

NEW RULE FOR SETTING SPEED LIMITS

PURPOSE OF THE REPORT

The purpose of this report is to provide a summary of the provisions of the new rule regarding the setting of speed limits.

BACKGROUND

In early 2003 the Minister of Transport signed a new rule altering the way speed limits are set in New Zealand. The new rule came into force in April 2004. Under the new rule Councils and other road controlling authorities take over many of the Land Transport Safety Authority's responsibilities for setting speed limits.

There have been numerous reports in the media about the changes, many of which give a misleading impression of the changes. The elected members are often the first point of contact for members of the public with traffic concerns, and it is desirable that they are well informed of the process and rules for setting speed limits.

STRATEGIC CONTEXT

The Waitakere City Council's 'Integrated Transport and Communication' platform provides the strategic context for this report. The vision is for public transport and communications systems that provide fast, effective services, and for city travel facilitated by integrated, environmentally responsible, and innovative design, with a focus on meeting the essential needs of all, for access, communication, and safety.

Safe and appropriate speed limits play an essential role in ensuring motorist safety when using Council's road network.

ISSUES

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Under the new rule Council is legally required to follow a certain procedure set out in the rule when setting or reviewing speed limits. This process comprises three steps, firstly conducting a speed limit rating survey, then conducting consultation, then finally passing a bylaw and registering the speed limit, as attached at page A2. The detail of each step is elaborated on below:

Speed Limit Rating Survey

In this survey the road is divided into a series of 100 metre sections each of which is given a development rating and a roadway rating which are then combined together to get a total rating.

The development rating is based on the number of houses and businesses that have direct access onto the road combined with a value based on the development in any side road. A residence with its own driveway is worth one rating point while businesses and other facilities or several houses sharing a driveway are worth between one and four rating points based on the scale and type of the development. Only schools and kindergartens can be worth more than four rating points, their value being based on the number of pupils.

The roadway rating is based on the number of pedestrians, the availability of a footpath, the number of cyclists, the number of cars parked on street and their distance from the traffic lanes, the forward visibility for drivers, the presence of a flush median or median barrier, the presence of traffic control devices like "Stop" and "Give Way" controls and pedestrian crossings, road classification and the type of development adjacent to the road. Each of these factors is considered and a number of rating points assigned. These are totaled and compared to the total number of development rating points. If there are more roadway rating points than development points then the roadway rating is reduced to equal the development rating.

The combined total rating is then used to find a speed limit for the section of road: the attached chart shows the number of rating points required for a particular speed limit as well as other criteria. The speed limits for all the sections within a road are then compared with a view to achieving a consistent speed limit throughout the road. A small section of developed land within an undeveloped area will not warrant a reduced speed limit, neither will a small undeveloped section within an urban area warrant an increased speed limit. Rules for the minimum distance between speed limit changes and where to place the boundaries are included within the new rule.

Thus the final limit chosen for a road will be the same for the entire road or large sections of the road. The speed limits in connecting roads also need to be taken into account.

It is important to note that since the roadway rating cannot exceed the development rating, regardless of other factors, the development adjacent to the roadway is the driving factor in determining speed limits. A well developed urban area will have 50km/h limit regardless of other factors, whilst an undeveloped rural area will have a 100km/h limit. This means that a 100km/h limit may apply on a road where, because of a number of curves in the road or other geometric features, it is unsafe or impossible to travel at the speed limit. Mountain Road is a good example of a road with a 100km/h limit which cannot be safely traversed at 100km/h. In situations like these roadway delineation and warning measures like curve warning signs, chevron signs, advisory speed signs, edge marker post and edge lines can be used to improve motorist safety.

Consultation

The new rule requires that Council consult the following parties in writing before setting a new speed limit, as follows:

- The Land Transport Safety Authority;
- The Police;
- The Automobile Association;
- The Road Transport Forum;
- Any other road controlling or territorial authority affected by the change;
- *'Persons which may be affected by the proposed speed limit'* (In practice this will normally mean members of the public or business whose properties are adjacent to the road or use the road regularly).

Council is obliged to take into account any submissions received during consultation when setting speed limits, however this does not relieve Council of the requirement to set limits according to the rigid procedure laid down in the rule.

Bylaw and Registration of Speed Limits

The final step in setting a speed limit is for Council to make a bylaw setting the new limit. Council is also required to keep an up to date register of all speed limits in the City and all correspondence and other documentation relating to speed limits for seven years. Council must inform the Land Transport Safety Authority of any change in the speed limit at least 14 days before the new limits come into effect.

The new rule requires that road controlling authorities pass a bylaw ensuring that all existing speed limits are retained before any new speed limits are set. The Land Transport Safety Authority are currently producing a model bylaw for councils which is expected to be released in the near future.

Role of the Land Transport Safety Authority

The role of the Land Transport Safety Authority under the new rule is to oversee the application of the rule by road controlling authorities. A consistent national approach is essential and the Director of the Land Transport Safety Authority has the power to compel Council to review or change a speed limit or by notice in the New Zealand Gazette change a speed limit if Council refuses to do so.

Differences when Compared with the Old Method for Setting Speed Limits

The method by which speed limits are set has not changed significantly. The speed limit ratings survey which is the determining factor in choosing a limit is the same method previously used by the Land Transport Safety Authority. The consultation requirements are new, but as the limit chosen is determined by the survey result this makes little practical difference. The main change is an administrative one, Council rather than the Land Transport Safety Authority is now responsible for the bulk of the administration of speed limits and this will enable faster processing of reviews and requests.

Timeframe for Setting New Speed Limits

After the bylaw has been passed the process for changing a speed limit is still likely to be rather lengthy. The speed limit rating survey can be undertaken quite quickly, but consultation and the process required to pass a new bylaw whenever a speed limit is changed are both likely to take some time. The 14 days notice that must be given to the Land Transport Safety Authority before a new limit comes into effect will also add another two weeks to the time needed to change a speed limit.

The new rule requires Council to review all non-50 limits in urban areas and all non-100 limits in rural areas before 1 July 2005, for this reason there are likely to be a number of speed limit changes within the next year.

Pilot Study

At the request of the Waitakere Community Board, Transport Assets is conducting a pilot application of the new rule in Candia Road. Final outcomes of the pilot will be distributed to all Community Boards and the City Development Committee.

RESOURCES

The requirement to review a number of speed limits before 1 July 2005 will require approximately three person months of time. This can be absorbed into existing budgets through the use of Transport Assets staff time and consultants paid for from the transport planning budget.

CONCLUSION

The new rule for setting speed limits represents more of an administrative change than a major shift in the philosophy of setting speed limits in New Zealand. Council will take over much of the administrative workload to do with speed limits from the Land Transport Safety Authority but the actual limits that can be set will still be determined by the necessarily rigid rules used previously to set limits. For this reason it is unlikely that there will be many extensive changes to speed limits within the City.

The main benefit of the new rule to Council is that Council may now review limits when it feel that a change may be warranted rather than wait for the Land Transport Safety Authority to process a review the limit. The speed limit review process was also very drawn out when it was conducted by the Land Transport Safety Authority. Council now has the ability to ensure that speed limit reviews are conducted promptly where constituents consider that there is a discrepancy.

The main disadvantage to Council is that the majority of the cost of administering the speed limits must now be borne by Council.

RECOMMENDATION

That the New Rule for Setting Speed Limits report be received.

Report prepared by: Paul Schischka, Transport Engineer.

Chart showing available speed limits and criteria for public roadways under new rules

Speed Limit (km/h)	Permitted Locations	Total Rating (Development + roadway rating)	Development Level Range (per 100m of roadway)	Note
20, 30 or 40	Urban, Urban/Rural Boundary	11 or more	6 or more single residential dwellings or equivalent	Traffic calming measures, i.e. speed humps and chicanes need to be installed so that the mean speed of traffic is no more than 5km/h over the proposed limit before Council may set one of these limits.
50	Urban, Urban/Rural Boundary	11 or more	6 or more single residential dwellings or equivalent	Standard speed limit for urban areas
60	Urban, Urban/Rural Boundary (Arterial Roads Only)	11 or more	6 or more single residential dwellings or equivalent	A 60km/h speed limit can only be used on urban arterial roads where all of the following apply: a 4.5m or wider flush median or median barrier, lane widths 3.5m or greater, property boundaries at least 6m from carriageway, street lighting available, mean operating speed of vehicles 60km/h or higher, top 15% of vehicles have a speed 70km/h. There are currently no 60km/h zones in Waitakere City. It is doubtful that any roads within the city will meet all these criteria.
70	Rural, Urban/Rural Boundary	6 to 11	3 to 10 single residential dwellings or equivalent	
80	Rural, Urban/Rural Boundary	3 to 5	2 to 5 single residential dwellings or equivalent	
100	Rural, Urban/Rural Boundary	2 or less	2 or less single residential dwellings or equivalent	Standard rural speed limit

Notes:

1. The speed limit set on any public roadway must be one of the options listed above.
2. The exact speed limit that is set must be within the development level range listed above and is determined by adding the development and roadway factors to get a total rating.

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WAITAKERE CITY COUNCIL SPEED LIMITS BYLAW 2005

1. Citation

This Bylaw may be cited as the Waitakere City Council Speed Limits Bylaw 2005.

2. Commencement

This Bylaw comes into force on the date on which it is approved by Council resolution.

3. Purpose

This Bylaw is made pursuant to Section 684(1)(13) of the Local Government Act 1974, the Local Government Act 2002 and Land Transport Rule 54001: Setting of Speed Limits 2003 to ratify and confirm current speed limits within the City.

4. Definitions and Interpretation

Road has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003 and

"(a) includes:

(i) a street; and

(ii) a motorway; and

(iii) a beach; and

(iv) a place to which the public have access, whether as of right or not; and

(v) all bridges, culverts, ferries and fords forming part of a road or street or motorway, or a place in (iv)

(vi) all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or other enactment;

and

(b) includes a section of a road."

Speed limit has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003, namely:

"(a) the maximum speed at which a vehicle may legally be operated on a particular road, but does not mean the maximum permitted operating speed for classes or types of vehicle specified in any Act, regulation or rule;

(b) for a minimum speed limit, the minimum speed at which a vehicle may legally be operated in a specified lane of a road;

(c) an urban, rural, permanent, holiday, temporary, variable or minimum speed limit."

Urban traffic area has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003, namely:

"an area designated under this rule that consists of one or more specified roads or a specified geographical area, to which the urban speed limit generally applies."

All distances detailed in the Schedules are measured along the centre-line of the Road

5. Speed limits

Speed limits applying within Waitakere City are:

(a) Roads with a speed limit of 30 kilometres per hour set out in Schedule 1

(b) Roads with a speed limit of 70 kilometres per hour set out in Schedule 2

(c) Roads with a speed limit of 80 kilometres per hour set out in Schedule 3

(d) Roads with a rural area speed limit of 100 kilometres per hour set out in Schedule 4

(e) Roads with a school zone variable speed limit of 40 kilometres per hour set out in Schedule 5

(f) An urban traffic area speed limit of 50 kilometres per hour applies to all other Roads

The Common Seal of WAITAKERE CITY COUNCIL)
was affixed pursuant to Resolution No. ~~2005~~ / 2005)
dated 29 June 2005 in the presence of:)

MAYOR / DEPUTY MAYOR

CHIEF EXECUTIVE or REPRESENTATIVE

SCHEDULE 1 (30 KM) :

A speed limit of 30 kilometres per hour applies to the roads listed below :

- Kohu Road, Titirangi

SCHEDULE 2 (70 KM) : A speed limit of 70 kilometres per hour applies to the sections of road listed below.

Anzac Valley Road	South of 20 Metres South of Bethells Road
Atarua Gardens	
Bendalls Lane	
Bethells Road	East of 75 Metres East of Waitakere Road
Birdwood Road	North of 20 Metres South of Red Hills Road
Bush Road	
Candia Road	South of 70 Metres North of Henderson Valley Road
Candia Road	North of 25 Metres North of Coulter Road
Carter Road	
Cascade Avenue	
Cochran Road	
Falls Road	
Forrest Hill Road	South of 35 Metres South of Holdens Road
Gum Road	
Hayes Road	
Helios Place	
Henderson Valley Road	From 710 Metres West of Pine Avenue to 590 Metres West of Gum Road
Henderson Valley Road	West of 90 Metres East of Opanuku Road
Huia Road	South of 70 Metres South of Huia Dam Road
Huia Road	From 90 Metres West of Shirley Road to 40 Metres West of Armour Road
Huia Road	From 425 Metres West of Victory Road to 1020 Metres North of Staley Road
Huia Road	From 410 Metres East of Sylvan Valley Avenue to 750 Metres South of Scenic Drive
Kauri Road	
Kauri Loop Road	
Kellys Road	
Laingholm Drive	North of 35 Metres North of Deirdre Place
Log Race Road	
Manuka Road	North of 45 Metres South of Woodlands Park Road
Mountain Road	East of 920 Metres West of Hayes Road
Mountain Road	From 50 Metres East of Scenic Drive to 325 Metres East of Turanga Road
Nola Road	
North Candia Road	South of 120 Metres North of Pooks Road
North Way	
O'Neills Road	From 45 Metres North of Drower Road to 145 Metres South of Swanson Road
Opanuku Road	
Parker Road	
Patsy O'Hara Place	
Piha Road	From 275 Metres West of Karekare Road to 325 Metres South of Pendrell Road
Piha Road	East of 110 Metres East of Quinns Road
Pooks Road	West of 60 Metres East of Candia Road
Quinns Road	
Raroa Terrace	
Rauhuia Crescent	South of 40 Metres North of Huia Road
Red Hills Road	From 315 Metres East of Don Buck Road to 655 Metres East of Sunnyvale Road
Rimu Road	
Scenic Drive	From 680 Metres West of Huia Road to 35 Metres West of Kohu Road
Scenic Drive	From 70 Metres North of Barbant Road to 3645 Metres South of Tawari Road
Scenic Drive	From 70 Metres West of North Way to 60 Metres West of Tawini Road
Scenic Drive	From 120 Metres East of Quinns Road to 165 Metres West of West Coast Road
Scenic Drive	From 465 Metres North of Mountain Road to 3210 Metres South of Te Henga Road
Shaw Road	South of 375 Metres South of West Coast Road
Shirley Road	
Simpson Road	
Steed Road	
Sunnyvale Road	From 25 Metres South of Red Hills Road to 565 Metres North of Crows Road
Sunnyvale Road	
Te Ahuahu Road	
Te Henga Road	From 270 Metres West of Unity Road to 335 Metres West of Falls Road
Totara Road (Whenuapai)	From 275 Metres North of McKean Road to 50 Metres West of Karaka Road
Township Road	South of 30 Metres North of Waitakere Road
Tui Crescent	
Turanga Road	
Waitakere Road	From 220 Metres South of Township Road to 190 Metres North of Bethells Road
Wendy Road	
West Coast Road	West of 340 Metres West of Shaw Road
Whatipu Road	East of 950 Metres West of Huia Road
Woodlands Park Road	East of 170 Metres East of Waima Crescent

SCHEDULE 3 (80 KM) :

A speed limit of 80 kilometres per hour applies to the sections of road listed below.

Brigham Creek Road	West of 50 Metres West of Totara Avenue
Brigham Creek Road	From 280 Metres West of Trig Road to 155 Metres West of Hobsonville Road
Dunlop Road	
Hailes Road	
Kauri Road	South of 80 Metres North of Brigham Creek Road
Kay Road	South of 35 Metres North of Waitakere Road
Kennedys Road	
Northfield Road	South of 35 Metres North of Waitakere Road
Scenic Drive North	North of 400 Metres East of Awhiorangi Promenade
Swanson Road	West of 125 Metres West of Christian Road
Trig Road	North of 70 Metres South of Brigham Creek Road
Waitakere Road	South of 220 Metres South of Township Road

SCHEDULE 4 (100 KM) : A rural area speed limit of 100 kilometres per hour applies to the sections of road listed below.

Aio Wira Road	
Amreins Road	North of 80 Metres North of McEntee Road
Anawhata Road	
Barbant Road	
Bethells Road	From 80 Metres East of Wairere Road to 360 Metres East of Tasman Road
Birdwood Road	From 150 Metres North of Glen Road to 20 Metres South of Red Hills Road
Bristol Road	
Buckley Avenue	From Hobsonville Road to Airbase
Candia Road	From 70 Metres North of Henderson Valley Road to 25 Metres North of Coulter Road
Chamberlain Road	West of 175 Metres West of Don Buck Road
Christian Road	South of 90 Metres South of Swanson Road
Cornwallis Road	South of 990 Metres South of Huia Road
Coulter Road	
Crows Road	
Dale Road	
Donald McLean Road	
Drower Road	
Henderson Valley Road	From 90 Metres East of Opanuku Road to 590 Metres West of Gum Road
Huia Road	From 90 Metres West of Shirley Road to 630 Metres East of Foster Avenue
Karekare Road	North of 880 Metres North of Watchmans Road
Kauri Road	From 175 Metres North of Rata Road to 500 Metres South of Kingsway Road
Kay Road	North of 35 Metres North of Waitakere Road
Kokako Grove	
Lone Kauri Road	East of 390 Metres South of Watchmans Road
Long Road	
Mamari Road	
McEntee Road	East of 50 Metres East of Amreins Road
McKean Road	
Mountain Road	From 325 Metres East of Turanga Road to 920 Metres West of Hayes Road
Mountain Road	
Mudgeways Road	
O'Neills Road	West of 45 Metres East of Drower Road
Opanuku Road	South of 550 Metres South of Grassmere Road
Perris Road	
Piha Road	From 110 Metres West of Quinns Road to 275 Metres West of Karekare Road
Pine Avenue	
Red Hills Road	West of 655 Metres East of Sunnyvale Road
Riverlea Road	
Rope Road	
Scenic Drive	From 70 Metres West of North Way to 165 Metres East of West Coast Road
Scenic Drive	From 465 Metres West of Mountain Road to 3645 Metres East of Tawari Road
Scenic Drive	From 70 Metres West of Barbant Road to 120 Metres West of Scenic Drive
Scenic Drive	North of 3210 Metres South of Te Henga Road
Scenic Drive North	
Scott Road	East of 100 Metres East of Clark Road
Seibel Road	
Simpson Road	South of 190 Metres South of Tasman Avenue
Spedding Road	
Steam Hauler Track	
Sturges Road	West of 595 Metres West of Candia Road
Sunnyvale Road	South of 565 Metres North of Crows Road
Tawari Road	
Te Aute Ridge Road East	
Te Aute Ridge Road West	
Te Henga Road	East of 270 Metres West of Unity Road
Te Henga Road	West of 335 Metres West of Falls Road
Totara Road (Whenuapai)	From 100 Metres North of Brigham Creek Road to 275 Metres North of McKean Road
Tram Valley Road	
Trig Road	From 50 Metres North of Ryans Road to 70 Metres South of Brigham Creek Road
Unity Road	
Vineyard Road	
Waikarekare Lane	
Waitakere Road	North of 190 Metres North of Bethells Road
Walker Road	
Welsh Hills Road	
Whatipu Road	West of 950 Metres West of Huia Road
Yelash Road	

SCHEDULE 5 (40 KM SCHOOL ZONE VARIABLE SPEED LIMIT) :

A speed limit of 50 kilometres per hour applies to the sections of road listed below except during the times set out on fixed school zone signs or when school zone variable speed limit signs are activated during which times the speed limit shall be 40 kilometres per hour.

In accordance with Land Transport Safety Authority guidelines (Traffic Note 37 – July 2002), school zone variable speed limit signs will be operated for a maximum period of :

- 35 minutes before the start of school until the start of school
- 20 minutes at the end of school commencing no earlier than 5 minutes before the end of school
- 10 minutes at any other time of day when 50 children are crossing the road

Bethells Road (Waitakere Primary)	From 358 Metres West of Anzac Valley Road to 40 Metres West of Anzac Valley Road
West Coast Road (Oratia Primary)	From 283 Metres West of Shaw Road to 145 Metres East of Shaw Road (from outside the Oratia Superette at 556 West Coast Rd to outside the Oratia Cemetery at 541 West Coast Rd)
Shaw Road (Oratia Primary)	From West Coast Road to 375 Metres South of Anzac Valley Road