

Living Streets Aotearoa



www.livingstreets.org.nz

Submission on the Natural and Built Environment Bill and Spatial Planning Bill

5 February 2023

SUBMITTER DETAILS

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Introduction

- 1 **Living Streets Aotearoa** is the New Zealand organisation for people on foot. We are a nationwide not-for-profit organisation with local branches and affiliates throughout New Zealand that advocates for walkable communities and promotes the significant social and economic benefits of walkable environments.
- 2 Living Streets Aotearoa exists because the diverse needs and aspirations of people on foot are often overlooked. Walking is not consistently or fully integrated into decision-making in transport, urban design, public health and community development planning, or sufficiently provided for in legislation.
- 3 The current bills, if passed into law, will replace the Resource Management Act 1991 (RMA). The purpose of the RMA is to promote the sustainable management of natural and physical resources. Walking is well aligned with this purpose however, due to insufficient direction, the RMA has allowed development to create urban form that has often made walking difficult or dangerous and impractical as a mode of transport.
- 4 **The purpose of this submission** on the Natural and Built Environment Bill (NBEB) and Spatial Planning Bill (SPB) is to bring focus to the lack of direction and certainty that the bills as proposed provide to planning outcomes related to walkable environments and communities. Living Streets Aotearoa does not support the bills in their current form and we have suggested amendments that would provide for these outcomes.

- 5 Provision for walkable environments and good walking outcomes are fundamental to good environmental outcomes, as Waka Kotahi, the New Zealand Transport Agency, has acknowledged in the Overview for the Pedestrian Network Guidance:

Pedestrian friendly environments are places where it's easy and safe to walk, where there are plenty of places to cross the street, enough space for everyone and people can generally feel relaxed. Providing such environments is key to the vibrancy, accessibility and social connectivity of our communities,... (and)...In conjunction with walking, public transport offers the potential to replace many motor vehicle journeys.¹

Support for elements of the proposed legislation

- 6 Living Streets Aotearoa supports the need for reform as the RMA is not fit for purpose with regard to environmental protection, and has allowed development that has degraded both natural and urban environments over the past 30 years. There are examples in every city of subdivisions and developments that prioritise vehicle use over pedestrians. Pedestrian activity has reduced over this time².
- 7 Living Streets Aotearoa supports the coordinated approach provided by the SPB including planning at a regional level.
- 8 Living Streets Aotearoa in general supports the resource allocation principles included in the NBEB, noting that walking is a low emission and sustainable activity and mode of transport with highly equitable social outcomes.

Concerns regarding the proposed legislation

- 9 The purpose clause of the NBEB is vital as it will directly influence decision making by Ministers and planning committees. The wording of the purpose is currently unclear and does not provide sufficient direction or protection to guide the outcomes that are needed in dealing with current issues including climate change and urban form. The purpose fails to recognise that proactively improving (not just enabling protection of) both the urban and the natural environment needs to be a core element of the purpose clause, including remediation of car-oriented urban development patterns and prevention of such development patterns in future.
- 10 The second part of the purpose of the NBEB, to recognise and uphold te Oranga o te Taiao, introduces a level of uncertainty that may mean that the purpose will be defined by court processes. It is the view of Living Streets Aotearoa that a single, tightly defined NBEB purpose statement, conceptually similar to Te Mana o te Wai in the National Policy Statement (NPS) for Freshwater Management and expressed as a hierarchy, is needed. The unambiguous first priority of this purpose should be to uphold the life-supporting capacity of the natural environment and its intrinsic value, with use for various human well-beings subject to those things.
- 11 The list of system outcomes in the NBEB does not include the terms 'walk' or 'active transport', and does not adequately recognise the importance of good urban design and walkable communities to support living patterns with lower carbon emissions. Highly walkable communities are both a desirable outcome in their own right and a means for achieving other desirable outcomes. Insufficient direction is provided in the National Policy Statement for Urban Development on what

¹<https://nzta.govt.nz/walking-cycling-and-public-transport/walking/walking-standards-and-guidelines/pedestrian-network-guidance/overview/>
Sourced January 2023

² <https://www.transport.govt.nz/assets/Uploads/Report/25yrs-of-how-NZers-Travel.pdf>

a well-functioning urban area consists of, and it provides no guidance as to the nature of a well-functioning rural area.

- 12 The key matters to be included in regional spatial strategies in the SPB do not include walking infrastructure which is essential for creating good urban form that supports lower emission living, healthier lifestyles, social connection and local economic activity. In our view, this is a major deficiency of the SPB.
- 13 There is potential for fast-track consenting processes to allow large infrastructure projects that are not sufficiently consistent with system outcomes of the NBEB. Conversely, there is no provision for the fast-track process to be used for pedestrian infrastructure.
- 14 The process for creating Regional Spatial Strategies risks locking in all planned transport infrastructure at an early stage, without assessment of its ultimate emissions reduction, mode shift, air quality, public health and safety outcomes. The NBEB then prevents the consideration of alternatives where a designation has been applied for, once infrastructure has been identified in a RSS. The consideration of alternatives should be required where a designation has been applied for.
- 15 Urban trees provide climatic and urban amenity that supports use of public space and walking³, and proposed constraints to the ability of plans to protect trees in the NBEB are inconsistent with these outcomes.

General recommendations

- 16 That the NBEB and SPB recognise the importance of good walking infrastructure and pedestrian oriented urban form to support environmental and lower emission outcomes.

Recommendations SPB

- 17 Add the following as a key matter in section 17: *Provision of a connected network of walking infrastructure in urban centres of scale that supports lower emission travel choices and provides access to public open space, community infrastructure, public transport and social infrastructure.*
- 18 Add the following as key matters in section 17: *Patterns of development that support emissions reduction, mode shift, air quality, public health and safety outcomes.*

Recommendations NBEB

- 19 Remove ambiguities in the purpose of the proposed Act, and provide a higher regard to environmental protection and enhancement including enhancement of urban environments.
- 20 Include in section 5, system outcomes: *Development of urban centres of scale with good walking access and infrastructure that supports lower emission travel choices and the other environmental, social and economic benefits provided by walking.*
- 21 Requirements for fast track applications to be assessed against amended system outcomes (including good provision for walking).

³ <https://www.nzta.govt.nz/assets/resources/Monetised-benefits-and-costs-manual-technical-notes/impact-on-urban-amenity-in-pedestrian-environments-march-2020.pdf>

We thank the Select Committee for considering this submission.

We **do** wish to be heard in relation to our submission.

Sincerely

A handwritten signature in black ink, appearing to be 'Tim Jones', written on a light blue background.

Tim Jones

A handwritten signature in black ink, clearly legible as 'Robin Rawson'.

Robin Rawson