

Property Council New Zealand

Submission to Waka Kotahi on the Reshaping Streets consultation

19 September 2022

For more information and further queries, please contact

Logan Rainey
Logan@propertynz.co.nz
021410787

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1. Summary

- 1.1. Property Council New Zealand (“Property Council”) welcomes the opportunity to submit to Waka Kotahi on the Reshaping Streets consultation. Comments and recommendations are provided on issues relevant to Property Council’s members.
- 1.2. Property Council believes in the importance of a well-functioning transport network, that is fit for purpose and future proofed. In light of this, we have serious concerns with the proposed timeframes of a two-year street pilot and two-week notice periods for consultation. A balance needs to be set so that a pilot is not long enough to create uncertainty for the property sector, and that a consultation period is not so short that there is no ability to appear before the local council at a public deputation. Our concerns and recommendations are outlined in more detail below.

2. Recommendations

- 2.1 At a high level, Property Council recommends that Waka Kotahi:
 - Amend the proposal for a two-year street pilot to a maximum 12-month timeframe;
 - Amend the proposal for a two-week public notification period to a minimum of eight weeks for street pilots;
 - Amend the proposed two-week notice period of installation of Traffic Controlling Devices to a minimum of eight weeks; and
 - Amend the proposed approach modal filters to reflect a higher threshold for implementation by Road Controlling Authorities.

3. Introduction

- 3.1. Property Council is the leading not-for-profit advocate for New Zealand’s most significant industry, property. Our organisational purpose is, “Together, shaping cities where communities thrive”.
- 3.2. The property sector shapes New Zealand’s social, economic and environmental fabric. Property Council advocates for the creation and retention of a well-designed, functional and sustainable built environment, in order to contribute to the overall prosperity and well-being of New Zealand. We aim to unlock opportunities for growth and urban development that meets New Zealand’s social, economic and environmental needs.
- 3.3. Property is New Zealand’s largest industry and fastest growing source of employment. There are nearly \$1.6 trillion in property assets nationwide, with property providing a direct contribution to GDP of \$41.2 billion (15 percent) and employment for around 200,000 New Zealanders every year.
- 3.4. Property Council is the collective voice of the property industry. We connect over 10,000 property professionals and represent the interests of over 520 members organisations across the private, public and charitable sectors.

4. Street Pilots

- 4.1. Waka Kotahi has proposed introducing a new approach for piloting street changes, that would have significant impacts on the built environment. While we support the proposal to provide Road Controlling Authorities (“RCA”) with new powers to install pilots and recognise that in certain circumstances street changes can have positive effects, we do have deep concerns around the timeframes relating to consultation and the pilot period.
- 4.2. For example, proposal 1C, enables RCAs to install street pilots for up to two years. This is a significant period of time and is perhaps better described as semi-permanent. Street pilots over this period of time have the potential to result in major and sometimes irreversible harm to local residents and businesses.
- 4.3. There are numerous examples of prolonged changes to street layouts that have had a significant and detrimental effect on local residents and businesses. For example, many businesses along Albert Street in Auckland have either suffered large financial losses or have closed entirely due to the road changes and disruption. We are concerned that a two-year pilot may have significant unintended consequences for residents and businesses.
- 4.4. A shorter implementation timeframe would in our view, result in less long-term harm occurring. As such, we recommend that Waka Kotahi adopts a policy approach of enabling at maximum, a 12-month street pilot. This would better mitigate the potential for long-term harm to occur to residents and businesses. We would also stress to Waka Kotahi the importance of comprehensive pre-engagement with local property owners prior to the implementation of a street pilot.
- 4.5. We strongly support Section 4.4 (5) of the draft *Land Transport Rule Street Layouts 2022*. It is critical that alterations to street pilots are not able to be used as a tool to extend the overall timeframe of a street pilot. Without Section 4.4 (5), we would be concerned if changes to a pilot could be seen as a ‘new’ pilot, and we are pleased that this is not the case.
- 4.6. What is critical is robust consultation prior to a pilot being implemented to ensure that unintended consequences do not arise, and a multitude of changes or amendments are not required. We are concerned that the proposed public notice period for the implementation of street pilots contained within the draft *Land Transport Rule Street Layouts 2022* and Proposal 1F, of a minimum of two weeks, is wholly inadequate.
- 4.7. Given the significant impact street pilots could plausibly have on local communities, we believe there is a clear impetus for RCAs to engage in meaningful contact with relevant parties, such as local property owners as well as the public at large. We consider two weeks to be insufficient time for contact and meaningful engagement to occur.
- 4.8. As a matter of principle, we also believe that it is crucial that the public have sufficient notice of a proposed street pilot to make their voices heard to their elected representatives, such as through a public deputation at a Council meeting. Council meetings typically occur within a 6-to-8-week period.
- 4.9. Accordingly, we recommend that Waka Kotahi extend their 2-week proposal to introduce a minimum eight-week public notice period for street pilots. This would enable local property

owners as well as the public at large, time to engage in the local democratic process such as through a public deputation at a Council meeting.

5. Filtering and restricting traffic

- 5.1. Proposals 2A, 2B, 2C and 2D of the Reshaping Streets consultation contend with the topic of Modal Filters and Traffic Controlling Devices (“TCD”). Put simply, collectively these proposals seek to prohibit or restrict private vehicle use to support public transport use. For mode shift to occur, there needs to be efficient, effective alternative routes and choices (such as viable public transport) available to the public.
- 5.2. Property Council believes that there needs to be a wider lens taken across the whole city is required, rather than a limited street by street approach. We are concerned with unintended consequences that may arise from the proposals and urge a rigorous consultation process to occur prior to any changes occurring.
- 5.3. We are deeply concerned that the proposed public notice period for the implementation of TCDs is wholly inadequate and does not give residents and businesses sufficient time to either adapt to the change or engage in the local democratic process to have their opinion heard. We recommend that Waka Kotahi not adopt this.
- 5.4. As an alternative, we recommend that Waka Kotahi instead adopts an 8-week public notice period. This would provide the public as well as property owners a more adequate period of notice regarding the proposed installation of a TCD and provide other avenues of consultation such as public deputations at local council meetings.
- 5.5. Property Council is also concerned that the criteria for RCAs to install modal filters is very broad, with an RCA only having to meet one of the five listed purposes, shown in the table below.

Criteria for RCA’s to install modal filters
To improve the access and mobility of pedestrians, people using mobility devices, cyclists, and people using other devices (e.g., scooters and skateboards).
To improve public transport operations.
To protect and promote public health and safety.
To support environmental sustainability, including reducing carbon dioxide emissions.
To create public places that promote the well- being of communities.

- 5.6. Given the potential impact of a modal filter on transport patterns and adjacent property, we believe that there should be a higher threshold for implementation of a modal filter. In our view, at least three of the criteria should be met, and ideally all five, for a modal filter to be justified in being implemented on a street. Therefore, we recommend that Waka Kotahi amend their proposed approach to modal filters to reflect a higher threshold for implementation by RCA’s.

6. Conclusion

- 6.1. Property Council wishes to thank Waka Kotahi for the opportunity to submit on the Reshaping Streets consultation. As discussed, we have deep concerns regarding elements of the proposed policies. We do not support the proposed timeframes of a two-year street pilot and two-week

notice periods for consultation. Instead, we recommend that Waka Kotahi adopt an amended public notification period of eight weeks, for a trial lasting no longer than 12 months. We further recommend changes to the approach taken to modal filters and to the notification of TCDs.

6.2. Comments and recommendations are provided on issues relevant to Property Council's members. For any further enquiries, please do not hesitate to contact Logan Rainey, Advocacy Advisor, via email: logan@propertynz.co.nz or cell: 021410787.

Yours Sincerely,



Leonie Freeman

CEO Property Council New Zealand