

## 11. SUBMISSION ON TRANSIT NEW ZEALAND'S PLANNING POLICY MANUAL AND SUPPLEMENT

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### PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's endorsement of a draft submission to Transit New Zealand's Planning Policy Manual Supplement.

### EXECUTIVE SUMMARY

2. Transit has released an "interim" supplement to its Planning Policy Manual and this came into effect from 1 September 2005. This supplement is a precursor to a full review of its Planning Policy Manual (PPM). Transit has requested submissions on the supplement and input into the wider PPM review by 1 March 2006. However, to enable full consideration by both the Liveable City Portfolio Group and the Council, an extended deadline of 6 March 2006 has been agreed with Transit.
3. The review follows new responsibilities introduced by the Land Transport Management Act 2003 (LTMA) which confirms the now broader role of Transit to operate the state highway system in a way that contributes to an integrated, safe, responsive and sustainable land transport system. This contrasts with Transit's previous objective of managing the state highway system in a safe and efficient manner. Amendments to its planning policy and procedures as currently set out in the PPM are therefore required to give effect to this new statutory role and wider focus. The full review will also tidy up the overlaps and duplications between the PPM, the PPMS and Transit's Environmental Plan.

### THRUST OF PLANNING POLICY MANUAL SUPPLEMENT (PPMS)

4. The PPMS is mainly a discussion and outlines:
  - The new role of Transit to consider the wider sustainability context, *"to operate the state highway in a way that contributes to an integrated, safe, responsive and sustainable land transport system"*;
  - Transit's strong assertion that the role of state highways as the 'backbone of the land transport system' positioned at the top of the roading hierarchy;
  - Transit's position in respect of the impact of land use decisions on the ability to perform the function of the State Highway and the importance of avoiding reverse sensitivity effects;
  - Transit's legislative powers under the LTMA, Resource Management Act and Transit New Zealand Act (TNZA).
  - That Transit will commit to early and full involvement in planning processes to ensure the development of integrated land use and transport systems.
5. The key changes proposed in the PPMS are:
  - The removal of Transit's existing policy of not lodging appeals on resource consents for subdivisions or land use applications adjoining state highways that have been declared limited access. Transit does have rights under the TNZA to deny access to state highways for subdivisions or land use activities, however those access denials can be appealed to the Minister and then the Environment Court. Transit is essentially seeking to stop or amend development the authority considers contrary to its objectives under the LTMA through the RMA process rather than rely solely on the TNZA provisions that can be appealed anyway.

- Introducing strategic and detailed assessment matters for:
  - Any development or access proposal with direct access to a state highway; or
  - Any development or access proposal with indirect access to a state highway where the effects on the state highway may be minor or more; or
  - Any change to, review of, any resource management plan or policy document.

The implication of this is that it can be expected that Transit will in the future be actively involved in any process with the potential to affect the authority's ability to operate the state highway system in a manner consistent with the LTMA.

#### **KEY POINTS OF SUBMISSION**

6. The draft submission is attached. In summary, it makes the following key points:

##### **General**

- That the Christchurch City Council welcomes the opportunity to comment on the document(s) and anticipates further opportunities for comment on the full PPM review.

##### **Integrated Planning**

- That the Council supports the early and full involvement by Transit in planning processes as a road controlling authority.

##### **Protection of the State Highway Network**

- That Transit's emphasis on the importance of State Highways is overly strong
- This approach does not put sufficient weight on Council controlled roads which are part of the strategic network as defined by the 2005 Regional Land Transport Strategy and subject to the same level of service criteria.
- That the state highway system will need to share in its fair share of excess travel demand as it is not possible to simply lock the gate on population and economic growth.
- That the state highway system should carry more than its fair share of excess travel demand as there are safety benefits though lower crash rates to traffic using the mainly access controlled state highway system

##### **Timing and Funding of Major Road Works**

- The Council and Christchurch City is facing great challenges in planning for its long term growth not least because of the significant funding constraints imposed by Transit.
- There is an argument that there should be some redistribution of Transit's national funding away from those areas that have received additional Crown funding such as Auckland, Wellington and Bay of Plenty. Transit's statutory objectives under the LTMA are independent of the funding source.
- Further deliberation is required on how to best address the shortfall in funding relative to urban growth in metropolitan Christchurch and countrywide. There are a range of possible mechanisms that could be used and require further discussion between all stakeholders including the community.
- In this respect the PPMS is silent on how Transit might contribute to a responsive land transport system apart from being involved early in planning processes.

## **A Multi-modal Land Transport Network**

- A multi-modal approach is important as non car driver modes affect congestion at the margin, and are accepted to be part of an integrated and sustainable transport system.
- There are clear opportunities for competent cyclists and public transport to be provided for on state highways, and vulnerable cyclists and pedestrians to be provided for on off-road facilities.
- Given Transit's statutory obligations, the Council considers that Transit must adopt planning policy in the PPM(S) to provide for these modes in new facilities as well as undertaking an ongoing review of existing facilities.

## **Transit's Statutory Obligation to Exhibit a Sense of Social & Environmental Responsibility**

- In meeting its objective, Transit 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) taking into account the views of affected communities; and
  - (c) giving early and full consideration to land transport options and alternatives in a manner that contributes to paragraphs (a) and (b); and
  - (d) providing early and full opportunities for the persons and organisations listed in section 15(1) to contribute to the development of its land transport programmes.
- The PPMS is almost silent on Transit's statutory obligation to exhibit a sense of social and environmental responsibility. Clause (a) is covered by the existing PPM however clauses (b), (c) and (d) are not addressed.

## **Access Control on the State Highway Network**

- Transit's desire to reduce direct property access to state highways for developments may have cost implications as it is likely to lead to the need to upgrade intersections sooner to cater safely for more development traffic entering the state highway system from side roads.
- Apart from access control the PPMS is effectively silent on how Transit will contribute to a safe land transport system.

## **FINANCIAL AND LEGAL CONSIDERATIONS**

7. The Planning Policy Manual is a non-statutory document and therefore there are no financial or legal considerations.

## **STAFF RECOMMENDATION**

It is recommended that the Council receive and support the report on Submission on Transit's Planning Policy Manual and Supplement.