

THE PLANNING AND POLICY CONTEXT

- Transport and the law
- Integrated transport planning
- Strategies
- Responsibilities of local government and road controlling authorities



THE PLANNING AND POLICY CONTEXT

Providing for walking is governed by legal requirements, policies and planning instruments such as strategies and plans, and the social, transport and administrative context in which walking occurs.

Strategic plans for walking work best when supported by broader strategies and policies that value the contribution walking can make to liveable communities.

While this section looks mostly at the bigger picture, walking happens at a local scale where community walking plans can be used to address the local needs.

2 THE PLANNING AND POLICY CONTEXT

PEDESTRIAN PLANNING AND POLICY CONTEXT

The legal framework for providing walking infrastructure

The role of walking in government objectives and strategies

Walking strategic plans

2.1 Introduction

Walking is a form of transport, and in this respect is no different from the private car or public transport. For some groups, it is the primary means of moving around their community independently ^[30]. The right to walk is a fundamental element in a considerable number of public policies. Although its contribution to transport objectives is often underestimated, its importance must not be ignored ^[10].

2.2 Transport and the law

'Legislation' includes Acts of Parliament, as well as Rules and Regulations made by people or organisations to whom Parliament has delegated this power (for example, the Minister of Transport for Land Transport Rules). The main pieces of legislation relating to walking are the Local Government Act 2002, the Traffic Control Devices Rule 2004 ^[111] and the Land Transport (Road User) Rule 2004 ^[110] where pedestrians are specifically differentiated from 'vehicle traffic'. There are also relevant Rules on the use of land (under the Resource Management Act 1991) in regional and district plans.

'Law' includes not only 'legislation', but also common law, which is understood and accepted by everyone and defined by law court judgments. Common law includes everyone's duty to care for their own safety and to avoid causing harm to others.

Under common law, everyone has the right to travel unimpeded on all public roads, except where there are legal restrictions (such as those prohibiting pedestrians from motorways). Road controlling authorities (RCAs) are obliged to safeguard this right for all lawful road users, including pedestrians. The Local Government Act requires that wheelchair accessible kerb crossings be provided whenever any urban road or footpath is being reconstructed.

2.3 Bylaw powers

Local authorities and RCAs also have the power to enact bylaws for areas within their responsibility. Bylaws can cover activities both on footpaths beside roads and on off-road paths such as through parks. They can also be used for activities on the road that may affect pedestrian safety or mobility, for example vehicle speed limits and parking.

2.4 New Zealand Transport Strategy

The New Zealand Transport Strategy (NZTS) ^[108] contains the government's position on transport. Its overall vision is: 'by 2010, New Zealand will have an affordable, integrated, safe, responsive and sustainable transport system'. Broader objectives aim to enhance economic, social and environmental well-being through:

- improving access and mobility, including walking and cycling
- protecting and promoting public health
- ensuring environmental sustainability
- assisting safety and personal security
- assisting economic development.

Key principles include:

- creating an integrated mix of transport modes
- taking a long-term sustainable approach
- ensuring high standards of health, safety and security
- responding to the diverse needs of transport users.

GETTING THERE — ON FOOT, BY CYCLE

A strategy to advance walking and cycling in New Zealand transport

OUR VISION

A New Zealand where people from all sectors of the community walk and cycle for transport and enjoyment

SUPPORTED BY THREE GOALS

- Community environments and transport systems that support walking and cycling
- More people choosing to walk and cycle, more often
- Improved safety for pedestrians and cyclists

REQUIRING ACTION ON 10 PRIORITIES, ACROSS FOUR FOCUS AREAS

FOCUS ONE

Strengthening foundations for effective action

Priorities for action

1. Encourage action for walking and cycling within an integrated, sustainable approach to land transport
2. Expand our knowledge and skill base to address walking and cycling
3. Encourage collaboration and co-ordination of efforts for walking and cycling

FOCUS TWO

Providing supportive environments and systems

Priorities for action

4. Encourage land use, planning and design that supports walking and cycling
5. Provide supportive environments for walking and cycling in existing communities
6. Improve networks for long-distance cycling

FOCUS THREE

Influencing individual travel choices

Priorities for action

7. Encourage positive attitudes towards and perceptions of walking and cycling as modes of transport
8. Encourage and support individuals in changing their travel choices

FOCUS FOUR

Improving safety and security

Priorities for action

9. Improve road safety for pedestrians and cyclists
10. Address crime and personal security concerns around walking and cycling

INFORMED BY SIX KEY PRINCIPLES

- Walking and cycling face similar issues, but are different modes of transport with different needs
- Providing a transport system that works for pedestrians and cyclists means catering for diversity
 - Walking and cycling are important for all communities, but critical in urban areas
 - Increasing the use of walking and cycling requires a comprehensive approach
 - Safety needs to be integrated with promotion
 - The needs of current users must be addressed alongside those of new users

UNDERPINNED BY A NATIONAL FRAMEWORK FOR IMPLEMENTATION

- Central co-ordination process, supported by national advisory groups
 - Annual implementation plans for national agencies
- Performance indicators, plus regular monitoring and evaluation
 - Informed government investment
- Early emphasis on supporting effective local action

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Figure 2.1 – Summary of the vision, priorities, goals, and key principles of *Getting there – on foot, by cycle*, the national walking and cycling strategy

2.5 Integrated transport planning

Integrated transport planning aims to embrace a range of perspectives traditionally addressed separately, including:

- a variety of forms of transport (private and public, motorised and non-motorised)
- the relationships between transport and land use
- transport's contribution to other economic, social, health and environmental objectives.

Integrated transport planning is embodied in Land Transport NZ's objective, which is to allocate resources in a way that contributes to an integrated, safe, responsive and sustainable land transport system [109]. When allocating funds, Land Transport NZ must consider a range of issues including environmental sustainability and public health. Transit New Zealand (Transit NZ), as the RCA for state highways, is to operate the state highway system in a way that contributes to such a system. Walking is an essential part of an integrated transport plan and is an integral part of achieving the government's vision for land transport. As a result, Land Transport NZ invests in a range of walking and cycling activities, such as providing financial help to RCAs for strategic plans and walking (and cycling) projects.

2.6 National walking and cycling strategy

The national walking and cycling strategy [112] *Getting there – on foot, by cycle* expands on the aims of the NZTS. It articulates a vision, goals, priorities and principles as outlined in Figure 2.1. This is accompanied by an implementation plan [178] that sets out a method for achieving the strategy.

2.7 Regional land transport strategies

Each regional council is required to develop a regional land transport strategy (RLTS) with help from a regional land transport committee (RLTC). RLTCs are legally required to represent a range of transport perspectives, including walking. Although regional councils do not directly manage the roads, all projects and strategies in their regions must take the RLTS into account, and regional councils may play a variety of roles with regard to walking, such as strategic planning, coordinating schemes and promoting walking. RLTSs also carry weight in Land Transport NZ's decisions on funding RCA projects and packages. They need to be consistent with the NZTS and should reflect the priorities for action in *Getting there – on foot, by cycle*.

2.8 Road controlling authorities

As well as being a local authority, every city and district council is an RCA. While Transit NZ is the RCA for state highways, some local authorities manage their area state highways on its behalf. Organisations such as airport companies, port companies and the Department of Conservation are also RCAs.

RCAs have direct responsibility for the road system. They usually own the roads and public paths, and (often through contractors) build, improve and maintain them. RCAs have powers to regulate road user behaviour, such as by banning parking, creating one-way streets and installing traffic signals.

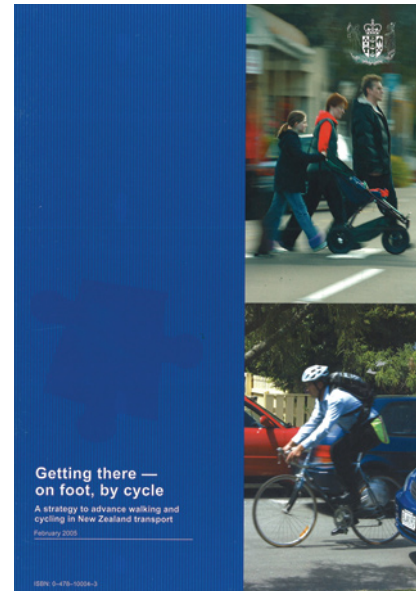
RCAs are also required by Land Transport NZ to produce strategic plans detailing the projects and packages they intend to carry out. These will contain projects that encourage more people to walk or cycle (see section 2.11).

2.9 Other local council responsibilities

Local councils have other roles, besides that of RCA, that affect walking – they control the planning, design and maintenance of parks and reserves, and produce district or city plans under the Resource Management Act 1991 that provide a framework for managing land use and subdivision within the area. The relevant regional and local strategies and plans in relation to walking are:

Regional:

- regional land transport strategy
- regional walking strategy
- regional road safety plan
- regional growth strategy



- regional policy statement
- regional travel demand management strategy (under the regional land transport strategy).

Local:

- local transport strategies
- local walking strategic plans
- neighbourhood accessibility plans
- road safety strategies and plans
- safety management systems
- district and city plans
- long-term council community plans
- asset management plans
- codes of practice
- design guides
- open space access plans
- travel demand management strategies.

2.10 Other non-transport government strategies

Walking plays a role in supporting a wide range of other activity. Actions to provide for or promote walking should take account of, and coordinate with, other non-transport strategies and policies for [30, 103, 130]:

- health
- tourism
- heritage
- environmental protection
- urban design and form
- planning and development
- regeneration
- social inclusion
- recreation
- economic development
- injury prevention.
- disability access.

To ensure effective coordination, more than one agency may be involved. This is a priority in *Getting there – on foot, by cycle*. For example, the Energy Efficiency and Conservation Authority (EECA) and Sport and Recreation New Zealand (SPARC) have sometimes taken the lead in promoting walking (often together with cycling). Similarly, health care professionals may give ‘green prescriptions’ to patients, advising them to be physically active as part of their health care management. The government’s *Sustainable development for New Zealand – programme of action* seeks to make New Zealand cities healthy, safe and attractive places where business, social and cultural life can flourish. This will be achieved through better-integrated decision-making, improved infrastructure and better urban design.

2.11 Local walking strategic plans

Typically, local walking strategic plans aim to increase the number of walking trips, while decreasing the rate and severity of pedestrian injuries. These two goals are not usually mutually exclusive. A greater number of pedestrians should result in increased visibility and act as a reminder to other road users to consider them. The objectives in local walking strategic plans should reflect the objectives in the NZTS and in *Getting there – on foot, by cycle*. A key objective is improving the environment for walking. If RCAs wish to be funded by Land Transport NZ for pedestrian facilities and programmes, they must have a walking strategic plan.

Reducing the speed and volume of other traffic may do as much to help pedestrian safety as providing new infrastructure [43]. Consequently, local walking strategic plans need to be supported by more general traffic, road safety and transport strategies.



Some local walking strategic plans include cycling to make a combined strategy. As cyclists' and pedestrians' needs are different [112], any combined strategies and action plans should reflect these differences.

While each strategic plan should reflect local conditions, there will be common features in them all [29, 36, 103]. Table 2.1 presents these common elements. District and city plans should also reflect the plan's objectives.

Background	<p>A statement of purpose.</p> <p>How the walking strategic plan fits with other national and local strategies.</p> <p>The benefits of the walking strategic plan.</p> <p>Local information on pedestrian activity and safety.</p>
The existing walking environment	<p>Outline of the current local environment for pedestrians (quantitative and qualitative), including personal security issues.</p> <p>The local authority's achievements to date.</p>
Vision	The authority's broad vision for walking.
Objectives	Clear statements of what the walking strategic plan intends to achieve.
Actions	A description of the policies to be put in place, and the actions to be taken to meet each objective.
Funding	The likely level of overall funding and how it will be allocated (including maintenance work).
Monitoring performance and targets	<p>A description of the performance indicators to be used in monitoring the plan's progress in achieving its objectives.</p> <p>Methods and timescales for collecting and reporting the information needed to monitor effectiveness.</p>
Partnership /consultation	How links will be made with other organisations and communities that can support walking, and how they can provide support for the plan.

As conditions can vary within areas covered by local authorities, the overarching strategic plan should be complemented by local community walking plans. These describe the particular characteristics and issues of smaller, discrete areas that affect pedestrians, and set out the specific remedial actions required to improve the walking environment [125]. Section 7 of this guide covers the approach for developing community walking plans.

Walking strategies are high-level documents that provide a framework and direction for walking, usually at national and regional levels. A strategic plan is a detailed analysis of projects and packages that encourage more people to walk or cycle at the local level.

