



4 March 2022

OC220090

Hon Michael Wood
Minister of Transport

Action required by:
 Monday, 7 March 2022

TACKLING UNSAFE SPEEDS - UPDATED FINAL CABINET DOCUMENTS

Purpose

To provide you with updated final Tackling Unsafe Speeds (TUS) documents for ministerial and caucus consultation, to start on Monday 7 March 2022.

Key points

- In January 2022 you approved drafts of TUS documents including Cabinet Economic Development Committee (DEV) and Cabinet Legislation Committee (LEG) papers, a draft Land Transport Rule: Setting of Speed Limits 2022 (new rule), two sets of new regulations and a regulatory impact assessment (briefing OC210979 refers).
- Following government agency consultation and further review of the TUS documents, we are providing you with updated documents (attached) for ministerial and caucus consultation to start on 7 March 2022, with feedback due by 21 March 2022.
- Government agencies generally supported the TUS proposals overall, although we have made some relatively minor changes to respond to feedback. From further review we have also made some more substantial changes to the new rule (relating to interim speed management planning) and other minor changes to the documents.
- New Zealand Police (NZ Police) fundamentally supported the TUS proposals. However, NZ Police raised two significant issues that concern preferring a national default speed limit for roads posing the greatest safety risks, and one consistent speed limit around all schools. We consider that the more flexible, targeted approach proposed is preferable to support *Government Policy Statement on Land Transport 2021/22-2030/31* outcomes, and account for local context.
- After ministerial and caucus consultation, and your advice to us on any necessary changes to the documents, we propose that you submit these for the DEV meeting of 13 April 2022, and LEG meeting of 14 April 2022 (for the regulations-related material).
- Pending Cabinet approval, you can sign the new rule to come into force on 19 May 2022. This timeline will avoid potentially significant implications for councils if the pre-election implementation window is missed. However, unavoidable delays can be managed, and councils are continuing to alter speed limits currently.

Recommendations

We recommend you:

- | | | |
|---|--|----------|
| 1 | agree that the attached DEV and LEG papers, new rule, new regulations, and regulatory impact assessment undergo ministerial and caucus consultation from 7 March 2022, with feedback due by 21 March 2022 | Yes / No |
| 2 | agree that, following ministerial and caucus consultation and any necessary changes, the documents be submitted for the DEV meeting of 13 April 2022, and LEG meeting of 14 April 2022 (for the regulations-related material) | Yes / No |
| 3 | sign the attached DEV paper, following ministerial and caucus consultation and any necessary changes to the documents, and lodge with appendices by 10:00am Thursday 6 April 2022 | Yes / No |
| 4 | sign the attached LEG paper, following ministerial and caucus consultation and any necessary changes, and lodge with signed advice sheets by 10:00am Thursday 6 April 2022 | Yes / No |
| 5 | sign Land Transport Rule: Setting of Speed Limits 2022 on 19 April 2022, after Cabinet but before Executive Council, subject to Cabinet notation and approval of the regulations by LEG | Yes / No |
| 6 | authorise notification of the signed new rule in the <i>New Zealand Gazette</i> | Yes / No |
| 7 | authorise the signed new rule to be presented to the House of Representatives. | Yes / No |



Robert Anderson
Manager Mobility and Safety
 4/3/2022



Hon Michael Wood
Minister of Transport
 ..6 / .03 / ..22.

Minister's office to complete:

<input type="checkbox"/> Approved	<input type="checkbox"/> Declined
<input type="checkbox"/> Seen by Minister	<input type="checkbox"/> Not seen by Minister
<input type="checkbox"/> Overtaken by events	

Comments

Contacts

Name	Telephone	First contact
Andrew Zielinski, Senior Adviser, Mobility and Safety	s 9(2)(a)	✓
Brent Johnston, Acting Director, System and Regulatory Design	s 9(2)(a)	

TACKLING UNSAFE SPEEDS - UPDATED CABINET DOCUMENTS

You agreed to progress the Tackling Unsafe Speeds proposals

- 1 We provided you with draft Cabinet papers, legislation, and related documents on the Tackling Unsafe Speeds (TUS) proposals for your review in December 2021 (briefing OC210979 refers). You advised us in January 2022 that you had no further feedback and were happy to proceed.
- 2 We have subsequently received feedback on the documents from a wide range of government agencies and made changes where appropriate to reflect this. We also continued to review the Land Transport: Setting of Speed Limits Rule 2022 (the new rule) to ensure it accurately aligns with policy decisions and is technically fit-for-purpose. We have consequently made changes to the new rule where necessary or informed by government agency feedback.

Government agencies broadly support the proposals, but NZ Police raised two significant issues

- 3 We have worked closely with Waka Kotahi NZ Transport Agency in developing the attached TUS documents, with Waka Kotahi leading drafting of the new rule.
- 4 We have also consulted the following government agencies: NZ Police, The Treasury, Ministry of Social Development (including the Office for Disability Issues and the Office for Seniors), Ministry for Primary Industries (including the Office for Rural Communities), Kāinga Ora, Ministry of Housing and Urban Development, Ministry of Justice, WorkSafe New Zealand, Ministry for Women, Ministry for the Environment, Ministry of Business, Innovation and Employment, Accident Compensation Corporation, Ministry of Health, Department of Internal Affairs, Department of Conservation, Ministry of Education, Department of Corrections and Te Puni Kōkiri. The Department of the Prime Minister and Cabinet was informed.
- 5 Agencies generally expressed support for the new regulatory framework for speed management and the TUS proposals overall.

We have made changes to the documents to reflect feedback from government agencies

- 6 Various agencies provided feedback from their own areas of interest, or to clarify/correct the document's narrative, which we have addressed as appropriate. For example, we have made changes to the paper for the Cabinet Economic Development Committee (DEV) to strengthen the narrative in the 'Population implications' section, and acknowledge the mutually reinforcing links between safer speeds, mobility/accessibility, and reducing carbon emissions.
- 7 Some agencies provided feedback on more minor or technical aspects of the new rule. We outline changes following government agency feedback and a further review in paragraphs 19-24 and **Annex two**.
- 8 We have added narrative to the attached regulatory impact assessment (RIA) specifically to acknowledge issues raised by the Office for Rural Communities and Ministry for the Environment. These issues included reference to the impact of

speeds on the freight transport sector regarding travel times and productivity, and on encouraging active transport and accessibility, with a view to reducing carbon emissions.

- 9 We have indicated in the RIA that we will consider the benefit and feasibility of evaluating the impact of the TUS proposals on issues broader than deaths and serious injuries (DSIs) and road safety, such as the above.
- 10 Some queries and comments from agencies relating to implementation or issues technically outside the proposals are most appropriately addressed in the upcoming Aotearoa New Zealand Speed Management Guide: Road to Zero 2022 Edition (Speed Management Guide). The Speed Management Guide is currently in development to provide to road controlling authorities (RCAs).
- 11 No agencies commented on the paper for the Cabinet Legislation Committee (LEG) or associated draft regulations.

NZ Police would prefer national default speed limits and consistent limits around schools

- 12 NZ Police also supported the new regulatory framework overall but raised two substantive issues. These involved preferring:
 - 12.1 a default national speed limit for roads posing the greatest safety risks (for example, a maximum limit of 80 km/h on roads lacking protective median barriers)
 - 12.2 one consistent low speed limit around schools, irrespective of schools' location.
- 13 We have considered NZ Police preferences but have not changed the proposals in response. Default speed limits were out of scope of the TUS proposals, except in part regarding speed limits around schools.
- 14 A default national speed limit provides less scope for a targeted, flexible, risk-based approach, able to consider local context and broad transport outcomes. Such an approach enables Waka Kotahi and other RCAs to give greater effect to the Government's transport outcomes and strategic priorities set out in the *Government Policy Statement on Land Transport 2021/22-2030/31*.
- 15 This allows targeted infrastructure investment on strategically important corridors to make them safer at their current speed limit, where possible. It also allows reduced speed limits on other high-risk corridors where investment is not available.
- 16 Giving RCAs the option to categorise their schools (and set different limits for each category) provides the flexibility needed to consider local conditions and risk profiles of individual schools and areas.
- 17 If an RCA can show there is a low risk to active transport users (for example, cyclists and pedestrians), it can place that school in category two. The speed limit will then reduce to between 40-60km/h, instead of the 30km/h required for category one schools. This approach links safety assessment to risk, and not just whether a school is urban or rural, although the location should still be considered.

- 18 We have included more narrative outlining the NZ Police position and our response in the attached draft DEV paper. We are comfortable the overall approach in the new speed management framework prioritises road safety while allowing flexibility for local decision-making.

We have made some more substantial and minor/technical changes to the new rule

We have made some more substantial changes to facilitate RCAs' interim plan use

- 19 As a result of further considering the fitness-for-purpose of the new rule since the last draft provided to you, Waka Kotahi and Te Manatū Waka have made some reasonably substantial changes involving the transitional provisions of SMPs. This is to more easily facilitate RCAs using interim plans before the first full SMP process begins, and will support RCAs to move to the new framework to set speed limits.
- 20 For a period of approximately two months after the new rule comes into force, RCAs may operate without interim plans and would need to continue to use the current process of consulting on speed limit changes. These RCAs may make speed limit bylaw changes within this timeframe.
- 21 To facilitate using interim plans we revised clauses 12.13 and 12.14 of the new rule to:
- 21.1 distinguish between interim plans that are already being consulted on and those where consultation will begin once the new rule is made
 - 21.2 allow RCAs to provide relatively little detail to enable certification on interim plans already being consulted on
 - 21.3 clarify that if an interim plan changes a speed limit outside a school, the RCA must set a new school speed limit in accordance with the new rule - we expect that for RCAs to meet the target deadlines for lowering speed limits around schools¹, they will need to start setting new school speed limits using interim plans.
- 22 If RCAs start consultation before the new rule comes into force, they could continue to use the current process of consultation on speed limit change. In this case RCAs could either make a bylaw at the end of the consultation process, within two months of the new rule coming into force, or the Director would certify their speed management plan and enter the data into the National Speed Limit Register (NSLR).
- 23 RCAs which have their speed limit records in the NSLR will use interim plans to set speed limits and update the NSLR. RCAs which do not have speed limit records in the NSLR would need to continue to use the current process of consulting on speed limit changes and make a bylaw. If RCAs do not have their data in the the NSLR within two months of the new rule coming into force, the Director can enter their speed limits for them.

¹ RCAs are required to reduce speed limits around 40 percent of schools under their responsibility by 30 June 2024 and ensure that speed limits around all schools meet the new reduced speed requirements by 31 December 2027.

We have also made some more minor and technical changes to the new rule

- 24 We have also made other more minor, technical, or detailed changes to the new rule, resulting from our further consideration or government agency feedback. These changes are listed in **Annex one**.

Legal authority and process

- 25 The Land Transport Act 1998 (LTA) empowers you as Minister to make an ordinary land transport rule, such as the new rule. You are authorised to make the new rule under the following sections of the LTA:
- 25.1 section 152 is a general empowering provision to make rules for matters such as assisting and promoting land transport safety.
- 25.2 section 157(1) provides more specific provisions to make rules for setting speed limits.
- 25.3 section 159A provides that ordinary rules may require Waka Kotahi to establish a committee that has one or more purposes associated with speed management, including:
- 25.3.1 reviewing a State highway speed management plan provided for in a rule
- 25.3.2 reviewing guidance or information on speed management prepared by Waka Kotahi.
- 25.4 section 160(4) provides that ordinary rules may address a variety of issues relating to Waka Kotahi, the Director, standards, conditions, definitions, forms, and transitional provisions.

You must legally consider several matters when making a rule

- 26 Section 164(2) of the LTA requires that you consider, and give such weight as you consider appropriate, to several matters when deciding to make a land transport rule.
- 27 You must consider these matters yourself and may not delegate this obligation. The matters are set out below, together with Te Manatū Waka's advice on these (incorporating advice received from Waka Kotahi).

Matter to be considered	Advice
<p>Section 164(2)(a)</p> <p>The level of risk existing to land transport safety in each proposed activity or service</p>	<p>Unsafe speeds are a critical contributor to deaths and serious injuries (DSIs) on our roads. Given the new rule provides for a more effective speed management approach, we expect land transport safety to be significantly enhanced.</p>

<p>Section 164(2)(b)</p> <p>The nature of the particular activity or service for which the rule is being established</p>	<p>The new rule involves three main components addressing speed management in land transport:</p> <ul style="list-style-type: none"> • establishing a new regulatory framework for speed management • transitioning to safer speed limits around schools • implementing a more effective approach to using road safety cameras.
<p>Section 164(2)(c)</p> <p>The level of risk existing to land transport safety in NZ in general</p>	<p>The level of risk to land transport safety regarding DSIs from crashes continues to be major concern and reducing DSIs is a Government priority.</p> <p><i>Road to Zero: New Zealand's Road Safety Strategy for 2020-2030</i> (Road to Zero) sets out our vision for a New Zealand where no one is killed or seriously injured in road crashes. Tackling unsafe speeds is a key Road to Zero action area.</p>
<p>Section 164(2)(d)</p> <p>The need to maintain and improve land transport safety and security, including (but not limited to) personal security</p>	<p>The primary purpose of the new rule is to improve land transport safety through a more proactive, coordinated, and transparent approach to speed management. We expect the approach to also improve the security of both the land transport system and personal security by reducing vehicle crashes. This should in turn reduce problems in the network, such as possible delays in transporting essential goods, and reducing the possibility of people's personal security being compromised through the unsafe speeds of others.</p>
<p>Section 164(2)(da)</p> <p>The appropriate management of infrastructure, including (but not limited to):</p> <p>(i) the impact of vehicles on infrastructure; and</p> <p>(ii) whether the costs of the use of the infrastructure are greater than the economic value generated by its use</p>	<p>Implementing safer speed limits may have benefits for managing infrastructure. This may occur for example through:</p> <ul style="list-style-type: none"> • creating environments which encourage more active transport, thereby reducing vehicle kilometres travelled and consequent impact on infrastructure • lower vehicle speeds reducing vehicle impact on road surfaces <p>New infrastructure will be established to meet Road to Zero road safety outcomes through speed management planning. Waka Kotahi and other RCAs will assess the level of safety infrastructure necessary for particular roads, to balance the social and economic benefit of reducing DSIs, with safety infrastructure costs.</p>
<p>Section 164(2)(e)(i)</p> <p>Whether the proposed rule assists economic development</p>	<p>The social costs of DSIs on New Zealand's roads were estimated to be over \$3.4 billion in 2021.² These costs include the value of a statistical life (for fatalities), loss of life quality (for serious injuries), reduced economic productivity, medical and other resource costs, and the devastation that deaths and serious injuries have on communities.</p> <p>Implementing safer speeds may increase travel times in some circumstances, potentially impacting economic outcomes. However, safer speeds can also improve economic outcomes through less disruption to the network and reducing traffic congestion and emissions. While evaluation of the rule's impact would be needed, given the high social cost of DSIs, we expect the new rule to enhance economic development overall.</p>
<p>Section 164(2)(e)(ii)</p> <p>Whether the proposed rule improves access and mobility</p>	<p>Safer speeds create safer roading environments:</p> <ul style="list-style-type: none"> • encouraging use of more active transport modes (walking, cycling, micro-mobility use) thus increasing mobility options • which protect more vulnerable road users (pedestrians, children, seniors, the disabled) thus improving access.

² Te Manatū Waka / Waka Kotahi Crash Analysis System data.

<p>Section 164(2)(e)(iii)</p> <p>Whether the proposed rule promotes and protects public health</p>	<p>Safer speeds reduce DSIs, reducing negative health impacts on the population and our public health system. They also create environments encouraging more active transport use, increasing health and wellbeing. Further, they can contribute to reduced carbon emissions, enhancing health.</p>
<p>Section 164(2)(e)(iv)</p> <p>Whether the proposed rule ensures environmental sustainability</p>	<p>There is a large body of international evidence indicating that safer speeds can contribute to reduced carbon emissions, facilitate a shift to more active transport methods, and reduce vehicle kilometres travelled. These factors are all relevant to help prevent climate change.</p>
<p>Section 164(2)(ea)</p> <p>The costs of implementing measures for which the rule is being proposed</p>	<p>Approximately \$1 billion per annum is budgeted in total for the next ten years to fund Road to Zero outcomes, including the Tackling Unsafe Speeds proposals. This includes for safety infrastructure, road policing, automated enforcement (safety cameras) and road safety promotion, which all support safer speeds.</p> <p>Monetised cost estimates of parts of the proposals, where possible, are provided in the regulatory impact analysis. This includes costs of:</p> <ul style="list-style-type: none"> • establishing the new speed management framework (\$3.4 million for Waka Kotahi) • implementing safe speeds around schools (\$196 million) • investing in new safety camera types (different scenarios ranging between \$6 million and \$200 million over 10 years). <p>Costs of all territorial road controlling authorities implementing safer speeds, for example, will depend on decisions following speed management planning. Total costs of the proposals are therefore not yet known.</p>
<p>Section 164(2)(eb)</p> <p>New Zealand's international obligations concerning land transport safety</p>	<p>The new rule relates to a domestic speed management approach not connected to any international obligations.</p>
<p>Section 164(2)(f)</p> <p>The international circumstances in respect of land transport safety</p>	<p>The new rule's proposals are based on international best practice from countries and jurisdictions that have achieved significant reductions in DSIs. This includes, for example, Sweden where tackling unsafe speeds has been a dominant focus as part of the Safe System³ approach. The number of road deaths per 100,000 inhabitants in Sweden fell by 68 percent between 2000 and 2019.⁴</p>
<p>Section 164(2)(g)</p> <p>Such other matters as you consider appropriate in the circumstances</p>	<p>Lowering speed limits to align with safe and appropriate speeds can attract criticism from communities regarding possible longer travel times. However, research has shown that reducing speeds somewhat, generally results in relatively small impacts on travel time.</p> <p>For example, a Waka Kotahi commissioned research project⁵ found that a drop in maximum speed travelled along certain routes from 100km/h to 80km/h, increased travel times by only around 10 percent and reduced fuel use by about 15 percent.</p>

³ The four Safe System principles under Road to Zero are: (1) People make mistakes that lead to road crashes. (2) The human body has a limited physical ability to tolerate crash forces before harm occurs. (3) The responsibility for safety is shared amongst those who design, build, manage and use roads and vehicles. (4) All parts of the system must be strengthened so that, if one part fails, road users are still protected.

⁴ International Transport Forum (2020). Road Safety Report 2020 - Sweden. OECD.

⁵ Rowland T. and McLeod D. (2017). Time and fuel effects of different travel speeds. Malatest International.

Consultation

- 28 Before making a rule, section 161(2) of the LTA requires you to:
- 28.1 publish a notice of your intention to make the rule
 - 28.2 give interested persons a reasonable time, which must be specified in the notice, to make submissions on the proposal
 - 28.3 consult with such persons, representative groups within the land transport system or elsewhere, government departments, and Crown entities as you in each case consider appropriate.
- 29 By a delegation dated 31 March 2021, you delegated these responsibilities to the Board of Waka Kotahi. In accordance with that delegation, Waka Kotahi published notice of your intention to make the rule on 23 April 2021 and undertook public consultation between 23 April and 25 June 2021. Extensions were provided to eight RCAs for two additional weeks to allow time for these submissions to go through their appropriate sign-off process.
- 30 A total of 325 submissions were received from individuals, businesses and special interest groups, schools, industry associations and local government. As part of this public consultation process Waka Kotahi officials, with a Te Manatū Waka representative, also ran fourteen workshops with RCAs across New Zealand, covering eleven locations. Workshops were attended by a range of council staff and elected officials, including mayors, and iwi, industry associations and special interest groups.
- 31 Consultation with a wide range of government agencies on the new rule also occurred over late December 2021 to early February 2022. Broader comprehensive consultation on the TUS proposals overall, including with stakeholder interest groups, government agencies and individuals, has also occurred over several years from 2018.
- 32 On the basis outlined above we consider you can conclude that appropriate consultation under section 161(2) has occurred.

Regulations Review Committee

- 33 Ordinary rules are secondary legislation for the purposes of the Legislation Act 2019 and are subject to disallowance under section 115 of that Act. Under section 114 of that Act, they must be also be presented to the House of Representatives in accordance with the House's rules and practice. This means no later than the sixteenth sitting day after the day on which rules are made.
- 34 A draft of the new rule has not been referred to the Regulations Review Committee under Standing Order 326(2). In the past, we understand that Ministers' preference has been to not refer draft rules to the Committee. There does not appear to be any grounds for the Regulations Review Committee to draw the new rule to the attention of the House under Standing Order 327(2).

Compliance

- 35 The new rule is consistent with the:
- 35.1 principles of the Treaty of Waitangi
 - 35.2 rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993
 - 35.3 principles and guidelines set out in the Privacy Act 2020
 - 35.4 relevant international obligations
 - 35.5 *Legislation Guidelines (2018 edition)*, maintained by the Legislation Design and Advisory Committee.

Other legislative implications

- 36 The new rule makes amendments to the Land Transport: Traffic Control Devices Rule 2004 to allow implementation of 'Kura/School' speed limit signs reflecting te reo Māori.
- 37 Two sets of new regulations are also needed to support the new rule:
- 37.1 Land Transport Management (Regional Transport Committees) Regulations 2022 - will allow regional transport committees to prepare and review speed management plans
 - 37.2 Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2022 - will detail the information RCAs must supply as part of land transport records to set speed limits and other technical issues.

Costs

- 38 The costs of the rule amendments, and processes associated with administering them, are being met through current Waka Kotahi funding.

Publicity

- 39 Waka Kotahi will notify the making of the new rule in the *New Zealand Gazette*, as required by section 161(3)(a) of the LTA. Waka Kotahi will also publicise the new rule in its publications and on its website.

Timing and the 28-day rule

- 40 The new rule and regulations are expected to come into force on 19 May 2021. It is a requirement of Cabinet that, unless a waiver is granted, rules and regulations must not come into force until at least 28 days after they have been notified in the *New Zealand Gazette*.

- 41 The 28-day rule reflects the principle that the law should be publicly available and capable of being ascertained before it comes into force. For the new rule and regulations to comply with the 28-day rule, they must be notified in the Gazette no later than 21 April 2022, which is at least 28 days before commencement.

Next steps to progress the proposals for Cabinet consideration

- 42 Pending your agreement, we propose that the attached Cabinet papers, new rule, new regulations, and regulatory impact assessment undergo ministerial and caucus consultation for two weeks from 7 March 2022. Comment would be due back by 21 March 2022.
- 43 We will subsequently make any changes to the documents if you require, with a view to your office lodging the papers for consideration at the DEV meeting of 13 April 2022 and LEG meeting of 14 April 2022. Parliamentary Council Office will lodge the two sets of regulations associated with the LEG paper and may continue to make minor and technical changes up to that point.
- 44 It is desirable that the proposals be considered at the above Cabinet Committee meetings if possible, so the new rule has a likelihood of coming into force by mid-May 2022. A proposed Cabinet approval process timeline is provided at **Annex two**.
- 45 Following this timeline will reduce the risk of potentially difficult transitional implementation issues, for example due to upcoming local body elections, for some RCAs. However, should making the new rule be delayed such issues can be managed and RCAs are continuing to make speed limits changes currently.
- 46 Pending Cabinet notation, expected on 19 April 2022, you need to sign the new rule (on the same day) and authorise notification in the *New Zealand Gazette* and laying before the House of Representatives. On 19 April 2022, you need to sign the new rule after Cabinet but before Executive Council. The new rule will subsequently come into force 28 days after gazetting, on 19 May 2022 under our proposed timeline.

Following the new rule coming into force, Waka Kotahi will establish the Speed Management Committee and Te Manatū Waka will conduct the appointment process

- 47 Following you making the new rule, Waka Kotahi will take steps to establish the Speed Management Committee (SMC), which has the role of reviewing the State highway speed management plan. You approved a draft terms of reference and job description for the SMC as part of the previous package of TUS papers (briefing OC210979 refers).
- 48 Te Manatū Waka will support this by process by recommending SMC members to you for appointment, following consultation with the Director of Land Transport. We expect to provide you with Cabinet Appointments and Honours Committee papers with a view to the SMC being appointed by late-2022.

ANNEX 1

Changes to the new rule of a technical or detailed nature

- 1 Changes to the new rule of a more minor, technical, or detailed nature include:
 - 1.1 The new rule now includes one of the amendments to the Traffic Control Devices Rule 2002 for implementing the kura/school signs change (cl 10.4(3)). This is a kura/school signs change that only works once the new rule is made, so it is best for that change to be made as a consequential amendment included in the new rule. Other amendments to the Traffic Control Devices Rule for implementing the kura/school signs change will be made separately.
 - 1.2 Detailing that it is unnecessary for an RCA to explain why it has chosen a speed limit different from Waka Kotahi's assessment of the safe and appropriate speed (SAAS) limit for the road:
 - in the case of 70km/h and 90km/h speed limits that are lower than the Waka Kotahi SAAS assessment
 - where the speed limit is outside a school (as the Waka Kotahi assessment will not always factor in the presence of a school) (cl 3.8(3), noting that an explanation is required for category two school limits (cl 5.3(3)(b)(i)).
 - 1.3 Detailing that, when a plan is being certified, the RCA must confirm it has identified all the 70km/h and 90km/h speed limits and all the schools in its area. This means the Speed Management Committee (SMC)/Director need not independently check that a plan has been comprehensive on these items, which would require unnecessary and duplicate effort (cl 3.11(1)(b)).
 - 1.4 Conditions on existing approvals of 110km/h speed limits will continue in force, despite the repeal of the current Setting of Speed Limits 2017 rule (cl 10.2(2)). However, conditions on existing approvals of 70km/h and 90 km/h speed limits will cease to apply, given that under the new rule those speed limits can be set without needing approval or conditions.
 - 1.5 Confirming that if an RCA does not migrate its speed limits onto the National Speed Limit Register by the deadline, and then fails to comply with a direction to do so, Waka Kotahi can act for the RCA and enter the RCA's existing speed limits onto the Register (cl 12.4(2)).
 - 1.6 Recognising that some data migration work can have occurred before the new rule is made (cl 12.5(4)).
 - 1.7 Clarifying which planning provisions should be used by Auckland Transport/Council and other unitary authorities – they should use the regional speed management plan provisions.
 - 1.8 Minor technical amendments to requirements for multiple signs (cl 8.1).
 - 1.9 Editing the wording of the mandatory considerations that a non-territorial authority RCA must have regard to when setting a speed limit on its road, to better align with wording used elsewhere in the new rule (cl 6.3(1)).

ANNEX 2**Cabinet approval process timeline - 2022**

Date	Rule milestones	Regulations milestones
7 March 2022	Draft Cabinet paper out for ministerial and caucus consultation	Draft LEG paper out for ministerial and caucus consultation
21 March 2022	Comments back from ministerial and caucus consultation	Comments back from ministerial and caucus consultation
1 April 2022	Final Cabinet paper to Minister	Final LEG paper and regulations to Minister
6 April 2022	Final Cabinet paper lodged for DEV	Final paper lodged for LEG (including PCO lodging the Regulations)
13 April 2022	DEV meeting	
14 April 2022		LEG meeting
19 April 2022	Cabinet	Cabinet and Executive Council
19 April 2022	Minister signs the Rule	
21 April 2022	Gazette notice published	Gazette notice published
19 May 2022	Rule comes into force following 28-day period	Regulations come into force following 28-day period