

NZ Transport Agency: Accessible Streets consultation

20 May 2020

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Submitter details

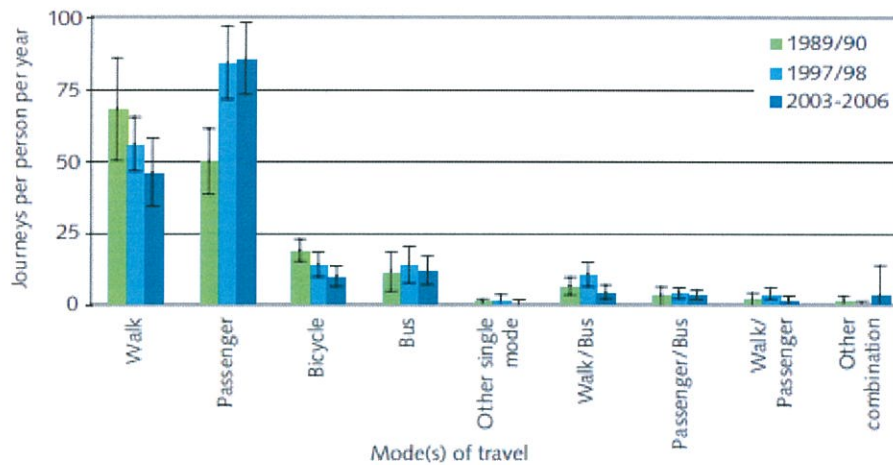
1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu o Te Waka a Maui. NMH welcomes the opportunity to comment from a public health perspective on the NZTA's Accessible Streets Consultation.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH, particularly in relation to promoting active transport modes and prioritising safety for all modes of transport.

General Comments

4. NMH commends NZTA for the introduction of a package that aims to improve safety and accessibility for people using active and micro transport modes. There are numerous benefits in promoting active transport. Increased numbers of walkers and cyclists can stimulate economic activity, promote accessibility and community cohesion, reduce congestion, improve safety, reduce transport emissions and improve public health.
5. NMH supports initiatives that make streets more inviting places for people. Creating places that are attractive and safe for people to use means that more people will walk and cycle in the area which will decrease car dependency. This is both good for mental and physical health and has environmental benefits.
6. NMH supports Accessible Street Initiatives that prioritise safety for all road users and encourage active modes of transport, especially in regards to children.
7. Walking and cycling rates have declined considerably for school trips since 1989.¹. For children, using active transport to and from school is an important way to get some physical activity each day. With the high child obesity rate in New Zealand, this is a relatively easy way to increase physical activity in children.

¹ <https://www.transport.govt.nz/assets/Import/Documents/RaisingtheProfileWalkingCyclinginNZ.pdf>

Figure 3: Travel to school – ages 5-12



8. Over the past 40 years, roading budgets have focused predominately on improving the road carriageway rather than pedestrian and cycling facilities, it is only within the last decade that substantial investment has occurred for cycling facilities. Cycling has increased in areas with improved cycle infrastructure. Recent rapid technology change has resulted in the advent of a raft of micro-mobility options and now there are a broader range of users wishing to use footpaths and cycleways. Conflict has arisen between different users. NMH does not wish to weigh into the debates of different user groups however NMH continually advocates for the prioritisation of safety for all modes and that further investment is given to encouraging active modes to enable people to enjoy the physical and mental health benefits of these activities.

Specific Comments

Proposal 1A: Pedestrians and powered wheelchair users

9. NMH supports the change of the definition of a pedestrian to include powered wheelchairs because wheel chair users travel at a similar speed as pedestrians.

Proposal 1B: Changing wheeled recreational devices

10. NMH supports the intention to alter the definitions relating to wheeled recreational devices to new categories for unpowered and powered transport devices. NMH would like to see the categories to be altered to consider power output as well as speed potential and mass as it will be a combination of these factors that will determine the extent of injuries should a pedestrian collide with one of these devices.

In addition, it is important that there is flexibility within the regulations to manage the assessment of new devices, given that technology in this area is evolving quickly.

Proposal 1C: Clarifying cycles and e-bikes

11. NMH recommends that cycles and e-bikes are placed in separate categories as e-bikes are significantly heavier than the average bicycle and are able to travel faster therefore in the case of collision, injuries may be worse. For this reason, NMH recommends that e-bikes are not used on the footpath.

Proposal 1D: Mobility devices

12. NMH supports the proposal in relation to mobility devices.

Proposal 2: Establish a national framework for the use of footpaths

13. NMH supports in principle the establishment of a national framework for the use of footpaths. Once again, NMH wants to highlight that safety of all footpath users is paramount, and NMH would like the focus to be on encouraging people to use active modes of transport. Therefore NMH would like to see alterations to the current Proposal 2.

14. Proposal 2 allows for the following devices to be allowed on the footpath:

- Powered wheelchairs
- Mobility devices (up to 750mm wide)
- Transport devices (up to a certain mass and speed potential)
- Cycles

15. NMH supports the above listed devices to be allowed on the footpath however electric bikes should not be included due to their weight and speed. NMH would like restrictions added that limit the mass of transport devices and cycles (but not mobility devices) that can be used on the footpath in order to minimise the impact of potential collisions.

16. NMH recommends that the speed limit for devices on footpaths should be restricted to 10km/h not 15 km/h as stated in the consultation document. Majority of people walk at speeds between 3-6.5 km/h². It is important the speed differential between pedestrians and those on devices is limited so:

- a) slower pedestrians are not alarmed or deterred by faster moving users

² <https://www.nzta.govt.nz/assets/resources/pedestrian-planning-guide/docs/chapter-3.pdf>

b) to reduce the impact of collisions.

Therefore NMH strongly recommends that the speed limit is reduced to 10 km/h. If cyclists or users of micro mobility devices wish to travel faster, they should be allowed on cycle paths.

17. NMH is pleased to see that age restrictions have not been placed in Proposal 2.

NMH welcomes opportunities for children and their parents to use the footpath. As noted earlier, there are a low number of children that currently cycle to school, it is hope that this framework will allow for more parents to encourage their children to cycle. This is especially important for encouraging children to use cycles. The current rules mean that children (generally over 6 years) are required on ride on the road which is a barrier for some parents and children.

18. In addition NMH supports allowing adults to cycle on footpaths as this will enable parents to better support young children to cycle by letting them to cycle with children and provide guidance.

19. Some people perceive cycling on the road to be dangerous. Allowing cyclists to travel at low speeds on the footpath provides more cycling options for less confident cyclists regardless of age.

20. Given the recent COVID-19 lockdown period, it would be interesting to find out whether quieter streets have had an impact on people's walking and cycling experience. This information could also help inform this consultation.

21. NMH supports the decision to allow Councils to set limits on some types of devices on footpaths in their areas to suit their local conditions. NMH supports that regulations of use of paths will be made by resolution rather than bylaws as this will reduce complexity for Councils. NMH supports the development of national guidelines that can be used to assist Council decision making.

Proposal 2A: Users on the footpath will operate vehicles in a courteous and considerate manner, travel in a way that isn't dangerous and give right of way to pedestrians

22. NMH strongly supports this proposal that pedestrians and wheelchair users should always have the right of way on the footpath. NMH strongly supports the three behavioural requirements that "all footpath users operate vehicles in a courteous and considerate manner, travel in a way that is not dangerous and give right of way to pedestrians". It is paramount to keep the most vulnerable footpath users safe.

It may also be useful to define 'give way' or 'give right of way' as it is not currently defined in relation to footpath use.

Proposal 2B: Default 15km/h speed limit for vehicles using the footpath

23. As noted earlier in this submission, NMH does not support the default 15km/h speed limit. NMH recommends that the speed limit of 10 km/h is adopted because it is closer to the speed of walking and is similar to the speed that children currently cycle (10.2km/h) and scooter (10.9km/h).
24. Many footpaths are narrow especially in older sections of urban areas so 10 km/h is a more appropriate default speed.
25. NMH notes that consultation allows for councils to alter the speed limits to 5km/h or 10 km/h and NMH supports rules that allow for road controlling authorities to set speeds appropriate to their area.
26. Consideration should also be given to introducing a requirement that vehicles can only drive on driveways at low speeds such as 5km/h. This type of requirement would require an accompanying communications plan.
27. Pedestrians should always have priority on the footpath, and this should include all driveways including large entrances and exits of commercial properties e.g. supermarkets. Footpaths should be designed so that the footpath appears continuous over the vehicle crossing. As part of this package, NMH recommends that there is a communication plan that highlights that pedestrians have right of way in this instance.

Proposal 3: Establish a national framework for the use of shared paths and cycle paths

28. Once again, NMH strongly supports the three behavioural requirements that "all footpath users operate vehicles in a courteous and considerate manner, travel in a way that is not dangerous and give right of way to pedestrians". It is paramount to keep the most vulnerable footpath users safe.
29. NMH agrees that all users be required to give way to pedestrians when using a shared path.
30. NMH recommends that there is a set speed limit of 25km/h on shared paths and requirements for cyclists and those on devices to:
- a) pass pedestrians no closer than 1m (comparable to the rules being proposed for motorists passing riders on roads), and
 - b) pass pedestrians at speeds no more than 10km/h, and

c) ring a bell when approaching pedestrians from either front or rear (of benefit to vision-impaired- and sighted-pedestrians)

NMH also recommends that Living Street's recommendations that require:

- all users to keep left except when passing other users
- all users to move off the path when stopped
- leashes (if used) for animals to be highly visible
- all user to not unreasonably impede other users

These rules will help decrease the amount of conflict between different users that occurs on some paths.

31. NMH agrees that road controlling authorities should be able to declare a path a shared path or a cycle path provided that the path meets a minimum width requirement of 2.5m. The road controlling authority need to follow nationally-set guidance and criteria in making declarations.

Proposal 4: Enable transport devices to use cycle lanes and cycle paths

32. Transport devices travel at similar speeds as cycles and are of a similar mass therefore NMH supports this change.

33. Whilst noting that helmet rules are beyond the scope of this consultation, NMH encourages NZTA to consider making it mandatory for those using transport devices to wear helmets when they are riding on-road cycle lanes.

34. NMH notes there is potential for further conflict between different devices in shared lanes, NMH welcomes additional guidance around recommending that slow-moving transport devices use shared paths instead of on-road cycle lanes.

35. NMH recommends that wheelchair users and pedestrians only use these facilities when there is not a footpath or shared path available

Proposal 5: Introduce lighting and reflector requirements for powered transport devices at night

36. NMH supports the introduction of lighting and reflector requirements for powered transport devices. This gives riders themselves more visibility as they navigate paths and makes them more visible to other road users. It is worth noting that some roads have ample lighting on the road carriageway but little lighting for the footpaths or shared pathways. Whilst acknowledging there could be issues with light spill for neighbouring properties, consideration should be given to adequately lighting key cycle routes for commuting cyclists and users of powered transport devices.

Proposal 6A: Allow cycles and transport devices to travel straight ahead from a left turn lane

37. NMH supports this. This is common practice for cyclists because there is very little space between the left turning lane and straight ahead lane, making cycling in this space risky given the proximity to moving vehicles. Allowing cyclists to go straight from the left turn lane gives cyclists more space to manoeuvre safely. NMH would support the further installation of advanced stop boxes, advanced stop lines and hook-turn boxes as these provide opportunities for cyclists to wait at signalised intersections.

Proposal 6B: Allow cycles and transport devices to carefully pass slow-moving vehicles on the left, unless a motor vehicle is indicating a left turn

38. NMH supports this. Again, this is common practice for cyclists because this action enables them to get to the front of the lane where they are most visible and from where they are able to clear the intersection most safely rather than in amongst motor traffic. NMH would again support the further installation of advanced stop boxes, advanced stop lines and hook-turn boxes.

Proposal 6C: Give cycles, transport devices and buses priority over turning traffic when they're travelling through an intersection in a separated lane

39. NMH strongly supports this proposal as this would treat all road users on the same basis - those travelling straight have priority over those turning. It does not matter if the road users are a separated lane because they are all navigating the same road carriage.

Proposal 6D: Give priority to footpath, shared path and cycle path users over turning traffic where the necessary traffic control devices are installed

40. NMH strongly supports this proposal and advocates that this be a national rule rather than be left to local councils to apply in a few locations. This treats all road users equally: those travelling straight have priority over those turning. A rule applied nationally would be easier for people to understand and create better consistency. This rule change would increase the efficiency of walking, cycling and other micro-modes, and this would encourage more people to use these modes. Therefore a national rule change should be applied and additional funding given to councils to implement a programme to adjust road markings accordingly.

41. NMH notes that minimum markings are proposed to indicate pedestrian priority. Ideally, raised platforms would be used on side roads adjacent to busy roads to indicate priority and to slow traffic. Consideration could be given to using red

markings such as Tasman District Council has been using for all its pedestrian zones, see below for illustrations.



A. Recently installed



B. Option for side road crossing points

Proposal 7: Mandate a minimum overtaking gap for motor vehicles passing cycles, transport devices, horses, pedestrians and people using mobility devices on the road

42. NMH supports this proposal because this will lead to safer outcomes for all road users. Increasing the distance between vehicles and other road users will help increase the perception of safety and actual safety for cyclists and other road users.

Proposal 8: Clarify how road controlling authorities can restrict parking on berms

43. NMH recommends that there should be a general prohibition on parking on berms. Parking on berms can be hazardous for pedestrians especially children who may not be seen when a vehicle is being manoeuvred. Vehicles on berms can block pedestrians' line of sight to the road carriage which could be safety concern. There may also be a nuisance effect of vehicles being parked on berms. Therefore NMH recommends that there is a general prohibition but local councils are able to make exceptions as appropriate to their areas.

Proposal 9: Give buses priority when exiting bus stops

44. NMH supports this proposal to give buses priority when exiting bus stops as this will make bus travel more efficient thus making bus a more attractive option for people. Increasing bus patronage has the health benefits of decreasing congestion and therefore reducing air pollution.

Conclusion

45. NMH thanks NZTA for the opportunity to comment on the NZTA's Accessible Streets Consultation.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'P' followed by a long horizontal stroke that tapers off to the right.

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