

Hon Simeon Brown

Minister for Energy
Minister of Local Government
Minister of Transport
Minister for Auckland
Deputy Leader of the House



OIA24-408

C Robertson
fyi-request-27571-79b3f920@requests.fyi.org.nz

Dear C Robertson,

I refer to your email of 10 October 2024 requesting the following under the Official Information Act 1982 (the Act):

"I note that you refer me to the RIS in relation to parts 1 and 2 of my request. What I was requesting was any analyses used to support the statements made in the RIS, not the statements themselves. Referring me to those statements therefore does not supply me with the information requested.

The RIS does not contain the evidentiary basis for the statements it contains about economic benefit (and the similar statements made in the interview I referred to in my initial request), so parts 1 and 2 of my request are not answered by a refusal on the basis that the RIS is publicly available.

I reiterate my request: please supply me with the evidentiary basis (such as any analysis undertaken of detailed or quantified costs and benefits, and/or based on established CBA methodology, including information about the methodology used) for the statements made in the RIS about economic benefit. If no such evidentiary basis exists, please confirm that.

The RIS also does not contain detailed information about 'any safety analysis undertaken relating to the proposed Rule, such as modelling of the expected change in deaths and serious injuries (DSI), or analysis of historical DSI data'. The RIS contains a number of statements about safety, such as 'The new proposed speed limit classifications are based on safety' (page 13). I am requesting any information or analysis used to support or inform those statements. In particular, I am requesting any analysis of safety impacts undertaken before the release of the draft Rule (especially given the Minister's campaign promise that speed limits would be reduced 'where it is safe to do so', and the absence of similar language in the draft or final Rule). I therefore reiterate my request for any such safety analysis. If none was undertaken, please confirm that.

Finally, since the new Rule is now published, please supply me with the documents refused in your previous reply on the grounds that the Rule was under active consideration (numbered as 3, OC231067; 4, OC240067; 5, Cabinet paper: update on our 100day commitment to stop blanket speed limit reductions and start work on a new rule for setting speed limits; 6, OC240201; 7, OC240312; and 8, Draft results of the localised approach 14 June 2024)."

The Regulatory Impact Statement (RIS) drew on research on the safety impacts of speed limits and the general assumption that increased speed limits would result in higher operating speeds. The RIS notes that the Ministry of Transport could not assess the specific costs and benefits of the Land Transport Rule: Setting of Speed Limits 2024 (the Rule) at an individual road or national level. The Ministry advises it did investigate the feasibility of modelling the number of deaths and serious injuries resulting from speed limit changes on some corridors. However, I am advised that the Ministry considered that such analysis could not be developed due to a range of issues, including data availability and not knowing which roads would have their speed limits changed.

When road controlling authorities propose changes to individual road speed limits, they will have to prepare cost benefit disclosure statements for those changes as set out in section 3 of the Rule. This must describe the estimated safety impacts, the estimated travel time impacts, and the estimated implementation costs of the proposed speed limit change.

There are six documents in scope of the final part of your request. These are listed in the attached document schedule. Documents one to five will soon be available on the Ministry of Transport website: www.transport.govt.nz. I am therefore refusing these under the following section of the Act:

18(d) the information requested is or will soon be publicly available

The Ministry has advised the sixth document *Draft results of the localised approach 14 June 2024* is a draft document and it was not used in the development of the Rule. I am withholding this document in full under the following section of the Act:

9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website www.ombudsman.parliament.nz

Thank you again for writing.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Simeon Brown', written in a cursive style.

Hon Simeon Brown
Minister of Transport

Annex 1 - Document Schedule

Doc#	Date	Document	Decision on release
1	20/12/2024	OC231067 Setting of speed limits rule review – terms of reference	Refused in full under Section 18(d).
2	7/2/2024	OC240067 New setting of speed limits rule timeline and policy confirmation	Refused in full under Section 18(d).
3	15/2/2024	Cabinet paper: update on our 100-day commitment to stop blanket speed limit reductions and start work on a new rule for setting speed limits	Refused in full under Section 18(d).
4	13/3/2024	OC240201 Approach to the new speed rule	Refused in full under Section 18(d).
5	10/4/2024	OC240312 The new setting of speed limits rule: public consultation	Refused in full under Section 18(d).
6		Draft results of the localised approach 14 June 2024	Withheld in full under section 9(2)(g)(i)