

Living Streets Aotearoa



www.livingstreets.org.nz

Submission from Living Streets Aotearoa to Wellington City Council on the Public Places Bylaw proposal 2022

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Verandahs are an important amenity for pedestrians and an iconic feature of walking around Wellington. They need to function well and be well designed. Living Streets supports strengthening of this section.

Living Streets supports ensuring the Public Places Bylaw covers all instances where some enforcement activity may be required.

Part A, para 5, Interpretation

Definitions of:

- **Micromobility** definition is problematic. There are different NZ Road Rules for different types of micromobility such as skateboards and escooters compared to bicycles. The Road Rules apply in all public places including parks, beaches, malls and on footpaths, etc.
To future proof this section we suggest separating the public micromobility hire vehicles as further controls on them are required and currently are also covered by the code of practice.
- **Sign** – retain the explanation ‘excludes sandwich boards’ as it is not clear that this bylaw does that. Is there a bylaw that does cover sandwich boards including offences and penalties?
- **Verandah** can include heaters and other attachments. It is desirable to prohibit the use of outdoor heaters as a climate response mitigation.

Part C, para 13, Freedom camping

The maps where freedom camping is excluded miss many key areas of Wellington, and recent experiences show that more control on some places is desirable. Please consider extending these exclusions. For example, Parliament and the Old Government Buildings, as well as the middle of the road Lambton Quay, Molesworth St etc.

Part C, para 17. Traffic

Does this apply to beaches and foreshore such as Red Rocks? The associated penalty Cl23.3 (o) needs to be able to manage vehicles on the Red Rocks Road.

Part C, para 18. Vehicle access

18.2 Please put pedestrians first before berms!

18.3 The NZTA Pedestrian Network Guidance should be referenced so that a clear example of good vehicle access way design is available. (Or the NZ Pedestrian Planning and Design Guide relevant section).

Part C, para 22. Verandahs

Locations of verandahs

A link to the relevant section of the District Plan showing where verandahs need to be located would be useful.

Reasonable standard of verandahs is actually a definition of 'good repair'.

- The good repair definition doesn't refer to the function of verandahs at all and should include something about what the function is, ie, to protect pedestrians from rain. For example, a verandah on Tory St outside Moore Wilson shows that verandahs can in fact be designed to pour rainwater onto the footpath instead of protect pedestrians from rain. It may still be considered in 'good repair'.

Are building balconies required to be in 'good repair'? They often act as verandahs in parts of the city and may have associated structures on them.

Are CCTVs permitted to be used on public space verandahs? There should be consistent controls on surveillance technology.

Part D, para 23.3 Offences and penalties

Clause 23.3 (d)

This is where the definition of micromobility becomes a problem. Public places are a very broad category including all footpaths. Bicycles are not permitted to be ridden on footpaths, micromobility is not permitted in Cuba Mall (some enforcement would be good). A sign is not required to make either of these actions illegal.

(d) Suggest a simple rephrasing may suffice

ride a micromobility device in a manner that causes a nuisance, or damage to a public place, [or use a device where not permitted or where signage prohibits it.](#)

~~Micromobility devices may be used in a public place except where signage prohibits it;~~

Clause 23.3 (g) Smoking

Please include a prohibition on smoking at bus or train stops, these places are where members of the public have no choice but to wait, including children.

There needs to be an offence of smoking at outside dining areas where it is not permitted, or similar wording. This will future proof offences as all outdoor dining moves to smoke-free.

Clause 23.3 (h)

The prohibition in Cable Car lane seems inconsistent with having an outdoor seating area of a pub included.

Clause 23.3(u)

(u) This would be more future proofed and accurate as:

drive, stop, stand or park any vehicle in any public place other than on any roadway or in any ~~car~~ vehicle park provided for the purpose, and then only in accordance with any controls or restrictions imposed by the Council;

Clause 23.3 (v)

(v) This would make more sense by adding one word:

drive, stop, stand, park or leave any vehicle, bulk bin, container or other object in a public place in such a manner as to obstruct the normal or safe entry to, or exit from, or movement of other vehicles, or of pedestrians within a public place;

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

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