisfactory completion of compliance offered for certain minor offences - such as a safety belt offence). A large number are also referred to court due to lack of payment. Each of these scenarios may result in a different amount ultimately being paid (including zero).

What does the Government do with money collected from these offences?

The money collected by NZ Police associated with the above offences is transferred into consolidated Government funds. The Government then determines how it will spend the money collected through its budget processes.

How much extra money will the Government collect from new financial penalties?

It is very difficult to estimate how much extra money the Government may collect, if any, from new financial penalties resulting from applying the Framework. This is because of the difficulty in determining the level of offending that may persist once new penalties are in place. One of the Framework's principles for effective penalties is to deter offending and we expect that penalty levels set using the Framework will reduce offending for some offences.

Will low income individuals be adversely affected by increased financial penalties?

Not necessarily. Infringement offences, the levels of which cannot be altered to account for financial capacity, are designed to address offending of low severity and therefore fees are set relatively low to be proportionate. Regarding fines which may be imposed by a court up to a maximum, the court can take financial capability, among other factors, into account and set a level of fine it considers appropriate.

To account for possible adverse effects of penalty levels on potential offender groups, the Framework also proposes that a public policy contextual factors review be conducted. This is particularly relevant to proposing infringement fee levels.

Once the Framework's Tool is used to determine a proposed penalty level for an offence or group of offences, the Framework recommends that regulators consider whether there are any other factors concerning the offence(s), or likely offender group, that may mean that the penalty level is likely to lead to perverse outcomes (for example, for vulnerable population groups). In this case regulators may then consider lowering the penalty level somewhat.

However, penalty levels set using the Framework cannot directly account for the financial circumstances of potential offenders. Regulators and enforcement agencies may have other options such as not applying financial penalties and/or withdrawing licensing or certification, where perverse outcomes are expected.

What role does local government play in adopting the Framework?

We expect that the Framework will be useful for local government to use, to inform setting financial penalty levels for local transport-related bylaws. We intend to work with local government, including Local Government New Zealand, to introduce that sector to the Framework and collaborate on how they might adopt it.

Will I be able to make a submission or share my views on these proposed changes to the transport fees and penalties regime?

We welcome comment from any agency, operator or individual on the Framework and how it can be implemented. While we have developed the Framework as our own policy document and it is not open to a public submission process, we are open to assessing any comments around how the Framework might be improved.

Following using the Framework to propose financial penalty levels, the government's process for finally setting the penalty levels for offences in legislation is, however, normally open to public submissions and participation. As part of the process to change legislation regarding penalty levels or establish new penalties, we would expect to seek public

comment, or this would be built into the legislative process. This would be, for example, through our release of consultation documents for changes to regulations, and the call for public submissions at the Select Committee stage when amending penalties in Acts.

11. Reports of the Chief Executive and Staff for INFORMATION



22-152

Title: 22-152 2021-2022 Regional Land Transport Plan Annual Monitoring Report

Section: Strategy

Prepared by: Charlotte Knight - Strategic Planning Manager

Meeting Date: Wednesday 7 September 2022

Legal: No

Financial: No

Significance: **Low**

Report to REGIONAL TRANSPORT Committee for information

PURPOSE

The purpose of this report is to present the annual monitoring results for the 2021-2031 Regional Land Transport Plan for the 2021/22 financial year.

SUMMARY

The 2021/22 financial year was year one of the 2021-2031 Regional Land Transport Plan (RLTP). The Journeys team, with Waka Kotahi NZ Transport Agency (Waka Kotahi), have been busy rolling out the increased transport work programme, which has also included significant funding from the Provincial Growth Fund (PGF) and emergency works.

The RLTP commits to providing a monitoring report for each financial year. Under the RLTP, a new monitoring framework was established based on the Ministry of Transport's National Transport Outcomes Framework. This is the first annual report under the new framework.

The Annual Report (**Attachment 1**) includes information for the Committee on:

- Overview of the plan.
- Progress on activity programme.
- Progress against the 2021 RLTP performance measures.
- Financial expenditure for 2021/22.

This report complements other project and performance information that the Journeys team presented in separate Council reports and meetings.

The Committee has received quarterly update reports on progress against the RLTP for quarters one (**Report 21-267**), two (**Report 22-41**), and three (**Report 22-94**). There is no separate Quarter Four report.

Key findings in the Annual Report are that:

- Despite COVID-19 restrictions, flu season, and flooding events, a significant amount of work programmed in the 2021 RLTP has been progressed or completed in this financial year.
- There was higher than forecast operational expenditure due to the emergency works required for flood events.
- Delays in the PGF Route Security and Route Security East Cape Road have resulted in capital expenditure being under budget.
- Much of the data collected this year will form the baseline for further monitoring and reporting.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Regional Transport Committee:

- 1. Notes the contents of this report.**

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: regional land transport plan, performance monitoring, road safety, update

BACKGROUND

1. Under the Land Transport Management Act 2003, a regional land transport plan is required to include *"a description of how monitoring will be undertaken to assess implementation of the regional land transport plan"* and *"the measures that will be used to monitor the performance of the activities"*.
2. Te Tairāwhiti Regional Land Transport Plan 2021–2031 (2021 RLTP) was adopted by Council on 30 June 2021 ([Report 21-69](#)). It represents the combined intentions of Waka Kotahi NZ Transport Agency (Waka Kotahi) and Council. It sets out the strategic direction for land transport in the region, identifies the regional priorities for the next ten years and outlines the proposed land transport activities for both state highways and local roads for the next six years.

Monitoring framework

3. With the adoption of the 2021 RLTP ([Reports 21-69 and 21-110](#)), there is a new monitoring framework for staff to report against. *"Regular monitoring will be undertaken to assess implementation of the RLTP in accordance with section 16(6)(e) of the LTMA. RLTP monitoring will be reported annually to the Regional Transport Committee following the end of each financial year. The monitoring report will include a progress report on the activity programme and performance indicator monitoring"*.
4. The monitoring framework is based on the National Transport Outcomes Framework, which was established to identify how the transport system supports can improve intergenerational wellbeing and liveability outcomes.
5. The monitoring framework includes targets for the period of the RLTP. Some targets can be reported against more frequently than others due to the frequency of data collation and/or publication. Council holds some of the data for the performance indicators but also needs to source data elsewhere.
6. The Committee receives an annual report following the end of the financial year, including a progress update on the RLTP activity programme and performance indicators. Each quarter the Committee will receive an update that provides information on how the region is tracking against the activity programme and performance indicators. Waka Kotahi will continue to provide their regional update as a separate report.
7. This reporting complements other reports Council receive, such as the quarterly reports and Annual Report. Council's Annual Report will be presented to the Council on 29 September 2022.
8. Transport-related reports at other meetings (since the last Committee meeting) included:
 - a. **Report 22-150** March 2022 Emergency Rooding Fund Application and Plan for Delivery (Operations 4 August 2022).
 - b. **Report 22-121** Quarterly Activity Report – Quarter 3 Financial Year 2021-2022 (Finance & Performance 1 June 2022).
 - c. **Report 22-130** Annual Plan 2022/23 Capital Programme (Finance & Performance 1 June 2022).

- d. **Report 22-137** 2022-23 Annual Plan (Council 23 June 2022).
- e. **Report 22-115** Three Waters Better Off Funding (Council 11 August 2022).
- f. **Report 22-181** Committee Recommendations to Council – Draft Speed Limit Bylaw (Council 11 August 2022).
- g. **Report 22-125** Summary of BERL Report on Impact of PGF on Tairāwhiti (Sustainable Tairāwhiti 2 June 2022).
- h. **Report 22-136** Final Paper to Ministers - Potential Napier to Gisborne Rail Reinstatement (Sustainable Tairāwhiti 2 June 2022).

Resident satisfaction survey (RSS)

- 9. The current RSS methodology targets 100 respondents per quarter; combined this is around 400 respondents to make up the annual result.
- 10. The total of respondents for 2021/22 was 403. The number of responses for each question vary depending on who has answered the question – respondents can say 'don't know' and are then excluded from the results for that metric. For some questions, this can result in smaller sample sizes in any given quarter depending on the respondents. The annual result will be more statistically robust, have a smaller margin of error and greater confidence in the results.
- 11. As an example, the 'safety of riding a bike' question will often have a smaller sample because often only respondents who are riding a bike on the roads would answer that question. This is one of the metrics used in the RLTP monitoring.

DISCUSSION and OPTIONS

Annual Monitoring Report

- 12. **Attachment 1** is the annual monitoring report for RLTP activities for the period 1 July 2021 to 30 June 2022. The Quarter Three report (**Report 22-94**) flagged that due to significant flood events in the region there would be some delays to planned work in the 2021 RLTP. Despite COVID-19 restrictions, flu season, and flooding events, a significant amount of work programmed in the 2021 RLTP has been progressed or completed in this financial year.
- 13. **Operational Expenditure** – This is higher than forecast. Operational overspends are due to the emergency works required for flood events. Budgets were used to progress initial flood response works rather than BAU maintenance. An update on the claim for these emergency works was presented to the Operations Committee in August (**Report 22-150**).
- 14. **Capital Expenditure** - Delays in the PGF Route Security and Route Security East Cape Road have resulted in expenditure being under budget. The intention is to carryover around \$5m for these projects to next financial year.
- 15. Some information from Waka Kotahi is included in the annual report (**Attachment 1**), and in **Attachment 3**. Additional information will be provided via their usual update report and presentation to the Committee.

Change to measure methodology

16. There is a measure in the RLTP on “Mode share of active travel and PT journeys”. This measure uses data from the Ministry of Transport Household Travel Survey. The New Zealand Household Travel Survey measures the travel New Zealanders do by asking everyone in randomly selected households to record their travel over 2 days. The survey has run in a range of forms since 1989, mainly focusing on a 2-day travel diary. In 2015, the methodology was changed to collect 7 days of travel information. However, in July 2018 the Ministry changed this back to 2 days to make it easier for participants and get better data quality.
17. The starting measure in the RLTP is from the 2015-2018 survey. The next result will be from the 2018-2021 survey. This change in methodology between the two surveys may influence any changes in values as opposed to actual changes in travel behaviour. We anticipate reporting on this in the next quarterly update.

Barriers for delivery

18. The challenges of COVID-19, flu season, and weather events have impacted aspects of programme delivery and performance.
19. The region's large building programme (vertical infrastructure) is a source of competition for professional services, especially in the resource consenting area. Unplanned emergency works are adding additional demands for engineering services.
20. The cost of doing business is putting pressure on budgets. This includes inflation (non-construction specific), construction index inflation, and increased costs due to an increased minimum wage, increased material costs, and traffic management. This is being managed by a reduction in scope or moving projects to future years.

ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

Overall Process: Low Significance

This Report: Low Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

Overall Process: Low Significance

This Report: Low Significance

Inconsistency with Council's current strategy and policy

Overall Process: Low Significance

This Report: Low Significance

The effects on all or a large part of the Gisborne district

Overall Process: Low Significance

This Report: Low Significance

The effects on individuals or specific communities

Overall Process: Low Significance

This Report: Low Significance

The level or history of public interest in the matter or issue

Overall Process: Low Significance

This Report: Low Significance

21. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

TANGATA WHENUA/MĀORI ENGAGEMENT

22. There has been no engagement with tangata whenua in preparing this monitoring report.

COMMUNITY ENGAGEMENT

23. There has been no community engagement in preparing this monitoring report.

CLIMATE CHANGE – Impacts / Implications

24. Climate change impacts and implications will be addressed as appropriate for each project.
25. Under 'Environmental Sustainability' transport generated emissions and electric vehicle uptake are being monitored and reported on.
26. Transport is the second highest emissions category for the region behind agriculture (11% of total emissions in 2018/19). This was an estimated 232,647 tCO₂e in the inventory commissioned by Council ([Report 20-134](#)).

National Emissions Reduction Plan

27. New Zealand's first [Emissions Reduction Plan](#) (ERP) was released in May this year. It sets out how New Zealand will meet the first emissions budget for 2022–25 and will put us on track to meet future emissions budgets. The ERP requires actions across every sector of the economy including transport, energy, and industry, building and construction, agriculture, forestry, waste and fluorinated gases.
28. Transport currently accounts for 17 per cent of New Zealand's total greenhouse gas emissions. He Pou a Rangī – Climate Change Commission had said transport emissions must be cut by 13 percent by 2030, and 41 percent by 2035 to achieve emissions goals, which equates to cutting fossil fuel vehicle distance travelled by 20 percent within 13 years. It said electric vehicles would need to make up 30 percent of the fleet by 2035, and freight emissions would need to be cut by a quarter.
29. The Government will ensure wider system-settings support our emissions reduction goals – including emissions pricing, funding and finance, our research, science, and innovation system as well as our planning and infrastructure systems.

30. The Climate Emergency Response Fund (CERF) has been set up to support this transition as an enduring multi-year funding mechanism with an initial \$4.5 billion 'down payment' supported by cash proceeds from the NZ Emissions Trading Scheme. Transport is expected to receive \$1.3 billion from CERF for initiatives including:
 - a. 'scrap and replace' scheme for Clean Car programme with 2500 vehicles covered in initial trial
 - b. leasing scheme for low-emission vehicles for low-income families, starting in three communities from early next year
 - c. for improving access to low-impact transport like walking, cycling and public transport
 - d. transport programmes for developing strategies for increasing use of active and shared transport
 - e. decarbonising public transport buses by 2035
 - f. decarbonising freight transport
 - g. support bus driver workforce
 - h. Improving EV charging infrastructure.
31. An overview of how the ERP relates to transport is included in **Attachment 1** under the Climate Response section.

National Adaptation Plan

32. New Zealand's first [Adaptation Plan](#) was released in early August this year. It contains strategies, policies and actions that will help New Zealanders adapt to the changing climate and its effects – so we can reduce the potential harm of climate change, as well as seize the opportunities that arise.
33. This national adaptation plan is the first in a series. Every six years, He Pou a Rangi – Climate Change Commission will prepare a national climate change risk assessment. This will identify the climate risks that need to be addressed most urgently. New national adaptation plans that respond to those risks will be developed in consultation with all New Zealanders.
34. The first plan focuses on getting the foundations right. It sets out what the Government will do to enable better risk-informed decisions, drive climate-resilient development in the right locations, help communities assess adaptation options (including managed retreat) and embed climate resilience into all of the Government's work.
35. To make sure everyone has access to up-to-date and relevant information, tools, methodologies and guidance, the Government will:
 - a. provide access to the latest climate projections data to give New Zealanders the data they need to assess climate risk and make adaptation decisions
 - b. design and develop a risk, resilience, and climate adaptation information portal to provide the public with natural hazard risk information, climate data and information for climate decision-making

- c. establish the Māori Climate Platform to enable Māori to actively participate in policy design, tangata Māori climate actions, and support hapū, iwi and Māori to develop strategies and action plans for adaptation and mitigation.
 - d. improve natural hazard information on Land Information Memoranda to help people to make better-informed decisions about natural hazard risk when buying a property
 - e. deliver a rolling programme of targeted guidance to enable decision makers to assess and plan to manage climate-related risks.
36. The plan will see Treasury and Waka Kotahi integrate adapting to climate change into decision making. This will influence the development and funding of the next regional land transport plan.
37. At the time of writing staff had not yet assessed the plan and the potential implications for Council in detail. The Ministry for the Environment have produced an info sheet for local government (**Attachment 2**).

CONSIDERATIONS

Financial/Budget

38. There are no financial implications associated with this monitoring report.

Legal

39. Any statutory legal obligations will be addressed as appropriate for each project. There are no legal implications associated with this monitoring report.

POLICY and PLANNING IMPLICATIONS

40. This monitoring report is consistent with the 2021–2031 RLTP. More information about the framework is under 'Background'.

RISKS

41. Any risks will be addressed as appropriate for each project.

NEXT STEPS

Date	Action/Milestone	Comments
March 2023 (TBC)	2022-23 Quarter 1 Monitoring Report	2023 meeting date are yet to be confirmed

ATTACHMENTS

1. Attachment 1 - 2021-22 Regional Land Transport Plan Annual report [**22-152.1** - 55 pages]
2. Attachment 2 - Climate Change and Local Government. What the national adaptation plan means for you [**22-152.2** - 5 pages]
3. Attachment 3 - Waka Kotahi Project Updates 2022 [**22-152.3** - 4 pages]

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2021-2031 Regional Land Transport Plan Annual Report

Overview of Plan

The 2021-2031 Te Tairāwhiti Regional Land Transport Plan (2021 RLTP) has strategic relationships with other relevant legislation, government policies and plans, and Council policies and plans. Figure 1 provides a high-level overview of these relationships.

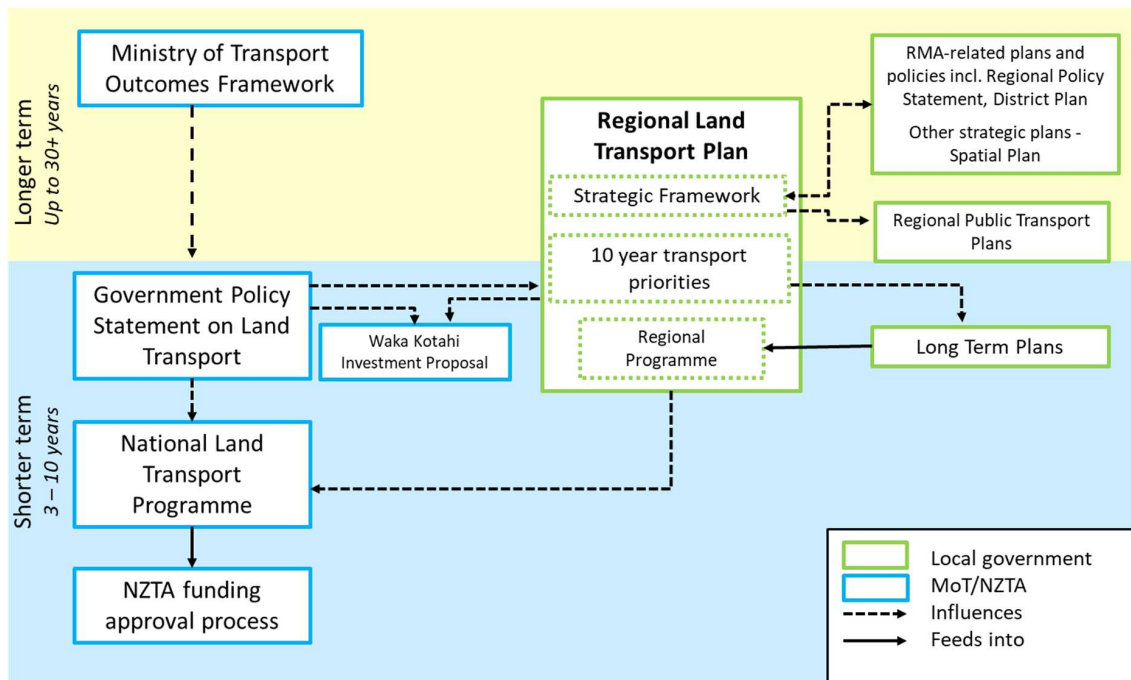


Figure 1 Strategic policy framework for Regional Land Transport Plans

The vision for the 2021 RLTP is that our communities and businesses are connected to each other and to our markets by a safe, sustainable, and resilient transport network.

To achieve this vision three priority investment areas were identified:

1. Safety - Investment in safety infrastructure interventions for high-risk areas, speed management and safety promotion programmes targeted at reducing deaths and serious injuries.
2. Reliability and resilience - Target investment in projects that enable growth and improve travel time reliability and resilience
3. Access - Planning and investment in programmes and infrastructure targeted at providing and promoting transport choice

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Figure 2 provides an overview of our transport system here in Tairāwhiti. The 2021 RLTP focuses on land transport; however, connections to other forms of transport are important to achieve the vision of the plan.

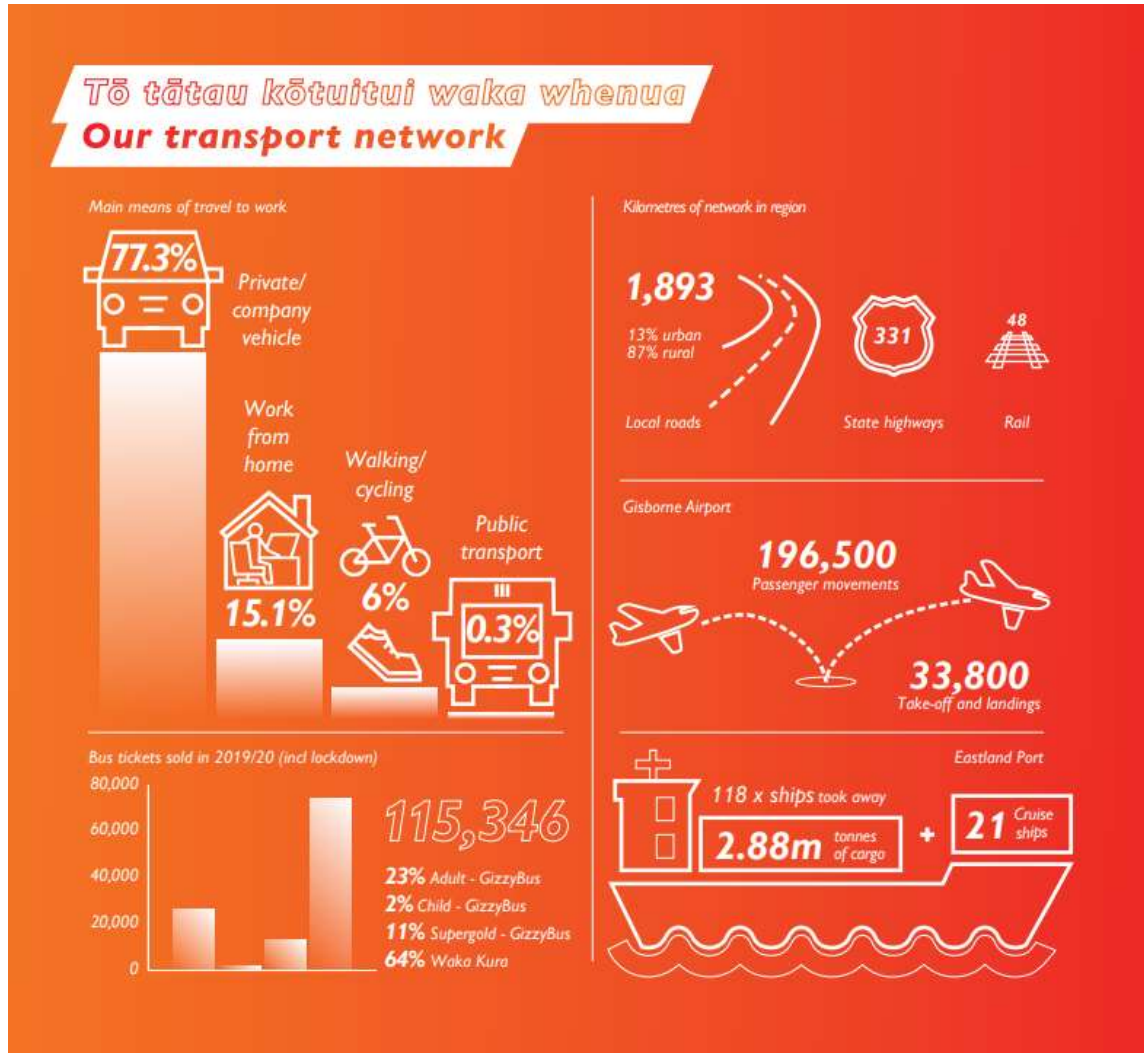


Figure 2 Overview of transport system in Tairāwhiti

The strategic framework for Te Tairāwhiti is underpinned by and aligned with the Ministry of Transport's Outcomes Framework.

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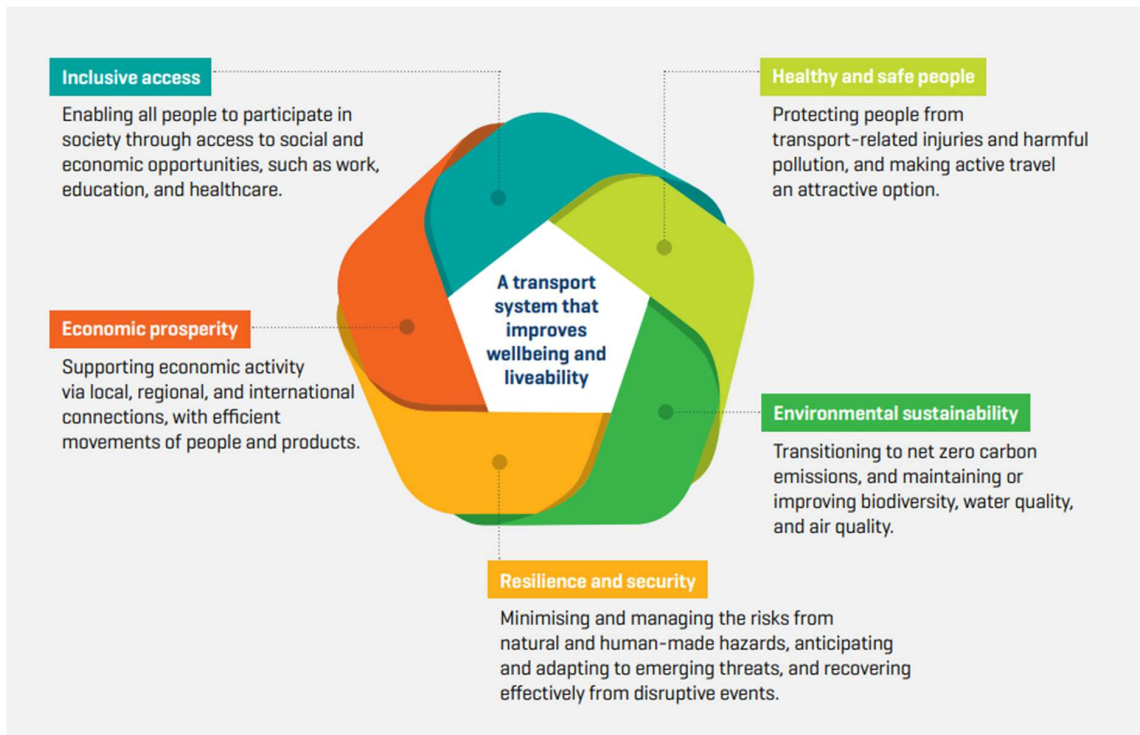


Figure 3 Ministry of Transport's Outcomes Framework

Our monitoring framework is also structured around the Framework.

Council's strategic framework focuses on five strategic objectives with several policies under each objective.

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Strategic objectives	Policies
<p>Safety</p> <p>A transport system that is healthy and safe for all users, with no deaths or serious injuries.</p>	<ul style="list-style-type: none"> • Road safety interventions will follow the road to zero approach • Safe active travel will be encouraged and supported through endorsement of a Walking and Cycling Plan • Heavy vehicle routes avoid conflicts with vulnerable road users
<p>Resilience</p> <p>A land transport network that is resilient to changes in climate, land use and demand</p>	<ul style="list-style-type: none"> • Viable route alternatives are available to avoid route closures • Identify and progressively address network resilience concerns through network upgrades • Develop a risk-based approach to manage natural hazards and climate change adaptation • Ensure that new and existing transport infrastructure is resilient to natural hazards and climate change through location, design and construction.
<p>Access</p> <p>Everyone has access to transport to get where they need to go</p>	<ul style="list-style-type: none"> • Key services in Gisborne city should be accessible by a choice of transport modes • Opportunities to support mobile services to remote communities will be explored • Continue planning and building walkway and cycleway infrastructure for access to services • Transport infrastructure will be progressively improved to promote universal access • Gisborne city form will be compact and walkable, supporting universal access in line with accessibility guidance
<p>Economic performance</p> <p>A transport system that enables the efficient and reliable movement of people and goods to, from and throughout the region</p>	<ul style="list-style-type: none"> • Upgrade key freight routes to accommodate 50max vehicles • Explore the potential for and support the development of rail and coastal shipping as alternatives to road freight • Ensure cost and benefit links between primary industry and road maintenance are clearly understood
<p>Environmental outcomes</p>	<ul style="list-style-type: none"> • Opportunities to support active and public transport modes will be explored

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Frequency of reporting

RLTP monitoring will be reported annually to the Regional Transport Committee following the end of each financial year. The monitoring report will include a progress report on the activity programme and performance indicator monitoring.

Quarterly update reports on activities complement this annual report. The focus of the reports is on the work being undertaken in that quarter. Where possible updates on measures are provided.

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Progress on activity programme

The Quarter Three report highlighted that due to significant flood events in the region there would be some delays to planned work in the 2021 RLTP. Two projects were not completed this financial year, PGF - East Cape Road -\$8.2m and Uawa Cycleway -\$0.6m; however, contracts have been awarded and will be delivered next financial year.

Despite COVID-19 restrictions, flu season, and flooding events, a significant amount of work programmed in the 2021 RLTP has been progressed or completed in this financial year. Figure 4 provides a high-level overview of the progress this year. The last 6 months this has been a very challenging period, all the factors above combined with an abnormally wet winter has resulted in a very fragile network. This has caused a surge in customer complaints about the lack of maintenance and the delays to get flood repairs fixed. Unfortunately, some of the repairs are not quick fixes and require engineering designs and consents and could take 12-18 months until any permanent fixes can start. Journeys is communicating the delivery timelines to the community to set expectations however this has not always been successful as the public want the work to be completed immediately.

Operational Expenditure – This is higher than forecast and operational overspends are due to the emergency works required for flood events. Budgets were used to progress initial flood response works rather than BAU maintenance.

Capital Expenditure - Delays in the PGF Route Security and Route Security East Cape Road have resulted in expenditure being under budget. The intention is to carryover around \$6m for these projects to next financial year.

COVID-19 Impacts

Part way through the year the Government moved from the COVID-19 alert level system to the COVID-19 framework. Key changes included the introduction of mask requirements and additional restrictions for people who were not vaccinated. This new framework changed how contractors and Council operated.

COVID-19 restrictions for Tairāwhiti throughout the year were:

Period	Overview of restrictions
Quarter One 1 July to 30 September 2021	<ul style="list-style-type: none"> Until 17 August – Alert Level 1 17 August 11.59pm – Alert Level 4 <p>Contractors had to cease physical work due to Level 4 restrictions. During this period projects were still able to be procured to market.</p> <ul style="list-style-type: none"> 31 August 11.59pm – Alert Level 3 <p>Under Level 3 restrictions, contractors were able to restart their delivery.</p> <ul style="list-style-type: none"> 7 September 11.59pm – Alert Level 2 <p>During this quarter there was a significant impact on bus patronage numbers.</p>

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<p>Quarter Two 1 October to 31 December 2021</p>	<ul style="list-style-type: none"> • Until 3 December – Alert Level 2 • 3 December – COVID-19 framework setting RED • 30 December 11.59pm – COVID-19 framework setting ORANGE <p>During this quarter projects were able to proceed as planned; however, some impact was still noticed in bus patronage numbers.</p>
<p>Quarter Three 1 January to 31 March 2022</p>	<ul style="list-style-type: none"> • Until 23 January - COVID-19 framework setting ORANGE • 23 January 11.59pm - COVID-19 framework setting RED <p>The more transmissible Omicron variant resulted in numerous cases in Tairāwhiti that impacted on staff availability to deliver work.</p> <p>During this quarter projects were mostly able to proceed as planned; however, some impact was still noticed in bus patronage numbers and project delivery.</p>
<p>Quarter Four 1 April to 30 June 2022</p>	<ul style="list-style-type: none"> • Until 13 April - COVID-19 framework setting RED • 13 April 11.59pm - COVID-19 framework setting ORANGE <p>Although case numbers reduced, there was continued transmission of Omicron that impacted on staff availability to deliver work.</p> <p>During this quarter projects were able to proceed as planned; however, some impact was still noticed in bus patronage numbers.</p>

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GDC Roding Infrastructure Projects

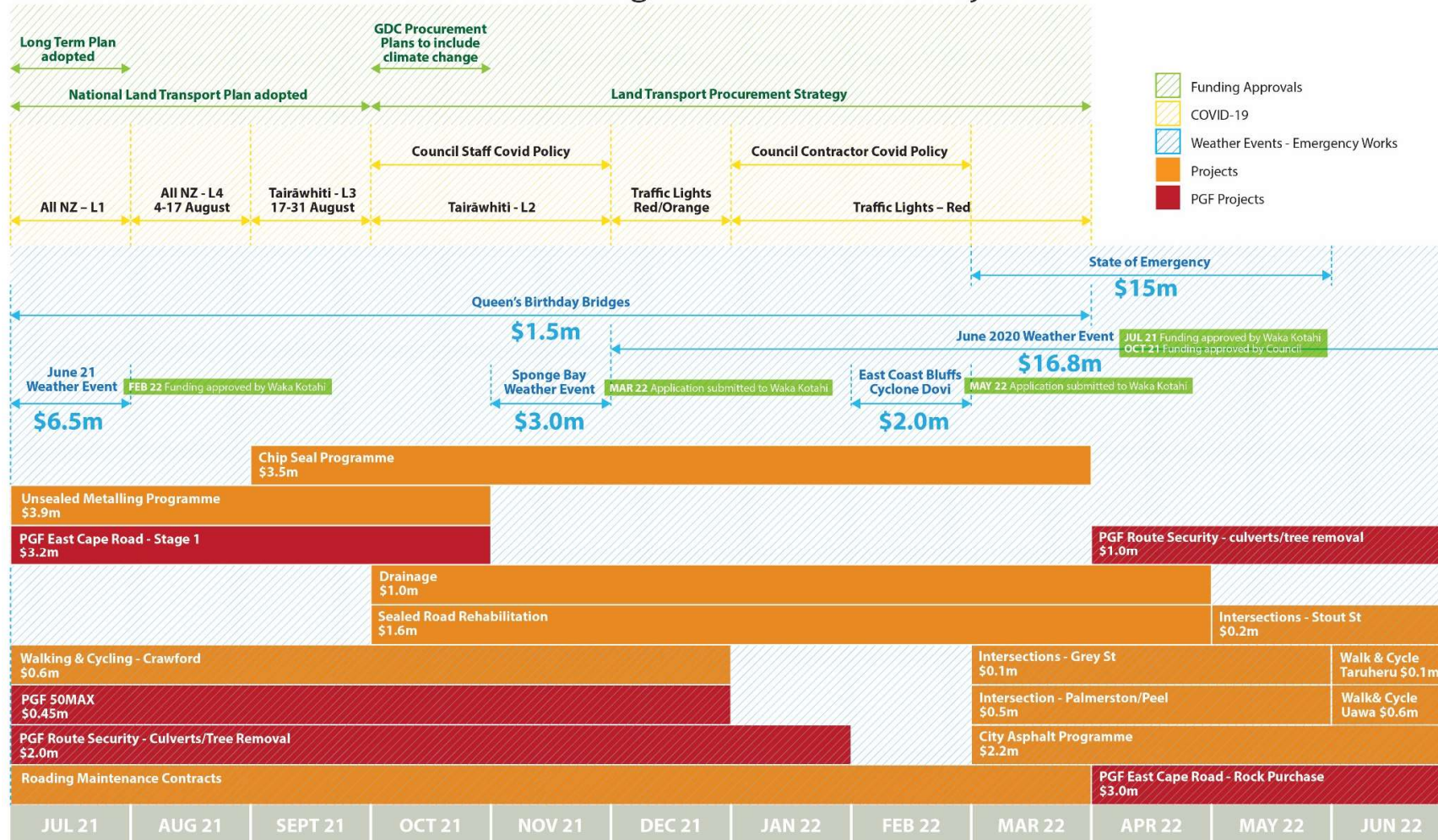


Figure 4 Overview of activity in 2021/22

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Progress on activities

Local roads – Gisborne District Council

Operational projects have been delayed due to the latest flood events as our budgets have been used for initial flood response works rather than BAU maintenance. Despite some of the challenges to delivery, a lot of work has progressed, like this retaining wall on Bushy Knoll.



One of our engineering challenges is the removal of clean fill – our sites are close to capacity. There has been a request to our rural community to ask for new sites. We have had a positive response from the community. Investigations and resource consents are still required, and some enabling works, before these new sites could be used.

However, our biggest challenge is communicating the delivery of the work and why there are delays. Our online team is working on infographics to start communicating our story and work programme onto the website. Plus reminding the community that the network is very fragile, and we will continue to have major road faults until the weather improves.

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Scheduling of work

Work is scheduled at these times of year with flexibility to adjust to seasonal changes such as flooding and droughts.

Time of year	Construction focus
January - March	Completion of pre-reseals, reseals, pre-winter shutdown on construction
April - June	Heavy metaling until it's too wet, drainage, unsealed road grading as weather permits
July - September	Culverts, water tabling, minimal grading, and aggregate
October - December	Pre-reseal repairs, heavy metaling, increased grading, reseals if possible

More information is on our [website](#).

Maintenance, Operations and Renewals

We have continued with our maintenance work but since November 2021 our district's been hammered by 4 major storm events causing \$15m of damage to the road network.

Following these events our focus was to reopen roads to residents who were cut-off and get access for heavy freight to support our rural communities. Priority is given to:

1. School bus routes
2. Safe access to connect communities
3. Forestry and farm access routes for animal welfare

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Council is receiving a lot of social media and requests for services from residents dissatisfied with the current state of the network



To help mitigate this, Journeys is getting additional communications support to tell our story with consistent messages like:

Our district's roading network goes over unstable and highly erodible land that's prone to slips and dropouts. The cause of erosion in our district is a combination of soft rock geology, and in rural areas - historic vegetation clearance or deforestation.

Other ongoing issues include climate impact, more frequent flooding and increased heavy traffic volumes. Over the last 12 years there's been about a tenfold increase in freight to the port, which is an increase in heavy traffic volumes using the roads

Our online team have updated our roading information page and its now live. It also has the priority fixes for the flood-damaged sites. The homepage carousel has the roading graphic and link to this page and tries to answer our top 10 questions.

<https://www.gdc.govt.nz/services/roads-and-roadsides/sealed-and-unsealed-roads>

The website developers are currently working on the on-page schedule tool for the forward works programme, to initially include grading, spraying and resurfacing, then mowing and heavy metalling.

We will also be responding to social media with information graphics and monitoring the feedback it is very resource heavy and our release of information will be targeted to ensure there is sufficient resourcing to provide feedback. This infographic was released on 11 August and received many favourable and unfavourable comments. But it allowed Council to reinforce our messages about 4 major weather events, wet winter and our soft geology.

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Potholes filled July 2022
total 412
72 ton of fill used

Hikurangi 1
 Uawa 72
 Turanga (City) 142
 Waipaoa 182

TOTAL \$134,807
 NOTE: not all potholes are created equal

72 ton is equal to 36, 2 ton utes

Tidy, thanks

Re: Contractors tackling region's potholes, August 12.
 Thanks to Fulton Hogan for fixing the potholes up Wairenga o Kuri/ Tiniroto Road. Tidy work has been done even though it is just patching. Now we just need to see how long it all lasts. The district infrastructure needs some quality work applied to it when the weather permits.

MR GRATEFUL

A combined night works asphalt programme was completed in June 2022, 10 major intersections were upgraded. Council and Waka Kotahi appreciated the patience of Gisborne residents to allow this work to occur at night. It resulted in less traffic disruption to residents and much required maintenance for the city's roads.



Figure 5 City asphalt nightworks programme overview

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Unsubsidised improvements

The Potae to Nelson Road link was included in Council Taruheru Structure plan to improve road connections to the Potae subdivision. The \$900k project was completed in June 2022 and funded through development contributions.



NEW CONTRACTS AND BUILD UP

Our contracts for our roading network have been awarded. After two years in the making, we've selected four contractors – Fulton Hogan Ltd (Waipaoa and Turanga), Downer NZ (Uawa), Blackbee Contractors Ltd (Hikurangi) and Inline Group (Vegetation control for the entire network). It will be a collaborative team approach, where we have multiple contractors working together on the network. The contracts started 1 July 2022.



Figure 6 Roading contract areas as of 1 July 2022

Mobilisation plans were developed to ensure the new contractors hit the ground running on 1 July 2022. This included a drive-over of the area with the contractor and finalising the work programme for the first three months.

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Emergency Works

Over the last 5 years the Council has had \$71m damage due to weather events, this excludes the recent weather events that occurred in 2022. Some historic events are near completion:

June 2018 – The remaining \$1.8m repairs to four bridges was completed in March 2022. This completes the \$26.5m four year programme of works



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June 2018 -\$1.5m - the last retaining wall structure was completed along Tauwhareparae road in September 2021.



June 2020 -\$11.1m - retaining wall structure again on Tauwhareparae Road was completed in October 2021.



July 2020 -\$17.6m - retaining wall structure on Mata Road in progress.

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The most update information on the status of our roads can be found on Council's [Road Information page](#).

Safety Improvements and Education

ROAD SAFETY CAMPAIGNS

Summer Campaign 2021 / 2022

This year's road safety summer campaign was focused on alcohol.

"It's our summer too. Drive sober" concept was focused on individual ownership of drivers over the summer. It was showing that consequences from choosing to drink and drive not only affect the individual who makes the decision but also the people around them. Police and St John were used as the faces of the campaign being first responders to the scene of a crash.

The campaign was supported with the use of billboards, paper advertisement, radio ads and Facebook. The campaign itself reached over 30,000 people on Facebook with the use of sponsor ads to boost our post and message.



Back to school and work campaign

Back to school and work was all about reminding the community of the importance of road safety after returning back to school and work from the summer holidays.

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The campaign featured kids walking to school, kids cycling to school, adults cycling to work, a truck driver and our road workers.

The main message of the campaign was "It's our road too. Look out for us" which sounds very similar to "It's our summer too. Drive sober" we wanted to keep that similar theme of that it's not just about the individual behind the wheel it's about everyone else around them.

The campaign was supported with social media videos, billboards and radio ads.

The truck driver represented those who travel far for work and shared the message of taking a break and planning your trip.

The road workers shared driving to the conditions. We have many maintenance sites out on the network and with the rush of getting to work and school, it was a reminder for people to slow down and be cautious.

The child in the car was all about wearing your seatbelts no matter the distance you're traveling and a reminder to parents to help their kids with their seatbelts when they need or check up on them to make sure they are okay and seated correctly.

The campaign received positive feedback on Facebook with the most interacted video being our road worker video and the young child walking to school.



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The open discussion about Road Safety

In April 2022 we filmed a new campaign that approached road safety as an open discussion. The plan for the campaign was for it to be used as a platform to get the community to open up conversations online as to what they feel road safety is to them.

It was mentioned in the last report that the campaign would be released for road safety week in May, but due to the campaign being an open discussion on road safety topics with no script, the team had some setbacks and a few changes were needed to be made.

Following the changes being made as requested by the Waka Kotahi marketing team, Tairāwhiti was hit with more bad weather so then Road Safety decided that it was best not to release the campaign and we will look to release it later in the year.

New campaigns in the pipeline

Road Safety is currently working on a driving to the conditions campaign that will share messaging and education on driving to the conditions as well as education on upcoming road maintenance planned.

This campaign is planned to be released mid to late August and will run until our vulnerable user campaign is released mid to end of September.

The vulnerable user campaign will focus on our motorcyclists, cyclists, and pedestrians but rather than be driver focused, Road Safety will focus on the dos and don'ts of our vulnerable users.

Recent campaign

In June, Road Safety attended the Central North Island regional road safety hui in Taupō where we presented on what we have been achieving to date. We shared on the success of our last campaign "It's our road too. Look out for us" and following this, the other road safety educators have asked if they can share the same concept and messaging in their regions. Otorohanga and Hamilton City are working on their localised versions of the campaign to share in their region.

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NGĀ ARA PAI – COMMUNITY DRIVER MENTOR TRAINING

The Ngā Ara Pai contract for this financial year has exceeded its original target of 70 in the learner licence criteria. There was a variation to contract which allowed McInnes Driver Training Ltd to pass an additional 40 participants. The total target of 110 successful learner licences was achieved.

The new contract for the 2022-2023 Nga Ara Pai programme is currently in discussion with new targets of 70 restricted licences and 130 learner licences.

CAR SEAT RESTRAINTS

Road Safety is currently working through a plan for the car seat technician training and how the future car seat restraints contract will be delivered.

In March we supported Plunket alongside Police and Tairāwhiti REAP at a car seat checkpoint in Tolaga Bay. The aim of this checkpoint was to support whanau by checking all car seats were compliant and offering support where needed and Tairāwhiti REAP were there to offer licensing support.



WHAKAMANAHIA – RECIDIVIST DRINK DRIVING PROGRAMME

Only one Whakamanahia programme was able to be delivered for 2021/2022 due to COVID-19 and facilitators being unavailable, this was in November 2021. Our final Whakamanahia programme for the financial year, planned for June, was cancelled due to COVID-19.

We are currently reviewing the programme for improvements. This "reset" will review the vision, strategy, purpose, succession plan and framework of Whakamanahia. This will be added into a framework for delivery, to be updated yearly to make sure the programme is

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meeting objectives and outcomes. The framework for delivery outlines each partner's responsibility so that the programme has more accountability.

The programme will also look at better ways that we can improve the outcomes of the participants such as doing regular follow ups to ensure participants are not reoffending and better reporting of the programme and evaluation of the programme will be made following each session by each partner / facilitator.

All new content for the programme is currently being planned and the group are looking for other programme presenters that will be beneficial to the programme to join the stakeholder group, this will also include new guest speakers that can share their own experiences with drink driving.

ROAD SAFETY EVENTS

Motorcycle Awareness Month – September 2022

For Motorcycle Awareness Month, Road Safety will be running an event in partnership with ACC and We Train You. The location of the event is yet to be confirmed but is planned to be held on 17 September 2022.

The event will include emergency braking demonstrations, bike displays, motorcycle safety equipment vendors who will be discussing the importance of the correct safety equipment when operating a motorcycle and wire safety barrier education to start the conversation that wire barriers are not in favour of motorcyclists. 10-point safety checks will be done for free for 20 motorcyclists.

This event was originally planned for September 2021 but was cancelled due to COVID-19 level restrictions.

Fatigue Stops

Fatigue has become a high risk for our region, indicated in the recent Communities at Risk Register that was released in July 2022. Road Safety is currently planning when and where we can do fatigue stops for our community with the help of the Hawkes Bay Impairment Prevention Team.

SPEED LIMIT REVIEW

The 2013 Speed Limit Bylaw was reviewed, and a new bylaw was consulted on this financial year under the 2017 Speed Limit Setting Rule.

Speed limit bylaws are being replaced with a new regional speed management plan to align with the Ministry of Transport's new speed limit setting rule and national speed limit register (NSLR). The new [Land Transport Rule: Setting of Speed Limits 2022 \(the Rule\)](#) came into force on the 19 May 2022. The new Rule contains a pathway allowing Councils to complete a bylaw process started under the 2017 rule and transition to the new speed management framework.

Consultation ran from 6 April to 9 May. The Regulatory Hearings Committee met on 29 June to hear submitters. Once Council adopts the amended speed limits in the bylaw, the bylaw must be approved by Waka Kotahi, following that, Council can enter approved speeds in the National Speed Limit Register as changes are implemented.

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SCHOOL IMPROVEMENTS

School safety improvements for this financial year were focused on Elgin School and completing the design for Nelson Road kura. Elgin School safety improvements are now complete. Due to funding restrictions, the initial scope was reduced. The Nelson Road kura design and safety audit is complete, the contract documents have been tendered with a contract award date in September.

Early discussions are underway with Campion College, St Marys, and the new Stella Maris preschool regarding safety improvements.

Use of a concreted drop in module for the raised table crossing has been designed and successfully installed. This has sped up the physical works stage and reduced traffic management impacts for the community.

Variable schools speed signs have now been installed at 8 schools (21 schools now have signs). These signs trial new speeds which are included in the Draft Speed Limits Bylaw. They can be certified by Waka Kotahi into the new national speed limit register in order to be enforceable.

INTERSECTION IMPROVEMENTS

The design and construction of the new Peel St/Palmerston Road roundabout to replace damaged traffic lights is completed. This project was not considered in the NLTP or LTP but gained funding approval from Waka Kotahi under the Road to Zero category. The roundabout includes four raised safety platforms to support safer pedestrian access. Due to COVID-19 and rain delays this work was extended to July 2022. A trial was held with heavy transport users, and they were able to easily navigate through the new intersection layout.



Other urban intersection improvements have been designed and have undergone safety audits for Stanley/Gladstone roundabout and Derby/Palmerston roundabout. These include raised safety platforms and opting out kerb dropdowns for improved walking and cycling. These improvements and the raised crossing at Nelson Road Kura will now take place during next financial year after the reseals. These projects will be bundled together to gain economies of scale with construction. This contract is currently on GETS.

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TRAFFIC CALMING

Physical works on Stout St commenced after the end of the financial year on 14 July 2022 with the installation of a drop-in crossing at the Stout St/Stafford St intersection. The team will then move to the Stout St/Hall St intersection. This work is planned to take 8 weeks.

We will monitor the success of the new raised crossings and reduction in speed from 50 km/h to 40km/h before progressing to the intersection improvements.

Designs have progressed for Wi Pere/Stout Street and Rutene/Tyndall Road intersections.

Walking and Cycling

The 2021 LTP approved several walking and cycling improvement projects to be part funded by Council (32%) with assisted funding by Waka Kotahi (68%). On the 7 of September 2021, most of these projects gained approval except for the Taruheru River path which is considered a significant project (>\$2m) and required further assessment by Waka Kotahi. Crawford Rd funding was carried over from previous years.

A MOU was signed for a Tairāwhiti Cycleway and Walkway Partnership between Council, the NZ Walking Access Commission, Trust Tairāwhiti, and the Gisborne Cycle and Walkway Trust. Jason Lines, trail manager for Tairāwhiti Trails, was commissioned to work across these organisations to help facilitate progress of the walking and cycling projects that arise from this partnership.

Other projects supported by this partnership but externally funded include:

- Regional Network Strategy is in initial stages with community connectors.
- The Regional Signage Strategy strategic framework is in progress. The Tapuwae Tairāwhiti Brand is complete, and an initial design concept has been provided for the Regional Signage. In principle acceptance of signage by Council is agreed subject to the strategic framework being presented.
- Heartland Trail – Gisborne to Wairoa application was submitted to Waka Kotahi and accepted as one of New Zealand Heartland Cycle Trails. [The New Zealand Cycle Trail Story | Ngā Haerenga New Zealand Cycle Trails \(nzcycletrail.com\)](#) There is progress to develop a sign plan in line with NZ Cycle Trail guidelines, as well as develop some material for the NZ Cycle Trail website for Gisborne to Wairoa. Motu Trails completed the Waipaoa Stopbanks cycleway section.

Progress on projects included:

- **Crawford Road separated on-road cycleway** is complete and in use.

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- **Titirangi Drive one-way system** with a separated walking and cycling lane is the continuation of the Queens Drive one-way system over the Titirangi Reserve Maunga. The work started on 14 March 2022. Once completed this work will extend the separated walking and cycling lane over the Titirangi Reserve Maunga. COVID-19 restrictions and bad weather have restricted the working days on site. Footpath construction from Endcliffe Rd to turnaround area is complete with good progress now being made on road widening to accommodate the pedestrian lane.

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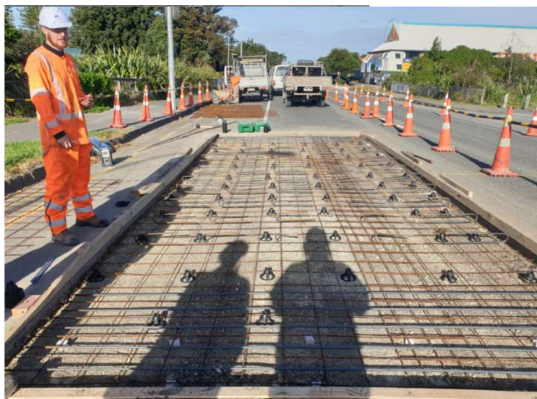


- **Uawa Trails (Pou Tu Pou)** is a new off-road cycle network in Tolaga Bay which is community led by Jason Lines, Trail Manager for Tapuwae Tairāwhiti Trails. The trails are in two stages. Stage 1 is south of Uawa bridge to the wharf and Stage 2 is north of Uawa bridge around the township past the beach, riverside, shops, skatepark, sportsclub and school. Resource consent documentation is in process with 4Sight. Construction contract for Stage 2 has been tendered and is being evaluated with weighted attributes and price. This project is also included in the Streets for People Programme EOI for shortlisting through the funding the foundations phase.
- Council's first rainbow crossing was installed in the CBD:

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- The installation of the Grey St Pedestrian Crossing connecting the New Pump track in Alfred Cox park to the upgraded Skate bowl. The work was completed for the opening of the pump track. Due to the number of young pedestrians that will use this crossing, this crossing will be a gazetted crossing where vehicles give way to pedestrians.



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Streets for People

An expression of interest (EOI) application was accepted for Waka Kotahi's \$30m nationwide Streets for People (SfP) programme. It has a 90% FAR rate funding to augment existing projects in the LTP/RLTP. SfP is an extension of the Innovating Street Trials carried out across NZ last year to help build capability and deliver these kinds of projects as trials towards permanence.

The projects identified in the EOI included existing budget lines in the LTP/RLTP such as street calming, school and intersection safety, walking and cycling network, Uawa Trails and townships. \$67k was granted to prepare a proposal to compete with 15 other councils for funding for the implementation of trialling projects as a pathway to permanence during the 2021 NLTP period until 30 June 2024, after which a permanent solution requires funding to be made available in the 2024 NLTP.

The team from our Council consists of community advisors from walking and cycling, Sport Gisborne Play, Road safety education and promotion, and consultants from township projects. Together they have attended multiple workshops by Waka Kotahi experts on subjects such as adaptive practices for agile delivery, leadership enabling change and comms and engagement. Through this process it was identified that the proposal could benefit from including Tairāwhiti Adventure Trust who have recent experience with community co-design for skate and bike parks.

A proposal for two tactical urbanism projects: Grey Street Linear Park and Uawa SH35 / Main Street, was presented on the 27 July 2022 to Waka Kotahi representatives. Further funding details are due on the 8 August for Waka Kotahi to moderate on the week of the 15 August to determine funding allocation to the participating councils for this phase.

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Public Transport

IMPACT OF COVID-19

Public transport has still been operating at full service during these uncertain times. Government implemented a 50% fare reduction starting in April 2022, this has recently been extended through to the end of January 2023. Bus patronage has been steadily trending back to pre-COVID-19 numbers.

REGIONAL INTEGRATED TICKETING SYSTEM (RITS)

Regional Integrated Ticketing System (RITS) implementation replaced our SMARTCARD. SMARTCARD had its final active day on March 31 – April was our free travel period to allow customers to transfer to new BEE CARD.

The RITS implementation on 2 May went ahead. All schools had their cards registered and students are using their cards for the Waka Kura service. Library and Customer Services both have the same equipment installed to undertake all the applicable functions such as top ups, concession loading, new and replacement cards.

Training on new JIRA portal for RITS equipment issues has been undertaken. Training on MOBILE-VARIO software for patronage and revenue report extraction has been undertaken.

Preliminary planning and logistics have begun between the councils on the RITS system on implementing the Community Connect scheme. This scheme will provide 50% fare reduction to any community services card (CSC) holders. Initial Implementation date was scheduled for 1 September 2022, however with the 50% PT fare reduction being extended may mean the community connect scheme may commence at the end of that.

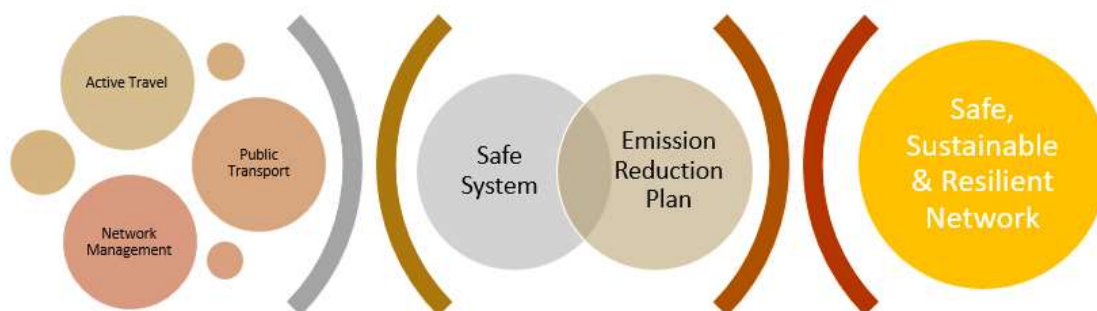
PUBLIC TRANSPORT NETWORK REVIEW

The 2021 Regional Public Transport Plan highlighted the need for a public transport review and NLTF funding was approved for this work. Tenders were received at the end of October and the contract awarded to Abley – the project is due for completion in January 2023.

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Abley have commenced the review with collection of data and internal stakeholder information. They have presented a progress report with some preliminary analysis and recommendations to internal staff and Waka Kotahi advisors to get their feedback. Next steps are for Abley to reach out to external stakeholders suggested by staff for more input.

Further integration between this review and the Walking, Cycling and Mode shift strategies are being investigated.



Healthy Waterways Plan

This project is roading's contribution to the integrated catchment management plans to review urban storm water implications. Initial discussions are underway.

No further progress has been made this year as staff have been transferred to assist with weather events response and recovery.

Transport Efficiency Study

This study is a strategic modelling of the transport network with input from other Council teams to ensure the work is aligned and meets the needs of other relevant work for example, Tairāwhiti Resource Management Plan review.

Scope of key intersections within the transport network have been confirmed for microsimulation traffic modelling. The type of modelling will allow for intersection safety upgrades.

An Efficiency Study has been conducted on 11 further intersections with proposed designs being progressed.

Intersection	Existing Layout	Proposed Design
Aberdeen Road / Roebuck Road	Priority (Stop)	Three arm T-intersection (Stantec)
Peel Street / Childers Road	Priority (Stop)	Restrict Right Turns (Stantec)
Ormond Road / Wi Pere Street	Roundabout	Reduce lanes, add pedestrian islands (Stantec)
Lytton Road / Nelson Road / Stout Street	Roundabout	Add pedestrian islands (Stantec)
Lytton Road / Gladstone Road (Pacific Coast Highway)	Roundabout	Reduce lanes, add pedestrian islands (Stantec)
Rutene Road / De Lautour Road	Roundabout	Add pedestrian islands (Stantec)
Aberdeen Road / Lytton Road	Priority (Stop)	Mini Roundabout (WSP)
Lytton Road / Ormond Road	Priority (Stop)	Mini Roundabout (WSP)
Rutene Road / Harris Street	Priority (Stop)	Roundabout (WSP)
Stanley Road / Gladstone Road (Pacific Coast Highway)	Roundabout	Add pedestrian islands (GDC)
Palmerston Road / Derby Street	Roundabout	Add pedestrian islands (GDC)

Climate Change Response

Construction, maintenance, and rehabilitation of infrastructure projects use significant resources which emit greenhouse gases. Road pavement construction, maintenance, and

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rehabilitation processes consume energy because of pavement material production, pavement construction processes, and transportation of materials. Road maintenance and rehabilitation activities can be very resource-intensive, therefore calculating the emission produced in maintenance and rehabilitation activities is important

This year a study was used to calculate the potential emissions released from the reseal and rehabilitation activities. Collectively, GDC Journeys – Reseals and Rehabilitation Programme activities produced 1192.79 tCO₂e emissions, with 905.69 tCO₂e from reseal and 287.10 tCO₂e from rehab activities.

Description	Construction material production	Material Transportation	Equipment Usage	Waste	Total Emissions (tCO ₂ e)
Reseals	270	65	570	0.5	905
Rehab	47	77	159	3.5	287
Total Emissions (tCO ₂ e)	317	142	729	4.0	1192

The purpose of the study was to gain a benchmark of carbon emissions - what we do next is the challenge.

ANTICIPATED CHANGES UNDER THE NATIONAL EMISSIONS REDUCTION PLAN

The national Emissions Reduction Plan (ERP) sets 3 transport focus areas and four targets.

The focus areas:

- Reducing our reliance on cars by supporting people to walk, cycle and use public transport.
- Rapidly adopting low-emission vehicles.
- Beginning work to decarbonise heavy transport and freight.

The transport targets to be achieved by 2035:

- Reducing total vehicle kilometres travelled (VKT) by light vehicles by 20% by improving urban form and providing better travel options in our main urban areas — **Auckland, Hamilton, Tauranga, Wellington, and Christchurch.**
- Increasing zero emission vehicles to 30% of the light vehicle fleet.
- Reducing emissions from freight transport by 35%.
- Reducing the emissions intensity of transport fuel by 10%.

Government expects that these 4 targets will lead to an **overall 41% reduction** in land transport emissions by 2035. the table below is an overview of actions and their potential impact for the region.

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Focus Area 1: Reduce reliance on cars and support people to walk, cycle and use public transport		
Actions for delivery	Impact on Council	Impact on Tairāwhiti
1. Integrate land use planning, urban development and transport planning and investments to reduce transport emissions.	<ul style="list-style-type: none"> No significant impact as there is greater focus on New Zealand's largest cities. Resourcing for planning and driving local actions at a granular level. Complementary funding to support any needed roading/infrastructure expansion work by Waka Kotahi. Social pressure to drive action at the regional level as the government at the grass roots. 	<ul style="list-style-type: none"> No immediate impact as greater focus is on major urban areas. Risk of slower pace of change in the transport sector transition as greater emphasis is on major urban areas. Potential land use impact from some transport initiatives such as charging infrastructure, nature-based solutions, and road expansion. Programme alignment: Our current regional public transport review will need to align with the transport sector goals of the ERP.
2. Support people to walk, cycle and use public transport (A) Planning — Design programmes to reduce total light fleet VKT in our largest cities.		
Support people to walk, cycle and use public transport (B) Public transport — Improve the reach, frequency, and quality of public transport.		
Support people to walk, cycle and use public transport (C) Walking and cycling — Deliver a step-change in cycling and walking rates.		
Support people to walk, cycle and use public transport (D) Reshaping streets — Accelerate widespread street changes to support public transport, active travel and placemaking.		
Support people to walk, cycle and use public transport (E) School travel — Make school travel greener and healthier.		
Support people to walk, cycle and use public transport (F) Equity — Improve access and travel choice for the transport disadvantaged.		
Support people to walk, cycle and use public transport (G) Rural areas — Investigate the potential for public transport, walking and cycling in rural and provincial areas.		
3. Enable congestion charging and investigate other pricing and demand management tools to reduce transport emissions.		
4. Require roadway expansion and investment in new highways to be consistent with transport targets.		
5. Embed nature-based solutions as part of our response to reducing transport emissions and improving climate adaptation and biodiversity outcomes.		
Focus Area 2: Rapidly adopt low-emissions vehicles		
Actions for delivery	Impact on Council	Impact on Tairāwhiti
6. Accelerate the uptake of low-emission vehicles.		

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7.	Make low-emissions vehicles more accessible for low-income and transport-disadvantaged New Zealanders.	<ul style="list-style-type: none"> No significant impact as there is greater focus on New Zealand's largest cities. Resourcing (additional staff or additional staff time) to support Government's transport sector targets. Increased budgetary needs for any complementary funding. Pressure to show organisational leadership at the regional level. 	<ul style="list-style-type: none"> Potentially high number of polluting vehicles without significant Government support to low-income earners. Risk of becoming a dumpsite for unwanted polluting vehicles. Economic impact to rate payers if Council raises rates for complementary funding. Land use change to support EV charging infrastructure.
8.	Support the rollout of EV charging infrastructure.		
Focus Area 3: Begin work now to decarbonise heavy transport and freight			
Actions for delivery		Impact on Council	Impact on Tairāwhiti
9.	Support the decarbonisation of freight.	<ul style="list-style-type: none"> Resourcing to support Government's plans and programmes. Potentially complementary funding for projects that decarbonise heavy transport and freight. 	<ul style="list-style-type: none"> Our current regional public transport review needs to align with the decarbonisation of the public bus transport fleet.
10.	Accelerate the decarbonisation of the public transport bus fleet.		
11.	Work to decarbonise aviation.		
12.	Progress the decarbonisation of maritime transport.		
13.	Implement the Sustainable Biofuels Obligation.		
14.	Support cross-cutting and enabling measures that contribute to the delivery of a low-emissions transport system.		

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What does this mean for us?

Fundamentally this will cause a significant reset for the Land Transport Activity Management Plan in the Council's 2024 Long Term Plan, and the 2024 RLTP. One of the outcomes is to see a 20% reduction in annual car use – in roading terminology vehicle/km/travelled. There will be several tools to manage this which includes transferring residents to other options like:

- Walking and cycling
- Passenger Transport
- Working from home for 1+ day a week

Gisborne's "congestion" is mostly around residents travelling to and from work and school drop-off areas. Footpaths/safe crossing points around major schools will need to be considered as part of the next RLTP to provide confidence to parents and their children to walk, bike or scooter to school.

One possibility is to develop a co-ordinated network mobility plan to connect all modal choices together. Until there are suitable alternatives people will still prefer to use their vehicles to travel to work or drop-off children to schools. Most people in the city live within a 10-minute travel distance between home and their workplace, or supermarkets and the CBD.

Alongside the walking and cycling work planned in the RLTP, staff are planning to develop a mode shift strategy to help inform projects in the next RLTP.

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Significant Project Updates

TARUHERU RIVER WALKING AND CYCLING

An investment logic mapping workshop was held in February 2022 to define the problem statements for this project. There is still considerable consultation to undertaken with Treaty partners and stakeholders.

To shape up engineering options for the Committee, two options will be delivered to Council to consider:

- an on-road option (similar to Crawford Road)
- and a river way option

The on-road option could be used as a temporary option to encourage mode shift until the river way project is finalised. The project team are wanting to deliver the business case work by March 2023.

There are expressions of interest for other funding packages –like Transport Choices (focussed at metros) and Better off funding that could speed up delivery of parts of the network

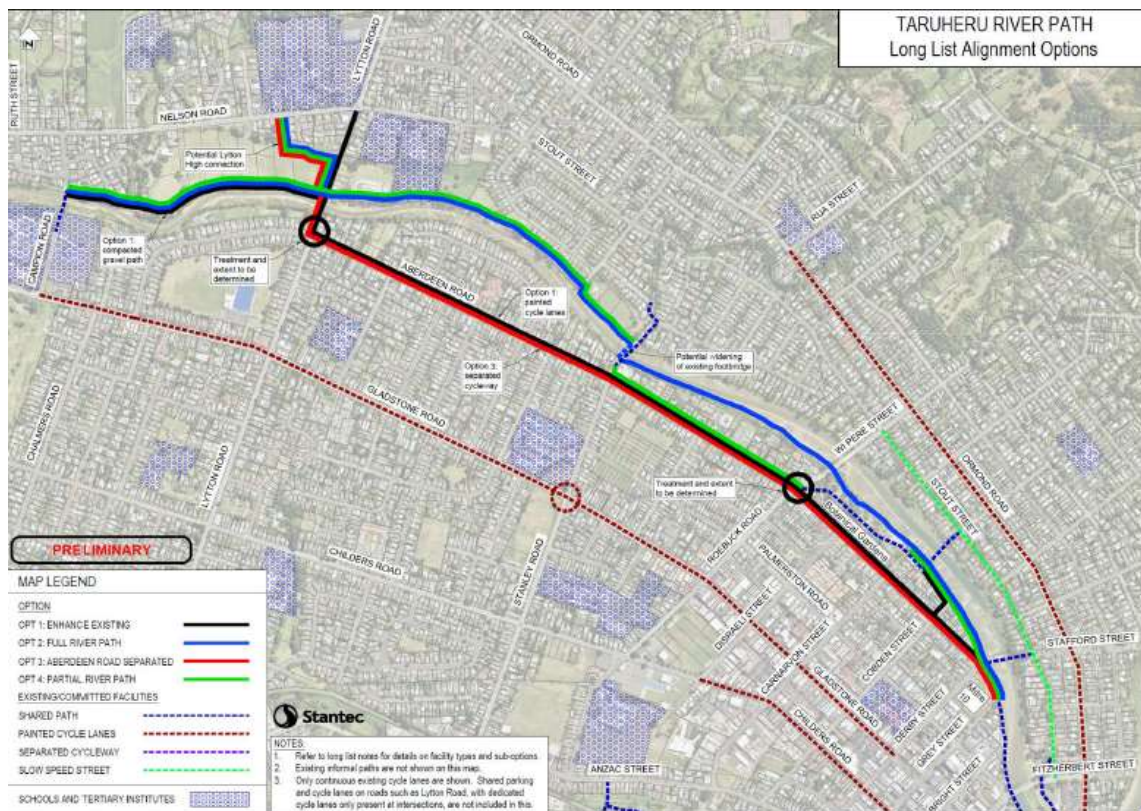


Figure 7 Preliminary map of options

TAIRĀWHITI WALKING & CYCLING NETWORK

The study is in the initial planning phase. The study is jointly led by the Journeys Infrastructure team and Tapuwae Tairāwhiti Trails. Via Strada has prepared a scope of work to align current strategies, plans and best practice to help formulate the next steps towards the future network. Tender evaluation for Walking, Cycling and Mode shift Strategies was carried out in July 2022 and negotiations are proceeding with the preferred tenderer.

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50 MAX BRIDGE UPGRADES

A review was completed on the original business case as there are 11 Council bridges that do not currently meet the 50MAX standard. These are:

- Burgess Access Bridge – Burgess Acc Rd
- Davis Bridge – Davis Rd
- Kowhai (North) Bridge – Utting Rd
- Mangakiore Access Bridge – Mangakiore Access Rd
- Mangamauku Bridge – Maraehara Valley Rd
- McNaughtons Bridge – McNaughton Rd
- Mitchells Access Bridge – Mitchell Road, access to Tauwhareparae Rd
- Te Hau Bridge – Te Hau Road
- Raparapaririki (Rip) Bridge – Tapuaeroa Rd
- Veitches Access Bridge – Veitch Rd
- Wharekaha Bridge – Whareponga Rd

Council is now seeking funding for the remaining 11 bridges from the NLTF over the next 10 years, a peer review is required to reconfirm costings, the priority order, and benefit cost ratios.

The initial feedback is only four bridges will be eligible for NLTP funding:

- | | |
|---|-------------|
| • Mangamauku Bridge – Maraehara Valley Rd | \$ 100,000 |
| • Mitchells Access Bridge – Mitchell Road, access to Tauwhareparae Rd | \$ 345,000 |
| • Te Hau Bridge – Te Hau Road | \$1,750,000 |
| • Raparapaririki (Rip) Bridge – Tapuaeroa Rd | \$1,350,000 |

This project has been placed on hold as the project team has now delivered up to year 9 of this current RLTP. A decision to continue this project will be discussed as part of the next RLTP.

GISBORNE TO WAIROA RAIL REINSTATEMENT

An updated Assessment Report on the potential reopening of the Napier to Gisborne Rail Line was submitted to Ministers in May 2022. The report was developed by an independent team of consultants and commissioned jointly by Gisborne District Council and Hawke's Bay Regional Council. At the time of writing the Project Group are still awaiting a response from Ministers for a decision or further discussion. If the proposal is successful in moving to a next stage business case, a working group with a wide membership of iwi/hapū and stakeholders will be established for engaging in its development.

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State Highways – Waka Kotahi

Significant Project Update

SH35 AND CONNECTING ROUTES: RESILIENCE

All sites were affected by March 21 rain event, but three sites suffered heavy damage. Some sites have been removed from the programme to keep budget within allocated funds. This is due to additional complexity being discovered during geotechnical investigations of some of the critical sites increasing costs on those sites, as well as cost escalations that we've seen across the industry in the last 18 months.

- 5 sites completed
- 5 sites planned for completion in 2022/2023 financial year
- 4 sites planned for completion in 2023/2024 financial year

SH2 & SH35 PASSING OPPORTUNITIES

Some sites have been removed from the programme to keep budget within allocated funds, this project has a capped budget. Continual ground movement on some of the proposed sites on SH35 has meant that alternative options are being investigated.

- 5 sites completed
- 10 sites planned for completion in 2022/2023 financial year
- 6 sites planned for completion in 2023/2024 financial year

SH2 INTER-REGIONAL CONNECTIONS (WAIOEKA GORGE)

The preferred solutions to improve safety and resilience through the gorge will be recommended in a single stage business case to be finalised mid-2022. Funding will be sought from the 2024/2027 NLTP for the pre-implementation and implementation phases.

EASTLAND PORT ACCESS

Hirini Street intersection improvement project is currently on hold. Eastland Port are intending to submit a resource consent that will increase the capacity of the port. This will trigger the need to review the re-establishment of the project.

Inter-regionally significant activities

Activity	Regions	Description	Update
SH2 HPMV Ōpōtiki to Gisborne Boundary	Bay of Plenty, Gisborne	Committed - NLTF funded. Strengthening of six bridges between Opotiki and Gisborne to enable HPMV travel	Strengthening work on remaining four of six bridges through the Waioeka Gorge was completed ahead of schedule and \$2.3m under the \$4.4m budget.
SH2 Inter-Regional Connections (Waioeka Gorge)	Bay of Plenty, Gisborne	Corridor work to improve efficiency of the key journey between Gisborne and Opotiki by improving resilience and safety	The preferred solutions to improve safety and resilience through the gorge will be recommended in a single stage business case to be finalised mid-2022.
SH2 Tahaenui Bridge	Hawke's Bay, Gisborne	NZ Upgrade Package. This project will upgrade the Tahaenui Bridge on SH2 between Wairoa and Gisborne to allow two-lane travel.	Bridge widening work has been completed and final piece of work of safety improvements at Tahaenui Rd.

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<i>SH2 Passing Opportunities</i>	Hawke's Bay	Develop passing opportunities to improve efficiency of the key journey between Gisborne and Napier by improving resilience and safety	This is part of the SH2 & SH35 passing opportunities project – see above update.
<i>SH2 Waikare Gorge</i>	Hawke's Bay, Gisborne	A significant state highway realignment project (approximately 4km) between Napier and Wairoa that will pass over the deep Waikare Gorge	Preferred route has been selected. Specimen design work underway.

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Outcome: HEALTHY AND SAFE PEOPLE						
Protecting people from transport-related injuries and harmful pollution, and making active travel an attractive option.						
Measure	Indicator	Specifications	Data sources	Starting measure	Current year	RLTP Target
DSIs	A steadily decreasing annual total of deaths and serious injuries on Tairāwhiti Gisborne roads to 40% of the 2021 total by 2030.	Region-wide, five year rolling annual average, all road related DSI crashes	Waka Kotahi Crash Analysis system (CAS)	Average 43 DSI per annum ¹	Q1 1 Fatal 12 Serious Q2 0 Fatal 9 Serious Q3 1 Fatal 8 Serious Q4 0 Fatal 8 Serious Total 2 Fatal 37 Serious	Average 13 DSI per annum (2030 target)
	Number of DSI where speed is a contributing factor is decreasing. Number of DSI where alcohol is a contributing factor is decreasing.	Region-wide, five year rolling annual average of DSI crashes	CAS	15 involving speed 16.6 involving alcohol ²	Q1 6 involving speed 6 involving alcohol Q2 3 involving alcohol Q3 2 involving speed 5 involving alcohol	Decreasing

¹ Period is 1 July 2015 to 30 June 2020

² There can be multiple causes listed for crashes, so crashes may be counted for both speed and alcohol.

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					Q4 2 involving speed 6 involving alcohol Total 10 involving speed 20 involving alcohol	
	Gisborne DSI as % national average at or below 2020 %.	Annual region-wide DSI crashes as a % of national DSI crashes	CAS	1.5% national average	2021/22 1.8% ³	≤1.5% national average
Cyclist and pedestrian DSIs	Number of pedestrians and cyclists killed and seriously injured is decreasing	Region-wide, 5 year rolling annual average, all pedestrian and cycle DSI crashes.	CAS	Average 8 DSI crashes per year ²³	Q1 Pedestrian Crashes 0 Cyclist Crashes 2 Q2 Pedestrian Crashes 2 Cyclists Crashes 1 Q3 Pedestrian Crashes 0 Cyclists Crashes 0 Q4 Pedestrian Crashes 0 Cyclist Crashes 1 Total Pedestrian Crashes 2	Decreasing

³ Gisborne had 41 DSI crashes, there were 2228 national DSI crashes

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					Cyclist Crashes 4	
Participation in active travel to school	% of students cycling, scooting & walking to secondary schools increases from 2020 %.	Annual sample of students, mode of travel to school for secondary aged students.	Tairāwhiti EnviroSchools Travel Survey	16% secondary school age children travel to school by active modes ⁴	No updated information. Plan to conduct 2022 survey before the end of the year.	>16%
Walking and cycling cordon counts	Increasing number of people walking and cycling at key locations	Annual cordon counts, 7 day average total of people cycling.	Cordon counts. Wainui Rd walking/ cycleway and Riverside walkway near Pitt St.	Wainui Rd – 60 Riverside walkway - 71	Wainui Rd – 72 Riverside walkway - 39	Wainui Rd >60 Gladstone Rd >

⁴ Tairāwhiti EnviroSchools and Gisborne District Council. (2020). *Tairāwhiti EnviroSchools Travel Survey*.

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Outcome: INCLUSIVE ACCESS Enabling all people to participate in society through access to social and economic opportunities, such as work, education, and healthcare.						
Measure	Indicator	Specifications	Data sources	Starting measure	Current year	Target
Public transport patronage	The annual number of people boarding bus services – urban and school services is maintained at or above 2019/20 levels	GoBus patronage data – annual boardings for GizzyBus and Waka Kura services	GoBus	GizzyBus 40,585 Waka Kura 73,834	Q1: GizzyBus 2,494 Waka Kura 21,820. Q2 GizzyBus 5,683 Waka Kura 17,515 Q3 GizzyBus 7,082 Waka Kura 17,061 Q4: GizzyBus 8,492 Waka Kura 28,148 Total: Gizzy Bus 23,751 Waka Kura 84,544	GizzyBus >41,000 Waka Kura >80,000
Accessibility to key services	A trend towards stable or improved accessibility to key services by each mode of transport	Proportion of population living within travel threshold (15 minutes walking, 30 minutes cycling or 45 minutes by PT or car) of key social opportunities	Waka Kotahi Accessibility Model	See Appendix 2 Accessibility indicators (page Error! Bookmark not defined.)	See updated table below ⁵ .	Percentages ≥2020 levels

⁵ This data uses the Census populations as the base and does not reflect population changes since 2018, this can result in little variance. It does reflect changes to destination types and travel times (assessment done each March).

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Mode share of active travel and PT journeys	Mode share of all trip legs by Walking, & cycling & PT is maintained or increasing as compared with 2019/20 data.	Region-wide	Ministry of Transport Household Travel Survey	4.9% ⁶	Updated information to be presented in 2022/23 Q1 report ⁷	≥5%
Perception of cycling safety	Percentage of residents who feel that riding a bicycle is unsafe is decreasing.	Region-wide	Resident satisfaction survey	26%	Q1 35% ⁸ Q2 21% ⁹ Q3 17% ¹⁰ Q4: 47% ¹¹ The annual result is 29% ¹²	≥26%
Footpath condition	The percentage of footpaths within the district that fall within the level of service for the condition of footpaths that is set out in the Engineering Code of Practice	DIA mandatory measure	Footpath condition assessment	To be completed	2021/22 86.45% (annual review)	To be determined

⁶ Ministry of Transport Household Travel Survey 2015-18

⁷ Ministry of Transport Household Travel Survey 2018-21. This methodology was each member in selected households were asked to record all their travel over a two-day period. This change in methodology may influence changes in values as opposed to changes in travel behaviour.

⁸ This quarter result is from a sample of only 43 for this specific question.

⁹ This quarter result is from a sample of only 53 for this specific question.

¹⁰ This quarter result is from a sample of only 57 for this specific question.

¹¹ This quarter result is from a sample of 70 for this specific question.

¹² The annual result is from a sample of 223 for this specific question.

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Accessibility to key services 2022 information

	Within 10 minutes	Within 15 minutes	Within 20 minutes	Within 30 minutes	Within 45 minutes	Within 60 minutes	Within 10 minutes (%)	Within 15 minutes (%)	Within 20 minutes (%)	Within 30 minutes (%)	Within 45 minutes (%)	Within 60 minutes (%)
Supermarket												
Walking	7,113	15,525	21,162	30,927	34,668	36,195	15.0%	32.7%	44.5%	65.1%	72.9%	76.2%
Cycling	30,747	35,205	36,168	37,953	39,114	40,635	64.7%	74.1%	76.1%	79.9%	82.3%	85.5%
Transit	7,113	15,525	22,719	31,869	35,241	36,195	15.0%	32.7%	47.8%	67.1%	74.1%	76.2%
Driving	38,082	40,470	41,886	44,412	46,206	46,965	80.1%	85.1%	88.1%	93.4%	97.2%	98.8%
GP												
Walking	7,278	17,115	22,209	31,719	35,961	37,350	15.3%	36.0%	46.7%	66.7%	75.7%	78.6%
Cycling	27,960	35,955	37,434	39,492	41,013	42,027	58.8%	75.6%	78.8%	83.1%	86.3%	88.4%
Transit	7,653	17,802	22,779	33,927	36,588	37,350	16.1%	37.5%	47.9%	71.4%	77.0%	78.6%
Driving	39,849	42,897	43,860	45,276	46,557	47,325	83.8%	90.3%	92.3%	95.3%	98.0%	99.6%
Hospital												
Walking	1,302	2,649	4,584	10,200	19,821	23,730	2.7%	5.6%	9.6%	21.5%	41.7%	49.9%
Cycling	10,638	19,980	24,003	33,135	36,339	38,421	22.4%	42.0%	50.5%	69.7%	76.5%	80.8%
Transit	1,302	2,649	4,887	27,471	32,310	33,291	2.7%	5.6%	10.3%	57.8%	68.0%	70.0%
Driving	30,285	38,112	39,750	40,725	41,763	43,497	63.7%	80.2%	83.6%	85.7%	87.9%	91.5%
Primary School												
Walking	16,836	28,344	34,971	38,535	40,449	41,349	35.4%	59.6%	73.6%	81.1%	85.1%	87.0%
Cycling	39,882	41,886	42,825	44,736	46,407	46,932	83.9%	88.1%	90.1%	94.1%	97.6%	98.7%

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Transit	17,118	29,208	35,694	38,667	40,449	41,349	36.0%	61.5%	75.1%	81.4%	85.1%	87.0%
Driving	44,130	44,991	45,786	46,737	47,421	47,529	92.8%	94.7%	96.3%	98.3%	99.8%	100.0%
Intermediate School												
Walking	8,139	16,482	23,601	33,603	37,809	39,216	17.1%	34.7%	49.7%	70.7%	79.5%	82.5%
Cycling	34,413	38,535	40,569	43,395	45,498	46,587	72.4%	81.1%	85.4%	91.3%	95.7%	98.0%
Transit	7,929	17,400	24,078	33,420	38,334	39,216	16.7%	36.6%	50.7%	70.3%	80.7%	82.5%
Driving	42,924	44,991	45,786	46,737	47,421	47,529	90.3%	94.7%	96.3%	98.3%	99.8%	100.0%
Secondary School												
Walking	5,721	10,533	15,366	22,074	27,225	32,412	12.0%	22.2%	32.3%	46.4%	57.3%	68.2%
Cycling	21,432	26,721	31,506	37,998	40,779	42,330	45.1%	56.2%	66.3%	79.9%	85.8%	89.1%
Transit	5,721	10,533	15,669	22,473	34,989	37,233	12.0%	22.2%	33.0%	47.3%	73.6%	78.3%
Driving	37,176	41,742	43,425	44,652	46,377	47,421	78.2%	87.8%	91.4%	93.9%	97.6%	99.8%
Tertiary Education												
Walking	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cycling	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Transit	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Driving	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Town Centre												
Walking	840	2,850	6,015	13,551	26,889	31,944	1.8%	6.0%	12.7%	28.5%	56.6%	67.2%
Cycling	11,847	25,287	31,701	34,704	36,594	37,146	24.9%	53.2%	66.7%	73.0%	77.0%	78.2%

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Transit	840	2,850	6,174	18,783	30,318	33,534	1.8%	6.0%	13.0%	39.5%	63.8%	70.6%
Driving	35,037	38,127	38,949	40,560	42,111	43,203	73.7%	80.2%	81.9%	85.3%	88.6%	90.9%

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Outcome: RESILIENCE AND SECURITY						
Minimising and managing the risks from natural and human-made hazards, anticipating and adapting to emerging threats, and recovering effectively from disruptive events.						
Measure	Indicator	Specifications	Data sources	Starting measure	Current year	Target
Road network resilience	Annual average number and duration of resolved road closures on State Highways is decreasing.	The duration & frequency of events that cause road closures and disruption on state highways (SH) within the region	Waka Kotahi ¹³	33 closures from June 2017-May 2020 for a total of 223 hours. Average 10.6 incidents and 74 hours per annum	45 closures for 2019, 2020 and 2021 for a total of 510.9 hours ¹⁴ . Average is 15 incidents and 170.3 hours per annum.	Average number of closures <11 per annum Average closure hours <74 hours per annum
	Annual number and duration of resolved road closures on local roads is decreasing.	Number and duration of unplanned road closures on local roads within the region	Contractor reporting (method tbc)	10 unplanned local road closures for 2019/20 Duration currently not measured	There were 119 unplanned closures due to weather events between February and May 2022. Duration ranged from 1-21 days. Average closure time was 3.75 days.	Total unplanned local road closures <10 per annum

¹³ State highway closures in Tairāwhiti (June 2017-May 2020).

¹⁴ This data is the calendar year so from 1 January 2019 to 31 December 2021. There were a number of weather events in this period which resulted in long periods of closure in some places.

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Outcome: ECONOMIC PROSPERITY						
Supporting economic activity via local, regional, and international connections, with efficient movements of people and products.						
Measure	Indicator	Specifications	Data sources	Starting measure	Current year	Target
Spatial coverage freight	Proportion of local road network not available to heavy vehicles	High Productivity Motor Vehicle (HPMV) Class 1 network.	REG customer outcome reporting	13% (2019/20)	2.3% (2020/21) ¹⁵	<13%
Freight Volumes carried on SH Network	Percentage of traffic that is heavy freight vehicles on state highways.	Annual Average Daily Traffic (AADT) for heavy vehicles on state highways, expressed as a percentage of total AADT.	Waka Kotahi AADT monitoring	SH35 North of Tolaga Bay – 20.2% SH35 Awapuni Rd – 10% SH2 Ormond - 11.3% SH Whatatuna Bridge Manutuke – 11.9%	SH35 North of Tolaga Bay – 20.3% SH35 Awapuni Rd – 10% SH2 Ormond - 11.6% SH Whatatuna Bridge Manutuke – 12.4%	Trend data

¹⁵ 2021/22 report not available yet

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Customer satisfaction	The percentage of customers satisfied with condition of local roads in the district is improving	Resident satisfaction survey – satisfaction with local roads, urban and rural	Resident satisfaction survey	Urban 45% Rural 27%	Q1 Overall 26% ¹⁶ Q2 Overall 33% ¹⁷ Q3 Overall 23% ¹⁸ Q4 Overall 20% ¹⁹ The annual result is: Overall 26% ²⁰ Urban 30% ²¹ Rural 15% ²²	Urban >45% Rural >27%
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¹⁶ This quarter result is from the sample of 100.

¹⁷ This quarter result is from a sample of 100.

¹⁸ This quarter result is from a sample of 99.

¹⁹ This quarter result is from a sample of 100.

²⁰ This annual result is from a sample of 399.

²¹ This annual result is from a sample of 201 in the Gisborne City Ward.

²² This annual result is made up of: Taruheru-Patutahi (53) 11%, Waipaoa (72) 8%, Tawhiti-Uawa (48) 19%, Matakaoa-Waiapu (25) 19%.

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Outcome: ENVIRONMENTAL SUSTAINABILITY						
Transitioning to net zero carbon emissions, and maintaining or improving biodiversity, water quality, and air quality.						
Measure	Indicator	Specifications	Data sources	Starting measure	Current year	Target
Transport generated emissions	Tonnes of CO2 equivalents emitted in Gisborne city	CO ₂ vehicle emissions tonnes per year in Gisborne city	Waka Kotahi Emissions Model (2019)	38,215.70 T/yr	See 2021 VKT information provided by Waka Kotahi below	≤38,000 T/yr
Electric vehicle uptake	The number of EVs per 1000 population is growing for the Gisborne region	The number of registrations in the region that are EV or hybrid per 1000 population.	Ministry of Transport – Monthly electric and hybrid light vehicle registrations	Pure electric - 0.838 Hybrid - 0.619 (2020)	Q1 Total: 1.78 ²³ Q2 Total: 1.98 ²⁴ Q3: Total 2.25 ²⁵ Pure electric – 1.36 Hybrid – 0.93 Q4: Data request to Ministry	Increasing

Region	Total VKT (‘000,000 km/Year)	Light Vehicle VKT (‘000,000 km/Year)	Heavy Vehicle VKT (‘000,000 km/Year)
Gisborne	425.2	379	46.1
Large Urban Area	Total VKT (‘000,000 km/Year)	Light Vehicle VKT (‘000,000 km/Year)	Heavy Vehicle VKT (‘000,000 km/Year)
Gisborne	169.9	162.5	7.4

²³ 92 light EVs as at end of September, estimated population 51,500 as at 30 June 2021.

²⁴ 102 light EVs as at end of September, estimated population 51,500 as at 30 June 2021.

²⁵ 118 light EVs as at end of March, 70 pure electric and 48 plug-in hybrid, estimated population 51,500 as at 30 June 2021.

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Financial performance

The following table presents information on activities proposed or in progress and carried over to the 2021 RLTP. Information on NLTP funding and funding priority for projects can be found on Waka Kotahi's [website](#).

PROJECT	DESCRIPTION	RLTP BUDGET			RLTP BUDGET TOTAL	APPROVED FUNDING		VARIANCE	COMMENTS
		2021/22	2022/23	2023/24		21/22 NLTP FUNDING	21/22 ACTUAL EXPENDITURE		
Tairāwhiti Package: 50 Max (PGF/NLTP)	Gisborne 50 Max Programme - investing to improve the carrying capacity of local road bridges to support the forestry industry	344,000	0	0	960,000	344,000	390,920	46,920	Additional costs due to project scope increase, COVID, inflation and supply chain delays.
Tairāwhiti Package: PGF Programme Office (PGF)	Resource support (for staff costs) for GDC to support programme delivery	240,000	0	0	1,000,000	240,000	120,631	-119,369	Project Complete
Tairāwhiti Package: Route Security (PGF/NLTP)	Resilience Improvements targeted at structural issues that could be progressed now	2,652,773	0	0	2,694,039	2,547,400	2,652,773	105,373	Mostly complete
Emergency Works: June 2020	Emergency works related to heavy rainfall events across the region	5,614,700	0	0	7,980,646	11,505,626	10,426,9892	1,077,637	Weather delays
Tairāwhiti Package: Route Security (PGF/NLTP)	East Cape Road	2,457,500	0	0	10,000,000	2,457,500	1,274,971	8,725,029	Project deferred to 2022/23 as resourced targeted at emergency works delivery
SH2 HPMV Opotiki to	PGF funded Strengthening of six bridges between	?	?	?	4,000,000	Waka Kotahi will provide an update in their presentation at the meeting			

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Gisborne Boundary	Opotiki and Gisborne to enable HPMV travel								
SH35 and SH2 Connecting Tairāwhiti - resilience	PGF funded	?	?	?	13,500,000	Waka Kotahi will provide an update in their presentation at the meeting			
SH2 Inter-regional connections (Wairoeka Gorge)	Safety and resilience corridor work to improve key journey between Gisborne and Opotiki. NLTF funded	?	?	?	512,900	Waka Kotahi will provide an update in their presentation at the meeting			
Regional Land Transport Planning	Developing and monitoring of the plan	200,000	200,000	200,000	2,000,000	200,000	106,141	-93,859	Strategies procured begin next year
Activity Management Planning	Preparation and improvement of land transport activity management plan	74,795	76,587	78,428	825,477	74,795	88,749	13,954	Data reporting improvements in line with new contracts
Healthy Waterways Plan		50,000	50,000	50,000	150,000		0		Starting next year
PT network review		50,000	50,000	0	100,000		91,377		Mostly complete
Waka Kotahi business case development		0	150,000	150,000	300,000	Waka Kotahi will provide an update in their presentation at the meeting			
SH - Road to Zero Low Cost Low Risk programme		550,000	550,000	550,000	3,593,000	Waka Kotahi will provide an update in their presentation at the meeting			
SH2 and Saleyards Road intersection		1,100,000	1,100,000	1,100,000	3,300,000	Waka Kotahi will provide an update in their presentation at the meeting			
Regional Road Safety Promotion	Advertising and advocacy programmes targeted at reducing crashes	346,803	516,500	407,000	4,672,000	347,000	314,071	-32,929	Mostly complete

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Local Roads - Road to Zero (LCLR)	Speed Management Plan, Intersection Improvements, School Safety Improvements	730,000	990,000	840,000	8,450,000	730,000	509,367	-220,633	Peel/Palmerstone Rd Roundabout, Elgin School & Nelson Kura design, school variable signs, Grey St Crossing, Stout Street RSPs design
Sealed pavement maintenance		2,700,000	2,783,700	2,867,130	30,889,350	2,700,000	2,858,300	158,300	
Unsealed pavement maintenance		1,460,000	1,506,500	1,552,850	16,760,750	1,460,000	891,949	-568,051	Used to fund additional emergency works first response work
Routine drainage maintenance		1,300,000	1,340,300	1,380,470	14,872,650	1,300,000	1,144,195	-155,805	
Street Cleaning		220,000	226,820	233,618	2,516,910	220,000	198,228	-21,772	
Structures maintenance		800,000	824,800	849,520	9,152,400	800,000	360,634	-439,366	Used to fund additional emergency works first response work
Cycle path maintenance		70,000	72,170	74,333	800,835	70,000	30,040	-39,960	
Footpath Maintenance		68,000	70,108	72,209	777,955	68,000	39,002	-28,998	
Minor events		500,000	500,000	500,000	5,000,000	500,000	601,234	101,234	Additional emergency works repairs
Environmental maintenance		2,000,000	2,062,000	2,123,800	22,881,000	2,000,000	1,402,193	-597,807	Used to fund additional emergency works first response work
Network services maintenance		1,750,000	1,804,250	1,858,325	20,020,875	1,750,000	1,374,088	-375,912	Used to fund additional emergency works first response work

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Network operations		46,000	47,426	48,847	526,263	46,000	21,056	-24,944	Used to fund additional emergency works first response work
Rail level crossing warning devices		0	93,821	0	528,073	0	0	N/A	Not in this year of the RLTP
Emergency Works		17,100,000	2,062,000	2,123,800	22,881,000	\$17,016,127	\$15,398,034	1,423,921	Weather delays
Network and asset management		2,450,000	2,525,950	2,601,655	28,029,225	2,450,000	2,450,001	1	
Unsealed road metalling		4,193,178	4,183,775	4,395,603	42,434,390	4,193,178	4,377,398	184,220	Works not funded by emergency works required to make network safe
Sealed road resurfacing		4,682,626	4,884,360	4,869,279	48,247,226	4,682,626	6,066,151	1,383,525	Roundabout and sealed roads fixes
Drainage renewals		1,174,088	1,184,602	1,195,368	12,902,562	1,174,088	1,109,465	-64,623	
Sealed road pavement rehabilitation		2,248,671	2,323,039	2,399,192	31,913,162	2,248,671	1,833,783	-414,888	Used to offset sealed roads overspend
Structures component replacements		961,656	984,736	1,008,370	9,137,682	961,656	490,732	-470,924	Used to offset sealed roads overspend
Environmental renewals		16,028	16,412	16,806	207,626	16,028	7,269	-8,759	
Traffic services renewals		165,619	147,710	128,847	1,428,216	165,619	100,687	-64,932	Used to offset sealed roads overspend
Footpath renewals		235,072	240,713	84,031	2,016,079	235,072	242,526	7,454	
Bus Services		674,500	693,968	713,373	7,649,635	674,500	718,424	43,924	
Total Mobility Operations		56,100	57,839	59,573	641,813	56,100	57,000	900	
Total Mobility Administration		12,000	12,372	12,743	137,285	12,000	6,000	-6,000	

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Public Transport management		6,000	6,168	6,324	18,492	6,000	6,000	0	
Public Transport mgmt. (RITS)		46,000	53,703	56,211	623,622	46,000	54,325	8,325	RITS project – see update under project updates
Public Transport Infrastructure Improvements		350,000	0	0	350,000	380,000	389,940	9,940	RITS project – see update under project updates
Public Transport Facilities Operations and Maintenance		5,000	5,155	5,310	57,204	5,000	3,670	-1,330	
Public transport facilities & infrastructure - renewals	Bus Shelter Replacements	60,000	60,000	60,000	459,662	60,000	57,180	-2,820	Bus stops renewed
LED Street lights	LED Street lights	250,000	250,000	250,000	750,000	4,611	4,611	0	Issues with supply due to COVID
Resilience Improvements	Resilience Improvements	535,000	532,000	759,500	7,337,399	447,955	410,266	-37,689	Complete
Townships	Townships	750,000	100,000	750,000	4,586,300	750,000	750,000	0	Work starting year 2
Taruheru River Walking & Cycleway	Shared path	365,569	1,602,761	2,188,303	7,422,442	124,293	0	0	Local share only. NLTP walking and cycling oversubscribed
Local Road - Walking and Cycling LC/LR with external grants	Community Trails	650,000	2,344,000	1,900,000	4,894,000	300,000	13,461	-286,539	Only Uawa gained approval. Starting year 2. MOU & contract complete
Wainui to Waipaoa - Walking and Cycling LC/LR		800,000	0	0	800,000	0	0	0	Not funded in LTP/NLTP
Local Road - Walking and Cycling low cost low risk	Walking & Cycling	650,000	440,000	405,000	1,495,000	750,000	693,270	-56,730	Queens & Tifirangi Drive – one-way near complete. W&C Trials/planning

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Walking and cycling (intersection and route improvements)	Crawford Road separated on-road cycleway	0	0	0	0	595,605	595,605	0	Compete
SfP: Part 1	Streets for People: Part 1 'Funding the Foundations'	0	0	0	0	66,550	10,280	-56,270	Continued year 2. 90% FAR
SH – Walking & Cycling Low Cost Low Risk		200,000	200,000	200,000	1,600,000	Waka Kotahi will provide an update in their presentation at the meeting			
Tairāwhiti Coastal Shipping Study		99,000	0	0	99,000	Not funded	0	0	This project was not funded in the NLTP. The local share is not budgeted for in the Council's LTP. The Port were going to contribute the local share if the project was funded.
Gisborne to Wairoa Rail	Reinstatement of line between Gisborne and Wairoa	0	0	0	36,000,000	0	15,000	15,000	Consultant costs to prepare assessment report. Further information in update under Significant projects
Eastland Port Access		154,761	1,582,500	263,750	4,111,011	See update under Significant Projects section			
SH Low Cost Low Risk programme		1,000,000	1,020,000	1,040,440	9,181,200	Waka Kotahi will provide an update in their presentation at the meeting			
SH2 Inter-regional connections (Waioeka Gorge)		1,539,000	5,130,000	5,130,000	22,059,000	See update under Significant Projects section			
SH Maintenance,		24,044,333	26,267,976	26,679,198	281,724,331	Waka Kotahi will provide an update in their presentation at the meeting			

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operations and renewals									
Wharves Maintenance	Wharves repairs	102,200	105,368	108,526	1,169,218	102,200	45,787	-56,413	Some work to make safe.
Carpark Maintenance	Renewal of carparks	21,370	21,883	22,408	187,231	21,370	0	-21,370	Defer to next FY
CBD Furniture	CBD Furniture maintenance	20,424	21,000	21,535	62,959	20,424	0	-20,424	Defer to next FY



Climate change and local government

What the national adaptation plan means for you

Adapt and thrive: Building a climate-resilient New Zealand

Our first national adaptation plan will help New Zealanders adapt to the effects of climate change now, and better protect us against changes to come.

Many impacts are already with us, with unstable and unpredictable weather, worsening floods, droughts and storms, and rising sea levels. We can expect more changes will happen. Lowering emissions can reduce the impacts of climate change but won't eliminate them all.

The national adaptation plan sets out what actions the Government will take over the next six years to help all New Zealanders adapt and thrive in a changing climate. It has actions relevant to every sector and community in New Zealand, and addresses the priority risks that need action now.

Climate change risks and the costs of adapting will need to be shared across society, but through the actions in the plan we can reduce the long-term costs across the motu.

Managing risk now and for the future

In 2020, the National Climate Change Risk Assessment set out 43 risks New Zealanders face from the impacts of climate change up to 2026.

These include risks to people's health and property, risks to our infrastructure like roads or water supplies, and risks to our natural environments.

This national adaptation plan is the first in a series. It will be updated every six years to respond to changing climate risks.

Local government is on the front line of climate change

Councils have statutory responsibilities to avoid or mitigate natural hazards and to have regard to the effects of climate change when making certain decisions. They are also responsible for civil defence and emergency management, as well as improving community resilience through public education and local planning.

Around the country, many councils are already working with communities and iwi/Māori to address the climate change impacts. Some are developing adaptation plans and long-term adaptive pathways to proactively manage future risk. However, climate preparedness varies from region to region.

What you told us during consultation on the draft adaptation plan

During consultation on the draft adaptation plan, local government submitters:

- sought more detail about who would lead actions and called for increased clarity about the roles and responsibilities of local government versus central government
- emphasised that they are best placed to serve their own communities and would require data, tools, information and funding
- emphasised that smaller, less well-resourced local councils with small ratepayer bases may require additional central government support for adaptation planning and implementation.

How actions in the plan will help local government adapt to climate change

The plan outlines a programme of work to support local councils to take action and adapt to climate change. It brings together existing actions and proposed future work to:

- enable better risk-informed decisions
- drive climate-resilient development in the right places
- lay the foundations for a range of adaptation options including managed retreat
- embed climate resilience across government policy.

Enabling better risk-informed decisions

The actions in the plan provide information, guidance and tools about climate change threats and responses. These can help local government understand and assess the risks they face and develop suitable adaptation strategies and solutions. Some of the key actions include:

- Action 3.1 Provide access to the latest climate projections data: this will give New Zealanders the regional and local data they need to assess future climate risks.
- Action 3.2 Design and develop risk and resilience and climate adaptation information portals: these will provide information and data about natural hazards and climate change risks. They will help communities make informed decisions and design adaptation solutions.
- Action 3.23 Develop 3D coastal mapping: this will help councils assess the impact of sea-level rise, tsunami and storm surges on their communities, infrastructure and biodiversity.

- 3.6 Improve natural hazard information on Land Information Memoranda (LIM): this will give councils greater certainty about what hazard information to include on the LIM.
- Action 3.7.5 Regularly update adaptation guidance for local government will support local government to consider adaptation in planning and decisions.

Driving climate-resilient development in the right locations

Buildings and infrastructure have a long lifespan. Decisions we make today about how and where we develop really matter.

The plan will improve planning, infrastructure and decision-making frameworks to guide climate-resilient development in the right locations. This includes taking account of changing risks – such as exposure to sea-level rise, flooding, heat stress, coastal inundation, and wildfires.

Councils will need to have regard to the national adaptation plan in their plan making process from November 2022. Local government feedback on the draft plan sought clearer guidance around climate change scenarios, so the plan advises the use of recommended climate change scenarios when making or changing policy statements or plans under the Resource Management Act 1991, including to give effect to the provisions of the New Zealand Coastal Policy Statement 2010.

- Action 4.1 Reform the resource management system: this will include objectives to better prepare for adaptation and risks from natural hazards, and better mitigation of emissions contributing to climate change. While the reform will play an essential role in ensuring future development occurs in the right places, there are also some near-term changes that will help drive suitably placed development during the transition to the reformed system. For example, action 3.6 to improve natural hazard information on LIMS and action 3.1 providing access to projections data.
- Action 4.2 Set national direction on natural hazard risk management and climate adaptation through the proposed new National Planning Framework: this will set clear direction for local authorities on how to achieve the climate resilience outcomes in the proposed Natural and Built Environments Act.
- Action 4.5 Reform institutional arrangements for water services: this will create new water entities that will work with councils and communities to improve health and wellbeing outcomes and protect the environment for generations to come.

Adaptation options including managed retreat

Many communities are already under threat from natural hazards events. Successfully adapting will be vital as climate impacts worsen. Some people and communities may have to alter how and where they live.

One option is managed retreat, which may be necessary to reduce or eliminate exposure to intolerable risk. It's a carefully planned and managed process of relocating assets, activities and sites of cultural significance away from at-risk areas.

The plan will support councils to understand the adaptation options available. Key actions include:

- Action 5.1 Pass legislation to support managed retreat: this will address the complex issues around retreating from at-risk areas exposed to climate hazards.
- Action 5.2 The future for local government review: this is likely to include recommendations on what local government does, how it does it, and how it pays for it. This will include what

should change in funding and financing to ensure viability and sustainability, fairness and equity, and maximum wellbeing.

- Action 5.3 Complete case study to explore co-investment for flood resilience: this will focus on addressing the challenges facing small local authorities and vulnerable communities in funding flood risk management.
- Action 5.5 Publish the programme of work on how Aotearoa meets the costs of climate change and invests in resilience: this will investigate additional investment from public and private sources to respond to the growing risks from climate change.
- Action 5.6 Scope a resilience standard or code for infrastructure: this will encourage risk reduction and resilience planning in existing and new assets
- Action 5.9 Prioritise nature-based solutions: this will investigate how to ensure nature-based solutions are considered in planning and regulations, where possible, for both carbon removals and climate change adaptation.

Other actions in this chapter relevant to local council action include:

- Action 5.11 Encourage and support the evaluation of climate risks to landfills and contaminated sites.
- Action 5.12 Explore funding options to support the investigation and remediation of contaminated sites and landfills vulnerable to the effects of climate change.
- Action 5.13 Connect communities to wider response and recovery support.

Embedding climate resilience across government

The Government will embed climate resilience across all its strategies and policies. The following chapters in the plan have actions relevant to local government:

Natural environment

- Action 6.2 Engage with councils to implement the New Zealand Coastal Policy Statement.
- Action 6.4 Implement the proposed National Policy Statement on Indigenous Biodiversity.

Homes, buildings and places

- Action 7.4 Update regulatory requirements to ensure buildings are designed and constructed to withstand more extreme climate hazards.

Infrastructure

- Action 8.6 Invest in public transport and active transport.
- Action 8.8 Support knowledge sharing and the implementation of adaptation actions across the sector.

Communities

- Action: 9.1 Modernise the emergency management system.

Economy and Financial System

- Action 10.9 Identify the impacts of climate change on regional economies.
- Action: 10.14 Deliver the Tourism Industry Transformation Plan.
- Action 10.15 Review the settings for the International Visitor Conservation and Tourism Levy

Future engagement during implementation

As the plan is implemented, more targeted engagement with different stakeholders, including local government, will take place.

Inclusive engagement, particularly with those disproportionately affected by climate change, will help to ensure actions lead to equitable climate resilience.

We are taking the same approach with the implementation of the emissions reduction plan, and encouraging engaged and active public participation.

Find out more

Read [Aotearoa New Zealand's first national adaptation plan](#)



Programme update to TAG / RTAG			
Purpose:	To update the (Regional) Transportation Advisory Group (TAG/RTAG) on the progress of the following work programme within the current RLTP.		
Programme name:	Low Risk Low Cost	Organisation/s:	Waka Kotahi
Description:	Resilience's - Minor projects	Key contact name:	TBC - position currently vacant
Timeframe:	21-24 NLTP	Key contact email:	TBC - position currently vacant
Activity class:		Date of this update:	23 Aug 2022
Total cost (\$) :		Funding source/s:	NLTP
Progress overview:	Provide a summary of progress on the programme, including changes. Give site specifics in the rows below.		

Project name & location	Activity type & description <i>if Emergency Works include date of incident</i>	Cost (\$)	Progress update / commentary / expected timings
Farams North Subsidance	Retaining Wall to fix drop out	405,000	Completed
Hicks Bay River Erosion	Rock Wall to protect highway from River erosion	630,000	Design complete 21-22 - consent about to be lodged
Tatapouri Hill Rock Fence	Construction of a Rock debris Fence	135,000	Design and Investigation to be completed 22-23
Tokomaru Bay Rock Fence	Construction of a Rock debris Fence	125,000	Design and Investigation to be completed 22-23
Otoko Hill Curve Drop out	Repair of a drop out SH2	400,000	Design and Investigation to be completed 22-23

Project update to TAG / RTAG			
Purpose:	<i>To update the (Regional) Transportation Advisory Group (TAG/RTAG) on the progress of the following project within the current RLTP.</i>		
Project name:	SH2 & SH35 Passing Opportunities		
Organisation/s:	Waka Kotahi		
Contact name & email:	Richard Bayley Richard.Bayley@nzta.govt.nz		
Project description: <i>Outline what the project involves & its aims</i>	Passing Opportunities and mobile phone areas to improve regional access and journey reliability to realise community and economic opportunities on the following routes: - SH2 between Gisborne and Napier - SH2 between Gisborne and Opotiki - SH35 between Gisborne and Potaka		
Location:	SH2 and SH35 from Napier to Gisborne boundary with BOP		
Date of update:	25 August 2022		
Project overview	Anticipated	Updated	Explanatory notes
Start date:	8/10/2018		
Duration:	8/10/2018 to 25/06/2024		The programme is pushing out to June 2024 due to resources being prioritised for emergency works following the March and June 2022 flood events.
Total cost:	Forecast \$32,762,986		
Funding source/s:	PGF - Supporting Regions Programme		Focus Area: Liveable Communities
Approved phase/s:	Implementation		
Progress update: <i>Give details of progress, including any changes to the scope of the project</i>	<p>Scope is being reduced to match the allocated funds, consistent with the business case. The number of sites has been reduced to match budget. Further reductions may be required if current cost escalation doesn't slow.</p> <p>The completion of 5 passing opportunities by June 2022 will be 3 short of the 8 in the PGF funding milestone. With Tatapouri SVB, Waikoau Hill and Busby's Hill sites pushing out to next financial year for completion.</p> <ul style="list-style-type: none"> -North of Kotemaori SVB completed - February 2021 -Matahorua bridge SVB , completed - November 2020 -Maraenui, completed - November 2021 -Tarewa, completed - November 2021 -Wharerata site SVB completion - November 2021 <p>-Tatapouri SVB extension commenced in March 2022. The site is currently shut down and on hold until September 2022 due to the effects of the March 2022 rain event.</p> <p>-Waikoau Hill slow vehicle bay extension commenced construction in April 2022 and the site is currently shut down for the winter period and will restart in September.</p> <p>-South of Kakariki slow vehicle bay cost estimate is over budget (\$8.7m vs \$3.5m budget). This is mainly due to geotech issues. Construction cannot</p>		

	<p>proceed at this price therefore all work is on hold. The scope of the project has been changed to remove realignment and lower costs.</p> <p>The programme is pushing out to June 2024 due to resources being prioritised for emergency works following the March and June 2022 flood events.</p>
<p>Next steps: <i>Outline the next steps for the project including anticipated timeline for completion</i></p>	<p>2022/2023 construction season</p> <ul style="list-style-type: none"> -Tatapouri SVB extension -Waikoau hill SVB extension -Mohaka Viaduct Ascent site, -Maraetaha seal widening, -Busby's hill southbound, -Busby's Hill Layby, -Puketiti Hill SVB extension, -Otoko Hill Descent 1 (Southbound), -Kopua Hill SVB extension, <p>2023/2024 construction season</p> <ul style="list-style-type: none"> -Otoko Hill Descent 2 (Northbound) Construction is not feasible. Site to be replaced with another from business case. -South of Kakariki, -Gudgeons hill descent SVB, -Kiwiniui Station SVB, -Tolaga Gorge Southbound -Tolaga Gorge Northbound - Construction not feasible. Site to be replaced with another from the business case. -Opiki Stn SVB
<p>Attachment/s: <i>Note any applicable attachments, which may be a separate file or pasted below</i></p>	

Project update to TAG / RTAG			
Purpose:	<i>To update the (Regional) Transportation Advisory Group (TAG/RTAG) on the progress of the following project within the current RLTP.</i>		
Project name:	HPMV SH2 Opotiki To Gisborne Boundary		
Organisation/s:	Waka Kotahi		
Contact name & email:	Richard Bayley Richard.bayley@nzta.govt.nz		
Project description: <i>Outline what the project involves & its aims</i>	The delivery of this project will complete the final link in the HPMV journey on SH2 between Gisborne and Opotiki by strengthening some bridges in the Bay of Plenty Region and the Waioeka Gorge. This activity is part of the Provincial Growth Fund (PGF) - Tairāwhiti Roading package.		
Location:	SH2 Bay of Plenty Boundary to Gisborne		
Date of update:	25 August 2022		
Project overview	Anticipated	Updated	Explanatory notes
Start date:	3/01/2019	January 2022 work restarted	Work was on hold due to the Auckland Covid Lockdown.
Duration:	3/01/2019 to 31/03/2023		
Total cost:	Forecast \$1,652,353 Variance \$ 2,336,644 Funding approved: \$3,988,997		
Funding source/s:	PGF		Supporting Regions Programme
Approved phase/s:	Post Implementation		
Progress update: <i>Give details of progress, including any changes to the scope of the project</i>	<p>The project was delayed 4 months due to Auckland's covid lockdowns and the contractor being based in Auckland and unable able to get to site. The contractor has worked hard to accelerate the programme and although the programme currently shows completion in late 2022, the route is open to full HPMV.</p> <p>The Implementation phase is complete and practical completion was achieved on 1/04/2022. The contractor completed work seven months ahead of the original programme in April 2022.</p> <p>A press release and video was released in May 2022.</p>		
Next steps: <i>Outline the next steps for the project including anticipated timeline for completion</i>	Final inspection with the Bridge Inspection unit will take place early in 2023. Final completion is set for 1 st April 2023.		
Attachment/s: <i>Note any applicable attachments, which may be a separate file or pasted below</i>			

Title: 22-216 Waka Kotahi National Emissions Reduction Plan Update
Section: Strategy
Prepared by: Charlotte Knight - Strategic Planning Manager
Meeting Date: Wednesday 7 September 2022

Legal: No

Financial: No

Significance: **Low**

Report to REGIONAL TRANSPORT Committee for information

PURPOSE

The purpose of this report is to provide an update to the Committee on Waka Kotahi's National Emissions Reduction Plan work.

SUMMARY

The government has issued a National Emissions Reduction Plan (ERP) which sets national targets for various sectors including transport. Waka Kotahi is working with councils as these targets move from national to regional and as Vehicle Kilometres Travelled (VKT) reduction plans begin to roll out across Tier 1 and 2 cities. The **presentation** at the meeting will be an overview of what we know, where this work is heading and an overview of what it might look like on the ground. The presentation will be publicly available following the meeting.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Regional Transport Committee:

- 1. Notes the contents of this report.**

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: climate change, Waka Kotahi, vehicle kilometres travelled, National Emissions Reduction Plan, transport remissions

Title: 22-212 Waka Kotahi Update September 2022
Section: Strategy
Prepared by: Charlotte Knight - Strategic Planning Manager
Meeting Date: Wednesday 7 September 2022

Legal: No

Financial: No

Significance: **Low**

Report to REGIONAL TRANSPORT Committee for information

PURPOSE

The purpose of this report is to introduce the Waka Kotahi New Zealand Transport Agency Regional update for September 2022.

SUMMARY

At the meeting, Linda Stewart (Waka Kotahi New Zealand Transport Agency Director Regional Relationships – Central North Island) will provide an update to the Regional Transport Committee on Waka Kotahi activities over the last quarter.

A **presentation** will be given at the meeting. **Attachment 1** is the detailed updates provided by Waka Kotahi.

The decisions or matters in this report are considered to be of **Low** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Regional Transport Committee:

- 1. Notes the contents of this report.**

Authorised by:

Joanna Noble - Chief of Strategy & Science

Keywords: Waka Kotahi, NZTA, regional relationships, state highways

ATTACHMENTS

1. Waka Kotahi detailed updates September 2022 [**22-212.1** - 23 pages]

Tairāwhiti Detailed Update

September 2022

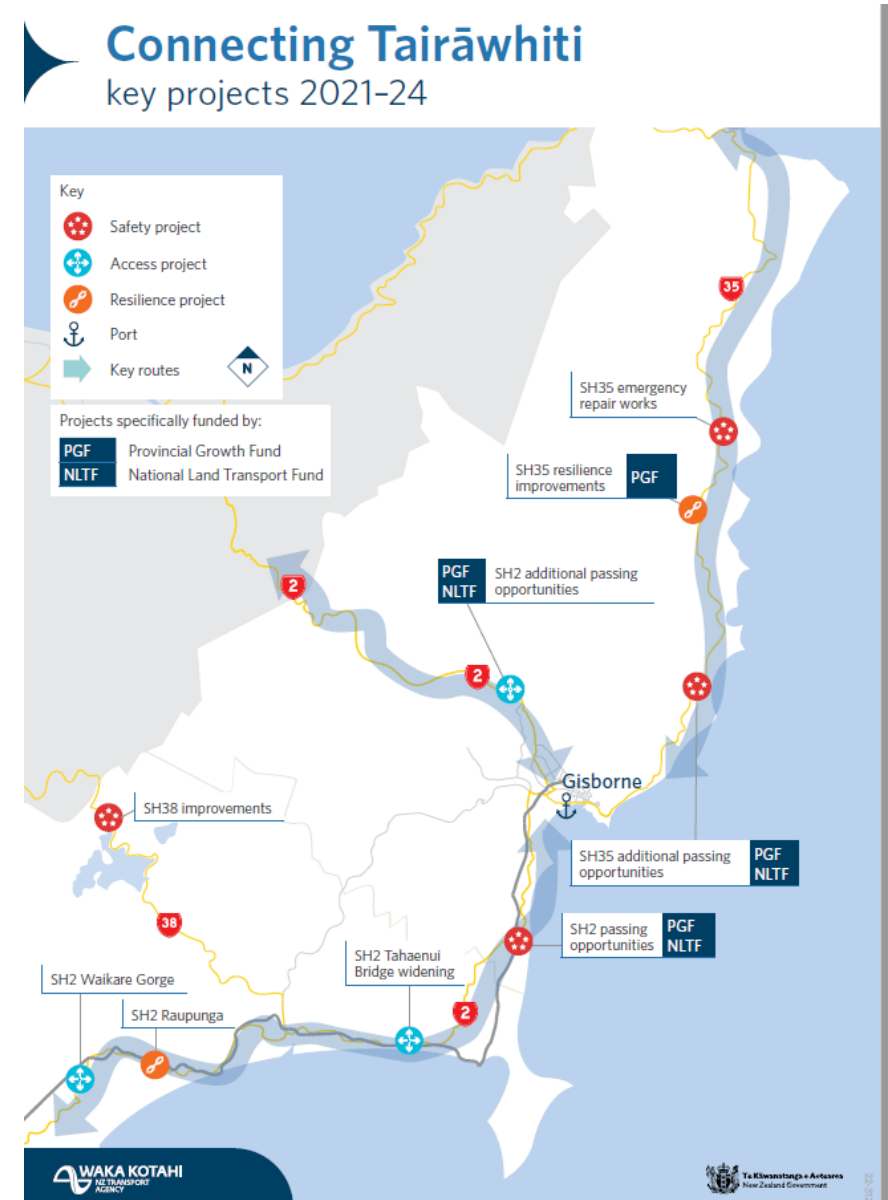
Note: The following slides are detailed updates, and to be taken as read. The committee are welcome to ask questions relating to the information as required.



New Zealand Government

Key projects 2021-24

- SH35 Resilience improvements
- SH35 Passing opportunities
- SH2 Napier to Ōpōtiki HPMV upgrades
- SH2 Waioeka Gorge Resilience
- SH2 Passing opportunities
- SH2 Tahaenui bridge widening
- SH2 Waikare Gorge
- SH35 Emergency works



Provincial Growth Fund

Key points

- The PGF funding is spread over five + years and we are currently in year four.
- Spending typically ramps-up as projects enter the construction phase.
- All PGF projects are underway and at varying stages of design, pre-implementation and construction.
- Three sites that make up over half of the \$13.5m spend were severely affected by the March 2022 rain event. This may mean the PGF spend will be affected as some sites may no longer proceed or may be pushed out.
- The programme is confirmed for a bumper summer construction season (Sept to Mar) due to the amount of emergency works being undertaken in parallel with routine maintenance and PGF funded projects.
- COVID related delays have also affected timeframes and costs.

Funding breakdown

Project Name	Project Phase	SEVERE WEATHER IMPACT (Y/N)	Additional Comments	Funding source			Total funding	Spend (as at 30 June 2022)	Remaining spend
				NLTF	PGF	RIO (NZUP)			
SH35 Resilience	Implementation/ construction	Yes	The project will require an additional construction season due to damage to the sites and limited construction resources within the region being prioritised for emergency works needed.		\$13,500,000		\$13,500,000	\$3,850,010	\$9,649,990
SH2 and 35 Passing Opportunities	Implementation/ construction	Yes	The project will require an additional construction season due to damage to the sites and limited construction resources within the region being prioritised for emergency works needed.	\$2,828,511	\$30,050,000		\$32,878,511	\$7,796,583	\$25,081,928
SH2 Waikare Gorge	Pre-implementation/ speciman design	No	This project is for pre-implementation only, so does not cover construction works.	\$1,000,000	\$5,000,000		\$6,000,000	\$2,892,053	\$3,107,947
SH35 Makokomuka realignment	On hold	No	This project has been put on hold. It has a low BCR of ~0.8 so is currently not fundable through the NLTF. If funding becomes available through other avenues, then the project will re-start.	\$205,200			\$205,200	\$174,788	\$0
SH2 HPMV Opotiki - Gisborne	Complete	No	Project came in significantly under budget and remaining funds returned to the NLTF.	\$3,988,998			\$3,988,998	\$1,558,354	\$0
SH2 Tahaenui Bridge widening	Complete	No	Bridge widening work is complete, only minor items outstanding on the safety improvements for Tahaenui Rd intersection.			\$2,199,997	\$2,199,997	\$1,948,974	\$251,023
SH2 Waioeka gorge resilience and safety improvements	Business case	No	Current funding is for business case only	\$499,870			\$499,870	\$371,463	\$128,407
							\$59,272,576	\$18,592,225	\$38,219,295

Provincial Growth Fund – Tairāwhiti Transport Investment

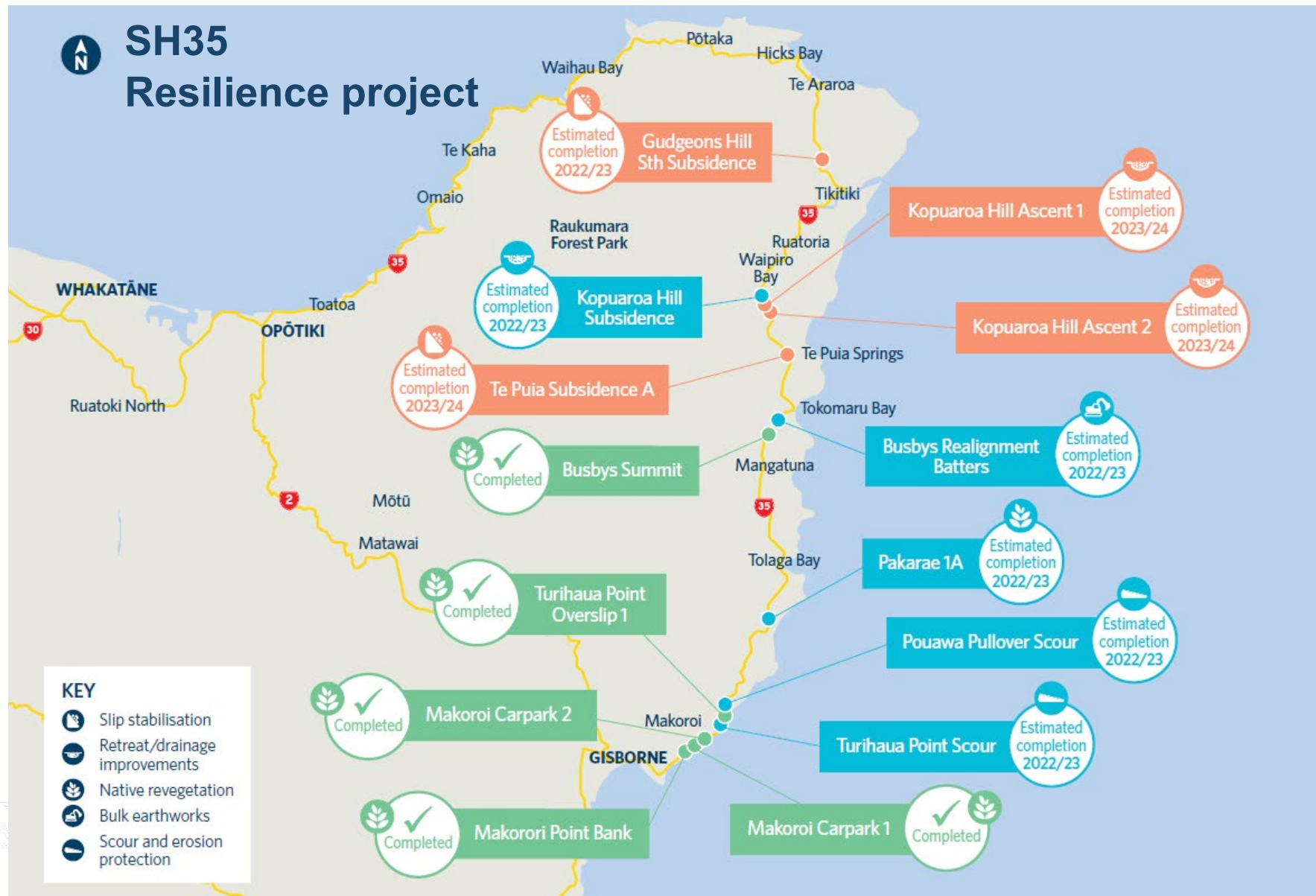
Activity	Funding	Key date(s)	Progress	Commentary
SH2/35 Passing Opportunities	\$32.65m (PGF) \$2.83m (NLTF)	Completion of first 5 sites December 2021		<ul style="list-style-type: none"> Reduced number of sites will be delivered due to cost escalation and a fixed budget 2 sites under construction (Tatapouri northbound (to re-start in Sept), Waikoau Hill587 Mohaka ascent tender awarded with work to start August 15, 2022 Interactive map online to provide information on sites either in construction or that are complete, https://www.nzta.govt.nz/projects/connecting-tairawhiti/project-map/ 5 sites complete (Matahorua, Kotemaori, Wharerata, Tarewa, Maraenui)
SH35 Resilience	\$13.5m (PGF)	June 2021 construction started September 2022		<ul style="list-style-type: none"> Reduced number of sites will be delivered due to cost escalation and a fixed budget This summer the focus will be on Busby's Hill, Turihaua Point/Pouawa, Kopuaroa Hill The design is currently being finalised for Busby's Hill resilience site. Consenting and property negotiations are also underway As above, there is a GIS and interactive map available for more information All sites were affected by the March and July rain events and are being monitored until construction can begin after winter 5 native revegetation sites completed
Waikare Gorge	\$5m (PGF) \$1m (NLTF)	Dec 2022		<ul style="list-style-type: none"> Stage: specimen design Regional resource consent to be lodged by Dec 22 Construction funding not yet allocated Project is included in the Tairāwhiti Rooding Package

SH35 Resilience project

2022/2023 planned works

- Five sites planned for completion in 2022/2023 financial year:
 1. SH35 Kopuaroa Hill: Subsidence retreat
 2. SH35 Busby's Hill: Soil removal to stabilise slope and installation of retaining wall
 - 3/4. SH35 Turihaua Point and Pouawa: Rock protection
 5. SH35 Pakarae: Native planting
- Four sites planned for completion in 2023/2024 financial year





SH2 & SH35 passing opportunities

2022/2023 planned works

- 10 sites planned for completion in 2022/2023 financial year.
- Key sites include Tatapouri Hill slow vehicle bay (SVB) northbound, Busby's Hill SVB southbound and pull-over, Mohaka Ascent.
- Physical works completion has pushed out to June 2024 due to limited resources and emergency works being prioritised.
- Some sites have been removed from programme to keep budget within allocated funds.
- Six sites planned for completion in 2023/2024 financial year.







Emergency works

Critical sites

- SH35 Kopuaroa Hill
- SH35 Mangahauini River Scour
- SH2 Matawai dropout
- SH35 Huia Hill
- SH35 Motu River Scour – Bay of Plenty



SH35 Kopuaroa Hill

Issue

- Continuous movement of road and unstable road surface

Action

- Cut into bank for realignment completed
- Longer-term: retreat road

Timeframe

- Start early spring, end date to be confirmed

SH35 Kopuaroa Hill





SH35 Mangahauini River Scour

Issue

- Deep seated cracking

Action

- Rock placement to stabilise slope

Estimated Timeframe

- 2 weeks*

* Workload under dry conditions

SH35 Mangahauini River Scour



SH35 Mangahauini River Scour





SH2 Matawai dropout

Issue

- Underslip resulted in lane closure

Action

- Fill Slope Reinstatement as per design

Timeframe

- Unsealed

*Workload under dry conditions

SH2 Matawai dropout





SH35 Huia Hill

Issue

- Dropout resulting in lane closure

Action

- Re-instate bank

Timeframe

- Complete

* Workload under dry conditions

SH35 Motu River Scour

20th July – Cracking increasing in Northbound lane, Scour growing at about 10m/day and about 20m of Rock Protection in place.

21st July – Late on 20th a 30m section of the Northbound lane Fails and early on the 21st an additional 20m of the Northbound lane fails, Rock.

22nd July – Change of Plan – dig down the old road to relieve pressure of the formation and extend the rock protection.



SH35 Motu River Scour

22nd July – Rock protection nearing completion and Re-established single lane for the weekend. Reclosed the SH on Monday to continue works.



27th July – Temporary lane reopened to traffic under traffic lights and reinstatement of works access following river rise.



1st August – Works progressing along the toe of batter to install Armour rock ahead of embankment works.



SH2 Waioeka Gorge

Safety and Resilience Business Case

- The preferred solutions to improve safety and resilience through the gorge will be recommended in a single stage business case.
- Business case is close to being finalised and on track to be completed late-2022.
- Funding for the following phases of the project will be sought from 2024-2027 NLTP





Speed review SH2/35

- SH2 Paengaroa to Gisborne and SH35 from Ōpōtiki to Gisborne have been identified as high-risk state highways that can be made safer.
- Next step determine dates for engagement and extent of review.

Hei konā mai



New Zealand Government

