

**DRAFT STATEMENT OF PROPOSAL**

**PROPOSED SPEED LIMIT AMENDMENTS TO  
NAPIER CITY COUNCIL'S SPEED LIMITS BYLAW 2021**



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## 1. Background

1. The Government delegated speed limit decision making to Road Controlling Authorities on 1 July 2005. This delegation is contained in the Land Transport Rule: Setting of Speed Limits 2003
2. The Napier City Council has responsibility for setting speed limits in Napier on roads it administers as per the Land Transport Rule: Setting of Speed Limits 2017.
3. In 2005 Napier City Council ('the Council') adopted a speed limits bylaw. The bylaw is called: "*Napier City Council Speed Limits Bylaw 2005*".
4. A review was undertaken in 2009 and 2012 with the latest review being adopted in October 2021 and the Speed Limits Bylaw 2021 became operational. Through this most recent review, further work was identified and three additional proposals are now being consulted on.
5. The bylaw consists of a series of plans identifying public road speed limits within the City.
6. The draft Statement of Proposal 2021 is being released for public consultation using the Special Consultative Procedure as outlined in section 83 of the Local Government Act 2002. This procedure requires Council to:
  - a. Prepare a Statement of Proposal explaining the proposal; and
  - b. Give public notice of the proposal explaining why the changes are being made, where details of the proposal can be viewed and inviting public submissions; and
  - c. Ensure that those likely to be most affected by the proposal are aware of the proposal and are informed of how they can provide feedback; and
  - d. Act in accordance with sections 76-82 of the Local Government Act when making a decision; and
  - e. Write to all owners and occupiers of property on the road giving them the opportunity to submit and be heard.
7. In accordance with section 86(2) of the Local Government Act as it applies to amending bylaws, Council is required to include the following in a Statement of Proposal:
  - a. A draft of the proposed bylaw; and
  - b. The reasons for the proposal; and
  - c. A report on any relevant determinations by Council under section 155 of the Act.
8. The *draft* changes for the Speed Limits Bylaw 2021 form part of this Statement of Proposal and the final bylaw plans will incorporate the approved changes and be a stand-alone bylaw.

## 2. Reasons for the amendments

1. Under the Local Government Act 2002 Council is required to review all bylaws within five years of their adoption and every ten years thereafter.
2. Council reviewed most speed limits in the district earlier in 2021. The changes suggested by this review have been adopted. However the public feedback on these proposals identified several other areas where further work was needed. Three further speed limit changes are now proposed. These changes will make the speed on the relevant roads appropriate for their current road layout and bring them into alignment with the New Zealand Transport Agency's Speed Management Guide. The changes also promote consistency in speed limits across the district and promote increased road safety around schools.
3. The speed limits on some roads have been amended to align with the New Zealand Transport Agency's Speed Management Guide.

## 3. Calculating & Changing Speed Limits

1. Despite the fact that speed limit decision making is now delegated to Road Controlling Authorities the actual calculation of speed limits remains tightly controlled. This is to ensure consistency across the country.
2. The Land Transport Rule: Setting of Speed Limits 2017 sets out how the setting of speed limits are controlled and this is assessed against the New Zealand Transport Agency's Speed Management Guide.
3. Any decision of a Road Controlling Authority can be reviewed and changed by the New Zealand Transport Agency and the New Zealand Police.
4. The Land Transport Rule: Setting of Speed Limits 2017 requires that the following people, organisations and communities that are affected by the proposed speed limits are consulted:
  - a. New Zealand Transport Agency;
  - b. The chief executive of the New Zealand Automobile Association Incorporated;
  - c. The chief executive of the Road Transport Forum New Zealand;
  - d. Any local communities considered to be affected by the proposed speed limit;
  - e. The Commissioner of the New Zealand Police;
  - f. Hastings District Council;
  - g. Hawkes Bay Regional Council;
  - h. Any other organisation or road user group the Council considers affected;

#### 4. Consultation and Submissions

1. Council invites the community to give feedback on the proposed amendments to the Speed Limits Bylaw to assist in the decision making process.
2. Council will follow the detailed procedures with key dates below:

Council approves consultation on bylaw amendments	28 <sup>th</sup> October 2021
Public consultation starts	1 <sup>st</sup> November 2021
Public consultation ends	30 <sup>th</sup> November 2021
Council bylaw hearing with submissions being heard	December 2021
Council adoption of the revised bylaw	January 2022

3. Any person or organisation is welcome to make a submission on the *proposed amendments to the Speed Limits Bylaw 2021*.
4. The Council will take into account all submissions before deciding on the final content of the bylaw.
5. Copies of this Statement of Proposal will be available at:
  - a. Napier City Council office, Dunvegan House;
  - b. Napier Library;
  - c. Taradale Library; and
  - d. The Napier City Council website
6. Formal submissions may be made:
  - a. Online via Napier City Council's website [www.sayitnapier.nz](http://www.sayitnapier.nz)
  - b. Post to:

Traffic and Speed Limits Bylaw  
Infrastructure Services

Napier City Council  
Private Bag 6010  
Napier 4142

c. Email to: [speedlimits@napier.govt.nz](mailto:speedlimits@napier.govt.nz)

7. Submissions will close at 5pm on Tuesday 30th November 2021.
8. Submissions should include your name, address, telephone number and email address and should state if you wish to speak to Council in support of your submission. The Council will contact in writing, all submitters who wish to be heard to advise the confirmed time, date and venue of the hearing.
9. All submissions will be made available to the public after the submission period closes.

## Proposed Changes to the Speed Limits Bylaw 2021

### 5. Proposal 1: Willowbank Avenue



#### Explanation

We want to help drivers understand what speed they should be driving at, so we want to reduce the 100km/h speed limit on Willowbank Road to 80 km/h to be consistent with the speed limits on the surrounding roads. This should not only make the road safer but reduce confusion by making the speed consistent with the surrounding roads. A number of these surrounding roads were recently lowered to 80km/h from 100km/h in the most recent speed limit review.

This proposal also responds to submissions made to previous speed limit reviews.

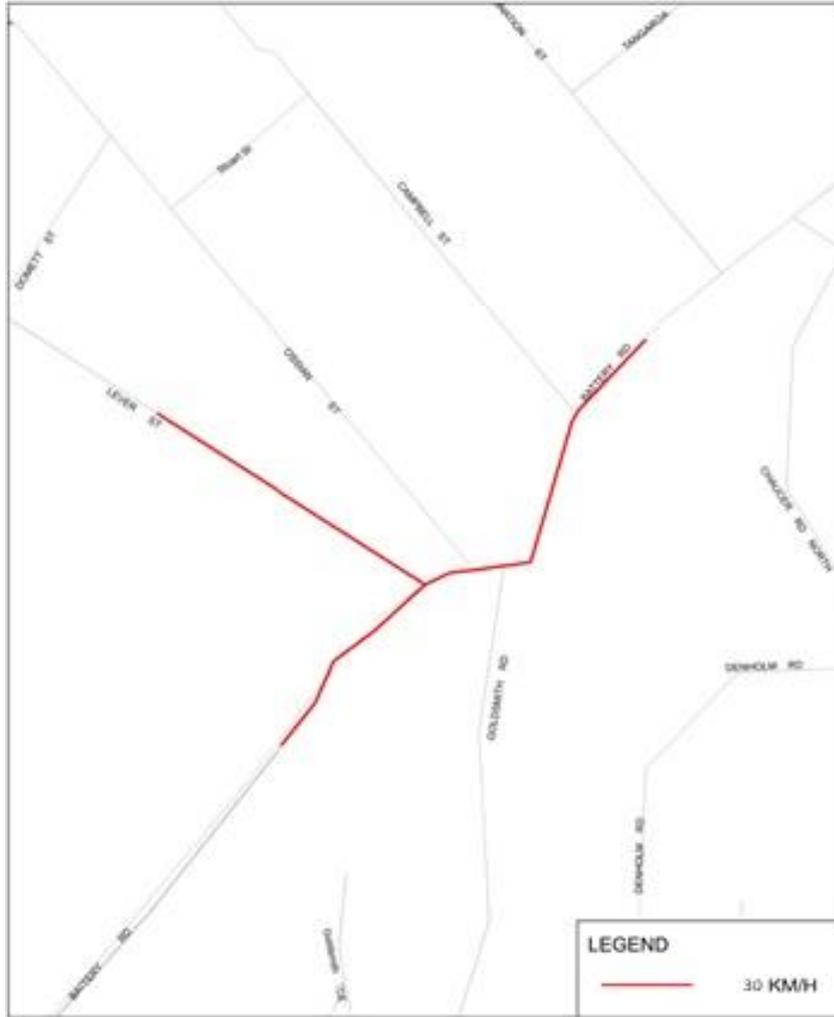
#### Assessment

Willowbank Avenue is included in the top 10% of New Zealand roads for reducing deaths or serious injury. The Speed Management Guide suggests a proposed safe and appropriate speed of 80km/h based on the Infrastructure Risk Rating for the southern half of Willowbank Avenue (after the intersection of Kenny Road) and 50km/h for the northern section to Geddis Avenue. Following further assessment of the Willowbank Avenue speed environment we believe that a consistent speed of 80km/h is the appropriate speed.

#### Proposal

The speed limits on Willowbank Avenue be reduced from 100km/h to 80km/h.

## 6. Proposal 2: Variable school zone on Battery Road (Port Ahuriri School)



### Explanation

We should be ensuring we give our most vulnerable, and most unpredictable, road users the greatest chance of survival. The New Zealand Ministry of Transport's 2012 research report into speeding states *"At 30km/h pedestrians have about a 90 percent chance of surviving the impact of a motor vehicle, whereas if struck at 45km/h they have only a 50 percent chance of surviving."*

This variable speed zone will cover Port Ahuriri School who advocated for the extension of the school zone to cover Battery Road as opposed to just Lever Street where the main entrance to the school is. Extending the school zone at Port Ahuriri School will reflect that some students are currently crossing Battery Road. Reducing the Speed to 30km/h during peak times will provide students coming from Napier Hill with a safer journey to school. Council notes that the safe and appropriate speed on this section of Battery Road is assessed at 50km/h so wishes to maintain outside of peak school hours. This is considered alternative options of maintaining the status quo or reducing the speed to be 30km/h at all hours of the day.

### Survey Assessment

NZTA's Traffic Note 37 permits variable speed limits at schools as this significantly reduces the level of injury if a child is struck by a vehicle. Variable speed limits have been introduced to most urban schools in Napier by the 2021 Speed Limits Bylaw.

### Proposal

The speed limit be reduced from 50km/h to 30km/h during morning drop off times and afternoon pick up times. The variable speed zone will extend 185 metres from address No.160 to address No.146.

## 7. Proposal 3: Variable school zone on Hill Road (Eskdale School)



### Explanation

The current speed limit on Hill Road is 80km/h at all times of the day. This is consistent with the safe and appropriate speed identified for Hill Road in the NZTA Speed Management Guide. However, the Council believes that a 40km/h variable speed limit should be in place around Eskdale School at morning drop-off and afternoon pick-up times.

This change has the potential to make it safer for children coming to and from the school. It would also be consistent with other schools in Napier which now have variable speed limits at morning and afternoon peaks. Lowering the speed limit around Eskdale School was also raised in submissions made to previous speed limit reviews and has been noted as a concern by local residents for some time. For these reasons the proposal is considered preferable to the alternative options; these being retaining the status quo or introducing a lower speed limit on Hill Road at all times of the day.

### Survey Assessment

NZTA's Traffic Note 37 permits variable speed limits at schools as this significantly reduces the level of injury if a child is struck by a vehicle. Traffic Note 37 permits a 40km/h variable speed limit at Rural Schools where the speed limit is 80km/h.

### Proposal

The speed limit be reduced from 80km/h to 40km/h during morning drop off times and afternoon pick up times. The variable speed zone will extend approximately 220 metres between address No.289 and address No.329.

## 8. Proposal 4: Variable school zone on Guppy Road (Reignier School)



### Explanation

We should be ensuring we give our most vulnerable, and most unpredictable, road users the greatest chance of survival. The New Zealand Ministry of Transport's 2012 research report into speeding states *"At 30km/h pedestrians have about a 90 percent chance of surviving the impact of a motor vehicle, whereas if struck at 45km/h they have only a 50 percent chance of surviving."*

### Survey Assessment

NZTA's Traffic Note 37 permits variable speed limits at schools as this significantly reduces the level of injury if a child is struck by a vehicle. Variable speed limits have been introduced to most urban schools in Napier by the 2021 Speed Limits Bylaw.

### Proposal

The speed limit be reduced from 50km/h to 30km/h during morning drop off times and afternoon pick up times. The variable speed zone will extend 130 metres from Moeller Street to Burness Road.