



SUBMISSION

To the Transport & Industrial Relations Committee

On the Road Traffic Reduction Bill

Introduction

The Cycling Advocates Network (CAN)¹ is pleased to present this submission on the above draft Bill. The national committee of the group has prepared this submission, with feedback from CAN members. CAN has based its submission on reviews of the relevant draft Bill and background research material. CAN's membership includes a number of nationally regarded transportation professionals and their knowledge and experience has been a key input into this submission. If you require any clarification of the points raised by us, please feel free to contact us as detailed at the end of our submission.

We would like to present our submission in person to the Select Committee.

General Comments

CAN strongly supports the intent of the Road Traffic Reduction (RTR) Bill. Although for a group such as ours, this may seem like a fairly expected self-serving response, we sincerely feel that the outcomes from such a Bill can have benefits for all road users and indeed society as a whole. Even for those people who continue to make trips by motor vehicle, there are likely to be travel-time benefits for them should key traffic reduction programmes be implemented.

There have been media comments that this Bill is essentially "anti-car". This shouldn't be seen necessarily in terms of reducing car ownership (indeed, many of CAN's members quite willingly own cars). Rather, it should be seen in the context of reducing unnecessary motor vehicle trips, in many cases with their replacement by an alternative mode. Although such a change is often perceived to impose unacceptable costs (in terms of money, time, comfort and so on) to the travellers, this is often a result of travellers not fully considering the total costs of their decisions or having an incorrect understanding of the merits of each choice. Often a change in well-entrenched habits results in a pleasant surprise to the person. For example, a common belief is that the car is the quickest means of travelling to one's destination. Yet regular "commuter

¹ More information about CAN can be found at the end of our submission.

challenges" (such as that held recently in Christchurch)² consistently show that cycling is the fastest option door-to-door during rush hour for typical work journeys.

Another contention has been that the RTR Bill is "anti-business", apparently by means of choking up already clogged roads, causing further delays for goods and services. Yet quite clearly encouraging some trips to be made by other means (e.g. commuters by public transport, long-distance freight by rail) would enable goods and services that have to travel by road to have a much clearer run. The business benefits of some alternatives such as cycle couriers and telecommuting have already been well appreciated by many companies and individuals.

There has also been the view that such a Bill, while laudable in its aims, is not at all practical in terms of actually being able to succeed, because of our ever-increasing growth in traffic demand. This misses the point that these traffic projections are always based on extrapolating historical trends (as a result of traditional pro-motor vehicle policies), which this Bill aims to change. Such trends have been successfully overturned overseas (and with general public acceptance) and there is no reason why a similar approach cannot succeed in New Zealand. For example, the "Travel Smart" programme in Perth, Western Australia, achieved a 17% reduction in car use over a year using only personalised marketing³.

A close-to-home example which members of the Select Committee may well be familiar with is the drop in traffic congestion during school holidays. Clearly this indicates the increasing problem of the "school run" trip by parents, trips that used to be successfully made on foot or bike by pupils. Programmes to re-encourage these efficient modes, such as "Safe Routes to Schools", "Walking School Buses", etc, have the potential to make every day seem like a school holiday for commuters. Although such programmes are being successfully trialled in some parts of New Zealand, legislation such as this is needed to ensure that the uptake is consistent nationally and not subject to the whims of the various local councils.

Another way to consider the feasibility of traffic reduction programmes is to examine existing trips in terms of distance travelled. For example, the 1997/98 LTSA Travel survey found that 13% of all private car trips are less than 1km, a distance easily walked or cycled. A further 29% of all private car trips are less than 3km, which is shorter than the average bicycle trip made (<10 minutes by bike). Obviously in some cases there are valid reasons why it would be impractical not to use the car, but it can be seen that even if a moderate proportion of these trips could be converted to walking or cycling trips, this would have a major effect on car use in this country. The importance of such mode changes on public health should not be ignored either.

Much of the above discussion may seem to be fairly general, rather than focused on specific aspects of the proposed Bill. However, this is deliberate as we are concerned

² "Cyclists Take Commuting Honours", *The Press*, Sat 22 February 2003

³ TravelSmart website, <http://www.dpi.wa.gov.au/travelmart/>

that some people are not viewing positively the concept of traffic reduction as a viable tool for transport management in New Zealand. Until they do, there is little point in debating the merits of the various clauses within the Bill.

There has been a suggestion that the provisions of the RTR Bill could instead be incorporated into the Land Transport Management (LTM) Bill, currently being considered in parallel with this one. While we have no problems with this approach in principle, we would be concerned if the net effect was to significantly dilute the intent of the RTR Bill. We are aware that it has been argued that the new LTM Bill provides sufficient new legislative thrust for encouraging alternative travel modes, that a separate RTR Bill such as this is not necessary. However, while the two Bills have a common objective, there are no specific aspects of the draft LTM Bill that currently legislate for traffic reduction strategies. The point of this separate Bill is to send a clear message that this is a valid traffic management tool to use in New Zealand. Without it, we suspect that there are various lobby groups who, whether misguided or otherwise, would happily see the contents of this Bill turn into something that was practically unenforceable.

Specific Clauses

The table below outlines our comments on particular clauses within the draft Bill. Where a particular clause has not been commented on, then it can be assumed that there is tacit support by CAN.

Section	Comment
4: Purpose	We would argue that the Bill is limited in only providing for national and regional government to put in place traffic reduction measures. Not extending this coverage to local government (i.e. territorial authorities), as has been done in the equivalent UK Act ⁴ , limits the extent that such programmes can be imposed. Most regional councils already have in place Regional Land Transport Strategies that advocate encouragement of alternatives to motorised traffic (esp. private cars). However, these Councils lack the ability to ensure that local councils under them abide by these principles, meaning that the status quo of providing mostly for motor vehicles remains. We suspect that this Bill would result in a similar situation of laudable strategies at a high level, but little change at the local level.
5: Interpretation	Some additional items would appear to require definition, e.g. "sustainable" means quite different things to different people.

⁴ Road Traffic Reduction Act 1997, HMSO, UK.

Section	Comment
6: National land transport strategy	<p>The emphasis in sub-section (3) on State Highways would appear to miss the problems of traffic congestion evident on many local roads. Although this clause does allow for "such other roads as the Minister sees fit", this seems arbitrarily limiting in practice and not conducive to local buy-in. It also runs into practical problems when State Highways are designated or revoked.</p> <p>Although sub-section (6) might appear to have been superseded by the publication of the New Zealand Transport Strategy (NZTS) in Dec 2002, we contend that there is still a requirement to produce a separate "land transport" strategy (certainly the development of the NZTS did not follow the process prescribed by Section 171 of the Land Transport Act 1998 for national land transport strategies). Although the basis for such a strategy would no doubt be derived from the NZTS, there would need to be additional specifics to comply with this Bill. The NZTS does not specifically mention road traffic reduction strategies, although there are some references to "reducing the need for travel", particularly in relation to the National Energy Efficiency & Conservation Strategy.</p> <p>One way around the requirement to still produce a national land transport strategy is to change the wording to refer to "national transport strategies" instead. In this way, the NZTS could suffice as the base document (although it would still require modification to meet the aims of this Bill) and other national strategies, such as the forthcoming National Walking & Cycling Strategy would also be given legislative significance.</p>
7: Effect of national land transport strategy	<p>We have significant concern about the legal nicety of being "not inconsistent with" relevant transport strategies. To date this has allowed road controlling authorities and other relevant bodies to virtually ignore non-roading aspects of such strategies. We contend that all such instances of this phrase should be changed to "consistent with", to ensure that the spirit of the strategies is complied with.</p> <p>The Land Transport Safety Authority is noticeably absent from the revised requirements of both this Bill and the Land Transport Management Bill. Yet there are a</p>

Section	Comment
	<p>number of programmes and policies under their control that have an impact on land transport in general and road traffic reduction. Walking and cycling usage for example are particularly affected by the perceived relative safety of these modes, as well as speed management in general.</p> <p>Therefore sub-section (1) of Section 174 of the principal act should also be amended in a similar manner to that done for Transfund and Transit NZ.</p>
8: Regional land transport strategies	<p>See our earlier comments (Section 4) regarding the lack of local strategies and the practical effectiveness of regional strategies.</p> <p>Recognising that regional strategies are generally deemed to follow the lead of national strategies, it is not clear from paragraph (1)(b) whether this Section focuses on traffic reduction on regional roads in general, or just "State Highways and such other roads the Minister sees fit", as described in Section 6 (National land transport strategy). This should be clarified.</p> <p>The phrase "targets, timetables and measures for the reduction of motorised road traffic" is relatively vague and more specific information should be provided. The model of the UK Road Traffic Reduction Act (and the subsequent UK national targets legislation⁵) should be considered: it lists specific reporting requirements as well as advocating that national guidance also be prepared. At the very least the Bill should suggest that national advice will be provided on the preparation of road traffic reduction programmes. The Bill should also recognise that different road types will probably require different traffic reduction objectives and subsequent targets and strategies.</p>
10: Effect of regional land strategy	<p>See our earlier comments (Section 7) regarding the use of the term "not inconsistent with".</p> <p>Relating to our earlier concerns about the implementation of these strategies at the local level, we would suggest that there should be a requirement that</p>

⁵ Road Traffic Reduction (National Targets) Act 1998, HMSO, UK

Section	Comment
	territorial local authorities' activities (particularly their land transport programmes) must also be consistent with the relevant regional land transport strategy.
Part 2: Transit New Zealand Act 1989	<p>We understand that this part is likely to be superseded by the proposed provisions in the Land Transport Management (LTM) Bill, which we are also generally supportive of. As a result, we refrain from commenting on this Part here.</p> <p>However, there are some elements contained here that seem preferable to the equivalent ones in the LTM Bill, and we will highlight these in our submission on the LTM Bill.</p>

Conclusion

In summary, CAN strongly supports the intent of this Bill. We trust that the discussion at the start of our submission helps to explain the practicality and benefits of such a Bill, and dispels a few myths. We also hope that our discussion on the specific clauses will ensure that the final Bill has sufficient "teeth" to enable practical traffic reduction at the local level.

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The Cycling Advocates' Network of NZ (CAN) Inc is this country's national network of cycling advocate groups. It is a voice for all cyclists - recreational, commuter and touring. We work with central government and local authorities, on behalf of cyclists, for a better cycling environment. We have affiliated groups and individual members throughout the country, and links with overseas cycling organisations. In addition, several national/regional/local government authorities, transportation consultancies, and cycle industry businesses are supporting organisations.