

Statement of Proposal

Amendment to Speed Limit Bylaw 2013

The Gisborne District Council (Council) proposes to change its Speed Limit Bylaw 2013. This bylaw was made pursuant to section 22AB of the Land Transport Act 1998, which allows for Council as the road controlling authority to set requirements for setting speed limits on roads under the care, control, or management of Council (Local Roads).

This document constitutes the Statement of Proposal for the purposes of Section 83(1)(a) and Section 86(2) of the Local Government Act 2002. This document contains:

- A summary of relevant information
- Legislative requirements
- A description of the problem and the options to address these problems
- A draft of the proposed bylaw
- How to have your say
- Timeline

Summary of information

Council is proposing some changes to its Speed Limit Bylaw 2013 and wants to hear what ratepayers and stakeholders think about them.

- The Changes proposed amend the schedules to effect speed limit changes to approximately 12% of the local road network.

For more information on the specific changes, please see the available mapping on our website.

Have your say: Before making any final decisions, we'd like to have your input. You can make a submission:

- Online: www.gdc.govt.nz
- By Post: P.O Box 747, Gisborne 4040
- In person: At Gisborne District Council – 15 Fitzherbert Street, Gisborne

If you would like to speak to your submission, please indicate this and provide your contact details. We will be in touch to let you know the date and time for verbal submissions.

Timeline:

Consultation period begins: **Wednesday 6th April 2022**

Closing date for submissions: **5pm Monday 9th May 2022**

Public hearing to hear oral submissions: **29th June 2022**

Decision of Council: **Thursday 11 August 2022**

Proposal

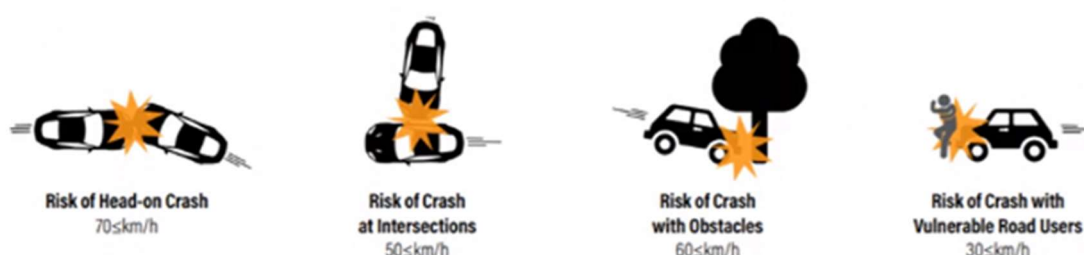
That Council amends the Speed Limits Bylaw 2013 to align with the national direction on speed management and speed limit setting from Waka Kotahi including introducing 20km/h, 30km/h, 40km/h and 60km/h speed limits

The amendments to the bylaw schedules will affect speed limit changes to approximately 12% of the local road network.

Reasoning

The speed limits proposed have gone through several rigorous processes. In 2020, a tool was released by Waka Kotahi called Megamaps which calculates 'Safe and Appropriate Speed' (SAAS) as defined in the 2016 Speed Management Guide. Megamaps shows mapping of SAAS speeds across the nations roads. SAAS are calculated speeds based on the data collected about the roads taking into account road classification, traffic volumes, land use and data collected from crashes and satellite navigation. The SAAS speed limits then required sense checking and community engagement to arrive at these proposed speeds.

SAAS speeds align with Safe System principles which take into account crash forces that exceed the injury tolerance of the human body.



Source: Vadeby 2016.

Image Source: Sustainable and Safe,
World Resources Institute 2018

In addition to this the National Road to Zero strategy has set targets for Councils that 40% of schools are to have SAAS speeds in place by 2024.

The speed limit changes proposed have been sense checked and engaged on with the communities involved. The main reasons for change include new growth areas, safety issues and more emphasis placed on walking and cycling with roads seen as shared for people and not just for vehicles. Those changes are:

| Change to Speed Limit | Area | Reasons |
|---------------------------|---|--|
| 100km/hr to 60km/h | Taruheru Subdivision – <i>parts of Cameron and Hansen Roads and neighbouring parts of Nelson and back Ormond Roads</i> ; New Industrial Parks – <i>Aerodrome Road, Te Maanga Road and Commerce Place</i> ; Centennial Marine Drive (unsealed); Wharekahika; East Cape Road; Tikitiki; Ruatoria; Waipiro Bay; Whatatutu Road; Stainton Road. | in rural areas where there is new growth, recent crash history and/or support shown from residents |

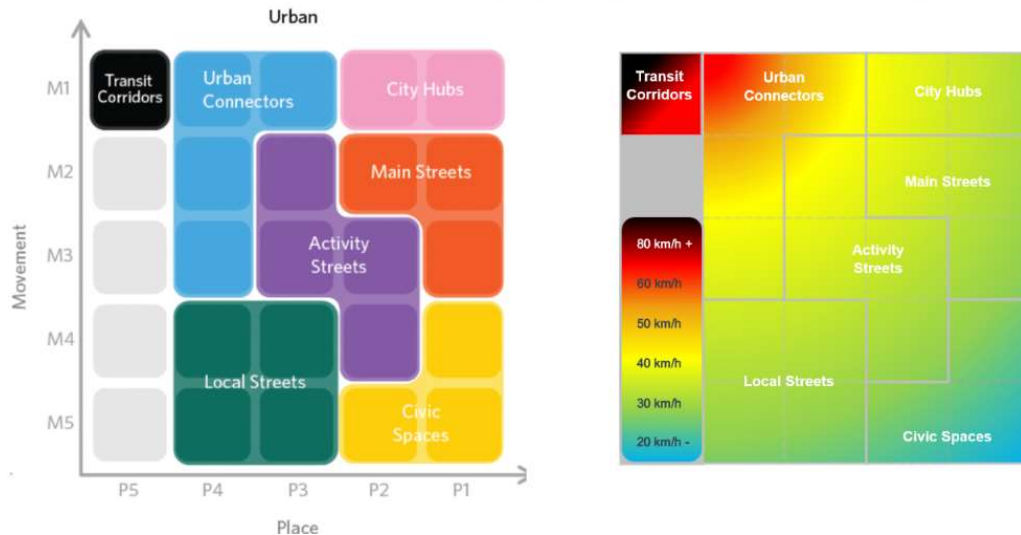
| | | |
|---|---|---|
| 100km/hr to 80km/h | Matawhero – <i>Riverpoint, Nursery and Tarnbrae Roads</i> ; Centennial Marine Drive (Sealed); Tikitiki; Ruatoria; Ormond. | in rural areas to support walking and cycling and support is shown from residents |
| 100km/hr to 50km/h | Wheatstone Road; Ruatoria; Tolaga Bay. | in rural areas where there are already signs, high growth and/or support from residents |
| 100km/h to 30km/h | Waipiro Bay; Muriwai; Manutuke; Ormond (around School); Tikitiki; Rangitukia (around school); Tiniroto (around School). | in rural areas to support walking and cycling and support is shown from residents |
| 80km/h to 60km/h | including: Taruheru Subdivision – <i>parts of Cameron and Nelson Roads</i> ; | in rural areas to support walking and cycling and support is shown from residents |
| 70km/h to 30km/h | Te Araroa; Te Puia Springs; Ormond; Tokomaru Bay. | in rural areas to support walking and cycling and support is shown from residents |
| 70km/h to 40km/h | Te Araroa; Ormond. | in rural areas to support walking and cycling and support is shown from residents |
| 70km/h to 60km/h | Wharekahika – <i>part of Wharf Road</i> . | in rural areas to support walking and cycling and support is shown from residents |
| 50km/h to 30km/h | Titirangi and Queens Drive; Inner Harbour; CBD – <i>on Gladstone and Palmerston Roads from Derby to SH35 including side streets up to Childers and the Taruheru River</i> ; Kaiti Beach Road – <i>from QE2 to end of road</i> ; Makarori Beach Settlement road; Tikitiki, Ruatoria; Tokomaru Bay; Muriwai; Manutuke; Te Karaka; Tolaga Bay (around school). | in recently improved urban areas where there is already signage and traffic calming in place to support walking and cycling and support is shown from residents |
| 50km/h to 40km/h | Wainui/Okitu – <i>all local roads, Stout Street – between Wi Pere and Fitzherbert Streets including side streets between the Taruheru River and Ormond Road</i> ; Ruatoria; Tolaga Bay; Te Karaka. | in areas to support walking and cycling and support is shown from residents |
| New 20km/h to Special Designated Areas | Makorori Beach and Kaiti Beach. | support is shown from residents |

| | | |
|--|--|---|
| <p>New Variable Speeds to Schools of 30km/h, 40km/h or 60km/h</p> | <p>30/40km/h variable:</p> <ul style="list-style-type: none"> • Wainui <p>30/50km/h variable:</p> <ul style="list-style-type: none"> • Ilminster, • Waikirikiri, • Sonrise Christian, • Lytton High/Riverdale/Nga Uri A A Maui, • Gisborne Intermediate <p>40/50km/h variable:</p> <ul style="list-style-type: none"> • Girls High/Boys High • Te Hapara • Campion / St Marys <p>60/100km/h Variable:</p> <ul style="list-style-type: none"> • Waerenga o Kuri | <p>in areas to support walking and cycling and support is shown from residents. Schools are prioritised under previous reports.</p> |
|--|--|---|

The speeds proposed have been checked for alignment with the new ONF framework which will be replacing the ONRC road classification system under the new Rule. **Attachment 2** is a table to show how each speed has been calculated and checked.

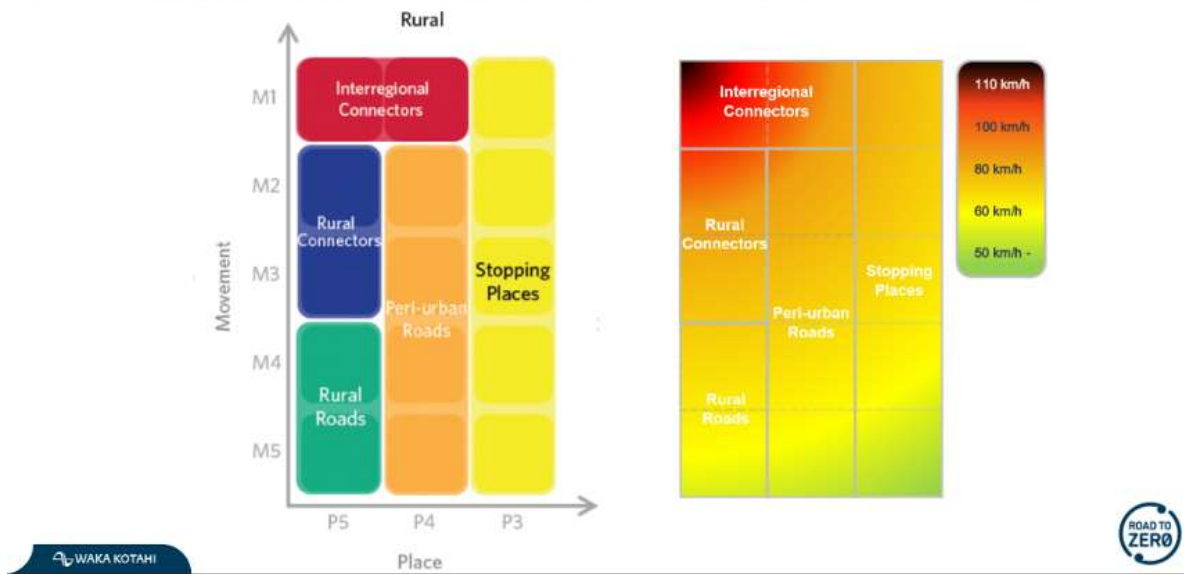
Urban Areas

The relationship between safe and appropriate speeds with movement and place – ONF categories



Rural Roads

Safe and Appropriate Speeds relationship with Movement and Place – ONF Categories



ONRC (One Network Roding Classification) was a one dimensional classification based on movement while ONF (One Network Framework) is two dimensional based on movement and place.

Options Considered

Option 1 – No changes to 2013 bylaw

Wait until the new Rule comes into force before consulting on the proposed Plan.

There is further guidance on how to consult and engage with the community under the new Rule coming on the 7th April. This option would allow more time for the development of guidelines to inform how we consult. Currently our only guidelines are to consult as if it were a bylaw. Further delays to the new Rule are still a risk. Consulting later in the year is a risk due to Local government elections then. Engagement was carried out in May 2021 and there has already been significant delay to the many requests from the community for speed limit improvements.

Option 2 – Step change towards SAAS

Engagement with the community in May 2021 focused on a step change for speed limits with a broad-brush approach across the region affecting most roads accept some arterial roads.

| Road environment | Current speed limit | Waka Kotahi safe and appropriate speed | Our proposed speed limit |
|--|---------------------|--|--------------------------|
| Gisborne CBD | 50km/h | 30km/h | 30km/h |
| Residential roads | 50km/h | 40km/h | 40km/h |
| Rural roads - sealed | 100km/h | 80km/h | 80km/h |
| Rural roads - unsealed and sealed roads that are arduous to drive | 100km/h | 60km/h | 80km/h |
| Arterial roads - such as Ormond, Lytton, Stanley, Rutene and parts of Gladstone Rd | 50km/h | 50km/h | 50km/h |

Feedback rejected the broad-brush approach opting for changes in specific locations such as the CBD, townships, schools, areas of growth/change for safety and wellbeing benefits from walking and cycling and areas where there were safety concerns.

In particular, it was controversial for the Council to propose 80km/h as a step change to unsealed rural roads and sealed roads that are arduous to drive which did not align with SAAS 60km/h. Although less than the current posted speeds of 100km/h, 80km/h was seen by Police and Waka Kotahi to be promoting an unsafe speed. The Community typically felt the proposed speeds were too slow and would lead to more unsafe roads with driver frustration.

Option 3 – speed limit changes to approximately 12% of the local road network as detailed in the amended speed limit bylaw.

In accordance with the reasoning provided.

Preferred Option

Option 3 – Amendments to the schedules to effect speed limit changes to approximately 12% of the local road network as detailed in attachments 1, 2 & 3

Legislative Framework

Setting of Speed Limits Rule 2017

This rule sets requirements for setting new speed limits. The Council must consider whether the new speed limits will be safe and appropriate in accordance with the Rule. Rule 4.2(2) sets a list of matters that the Council must have regard to in reviewing the speed limits

The rule also prescribes person whom the Council must consult with, and information that must be included when consulting on variable speed limits.

Local Government Act 2002

Council must consult in accordance with the requirements of Section 86 of the Local Government Act 2002 (LGA) including by releasing a draft bylaw and State of Proposal.

Land Transport Act 1998

Section 22AD of the Land Transport Act (LTA) in reference to Consultation states that Section 156 of the LGA applies to a bylaw under section 22AB made by a road controlling authority that is a local authority as if that bylaw had been made under that act.

Statutory determinations

Section 156 of the LGA states consultation requirements (1) when making or amending, or revoking bylaws made under this Act, a local authority must a) use the special consultative procedure (as modified by section 86) if – (ii) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of the bylaw.

Section 86 of the LGA states (1) this section applies if, in accordance with section 156(1)(a), the special consultative procedure is required to be used in relation to the making or amending of a bylaw (2) the statement of proposal referred to in section 83(1)(a) must include – (i) a draft of the bylaw as proposed to be made or amended and (b) the reasons for the proposal.

Note that the requirement under section 86(1)(c) for a report on any relevant determinations by the local authority under section 155 (i.e. Bill of Rights analysis). Section 155 does not apply to bylaws made under the LTA such as this one under section 22AB of the LTA.

Attachment 3

Draft amended Speed limits Bylaw 2013