

# Participation in land use and transport planning process





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# Part one

## Introduction

- 1 The purpose of this document is to set out a statement of Land Transport New Zealand's (Land Transport NZ) policy for participating in land use and transport planning processes.
- 2 The document will guide Land Transport NZ staff when reviewing draft and proposed:
  - national policy statements and national environmental standards
  - regional land transport strategies
  - regional and territorial policy statements and plans
  - growth strategies and other strategic planning documents
  - long term council community plans
  - plan changes and variations
  - applications for resource consents, notices of requirement for designations and decisions on them.
- 3 This document will be regularly reviewed taking into account the lessons learned from practical applications of the policy.
- 4 This document does not replace or modify legislative requirements or government policy.

## Part two

### Land Transport NZ's objectives and functions

- 5 Land Transport NZ is a Crown entity established on 1 December 2004 under the provisions of the *Land Transport Management Act 2003* (as amended by the *Land Transport Management Amendment Act 2004*).
- 6 Land Transport NZ's statutory objective<sup>1</sup> is to:  
'allocate resources and to undertake its functions in a way that contributes to an integrated, safe, responsive, and sustainable land transport system.'
- 7 Land Transport NZ must also exhibit a sense of social and environmental responsibility and operate in partnership with key transport sector stakeholders.
- 8 Land Transport NZ has 16 statutory functions<sup>2</sup>. These functions can be grouped into a number of broad categories – promoting land transport sustainability and safety; assisting and advising the transport sector and allocating central government funds; managing access and use of the land transport system; and performance monitoring.
- 9 In allocating funds, Land Transport NZ must contribute to the five objectives of the New Zealand Transport Strategy<sup>3</sup>:
- assisting economic development
  - assisting safety and personal security
  - improving access and personal mobility
  - protecting and promoting public health
  - ensuring environmental sustainability.

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<sup>1</sup> Section 68 Land Transport Management Act

<sup>2</sup> Section 69 Land Transport Management Act

<sup>3</sup> Section 19 Land Transport Management Act

## Part three

### Effects of land use patterns on the transport system

- 10 With increasing car ownership and improvements in the quality of the road network, there has been a trend for households and businesses to relocate away from town centres and inner suburbs to outer suburbs or rural locations.
- 11 These dispersed patterns of land use lead to a shift towards road travel as the dominant mode and an increase in trip distances. This in turn leads to traffic loads increasing on key links and junctions in the road network, and pressure for further improvements to the road network.
- 12 Over time it becomes increasingly difficult for road controlling authorities to respond to the increase in demand for road travel due to the high costs of urban road schemes and the adverse social and environmental impacts of road building.
- 13 Cumulatively these trends lead to the following consequences for the transport system:
  - increased reliance on single occupant motor vehicle trips, and increased vehicle kilometres
  - growing congestion on the road network, and increased journey times
  - reduced ability for travel needs to be met by public transport and walking and cycling
  - reduced accessibility for older people and others in society who do not have a car or are unable to use one
  - ribbon and other dispersed development along arterial routes, with vehicles moving into and out of these developments, impeding the free flow of traffic, increasing the probability of crashes, and creating pressures for bypasses; and
  - incompatible land use and transport development with, for example, residents in new housing estates built alongside arterial routes opposing further development of the routes because of concerns about traffic noise and other environmental impacts<sup>4</sup>.

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<sup>4</sup> This is sometimes referred to as 'reverse sensitivity'

## Part four

### Responses by transport authorities

- 14 Traditionally transport authorities have responded to these trends by improving the overloaded links and junctions in the road network, building bypasses, and by providing increased subsidy levels for public transport. This has become known as the 'predict and provide' approach. This approach is not sustainable in the long run because:
- improvements in the road system reinforce the tendency for people and businesses to move further out from the centre, leading to further growth in traffic levels
  - road controlling authorities are unable to create enough new road capacity to meet demand, as the financial, social and environmental costs of road building become untenable, especially in urban areas
  - dispersed settlement patterns make it increasingly costly to provide public transport for people who are unable to use private cars
  - it becomes increasingly difficult for people to walk or cycle because of distances between trip origins and destinations, and the dominance of the motor vehicle in the use of the transport network
  - dispersed land use patterns are difficult to reverse, which will present problems in the future when, for instance, fuel costs rise in real terms.
- 15 Given its statutory objective, Land Transport NZ has a strong interest in influencing long-term planning in order to improve the prospects of the transport system being able to serve land use developments on a sustainable basis. This means encouraging transport planners to understand and use network management and transport demand to a greater extent with less reliance on the traditional predict-and-provide approach. The integration of land use and transport planning is a vital component of sustainable strategies to optimise the use of networks and to manage transport demand. Accordingly, it is also necessary to ensure that those responsible for land use planning processes give adequate consideration to the transport sustainability implications of plans, policies, resource consents and designations.

## Part five

### Legislative framework for transport and land use planning

- 16 Under the *Land Transport Act 1998*, regional land transport committees develop regional land transport strategies. Under the *Land Transport Management Act 2003*, Transit NZ and regional and local councils prepare land transport programmes for the purposes of seeking financial assistance from Land Transport NZ. In allocating funds through the National Land Transport Programme, Land Transport NZ has to take into account relevant regional land transport strategies.
- 17 Land use planning is primarily managed under the *Resource Management Act 1991*, with the development of regional policy statements and regional and district plans. Growth strategies generally developed at the regional level, also have a strong influence on land use development and transport planning. The *Local Government Act* provides powers for the planning of the transport system and land use, particularly through the development of long-term council community plans.
- 18 While the *Land Transport Act*, *Land Transport Management Act*, the *Local Government Act*, and the *Resource Management Act* (RMA) have similar objectives<sup>5</sup>, the functions are carried out under separate processes and often in isolation from each other. Recent changes to legislation have started to address this problem, in particular:
- local authorities may use the long-term council community plans consultation process for the purposes of consulting on their land transport programmes<sup>6</sup>
  - regional councils have a specific function of 'strategic integration of infrastructure with land use through objectives, policies and methods'<sup>7</sup>
  - when local authorities are preparing or changing regional policy statements and plans that they must have regard to 'management plans and strategies prepared under other Acts'<sup>8</sup>
  - the linkages between the various legislative requirements are outlined in Annex 1 and Land Transport NZ's role under the respective legislation are set out in Annex 2.

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<sup>5</sup> Integrated, safe, responsive, and sustainable land transport system (Land Transport Act and Land Transport Management Act), sustainable management (Resource Management Act) and sustainable development (Local Government Act)

<sup>6</sup> Land Transport Management Act: Section 15(5)

<sup>7</sup> Resource Management Act 1991 (Section 30(1)(gb))

<sup>8</sup> Resource Management Act 1991: Sections 61(2)(a)(i), 66(2)(c)(i) and 74(2)(b)(i)

## Part six

# Land Transport NZ's participation in land use and transport planning processes

- 19 In pursuing its statutory objective and carrying out its functions, Land Transport NZ will participate in planning processes through influencing:
- national policy statements and national environmental standards
  - regional land transport strategies
  - regional policy statements and regional and territorial plans
  - growth strategies and other strategic planning documents
  - long-term council community plans
  - decisions on plan changes and variations, applications for land use consents and notices of requirement for designations.
- 20 When participating in the planning processes, Land Transport NZ will seek to secure:
- inclusion in planning documents of appropriate objectives, policies and methods (including rules) to contribute to an integrated, safe, responsive and sustainable land transport system
  - consideration of national, regional and local consequences for the land transport system of proposed plan changes, variations, applications for land use consents and notices of requirement for designations, and
  - patterns of development that reduce the need to travel, reduce the length of journeys, and make it safer and easier for people to access jobs, shopping, leisure facilities, public transport services, walking and cycling routes.
- 21 In particular Land Transport NZ will advocate the following land use outcomes:
- A. land uses that are potential major generators of travel demand are located in or near to rail and other major public transport services – city, town and district centres generally preferred to out of town locations
  - B. urban development in new areas is planned around public transport and infrastructure, with the provision of suitable routes for buses to serve newly developed areas, and safe, convenient routes for walking and cycling
  - C. sites released for development are well related to existing development, do not sever strategic routes, and the phasing of the release of sites is co-ordinated with public transport improvements
  - D. community facilities<sup>9</sup> and essential services are located so access is safe, easy and encourages increased levels of walking, cycling and public transport
  - E. developments do not compromise the functionality of the road hierarchy through future pressure for local traffic accesses, crossings or environmental restrictions – the strategic routes are

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<sup>9</sup> Such facilities include primary schools, health centres, convenience shops, branch libraries and local offices of the local authority and other local service providers.

identified and, where possible, protected from inappropriate connections so that safety, speed and capacity can be maintained

- F. developments generating substantial freight movements that require minimal public access, such as industrial or warehouse developments, are located away from congested central areas and residential areas, and have adequate access to the established network
- G. opportunities for rail and port connections for new and existing freight generating businesses are provided and maintained
- H. urban areas have clearly defined growth boundaries
- I. developer contributions and financial contributions (as documented in the RMA) are obtained and used to deal with adverse impacts on the transport system.

22 Land Transport NZ will consider on a case by case basis whether, and if so how, to have input into planning document applications and notices to try to achieve the above outcomes. In doing so Land Transport NZ will ask an appropriate range of questions, prompted by the following list:

- a. Are the policies and methods sufficient to encourage sustainable land use and transport infrastructure development while still allowing the transport network to function in a practical manner?
- b. Are the proposed transport infrastructure standards in keeping with current best practice? In particular do the standards address safety considerations and encourage a least cost whole-of-life approach to infrastructure development?
- c. Is there appropriate consistency between the planning documents and the Regional Land Transport Strategy and other relevant documents?
- d. Have the key urban design qualities in the New Zealand Urban Design Protocol been applied?
- e. Are there adequate objectives, policies and methods (including rules) to protect the existing network from adverse effects associated with the development and prevent or address reverse sensitivity issues?
- f. Is appropriate protection in place to protect nationally and regionally important infrastructures from inappropriate subdivision, use or development?
- g. Have the short or long term implications and cumulative effects of this and other proposed developments for the transport network been considered? What will be the transport consequences of these effects be in the short and long term?
- h. Has appropriate recognition been given to the importance of nationally and regionally important transport infrastructures? Does the document recognise functional roading hierarchies?
- i. Has consideration been given to the impact of the proposed subdivision and/or land use changes on the transport networks – both those directly and indirectly affected eg, the construction of a large supermarket and associated car parking spaces on the periphery of a city?
- j. Are there appropriate financial/developer contribution policies in place to ensure that developers pay for improvements made necessary by developments?
- k. Is there adequate recognition of the need to protect the future development of transport corridors to ensure the ability to provide for additional land transport?
- l. Have potential reverse sensitivity issues (noise, air pollution, congestion, etc) been adequately addressed so the future operation of the transport system can be sustained? Are there

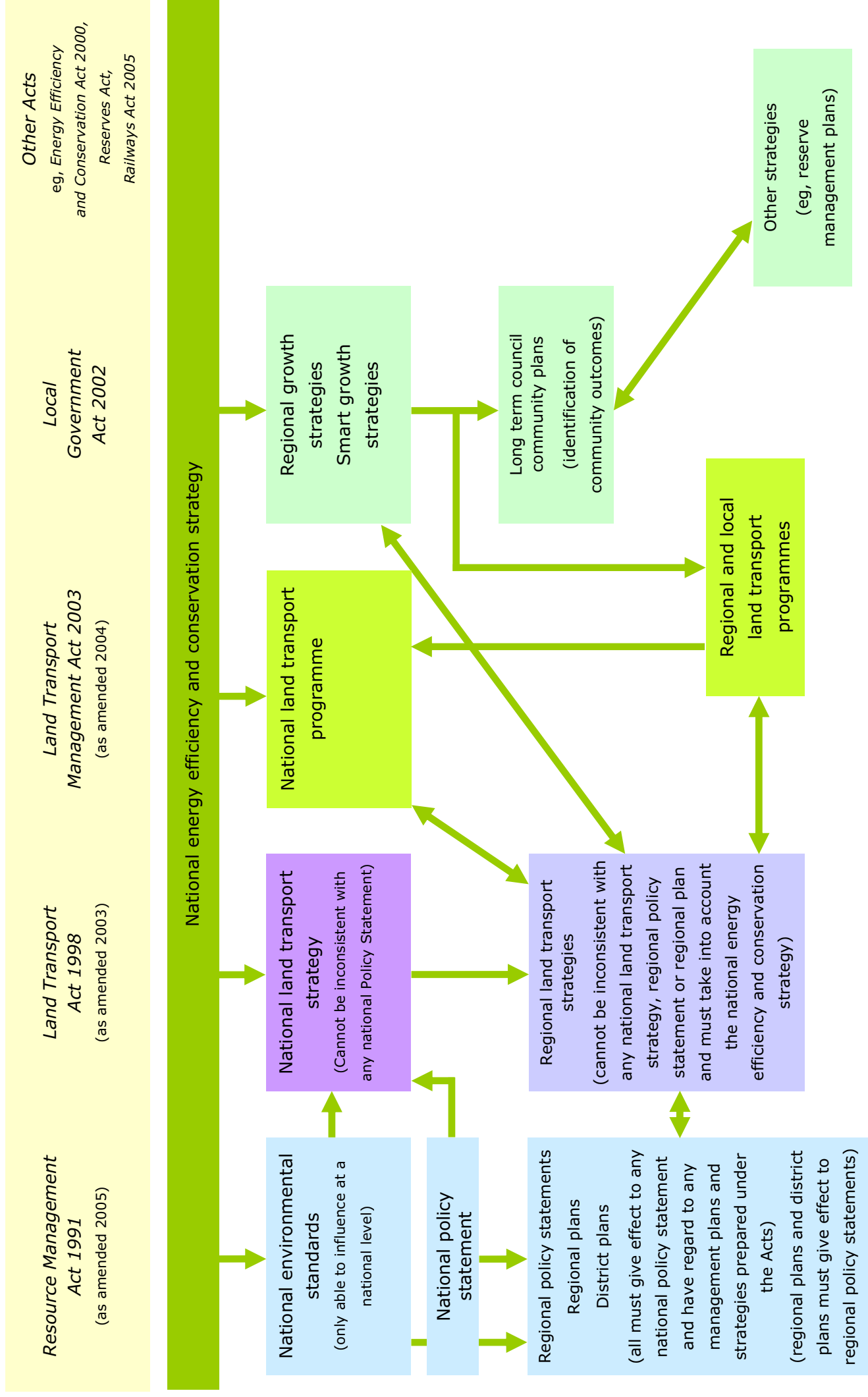
appropriate set backs and buffer zones between zones where new development will occur and high speed routes?

- m. Are plans designed to reduce dependency on single occupant motor vehicles and provide for other transport options eg, public transport, walking and cycling?
- n. Has integration and use of networks and modes occurred? Is there suitable provision of local access roads to areas where new developments will occur?
- o. Has provision for public transport networks needed now or in the future (eg, rail extensions, completion of roading networks) been considered?

23 Land Transport NZ will decide on a case-by-case basis whether to submit on proposed plan changes and variations relating to specific developments, resource consent applications and notices of requirement. In doing so Land Transport NZ will ask an appropriate range of questions prompted by the following list:

- a. Are the transport/access aspects of the proposed development in keeping with current best practice?
- b. Have the key urban design qualities in the New Zealand Urban Design Protocol been applied?
- c. What would the short, medium and long term implications and cumulative effects of the proposed development on the transport network be?
- d. What impact would the proposed development have on the transport network eg, the construction of a large supermarket and associated car parking spaces on the periphery of a city?
- e. What financial/developer contributions could be imposed to ensure that the developer pays for improvements made necessary by the proposed development?
- f. Is there a need to protect the affected transport corridor(s) to ensure the ability to provide for additional land transport?
- g. Have reverse sensitivity issues (noise, air pollution, congestion, etc) been adequately addressed so the future operation of the land transport system can be sustained?
- h. Has the proposed development been designed in a way to reduce dependency on single occupant motor vehicles and provide for other transport options eg, public transport, walking, cycling?
- i. Is there suitable provision of local access roads to the proposed development?
- j. Has provision for public transport networks needed now or in the future (eg, rail extensions, completion of roading networks) been considered?

# Annex 1 Legislative framework



# Annex 2 Land Transport NZ's role under relevant legislation

<p><i>Resource Management Act 1991</i></p>	<p><i>Land Transport Act 1998</i></p>	<p><i>Land Transport Management Act 2003</i></p>	<p><i>Local Government Act 2002</i></p>	<p><i>Other Acts</i></p>
<p><b>Purpose of the Act</b> To promote the sustainable management of natural and physical resources. Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:</p> <ul style="list-style-type: none"> <li>- sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations</li> <li>- safeguarding the life-supporting capacity of air, water, soil and ecosystems.</li> </ul> <p>Avoiding, remedying or mitigating any adverse effects of activities on the environment.</p> <p><b>Land Transport NZ's function under the Act</b> Land Transport NZ has no specific function, duty or power under the <i>Resource Management Act 1991</i> but can be involved as a 'person' in both informal (pre-lodgement) and formal (submissions and hearings) processes for subdivision and land use development, plans and policies.</p> <p><b>Reasons for Land Transport NZ involvement</b> To obtain sustainable and integrated outcomes for the transport network.</p>	<p><b>Purpose of the Act</b> The <i>Land Transport Act</i> (part 13) directs the development of the National land transport strategy (none produced so far) and Regional land transport strategies.</p> <p><b>Land Transport NZ's function under the Act</b> Land Transport NZ, as a member of regional land transport committees, contributes to the preparation of regional land transport strategies for approval by regional councils.</p> <p><b>Reasons for Land Transport NZ involvement</b> The strategies play a crucial role in the structure for planning land transport. They are the mechanism for the sector to look broadly and critically at current and future regional conditions, to identify issues, problems and opportunities.</p>	<p><b>Purpose of the Act</b> To contribute to the aim of achieving an integrated, safe, responsive and sustainable land transport system by providing:</p> <ul style="list-style-type: none"> <li>- an integrated approach to land transport funding and management</li> <li>- an improved social and environmental responsibility in land transport funding, planning and management</li> <li>- improved long-term planning and investment in land transport.</li> </ul> <p><b>Land Transport NZ's functions under the Act</b> Land Transport NZ's functions include:</p> <ul style="list-style-type: none"> <li>- promoting land transport safety and sustainability in New Zealand</li> <li>- preparing and adopting a National land transport programme</li> <li>- assisting and advising approved organisation in relation to the Authority's functions, duties and powers under this Act and the <i>Land Transport Act 1998</i>.</li> </ul> <p><b>Reasons for Land Transport NZ involvement</b> To comply with its objectives under the Act to contribute to an integrated, safe, responsive and sustainable land transport system and in doing so to exhibit a sense of social and environmental responsibility.</p>	<p><b>Purpose of the Act</b> To provide for democratic and effective local government that recognises the diversity of New Zealand communities. This includes providing for local authorities to play a broad role in promoting the social, economic, environmental and cultural wellbeing of their communities, taking a sustainable development approach.</p> <p><b>Land Transport NZ's functions under the Act</b> Land Transport NZ's functions include commenting on and accepting transport elements of long term council community plans for the purposes of developing the National land transport programme.</p> <p><b>Reasons for Land Transport NZ involvement</b> Need to ensure long term council community plans adequately address the objectives of developing an integrated, safe, responsive and sustainable land transport system.</p>	<p><b>For example:</b> <b>Energy Efficiency and Conservation Act 2000</b> Land Transport NZ must take account of the National energy Efficiency and conserving the strategy when preparing the National land transport programme. <b>Reserves Act</b> Reserve management plans may have some influence on land use and transport decision.</p>

# Annex 3

## Key legislative references

### ***Land Transport Management Act, section 68***

Objective of the Authority

- (1) The objective of the Authority is to allocate resources and to undertake its functions in a way that contributes to an integrated, safe, responsive, and sustainable land transport system.
- (2) In meeting its objective, the Authority must exhibit a sense of social and environmental responsibility, which includes-
  - (a) avoiding, to the extent reasonable in the circumstances, adverse effects on the environment; and
  - (b) ensuring, to the extent practicable, that persons or organisations preparing land transport programmes-
    - (i) take into account the views of affected communities; and
    - (ii) give early and full consideration to land transport options and alternatives in a manner that contributes to the matters in paragraph (a) and subparagraph (i); and
    - (iii) provide early and full opportunities for the persons and organisations listed in section 15 to contribute to the development of land transport programmes.

### ***Land Transport Management Act, section 69***

The functions of Land Transport New Zealand

- (1) The functions of the Authority, in accordance with the *Land Transport Management Act 2003*, are:
  - (a) to promote land transport sustainability in New Zealand;
  - (b) to prepare and adopt a land transport programme under section 12A and a national land transport programme under section 19;
  - (c) to review and revise the national land transport programme in accordance with its most recent performance agreement;
  - (d) to approve activities and activity classes;
  - (e) to make payments from the national land transport account as authorised by this Act;
  - (f) to promote safe transport on land in New Zealand;
  - (g) to provide safety information and advice, and to foster appropriate information education programmes that promote its objective;
  - (h) to investigate and review accidents and incidents involving transport on land in its capacity as the responsible safety authority, subject to any limitations set out in the *Transport Accident Investigation Commission Act 1990*;
  - (i) to approve procurement procedures under section 25;
  - (j) to maintain and preserve records and documents concerning activities within the land transport system, and in particular to maintain the Land Transport Register under the *Land Transport Act 1998*;
  - (k) to audit the performance of approved organisations in relation to activities approved by the Authority and the operation of the organisation's land transport disbursement account;

- (l) to assist and advise approved organisations in relation to the Authority's functions, duties, and powers under this Act and the *Land Transport Act 1998*:
  - (m) to fund research, education, and training activities and activity classes:
  - (n) to provide the Minister with any advice relating to the Authority's functions that the Minister may request:
  - (o) to co-operate with, or to provide advice and assistance to, any government agency or local government agency when requested to do so by the Minister, but only if the Minister and the Authority are satisfied that the performance of the Authority's functions and duties will not be compromised:
  - (p) to carry out any other functions relating to land transport that the Minister directs in accordance with section 112 of the *Crown Entities Act 2004*.
- (2) The Authority's statutorily independent functions are:
- (a) to determine whether particular activities should be included in a national land transport programme; and
  - (b) approving activities; and
  - (c) approving procurement procedures.
- (3) Subsection (2) does not apply in relation to:
- (a) activities that are included in a land transport programme prepared by the Authority;
  - (b) activities relating to the police.

***Land Transport Management Act, section 19***

National Land Transport Programme

- (1) [The Authority] must, for each financial year,-
- (a) prepare and adopt a national land transport programme; and
  - (b) make it available to the public in a written form.
- (2) The provisions of Part 2 of Schedule 1 (which relate to the content of national land transport programmes) apply to national land transport programmes and to [the Authority].
- [(3) Before adopting a national land transport programme, the Authority must be satisfied that-
- (a) the programme contributes to the purpose of this Act and contributes to the following:
    - (i) assisting economic development; and
    - (ii) assisting safety and personal security; and
    - (iii) improving access and mobility; and
    - (iv) protecting and promoting public health; and
    - (v) ensuring environmental sustainability; and
  - (b) the Minister's approval has been given under section 12A(7), if applicable.]
- (4) In preparing a national land transport programme, [the Authority] must take into account any current national land transport strategy, relevant regional land transport strategy, and National Energy Efficiency and Conservation Strategy.
- (5) [The Authority]-
- (a) may add, suspend, or abandon any activities or activity classes; and
  - (b) must from time to time amend a national land transport programme to reflect such decisions; but

- (c) need not make an amendment available to the public in a written form unless it is satisfied that the amendment is significant.

**Land Transport Management Act, section 15 (5)**

Who must be consulted about the land transport programme-

- (5) A local authority need not consult any organisation or person referred to in subsection (2) or subsection (3) 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 or annual plan in accordance with the *Local Government Act 2002*.

**Resource Management Act, section 30(1 (gb))**

Functions of regional councils under this Act

- (1) Every regional council shall have the following functions for the purpose of giving effect to this Act in its region:
  - (g) In relation to any bed of a water body, the control of the introduction or planting of any plant in, on, or under that land, for the purpose of-
    - (i) Soil conservation:
    - (ii) The maintenance and enhancement of the quality of water in that water body:
    - (iii) The maintenance of the quantity of water in that water body:
    - (iv) The avoidance or mitigation of natural hazards:
      - [(ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity:]
      - [(gb) the strategic integration of infrastructure with land use through objectives, policies, and methods:]

**Resource Management Act, section 61 (2) (a) (i)**

Matters to be considered by Regional Councils (policy statements)-

- (2) In addition to the requirements of section 62(2), when preparing or changing a regional policy statement, the regional council shall have regard to-
  - (a) Any-
    - (i) Management plans and strategies prepared under other Acts; and

**Resource Management Act, section 66 (2) (c) (i)**

Matters to be considered by Regional Council-

- (2) In addition to the requirements of [section 67(3) and (4)], when preparing or changing any regional plan, the regional council shall have regard to:
  - (a) Any:
    - (i) Management plans and strategies prepared under other Acts.

**Resource Management Act, section 74 (2) (b) (i)**

Matters to be considered by territorial authority:

- (2) In addition to the requirements of [section 75(3) and (4)], when preparing or changing a district plan, a territorial authority shall have regard to:
  - (b) Any:
    - (i) management plans and strategies prepared under other Acts.



## Our contact details

For general enquiries, or more information about Land Transport New Zealand, please email

**[info@landtransport.govt.nz](mailto:info@landtransport.govt.nz)**

**[www.landtransport.govt.nz](http://www.landtransport.govt.nz)**

### National Office

Telephone 04 931 8700  
Fax 04 931 8701  
Level 4, NZ Post House  
7-27 Waterloo Quay  
PO Box 2840  
Wellington

### Help desks

<b>General enquiries</b>	0800 699 000
<b>Driver licensing</b>	0800 822 422
<b>Road user charges</b>	0800 655 644
<b>Motor vehicle registration</b>	0800 108 809
<b>Overdimension permits</b>	0800 683 774

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