



Registered Charity No. CC36909

24 October 2012

Clerk  
Transport and Industrial Relations Select Committee  
Parliament Building  
WELLINGTON 6011

Dear Sir/Madam

### **Land Transport Management Amendment Bill 2012**

Thank you for the opportunity to make a submission on this Bill.  
This submission has been prepared by members of the Cycling Advocates' Network.

#### **BACKGROUND**

The Cycling Advocates' Network of NZ (CAN), the peak body of 22 local advocacy groups, is this country's national network of cycling advocates. It is a voice for all cyclists - recreational, commuter and touring. Its membership includes nearly 1500 members with more than 2000 additional 'friends' who are on an email network. CAN has an Executive group and employs some staff.

We also have a number of supporting member organisations that include local authorities, cycle retailers, cycling groups and environmental organisations. We work with central government and local authorities, on behalf of cyclists, for a better cycling environment. We have affiliated groups and individual members throughout the country and links with overseas cycling organisations.

#### **SUBMISSION**

##### **Reduction in the number of assessment criteria used and introduction of a new statutory purpose**

We do not consider that replacement of the current statutory purpose and multiple objectives of the current Land Transport Management Act 2003 (LTMA) with the new statutory purpose and the three proposed decision-making criteria. While we recognise the tensions that sometimes (but not necessarily or always) arise with achieving all the current five objectives in the LTMA, we wish to highlight the positive changes that have been associated with these five objectives and the current statutory purpose. In particular, they have encouraged a more holistic approach to land transport funding and a shift toward a more integrated transport system.

Safety and efficiency are criteria that were used prior to the LTMA. They were widely recognised as resulting in a lack of integration and a lack of awareness of the environmental impacts of transport. Adding 'effective' as a third criterion does not result in clear, easy-to-interpret decision-making criteria. The terms 'effective' and 'efficient' have many definitions and we note the legislation has no definition of these.

If there is to be any change to the LTMA the new criteria should include

- A secure and resilient transport network (This reflects the importance of achieving creating an integrated transport network in which different transport modes are meshed together rather than by a network dependent upon one mode – the private vehicle.)



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- More transport choices (With an ageing population, more restrictions on younger drivers and increasing unaffordability of fuel, it is vital that land transport funding supports alternatives to private vehicles, in particular, public transport, walking and cycling infrastructure.)
- Contributions to positive health outcomes (Safety focuses on crashes. Instead, the significant health improvements resulting from replacement of vehicle journeys by walking and cycling, and other health benefits of reduced use of single occupant vehicles need to be recognised.)

### **Proposed new single national-level planning document and its relationship to regional land transport planning**

We do not support the proposal to merge the national land transport strategy and the GPS on Land Transport Funding into one document. The *New Zealand Transport Strategy 2008* (building on the *New Zealand Transport Strategy* first published in 2002 which subsequently was also reflected in the decision-making criteria in the LTMA 2003) set out a long-term vision for the transport sector. It identified upcoming issues that need to be addressed during the first half of this century such as climate change, volatile energy prices, an ageing population and transport affordability. It is unfortunate that this strategy appears to have been disregarded. Government Policy Statements have since become the strategic direction for transport by default. The Government Policy Statement is an implementation instrument, not a long-term planning document. It is limited to providing guidance over a 10 year period when a more long-term perspective is needed to assess the real implications of transport investment decisions.

### **Reduction in the number of Regional Transport Committee (RTC) members**

CAN does not support the changes to RTC membership. The so-called 'objective' representatives potentially result (and often have resulted) in much more balanced committees and subsequent decision-making. The focus needs to be on quality of decisions. It is simplistic to assume that smaller committees will result in better decisions. In particular, the environmental and social aspects of transport investments need proper consideration.

Perceived weaknesses in some regional land transport decision-making processes are more a reflection of the lack of policy guidance for RTCs and lack of capacity-building. We are aware that the Ministry of Transport took some tentative steps towards providing training and we expect that if this was more comprehensive committee decision-making processes would have been much more effective. We are aware of the concern that there were non-elected members involved in decision-making but we note that there are several other instances of statutory board members being involved in local decision-making and we also note that in other areas of policy development (such as the first Land and Water Forum report) there are proposals for appointed members to have a role in decision-making.

### **Consultation**

Regional Transport Committees and other bodies undertaking consultation under the LTMA must be required to have regard to the view of all key stakeholders. We are concerned that the wording used in the Bill which refers to having regard to the views of "representative groups of land transport users and providers" may be interpreted in a restrictive manner.



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When submissions are invited these should be made publicly available on the same basis as submissions on draft annual plans and draft long-term plans are. We are aware that sometimes councils have sought to not make submissions publicly available. We also recommend that RTCs be required to allow for public comment and deputations in their standing orders.

### **Greater flexibility to use borrowing to support land transport investment**

CAN opposes the provisions in the bill that allow the New Zealand Transport Agency to borrow money for more than cash-flow purposes leaving the potential for big projects to be funded through using an overdraft facility. It would appear that this provision for borrowing is intended to ensure funding for Roads of National Significance which are predicted to create a \$4.5 billion shortfall in the Land Transport Fund between 2020 and 2030 and which have terrible business cases (*Briefing to the Incoming Minister of Transport: Policy Challenges and Upcoming Decisions*, December 2011, pg. 30)

CAN is opposed to the use of Public Private Partnerships which carry the risk of cost blowouts and below-forecast traffic volumes. Use of PPPs is attractive as debt associated with transport projects does not appear on the government books in the short run but can be a liability for the taxpayer if the PPP fails.

CAN would like to appear before the committee to present this submission.

Yours faithfully

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Chair  
Cycling Advocates' Network

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