

Living Streets Aotearoa



www.livingstreets.org.nz

Submission from Wellington Living Streets on Covid19 Recovery (Fast Track Consenting) Bill 2020

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About Living Streets

Living Streets Aotearoa is New Zealand's national walking and pedestrian organisation, providing a positive voice for people on foot and working to promote walking friendly planning and development around the country. Our vision is "More people choosing to walk more often and enjoying public places".

The objectives of Living Streets Aotearoa are:

- ! to promote walking as a healthy, environmentally-friendly and universal means of transport and recreation
- ! to promote the social and economic benefits of pedestrian-friendly communities
- ! to work for improved access and conditions for walkers, pedestrians and runners including walking surfaces, traffic flows, speed and safety
- ! to advocate for greater representation of pedestrian concerns in national, regional and urban land use and transport planning.

For more information, please see: www.livingstreets.org.nz

Wellington Living Streets has been involved in LP01 (Ngauranga to Petone walkway) for many years and would like to continue involvement with this project, having added considerable value to the design and other considerations.

General

We recommend that this Bill be restricted to fast track only those 11 projects identified and not to extend beyond that, including not to the maintenance and minor works of NZTA or KiwiRail. If those require consents, they clearly have impacts which need to be considered by communities. A one year term for the Bill should be included. That, if there is adequate resourcing of the EPA, should see these 11 projects through to build stage.

Timing

This Bill is being expedited and there is not enough time to consider all the consequences. There are many examples of the poor outcomes from lack of consultation and consideration of issues. While we understand the desire to proceed with projects that may generate jobs this is not a good way to start projects that are hoped to have long term benefits, including job creation. If this approach goes ahead, it is therefore vital for the process to ensure adequate consideration of all available information and values.

Consultation

We are concerned that local government who know their area best, and communities who know their areas even better, are potentially being left out of input to the referred project categories. Local knowledge is key to identify design considerations and limitations.

It appears that iwi will be involved but given the short timeframe it is not possible to adequately consider if this is adequate involvement.

We strongly recommend that a mechanism to allow streamlined input by people with relevant information is added to the process.

Comments on the Bill

Purpose

The current purpose in the Bill does not adequately cover the sort of considerations that are vital. We recommend it be changed to:

The purpose of this Act is to urgently promote employment growth to support New Zealand's recovery from the economic and social impacts of COVID-19 by progressing a number of high value and well-designed infrastructure projects that will contribute to New Zealand's ability to achieve the sustainable management of natural and physical resources, including reducing the impacts of urban areas on the environment, and reducing climate change impacts.

There should be a clearer connection between this Bill and Part 2 of the Resource Management Act, which is well established.

Clause 3 for a two year life for this Bill is too long for these emergency powers to be in force. We strongly recommend that one year is a long enough period for these 11 projects. Any restriction on public input should be for as short a period as possible.

Climate change impacts are a New Zealand and global concern that require urgent attention. All projects that are considered for fast tracking whether of the listed projects or potential referred projects must reduce carbon emissions.

The right to appeal substantive matters and not just points of law must remain.

The expert panel of decision makers must include iwi, non-technical and community experts on all projects. A broad range of perspective is required to produce high value projects that could be considered for this preferential treatment. There also needs to be a mechanism to allow interested parties to provide to the panel relevant factual information and assessments, if normal submission processes are to be removed. These two measures will lead to better projects.

We have concerns about **Part 2 Subpart 2** for NZTA and KiwiRail projects on maintenance and minor improvements.

What the bill appears to be doing is creating a permitted activity status for these activities, as if the Bill was creating a national environmental standard. If that is the intent, the controls in the Bill need to be more robust and cover a wider range of potential impacts. There should also be some standard conditions within the provisions, such as a requirement to achieve at least the standards in the NZTA Pedestrian Planning and Design Guidelines, 09:11:01 14 and NZS 4121, or AustRoads for facilities and projects that could affect pedestrians.

We note, for example, that the standards cover fish passage and direct effects on wetlands, but do not ensure that stream form is unaffected. The Bill could easily result in continued loss of small streams, natural stream banks, etc. The standards appear to allow for long term effects of sediment discharges, which should not be permitted.

We question the need for this, as most minor road and rail projects already have generic consents or are permitted activities in plans.

The Bill does not appear to require that these minor projects use new employees, and they could simply allow normal business to be done without without generating covid-related benefits.

Schedule 2 identifies projects that will be subject to the fast track provisions of this Bill.

LP01 Ngauranga to Petone walkway and cycleway. Living Streets strongly supports this project, as there is currently no safe walking route to Petone. We note, however, that we have had ongoing discussions with NZTA on how to ensure the benefits to walkers are delivered and the local environment is improved rather than degraded. The level of benefits will depend on the detailed design of the project, including how it addresses seal and penguin habitat, what shelter is provided for pedestrians, how pedestrians are kept safe from fast cyclists, what amenities are included, etc. Living Streets input to this project must continue to help deliver these benefits.

LP02 refers to cycleway in the fourth column, where it should refer to walkway and cycleway

LP03 KiwiRail Wellington upgrade includes a ballast facility at Tauherenikau river. This could have substantial impacts in this area and needs careful consideration.

Schedule 5 panel of experts

The role of the panel appears to be severely limited to technical planning requirements and not to review the substantive parts of any proposals. It should ensure that all information provided by the public is fully considered, and that the designs optimally deliver the RMA objectives and zero carbon.

We would like to be heard in support of our submission.