

LAND TRANSPORT MANAGEMENT AMENDMENT BILL

SUBMISSION TO THE TRANSPORT AND INDUSTRIAL RELATIONS SELECT COMMITTEE

26 OCTOBER 2012

1. BACKGROUND

Thank you for the opportunity to make a submission.

TRAFINZ (The New Zealand Traffic Institute Inc) represents a wide grouping of NZ local authorities, covering the majority of the New Zealand population. Its membership includes regional councils, the major metropolitan cities and smaller provincial authorities as well as private sector and non-local government members.

TRAFINZ' Executive is comprised of elected councillors and officers, drawn from a cross section of the membership, together with senior personnel representing its key government partners and supported by a number of senior technical staff from transport consultancies that volunteer their services pro bono.

The Institute's primary focus is on sustainable transportation planning, traffic management and road safety. It provides specialist advice to member authorities on traffic and safety issues by drawing from the depth of expertise available through its members. It also acts as a conduit for local authorities to respond to the NZ Government on new transport policies and legislation.

2. SUBMISSION

Clause 3 Purpose

The Bill changes the purpose of the Act to "to contribute to an effective, efficient and safe land transport system that supports the public interest". This can be compared to the purpose in the existing Act - "to contribute to an affordable, integrated, safe, responsive and sustainable land transport system".

It is noted that the proposed descriptors of the transport system have replaced the term affordable with efficient, by which is presumably meant 'economically efficient'. We support the explicit inclusion of reference to economic efficiency and also strongly support the continuing inclusion of 'safe'. The road toll in New Zealand has been reducing but much more emphasis is needed on achieving further reduction in the toll on both local roads and State Highways.

The Bill proposes to replace the terms 'integrated', 'responsive' and 'sustainable' with 'effective' with reference to outcomes that 'support the public interest'. It is accepted that all the activities of government should support the public interest. However in our view that this

argument could simply mean applying the term 'in the public interest' as the only criteria here and indeed in all similar legislation. In our view the term 'in the public interest' is too ill defined to be useful, and in fact could be dangerously interpreted by any administration. We consider there is merit in continuing to give direction in the Act on aspects of effectiveness that particularly important.

It is certainly clear from our contacts with communities that they value a transport system that serves the needs of pedestrians, cyclists, public transport passengers, private and goods vehicle drivers. That is, an integrated system, designed efficiently to be accessible to all users. We suggest that the term 'accessible' be included in the purpose of the Act. We think that this would encompass the concept of the system being 'responsive'. We assume that 'accessible' incorporates both physically accessible and affordable to users. In this we are particularly concerned about affordability to public transport users as a distinct subset of all users.

The term 'sustainable' has been omitted. While there have been problems in the past with definitions, the need for the sustainability of natural resources and the environment is well supported and we would argue for the term being retained.

It is our strong view that the overall objective of the transport system is to support the social, environmental and economic wellbeing of the nation, its people and its visitors. The purpose of the Act should explicitly include those concepts.

We therefore suggest that the Purpose be changed to “to contribute to an economically efficient, safe, accessible, socially inclusive and environmentally sustainable transport system”.

Clause 14 Core requirements of regional land transport plans prepared by regional transport committees

This clause amends section 14 of the Act by listing matters to be considered and taken into account and also requires that regional transport committees be satisfied that the plan contributes to the purpose of the Act and is consistent with the GPS on land transport.

While we support the requirements listed, we do not consider that they give adequate guidance to regional transport committees on the need to include consideration of Safer Journeys and the Safe System approach when developing the Plan. The government launched the Safer Journeys road safety strategy in 2010 and progress is being made on achieving its vision of “A safe road system increasingly free of death and serious injury”. It has been recognised from the beginning that this requires that wider transport processes and strategies recognise the Safe System approach as a priority and imbed it into their activities.

We suggest that regional transport committees in section 14 of the Act “must ...(b) have considered.... (iii) information showing how it is intended that activities and projects in the Plan will contribute to achieving the vision of the National Road Safety Strategy (Safer Journeys)”

We do not support consolidating the National Land Transport Strategy and GPS. The National Land Transport Strategy was intended as being long term, visionary, non-partisan, and setting a coherent, consistent direction for our land transport systems.

The GPS has more of a short term focus and is being used to allow Ministerial direction of spending allocation. This is clearly resulting in a high degree of politicisation of transport decision making, and means a serious risk of requiring all transport providers to abruptly change planning with changes in Ministerial philosophy. This comes at considerable cost to Councils and undoubtedly to Government agencies, as well as causing uncertainty for communities, and potentially arbitrary funding allocations.

Therefore TRAFINZ supports the retention of a separate National Land Transport Strategy and encourages Government to begin developing and consulting on such a Strategy. We also take the opportunity to again encourage a more consultative approach to the development of the Government Policy Statement.

Clause 26 Police Activities

On the subject of police activity, the Bill proposes to amend s18j of the Act (“Requirements before recommending Policy activities”) and:

Replace section 18J(2)(a)(i) and (ii) with

- 1) :“(i) contribute to the purpose of this Act; and
“(ii) are consistent with the GPS on land transport.”
- (2) Repeal section 18J(2)(b) and (c).

Repealing section 18J(2)(b) and (c) will remove the existing requirement to take into account the Regional Land Transport Strategy and Public Transport Plan

We are concerned that removal of this formal link between Police activities and regional transport planning could lead to unintended consequences. For example, policies and actions identified in the Regional Land Transport Plan may end up not being supported by the police programme. This could be detrimental to achieving road safety outcomes.

It is noted that Clause 18 (6)(a) of the Bill requires that a Regional Land Transport Plan must include “(b) an assessment of the relationship of Police activities to the Regional Land Transport Plan” but we consider that there needs to be more than an assessment.

It would be desirable if there was a statutory link in the Act that requires police to consider the Regional Land Transport Plan when preparing its programme **by replacing section 18J(2) with a requirement to take into account the Regional Land transport Plan** rather than repealing it.

Clause 60 Functions of the Agency

Similar to our comments above, **we believe that the function of the Agency should be to promote “an economically efficient, safe, accessible socially inclusive and environmentally sustainable transport system”.**

3. CONCLUSION

TRAFINZ appreciates the opportunity to make this submission and are able to provide further clarification if required. We would like the opportunity to be heard in support of our submission.

For more information please contact:

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