

26 September 2024

Cody C
fyi-request-28236-ae310f1a@requests.fyi.org.nz

REF: OIA-16302

Dear Cody

Request made under the Official Information Act 1982

Thank you for your email of 29 August 2024 requesting the following information under the Official Information Act 1982 (the Act):

1. *What criteria and processes are used by NZTA and/or RCAs to determine the addition/removal of clearways?*
2. *Are public consultations or stakeholder engagements conducted prior to those changes?*
3. *Which role(s) in NZTA have delegated authority to add/remove a clearway?*
4. *What assessments or studies are conducted to evaluate the impact of adding/removing clearways on traffic flow, safety, and local amenity?*
5. *Are there any documented benefits or drawbacks identified from these assessments?*
6. *How many clearways have been added/removed in the past five years by NZTA specifically?*
7. *Are there any future plans for the removal or addition of clearways?*
8. *What alternative traffic management measures are being considered or implemented in areas where clearways have been removed?*

For the sake of clarity, The New Zealand Transport Agency (NZTA) defines a clearway as a time restriction on parking so that the parking lane can be used as a traffic lane, usually in the direction of a traffic peak.

I will respond to each of your questions in turn:

1. *What criteria and processes are used by NZTA and/or RCAs to determine the addition/removal of clearways?*

Most requests for changes come from Councils or community groups, or sometimes from NZ Police. Typically, assessments are conducted by the requesting party and provided as evidence to NZTA to support the request. Additionally, NZTA collect base information to assist with our decision making. This can include: layouts, traffic counts (including by type), traffic speeds, degree of congestion, bottlenecks, restrictions, access requirements and information around the practicality of implementing changes.

With this information, NZTA will investigate the options to determine whether a clearway is the best option to address the problem raised. It is not assumed that just because a clearway has been requested, this is the best solution. Even if it is determined that a clearway is the best fit, other requirements must be met, including requirements at intersections and impacts on other road users.

Parking restrictions, including as they relate to clearways, are controlled by a Bylaw process and the permissions and extent of the ability to make appropriate bylaws is set out in Section 22AB-AD of the Land Transport Act (LTA), available here:
www.legislation.govt.nz/act/public/1998/0110/latest/DLM433613.html.

2. Are public consultations or stakeholder engagements conducted prior to those changes?

It is a requirement of the Land Transport Act (LTA) that public consultations take place prior to any bylaw changes being implemented, including any changes to clearways. A list of necessary parties is located in Section 22AD of the LTA, although this list is not exhaustive, and other parties will be consulted where appropriate. The necessary parties outlined in the Act may also identify others that should be consulted as part of this process.

3. Which role(s) in NZTA have delegated authority to add/remove a clearway?

The actual power for NZTA to make bylaws is in section 61(3) of the Government Roadway Powers Act 1989. This is the statutory power directed to the NZTA Board, but the Board has sub-delegated the power of approval to the Group General Manager of the Transport Services Group at NZTA.

4. What assessments or studies are conducted to evaluate the impact of adding/removing clearways on traffic flow, safety, and local amenity?

Once NZTA have determined what options are available, consultations will take place. The effects of clearways are reasonably well understood, and the specific issues are usually well identified through the consultation. If there is further work to be done to tailor the agreed option to mitigate any identified effects, then they can be done and the final layout provided for final comments.

After reviewing feedback, and when NZTA consider the best solution has been found, all parties consulted are informed of the outcome and have the opportunity for further comment. Then the proposal will go through an internal review and approval process, with any final bylaw sent to the delegated Manager for approval.

We have not been through a process to remove a clearway; however, I expect the process would be similar.

5. Are there any documented benefits or drawbacks identified from these assessments?

The benefit of a clearway is to address congestion which affects all road users, as well as local residents. A clearway is a means of increasing capacity for a short period during the peaks and can even be done using a contraflow central lane if the peak is only one direction in each peak period. It can allow for traffic to move more easily, prevent peak-spreading and allow for people living along the route to find gaps to get out of their driveways.

Drawbacks include reduced on-street parking, reduced space for other road users, more difficulty getting out of side roads and difficulties with turning. This is why it is usually necessary to include other measures such as signals at intersections to provide side road access and allow pedestrians to cross busy roads as per our Pedestrian Network Guidance.

6. How many clearways have been added/removed in the past five years by NZTA specifically?

NZTA is responsible for managing State Highways, while local councils are responsible for managing local roads. I can advise that no clearways have been added or removed by NZTA in the past five years.

7. *Are there any future plans for the removal or addition of clearways?*

NZTA is currently discussing the future of one clearway in operation on a State Highway. No decisions have been made on whether changes will take place at this time.

8. *What alternative traffic management measures are being considered or implemented in areas where clearways have been removed?*

As noted, there are no instances to date of clearways being removed. There would need to be a dramatic shift in traffic patterns and wider route priorities (e.g. bus routes) to reduce the need for a clearway. We would expect that if a clearway was planned to be removed, then we would take a risk-based approach to what traffic management was needed based on the New Zealand Guide to Temporary Traffic Management (NZGTTM). You can find more information on the NZGTTM and our approach to traffic management here: <https://www.nzta.govt.nz/roads-and-rail/new-zealand-guide-to-temporary-traffic-management/>

In line with NZTA policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with NZTA, please contact Ministerial Services by email at official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink that reads "V L Browne". The signature is written in a cursive, flowing style.

Vanessa Browne
National Manager Portfolio and Standards