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Land Transport Programmes under Changing Legislation

Roger Boulter, BA (Hons), MNZPI, CMILT
Boulter Consulting, urban and transport planning
281 High Street South, P O Box 89, Carterton 5743
06 379 8909, 021 872 654, roger@boulter.co.nz, www.boulter.co.nz

A. THE PROBLEM

A.1 History of 'land use/ transport integration'

Before outlining this year's legislative changes – the biggest affecting the transport sector for many years – let me to sketch out some long-term history. This will show that the problems we are trying to tackle are not new. Neither is our failure to tackle them.

There is much talk today about the need to integrate land use planning and transport planning, yet policy makers and legislators have been seeking this since at least the 1960s.

The 1960s was the age of the 'big plan'. With strong faith in technology and 'the appliance of science' to solve any and every problem, grand plans were drawn up to transform our major cities to embrace a brave new (and, it was thought, positive) world of mass car ownership.

The ground-breaking 1963 British study *Traffic in Towns* (articulating trends in thinking which had been building up since the 1950s in the USA, and inter-war Germany with its invention of motorways and roading hierarchies) spawned conurbation-wide blueprints based around motorway networks. Most major New Zealand centres had a study of this kind during the late 1960s. Although in retrospect naïve in assuming car growth would reach a saturation point in the 1990s (at "about one car per household", as *Traffic in Towns* put it), and unaware of mass car use's adverse effects on urban form, **these were integrated land use and transport studies.**

As the 1990s approached it started to dawn that car growth had its own traffic-generation effect, and after much fraught professional debate over the late 1980s and early 1990s, the argument was finally settled in another British report, *Trunk Roads and the Generation of Traffic* by the Standing Advisory Committee on Trunk Road Assessment in 1994. Consequently another set of studies arose, to try to embrace public transport alongside roading – the so-called 'integrated' transport studies – and, again, New Zealand had a few of these.

The early 1990s 'integrated transport studies' were in retrospect rather limited, being largely confined to public transport (in its various forms) and roading,

but, again, **they were overtly integrated, aiming to embrace a variety of transport modes together.**

Since then, we have added more elements:

- planning for cycling can be dated from the seminal 1977 Australian *Geelong Bike Plan*, which spawned cycling strategies and route network plans in other countries too
- from the late 1980s traffic calming in various forms arose to curb the car's intrusion into local streets, starting with the Dutch *woonerven* and coming full circle to the more recent *home zones* (which are not unlike the original *woonerven*!).
- Travel planning, travel demand management and travel behaviour change – a radical change, in focusing on **use** rather than **provision** of infrastructure – arose from about 2000, along with planning for walking

Yet we still complain that our transport planning is based around the car, and encourages an energy-profligate, land-hungry, sprawling urban form. We must have been missing something pretty basic in our planning – **what it is?**

A.2 Organisational/ governance/ cultural dichotomy

Turning to New Zealand – although the 'cultural' factors I outline below apply elsewhere too – I would suggest the problem shows itself in a marked dichotomy between land use planning and transport planning.

The two types of planning are generally undertaken by different people under different legislation. I would point to three key Acts of Parliament under which most land use and/ or transport planning takes place:

- 1991 Resource Management Act (RMA)
- 2002 Local Government Act (LGA)
- 2003 Land Transport Management Act (LTMA)

Regional and District Plans under the RMA (along with other RMA forms of planning) are generally written and administered by planners. Land transport programmes under the LTMA are generally written and administered by roading engineers. And Long-Term Council Community Plans (LTCCPs) under the LGA are written partly by each group.

In theory, the LTCCP sets *community outcomes*, which are the community's visions of what they want their city, district, or region to be, and follows this by spending programmes aimed at achieving this. Easy – in theory!

In practice, *community outcomes* are high-level aspirations set qualitatively. They aren't technically derived, cannot be, and should not be. They are the community's expressions of what it wants, and this has to mean verbal expression and qualitative judgment.

Spending programmes, on the other hand, are often drawn up not from *community outcomes* but from things called *Activity Management Plans* or

Asset Management Plans (AMPs). These are highly technical documents, bristling with statistical measures of various kinds of 'level of service' – for example, in transport or roading AMPs, crash or injury rates, surface smoothness, or traffic speed/ flow efficiency. In theory, being governed by Schedule 10 of the LGA, AMPs form part of the LTCCP (or Annual Plan) – but how do they relate to *community outcomes*?

I would suggest that in practice they don't. Who chooses which of the AMP 'levels of service' are important, valued, or high priority? Is the community asked this as part of its formulation of *community outcomes*? I suspect not – I suspect they are unconscious judgments by roading engineers. Again, *community outcomes* are written by planners and AMPs by roading engineers and, sadly, the twain don't meet all that well.

I would suggest there is a 'cultural' dichotomy underlying this practice. Sadly, planners and roading engineers do not meet and take on board each other's ideas nearly as much as they should. Conference attendance trends are quite telling. At the major Trans-Tasman *Urbanism Down Under* conference in 2004 in Wellington, out of several hundred delegates, I counted two roading engineers. Similarly, I doubt you'd find many architect/ landscape architect 'urban designers' at, say, the IPENZ Transportation Conference – good conferences though both are. You may find a few transport planners (like me, with a professional background in planning rather than engineering) at either conference, albeit very much in a minority.

An example from this year should illustrate how deep this cultural problem is. A colleague, Don Wignall, and I undertook some research on how long-distance passenger rail services were funded in New Zealand compared to elsewhere in the world. Undoubtedly, strong regional passenger rail networks are, and always have been, strong influencers of sustainable urban form. We assembled over 100 supporting references, and brought in a professor of transport economics from the UK Leeds Institute of Transport Studies (Leeds ITS) to peer review our work. Leeds ITS are well-known in the transport sector as one of the world leaders in its field. Our research was published by the Canadian Victoria Transport Policy Institute (VTPI), also well-renowned as a world leader in transport planning and transport economics. We launched our research at July's *Conferenz Land Transport Funding Summit*, did a press release, and sent it round our networks. I, as a Foundation Signatory to the Ministry for the Environment's 2005 *Urban Design Protocol*, contributed it to the Ministry newsletter provided for Protocol signatories to disseminate their work to each other. And this is where, if you'll excuse the pun, we hit the buffers.

The item was initially accepted for a brief mention, but then it didn't appear and I was told that "*concerns*" had been raised, including on economic analysis, but that if we could "*get it published in a peer reviewed journal*", the Ministry might consider publicising it. Don and I supplied comments on economics from our Leeds ITS peer reviewer, pointed out Leeds ITS's and VTPI's status, and offered to correct anything. We suggested discussions

with the Ministry, to find out and listen to their concerns, but none have so far taken place.

From this, two things struck me:

- the apparent lack of appreciation that funding methodology for long-distance passenger rail has actually very major implications for sustainable urban form, and should be a highly relevant concern of the *Urban Design Protocol*, and the Ministry which administers it (should not the Ministry positively **welcome** well-supported research adding to knowledge in a little-researched yet important area?); and
- that the Ministry seems to have not even heard of the two academic bodies we had used, world leaders though they are on **transport** (as distinct from **environmental**) economics, and don't seem to see a need to find out about their work.

A.3 Examples of failure

With this sort of professional, organisational and cultural dichotomy, it should not be surprising that we see failure after failure of land use/ transport planning integration across New Zealand. Here are some examples. There will no doubt be many others.

Pegasus new town in Canterbury. You either love it or hate it! You may love it, because it is a major advance on conventional subdivisional practice. It incorporates many features of sustainability in both the ecological and the socio-cultural areas. And on transport? It is not far from Christchurch, and almost the only way to and from the big city – a route on which there will obviously be a high proportion of movement demand to and from the new settlement – is by private car. According to the website (www.pegasustown.com), the developers are funding road building in response to demand, but there's no mention of public transport linking the settlement to Christchurch.

Granted, there isn't a rail line near Pegasus, but there is for my next two examples.

Addison in Papakura (endorsed as 'good practice' by the Ministry for the Environment in a recent *Urban Design Protocol* publication) is, again, a marked improvement on standard subdivisional practice. It is 'medium density', generally two-storey houses, and again with ecological and amenity features, and a small commercial and community centre. Yet it's a far cry from the original vision for the area, set out in the 2000 Takanini Structure Plan.

There was a vision, on which the Takanini Structure Plan was based, for high density, mixed-use nodes clustered around the rail stations of Auckland's southern suburban line – the theoretically-classic 'TOD' or 'transit-oriented development'. If anywhere could have achieved this, then surely Auckland could, with its Urban Growth Strategy, sector agreements with local councils

to achieve this, and legislative obligation (unique to Auckland) to incorporate the resulting provisions in the region's District Plans. There were some major difficulties in Takanini's case, including even uncertainty where the rail station was to be (the original Structure Plan was based on a closer-spaced light rail system, which was not implemented), and questions about the justifiability of some of the roading proposals. I led work on a Roothing Options Analysis Study, Urban Form Study, and finally a District Plan Change for the area, and over time the issue of integration with the rail system became more and more tenuous, until Council staff told me effectively that it was a lost cause. Part of the problem was the disjoint between the different agencies responsible for different aspect of the planning. Once the justifiability for the roading proposals was resolved (in 2004), other agencies needed to be brought to the party, including ARC, ARTA, and ONTRACK, if the original Takanini Structure Plan visionary concepts were to be realised. Whilst I would agree with the Ministry that Addison, the area's main (though not only) developer, are good practice urban design **at the localised level**, sustainable regional urban form as envisaged in the 2000 Takanini Structure Plan this development pattern sure ain't, and I'm sure the District Council would agree with me on this.

Further along the same railway line, and just beyond the conurbation, the small settlement of Pokeno, well-known for pie and ice-cream stops until the Waikato Expressway took State Highway 1 onto a bypass, is also subject to another set of 'sustainable community' development proposals. Like Pegasus and Addison, it is no doubt not only good but actually excellent **if you only consider aspects internal to the development itself**. It has the same ecological, social-cultural and amenity aspects – but also the same apparent gap when it comes to transport links with the outside world, most notably the major conurbation on its doorstep, to and from which a very high proportion of external travel will take place.

In Pokeno's case, though, we actually have a rail line going through the town. Although the Auckland suburban services only go as far as Pukekohe, just to the north, surely these could be extended, yet there is no station, nor proposals for rail services, in the plans for the rejuvenated settlement. There are regular coach services along the Expressway – which bypasses Pokeno – and apparently no plans to divert or publicise them. Whereas, according to the development website (www.pokenovision.co.nz) traffic modelling is underway and road widening and intersections are being designed, there is mention that rail and bus links to elsewhere are merely being "*investigated*", without anything more on what that entails – hardly a key aspect seen as crucial to the development.

Why have we consistently failed to plan for transport, other than roading, outside these otherwise-laudable new settlements? If we look at what the government has been doing to address the problem, we may get a clue.

B. WHAT IS THE GOVERNMENT DOING?

B.1 Transport strategy developments since 2002

Until 2002 we had a national “*Roading*” fund, with funding for anything else (as “*Alternatives to Roding*”, a phrase telling in itself) justifiable on the basis of benefits accruing to car and truck drivers. The thinking at that time was (and many still think this way) that this was a ‘user-pays’ fund: trucking firms and motorists paid for the fund, and therefore its use was answerable to them.

We’ve moved a long way from that, but I would suggest that part of the problem is that there is still a cultural perception that the fund ‘belongs to’ trucking firms and car drivers. This, I suspect, hinders attempts to place the fund under wider objectives, such as those of the NZ Transport Strategies 2002 and 2008.

An early 2002 ministerial policy announcement (*Moving Forward*), was followed by an injection of funding for public transport, the setting up of a national fund for walking and cycling (previously considered by their nature localised, and thus not relevant for national funding), and a reworking of the funding allocation process, as *Moving Forward* was developed further into the 2002 NZ Transport Strategy. Allocation had previously been on an ostensibly technical basis, governed by a comparison of costs and benefits, but now, and especially since the 2003 Land Transport Management Act, strategic objectives were introduced.

The problem, I would suggest, is that by their nature **strategic objectives relate to outcomes deriving from the entirety of a land transport programme** (along with much else), **yet evaluation for funding is still mainly according to individual projects** – which may not only fail to reinforce each other, but actually work against each other, when combined together as a programme.

There have been attempts to move away from project-based evaluation, most notably with the introduction of the “*package*” concept in 2004. At that time, it was intended that most of a land transport programme would consist of “*packages*”, defined as “*inter-related and complementary activities*”. The concept languished since then, and programmes continued to be funded project by project, but the “*package*” concept has come back into vogue in the 2008 Regional Land Transport Programme guidelines described below.

B.2 Major changes 2008

This year, the change has accelerated, with:

- a new NZ Transport Strategy (NZTS). The crucial difference from the 2002 NZTS is that this year’s includes targets on such matters as usage of particular forms of transport.
- A Government Policy Statement on Land Transport Funding (GPS) with more precise interim targets, and indicative funding ranges for different categories of transport investment
- Land transport programmes, previously at a city or district level, now placed on a regional basis. We have had Regional Land Transport

Strategies (RLTSs) since the 1990s. From next year, the programmes too will be by region, with cities and districts (and the Transport Agency itself for State Highways) submitting their proposals to Regional Transport Committees

- ‘regionalisation’ of the NZTS and GPS national targets (i.e. setting targets for each region), in documents published a few weeks ago.

B.3 Long distance passenger rail funding – “mind the gap”

In spite of a steady broadening since 2002 on what the National Land Transport Fund (NLTF) covers, long-distance passenger rail remains – illogically, according to Don Wignall’s and my research – outside it. The NLTF funds “urban” rail – local services within the Auckland and Wellington regions – plus a limited Wellington-Palmerston North service, but our research found that anything beyond this relies on assessment procedures which are not publicised, are administered by different agencies, and apparently use narrower, commercial-based criteria than are used for roading and urban public transport. Compared to elsewhere in the world, there is a wide range of benefits not taken into account (or even measured) in relation to long-distance passenger rail, and no assessment tools or procedures to compare between rail and other types of transport projects. Let’s hope, with rail now in the public sector, that we see some progress on this, but for the present this does not seem in prospect.

The tragedy is that, historically and in the present, some of the most sustainable regional settlement patterns, from Ebenezer Howard’s garden cities onwards, have crucially relied on inter-urban rail systems as their strategic linking network; and still, today, the classic form of local settlement aspired to in sustainable urban form professional literature is the ‘transit-oriented’ mixed use commercial and cultural node based around a rail station.

B.4 NZTA guidelines on RLTPs

The guidelines, issued in August, for the first round of Regional Land Transport Programmes (RLTPs) say all the right things. There is a lot about sustainability, and encouraging words about wanting to manage travel demand, and provide for public transport rather than roading. What concerns me is how little there is to aid those fine aspirations from being realised.

The focus this year is on three particular types of GPS targets:

- Increased public transport usage by 3% per year until 2015
- Increased walking and cycling usage by 1% per year until 2015
- Reductions in single occupancy vehicle kilometres by 10% per capita by 2015

The first two are fairly modest. The national walking lobby group, Living Streets Aotearoa, said it was “*underwhelmed*” by the aim of increasing walking and cycling (at present 18% of all trips) by 1% per year until 2015. The Ministry said it was consolidating to stem a decline in these modes, but

such an unambitious target would render it actually quite difficult to achieve the full 2040 target of nearly doubling walking and cycling to 30% of all trips. The third target is so ambitious as to be very difficult to achieve in practice.

Setting targets does nothing to actually achieve them. We can't wish this into being. If we are going to set targets we need to also set in place the means to achieve them, or at least a likelihood of seeing whether this is likely or not. Otherwise we may fail as abysmally in our transport planning targets as those examples I have cited above have failed in integration of land use and transport planning.

Regardless of whether individual projects are 'justifiable' according to project-by-project evaluation, individual projects within a land transport programme can work against each other. We could, for example, envisage a major roading improvement, and also a major rail service improvement, between two major centres – say, Hamilton-Auckland, or Palmerston North-Wellington. The road and rail projects may each be justifiable **individually**, but each may **undermine** the other when placed together in a programme.

The new guidelines improve the situation regarding "*packages*", in that now these are required to be derived from "*strategies*". There is also an encouragement for strategies (of various kinds) to be submitted to the Transport Agency "*in support*" of funding bids for projects or packages. The Transport Agency is taking an interest in **what is in** strategies, rather than simply **whether they exist**, which is welcome, but these strategies typically cover only one segment of a programme (for example, a walking and cycling strategy).

The guidelines almost totally lack any reference to assessment of programmes as a whole – something crucially important to ensure that all elements within a land transport programme support each other, and that no one element undermines any other element within a programme (as in the road/ rail example I cited above – and there will be many others). All I could find was 6½ lines of Appendix F, on page 97 of the guideline document's 97 pages (a paragraph on "*Macro method*" assessment), and the coining, in passing and without explanation, of what I think is a new word "*macroscope*", in the main text.

B.5 Urban Design National Policy Statement work by MfE

There is a sign of hope. I'm pessimistic about actual achievement, given past track record of the various agencies, but the Ministry for the Environment has signalled its intention to prepare a National Policy Statement (NPS) on urban design.

Under the Resource Management Act, National Policy Statements **may** be prepared by the Government, but one is only **required** for the coastal environment – and until very recently that is all there has been. However,

these are potentially powerful documents, being required to be taken into account in other RMA processes.

A strength in this particular case is section 14(b)(iii) of the Land Transport Management Act, providing that regional land transport programmes “*take into account any . . . relevant national policy statement . . . for the time being in force under the Resource Management Act 1991*”. This is a very welcome opportunity to ‘bridge’ between the two sets of legislation under which land use planning and transport planning traditionally take place. Thus, not only will RMA, including land use, decisions need to take into account this NPS (along with others), but so also will land transport programme decisions.

However, ‘urban design’ is a term so broad that it really is ‘all things to all people’. It’s one of those fashionable concepts that everyone gushes enthusiastically about, because everyone can mean by it exactly what they want to mean. It’s easy and painless, and since the 2005 *Urban Design Protocol* with its high standing, there seems to be a certain cachet about being a Protocol signatory.

Whereas the Protocol needs to be an engine room for generating new and good ideas, learning from each other and advancing knowledge by challenging and being challenged in our thinking (although my own experience outlined above hardly bears that out), the NPS has quite a different role. Forget the customised streetscape designs and ‘sustainable community’ advances on housing estates – these are, of course, good urban design, **but only at the localised level**. The examples I cited show clearly that we have a major problem of looking at urban design in too narrow, insufficiently strategic a way. Without strategic-level urban design, the localised urban design will be difficult and sometimes seriously hindered by the strategic context.

Yet urban design can, and sometimes does, embrace region-wide urban form planning. There are cases of entire regional networks of rail-system based settlement being planned by urban designers. If the NPS focuses on **this** end of urban design – rather than the attractive streetscapes and ‘sustainable community’ housing-based developments – we might, just might, achieve integration of land use and transport planning. This will be a ‘big ask’ given our past track record, and it will require those who run our land transport funding processes to pay attention to a document emanating from a piece of legislation they are not used to paying much regard to – but at least the potential is there. It will also require a significant shift of mindset by some in the Ministry for the Environment, and a broadening in what ‘urban design’ is perceived to be about.

C. CONCLUSION: THE CHALLENGE

In conclusion, we do not have a good track record on integration of land use planning and transport planning. In fact, we have an abysmal record.

However, the challenge is there, and I do not think it is beyond us to grab it. Here are some vital needs:

- land transport programmes need to be assessed programme-wide – as mainstream, mandated practice, central to the whole funding practice of the Transport Agency, not tucked away as an obscure unexplained term plus a few lines in Appendix F. This is an **assessment challenge**.
- Long-distance, including regional, passenger rail needs to be embraced by the NLTF system, and given the key role which it merits as a lynchpin of sustainable regional settlement patterns. This is an **inter-modal integration challenge**.
- urban form and land transport programmes need to be planned together, in conjunction with each other. That means LTCCPs under the LGA in conjunction with LTPs under the LTMA. This is a **governance challenge**.
- Land transport programmes are now planned at a regional, rather than a city/ district level, which is good for region-wide transport network planning, but we must guard against the challenge of this weakening integration with city/ district (as distinct from regional) LTCCPs. It is in the latter level, rather than regions with their main focus on natural resources, than most human governance (besides transport) takes place.
- There is a danger that because of the breakneck timeframe for implementation of the new Regional Land Transport Programme guidelines (only a few months: guidelines issued August, programmes being formulated now) that the new programmes will be simply 'business as usual' roll-overs of existing programmes. If this is the case, and we don't 'get it right' during the current round, let's have another crack in the next round in 3 years' time, by which time we should have an urban design NPS in place which (one would hope) should help (together with, hopefully, long-distance passenger rail within the NLTF system, so that this can play its crucial part in the "*taking into account*" of the NPS).
- The general election is not such a big issue as we might think. Whoever is the new government will need to face the same issues. Gone are the days when politicians (of whichever party) could promise **and deliver** major rampings-up of infrastructure investment programmes – oil prices have pushed up road construction costs very significantly, and also mitigated the traffic levels which are the driver (no pun intended) for new roading demand. And neither can we expect an unleashing of private public partnership (PPP) roads, since governments around the world are protecting the private financial sector by taking it at least partially into the public sector, the very opposite of what (until this year) PPP advocates have been suggesting.
- The urban design NPS is a major opportunity for progress. This is a big ask compared to how things have been to date, but at least we have an opportunity to get it right – if we want to.

Are we up to the challenge? I'd love to see it all turn out better than the picture I have been portraying of practice to date.