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Committee Regional Land Transport
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Land Transport Management Bill

1. Purpose

To inform the Committee of the effect that enactment of the Land Transport Management Bill will have on the Committee and its responsibilities.

2. Comment

2.1 Committee Membership

The Land Transport Act 1998 had the following requirements.

“The regional council may appoint any persons whom it considers to be suitable, including (but not limited to) representatives of all or any of the following:

- (a) The Authority
- (b) The Board
- (c) Transit New Zealand
- (d) The Commissioner
- (e) The regional council
- (f) The territorial authorities in the region (if any)
- (g) Commercial road users
- (h) Private road users
- (i) Public transport users
- (j) Representatives of cycle users and pedestrians
- (k) Passenger service operators

The Land Transport Management Bill (LTMB) as reported back to parliament on 13 October states in schedule 3: repeal section 178(2) and substitute:

- “(2) Each regional land transport committee consists of suitable persons appointed by the relevant regional council to represent
 - (a) the objectives of economics development, safety and personal security, public health, access and mobility, and environmental sustainability; and
 - (b) cultural interests; and
 - (c) the council; and

- (d) other territorial authorities in the region; and
- (e) the Authority; and
- (f) Transfund.”

Clearly the Regional Council will have to review the membership of the RLTC. Previously the Council had complete discretion over appointments but the LTMB states that the Council is to appoint persons to represent certain interests.

There are clear omissions and new additions between the 1998 Act and the LTMB. The omissions are specific references to

- The Board (Transit)
- The Commissioner (Police)
- Commercial road users
- Private road users
- Railway operators
- Public transport users
- Representatives of cycle users and pedestrians
- Passenger service operation

Some of these groups but not all, are clearly covered in the appointments to be made by the Council to represent the objectives of economic development, safety and personal security, public health, access and mobility, and environmental sustainability.

2.2 Functions of the RLTC

The functions of the RLTC, sections 178(3) of the Act amended by the LTMB, are limited to “prepare for approval by the relevant regional council the regional land transport strategy prepared under section 175”.

2.3 The Regional Land Transport Strategy

2.3.1 Content

Section 175 of the 1998 Act stated:

- “(2) Every regional land transport strategy prepared under this section must
- (a) Identify the future land transport needs of the region concerned; and
 - (b) Identify the most desirable means of responding to such needs
 - (c) Identify an appropriate role for each land transport mode in the region, including freight traffic, public passenger transport, cycling and pedestrian traffic; and
 - (d) State the best means of achieving the objectives referred to in paragraphs (b) and (c); and
 - (e) Include any regional passenger transport plan (within the meaning of section 47 of the Transport Services Licensing Act 1989) that has been prepared by the regional council that has prepared the strategy”.

The LTMB repeals section 175(2) and replaces it with:

“(2) Every regional land transport strategy must

- (a) Contribute to the overall aim of achieving an integrated, safe, responsive, and sustainable land transport system; and
- (b) Take into account how the strategy
 - (i) assists economic development; and
 - (ii) assists safety and personal security; and
 - (iii) improves access and mobility; and
 - (iv) protects and promotes public health; and
 - (v) ensures environmental sustainability; and
- (c) take into account the land transport funding likely to be available within the region during the period covered by the strategy; and
- (d) avoid, to the extent reasonable in the circumstances, adverse effects on the environment; and
- (e) take into account the views of affected communities; and
- (f) take into account the need for persons and organisations preparing regional land transport strategies to give early and full consideration to land transport options and alternatives in a way that contributes to the objectives referred to in paragraphs (d) and (e) when preparing a regional land transport strategy; and
- (g) take into account the need to encourage persons and organisations preparing regional land transport strategies to provide early and full opportunities for persons and organisations listed in section 179(1) to contribute to the development of those regional land transport strategies; and
- (h) identify an appropriate role for each land transport mode in the region, including freight traffic, public passenger transport, cycling, and pedestrian traffic; and
- (i) include any regional passenger transport plan (within the meaning of section 47 of the Transport Services Licensing Act 1989) that has been prepared by the regional council that has prepared the strategy; and
- (j) take into account any national land transport strategy and National Energy Efficiency and Conservation Strategy; and
- (k) identify land transport outcomes sought by the region and the strategic options for achieving those outcomes; and
- (l) identify any strategic options for which co-operation is required with other regions; and
- (m) identify persons or organisations who should be involved in the further development of strategic options; and
- (n) include a demand management strategy that has targets and timetables appropriate for the region; and
- (o) provide for the strategy to be independently audited; and
- (p) take into account any guidelines issued by the Minister for the purposes of this section”.

The requirements of the LTMB are quite prescriptive. It defines the vision and key objectives, for all regional land transport strategies, aligning them with the governments new land transport strategy. It requires a demand management

strategy, the evidence of adverse effects on the environment and has to take account of the National Energy Efficiency and conservation strategy.

2.3.2 Currency

The LTMB extends the statutory currency of the strategy from five years to ten years.

2.3.3 Relationship with NLTS

Rather than the RLTS having to be “not inconsistent with” any NLTS under the LTMB it “must take into account” any NLTS.

2.3.4 Consultation

The 1998 Act required the council when preparing a RLTS to consult with

- “(a) The Authority
- (b) The Board
- (c) Transit New Zealand
- (d) The Commissioner
- (e) The territorial authorities in the region (if any)
- (f) The adjoining regional councils and territorial authorities
- (g) Commercial road users
- (h) Private road users
- (i) Railway operators
- (j) Public transport users
- (k) The public in the region or district
- (l) Representatives of cycle users and pedestrians
- (m) Passenger service operators”.

The LTMB requires consultation with:

- “(1) When preparing a regional land transport strategy, a regional council must consult
 - (a) Transfund; and
 - (b) Transit; and
 - (c) The authority; and
 - (d) The commissioner; and
 - (e) The territorial authorities in the region; and
 - (f) The adjoining regional councils and territorial authorities; and
 - (g) The Historic Places Trust of New Zealand; and
 - (h) Land transport users and providers; and
 - (i) The public in the region; and
 - (j) The district health boards in the region; and
 - (k) Every affected approved public organisation in the region; and
 - (l) Maori of the region; and
 - (m) The Accident Compensation Corporation
- (2) In carrying out the consultation required by subsection (1), a regional council must use the special consultative procedure under section 83 of the Local Government act 2002.
- (3) Section 83 of the Local Government Act 2002 applies for the purposes of this section with the necessary modifications.

- (4) A regional council need not consult any organisation or person referred to in subsection (1) about any matter if it has already consulted that organisation or person about the matter in the course of preparing its current long-term council community plan in accordance with the Local Government Act 2002”.

The following groups are specific new inclusions in the list of those that must be consulted.

- Historic Places Trust of New Zealand
- District health boards
- Maori of the region
- Accident Compensation Corporation

The LTMB includes a new section 178(3) stating that when preparing RLTS the RLTC must take into account the view of land transport network providers. Such a provider would include Transit and Tranz Rail

2.3.5 Effect of the RLTS

The 1998 Act required government transport agencies “to act in a manner that was not inconsistent with” any RLTS. The LTMB changes that to “must ensure that they take into account” any RLTS.

This change has also been applied to how these agencies have to take account of the National Land Transport Strategy.

In recent times national transport agencies have been quite active in ensuring they take notice of the RLTS.

This wording change appears to recognise the current approach.

3. Communications

There is nothing to communicate.

4. Recommendations

1. *That the report be received*
2. *That the Council review the membership of the RLTC.*

Report prepared by:

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