

# ***Regional Speed Limit Review Waipu South, Langs Beach (urban) and District Beaches***

## ***Recommendations Report***

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## 1 Overview

Whangarei District Council (Council) is a Road Controlling Authority (RCA) within the Whangarei District and has a statutory role in managing the District's local roads (except State Highways), including the setting of speed limits. This statutory role as an RCA is set out under the Land Transport Act 1998, which also enables Council to make a bylaw that fixes the maximum speed of vehicles on any road for the safety of the public, or for the better preservation of any road (*Section 22AB(1)(d)*).

The Whangarei District Speed Limits Bylaw 2019 sets the speed limits on all local roads within the District, with the Schedules and maps in that Bylaw identifying the enforceable speed limits and where they apply. The Bylaw also sets speed limits on beaches where vehicles have access. It should be noted that vehicle access and use on a beach is managed through the Control of Vehicles on Beaches Bylaw, and in some cases, through regional and district plans under the Resource Management Act 1991.

Council undertook community consultation on proposed new speed limits within the following areas:

- Waipu south, including Cove Road and rural roads east of State Highway 1 and north of the Brynderwyn Range.
- Langs Beach urban area.
- All beaches within the Whangarei District, including Langs Beach.

The proposed changes to speed limits were publicly notified in accordance with Section 156 of the Local Government Act 2002; with feedback being sought from 29<sup>th</sup> October to 5pm, Friday 18<sup>th</sup> December 2020. Hearings were held at Council Chambers, Forum North on 24<sup>th</sup> February 2021.

This Report brings together all the information that must be considered under Section 4.2(2) of the Setting of Speed Limits Rule 2017, including:

- Community feedback and recommendations (main body of Report)
- Recommended Speed Limit Maps (Appendix 2)
- Technical Information to be considered (Appendix 3 as a separate attachment)

In addition to this Recommendations Report, it should be noted that all submissions were formally read and received by Council at the Hearings held on 24<sup>th</sup> February and were attached to the agenda item for that meeting. Council also approved the Statement of Proposal for consultation purposes.

### 1.1 Purpose and Scope

The purpose of this Report is to make recommendations to Council on new speed limits within the review area. The recommendations arise from an assessment of all the information that the RCA is required to consider when setting speed limits under Section 4.2(2) of the Setting of Speed Limits Rule 2017.

The detailed technical information that was collated and considered when proposing new speed limits for public notification and community feedback forms part of the decision-making process and is appended to this Report (as a separate attachment).

This report meets the requirement of the Local Government Act (2002): Principles of Consultation (Section 82 and 82A). The report provides:

- A summary of the feedback received.
- A discussion of the issues raised by submitters, either individually; or collectively where there are similar themes.
- The recommendations arising from the feedback, including the reasons for the recommendations.

Feedback is acknowledged in this report; but individual submissions may not be specifically referenced within the body of this report due to the similarity of the decisions requested, reasons given, and the volume of submissions received.

## 1.2 Implementation of recommended speed limits

There are a number of factors that are required to ensure that a speed limit is legally enforceable:

- The Speed Limit must be set in accordance with the Setting of Speed Limits Rule 2017. This has been achieved through the speed limit review process (including associated consultation); and
- New speed limits signage must be installed in accordance with Setting of Speed Limits Rule 2017 and relevant standards; and
- Speed limit signage must match the operative speed limits set out in the Speed Limits Bylaw 2019 (as amended).

Given the physical works required to ensure the enforceability of proposed new speed limits, Council will be requested to debate and adopt the recommendations in this Report. Council will then make a separate decision to make the proposed speed limits operative once signage has been installed.

## 1.3 National Speed Limit Register

The Whangarei District Speed Limits Bylaw currently sets the speed limits on all local roads within the district. The schedules and maps in the Bylaw identify the enforceable speed limits and where they apply.

In late 2021, all Speed Limit Bylaws will be migrated to a National Speed Limit Register (NSLR). The NSLR will become the legal instrument by which all speed limits are enforced. In effect, once the NSLR goes “live” for the Whangarei District, the Whangarei District Speed Limits Bylaw 2019 will be superseded.

The timing of the change-over has not yet been determined as the required legislation is yet to pass through Parliament. However, the current proposed timing will coincide with the implementation of this speed limit review. The proposed change will not impact on the implementation of the adopted recommendations. However, but the legal instrument (Bylaw) to enforce the new speed limits may change.

The change in legal instrument from Bylaw to NSLR does not change the Whangarei District Council’s role as a Road Controlling Authority. Speed limits are still set, in accordance with the Setting of Speed Limits Rule 2017 (and its amendments). The matters that must be considered when setting a Speed Limit does not change under the new system.

## 2 Delegations

Speed Limits within the District are set by Council in its capacity as an RCA. The RCA is responsible for decisions relating to feedback on proposed speed limits. The Speed Limits Bylaw is made under Section 22AB(1)(d) of the Land Transport Act.

## 3 Community Consultation Process

The Whangarei District Speed Limits Bylaw is made pursuant to the Land Transport Act 1998. Section 22AD (1) of the Land Transport Act 1998 states that Section 156 of the Local Government Act 2002 applies. Section 156 (LGA) sets out the consultation requirements when making or amending a Bylaw. The relationship between the different Acts with respect to consultation are:

- The Local Government Act 2002 provides the process for consultation.
- The Land Transport Act 1998 and the Setting of Speed Limits Rule 2017 identifies who must be consulted.

The proposed changes to the Speed Limits Bylaw were assessed against the requirements of Section 156 of the LGA 2002. This assessment determined that the proposed changes would; or would likely to have; a significant impact on the public. The significance relates to the wide-ranging proposals to change speed limits within the affected catchment area. The proposed changes would have the potential to impact on all road users to some degree.

Given the significance of the proposed changes, it was determined that consultation should be undertaken in accordance with Section 83 of the LGA 2002 – Special Consultative Procedures.

### **3.1 Notification**

A Statement of Proposal (Appendix 3) was prepared in accordance with the requirements of the LGA 2002 and notified in local media and on Council's website. In addition:

- The full Statement of Proposal and supporting technical information was made available on Council's website.
- Press releases relating to the review and proposed speed limit changes were featured in local media.
- Key Stakeholders and Statutory Consultees were notified directly.
- Information, including the Statement of Proposal and Technical Information was made available at Council offices and service centres.
- An information and community "drop in" session, attended by key staff was held at the Waipu Cove Surf Lifesaving Club.

#### **3.1.1 Facebook and electronic media engagement**

In addition to the statutory engagement processes, Council also utilises its Facebook page, website and other electronic media to engage with the wider community. Two separate articles were posted on Facebook media in relation to the proposed speed limit changes. Each article contained links to additional information and to the electronic submissions page.

The first article highlighted the proposed changes to speed limits within the review area. This article was viewed 17,982 times.

The second article highlighted proposed changes to speed limits on beaches. This article was viewed 23,849 times.

### **3.2 Hearings**

Section 83(1)(d) and (e) of the LGA 2002 requires the Local Authority to provide an opportunity for persons to present their views to the local authority in a manner that enables spoken (or New Zealand sign language) interaction between the person and the Local Authority, or any representatives to whom an appropriate delegation has been made.

The community was provided with an opportunity to provide written submissions between 29<sup>th</sup> October and 18<sup>th</sup> December 2020. All submitters were asked to indicate if they wished to be heard in person to support their submission.

All submitters that indicated that they wished to be heard in support of their submission were contacted by both email and telephone to confirm whether they still wished to be heard.

A total of 10 submitters presented their submissions at a formal hearing on 24<sup>th</sup> February 2021, held in Council Chambers at Forum North, Whangarei.

The Hearing was attended by full Council in their capacity as the Road Controlling Authority. Key Northland Transportation Alliance Staff, who are responsible for recommending decisions to the RCA were also in attendance.

### 3.3 Hearing Summary

A range of issues were expanded upon by submitters at the hearing. Most of those issues have been addressed throughout this Report in some detail. A full copy of each submission is available in the Council Hearing Agenda for 24<sup>th</sup> February 2021. A summary of the submitters that were heard is set out below.

**Lester Sherman (Submitter 084)** raised a wide range of issues relating to Whangaumu Bay Beach. Mr Sherman presented additional Power Point information, which he provided the Hearing in written form. The issues raised by Mr Sherman in his submission and presentation included:

- Restricting vehicle access to the beach area by prohibiting them from the area west of the creek and limiting vehicle access for the launching of boats east of the creek.
- Ski Lane issues and use of boats in the bay
- Noise and litter
- The 50kph speed limit on Whangaumu Street is excessive, particularly on summer public holidays and weekends including more use of traffic calming
- The current and proposed speed limit of 30kph is too high and should be 10kph.

*Restricting Vehicle Access* – Vehicle access onto a beach is managed through the Whangarei District Control of Vehicles on Beaches Bylaw and is outside the scope of what the Speed Limits Bylaw may address. A more detailed response to this issue is set out in Sections 4.1.3 and 6.2 below.

*Ski Lanes and use of boats in the bay* – is outside the scope of the speed limits review. Activities within the Coastal Marine Area (below Mean Highwater Spring) is within the jurisdiction of the Northland Regional Council. Ski Lanes are identified through the Northland Region Navigation Safety Bylaw 2017, along with navigational rules and moorings.

*Noise and litter* - are managed through various Council Bylaws and are outside the scope of this speed Limit review.

*Whangaumu Street speed limit* – Whangaumu Street is located in the Whangaumu Bay settlement. This road is outside of the scope of this speed limit review. However, it is expected to be reviewed as part of the Tutukaka Coast Speed Limit Review, currently scheduled for 2022.

*Whangaumu Bay Beach* - Mr Sherman sought a speed limit of 10kph on the beach. He stated that he had witnessed two near misses on the beach. Mr Sherman noted that a 10kph speed limit was common within industrial sites and therefore was appropriate on the beach as well. Mr Sherman noted that, as a pedestrian on the beach, he should not have to avoid vehicles on the beach. He did however accept that people access the beach to launch boats, but this should not extend to joy riding or excessive speeds. People driving on the beach are “not going anywhere”.

A detailed analysis of submissions on Beaches within the Whangarei District is set out in Section 6.2 of this Report.

**Terry Kayes (Submitter 099)** raised issues relating to Cove Road at Waipu Cove, near the campground and Café, as well as at Langs Beach from Blue Moon Rise subdivision to Hector Lang Drive, as well as the proposed speed limit on Langs Beach.

Mr Kayes strongly disagrees that any area of Langs Beach should be regarded as having 'equal access' for both people and cars. People must have priority over vehicles on a beach such as this with huge demand for family recreational use, including swimming, picnicking, beach games, etc. Mr Kayes noted that they have observed unsafe speeds on numerous occasions.

With respect to Langs Beach, Mr Kayes stated that the eastern end of the beach is calmer and sheltered. This end of the beach is the preferred area for families with toddlers. Mr Kayes stated that a tractor towing a boat generally travels at about 10kph. This should be the speed limit.

A detailed analysis of submissions on Beaches within the Whangarei District, including Langs Beach is set out in Section 6.2 of this Report.

Mr Kayes stated that Cove Road should be 30kph along the beach front at Langs Beach through to a point past Hector Lang Drive. Mr Kayes reasoning included that there is a lot more traffic, including tourist traffic in this area. There are a number of danger points, including sharp curves in the road. Blue Moon Rise subdivision will contribute additional traffic from the 65 new houses that will make up this subdivision.

With respect to Cove Road at Waipu Cove, Mr Kayes noted that Cove Road is becoming steadily busier, not only with cars, but also with camper vans following the scenic route and heavy vehicles. Mr Kayes supported a 30kph speed limit in the area between the camping ground and café.

Mr Kayes submission and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**Virginia O'Donnell (Submitter 108)** was mainly concerned with driving on Langs Beach. Ms O'Donnell lives in a prominent position at Langs Beach and therefore sees what happens on the beach.

The beach is used by a succession of vehicles and is also popular with families, particularly families with toddlers. Parts of the beach has Fairy Terns nesting at certain times of the year. Families prefer the south-east end of the beach where vehicles are allowed as it is more sheltered, and it is safer for young children to swim there.

Ms O'Donnell said that she has seen vehicles overloaded with people, driving dangerously on the beach. Some vehicles drive onto the beach just to go "there and back", others travel on the beach, stop and picnic. Ms O'Donnell stated that many of the local vehicles obey the current rules, but many don't consider the rules at all. Ms O'Donnell provided photographs to support her statements about driver behaviour.

Ms O'Donnell noted that generally, with the exception of vehicles towing jet skis, the vehicles that towed boats on the beach showed good driver behaviour, it was other vehicles that had no real purpose for being on the beach that caused the problems.

Ms O'Donnell sought a more defined driving area on the beach with a 10kph speed limit. She stated that clear signage is needed that places the onus on drivers to watch out for pedestrians. Ms O'Donnell also suggested a locked gate system similar to that used at Waipu Cove.

A detailed analysis of submissions on Beaches within the Whangarei District, including Langs Beach is set out in Section 6.2 of this Report.

With regard to Cove Road, Ms O'Donnell stated that there are issues with engineering the road for a higher speed limit, so it was appropriate to address the speed limit. Ms O'Donnell noted that vehicles do not slow down when approaching Hector Lang Drive.

Ms O'Donnell's submission and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**Malcolm Morrison (Submitter 071)** was mainly concerned with the speed limit on Langs Beach, but also made some comment about Cove Road.

Mr Morrison has owned property at Langs Beach for 20 years and has observed many instances where vehicles (especially Utes, SUV's and cars) are driven very dangerously on the beach especially during summer. Many of these vehicles are not exceeding 30kph, but

because of a lack of traction, the proximity of people and no defined travel path, even 30kph can be dangerous. Mr Morrison requested that the speed limit on the beach be 10kph.

Mr Morrison stated that, normally within a mixed-use space, pedestrians and vehicles are aware of each other because the space is defined and vehicles have a well-defined travel path. This is not the case on the beach and therefore a lower speed limit is appropriate.

Mr Morrison also raised issues with signage on the beach. He stated that there is too much detail on the signs, so no-one reads them. The signs also put the onus on pedestrians to look out for cars. This onus should be placed more clearly on the driver.

With regard to enforcement, Mr Morrison stated that a Council Enforcement Officer is visible on the beach infrequently and is mostly enforcing dog bylaws.

A detailed analysis of submissions on Beaches within the Whangarei District, including Langs Beach is set out in Section 6.2 of this Report.

Mr Morrison also raised concerns relating to Cove Road through Langs Beach and stated that he felt the speed limit was too high along the beach front area. The carriageway is narrow and there is no proper parking. Mr Morrison considered that it was only a matter of time before a vehicle will go over the bank with people under it on the beach.

Mr Morrison's submission and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**Ella Buckle (Submitter 038)** raised concerns about speed limits on Cove Road at Waipu Cove. Ms Buckles was concerned that vehicles went through the Waipu Cove area so fast that children cannot safely cross the road. Waiting for the school bus is dangerous as there is a lack of berm area and children are waiting in close proximity to the road.

Ms Buckle stated that she believed that the proposed speed limit at Waipu Cove is not slow enough. There is increased commuter traffic, particularly between 7am and 8am and from 5pm to 7pm. These commuters drive very fast through Waipu Cove. Ms Buckle also noted that the influx of vehicles over the summer months, as well as cars parked on the roadside add to the risk.

Ms Buckle requested that a slower speed limit be extended to a point beyond the bike path crossing.

Ms Buckle's submission and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**Neils Jaegersbourg (Submitter 072)** was particularly concerned with Cove Road at Langs Beach, especially from Hector Lang Drive to The Crescent being the access road to Langs Beach Estate and from there further South to Seacrest Boulevard. Mr Jaegersbourg was fully supportive of the proposed speed limits.

Mr Jaegersbourg noted that there are approximately 30 families that live at Langs Beach Estate within The Crescent and The Ridge. Many residents endeavour to walk to Langs Beach during the summer months. However, 80% of this walk is along a road with a 100kph speed limit, including across a narrow bridge. There is no proper path to follow off the road. This walk is very dangerous and as a result, many decide to drive the short distance to the beach where the number of car parks is very limited.

Mr Jaegersbourg stated that Seacrest Boulevard is part of Langs Beach. He requested that the proposed 40kph speed limit be extended out to a point beyond Seacrest Boulevard, which would also incorporate the one-lane bridge.

Mr Jaegersbourg discussed the car park on Cove Road near Hector Lang Drive. He stated that this car park only provided about 30 parking spaces. If the proposed 40kph speed limit was extended to Seacrest Boulevard, past the one-lane bridge, then some pressure would come off the small parking area. More people from The Ridge, The Crescent, and Seacrest

Boulevard would walk to the beach, rather than driving. He noted that this is a distance of approximately 900m.

Mr Jaegersbourg also noted that some traffic calming would be useful. However, he noted that speed bumps may not stand up to heavy vehicles on the road. Some form of footpath would also encourage more walking and make it much safer. He also noted that there is no police enforcement in this area.

Mr Jaegersbourg's submission and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**Glenys Hoffman on behalf of a petition signed by 69 people (Submitter 011 and 094)** spoke in support of a petition with 69 signatories. The petition sought a speed limit of 40kph in Waipu Cove as well as associated physical works, including a pedestrian crossing from the Reserve Carpark to the Cove Café and traffic calming measures through the Waipu Cove to enforce a reduced speed limit. Traffic calming sought included:

- Visual slowing and narrowing measures.
- Road narrowing to force speed reduction.
- Enforcement measures.

Ms Hoffman supported the proposed lower speed limit but felt that, without proper traffic calming measures to support the lower speed limit, vehicles would still "fly through the Cove", particularly at commuter times.

Ms Hoffman noted that she does not let her grand children cross Cove Road as she considers it too dangerous.

Ms Hoffman stated that a pedestrian crossing at the Cove Café is needed to make crossing the road safer. The community would not be averse to the introduction of speed humps and narrowing the road, in addition to the slower speed limit as this is the only way to truly slow vehicles through this area. Flashing speed lights, similar to the ones in Kamo would not solve the issue but may help as part of a wider solution.

Ms Hoffman also noted that there is little or no enforcement by police. In the last five years there has been a noticeable increase in the popularity of Waipu Cove and an increase in the number of vehicles.

Ms Hoffman's submission, petition and additional evidence is noted and has been considered in Section 6.1 of this Report that specifically addresses proposals on Cove Road.

**John Williamson and Steve Westgate on behalf of the Automobile Association - Northland (Submitter 110)** provided an extensive submission covering a wide range of issues. As the Automobile Association is a Statutory Consultee this submission is addressed in Section 4.3 of this Report.

**Jules Flight on behalf of the Ruakaka Residents and Ratepayers Association (Submitter 114)** sought a 20kph speed limit on all Whangarei District beaches.

Ms Flight stressed that any Bylaws governing the use of beaches by motorised vehicles must be properly enforced. This applies to both the set speed limits and to the Vehicle Prohibited Zones.

The Ruakaka North beachfront at the end of Mair Road needs recognition as being a high beach usage area and that further road safety protection needs to be added to that portion of beach. Perhaps vehicles could be banned from traversing that portion of beach from 20 December to 7 February between 8.00am and 6.00pm and also on weekends outside of those dates.

Ms Flight stated that beaches need identified pedestrian safe zones, exclusion zones and variable seasonal limits. Ms Flight noted that beaches are considered roads, but you build sandcastles on a road.



#### **4.1.1.1 State Highways**

Some submitters requested speed reviews to be undertaken on parts of the State Highway network.

Council is an RCA for local roads only. This excludes State Highways, which are administered by Waka Kotahi (NZTA). Waka Kotahi have embarked on a review of speed limits on portions of the State Highway Network and are following a similar community consultation process to WDC.

All submissions relating to the State Highway network has been noted and passed through to the NZTA Speed Limits Review Group.

#### **4.1.2 Enforcement**

Some submitters have raised the issue of enforcement. The feedback received can be categorised into the following broad topics:

- Without proper enforcement, lower speed limits won't work
- Lower speed limits are intended for revenue collection

Although speed limits are set by the Road Controlling Authority (Whangarei District Council), the responsibility for enforcing those speed limits is with the NZ Police. Any fines, including speed camera fines, do not go to Council. Nor do they go directly to the NZ Police.

It is agreed that enforcement is a key component of ensuring compliance with speed limits and improving safety on our roads. However, if the speed limit is neither safe, nor appropriate for the road environment, then, even with a good level of enforcement, safety outcomes will not be achieved.

NZ Police base their enforcement activities on risk, with the sole purpose of reducing serious and fatal crashes on our roads. The NZ Police target drivers that are driving in an unsafe manner for the road environment or exceeding a safe and appropriate speed (proposed speed limits).

#### **4.1.3 Vehicle Access**

This review of speed limits included speed limits on the district's beaches. This aspect of the speed limit review attracted a wide range of submissions. Many of the submissions related to access of vehicles on beaches.

The Speed Limit Bylaw cannot restrict access of vehicles onto public roads, including beaches. Vehicle access is restricted on beaches through Council's Control of Vehicles on Beaches Bylaw. This Bylaw identifies the maximum speed that a vehicle may travel on a beach, where it has legal access.

Some submitters raised the issue of vehicles on beaches within Wildlife Refuges. It should be noted that the Control of Vehicles on Beaches Bylaw prohibits vehicles on the beach in these areas. The Speed Limit Maps contained in the Statement of Proposal indicate the speed limit on beaches where there is legal access (not prohibited by the Control of Vehicles on Beaches Bylaw). The maps, for the purposes of clarity, also include the areas where vehicles are specifically prohibited from (Ruakaka and Waipu Wildlife Refuge). This ensures that the two Bylaws are consistent. It does not and is not intended to direct vehicles into these areas.

#### **Other issues raised**

Some submitters raised specific speed related issues that need to be specifically addressed. These issues raised by submitters were utilised to either oppose the lowering of speed limits generally; or justify a different speed limit.



Management Guidance 2016 and the Setting of Speed Limits Rule 2017 discourage 70kph zones, except in exceptional circumstances.

The Setting of Speed Limits Rule 2017 requires additional sign-off at a national level when setting a 70kph speed limit.

It is recognised that upcoming amendments to the Setting of Speed Limit Rules may result in changes to the setting of 70kph speed limits. The extent of these changes is currently unknown, and Council must work within existing legislation.

Consistent with the above documents, 70kph zones will only be used where there is clear evidence that both 60kph and 80kph are inappropriate. Where there is an existing 70kph zone, consideration will be given to the benefits of changing that speed limit to 60kph or 80kph.

#### 4.1.6 Attainable Speed Limits

The Automobile Association (AA) makes a general comment in its submission that a safe speed is totally dependent on the current state of the road. On a recently graded road with copious loose gravel, a maximum speed of 50 kph may be appropriate, but on a well-swept road with minimal loose gravel, speeds of 70 kph are safe.

It is noted that the speed review is recommending a 60kph speed limit on many unsealed roads. This speed limit would seem appropriate, based on the AA example of different speeds on un-sealed roads. It is also noted that 60kph is near the actual speed that most road users travel at on unsealed roads in the Whangarei District.

On some sections of road (whether sealed or unsealed) a higher speed than the posted speed limit may be attainable. Conversely, there will be other sections of the road where a much slower speed is required.

The purpose of the reviewed speed limits is to set a safe and appropriate speed for the road as whole, having consideration to the road geometry and the wider road environment and its principle uses. The safe and appropriate speed is intended to promote a safer driving environment for all road users, including other traffic, pedestrians and cyclists where appropriate.

## 4.2 Statutory Consultee Submissions

Section 2.5 of the Land Transport Rule: Setting of Speed Limits 2017 sets out the persons or groups that must be consulted before setting a speed limit. In addition to the local communities that may be affected, the Rule requires the RCA to consult:

- The Territorial Authorities that are affected by the proposed speed limits
- The Commissioner of Police
- The Chief Executive of the Automobile Association
- The Chief Executive of the Road Transport Forum New Zealand
- New Zealand Transport Agency (NZTA)
- Any other organisation or road user group that the RCA considers affected

All of the above Statutory Consultees were directly notified of the proposed new speed limits; were provided a full Statement of Proposal and advised of where additional information could be found.

The current review bounds with Kaipara District Council. Northland Transportation Alliance is an alliance of the three Northland District Councils and the Northland Regional Council. A separate review of speed limits was undertaken concurrently by Northland Transportation Alliance on behalf of Kaipara District Council. This concurrent review included Cove Road which crosses the boundary of the two jurisdictions.

The following Statutory Consultees provided no formal response:

- The Commissioner of Police, including the Northland Area Commander
- The Chief Executive of the Road Transport Forum New Zealand

It should be noted that, in addition to the Chief Executive of the Road Safety Forum, all local Road Safety Forum groups and their members were notified of the proposed changes and provided an opportunity to make a submission. Submissions from these groups or individuals are summarised in the tables below.

#### 4.2.1 Automobile Association (AA)

In keeping with other Statutory Consultees, the full submission of the Automobile Association is set out in this Recommendations Report. Given the detailed nature and size of the submission, it has been included in Appendix 1, rather than in the main body of the Report.

##### Responses to key issues raised:

Responses are provided to the more general issues raised by the AA as well as specific comments on specific roads. Where the AA has supported a proposal, no specific response is provided. Recommendations are set out in the Tables in Section 7 of this Report or under specific headings (Significant Roads).

It is recognised that the AA is a statutory consultee with respect to the setting of speed limits and represents some 45,000 members. The AA was consulted through the Chief Executive and the Northland Branch. Representatives of the Northland Branch provided an extensive submission and attended the Hearing.

The AA submission provided extensive additional evidence on a range of matters, including crash risk curves. The submission also highlights that speed management is much broader than speed limit changes and should include the engineering of roads to be safe at current speeds. The submission also notes that reducing speed limits is not on its own a panacea to the road toll.

Comments relating to engineering and the limitations of speed limit changes are recognised. With respect to engineering, reference should be made to Section 4.1 of this Report, which outlines, in more detail the issues associated with large scale engineering solutions. However, it is important to note that, where a slower speed limit is recommended, particularly in pedestrianised areas, for example, Waipu Cove, additional physical works are expected to be undertaken to support the proposed speed limits.

With regard to speed limits reducing the road toll, it is recognised that reducing a speed limit in isolation will not achieve a zero-road toll. However, it is recognised that drivers, no matter how good they perceive their driving, make mistakes. Speeds that are more reflective of the road environment and are safe and appropriate have been proven to reduce the likelihood of a serious crash, and when they occur, the seriousness of that crash. A minor mistake by someone should not be fatal to them or someone else.

It is important to note that speed management does require a more wholistic approach, and includes:

- Speed Limits – setting safe and appropriate speed limits
- Enforcement
- Improved roads
- Improved vehicles
- Driver education

The Road to Zero National Road Safety Strategy, and its predecessor “Safer Journeys” identify the multi-pronged approach to reducing the road toll and making our roads safer.

Council, as a Road Controlling Authority can set speed limits, and within available budgets, improve roads and road safety beyond ongoing maintenance activity. Council also provides

resources toward local driver education, for example REAP. However, Council, as a Road Controlling Authority has a limited role in enforcement and no direct control over vehicle fleet standards. However, all of the above aspects to lowering the road toll (including serious injury crashes) are being actively pursued by a range of agencies.

The AA submission notes proposed changes to the Setting of Speed Limits Rule 2017. These changes have not yet passed through the full parliamentary process. In some cases, Council, as the Road Controlling Authority have attempted to anticipate some of these changes, particularly around schools. Waka Kotahi, in some of their correspondence has questioned the anticipation of rules that are yet to pass through parliament. We agree that it is inappropriate to pre-empt rule changes, particularly where there is no guarantee that those rule changes will emerge in their current proposed form.

Council are required to work within the legislation as it currently applies.

The AA submission discusses Mega Maps data. The submission notes that most of the urban roads proposed for a lower speed limit of 40 kph have no history of SDIs since 2000 according to NZTA's Mega Maps. Within Waipu Cove, Langs Beach, Mangawhai Heads and Mangawhai, there have been no deaths and only 3 serious injuries at Mangawhai Heads; none of which were at Waipu Cove or Langs Beach where year-round 40 kph is now proposed. The proposed changes are inconsistent with the requirement to have regard to NZTA's data on crash history.

The Setting of Speed Limits Rule 2017 requires Council, as a Road Controlling Authority, to have regard to a range of matters. Crash history is not one of those matters, although crash risk for all road users (Section 4.2(2)(d)) does incorporate crash history into its formulation.

It is noted that the Road Controlling Authority must also have regard to:

- The function and use of the road
- Adjacent land use
- Any planned modification to the road
- The views of interested persons and groups

It is also noted that the Setting of Speed Limits Rule 2017 does not give priority to any one matter.

In the case of smaller rural communities and coastal settlements, Council has received strong and consistent feedback on the need for lower speed limits that are safe for pedestrians and other road users. With respect to Waipu Cove and Langs Beach, the adjacent land use and the characteristics of the road environment also play a significant role in identifying a safe and appropriate speed limit.

It is also noted that the AA submission implies that, in identifying safe and appropriate speed, Council has relied on desk top data and may not have undertaken on-site sense testing. The NTA reject this assertion.

In preparing speed limit proposals, all available information is considered. Desktop data is utilised as a general starting point. This is then tested by driving the roads within the review area, often multiple times. Additional discussion at staff level occurs and site visits are undertaken as required. Following the receipt of feedback from the community engagement process, additional site visits are undertaken where appropriate to consider specific issues raised.

With regard to Speed Management Plans, it is noted that Regional Speed Management Plans may be required in the future as part of proposed changes to the Setting of Speed Limits Rule.

Proposed changes to the Rule are yet to come into force, and it is expected that there will be a transitional period. Feedback from Northland communities is that speed limit reviews



Key Topic Raised	Response
We support the current 100 kph limit on unsealed roads being lowered but we would regard 70/50 kph rather than 60/40 kph as being appropriate.	Support for lower speed limits on unsealed roads is noted. The current Setting of Speed Limits Rule discourages the use of 70kph. It is recognised that this may change at some point in the future, however, on most unsealed roads, 70kph would only be a safe and appropriate speed on a recently graded high quality unsealed road. Following the passage of heavy vehicles and other road users, a 70kph speed limit on that same road would become unsafe. Refer Section 4.1 on Attainable Speeds.
We support the proposed speed limits on beaches in the Whangarei District.	Support is noted.
We support the proposed reductions from 100 to 80 kph on Cove Road as this is in the top 10% of highest risk roads	Support is noted.
Johnston Point Road is generally poorly maintained and 40 kph would be an appropriate speed.	Submission point noted – refer Section 7.

#### 4.2.2 New Zealand Transport Agency (NZTA)

In keeping with other Statutory Consultees, the full submission of the Automobile Association is set out below and responses are provided.

*Waka Kotahi congratulates Council on the network wide approach the proposals take, and agrees with the majority of the proposals. Two areas of concern are:*

- 40km/h proposal for Cove Road (50kph Boundary at Waipu Cove to Waipu Cove 80/60kmph Boundary) **will require speed management infrastructure** to achieve the requirements of clause 4.4(2)(c) of the Land Transport Rule: Setting of Speed Limits (2017) (in this case Council must to aim achieve mean speeds not exceeding 44km/h), as mean speeds through this section are currently recorded at 59km/h; and*
- 80km/h proposed for Glenmohr Road (From S36 02 12.1 - E174 27 10.0 to SH1) - the safe and appropriate speed for this length is 60km/h based on the medium-high IRR of 2.06, well higher than the 1.6 that provides for 80km/h to be safe. Mean speeds on this length are 56km/h which also supports a 60km/h speed limit. Waka Kotahi **disagrees** that 80km/h is the safe and appropriate speed limit for Glenmohr Road.*

*A further observation is that the speed limit entrance/exit signage in the area, particularly for Waipu, Waipu Cove and Langs Beach, do not meet the requirements of clause 9.5 of the Rule: The design, format, shape, colour, and size of a speed limit sign must comply with requirements for signs in Land Transport Rule: Traffic Control Devices 2004, which invalidates the legality of these speed limits.*

#### Responses to submission:

*40kph proposals on Cove Road.* Council has received significant community feedback that a slower speed limit in coastal settlement areas is desirable. It is recognised that the slower recommended speed limits will require additional physical works to support the slower speed limit.

In the first instance, the detailed design phase of speed limit implementation will include threshold treatments where there is a speed limit change entering a community. This is expected to clearly indicate a change in speed and road environment, which will lead to improved compliance. In addition, subject to budget approval and planning processes, additional physical works will be implemented to support slower speed limits within urban areas.

*Glenmohr Road* connects South Road with State Highway 1. The road is primarily used for access to the northern side of the Brynderwyn Range. The road does not provide a significant shorter route between established destinations. The section of road from State Highway 1 to the intersection with Massey Road is a winding road where higher speeds are unlikely to be achieved. This is reflected in the average speed of 56kph along this part of Glenmohr Road. In addition, there is a section of Glenmohr Road that is unsealed, with a proposed speed limit of 60kph.

The section of Glenmohr Road from South Road to Massey Road is sealed and has a similar road environment to South Road (recommended 80kph). The end of seal near Massey Road provides a significant change in road environment. As such 60kph on Glenmohr Road from Massey Road to State Highway 1 (as sought by Waka Kotahi) can be supported.

#### **Recommendation:**

**Following consideration of the Waka Kotahi submission and the evidence provided, it is recommended that Glenmohr Road from the end of seal at Massey Road to State Highway 1 has a speed limit of 60kph.**

*Signage:* Comments provided by Waka Kotahi with respect to signage not meeting required design standards is agreed. Council, as a Road Controlling Authority recognises that there are instances of signage within Whangarei District that do not meet current standards. Non-compliant or non-standard signage is being replaced with compliant standards as part of the detailed design process of each speed limit review. In addition, any identified non-compliant signage is replaced as part of other road improvement projects. The aim is to ensure all signage is compliant with current standards and replaced within existing Council budgets where practicable.

## **5 Schools**

There were no schools located within the Waipu South / Langs Beach and District beaches speed limit review area.

## **6 Significant Roads**

Following the consideration of submissions received, NTA Staff undertook additional site visits to further assess submitters views and the road environment. All recommended speed limits are set out in the Tables in Section 7 of this Report. Additional detail as to the reasons for recommendations have been provided for Cove Road as thus road was the subject of extensive submissions.

### **6.1 Cove Road**

Cove Road connects the township of Waipu with Waipu Cove, Langs Beach and Mangawhai in Kaipara District. The district, and therefore Whangarei District Council jurisdictional boundary is located to the south of Langs Beach. Cove Road currently forms part of the Te Araroa Trail.

To address cross jurisdictional boundary issues and ensure consistency of speed limits along Cove Road, NTA undertook a speed limit review of Cove Road on the Kaipara District Council section of Cove Road. The Speed Limit reviews were undertaken in parallel. The Kaipara District Speed Limit Review Recommendations Report was adopted by Kaipara District Council on 25<sup>th</sup> August 2021.



There are two subdivisions immediately to the south of Langs Beach that access off Cove Road. The Crescent has a single gated access onto Cove Road and serves about 10 dwellings. The Crescent is within easy walking distance of the main beach access at Langs Beach. However, there is no pedestrian facilities, and any pedestrian also needs to negotiate a "one lane" bridge.

Seacrest Boulevard is located approximately 200m further south up the hill. This subdivision is accessed by a well-formed public road. This subdivision does not have easy walking access to the beach.

### 6.1.1 Community Feedback – Cove Road

As the description of Cove Road in Section 6.1 identifies, there are several distinct sections to Cove Road. To provide greater clarity, the summary of community feedback has been divided into the following sections:

- North Cove Lane to Waipu Cove
- Waipu Cove
- Waipu Cove to Langs Beach
- Langs Beach
- Langs Beach to the Whangarei District Boundary

#### 6.1.1.1 North Cove Ln to Waipu Cove (50kph Boundary)

Seven submitters specifically addressed concerns on the current 100kph section of Cove Road from North Cove Lane to the 50kph boundary at Waipu Cove. Four submitters supported a lower speed limit, and three submitters opposed the lowering of the speed limit.

#### Submitters supporting

Submitters supporting the proposed lower speed limit noted that the Te Araroa Trail utilises this road between Waipu, and Waipu Cove and that there is a cycleway along Cove Road. One submitter stated that the population along Cove Road is growing and usage is very high. It is less than 10km from bridge to bridge and there is no reason to have any part of the road at 100km/hr. This submitter suggested a 70kph speed limit.

Submitters stated that a lot of Te Araroa walkers, cyclist and runners use the limited road shoulder, noting that the proposed cycleway and walkway is still some years away so the risk to those road users remains high. Another submitter noted that Cove Road between McClean Road and Waipu Cove has numerous bends making the road dangerous at high speeds.

#### Submitters opposing

Submitters opposing a lower speed limit noted that the Cove Road from North Cove Lane to McClean Road is a long, straight and safe road. It was also pointed out that this stretch of road is well marked and has no pedestrians. This submitter also stated that There is no evidence of accidents on this stretch of road.

Another submitter opposing the lowering of the speed limit on this section of Cove Road stated that, in their opinion, the issues at present are not caused by the speed limit but by people who don't stick to the speed limit. The submitter stated that some people drive too slowly, frustrating those who don't have a lot of time. Some drive far too fast - but they are the ones who don't respect the speed limit anyway. This submitter felt that the proposed speed limit changes will simply penalise those who are trying to live our normal lives and assume that drivers can't think critically and decide on safe speeds to travel.

### 6.1.1.2 Waipu Cove

For clarity, the part of Cove Road that passes through Waipu Cove has been divided into two sub-sections:

- From the northern 50kph/100kph boundary to St Annes Road
- St Annes Road to the southern 50kph boundary

Feedback received from the community was supportive of lower speed limits through Waipu Cove. Most submissions received related to the section of Cove Road from St Annes Road to the southern 50kph boundary.

#### 50kph Boundary Waipu Cove to St Annes Rd

One submitter raised a concern that the proposed 50kph section to the north of St Annes Road would result in people not observing the differences and just drive at 50kph through the entire Cove. The submitter noted that there is a car park for the beach and campground at the northern end of the zone. There are also an increasing number of houses on the inland side of the road. The submitter thought it better to have a 40kph speed limit through the full length of the Cove, rather than having a relatively short 50kph zone.

A submitter noted that, in the summer these roads are packed with beach goers. During other times the locals are getting their children to school. Cars speed through at all hours. There is a need to do something as it is so dangerous.

Another submitter requested that the 50kph speed limit boundary be shifted further north to a point near 679 Cove Road. This would encompass the Cycleway/Walkway crossing.

#### St Annes Road to the southern 50kph boundary

This section of Cove Road through Waipu Cove received a lot of feedback from the community. There were eight submissions that specifically related to this section of Cove Road. Six submissions supported the proposed lower speed limit, and two submissions supported the lower speed limit but wanted it to be lowered further. The feedback included a petition signed by 69 people. The submission sought:

- A reduction in the speed limit to 40kph in the Cove
- A pedestrian crossing from the reserve carpark to the Cove Café
- Traffic calming measures through the Cove to enforce a reduced speed limit, including:
  - Visual slowing / narrowing measures
  - Road narrowing to force speed reductions
  - Enforcement measures

The reasons for seeking a lower speed limit and other speed management measures included:

- Waipu Cove has seen a significant increase in visitors year-round, not just throughout the Christmas holiday period.
- There has been an increase in the number of residents in the area and an increase in commuters between Whangarei and Mangawhai.
- The camping ground, Cove Café, and beach store has increased the desirability of the Waipu Cove and has contributed to increased people.
- The current 50kph speed limit is not adhered to and is not enforced.

The points made within the petition were reflected by other submissions. One submitter seeking a 20kph speed limit in this area stated that, during summer, there is significant traffic and often parking both sides which limits vision. This submitter also noted that there is a large number of elderly people and children during the summer as the area is a popular holiday place. This submitter noted the need for traffic calming as the biggest issue outside the summer months is commuter traffic speeding through after 5pm.



reduce speed round corners are sufficient. The submitter also stated that there would be inconsistency with speed limits between the Kaipara District Council and Whangarei District Council portions of the road.

The submitter stated that a reduction to 60kph is too significant a change, but they would support an 80km reduction for this road.

### 6.1.2 Cove Road Analysis

All submissions were assessed, alongside evidence-based matters and relevant speed management guidance, legislation and engineering standards. The following options were considered:

1. Retain the existing speed limits
2. Implement the speed limits as proposed
3. Amend proposed speed limits in Waipu Cove and Langs Beach

#### **Option 1: Retain the existing speed limits**

Option 1 would be to reject all of the proposed speed limits and retain the existing 100kph speed limit between Waipu and Waipu Cove; Variable (60/80) speed limit between Waipu Cove and Langs Beach; 100kph speed limit from Langs Beach to the District Boundary; and 50kph speed limits in the urban areas of Langs Beach and Waipu Cove.

Although there were submitters that objected to the proposed lower speed limits, a majority were in support of some form of reduction, either for the entire length of the road, or for specific sections of Cove Road.

There was very strong support for lower speed limits in key urban areas, particularly in Waipu Cove central area near the main beach, campground, store and café. There was also consistent support for slower speed limits within the Langs Beach urban area.

National Speed Management Guidance, which is one aspect that the Road Controlling Authority must have regard to when setting speed limits indicates that the overall road environment on Cove Road does not support a safe and appropriate speed of 100kph (refer Technical Document).

The section of Cove Road from Langs Beach to the District Boundary is identified as a first 5% High Benefit Road where a reduction in the speed limit will lead to significant safety benefits. This section of road is generally narrow and has tortuous curves with advisory speed limits below 50kph. Visibility is limited on large sections of the road.

Although the road is sealed, the tortuous nature of this section of Cove Road has a safe and appropriate speed limit of 60kph. It should be noted that there are parts of this road where 60kph is not safely attainable.

Both Waipu Cove and Langs Beach have seen increasing populations and are more popular throughout the year, not just during the summer months. This is supported by submitters.

The majority of the current 100kph sections of Cove Road cannot be safely driven at 100kph due to the curves and tortuous nature of large sections of the road. The exception is the current 100kph straight section from North Cove Lane to Mclean Road. This section of road is 1.7km long. The difference in travel time between travelling at the maximum 100kph speed limit and a maximum 80kph (as proposed) gives rise to an additional 15 seconds of travel time. The current operational speed (average speed driven through sections) of Cove Road is:

- North Cove Road to Waipu Cove: 79.74kph
- Waipu Cove: 59.15kph
- Waipu Cove to Langs Beach: 51.47kph
- Langs Beach: 49.41kph
- Langs Beach to District Boundary: 49.13kph

### **Option 2: Implement the speed limits as proposed**

Option 2 would implement new speed limits as proposed. The proposed speed limits meet national speed management guidance, the requirements of the Setting of Speed Limits Rule, and are consistent with proposals in other parts of Whangarei District and Northland. However, a number of submitters, including one submission with 69 signatures sought some changes to the proposed speed limits.

The changes sought were primarily within the urban areas of Waipu Cove and Langs Beach. Submissions raised several issues relating to the number of pedestrians that utilise specific areas.

Following a review of submissions, it was considered appropriate to make some changes to speed limits in both Waipu Cove and Langs Beach, as well as some speed limits in those areas.

### **Option 3: Amend proposed speed limits in Waipu Cove and Langs Beach**

Option 3 retains the proposed speed limits in the Sections of Cove Road set out in the table below:

Road Section	Current Operating Speed	Recommended Speed Limit
North Cove Road to Waipu Cove	79.74kph	80kph
Waipu Cove to Langs Beach	51.47kph	60kph
Langs Beach to District Boundary	49.13kph	60kph

The recommended speed limits in the above areas have been retained for the reasons set out in the Statement of Proposal and the Technical Report, and for following reasons:

- The recommended speed limit reflects the overall road environment, being rural and semi-rural
- The recommended speed limit reflects the current operating speed of the road
- Research suggests that a speed limit that better reflects the operating speed of the road will lower high-end speeds.

### **Waipu Cove**

Waipu Cove is a busy coastal settlement. The original proposal was to retain a 50kph speed limit for part of the urban area from the north end to St Annes Road. The speed limit would drop further to 40kph from St Annes Road to the southern end of Waipu Cove.

Feedback received on speed limit reviews being undertaken in similar areas elsewhere in Northland indicate that stepping down speed limits is not favoured by many communities. A small step down of 10kph (from 50kph – 40kph) is not sufficient to achieve a high level of compliance through the lower speed area. Feedback received from the community indicates that compliance with the 50kph speed limit is already an issue and that additional physical works may be required to achieve compliance.

A speed limit of 40kph is consistently being proposed within smaller Northland coastal communities and has received positive feedback from those communities. A 50kph speed limit is not consistent with the overall desire to have a speed limit in coastal settlements. A slower speed limit that reflects the “holiday” nature of those settlements and the increased pedestrians and cyclists using roads in those communities is considered desirable. Submissions received indicate that the Waipu Cove community are supportive of a speed limit that is lower than 50kph.



Several submitters sought to extend the proposed 40kph speed limit to the northern 50kph boundary north of the Blue Moon Rise subdivision. This has the benefit of reducing the number of speed limit changes through Langs Beach with a single 40kph speed limit for the full length of Langs Beach. Consistency of speed limits and reducing the number of speed limit changes is consistent with feedback received as part of other speed limit reviews undertaken in Northland.

However, the road environment from the current northern 50kph boundary to Waterman Drive does not support a lower 40kph speed limit without significant engineering treatment to lower the speed environment. This issue was raised by Waka Kotahi (NZTA).

Given the current road environment it is considered unlikely that significant compliance with a 40kph speed limit would be achieved along this stretch of Cove Road. In addition, the new subdivision of Blue Moon Rise and Waterman Drive do not give rise to additional direct accesses onto the main carriageway. The entry into Blue Moon Rise is designed for a 50kph environment.

Submitters point out that the pedestrian facilities from the 50kph boundary north of Blue Moon Rise is limited. Residents on the seaward side of Cove Road need to cross the road to access pedestrian facilities. The footpath down the hill to the beach is narrow and there is no proper separation between pedestrians and the road carriageway. These issues are agreed.

Submitters also highlight that the Blue Moon Rise subdivision will increase the number of pedestrians that access the beach via Cove Road. This is also agreed, particularly given that Blue Moon Rise subdivision includes pedestrian facilities to Cove Road.

There is clear benefit in extending the proposed 40kph speed limit to the top of the hill near Waterman Drive. It is recognised that this is a significant pedestrian route and there are many direct accesses onto the carriageway, often with limited visibility. A 40kph speed limit approximately 60m south of Waterman Drive corresponds with a clear change in the road environment, from curved to winding. A 40kph speed limit from this location is expected to improve compliance along the beach itself.

It is recognised that extending the 40kph zone to a point 60m south of Waterman Drive instead of all the way to the current 50kph boundary does give rise to multiple speed limits over a relatively short distance. However, the recommendation is compliant with all minimum speed limit distances in the Setting of Speed Limit Rule. In addition, the changes in speed limit gives rise to a consistent slowing down or speeding up, depending on whether the driver is heading north or south. The proposal does not give rise to a "down, up, down" speed limit scenario. The changes of speed limit are therefore considered to be an acceptable solution.

The proposed 40kph speed limit along the beach front area of Cove Road was generally supported by submitters. However, some submitters sought a lower 30kph speed limit to reflect the winding nature of the road, pedestrians crossing the road and the lack of parking. A 30kph speed limit is not supported for the following reasons:

- 40kph creates a consistent speed limit throughout Langs Beach
- 40kph recognises the potential for more pedestrians in an urban setting.
- Although there are many accesses to the carriageway, the road environment is consistent with an urban coastal settlement environment.
- It is considered that the overall road environment would not give rise to a high degree of compliance with a 30kph speed limit. This is inconsistent with national speed management guidance.

## Recommendation

**Following the consideration of the submissions received and a range of options as set out above, including matters such as the road environment; national speed management guidance; and current and future planned development, it is recommended that:**

- **A 50kph speed limit extend from the northern 50kph/60kph boundary to a point 60m south of Waterman Drive.**
- **A 40kph speed limit extend from a point 60m south of Waterman Drive through to the current southern 50kph boundary.**
- **Threshold or Gateway Treatments should be considered at the 40kph boundary.**

## 6.2 Beaches

Whangarei District Council reviewed its Vehicles on Beaches Bylaw in 2019. The Vehicles on Beaches Bylaw addresses access for vehicles onto the district's beaches. Feedback received on the Vehicles on Beaches Bylaw included speed on the beaches.

As part of the decision-making process, Council determined that issues of speed on the beach was correctly addressed within the Speed Limits Bylaw. As part of this determination, Council undertook to include all of the district's beaches within the next tranche of speed limit reviews (Waipu South and Langs Beach).

The current speed limit on beaches is 30kph, and it was proposed that all beaches retain the existing 30kph speed limit, with the exception of Langs Beach where it was proposed that the speed limit should be 20kph.

Specific submissions were received about speed limits on the following beaches:

- Bream Bay beaches
- Langs Beach
- Whangaumu Bay Beach.
- Johnstone point /waipu river mouth /south uretiti beach

### 6.2.1 Beaches General

There were a number of submissions relating to beaches generally. Submissions included requests to limit vehicle access onto beaches generally. Access onto beaches is beyond the scope of the Speed Limits Bylaw and is controlled by the Control of Vehicles on Beaches Bylaw (reviewed periodically).

General submissions also raised the issue of poor driver behaviour and dangerous driving, even at lower speeds. One submitter noted that "doughnuts" can be done at 10kph. It should be noted that the normal "rules of the road" apply to all vehicles travelling on a beach, including any speed limit. Addressing poor driver behaviour and other dangerous driving on beaches will require a significant and ongoing education programme supported by a range of agencies.

General submissions included those seeking an overall lower speed limit on beaches as well as those seeking either the proposed speed limit or a higher speed limit. Several submitters noted that the soft sand above is difficult to traverse and a slower speed of 10kph or 20kph would result in more vehicles getting stuck. This suggests that a flat lower speed limit would not work.

A theme of submitters was that vehicles shouldn't be allowed to do more than a crawl on beaches that individuals and families use for recreation. This highlights the conflicting issues between vehicle access for legitimate purposes (boat launching, fishing access etc.) and recreational use of beaches by pedestrians.

### 6.2.2 Bream Bay beaches (general)

Bream Bay Beaches include the area from Ruakaka through to Waipu, including Urititi Beach.

Some submitters sought the banning of vehicles on these beaches altogether. Requests included outright bans on vehicles through to banning vehicles on portions of the beach from 20 December to 7 February between 8.00am and 6.00pm and on weekends outside of those dates. One submitter suggested a ban on vehicles, except for the purposes of boat launching in defined places and legitimate business (surf lifesaving, DOC and other conservation organisations etc).

Ms Flight, who spoke at the Hearings stressed that any Bylaws governing the use of beaches by motorised vehicles must be properly enforced. This applies to both the set speed limits and to the Vehicle Prohibited Zones.

One submitter expressed concern that the maps for speed limits marked the beaches as a road. The submitter stated that the maps show the beach as a functional road when in fact it is a nominal road for the purpose of recognising beaches as places where the Land Transport Act is enforced whether vehicles are allowed on the beach or not. In addition, the beach marked as road intrudes into the Wildlife Refuge. The submitter believes that, by identifying a speed limit, Council is effectively directing vehicles into the Wildlife Refuge.

The submitter challenges whether the beach is in fact classed as a road.

Banning and controlling access for vehicles to beaches is beyond the scope of the Speed Limits Bylaw. The appropriate mechanism to control access of vehicles onto beaches is the Control of Vehicle on Beaches Bylaw.

The conflict between vehicle use on beaches and pedestrian use is a theme of all submissions received. One submitter noted that the Ruakaka North beachfront at the end of Mair Road needs recognition as being a high beach usage area. Further road safety protection needs to be added to that portion of beach.

Some submitters opposed any reduction in speed limits on the beach. It is unclear if these submitters were fully aware that there is an existing 30kph speed limit on all beaches in the Whangarei District. One submitter stated that speed limits on beaches were unnecessary. People need to be sensible around other beach users. Lower speed limits will result in vehicles becoming stuck on soft sand above the high-water mark. This comment was a consistent theme of those submitters opposed to lower speed limits on beaches.

Lower speed limits of 20kph and 10kph were suggested by submitters.

### 6.2.3 Langs Beach

The majority of submissions relating to Beaches were specifically about Langs Beach. Similar to other beaches, many submitters sought greater control of vehicles on the beach or restricting vehicle access to those launching boats or other perceived legitimate uses of the beach.

A significant concern raised was driver behaviour on the beach, including dangerous and inconsiderate driving and "joy riding". Overall, feedback indicated that tractors towing boats to the launching area were not the major issue on the beach.

One submitter summed up most concerns of submitters by stating that "we see and hear motorbikes screaming along the beach at great speed doing wheelies and going all over the place; We see cars and Utes flying along with people attached hanging off the back or standing in the tray. Vehicles speed through the creek as if it's a "no rule area". The submitter expressed concern that there will be a fatality or serious injury. Another submitter reinforced this viewpoint and stated that there has been a marked increase in the use of the

beach by vehicles that are not towing boats as well as vehicles just parking on the beach instead of road / carparking

Other concerns related to the current signage. Submitters perceived that the warning signs on the beach placed an onus on the pedestrian to watch out for vehicles. Submitters strongly objected to that inference and sought signage that clearly placed the onus on drivers to give way and look out for pedestrians.

Enforcement was also a key issue raised by submitters. One submitter noted that Council has no capacity to measure speeds and control the vehicle use on Langs, but it does have the ability to restrict what vehicles are allowed on the beach. That way photographic evidence can be submitted for enforcement purposes. Submitters also questioned how Council will enforce the proposed 20kph speed limit.

One submitter suggested a “hot line” to call for enforcement, especially for overnight campers who drive vehicles onto the beach, leave them and tents etc overnight.

The feedback relating to speed limits clearly indicated the different points of view in relation to vehicles on Langs Beach.

### ***Banning or limiting vehicles on the beach***

Some submitters sought to ban vehicles on Langs Beach, with others seeking vehicle access to be restricted to rescue vehicles, or those launching boats.

The overall feedback received indicated that the main issue of vehicles on Langs Beach is that of recreational vehicles, motorbikes or vehicles that have no specific reason to be on the beach (for example, launching of a boat).

Restricting access is beyond the scope of the Speed Limits Bylaw.

### ***Retain existing 30kph speed limit***

Some submitters opposed the lowering of the speed limit from 30kph to 20kph. The principal reason was that a run-up was often needed to traverse soft sand between the road and the firm “drivable” sand below high-water mark.

One submitter, who did not support a reduction of the speed limit from 30kph to 20kph stated that the bulk of pedestrians are located, either in the area where vehicles are already banned, or near to where the boats are normally launched. In this area, vehicles are travelling very slowly as the manoeuvre. The area where vehicles require a run-up to negotiate soft sand does not generally have many pedestrians.

### ***Speed Limit of 20kph***

Some submitters agreed with the proposed 20kph speed limit on the beach. Two submitters that supported the proposed 20kph speed limit made similar comments relating to the number of children and families using the beach area who are being put at risk by vehicles accessing the beach and driving at high speed. In addition, submitters seeking a lower 20kph speed limit noted that there is a population of Dotterels that nest on the beach.

### ***Speed Limit of 10kph***

Many submitters sought a lower speed limit of 10kph or even 5kph. The over-riding issue raised by these submitters was that, even though vehicles may not have been exceeding 30kph, their travel path and the closeness to people (especially children) on the beach created a dangerous situation.

One submitter stated that vehicles are driven across dry sand at speeds where they do not have sufficient control in dry sand to do a sudden change in direction if a child happens to stray into their path. The speed limit needs to be set at a speed that all vehicles can travel in dry sand and maintain full control in an environment with people and vehicles in close proximity. The submitter stated that, in their experience, this speed limit would be 10kph.

Several submitters sought a speed limit of 10kph or 5kph so that vehicles would be travelling at walking pace. One submitter stated that a maximum of 10kph would be appropriate given that children and others are using the beach peacefully. 10kph or slower is similar to what applies in a camping ground.

Another submitter stated that they believed that no vehicle pulling a boat over the short distance to the launching area needs to go faster than 10kph. They're mostly tractors anyway because the sand is so soft, so they're going along slowly anyway.

#### **6.2.4 Whangaumu Bay Beach.**

Issues relating to Whangaumu Bay Beach were raised by Mr Lester Sherman. Mr Sherman presented his views at the hearing. Mr Sherman's submission is addressed in Section 3.3 of this Report and is not repeated here.

#### **6.2.5 Johnstone Point /Waipu River Mouth /South Uretiti Beach**

Submitters were most concerned with vehicles within the wildlife refuge area north of Johnstone's Point Road / Waipu Estuary and Uretiti Beach past the wildlife refuge. The submitter sought vehicles to be banned from the wildlife refuge areas and a speed limit of 10kph outside of these areas.

The submitter noted that speed limits on the beach are irrelevant if they are not policed and people break the rules and endanger lives and wildlife.

#### **6.2.6 Waipu Beach**

One submitter did not support vehicle access from the Cove to the river entrance. The submitter noted that a lot of people use this beach at all points, and I=did do not think it safe for vehicles to be on the beach (other than for boat launching). The submitter also noted that speeding up and down the beaches in Waipu is becoming dangerous with young men doing burnouts and donuts next to young families with children with no regard for anyone but themselves.

#### **6.2.7 Beaches Analysis**

It is considered appropriate that the issue of whether a beach is a road or not. The Land Transport Act 1998 defines a road as including:

- a) a street; and
- b) a motorway; and
- c) a beach; and
- d) a place to which the public have access, whether as of right or not; and
- e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment

The speed Limits Bylaw is made under the Land Transport Act 1998. The Speed Limits Bylaw sets a maximum speed that a vehicle may be driven at where a vehicle has access to that area (whether it is a road or a beach).

The beaches identified in the Speed Limits Bylaw are those areas that the Control of Vehicles on Beaches Bylaw does not prohibit vehicle access. It is also important to note that, in the absence of a speed limit in a non-urban area, the default speed limit is 100kph.

The application of a speed limit does not in itself direct traffic to an area or confer any specific access. Access to beach areas by vehicles is clearly managed through a separate Bylaw made under the Local Government Act 2002.

The current speed limit on all Whangarei District Beaches, where vehicles have legal access is 30kph. The speed limit review proposed that the 30kph speed limit be retained, except for Langs Beach, where a 20kph speed limit was proposed.

Many submitters sought some form of restriction on vehicle access to the beaches that they were concerned about. Restrictions sought ranged from an outright ban through to controlled access or access for perceived legitimate uses such as boat launching.

The Speed Limits Bylaw can only set a speed limit where vehicles have legal access to a beach. Access to beaches is managed through the Control of Vehicles on Beaches Bylaw.

Although controlling access to beaches is beyond the scope of this Speed Limit Review and the Bylaw, it is worth making some comment on the matter (given the number of submissions made).

The feedback received highlights the conflict between different uses of the beach area where vehicles have access. As population increases and mobility between regions and tourism increases, the issue of vehicles on beaches will become more significant. Anecdotal evidence provided (and in some cases supported by photographic evidence) supports this viewpoint.

The feedback indicates that there is less concern over vehicles that are accessing the beach for perceived legitimate reasons, for example, launching a boat. The main concern appears to be driver behaviour. Many submitters describe driver behaviour that, in accordance with current road rules, would be inconsiderate or dangerous driving. In these cases, the speed limit itself is often not the major issue of concern. However, some submitters believe that a lower speed limit would discourage some poor driver behaviour.

The Control of Vehicles on Beaches Bylaw is made under the Local Government Act. As such, it is reviewed regularly. Given the submissions received, it is expected that any review will result in a robust discussion about vehicle access.

Submitters supporting the existing speed limit, or a 20kph speed limit are concerned that a lower speed limit would result in vehicles getting stuck in soft sand, particularly above the high-water mark. It is recognised that, in towing a boat across a short distance of soft sand may require some run-up to avoid getting stuck. However, it appears that some drivers continue along the more compact sand at a speed that is too high for the shared space environment.

It is also noted that 30kph is consistent with a normal shared space road environment. A slower speed limit of 20kph in a road shared space environment would normally be accompanied by street furniture and other physical measures to match the environment with the speed limit. This approach is not possible on a beach.

Much of the feedback received indicates that a lower speed limit (than that proposed) would have a very limited impact on the issues of driver behaviour raised. It is considered that a driver culture change is probably required so that drivers clearly understand that they are driving in a shared space and that the normal road rules still apply.

With respect to Bream Bay beaches, it is noted that this beach is the longest in the Whangarei District. There are limited places for vehicle and pedestrian access. As a result, there are large parts of the beach that have few pedestrians. Where there are very few pedestrians, many of these have accessed that part of the beach with a vehicle.

A speed limit of less than 30kph outside of the key pedestrian areas (eg: Urititi) would have little benefit to safety, and compliance would be low. The current Setting of Speed Limits Rule does not provide a mechanism to provide a legal speed limit on a beach (due to signage requirements etc.).

Langs Beach is a relatively short beach and boat launching is a long-established activity on the beach. It is necessary to balance the needs of the pedestrian users of the beach with the competing vehicle usage. As previously noted, the Speed Limits Bylaw is restricted to setting the speed limit.

The proposed 20kph speed limit provides sufficient latitude for vehicles to cross soft sand. A 20kph speed limit is also lower than a shared space area within a normal road environment. It is agreed that a 10kph speed limit would create significant issues when accessing firmer parts of the beach. In addition, it is considered that a 10kph speed limit would not have a high degree of compliance.

A lower speed limit of 5kph as sought by some submitters is not available under the Setting of Speed Limits Rule 2017.

**Recommendation:**

**That the proposed and current speed limit of 30kph be retained for all beaches that have legal vehicle access in the Whangarei District, with the exception of Langs Beach, where the speed limit should be 20kph.**

**In addition, Council should consider signage at Langs Beach, and other beaches with a view as to whether the messaging is appropriate. Amendments should be considered to clearly indicate that all beach users must behave responsibly with respect to vehicles, and that there is a clear onus on drivers to be aware of and give way to pedestrians.**

**Furthermore, it is recommended that Council consider opportunities to educate drivers on their responsibilities with respect to driving on beaches.**

## 7 Summary of submissions received and recommendations (road by road)

All submissions have been read and considered before recommending new speed limits. Submissions were broken down to comments on individual roads wherever possible. Summary information is provided in the following tables, including:

- Road name
- Current posted speed limit
- Proposed speed limit (as set out in the Statement of Proposal)
- A summary of the feedback received
- Northland Transportation Alliance Road Safety Engineer (Team Lead) comments and recommendations
- Recommended new speed limit

The summarised Northland Transportation Alliance Road Safety Engineer comments, and the resulting recommended speed limit, are made having considered:

- The initial assessment of the road
- Evidence based matters that are required to be considered under Section 4.2(2) of the setting of Speed Limits Rule 2017 and set out in the following Reports as referenced in the Statement of Proposal and published on Council's Website:
  - Regional Speed Limit Reviews Vinegar Hill Road Catchment (Technical Report)
  - Regional Speed Limit Reviews Vinegar Hill Road Catchment (Technical Report)
  - Regional Speed Limit Reviews Waipu Urban Traffic Area, Nova Scotia Drive Catchment (Technical Report)
- Community feedback received during the consultation process
- Additional site visits and assessments undertaken as a result of the community feedback received

<b>Waipu South and Langs Beach (Urban) Catchment Area</b>					
<b>Road Name</b>	<b>Current Speed Limit</b>	<b>Proposed Speed Limit</b>	<b>Community Feedback</b>	<b>NTA Road Safety Engineer (Team Lead) comments and recommendations</b>	<b>New Speed Limit</b>
Anderson Place	50	40	No feedback received	Proposed speed limit appropriate	40
Artillery Road	100	60	No feedback received	Proposed speed limit appropriate	60
Aqua View Drive	100	60	No feedback received	Proposed speed limit appropriate	60
Breadalbane Place	50	40	No feedback received	Proposed speed limit appropriate	40
Cove Road (50kph boundary to Flagstaff Tce)	100	80	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (Flagstaff Tce to North Cove Ln)	80	80	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (North Cove Ln to 50kph Boundary Waipu Cove)	100	80	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (50kph Boundary at Waipu Cove to Waipu 80/60kph Boundary)	50	40	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (Waipu 80/60kph Boundary to Langs Beach 50kph Boundary)	Variable	60	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (Langs Beach 100kph/50kph Boundary to to 50m south of Hector Lang Drive)	50	40	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cove Road (50m south Hector Lang Drive to District Boundary)	100	60	Refer Section 6.1 of this Report	Refer Section 6.1 of this Report	Refer 6.1
Cullen RD (Cove Road end)	100	60	Proposed speed reduction supported, noting that the road forms part of the Te Araroa Trail. Submitters noted that there are a lot of pedestrians and recreational cyclists using this part of the road and plenty of trucks and other vehicles. The road is reasonably narrow and winding road and reducing speed will help make this a safer area for all.	Support of lower speed limit is noted. Proposed speed limit is appropriate.	60

WDC Speed Review – Waipu South, Langs Beach and District Beaches Recommendations

<b>Waipu South and Langs Beach (Urban) Catchment Area</b>					
Road Name	Current Speed Limit	Proposed Speed Limit	Community Feedback	NTA Road Safety Engineer (Team Lead) comments and recommendations	New Speed Limit
Gazelle Way	50	40	Proposed speed reduction supported, with a preferred 20kph speed limit. This road is crossed by beach goers from children to elderly each day, with submitter often observing close calls. Enforcement would be beneficial,	Support of lower speed limit is noted. A 20kph speed limit is considered inappropriate and would not achieve required levels of compliance. Proposed speed limit is appropriate.	40
Glenmohr Road (from South Rd to Massey Rd)	100	80	Refer Section 4.3.2 of this Report	Refer Section 4.3.2 of this Report	80
Glenmohr Road (Massey Rd to S36 02 12.1 - E174 27 10.0)	100	60	Refer Section 4.3.2 of this Report	Refer Section 4.3.2 of this Report	60
Glenmohr Road (From S36 02 12.1 - E174 27 10.0 to SH1)	100	80	Refer Section 4.3.2 of this Report	Refer Section 4.3.2 of this Report	60
Hamon Road	50	40	No feedback received	Proposed speed limit appropriate	40
Harwood Road	100	60	No feedback received	Proposed speed limit appropriate	60
Hector Lang Drive	50	40	Proposed speed reduction supported, with a preferred 20kph speed limit. This road is crossed by beach goers from children to elderly each day, with submitter often observing close calls. Enforcement would be beneficial. Need for speed humps on Hector Lang Drive to slow vehicles coming down the hill.	Support of lower speed limit is noted. A 20kph speed limit is considered inappropriate and would not achieve required levels of compliance. Speed humps may be considered as part of any future physical works to support a slow speed environment. Proposed speed limit is appropriate.	40
Highland Lass Place	50	40	No feedback received	Proposed speed limit appropriate	40
Johnston Point Road	50	50	The AA noted that an appropriate speed would be 40kph.	A 50kph speed limit is generally only utilised in urban areas. Given the road environment, 40kph is considered appropriate.	40
Kingswood Place	50	40	No feedback received	Proposed speed limit appropriate	40

WDC Speed Review – Waipu South, Langs Beach and District Beaches Recommendations

Waipu South and Langs Beach (Urban) Catchment Area					
Road Name	Current Speed Limit	Proposed Speed Limit	Community Feedback	NTA Road Safety Engineer (Team Lead) comments and recommendations	New Speed Limit
Lang Road	50	40	Proposed speed reduction supported but wishing a further reduction to 30kph, unless a footpath is installed. No parking road markings are required to prevent parking on dangerous areas.	A 30kph speed limit is generally utilised for a shared environment and is inappropriate at this location. Physical works to support a slow speed environment can be considered as part of the LTP funding process. Proposed speed limit is appropriate.	40
Mclean Road	100	60	No feedback received	Proposed speed limit appropriate	60
Massey Road	100	60	No feedback received	Proposed speed limit appropriate	60
North Camp Road	100	60	No feedback received	Proposed speed limit appropriate	60
Rhu Ardern Road	100	60	No feedback received	Proposed speed limit appropriate	60
Ryan Road	100	60	No feedback received	Proposed speed limit appropriate	60
Sealladh-Nui Heights	100	60	No feedback received	Proposed speed limit appropriate	60
Seascape Boulevard	50	40	No feedback received	Proposed speed limit appropriate	40
Seascape Crescent	50	40	No feedback received	Proposed speed limit appropriate	40

WDC Speed Review – Waipu South, Langs Beach and District Beaches Recommendations

<b>Waipu South and Langs Beach (Urban) Catchment Area</b>					
Road Name	Current Speed Limit	Proposed Speed Limit	Community Feedback	NTA Road Safety Engineer (Team Lead) comments and recommendations	New Speed Limit
South Road	100	80	<p>Seeking an extension to the 50kph zone to McClean Road.</p> <p>There is no foot path beyond the town boundary. The corner before Dundee Lane has bad camber and nowhere for pedestrians to go. Many houses are being built in this area. Many young family's walk into Waipu Town often.</p> <p>Heavy Goods Vehicles and cars driving into Waipu do not slow until at least halfway into the 50kph zone. South of this area, there are several straights where the driving speed is often above the 100kph speed limit.</p>	<p>The road environment along South Road supports an 80kph speed limit. Extending the 50kph zone to McClean Road is not supported by the road environment. The District Plan zones land as Village Residential for 500m south of the existing 50kph/100kph boundary indicating new development. There is an additional subdivision approximately 900m south of the existing 50kph/100kph boundary. Taking into account expected future development, a 60kph zone can extend for 1.1km south of the current 50kph boundary.</p> <p>Recommend a 60kph speed limit south from the current 50kph boundary for a distance of 1.1km, then transition to 80kph. A new Threshold Treatment at the 60/50kph boundary.</p>	<p>In southerly direction from 50kph boundary:</p> <p>60kph for 1.1km</p> <p>80kph for remainder of road.</p>
ST Anne Road	50	40	No feedback received	Proposed speed limit appropriate	40
ST Marys Road	100	60	No feedback received	Proposed speed limit appropriate	60
Taranga Road	50	40	Proposed speed reduction supported, with a preferred 20kph speed limit. This road is crossed by beach goers from children to elderly each day, with submitter often observing close calls.	Support of lower speed limit is noted. A 20kph speed limit is considered inappropriate and would not achieve required levels of compliance. Proposed speed limit is appropriate.	40

WDC Speed Review – Waipu South, Langs Beach and District Beaches Recommendations

<b>Waipu South and Langs Beach (Urban) Catchment Area</b>					
<b>Road Name</b>	<b>Current Speed Limit</b>	<b>Proposed Speed Limit</b>	<b>Community Feedback</b>	<b>NTA Road Safety Engineer (Team Lead) comments and recommendations</b>	<b>New Speed Limit</b>
Torum Lane	100	60	No feedback received	Proposed speed limit appropriate	60
Waionehu Road	100	60	No feedback received	Proposed speed limit appropriate	60
Wairahi Road	50	40	Proposed speed reduction supported but wishing a further reduction to 30kph, unless a footpath is installed. No parking road markings are required to prevent parking on dangerous areas.	A 30kph speed limit is generally utilised for a shared environment and is inappropriate at this location. Physical works to support a slow speed environment can be considered as part of the LTP funding process. Proposed speed limit is appropriate	40

## **Appendix 1: Automobile Association full submission**

### **Submission on Whangarei District Council's STATEMENT OF PROPOSAL: Proposed amendments to the Speed Limits Bylaw 2019, Waipu South and Langs Beach**

**Submitter Name: Steve Westgate: Northland District NZ Automobile Association**

**Submitter Number: 110**

Please note that we would like an opportunity to present our submission in person:

#### **INTRODUCTION**

The Northland District Council of the NZ Automobile Association represents over 45,000 AA Members who live in Northland. The AA Northland District Council welcomes the opportunity to submit on the Statement of Proposal ('SOP') for proposed speed limit changes in the Waipu / Langs Beach area, and on Whangarei District beaches.

In this submission, we shall first offer some general comments on speed limits and speed limit changes, and comments on specific aspects of the proposed changes, including references to various government announcements and stated policies, the process adopted by NTA, and procedures adopted by other RCAs (e.g. Auckland and Queenstown Lakes). Particular references are made to:

- the Setting of Speed Limits Rule 2017,
- a proposed New Setting of Speed Limits Rule,
- the Tackling Unsafe Speeds Programme,
- statements by MoT and NZTA and announcements by Ministers.

We shall then comment on various statements made in the pre-amble to the Statement of Proposal.

Finally, we shall offer general comments on the proposed speed limit changes and offer comments on the specific proposed changes.

#### **1. GENERAL COMMENTS ON PROPOSED SPEED LIMIT CHANGES**

1.1 We readily acknowledge that lower speeds result in fewer crashes of less severity. We support measures to lower the road toll by the adoption of safe and appropriate speeds, but these should be combined with engineering improvements.

1.2 We acknowledge that 100 kph is not a safe and appropriate speed for the majority of rural roads that are not state highways. AA policy is that we support focusing on the highest risk roads – the top 10% - but also engineering up where appropriate in order to maintain their function (e.g. arterial roads). We also support the use of 90km/h if that is self-explaining.

1.3 We acknowledge that 100 kph is neither a safe nor appropriate speed on unsealed roads but we do not support a blanket reduction on unsealed roads from 100 to 60 kph or 40. We support a 70 kph speed limit which is more appropriate and more likely to be complied with. Under the imminent Setting of Speed Limits Rule change, we expect 70 kph to be a more

readily available option for some roads. Drivers are at all times required to “drive to the conditions.” The posted speed limit is not a target!

1.4 There are far too many proposed speed limit changes and there is limited consistency. Urban streets are variously 30, 40 and 50 kph. Urban arterial routes are variously 30, 40, 50 and 60 kph. Collector roads are 40 and 50. Motorists will not be able to keep up with the rapid number of changes and the inconsistency.

1.5 The Statement of Proposal describes the 50 kph speed environment as “Urban roads that have a high residential density, but no facilities that would generate significant additional pedestrian activity such as schools, shopping centres, sports facilities, or other developed recreational areas.” This statement appears to conflict with the proposal to adopt a general default speed limit of 40 kph in residential areas.

1.6 Mega Maps show no history of DSIs since 2000 in Kaiwaka’s urban streets where 40 kph limits are now proposed. Consequently, we do not consider that a default speed of 40 kph is justified. We acknowledge that 40 kph is an appropriate speed limit in High Pedestrian Activity Areas (HPAAs).

1.7 For roads that have a mean operating speed no more than 10% above the proposed speed limit, the AA Northland Council supports the proposed changes.

## **2. GENERAL PRINCIPLES RELATING TO SPEED LIMIT CHANGES**

2.1. Summarising the above:

- we support measures to lower the road toll by the adoption of safe and appropriate speeds, but these should be combined with engineering improvements for roads.
- we acknowledge that 100 kph is not a safe and appropriate speed on Northland’s unsealed roads.
- we acknowledge that 100 kph is not a safe and appropriate speed on the majority of Northland’s sealed roads that are not state highways.

2.2. The vast majority of drivers drive to the conditions, and don’t crash. High-risk drivers ignore existing speed limits and will continue to do so. Distracted drivers will continue to crash. Speeds that are not ‘self-explaining’ or are set below what drivers feel to be ‘safe and appropriate’ are likely to result in frustration and dangerous overtaking.

2.3. Speed management is much broader than speed limit changes, and includes engineering roads to be safe at current travel speeds. It also includes other engineering changes to roads, which can naturally calm traffic and reduce travel speeds. This is done by making a road feel like a slower, more self-explaining speed environment.<sup>1</sup>

2.4. Reducing speed limits is not on its own a panacea to the road toll. Overseas experiences on congested city roads such as in New York, Bristol and London confirms that engineering features such as speed limit signs at entry/exit points, engineering methods to improve junctions such as pavement markings, traffic calming, pedestrian refuge and kerb extension, median barriers, roundabouts, speed tables and extra lighting, along with awareness campaigns and speed limit enforcement, all have an important role to play in bringing about crash reductions.

2.5 New South Wales (Australia) – 40km/h permanent speed limits have been implemented in high pedestrian activity areas (HPAA) since 2003. “A 2017 evaluation concluded that a 38 per cent

<sup>1</sup> <https://www.transport.govt.nz/assets/Uploads/Report/Speed-outcomes-report.pdf>

reduction in casualty crashes had been observed since the HPAA program was introduced. This was mostly related to speed limit reduction but there were other features such as pavement markings, traffic calming, pedestrian refuge and kerb extension that supported this outcome. (See <https://at.govt.nz/media/1981261/summary-of-local-board-and-stakeholder-feedback-speed-limits-by-law-2019.pdf>)

2.6. While we acknowledge the general principles involved with the description of the Speed Environments, the descriptions are likely to change in 2021 with the new Setting of Speed Limits Rule and we question the proposed application of the current speed environment descriptions in the SOP.

2.7. We acknowledge that speed limits need to be reviewed to address ongoing urban development and urban sprawl that has occurred and is planned.

2.8 The *Road to Zero* strategy aims to reduce deaths and serious injuries by 40% by 2030. The focus in this SOP appears to be on minor injuries.

Comment: We see no evidence of consideration given to safe engineering upgrades, other than the installation of new speed limit signs. For example, what consideration has been given to traffic calming measures at Waipu Cove and Langs Beach?

### **3. SETTING OF SPEED LIMIT RULES**

3.1. We note that the procedures being followed are not consistent with the Speed Management Guide nor with the Setting of Speed Limits Rule 2017. The Setting of Speed Limit Rule is likely to change in the near future, with the New Rule expected to be released for public consultation at any time following initial input from selected stakeholders. Major changes to speed limits set out in the SOP - such as proposed new de facto default speed limits - should await the release of the new Rule to ensure national and regional consistency.

3.2. NZTA notes that a speed review starts with a technical assessment of the road *“to find out information like crash history, average speed vehicles are travelling on the road, number of vehicles a day using the road, what is happening around the road (changes in housing, urban development, businesses etc) and other activity on the road. This helps to understand whether the current limit is safe and appropriate for the road.”*

Comment: We can see no evidence to indicate that this process has been followed, other than in part.

### **4. NZTA’s MEGA MAPS**

5.4. In particular, we note that most of the urban roads proposed for a lower speed limit of 40 kph have no history of SDIs since 2000 according to NZTA’s Mega Maps. Within Waipu Cove, Langs Beach, Mangawhai Heads and Mangawhai, there have been no deaths and only 3 serious injuries at Mangawhai Heads, none of which were at Waipu Cove or Langs Beach where year-round 40 kph is now proposed. The proposed changes are inconsistent with the requirement to have regard to NZTA’s data on crash history.

5.5. The Mega Maps tool uses a range of factors such as crash history, road conditions, surrounding land use and traffic volumes to calculate the theoretical ideal speed. It is designed as a planning tool, not a blanket speed limit recommendation, and the Automobile Association has previously questioned whether councils are using it correctly.

5.6. NZTA’s Nic Johansson, who is part of the NZTA team working to improve safety through speed management, is reported as follows:

“He says that while the mapping tool indicates that about 80% of New Zealand roads don’t currently match the calculated ‘safe and appropriate’ limit, the tool is based on desktop data which needs to be checked and verified by local authorities in the real world. Just because the mapping tool gives a recommended ‘safe and appropriate’ speed doesn’t mean the authorities should immediately go out and change the limit.

Johansson says it’s vital that authorities engage in genuine consultation with communities to understand how a road is being used and what people perceive its risks to be. This could show that options other than a lower speed limit are the way to go.”

Comment: On site sense testing of the safe and appropriate operating speeds recommended on NZTA’s speed maps is a key part of the process which has been followed by other RCAs but does not appear to have been carried out here.

## **5. SAFE AND APPROPRIATE SPEEDS**

- 5.1. Other RCAs in NZ have acknowledged that the Rule requires councils to set speed limits that are not just ‘safe’ but ‘safe and appropriate’. Consideration is given to both safety and economic productivity.
- 5.2. Safe and appropriate operating speeds are those deemed appropriate for the road function, design, safety and use (i.e. both safety and efficiency are considered).
- 5.3. Are the proposed changes justified, and right for the roads involved, having regard in particular to the crash history and the roads’ purposes? Are the proposed speed limits self-explaining? If not, the proposed limits are unlikely to be adhered to by drivers.
- 5.4. Are ‘engineering up’ measures such as traffic calming proposed either as an alternative to speed limit reductions or in order to maximise any benefit of speed reductions?
- 5.5. Do the proposed new speed limits support the safe and efficient movement of goods and people?
- 5.6. Once a view is formed as to the safe and appropriate speed to be adopted, five things need to happen.

(i) Firstly, the new speed limits should be “sense tested” as noted in the Speed Management Guide. A report by Professor Sam Charlton for LTNZ in 2006 noted: After the project was begun, the National Road Safety Committee and the Ministry of Transport articulated a National Speed Management Initiative which stated: *“The emphasis is not just on speed limit enforcement, it includes perceptual measures that influence the speed that a driver feels is appropriate for the section of road upon which they are driving – in effect the ‘self-explaining road.’”*

(ii) Secondly, the ‘new’ speed zones need to be fully and properly signposted and marked. Even though there may be a huge cost involved in installing adequate signage, it is essential from the motorists’ perspective that they are fully informed of speed zones. It might mean then that the changes need to be staggered, due to the costs involved.

(iii) Thirdly, there needs to be an education programme (i.e. publicity) to explain to the community why the changes are justified. The education program is needed to supplement the signage so you achieve greater buy in from the motorists. Simply imposing a lower speed limit, if it is not understood and accepted by the community, will not be effective.

(iv) Finally, there should be a review of the lowered speed limits 24 months following their introduction. This process should be robust and transparent – if they haven't worked, then they should be re-assessed. It is acknowledged that for those locations where there is no DSI history or very low DSIs as shown on NZTA's Mega Maps, this will present a real problem.

## **6. MoT's 'TACKLING UNSAFE SPEEDS PROGRAMME' (The 'Programme')**

It is noted that the Tackling Unsafe Speeds programme was agreed by Cabinet in November 2019 and is a key action in the Road to Zero Action Plan. The Cabinet papers include the following notes on Speed Management Plans and blanket speed reductions.

### **(a) Regional Speed Management Plans.**

*"4.5 road controlling authorities determine their input to their Regional Speed Management Plan, which will include proposed speed management reviews and speed limit changes for local roads;*

*4.6 regional transport committees collate the inputs of individual road controlling authorities to develop Regional Speed Management Plans and consult on those Plans (similar to the land transport planning process);*

*4.7 the NZTA reviews Regional Speed Management Plans prior to their finalisation;"*

Comment: There is no indication in the SOP that the proposed speed management changes comprise part of an overall approved Regional Speed Management Plan.

### **(b) No blanket Reduction of Speed Limits**

An MoT paper on the Programme includes the following:

(ref: <https://www.transport.govt.nz/area-of-interest/safety/tackling-unsafe-speeds/> )

#### ***"The programme has no blanket reductions to speed limits***

*Speed management reviews will focus on high-risk roads and roads where communities have expressed strong support for safer speeds. In these areas, RCAs must consider if engineering improvements or speed limit adjustments make the most sense.*

*Under the Tackling Unsafe Speeds programme there will be no change to default speed limits on the network, although there will be new requirements for safer speed limits outside all schools."*

Comment: The proposed blanket speed reductions appear to be inconsistent with this stated policy of the Tackling Unsafe Speeds Programme. We see no evidence of consideration of engineering improvements.

## **7. SPEED LIMITS AROUND SCHOOLS**

7.1. Currently, NZTA Traffic Note 37, Revision 2 notes that:

*"40km/h variable speed limits in school zones have been operating successfully in New Zealand since they were first installed on a trial basis in Christchurch in January 2000." The Traffic Note sets out the criteria for variable speed limits around schools.*

*"The programme aims to lower speed limits around schools to improve safety and enable more children to walk or cycle to school.*

*While crashes tend to be relatively low around schools, they still occur. Reducing the speed limit encourages drivers to travel at safe speeds past schools, particularly during peak hours in the morning and afternoon."*

Comment: The Programme's focus is quite clearly on safer speeds during peak hours when children are walking or cycling to school.

7.2. Currently, NZTA Traffic Note 37, Revision 2 sets out the criteria for variable speed limits around schools.

“5.1 Times of operation The Christchurch trials showed variable speed limits in school zones are effective in reducing speeds, but have the support of drivers only if there are children present when they are operating. Therefore, the times they are activated must be tightly controlled to match, as closely as possible, the times children are crossing the road or are gathered on the roadside.”

“The signs may operate 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 five minutes before the end of school
- 10 minutes at any other time of day when children cross the road or enter or leave vehicles at the roadside.

Unless the signs are manually turned off earlier, they must turn off automatically when the maximum period has elapsed.”

7.3. In regard to the SOP’s proposed 30 kph speed limits around schools:

- a. In November 2019, the Associate Minister of Transport released a press statement which included: *“Kids should feel safe walking or biking to school, the Associate Transport Minister said this morning as she announced blanket speed limit cuts around schools across the country.*

*Under the new rules a 40km/h speed limit will apply when driving past all urban schools, and 60km/h passing rural schools - although it could take up to 10 years for the changes to be rolled out in some areas.”*

- b. The SOP school speed environment description states:

*“School Speed Zones.*

*“The governments Road to Zero Road Safety Strategy prioritises lower speed limits around schools and educational institutions. Generally, these lower speed limits are 60kph outside rural schools and between 30 and 40 kph outside urban schools.*

*The permanent speed limits that we are proposing outside schools and educational institutions meet the road to Zero Road Safety Strategy priorities; as such, we are not proposing any Variable School Speed Zones within this review area.”*

Comments:

- (i) AA policy supports variable school speeds, as set out in Traffic Note 37.
- (ii) 1 hour per day, 5 days a week, 40 weeks a year equates to about 200 hours per year of variable speed operation being required for safety. The proposal to set a lowered speed limit 24/7 (168 hours per week) for 365 days a year would appear to be unwarranted and inconsistent with the rule. It clearly exceeds, the Road to Zero Road Safety Strategy guidelines, unless the school falls within a lower speed zone because of other factors.

- (iii) The above reference in the SOP to 30 kph permanent speed limits does not appear to be consistent with variable 40 kph speed limits referred to in either the Minister’s statement, NZTA Traffic Note 37 or the MoT paper.
- (iv) We are not aware of any DSIs occurring outside schools within the Whangarei or Kaipara districts where there is currently a 40 kph variable speed limit with flashing signs.
- (v) If the latter has been shown to be effective, and the MoT paper notes that “*crashes tend to be relatively low around schools*”, why propose lower 24/7 speeds of 30 kph that are not consistent with government policy and will not be understood by motorists as being appropriate?

## **8. SPEED LIMITS ON UNSEALED ROADS**

- 8.1. In the experience of some of our councillors who drive frequently on unsealed roads, we regard a safe speed as totally dependent on the current state of the road. On a recently graded road with copious loose gravel, a maximum speed of 50 k/h may be appropriate, but on a well-swept road with minimal loose gravel, we would regard speeds of 70 k/h as safe. For city drivers unfamiliar with unsealed roads, signage showing a lowered speed limit would provide an appropriate warning but again, we would not want to see over-zealous enforcement.
- 8.2. Some unsealed roads are narrow and winding while others are wider and straight. We will continue to advocate that on unsealed roads, there should be a default maximum speed limit of 70 kph. On narrow, winding unsealed roads, 50 kph may be appropriate. However, at all times, it is the driver’s responsibility to drive to the conditions. The posted speed limit is never a ‘target.’
- 8.3. Queenstown Lakes DC reports in their summary of speed limit change submissions: “*At the 2018 summit [of the International Transport Forum], a recommendation that rural unsealed roads should be reduced to 70km/h worldwide was discussed in detail. This approach was formally supported by Federated Farmers in New Zealand as reported nationally in April 2018.*”
- 8.4. It appears likely that following the introduction of the proposed New Setting of Speed Limits Rule, RCAs will be able to set limits of 70 kph without seeking NZTA approval.

## **9 GENERAL COMMENTS ON SOP PREAMBLE TO PROPOSED SPEED LIMIT CHANGES**

In this section, consideration is given to various aspects addressed in the pre-amble to the SOP’s proposed changes.

### ***9.1 Reasons for the proposed new speed limits***

*“There was a total of 7178 reported crashes in Northland between 2016 – 2020, with travel speed being the principle factor in 20% of those crashes. During the same 4½ year period, there were 39 fatal crashes involving 46 deaths and 164 serious injury crashes causing 217 serious injuries with travel speed being the principle factor. There is a real need to reduce the toll on our communities by ensuring that speed limits are safe and appropriate for the wider road environment.”*

- (i) **Comments:** The majority of crashes where speed is a factor, as shown by analysis in the UK, involves dangerous or reckless speed, not minor infringements of the posted speed

limit. In NZ, speed as reported in crash analysis statistics generally involves inappropriate speed for the conditions, - the majority of speed-related crashes occur at or below the posted speed limit. Loss of control on bends is a major factor. Northland Road Safety Issues: 2014-2018 Crash Data (WSP 2019) reports that: on local roads, 67% of crashes involve *'bend loss of control/head on crashes'* compared with 33% *'travelling at speed.'* *'There are approximately 2.5 times as many bend loss of control/head on crashes than the next highest crash movement.'*

- (ii) High-risk drivers who deliberately flout the existing speed limits are no more likely to adhere to lowered limits than to the current ones.
- (iii) At the Top of the Dome and the Dome Valley, the speed limit was lowered from 100 to 80 several years ago. For a few years, there was an increased police presence in the Dome Valley and crash rates dropped. These have now returned to previous levels. In the absence of visible enforcement, the lowered speed limit has had no lasting effect.
- (iv) A lower speed will always be a 'safer' speed, right down to walking speed in an environment where pedestrians are present. The focus must be on "safe and appropriate", not just "safe."

## 9.2 Speed Environments

*"Matching the speed limit with the road environment achieves safer, more appropriate and predictable speeds and travel times. If you drive down one road, the speed limit should be similar to any other road that has the same look and feel to it.*

- *In accordance with national guidance, 70kph zones will be discouraged, except where there is an existing 70kph zone."*

**Comment:** A new speed limit rule is currently out for consultation. Initial proposals are to make 70 km/h and 90 km/h zones more readily applied, without NZTA approval, it is understood. It is premature to accept this present discouragement of 70 km/h zones.

## 9.3 Matters to be Considered

*Section 4.2 of the Setting of Speed Limits Rule 2017 requires Council, in its capacity as a Road Controlling Authority to have regard to:*

- a) *NZTA information about speed management*
- b) *National Speed Management Guidance*
- c) *The function and use of the road*
- d) *Crash risk for all road users*

*etc*

...

### **Comments:**

There is no evidence that consideration has been given to NZTA's Mega Maps data pertaining to crash history, current operating speeds, recommended safe and appropriate speeds, or to the function of the road. This is a key document that should be taken into account.

## 9.4 Pedestrian Crash Risk Curves

It is not disputed that higher speeds result in higher crash rates and higher severity.

However, the **Wramborg** crash risk curves used by NTA are unsubstantiated and therefore somewhat misleading. Subsequent reports have been unable to ascertain the basis of Wramborg’s predictions. Note: *“The Wramborg (2005) conference paper did not provide any research references or sources of information for the impact speed curves.”* [Chris Jurewicz et al./ Transportation Research Procedia 14 (2016)].

‘**Mackie 2018** – Speed/Injury Risk Curves’ qualified the Wramborg 2005 curves by stating that the pedestrian curves approximated to *“an appropriate speed/fatality risk profile curve follows a profile that is relevant for older people and where heavy vehicles are involved.”* Mackie 2018 refers to Rosen *et al* 2011 which shows the average (children, adults, elderly) pedestrian fatality risk at 50 kph to be approximately 20% and at 40 kph, 10%.

(Mackie 2018:): *“A review of the literature confirmed that more recent studies (e.g. Figure 2 below) have risk curves that are generally less steep and inflect at higher speeds.”*

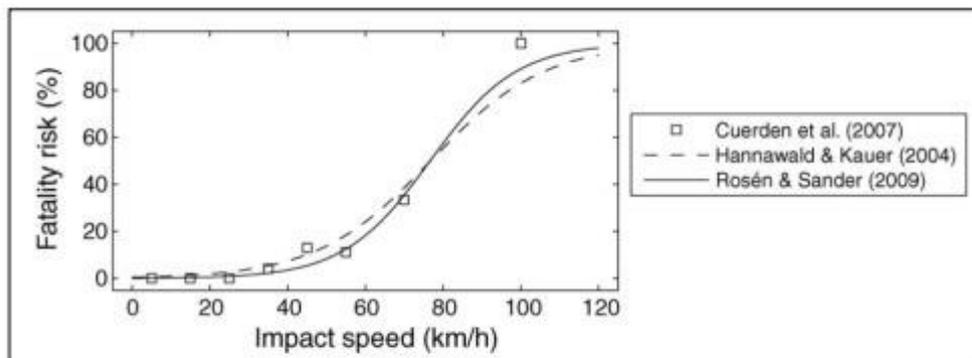


Figure 1. The fatality rate of pedestrians in crashes with passenger cars as function of the collision speed (from Rosén et al., 2011).

For example, the pedestrian fatality risk curve does not increase sharply until impact speeds reach 60 km/h, yet in New Zealand we know that pedestrians have been killed by buses at approximately 30 km/h.

*The literature suggests that survivability has improved over time for any given speed, which poses a challenge when it comes to communicating the benefits of safer or lower speeds.”*

**Ashton & Mackay** have calculated: *“This figure shows that the estimated risk of a pedestrian being killed is approximately 9% if they are hit at a speed of 30 mph [48 kph]. The risk at an impact speed of 40 mph [64 kph] is much higher, at approximately 50%.”*

Wramborg 2005 by comparison, and as quoted by NTA, shows a fatality risk of 50% at 40 kph and 90% at 50 kph.

So at 50 kph, we have three possible fatality rates: 9%, 20% and an unsubstantiated 90%. NTA has provided no justification for adopting the unsupported highest value data, and ignoring more recent research.

## 10. SUMMARY OF COMMENTS ON PROPOSED SPEED LIMIT CHANGES.

For reasons set out above:

- 9.1 Cove Road through Waipu Cove and Langs Beach is an arterial route. We do not support a year-round reduction in speed limit to 40 kph.

WDC Speed Review – Waipu South, Langs Beach and District Beaches Recommendations

- 9.2 Mega Maps show no history since 2000 of DSIs within the coastal settlements of Waipu Cove and Langs Beach. Variable (seasonal) speed limits would be more appropriate in these locations, and would be more likely to be complied with.
- 9.3 It is noted that Queenstown Lakes DC has proposed introducing lowered speed limits in holiday locations between 20 December and 10 February. Consideration should be given to such variable limits at Whangarei's holiday locations where permanent low speeds cannot be justified by pedestrian traffic volume outside of peak holiday times.
- 9.4 We do not support blanket speed limit reductions to 40 kph in urban areas.
- 9.5 We support the current 100 kph limit on unsealed roads being lowered but we would regard 70/50 kph rather than 60/40 kph as being appropriate.
- 9.6 We support the proposed speed limits on beaches in the Whangarei District.
- 9.7 We support the proposed reductions from 100 to 80 kph on Cove Road as this is in the top 10% of highest risk roads.
- 9.8 Johnston Point Road is generally poorly maintained and 40 kph would be an appropriate speed.

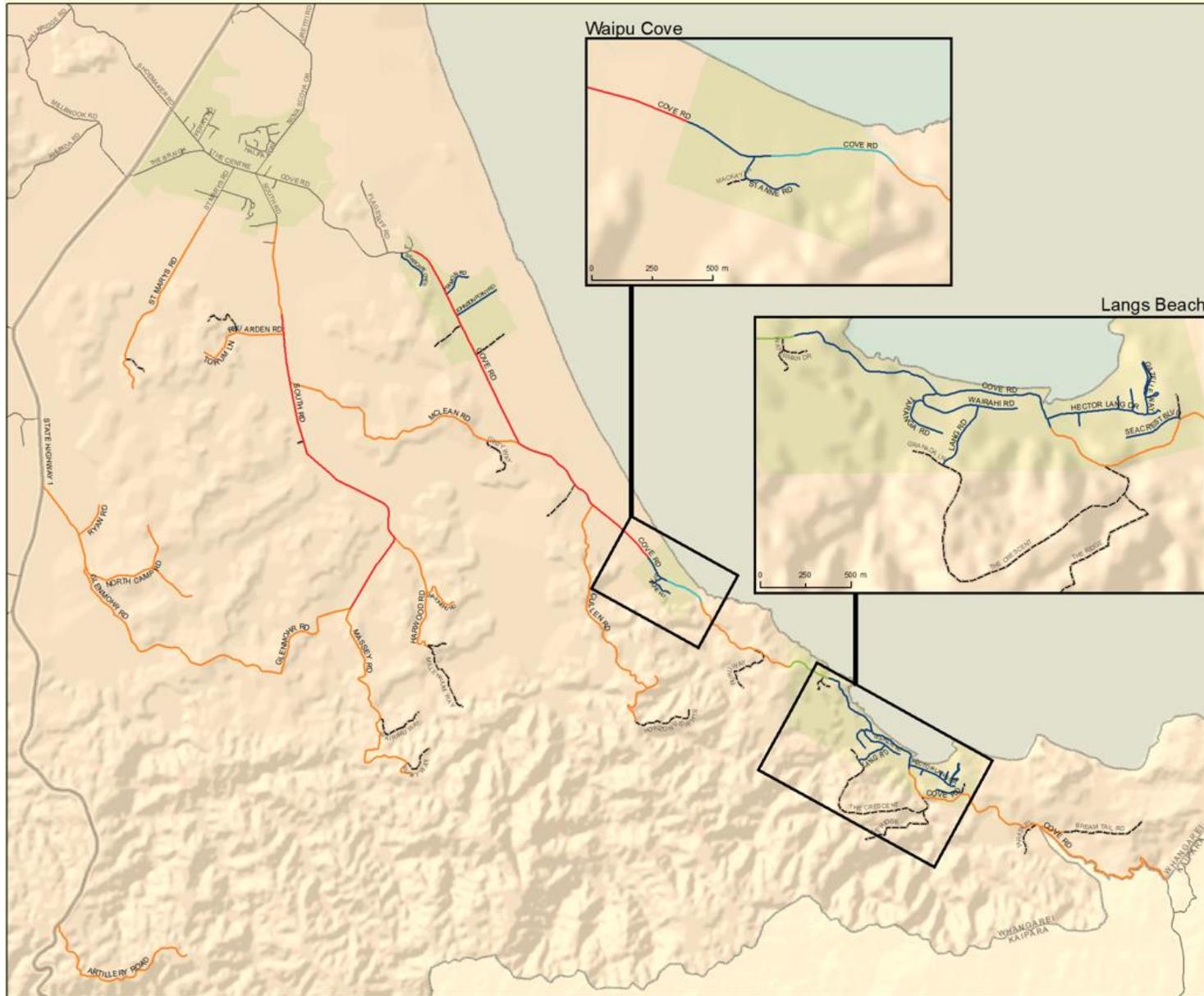
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*Stephen L Westgate: for*  
Northland District Council,  
NZ Automobile Association  
18/12/2020

## ***Appendix 2: Recommended Speed Limit Maps***

Note: The Speed Limit Maps contained within this Appendix is indicative only. Once Council confirms the recommended speed limits in this Report, the attached maps will be updated utilising RAMM mapping data and incorporated into the overall mapping of the Speed Limits Bylaw 2019. This may result in minor changes to the indicative map in this Report. These changes are expected to be only in the order of meters.

Any minor changes to the map is a result of identifying the optimal position of new signage and the accuracy required by the Setting of Speed Limits Rule 2017.



**Legend**

- Roads that have a speed limit of 30 km/h
- Roads that have a speed limit of 40 km/h
- Roads that have a speed limit of 50 km/h
- Roads that have a speed limit of 60 km/h
- Roads that have a speed limit of 80 km/h
- State Highway
- Private Road
- Roads outside review area
- Boundary of existing urban traffic areas that have a speed limit of 50 km/h, except for roads or areas marked with a different speed limit
- Boundary of rural traffic areas that have a speed limit of 100 km/h, except for roads or areas marked with a different speed limit

1. Scales shown on map are approximate
2. Dimensions show the boundaries of a speed limit for the purpose of the bylaw.
3. Speed limit boundaries that cross a road do so at right angles from one side of the road to the opposite side of the road by the shortest distance.
4. A speed limit boundary marked along a road is deemed to run along the carriageway edge of that road unless dimensioned or shown otherwise.
5. Where no dimensions or distance are given or shown when the speed limit crosses a road at a side road, the speed limit is deemed to cross the road at the extrapolation of the side road carriageway edge.
6. Where the boundary between Whangarei District and another territorial local authority runs along a road this plan and bylaw apply to the whole width of the road.
7. Where a road crosses under or over a state highway or expressway, the speed limit on that road at that location is deemed to be the same as for the adjoining sections of either side of the state highway or expressway unless dimensioned or shown otherwise.
8. All Whangarei District Council roads shown on this map outside the urban traffic areas have a speed limit of 100 km/h, unless marked with a different speed limit.
9. Speed limits on state highways are not part of this bylaw. They are displayed for information only. Refer to NZ Transport Agency speed limit bylaw on State highways.
10. This map is part of the Whangarei District Council Speed Limit Bylaw 2019.
11. Refer to Schedules: WDC S4/1 to S4/29; WDC S5/1; WDC S6/1 to S6/12; WDC S7/1 to S7/6; S8/1; AND WDC S12/1 to S12/7
12. For the avoidance of doubt, where a speed limit or urban traffic area is described with both a map and a description, and there is an inconsistency between the map and the description, the description prevails.

Created by Operations on 10/05/2021



**WHANGAREI DISTRICT SPEED LIMIT BYLAW 2020**  
**WAIPU SOUTH/LANGS BEACH RECOMMENDED SPEED LIMIT CHANGES**

A3 Scale: 1:45,000  
 0 500 1,000 m



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## ***Appendix 3 – Technical Report***

The Technical Report provides an outline and collation of the more detailed technical information that Council must consider under Section 4.2 of the setting of speed Limits Rule 2017. The Technical Report is a stand-alone Report that is appended as an attached report. The Technical Report was provided to the public via Council's website as part of the notification process.