

OC240656

12 July 2024

[REDACTED]

Tēnā koe [REDACTED]

I refer to your email of 11 June 2024, requesting the following under the Official Information Act 1982 (the Act):

“I would like to understand what happened to the Accessible Streets programme.

On your website (<https://www.transport.govt.nz/area-of-interest/walking-and-cycling/accessible-streets>) it says that Waka Kotahi were reviewing submissions in 2020 and would prepare a summary of feedback and some other documents.

Could you please provide with me any information you have which touches on or references the Accessible streets programme from May 2020?”

In subsequent emails between you and Ministry staff, you clarified that you were interested to understand why Accessible Streets was not progressed through Cabinet, and requested the summary of submissions, disability impact assessment and the Cabinet documents. The summary of submissions and disability impact assessment are held by the New Zealand Transport Agency (NZTA). I am advised NZTA is processing your request for these documents and will respond to you.

The Ministry holds five documents within scope of your request. These documents show that Accessible Streets was considered by the previous Cabinet in April 2023. Cabinet requested some changes and invited the then Minister of Transport to submit a revised paper. However, in May 2023, the Prime Minister wrote to the Minister deferring Accessible Streets until 2024 and the Minister did not submit a revised version for consideration.

The schedule of documents in Annex 1 outlines whether any information has been withheld under the Act. With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website www.ombudsman.parliament.nz.

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Joanna Heard', followed by a period.

Joanna Heard
Manager, Safety

Annex 1: Schedule of documents

Doc #	Date	Title of Document	Information released
1	April 2023	Accessible Streets Regulatory Package – Final Policy Decisions	Released in full
2	April 2023	CAB-23-MIN-0126.01	Released in full
3	11 April 2023	Action req by COP Wed 12 April – Next steps following 11 April Cabinet discussion of Accessible Streets	Withheld some information under section 9(2)(a) to protect the privacy of individuals.
4	27 April 2023	Accessible Streets query	Withheld some information under section 9(2)(a) to protect the privacy of individuals.
5	May 2023	Excerpts from letter from the Prime Minister to the Minister of Transport	Some information withheld as out of scope.

IN CONFIDENCE

In Confidence

Office of the Minister of Transport

Cabinet Economic Development Committee

Accessible Streets Regulatory Package – Final Policy Decisions**Proposal**

- 1 This paper seeks agreement to final policy decisions for the Accessible Streets Regulatory Package (Accessible Streets).

Relation to government priorities

- 2 Progressing Accessible Streets is an action under the *Road to Zero* action plan for 2020-2022. It supports the strategic objectives of the Government Policy Statement on Land Transport 2021/22–2030/31 to provide better transport options for people to access social and economic opportunities, and to increase people's safety when using the transport system.
- 3 Implementing Accessible Streets is also an action in the emissions reduction plan (ERP) as part of the commitment to deliver a step-change in walking and cycling rates. It sits alongside other actions in the ERP to reduce reliance on cars, including actions to accelerate the delivery of active mode networks, dedicated bus lanes, and footpath improvements.
- 4 By addressing the regulations that govern how people use paths and roads and enabling communities to make decisions about active transport that suit their communities, Accessible Streets will make it safer and more efficient for people to travel by active modes.

Executive Summary

- 5 Accessible Streets is primarily a collection of rule changes designed to increase the safety and accessibility of our footpaths, shared paths, cycle lanes, cycle paths and roadways. The rules respond to the increasing use of different vehicles on our paths and roadways and aim to support the uptake of active modes of travel.
- 6 Waka Kotahi NZ Transport Agency (Waka Kotahi) carried out public consultation on behalf of the former Associate Minister of Transport from March to May 2020. Waka Kotahi received 1,801 submissions from a wide range of individuals and stakeholder groups, including road controlling authorities (RCAs), disability organisations and other advocacy groups.
- 7 Waka Kotahi undertook further engagement with disability groups and developed a disability impact assessment which helped to inform advice on the proposals.
- 8 The feedback received through public consultation showed broad support for Accessible Streets. There was support for introducing national rules for the

use of devices such as e-scooters, and rules that aim to improve the safety and priority of pedestrians and cyclists on paths and roadways.

- 9 However, some proposals received mixed feedback which required further consideration. Much of the opposing feedback was in response to proposals relating to the use of footpaths and shared paths, such as the introduction of proposed speed limits.
- 10 After considering feedback received through public consultation and the disability impact assessment, I recommend progressing several proposals as consulted on and amending a small number of proposals. The package of rules aims to balance these different considerations and ensure everyone can use our paths and roadways safely.
- 11 This paper seeks Cabinet's agreement to final policy decisions for Accessible Streets and notes my intention to implement the policy decisions predominantly by making ordinary land transport rules. The paper also seeks Cabinet's agreement to make amendments to section 168A of the Land Transport Act 1998.
- 12 A table of all proposals and recommended actions is in **Appendix One**.

Background

Our current settings do not do enough to support safe active modes of travel

- 13 There are significant benefits to individuals and communities in encouraging more active travel such as walking and cycling. These include the obvious health and environmental benefits, as well as the social and community benefits that can support people's overall wellbeing.
- 14 Devices such as e-scooters also have a part to play in building a transport system that provides choice and reduces emissions and congestion. These devices provide quick forms of mobility for short trips, require little space for parking and can complement public transport.
- 15 However, it has become clear that our current settings do not do enough to support walking, cycling and other transport devices as accessible and safe forms of travel. As a greater mix of users share our paths and roadways, we need consistent rules to ensure the safety of everyone using these spaces, while enabling local road controlling authorities to make changes to suit their local communities and conditions if needed.
- 16 While data on deaths and serious injuries on our roads is available through the Crash Analysis System (CAS), this only captures crashes that are assessed by the Police. There are gaps in current information on cyclist, e-scooter and pedestrian injuries, particularly on footpaths, as Police are less likely to attend these crashes. As a result, data on footpath crashes, near misses or minor injuries is underreported.
- 17 However, I regularly receive correspondence from (and have met with) pedestrian and disability groups who have raised serious safety concerns

about sharing the footpath with people riding bikes, or devices like e-scooters. Often, feeling safe or feeling unsafe can be the deciding factor in whether a person decides to walk to their desired destination (e.g., the nearby bus stop, the supermarket), or stay at home.

- 18 For example, a report carried out by Blind Low Vision New Zealand (formerly the Blind Foundation) found that 46 percent of their clients were reluctant to leave their homes. In many cases, this was because of mobility issues and fears about sharing the footpath with fast users.
- 19 I note that the creation of connected and dedicated cycle networks across our towns and cities will achieve the best safety and uptake outcomes for active modes of travel. Quality infrastructure provides a space for cyclists and e-scooter riders separated from motor traffic, while alleviating the pressure of multiple modes competing for space on footpaths, giving more space for pedestrians.
- 20 There is work underway to support local authorities to roll out more cycle lanes and paths to establish these networks. The ERP includes actions such as incentivising councils to quickly deliver cycling networks by reallocating street space, and to consider additional regulatory changes to make it simpler and quicker to make these street changes. Accessible Streets aims to create a framework that allows safe access to our existing spaces, while infrastructure improves.
- 21 Until dedicated cycle networks are implemented, we need to help ensure that people feel safe and are safe while cycling on our roads. There has been a strong call for greater protection for cyclists. Changes proposed in this paper should provide for this.
- 22 For example, I propose introducing a minimum overtaking gap for motorists passing cyclists (and other vulnerable road users). Between 2008 and 2018, crashes related to motor vehicles overtaking cyclists contributed to around nine percent of all cyclist crashes and around 20 percent of fatal cyclist crashes.
- 23 This change, along with the other changes proposed, should improve the experience of cyclists on the road and send a clear message to the public that we are invested in ensuring cyclists are safe when using our roads.

I am reporting back to Cabinet seeking final decisions following consultation

- 24 Cabinet was originally informed about these potential rule changes in a March 2018 paper outlining a planned programme of key short-to-medium term initiatives to improve road safety in New Zealand [DEV-18-MIN-0025 refers].
- 25 On 1 May 2019, Cabinet authorised Ministers to finalise a package of draft amendments to land transport rules to give effect to Accessible Streets. In February 2020, Cabinet agreed to publicly consult on Accessible Streets [CAB-20-MIN-0034 refers].

- 26 When Cabinet agreed to progress to public consultation, it invited the then Associate Minister of Transport to report back to Cabinet on the final proposed rules before they are made, following consultation. I am now reporting back on final policy decisions to put Accessible Streets in place.

Accessible Streets received broad support overall during public consultation

- 27 Waka Kotahi carried out public consultation on Accessible Streets on behalf of the former Associate Minister of Transport from March to May 2020. Waka Kotahi received 1,801 submissions from a wide range of individuals and stakeholder groups, including road controlling authorities (RCAs), disability organisations, cycling organisations and other advocacy groups.
- 28 Many submitters commented that shared spaces are currently either unregulated or the rules are unclear. There was strong support for introducing a national framework for their use, particularly given the increase in number and types of devices on our paths and roadways such as e-scooters and e-skateboards.
- 29 There was strong support for proposals that aim to improve the safety of cyclists and transport device users by giving them more space and priority on the road, such as the minimum overtaking gap. Submitters commented that improving the safety and efficiency of these modes will help to increase their uptake and reduce traffic congestion.
- 30 Submitters also supported proposals that seek to legitimise existing common practice or clarify certain road rules, such as safe undertaking for people on bicycles, or giving way to buses leaving a bus stop.

Some proposals received mixed feedback

- 31 A small number of proposals received low support and some submitters expressed strong opposition to them. Much of the opposing feedback was in response to proposals for the use of footpaths and shared paths.
- 32 While submitters largely supported the intent of new rules for using footpaths and shared paths, some proposals received mixed support. The proposed speed limits for paths were particularly divisive, and many submitters objected to allowing powered transport devices (e-scooters) and bicycles on the footpath.
- 33 Pedestrians, disabled people, older people, and their respective advocacy groups expressed concern that these proposals would negatively impact them. Many rely on the footpath to get around and reported not feeling safe sharing it with different users. Individuals gave personal accounts of near-misses and collisions with devices in shared spaces, some of which resulted in injuries or impacted their confidence when travelling.

In response to feedback, I propose to amend some proposals

- 34 A table of all proposals and my recommendations for how to progress the final policy decisions of the package is in **Appendix One**. The table provides details of the full package and outlines details of the recommendations.
- 35 Overall, I propose to progress several proposals as consulted on. In response to feedback received through consultation, I propose to amend some proposals to recognise the concerns of submitters and improve safety outcomes. These proposals are discussed in further detail below. I have also included some alternate options to my recommended options.

Establishing a framework for the use of footpaths

- 36 The proposed footpath framework clarifies what and how vehicles can be used on the footpath. As consulted on, mobility devices, transport devices¹ and bicycles would be permitted on the footpath provided they follow behavioural, speed and width requirements.
- 37 During public consultation, 52 percent of submitters advised they support the framework overall and 46 percent of submitters opposed the proposed framework.
- 38 When asked about the specific components of the proposal, submitters generally supported behavioural requirements and the width restriction. However, many submitters opposed allowing powered transport devices and cycling on the footpath, and many did not support the proposed speed limit.

Allowing powered transport devices on the footpath

- 39 Currently, *wheeled recreational devices* are permitted on footpaths provided users follow behavioural requirements. Accessible Streets proposes to allow unpowered and powered transport devices on the footpath. In effect, this proposal confirms that e-scooters will continue to be permitted on the footpath, unless restricted by a RCA.
- 40 During consultation and the development of the disability impact assessment, disabled people, older people and pedestrian advocacy groups strongly opposed the use of powered transport devices (particularly e-scooters) on footpaths. Submissions focused on the negative impact of e-scooters on people's safety and feeling of safety when using the footpath, with many pedestrians providing personal anecdotes about collisions, close passes resulting in falls, and near misses. All of these incidents impact people's independence or made them feel less safe.
- 41 My view is that not permitting devices like e-scooters on the footpath would amount to an effective ban on these devices at a national level. I consider this

¹ Proposal one of Accessible Streets will replace *wheeled recreational device*, which includes unpowered wheeled devices (eg push scooters) and powered wheeled devices with a power output below 300 watts (eg e-scooters), with *powered transport device* and *unpowered transport device*, known collectively as *transport devices* (see Appendix One).

contrary to the overall policy objectives, particularly those that promote transport choice and reducing emissions and congestion.

- 42 I am confident that the combination of proposed behavioural requirements, enabling RCS to set speed limits, and width restrictions provide a safe environment for these devices to be operated on footpaths. This should improve the experience of all users, but especially vulnerable footpath users.
- 43 The proposed footpath framework enables RCAs to restrict certain users on a footpath to suit local conditions by making a resolution. For example, RCAs could restrict powered transport devices from a heavily pedestrianised footpath, or on very narrow footpaths. Before making the resolution, RCAs must consider relevant guidance produced by Waka Kotahi and consult with those likely to be affected.
- 44 Currently, RCAs can also notify certain e-scooter operators directly and require them to make changes in accordance with their operating permits. RCAs currently do this to apply speed restrictions and no-parking zones for shared e-scooters.
- 45 Waka Kotahi will update its guidance to include information about where it may be appropriate to restrict powered transport devices from a footpath, including minimum width and design of paths. I expect RCAs to consider the width of footpaths, number and mix of users, and other safety considerations when assessing the need to restrict use of devices on a footpath.

I propose to allow children aged 12 and under, and their caregivers, to cycle on the footpath

- 46 Accessible Streets initially proposed to allow all age cycling on footpaths, provided users follow the behavioural requirements. The current rule allows only very small bicycles with a wheel diameter no greater than 355 millimetres (mm) to ride on the footpath² (a child will typically outgrow this wheel size by age six), making it illegal for many children to ride on the footpath.
- 47 Many submitters who supported this proposal were cyclists or parents who feel the road can be unsafe to ride on and consider the footpath to be a safer option in some circumstances. However, many noted this should be a temporary measure until adequate separated cycling infrastructure is built.
- 48 Disabled people, older people and pedestrian groups expressed concern at allowing more users on the footpath, with many feeling it will increase their risk of a fall. Some noted it would effectively turn all footpaths into shared paths which is not a desirable outcome. Those in opposition to the proposal also suggested the focus should be on building more separated infrastructure for cyclists, as this will reduce conflict between users on the footpath.
- 49 Considering the feedback, I propose to amend this proposal to allow children aged 12 and under, and their accompanying caregivers, to ride on the footpath, provided they follow the speed, width and behavioural requirements.

² Because they fit the definition of a wheeled recreational device.

- 50 The rule will retain the existing provision that allows a person to cycle on the footpath in the course of delivering newspapers or printed material.
- 51 In its report back on Petition 2014/59 of Joanne Clendon³ which sought to allow children to cycle on the footpath, the then Transport and Industrial Relations Committee recommended children aged 12 and under, and their caregivers, should be allowed to ride on the footpath. In jurisdictions that have an age limit for cycling on the footpath, the age ranges from nine- to 13-years-old.
- 52 By making it legal for children to ride on the footpath, cycle skills instructors will be able to teach children how to do it safely, as an intermediate step towards learning how to ride on the road. It is also my hope that making it safer for children to learn how to ride bicycles will increase the uptake of cycling to school.

Enable Road Controlling Authorities to set speed limits on footpaths

- 53 Speeds on footpaths are not currently regulated. Accessible Streets proposed a 15km/h default speed limit for all footpath users except pedestrians. Road Controlling Authorities (RCAs) would be able to lower the speed limit to 10km/h or 5km/h through a resolution.
- 54 During consultation, 44 percent of submitters supported this change, however, some did so with reservations. Those who supported the speed limit felt 15km/h is a reasonable speed that allows devices to safely travel with stability while being able to manoeuvre and stop when required.
- 55 Fifty-one percent opposed the speed limit. Most of these submitters felt 15km/h was too fast for the footpath, and many noted they feel unsafe sharing spaces with faster-moving devices. Representatives of the disability sector indicated they would prefer a limit of 5-6km/h (consistent with walking speed), while some of these groups noted they would accept a limit of 10km/h.
- 56 This proved to be one of the most contentious proposals of the package and I acknowledge the views of everyone who submitted. My view is the footpath is designed predominantly for the use of pedestrians and the speed limit should reflect this. I'm also aware that a lower footpath speed limit may negatively impact uptake of e-scooters and other transport devices. I accept a large part of their appeal is the speed and time advantage they have over walking or public transport for short trips around the city.
- 57 Therefore, I propose to enable RCAs to set speed limits on footpaths using the resolution progress. Under this option, RCAs would also be able to set an advisory speed limit,⁴ or no speed limit on certain footpaths, or sections of footpath if desired.

³ https://www.parliament.nz/en/pb/sc/reports/document/SCR_74090/petition-20140059-of-joanne-clendon

⁴ Advisory speed limits are generally set on bends or corners on roads to suggest a comfortable speed for the bend or corner in dry weather. Advisory speed limits are not enforceable but are used to alert the road user to a safe speed for the conditions.

- 58 This option would provide flexibility to RCAs by enabling them to set different speed limits on different footpaths in their network. For example, in a heavily pedestrianised area a speed limit of 10km/h or 5km/h could be set, but in a more suburban area that is less pedestrianised RCAs might deem 15km/h or no speed limit more appropriate.
- 59 On footpaths where RCAs decide not to set a speed limit, other users would still be expected to give way to pedestrians, behave courteously, not endanger other users and not ride a device exceeding 75cm in width (excluding wheelchairs). RCAs would be required to install markings on paths where they introduce a speed limit and would need to consult affected users before introducing speed limits.
- 60 Guidance (similar to the New Zealand Code for Cycling) could also provide more information to users about what speeds are appropriate in certain areas and what is expected of users. For example, guidance could recommend that cyclists and transport device riders slow down to 10km/h or dismount on sections of footpaths where there are lots of pedestrians (e.g., more than two people taking up a section of footpath). This could help provide more information to people about what it means to ride courteously and not constitute a hazard to other path users.
- 61 I asked officials to undertake targeted engagement with RCAs. Officials met with stakeholders from nine RCAs to discuss this option. There were concerns about inconsistency in speed limits without a national default speed limit. There were also concerns that speed limits were not the answer due to enforceability issues.
- 62 This option does not as clearly address the concerns of the disability community, who were highly supportive of a speed limit (between 5km/h to 10km/h) to maintain safety on the footpath. The disability community was also strongly opposed to the proposed speed limit of 15km/h and this alternative option would likely see device users operate at this speed (and higher speeds) on footpaths.
- 63 Should Cabinet choose this option, I recommend that the Rule enables RCAs to set a speed limit of 15km/h, 10km/h or 5km/h on footpaths. This will provide some consistency when RCAs set speed limits and consider the needs of all users, infrastructure, and the potential risks on their footpaths.
- 64 Proposal four of Accessible Streets will allow transport device users to use cycle lanes and cycle paths, where they can travel at speeds of more than 10km/h if they wish (the proposed cycle path speed limit is discussed below; cycle lanes have the same speed limit as the roadway they are within). In time, as more connected infrastructure networks are built, I expect fewer devices will be ridden on the footpath.
- 65 I accept that enforcement of the proposed default speed limit will be difficult, however, Accessible Streets intends to support new social and behavioural norms to be achieved through comprehensive education led by Waka Kotahi.

The aim of the proposals is to promote safe, consistent behaviour on our paths to keep our most vulnerable people safe.

Establishing a framework for the use of shared paths and cycle paths

66 A shared path is intended for use by pedestrians, cyclists, mobility devices and transport devices. A cycle path is a part of the road that is physically separated from motor traffic and is intended for the use of cyclists and transport devices, but can be used by pedestrians and mobility devices when footpaths or shared paths are not available.⁵

67 The proposed framework clarifies how RCAs can declare shared paths and cycle paths and provides clear rules for their use.

I propose to set default speed limits of 30km/h on shared paths and 40km/h on cycle paths

68 Accessible Streets initially proposed:

- if a shared path or cycle path is adjacent to a roadway, the default speed limit would be the same as the roadway
- if a shared path or cycle path is not adjacent to a roadway, the default speed limit would be 50km/h
 - RCAs will be able to lower the speed limit on paths to a limit of between 10km/h and 40 km/h if the default is inappropriate.

69 The proposed speed limits received mixed support during consultation, with 41 percent of submitters in support and 50 percent opposing them because they felt they were too high (9 percent did not know).

70 Submitters noted that shared paths and cycle paths are designed for different users and should be regulated separately to reflect this. Some submitters felt the proposed 50km/h speed limit was appropriate for cycle paths but preferred a lower limit of between 20-30km/h on shared paths.

71 Feedback received through the disability impact assessment also strongly opposed the proposed speed limits. Participants supported regulating the paths separately and recommended a lower speed limit on shared paths of between 15-25km/h.

72 Taking this feedback into account, and considering the safety risks that many submitters raised, I propose to regulate shared paths and cycle paths separately and set lower speed limits.

73 I propose to amend this proposal to:

- set a 30km/h default speed limit on shared paths

⁵ By contrast, a *cycle lane* is a lane within the roadway (often painted) designed for the passage of cycles.

- set a 40km/h default speed limit on cycle paths
- RCAs will be able to lower the speed limit on shared or cycle paths to a speed of no lower than 10km/h.

- 74 A default speed limit of 30km/h for shared paths recognises they are designed for mixed use and allows cyclists and transport devices to travel at a reasonable speed when appropriate, such as on a wide path with few pedestrians. A speed limit lower than 30km/h may discourage people from cycling, or they may choose to cycle on the road where the safety risk is higher.
- 75 Waka Kotahi advises that new shared paths are built to a design speed of 30km/h, meaning they are designed to accommodate users travelling at that speed.
- 76 RCAs will be able to lower the speed limit on shared paths by resolution where 30km/h is not appropriate, such as paths that are more heavily pedestrianised. Before changing a speed limit, an RCA must consider relevant guidance produced by Waka Kotahi and consult those likely to be affected by the change.
- 77 Cycle paths are intended for the use of cyclists but may be used by pedestrians. However, unlike shared paths, pedestrians do not have designated priority on cycle paths and should be aware of cyclists. Cycle paths are often designed as commuting paths and the recommended 40km/h speed limit allows these users to travel at a speed that is safe and appropriate for them.

An alternate approach is not to set national default speed limits on cycle paths and shared paths, and to enable RCAs to set speed limits on these paths where appropriate

- 78 An alternate option is to enable RCAs to set speed limits on their shared paths and cycle paths, without setting national default speed limits. This would be similar to the proposal above in relation to setting speed limits on footpaths.
- 79 This option would enable RCAs to regulate shared paths and cycle paths in a way that responds to the needs of their users. For example, an RCA might set a lower speed limit on cycle paths that are often used by school children, but set a higher speed limit on cycle paths that are mainly used by adults (who travel at higher speeds and are more likely to own e-bikes).
- 80 Likewise, an RCA might set a speed limit of 10km/h for a highly pedestrianised shared path, and a speed limit of 20 or 30km/h for a shared path predominantly used by cyclists.
- 81 If RCAs choose to set speed limits differently across the country, this could send mixed messages or confuse people about what constitutes a safe speed to travel in shared spaces. However, the flexibility this option will provide

RCA's will enable them to look at what the needs are of the users on various paths and regulate them accordingly.

- 82 Should Cabinet choose this option, I recommend that RCA's be given the option of setting a speed limit of 40km/h, 30km/h or 20km/h on cycle paths and 30km/h, 20km/h, 15km/h or 10km/h on shared paths. RCA's would also be able to set an advisory speed limit, or no speed limit on certain shared paths and cycle paths if desired.
- 83 On paths where RCA's decide not to set a speed limit, users would still be expected to behave courteously, not endanger other users and give way to pedestrians on shared paths.
- 84 Guidance (similar to the New Zealand Code for Cycling) could also provide more information to users about what speeds are appropriate in certain areas and what is expected of users.

Allow road controlling authorities to restrict parking on berms without the use of signs

- 85 Currently, there are differing views on how councils can regulate parking on berms. For example, Christchurch City Council has a bylaw that prohibits parking on berms, without the use of signs. By comparison, Auckland Transport considers a berm parking restriction unenforceable unless signs are erected every 100 metres.
- 86 Accessible Streets proposed to allow RCA's to restrict parking on berms by passing a resolution, with no requirement for signs to be erected. It was proposed that restrictions be recorded on an online register maintained by Waka Kotahi.
- 87 Submitters largely agreed that parking on berms is problematic as it poses safety issues and can damage underground infrastructure. Many supported making it easier for RCA's to restrict parking on berms.
- 88 However, feedback showed that RCA's and members of the public interpreted the meaning of berm differently, and RCA's did not support the proposed online register. RCA's indicated they would prefer to notify the public of a restriction through their normal channels, such as their websites. Individuals also questioned the practicality of relying on an online register for recording berm parking restrictions.
- 89 I recommend progressing this proposal as consulted on to allow RCA's to restrict parking on berms by passing a resolution, without the need for signs. However, instead of the online register, I propose to require RCA's to publish the restriction on their website and reasonably notify the public of the change.
- 90 The rule requires RCA's to consult affected parties, which will be another important mechanism for informing the public of intended changes.

I propose minor changes to other proposals

91 Following consultation, I recommend small amendments to some proposals.

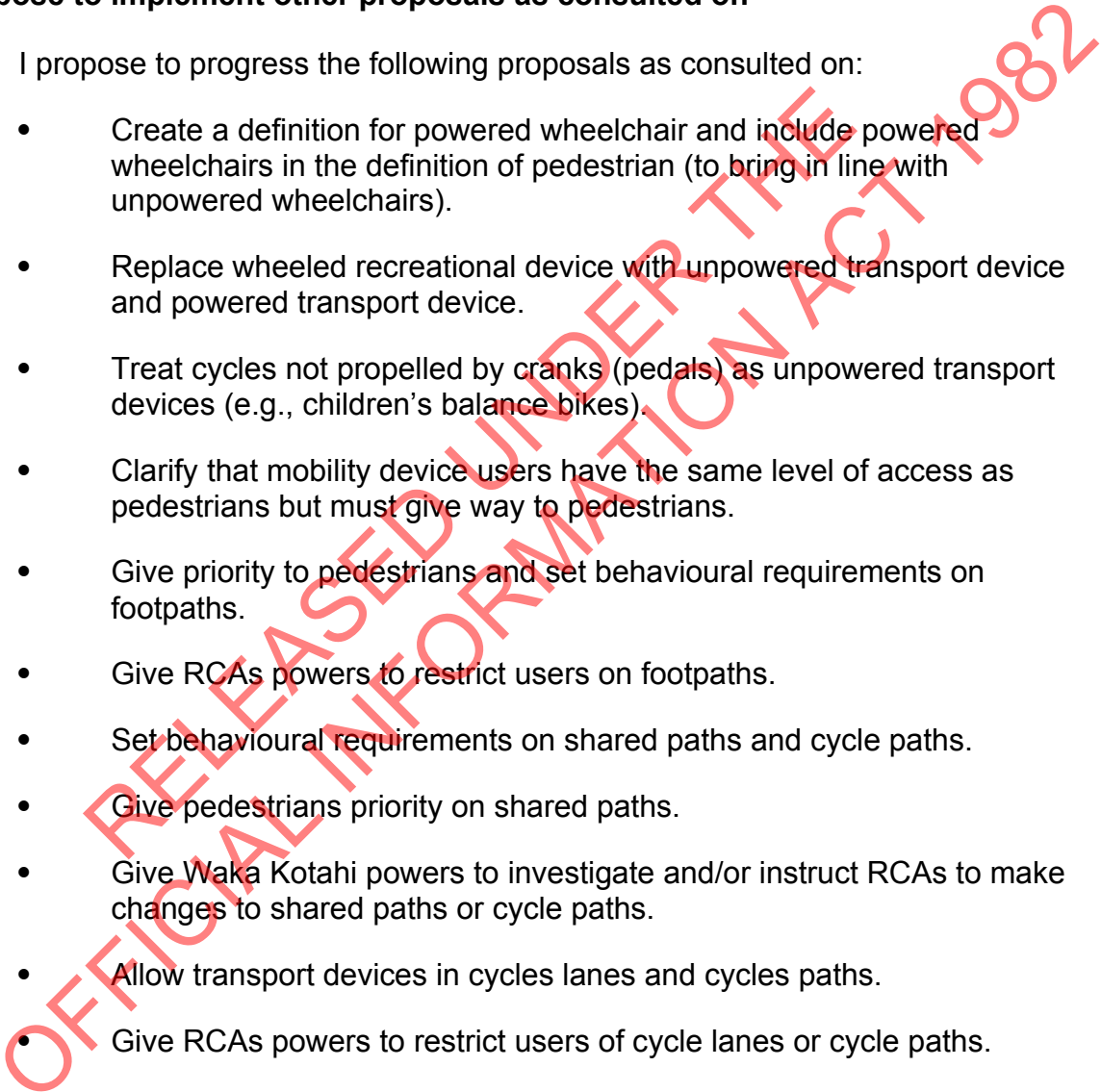
Proposal as consulted on	Feedback	Recommended change
Allow RCAs to declare a path to be a shared or cycle path by resolution rather than bylaw.	Several suggestions that paths should meet criteria before being declared a shared path, such as minimum width.	Require RCAs to take into account guidance produced by Waka Kotahi relating to shared path and cycle path design.
Allow people riding bicycles and transport devices on the road to carefully pass slow-moving traffic on the left, otherwise known as undertaking.	Some submitters were concerned about the safety of undertaking around intersections and when riding alongside faster moving traffic.	Clarify that cycles and transport devices cannot undertake through an intersection, and only past traffic travelling at 20km/h or below.
Introduce a width restriction of 750mm for devices on the footpath (excluding wheelchairs).	The consultation document proposed options for mitigating impact on users of existing devices that exceed 750mm. The most popular was an automatic exemption.	Include that mobility devices wider than 750mm currently in use are automatically exempt for three years from commencement date, at which point the owner will need to apply to Waka Kotahi for an exemption.
Require other road users to give way to a public transport bus leaving a bus stop. The bus will be required to indicate for three seconds before pulling out.	The consultation document also asked if road users should be required to give way to buses in other situations. 89% of submitters supported extending bus priority to other areas.	Require road users to give way to public transport buses when leaving a bus stop; a bus lane; or the side of the road. The bus will be required to indicate for three seconds before pulling out.
Along with the berm parking restrictions, it was proposed that RCAs be required to record other decisions on a register maintained	Waka Kotahi advises the Register of Land Transport Records being developed for roadway speed limits does not yet have capability to hold these decisions. RCAs and	Rather than record on the register, RCAs will be required to publish the decisions. These can be recorded on a national register once

<p>by Waka Kotahi (declaring shared paths and cycle paths; variations from default path speed limits; and restricting users on paths).</p>	<p>Waka Kotahi will initially focus time and resources on registering roadway speed limits.</p>	<p>systems are in place.</p>
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I propose to implement other proposals as consulted on

92 I propose to progress the following proposals as consulted on:

- Create a definition for powered wheelchair and include powered wheelchairs in the definition of pedestrian (to bring in line with unpowered wheelchairs).
- Replace wheeled recreational device with unpowered transport device and powered transport device.
- Treat cycles not propelled by cranks (pedals) as unpowered transport devices (e.g., children’s balance bikes).
- Clarify that mobility device users have the same level of access as pedestrians but must give way to pedestrians.
- Give priority to pedestrians and set behavioural requirements on footpaths.
- Give RCAs powers to restrict users on footpaths.
- Set behavioural requirements on shared paths and cycle paths.
- Give pedestrians priority on shared paths.
- Give Waka Kotahi powers to investigate and/or instruct RCAs to make changes to shared paths or cycle paths.
- Allow transport devices in cycles lanes and cycles paths.
- Give RCAs powers to restrict users of cycle lanes or cycle paths.
- Introduce lighting and reflector requirements for powered transport devices.
- Allow cycles and transport devices to ride straight ahead from a left-turn lane.
- Clarify that turning traffic must give way to people travelling straight ahead in a separated lane.



- Give priority to paths users at side roads where minimum markings are installed.
- Introduce a minimum overtaking gap.

Additionally, I propose changes to strengthen and clarify the process for Waka Kotahi to declare a vehicle not to be a motor vehicle

93 Under the Land Transport Act 1998 (the Act), a motor vehicle is defined as a vehicle drawn or propelled by mechanical power. One exception to the definition is if the vehicle has been declared under section 168A of the Act not to be a motor vehicle. Section 168A states:

- If a vehicle or type of vehicle is propelled by a motor that has a maximum power output not exceeding 300 watts, Waka Kotahi may, by notice in the Gazette, declare that the vehicle or type of vehicle is not a motor vehicle.
- If a vehicle or type of vehicle is propelled by a motor that has a maximum power output greater than 300 watts but not exceeding 600 watts, Waka Kotahi may, by notice in the Gazette, declare that the vehicle or type of vehicle is not a motor vehicle. Waka Kotahi may impose conditions on the operation or equipment required for vehicles that have been declared under this part.

94 The approach to categorising vehicles and devices as recommended in Accessible Streets continues to rely on the use of section 168A by Waka Kotahi to declare a motor vehicle not to be a motor vehicle. Electric devices that have been declared can be defined as powered transport devices and users will be subject to rules pertaining to their use.

There are limitations to the existing provision

95 The declaration process has come under scrutiny after complaints to the Regulations Review Committee about the E-Scooters (Declaration not to be motor vehicles) Notice 2018. The complaints focused on the transparency of the process and lack of consultation undertaken by Waka Kotahi before making the declaration.

96 Feedback on the workability of the provision was sought as part of Accessible Streets consultation. Submitters were asked what steps Waka Kotahi should take before declaring a device not to be a motor vehicle and whether Waka Kotahi should be able to impose conditions on a device that has been declared, regardless of its power output.

97 Submitters suggested Waka Kotahi should consider a range of factors before declaring a vehicle not to be a motor vehicle. The most common recommendation was maximum speed. Submitters also noted the importance of Waka Kotahi undertaking a thorough safety review of the vehicle and assessing the impact a declaration would have on other footpath users.

- 98 Another issue raised through consultation was the maximum power output specified in the provision. Devices such as electric hoverboards or self-balancing scooters have a power output above 600 watts and are unable to be declared. However, these devices do not meet the necessary requirements to be used on the road, so are only allowed on private property.
- 99 Submitters noted that high power output is not always an indication of high speeds or safety issues. For example, a hoverboard has a power output of around 1,600 watts, but most of this power is used to balance the device rather than travelling at high speeds.
- 100 These devices offer alternative forms of low-emission transport and submitters suggested the settings should encourage uptake of new and emerging forms of technology.

I propose changes to the section 168A provision

- 101 Following feedback from consultation, officials considered options to improve the process of making a declaration. The preferred approach is to introduce a broad process that Waka Kotahi must follow before making a declaration and introduce consultation requirements.
- 102 To address the issue with the specified maximum power output, I propose to increase the upper limit to 2,000 watts and clearly define *maximum power output* in legislation.
- 103 Therefore, to improve the workability and transparency of the declaration process, I recommend changes to section 168A of the Act to:
- include that Waka Kotahi must have regard to how the declaration would contribute to a safe, inclusive, and environmentally sustainable land transport system
 - require that Waka Kotahi must conduct an appropriate level of consultation before making a declaration, including on any conditions that may be applied
 - increase the maximum power output of a device that can be declared to 2,000 watts. The definition of maximum power output will be clearly specified as the device's rated battery voltage multiplied by the rated maximum current output
 - allow Waka Kotahi to impose conditions on the equipment required on the vehicle or type of vehicle, regardless of its power output.
- 104 Requiring Waka Kotahi to have regard to how a declaration would contribute to a safe, inclusive, and environmentally sustainable land transport system will ensure the device is considered in the context of the whole transport system, and assess how it will contribute to transport outcomes. A broad process such as this will provide the desired level of flexibility to accommodate future innovations.

- 105 I propose 2,000 watts as the maximum power output as it comfortably captures all devices requiring power output for balancing purposes. Once a device's power output exceeds 2,000 watts, the increased power generally enables higher speeds, and these devices are unlikely to be appropriate for declaration.
- 106 Increasing the maximum power output will make devices such as hoverboards and e-skateboards eligible to be declared not to be motor vehicles and subsequently categorised as powered transport devices. This will encourage uptake of low-emission forms of transport and ensure there is a clear set of rules of where and how they can be used.
- 107 As new devices emerge, Waka Kotahi needs to be able to respond effectively and provide potential users and the public with clarity about how these types of devices should be used. These changes will help to enable this.

Implementation

- 108 The Accessible Streets proposals involve changes that will affect all road users, including motorists. To ensure safe implementation of the rule changes, Waka Kotahi will support the implementation of Accessible Streets with a public information and education campaign.
- 109 As well as informing the public of the new rules, the campaign will help shape social norms around careful and considerate shared use of footpaths, shared paths, cycle lanes and cycle paths.
- 110 The campaign is expected to take around 12 months to develop, based on the 2012 give way rules change campaign. Waka Kotahi requires this time to develop advertising, communications material and accompanying guidance for RCAs. Documents such as the Cycling Code and Road Code will also need to be updated.
- 111 The guidance and education campaign will be funded through Waka Kotahi baseline.
- 112 Given the number of new rules, I propose a staged implementation process. A detailed indicative implementation plan is attached at **Appendix Four**.

Financial Implications

- 113 There are no financial implications arising from this Paper.

Legislative Implications

- 114 The proposed changes will require the creation of a new Land Transport Rule, the Land Transport: Paths and Berms Rule 2022. Amendments will be made to the Land Transport (Road User) Rule 2004 and the Land Transport: Traffic Control Devices Rule 2004. A proposed amendment to Land Transport Rule: Setting of Speed Limits 2017 has been incorporated in the new Land Transport Rule: Setting of Speed Limits 2022.

- 115 Amendments are required to the Land Transport (Offences and Penalties) Regulations 1999 to support the rules. Many changes will be editorial, such as replacing *wheeled recreational device* with *transport device*.
- 116 Other changes reflect the movement of existing rule provisions and associated penalties from the Road User Rule to the new Paths and Berms Rule. Several of these existing pedestrian offences in the current Regulations have a maximum fine that can be issued by the Courts, but no infringement fee attached to them.
- 117 This means there is no option for Police to issue an infringement notice for these offences; instead, the offender must go through the Court system, which is both costly and likely unjustified for relatively low-risk misdemeanours. These offences predate the introduction of the current infringement offence system and have not been reviewed in several decades.
- 118 I propose to introduce an infringement fee of \$50 for these offences. This is in line with existing comparable offences that have an infringement fee associated to them. I propose a maximum fine for these offences of \$300 if the matter reaches the Court. The new and amended offences and penalties are proposed in **Appendix Two**.
- 119 Changes to the process for declaring a vehicle not to be motor vehicle will require amendments to section 168A of the Act. I expect these changes to proceed through the House as part of the Regulatory Systems Stewardship Amendment (RSTA) Bill 2. I expect the RSTA Bill 2 to be introduced in July or August 2023.

Impact Analysis

Regulatory Impact Assessment

- 120 The Regulatory Impact Analysis requirements apply to Accessible Streets, and an updated Regulatory Impact Assessment has been prepared and is attached as **Appendix Three**. It will also be published on Te Manatū Waka website.
- 121 The updated Regulatory Impact Assessment was reviewed by Te Manatū Waka Regulatory Impact Assessment Panel and was assessed to 'meet' the quality assurance criteria. This was subject to some minor agreed changes, particularly in the assessment criteria section.

Climate Implications of Policy Assessment

- 122 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms the CIPA requirements do not apply to these proposals as the threshold for significance is not met.
- 123 However, these proposals have the potential to indirectly reduce emissions through encouraging more active and low-emission travel by making these modes safer and more efficient.

Population Implications

- 124 Children aged 12 and under will benefit from being permitted cycle to on the footpath
- 125 The current rule that restricts cycling on the footpath is inconsistent and confusing for children. For example, children can ride a push scooter on the footpath but cannot legally ride a normal sized bicycle.
- 126 Most children are unaware it is illegal to ride a bike with a wheel diameter larger than 355mm on the footpath and the vast majority (86 percent of child cyclists between 7 and 15) have ridden on the footpath.⁶
- 127 Anecdotal evidence suggests that bad experiences cycling on the road deters children from cycling and parents from letting children do so. Submissions on Joanne Clendon's petition to Parliament in 2014 to allow children to cycle on the footpath confirmed this view.
- 128 The proposed change will legitimise an already common practice and encourage more children to ride a bike. Cycle skills instructors will be able to teach children how to cycle safely. This change will have a positive impact on children's health, independence, confidence, and social connections.

Disabled people and older people have expressed concern about the current and future use of powered transport devices on the footpath, but other rules will mitigate the risk

- 129 In the 2013 New Zealand Disability Survey, 1.1 million New Zealanders reported having a disability (defined as a long-term limitation in ability to carry out daily activities resulting from impairment). Of these, 59 percent were over the age of 65.
- 130 Disabled and older people face greater challenges when navigating the transport system than non-disabled people. Many are unable to access or drive a car and find public transport challenging. Therefore, walking is the preferred, or only, option for many in these groups.
- 131 Disabled people and advocacy groups expressed concern that some proposals would negatively impact them. They did not support the proposed speed limits for footpaths and shared paths, and strongly opposed allowing powered transport devices and bicycles on footpaths.
- 132 To address these concerns, this paper includes the option of enabling RCAs to set speed limits on footpaths using the resolution progress and progressing with lower speed limits on shared paths than what were consulted on. Limiting those permitted to cycle on the footpath to children aged 12 and under will reduce the number of users on footpaths and should mitigate some of the concerns raised by disabled and older people.

⁶ According to a 2016 survey by the Office of the Children's Commissioner: <http://www.occ.org.nz/assets/Publications/Children-Riding-Bikes-on-Footpaths-submission2.pdf>, August 2016.

- 133 The risk to these groups posed by e-scooters continuing to be permitted on the footpath will also be partially mitigated by the behavioural requirements of other users, such as giving way to pedestrians.
- 134 Other proposals will have a positive outcome for some disabled people. The proposal to categorise powered wheelchairs as pedestrians⁷ rather than mobility devices will ensure these users have the same access and priority as other pedestrians and unpowered wheelchair users.
- 135 Not progressing without a default speed limit for the footpath, as initially proposed in Accessible Streets, may result in the disability sector making a complaint that the Government is in breach of its obligations as a signatory to the UN Convention on the Rights of Persons with Disabilities (CRPD).
- 136 My view is that while implementing default speed limits on footpaths would better align with the CRPD, officials have advised that they do not believe we would be in breach of the CRPD because of the broader national framework changes. The requirements under the national frameworks should lead to behaviour changes that make paths safer for all users, including persons with disabilities.
- 137 The new rules will be accompanied by an education campaign reminding people how to safely use the footpath. The campaign will focus on how certain behaviours can impact pedestrians, particularly disabled people and older people, and will encourage everyone to be careful and courteous when using the footpath.

Human Rights

- 138 The proposed rule and rule amendments, and amendment regulations, are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993 and comply with the rights and freedoms contained within both Acts.
- 139 Te Manatū Waka legal advice examining the rule and rule amendments, reviewed by Crown Law, confirms they are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 140 The following departments were consulted on this paper: Accident Compensation Corporation, New Zealand Police, Office for Disability Issues, Ministry of Justice, WorkSafe New Zealand, Ministry of Housing and Urban Development, Office for Seniors, and Waka Kotahi. The Department of the Prime Minister and Cabinet, Ministry of Education, Ministry of Health, Treasury and Te Puni Kōkiri were informed.
- 141 All departments were broadly supportive of the intent of the package, with comments that the changes are likely to contribute to positive road safety outcomes and thriving and resilient communities.

⁷ See proposal 1a in Appendix One.

- 142 The Office for Seniors (OFS) expressed support for many of the changes made post public consultation and was satisfied previous feedback had been incorporated. However, it did not support the proposed 30km/h speed limit for shared paths, noting it does not align with the disability impact assessment. OFS instead recommends a 20km/h limit for shared paths.
- 143 The Office for Disability Issues (ODI) appreciated the detailed consideration the paper gives to the concerns of the disability community, and acknowledged the targeted engagement undertaken post public consultation. ODI supported the package but noted many in the disability community may be concerned that some proposals do not go far enough to address their safety concerns. ODI stressed the importance of adequate education and enforcement to alleviate these concerns.
- 144 Both OFS and ODI suggested Accessible Streets could do more to clarify the definition of mobility device. Mobility device is defined in the Act and changes were ruled out of scope of Accessible Streets. There may be an opportunity to include this as part of a review of the vehicle classification system to be considered in the future work programmes of Waka Kotahi.
- 145 Appendix Two includes proposed offences and penalties (at both the criminal and infringement level) to support the Accessible Streets package of rule changes. The Ministry of Justice advises setting infringement fines at a level approximately 2-3 times the infringement fee. This is because a maximum fine set too high (out of proportion to the fee) is likely to have a chilling effect on defendants who believe that they have legitimate grounds for requesting a hearing, which may impinge on their right to natural justice. A maximum fine set too low risks a number of defendants challenging the infringement, which defeats the purpose of keeping such penalties outside the court. I note that the proposed penalty levels are broadly in line with existing penalty levels for comparable offences in the relevant regulations.
- 146 New Zealand Police (Police) and the Ministry of Justice commented that some proposals will be difficult to enforce, which may create unrealistic expectations or challenge the public's perception of the rules. Moreover, they note Police must continually prioritise enforcement to those behaviours that present the greatest road safety risk. Both agencies support a strong educative and encouragement approach to drive compliance with the new rules.
- 147 I acknowledge that enforcement will be difficult and Police must prioritise their resources. Accessible Streets intends to support new social and behavioural norms to be achieved through comprehensive education led by Waka Kotahi. There are other examples of where rules are difficult to enforce, but still exist and provide clear expectations of the public. For example, the Road User Rule sets out specific following distances for vehicles travelling at various speeds. It is the guidance that sets out what this looks like in practice (what is commonly known as the 'two second rule'). The aim of the proposals is to promote safe, consistent behaviour on our paths to keep our most vulnerable people safe.

148 While I do not expect enforcement to be the main mechanism to encourage compliance, it is important to have rules and associated penalties in place to enable Police to take action in the case of serious incidents or targeted enforcement initiatives.

Communications

149 I intend to announce the rule changes following Cabinet decisions. The new rules will be supported by an information and education campaign implemented by Waka Kotahi.

Proactive Release

150 I intend to proactively release this Paper and associated papers within 30 days of the Cabinet decision.

Recommendations

151 I recommend that the Committee:

1. **agree** to redefine categories of vehicles and devices, specifically to:
 - a. create a definition for powered wheelchair and include powered wheelchairs in the definition of pedestrian
 - b. create new categories of unpowered and powered transport devices
 - c. categorise bicycles that are not powered by cranks (pedals) as unpowered transport devices; and
 - d. clarify that mobility device users have the same access as pedestrians but must give way to pedestrians
2. **agree** to create a framework for the use of footpaths, specifically to:
 - a. give pedestrians priority and set behavioural requirements for users
 - b. enable road controlling authorities to set speed limits on footpaths of 15km/h, 10km/h, or 5km/h through a resolution
 - c. set a 750-millimetre width limit for devices or vehicles, with a three-year exception from commencement date for existing mobility devices currently operating on the footpath
 - d. allow children aged 12 and under, and their caregivers, to cycle on the footpath
 - e. give road controlling authorities powers to restrict users other than pedestrians from using the footpath
3. **agree** to create a framework for the use of shared paths and cycle paths, specifically to:

- a. clarify how road controlling authorities create shared paths or cycle paths
- b. give pedestrians priority on shared paths
- c. set behavioural requirements on shared paths and cycle paths
- d. give Waka Kotahi powers to investigate and/or instruct road controlling authorities to make changes to shared paths and cycle paths

either

- e. set a 30km/h default speed limit for shared paths and
- f. enable road controlling authorities to lower the speed limit of a shared path to a speed no lower than 10km/h

or

- g. not set a default speed limit on shared paths and enable road controlling authorities to set speed limits on shared paths of 30km/h, 20km/h, 15km/h or 10km/h

either

- h. set a 40km/h default speed limit for cycle paths and
- i. enable road controlling authorities to lower the speed limit of a cycle path to a speed no lower than 10km/h

or

- j. not set a default speed limit on cycle paths and enable road controlling authorities to set speed limits on cycle paths of 40km/h, 30km/h, 20km/h or 20km/h

4. **agree** to allow transport devices in cycle lanes and cycle paths and allow road controlling authorities to restrict transport devices from using cycle lanes and cycle paths
5. **agree** to introduce lighting and reflector requirements for powered transport devices when using paths and roads at night-time
6. **agree** to allow bicycles and transport devices to ride straight ahead from a left-turn lane unless it is dangerous to do so
7. **agree** to allow bicycles and transport devices to pass slow-moving traffic on the left
8. **agree** to clarify that turning traffic must give way to people travelling straight ahead in a separated lane

9. **agree** to give priority to path users at side roads where minimum markings are installed
10. **agree** to set a minimum gap for motorists when overtaking cyclists, horse riders, pedestrians, and mobility and transport device users on the road of:
 - a. 1 metre when the posted speed limit is 60km/h or less
 - b. 1.5 metres when the posted speed limit is over 60km/h
11. **agree** to introduce a definition of berm and allow road controlling authorities to restrict parking on berms without the use of signs through a resolution
12. **agree** to require other road users to give way to scheduled public transport buses exiting bus stops, bus lanes, or the side of the road
13. **note** the intention of the Minister of Transport to implement the policy decisions above by making and amending ordinary land transport rules
14. **agree** to amend and create offences and penalties to support the rules made by the Minister of Transport
15. **authorise** the Minister of Transport to make further changes to the offences and penalties in line with the policy decisions in this paper
16. **agree** to amend section 168A of the Land Transport Act 1998 to:
 - a. increase the maximum power output of a device that can be declared to 2,000 watts and specify how it is calculated
 - b. include that Waka Kotahi must have regard for how a declaration would contribute to a safe, inclusive, and environmentally sustainable land transport system
 - c. allow Waka Kotahi to impose conditions on the equipment required for a declared device, regardless of its power output
 - d. include that Waka Kotahi must conduct an appropriate level of consultation before making any declaration, or imposing conditions.
17. **note** that a final Regulatory Impact Assessment has been prepared and is attached to this paper, and will be published on Te Manatū Waka website

18. **note** this paper, along with the Regulatory Impact Assessment, will be proactively released following Cabinet's approval of the paper.

Authorised for lodgement

Hon Michael Wood

Minister of Transport

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Accessible Streets Regulatory Package: Final Policy Proposals

Portfolio **Transport**

On 11 April 2023, following reference from the Cabinet Economic Development Committee, Cabinet:

- 1 **referred** the submission *Accessible Streets Regulatory Package: Final Policy Proposals* [DEV-23-SUB-0050] to Cabinet;
- 2 **invited** the Minister of Transport to submit a revised paper.

Rachel Hayward
Secretary of the Cabinet

Secretary's Note: This minute replaces DEV-23-MIN-0050.

From: HanLing Petredean
Sent: Tuesday, 11 April 2023 3:15 pm
To: Hugh Mazey
Cc: Helen White
Subject: Action req by COP Wed 12 April - Next steps following 11 April Cabinet discussion of Accessible Streets

Kia ora Hugh,

Further to our recent conversation with the Minister's advisor, the Office would like you to action the following points accordingly, with the aim of submitting a revised Cabinet paper for consideration at Cabinet on Mon 17 April. As discussed, these came out of discussion at Cabinet today, 11 April, and have been requested by the PM.

1. **Changes around the recommendations for children being able to cycle on the footpath (currently rec 2d)** – PM would like this changed to either a) defer this decision to Nov 2023 (i.e. after the election) or b) do not progress this at all.
2. **Changes to content on passing lane distances** – would like this to include content (possibly from Police and/or Waka Kotahi) on how this will be enforced in practice. PM expressed concerns as to how to would apply. I note you have an example handy. The change will need to be reflected in the Cabinet paper and in a talking point or two for the Minister.
3. **Changes to content on shared paths and speed limits** – there were concerns that proposed share path limits were too low. The paper will need to be changed such that only councils are empowered on speed limits for shared footpaths.

As I will need to submit a revised Cabinet paper to Cabinet Office for consideration at Cabinet next Monday, could I please have the revised paper and some supporting talking points to reflect the above by **COP tomorrow Wed 12 April**?

Ngā mihi nui,

HanLing Petredean (she/her) | Private Secretary (Transport)

hanling.petredean@parliament.govt.nz | M: s 9(2)(a)

Office of Hon Michael Wood

Minister of Immigration | Minister of Transport | Minister for Workplace Relations and Safety | Minister for Auckland | Associate Minister of Finance

Private Bag 18041 | Parliament Buildings | Wellington 6160 | New Zealand

Office Phone: s 9(2)(a) | Email: michael.wood@parliament.govt.nz

From: HanLing Petredean
Sent: Thursday, 27 April 2023 9:58 am
To: Hugh Mazey
Cc: Helen White; Dominic Cowell-Smith; Media Mailbox
Subject: RE: Accessible Streets query

Mōrena Hugh,

I come to bear you the news that Accessible Streets will no longer be proceeding to Cabinet on Mon 1 May as previously planned. PMO have requested this paper be held for consideration at a later undisclosed date. Thank you for all your hard work on this (and the many many others who proceeded you on this historic work).

Ngā mihi,

HanLing Petredean (she/her) | Private Secretary (Transport)
hanling.petredean@parliament.govt.nz | s 9(2)(a)

From: Hugh Mazey [mailto:H.Mazey@transport.govt.nz]
Sent: Wednesday, 26 April 2023 4:34 PM
To: HanLing Petredean <HanLing.Petredean@parliament.govt.nz>
Subject: RE: Accessible Streets query

Kia ora e hoa,

That is my understanding too, just wanted to check 😊

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz



TE MANATŪ WAKA
MINISTRY OF TRANSPORT

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From: HanLing Petredean <HanLing.Petredean@parliament.govt.nz>
Sent: Wednesday, 26 April 2023 4:04 pm
To: Hugh Mazey <H.Mazey@transport.govt.nz>
Subject: RE: Accessible Streets query

Hi Hugh,

Not quite sure as yet, I understand we revised to give the option to report back on this in 2024 and/or make no change (which I'm assuming is status quo)?

Ngā mihi,

HanLing Petredean (she/her) | Private Secretary (Transport)
hanling.petredean@parliament.govt.nz | s 9(2)(a)

From: Hugh Mazey [<mailto:H.Mazey@transport.govt.nz>]
Sent: Wednesday, 26 April 2023 2:19 PM
To: HanLing Petredean <HanLing.Petredean@parliament.govt.nz>
Subject: Accessible Streets query

Kia ora e hoa,

I hope you are doing well 😊

I just wanted to confirm a query I have on Accessible Streets with you.

With the potential deferral/removal of 12 and under cycling on the footpath, does Cabinet want to retain the status quo?

Nāku noa, nā

Hugh

Hugh Mazey (he / him / Mr)
Kaitohutohu Matua | Senior Adviser
Cyclone Recovery
Te Manatū Waka Ministry of Transport

s 9(2)(a) E: h.mazey@transport.govt.nz | transport.govt.nz



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MINISTRY OF TRANSPORT

Wellington (Head Office) | Ground Floor, 3 Queens Wharf | PO Box 3175 | Wellington 6011 | NEW ZEALAND | Tel: +64 4 439 9000 |

Auckland | NZ Government Auckland Policy Office | 45 Queen Street | PO Box 106238 | Auckland City | Auckland 1143 | NEW ZEALAND | Tel: +64 4 439 9000 |

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Office of the Prime Minister

MP for Remutaka

Minister for National Security and Intelligence
Minister Responsible for Ministerial Services



Hon Michael Wood
Parliament Buildings
WELLINGTON

May 2023

Dear Minister

Thank you for the letter setting out your intended priorities for the remainder of this calendar year, following our meeting in February and the decisions Cabinet took on transport priorities earlier in the prioritisation process. I have now had the opportunity to review the proposals from all ministers.

This letter now sets out what I want you to deliver across your portfolios. It brings to an end our three-phase reprioritisation process but not the need for all of us to continue to focus within our portfolios on the issues of most immediate import to New Zealanders. These are the cost of living, health, education and training services, crime, and our climate response plus the recovery effort from recent extreme weather events.

[Out of scope text removed]

These priorities represent significant undertakings in the time remaining this term. To ensure our focus remains on these priorities I would like to bring regulatory reforms including Accessible Streets, Out of Scope to Cabinet in 2024. Out of Scope

[Remainder of letter out of scope]

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