OC260675

22 September 2026

[redacted]

Tēnā koe [redacted]

On 13 August 2026, New Zealand Transport Agency (NZTA) partially transferred the following request to the Ministry for Cities, Environment, Regions, and Transport (the Ministry) under the Official Information Act 1982 (the Act):

> "1. All advice, briefings, reports, memoranda and recommendations provided to the Minister of Transport concerning Proposal 5, both before and after the public consultation.
>
> 4. Any analysis of the significance of the result that 40% opposed the proposal and a further 28% were unsure, including any advice as to whether this represented a rejection of the proposal or an inconclusive consultation result.
>
> 5. All documentation explaining why Proposal 5 was not proceeded with, including the reasons for the decision, alternatives considered, and the recommendation made to the Minister.
>
> 6. Any legal advice or legal analysis concerning the existing legal position regarding parking on grass berms, including:
> - the Land Transport (Road User) Rule;
> - the legal status of berm-parking restrictions made by road controlling authorities;
> - whether signage is legally required for such restrictions to be enforceable; and
> - any relevant interaction between national rules, local bylaws and council resolutions.
>
> 7. Any advice or analysis concerning the original policy objective of Proposal 5, including whether NZTA considered that the existing arrangements create confusion or inconsistency for motorists across different parts of New Zealand, particularly Auckland, Wellington and Christchurch.
>
> 8. Any correspondence or discussions between NZTA, the Ministry of Transport and local authorities concerning Proposal 5, including Auckland Council, Wellington City Council and Christchurch City Council.
>
> 9. Any advice concerning the alternative approaches considered following the consultation to address the underlying issue of clarity and consistency of berm-parking rules, if Proposal 5 itself was not to proceed.
>
> 11. All records of the final decision-making process, including the Minister's decision, Ministerial correspondence, briefing notes, aide-mémoires, recommendations, meeting notes

and communications between the Minister's office, NZTA and the Ministry of Transport relating to Proposal 5.

12. Finally, please provide any documentation explaining whether the Government intends to pursue any alternative legislative, regulatory or policy response to berm parking, following the decision not to proceed with Proposal 5."

Questions 6, 7, and 8 sit jointly between the Ministry and NZTA. Accordingly, both agencies will provide a response to these parts of your request.

On 9 September 2026, we advised you that we would be extending the due date on your request by up to eight working days because consultations necessary to make a decision on the request were such that a proper response could not reasonably be made within the original timeframe.

I have identified 26 documents within the scope of your request and am releasing them to you in part as listed in the document schedule attached as Annex 1. Certain information is withheld or refused under the following sections of the Act:

9(2)(a)	to protect the privacy of natural persons
9(2)(h)	to maintain legal professional privilege
18(d)	the information requested is or will soon be publicly available

Some information in these documents is also marked as out of scope of the request.

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.

Along with the above documents a number of other documents have been proactively released on the Ministry's website. The list of documents has been included in document schedule attached as Annex 1.

If you would like to discuss this decision with us, please do not hesitate to contact us at OIA@mcert.govt.nz.

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.

Please note that due to the public interest in our work, the Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on its website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

Katrina Quickenden
Manager, Regulatory Reform (T)
Ministry for Cities, Environment, Regions, and Transport

Annex 1: Document Schedule

#	Date	Title of Document	Decision on request
Documents			
1	N/A	Draft Berm Parking	Released in full.
2	N/A	Assessment of options for berm parking	Released in full.
3	N/A	Options analysis: lane use proposals Background paper	Released in full. Some information marked out of scope.
4	27 November 2025	Improvements to lane use and traffic control device changes	Released in full. Some information marked out of scope.
5	20 January 2026 2 February 2026 16 February 2026 9 March 2026 23 March 2026 30 March 2026	Transport Portfolio Weekly Report Extracts	Released in full.
Emails			
6	3 September 2025	Email From: Declan Lynch to Maria Mahoni Subject: FW: TARDIS Workflow Task - Select Templates [Name withheld] Attachments: July 2025 - berm parking enforcement	Released with some information withheld under sections 9(2)(a) and 9(2)(h). Attachment is out of scope of the request.
7	22 October 2025	Email From: Osei Owusu (NZTA) to Bonnie Hayvice Subject: Options to deal with berm parking Attachments: Clarifying road controlling authority powers around the restriction of berms	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
8	10 November	Email From: Keegan Taylor to Osei Owusu (NZTA)	Released with some information withheld under section 9(2)(a).

#	Date	Title of Document	Decision on request
	2025	Subject: FW: Updated TCD Amendment list for the Ministry's assessment Attachments: • MoT Comments - Table A Proposed Amendments to TCD Rule (17 Oct 2025) • Lane use and TCD updated timeline	Some information has been marked out of scope. Attachments are out of scope of the request.
9	17 November 2025	Email From: Cori Yap (NZTA) to Keegan Taylor Subject: RE: Attn project leads: Commissioning November dashboard for steering group	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
10	2 December 2026	Email From: Cori Yap to Declan Lynch Subject: RE: Steering group update Attachments: Berm Parking options analysis.docx	Released with some information withheld under section 9(2)(a).
11	12 December 2025	Email From: Cori Yap (NZTA) to Bonnie Hayvice Subject: RE: Lane use stand up follow up 11/12/25	Released with some information withheld under section 9(2)(a).
12	11 February 2026	Email From: Declan Lynch to Ministers Office Subject: [ATTN Quaid] Land Transport Rules Reform Improvements to lane use consultation package Attachments: • OC260011 Rules reform programme approval to consult on changes to improve lane use - Briefing - Policy • regulatory-impact statement- lane use final.pdf; regulatory-impact-statement-lane use final • Discussion Document - Lane use improvements 050226	Released with some information withheld under section 9(2)(a). Attachments refused under section 18(d) as those are publicly available: https://www.transport.govt.nz/assets/Uploads/Briefing/OC260011-Rules-reform-programme-approval-to-consult-on-changes-to-improve-lane-use-Briefing-proactive-release_Redacted.pdf
13	17 February 2026	Email From: Quaid Forbes (Office) to Declan Lynch Subject: RE: [ATTN Quaid] Land Transport Rules Reform Improvements to lane use consultation package Attachments: [CB SIGNED] OC260011 Rules reform programme approval to consult on changes to improve lane use - Briefing - Policy	Released with some information withheld under section 9(2)(a). Attachments refused under section 18(d) as those are publicly available: https://www.transport.govt.nz/assets/Uploads/Briefing/OC260011-Rules-reform-programme-approval-to-consult-on-changes-to-improve-lane-use-Briefing-proactive-release_Redacted.pdf

#	Date	Title of Document	Decision on request
14	9 March 2026	Email From: Virginia Spackman (Police) to Keegan Taylor Subject: Re: Departmental consultation for Cabinet paper Land Transport Rules Reform Programme: Key policy decisions Attachments: • Annex 1 Draft Land Transport Rules Reform Programme Key policy decisions - Cabinet Paper - 24 February 2026 • Annex 2 - Review of Warrant of Fitness and Certificate of Fitness A requirements for light vehicles Regulatory Impact Statement • Annex 3 - Increased penalties for Warrant of Fitness noncompliance • Annex 4 Interim Regulatory Impact Statement - Phase 2 Heavy Vehicle Productivity • Annex 5 Interim Regulatory Impact Statement Lane Use final	Released with some information withheld under section 9(2)(a). Attachments refused under section 18(d) as those are publicly available on: https://www.transport.govt.nz/area-of-interest/strategy-and-direction/land-transport-rules-reform-programme-2025
15	24 March 2026	From: Osei Owusu (NZTA) to Declan Lynch Subject: RE: lane use material	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
16	25 March 206	Email From: Osei Owusu (NZTA) to Declan Lynch Subject: RE: Lane Use Rule Improvements Summary of Submissions - Annotated Structure	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
17	7 April 2026	Email From: Leona Feng (NZTA) to Declan Lynch Subject: RE: Lane use and TCD work follow-up	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
18	9 April 2026	Email From: Declan Lynch to Virginia Spackman (Police) Subject: Lane use final policy decisions Attachments: OC260080 Final Policy decisions Improvements to lane use - Briefing - Police	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. Attachment is refused under section 18(d) as it is publicly available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf
19	10 April 2026	Email From: Cori Yap to Declan Lynch Subject: NZTA comments on Draft Lane use briefing Attachments: OC260080 Final Policy decisions Improvements to lane use -	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. Attachment is refused under section 18(d) as it is publicly available

#	Date	Title of Document	Decision on request
		Briefing – Policy +NZTA comments	here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf
20	13 April 2026	Email From: Virginia Spackman (Police) to Declan Lynch Subject: RE: [EXTERNAL] Lane use final policy decisions	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
21	20 April 2026	Email From: Cori Yap (NZTA) to Declan Lynch Subject: Lane Use Improvements Summary of Submissions Attachments: Summary of Submissions Analysis Lane Use Improvements FINAL	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. Attachment is refused under section 18(d) as it is publicly available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf
22	6 May 2026	Email From: Declan Lynch to Bonnie Hayvice Subject: Draft email to panel	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
23	19 May 2026	Email From: Declan Lynch to Laura Bender Subject: VSO text in lane use briefing	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
24	21 May 2026	Email From: Declan Lynch to Chris Roblett Subject: FW: [ATTN Quaid] OC260080 Land Transport Rules Reform: Final Policy Decisions for Improvements to Lane Use Attachments: • OC260080 Land Transport Rules Reform Final Policy Decisions for Improvements to Lane Use • Annex 2 Final Policy Recommendations for Traffic Control Devices Rule 2004 proposals • Annex 3 Final Regulatory Impact Statement Land Transport Rules Reform Programme Improvements to Lane Use • Annex 4 Summary of Submissions Land Transport Rules Reforms Lane Use Improvements 2026 • Annex 5 Summary of Submissions Land Transport Rule Traffic Control	Released with some information refused under section 18(d) of the Act, the information is available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf

#	Date	Title of Document	Decision on request
		Devices Amendment 2026	
25	21 May 2026	Email From: Declan Lynch to Sarah Godwin Subject: FW: [ATTN Quaid] Improvements to lane use and heavy vehicles PR and Key Messages Attachments: • Key messages - Rules Reform latest packages - Feb 2026 • Draft PR - Min Bishop - Transport rules to make life easier and clearer for road users - Feb 2026	Released with some information refused under section 18(d), it is publicly available here: https://www.beehive.govt.nz/release/common-sense-transport-rule-changes-confirmed Some information has been marked out of scope.
26	22 June 2026	From: Media Mailbox to Quaid Forbes; Media Mailbox Subject: RE: Lane use rule changes PR - fact check requested by 2.30pm today Attachments: Q&A new road rules - Minister Bishop	Released in full.
Publicly available information			
27	2025	Land Transport Rules Reform Programme	https://www.transport.govt.nz/area-of-interest/strategy-and-direction/land-transport-rules-reform-programme-2025
28	11 February 2025	OC260011 - Rules Reform: Approval to Start Public Consultation on Improvements to Lane Use	https://www.transport.govt.nz/assets/Uploads/Briefing/OC260011-Rules-reform-programme-approval-to-consult-on-changes-to-improve-lane-use-Briefing-proactive-release_Redacted.pdf
29	11 February 2026	Interim Regulatory Impact Statement: Land Transport Rules reform Programme: Improvements to lane use	https://www.transport.govt.nz/assets/Uploads/RIA/Regulatory-Impact-Statement-Lane-use_Redacted.pdf
30	20 May 2026	OC260080 Land Transport Rules Reform: Final Policy Decisions for Improvements to Lane Use Final Regulatory Impact Statement: Land Transport Rules reform Programme: Improvements to lane use Summary of submissions – Lane use improvements consultation (20 April 2026) Land Transport Rule: Traffic Control Devices Amendments 2026 Summary of submissions (9 March 2026)	https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf

DRAFT Berm parking

Context

1. While not defined in transport legislation, a berm is commonly defined by local councils as a grassed area between the road and either the footpath or property boundary[1] (see image)



2. Parking on berms can be beneficial for some transport system users, particularly in areas where on-street parking is limited or unavailable. However, it can also create problems for others, including blocking or narrowing paths for pedestrians or other mode users, reducing visibility for vehicles when exiting driveways. Berm parking can also negatively impact other stakeholders such as damaging underground infrastructure creating costs for Road Controlling Authorities (RCAs).

3. Councils have the ability to permit or restrict parking of vehicles on berms.[2] There are different approaches taken by RCAs - some prohibit berm parking across their entire local network,[3] whereas some prohibit berm parking in urban areas but do not restrict it in rural environments[4]. The rationale relied on by councils to restrict or prohibit berm parking is centred on managing the disbenefits described in paragraph 2

4. The regulation of berm parking involves a number of different legislative instruments, namely the Road User Rule 2004, the Land Transport Act 1988, the Traffic Control Devices Rule 2004, and bylaws set by local councils.

Problem Definition

5. There are different interpretations across councils about these legislative instruments and specifically whether traffic signs are required to enforce local bylaws which restrict berm parking.

6. The key problem is **legal ambiguity** about whether traffic signs are required to enforce bylaw-based berm-parking restrictions.

7. This ambiguity has two consequences:

   - First, some RCAs disagree on whether traffic signs are required at all. For example, both Auckland Transport and Christchurch City Council have bylaws which prohibit parking on

[1] This definition is used by Wellington City Council https://wellington.govt.nz/your-council/plans-policies-and-bylaws/bylaws/traffic-and-parking-bylaw-2021, Porirua City Council https://poriruacity.govt.nz/services/parking-transport/streets-roads/maintaining-berms/.
[2] With respect to the state highway network, NZTA is the Road Controlling Authority that can decide whether berm parking is permitted or not.
[3] Examples include Porirua City Council, Wellington City Council, Christchurch City Council.
[4] For example, Nelson City Council has adopted an urban-only berm-parking ban (https://shape.nelson.govt.nz/traffic-and-parking-bylaw).

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berms. However, Auckland Transport considers it unenforceable unless signs are erected every 100 metres, while Christchurch City Council considers it enforceable without the use of signs.

- Second, even where RCAs accept that traffic signs are needed to enforce berm-parking restrictions, there is variation in how this requirement is implemented across different road contexts. In high density urban areas, berm parking occurs more frequently and can present higher risks to pedestrians and other road users, making frequent signs easier to justify. In rural settings, where these pressures are typically lower and roads are longer, the same traffic sign requirements can impose disproportionate cost and implementation burdens.

Objectives and options

8. The objective is to remove ambiguity about whether signage is required to enforce council bylaw-based berm parking restrictions, while retaining councils' ability to respond to local conditions. The proposed approach must work across both urban and rural settings given the difference in potential scale and associated risks noted in paragraph 7. It must also support the objectives underpinning the broader lane-use changes: improve safety, enhance awareness and compliance with rules, and enhance lane efficiency.

9. With these objectives in mind, a set of options has been developed that take different approaches to clarifying the role of signage in enforcing berm-parking restrictions.

How should berm parking be regulated		
Option 1	**Status Quo**	
Description	The current mix of transport legislation and local bylaws is maintained.	
Impact	*Incidence*	*Magnitude*
Continuation of confusion and potential costs for both RCAs (who interpret requirements differently) and road users who may also receive unexpected tickets due to inconsistent local practices	Road users and RCAs	Medium
Path obstruction and reduced visibility near driveways persists which has potential safety and access implications	Road users, in particular pedestrians, mobility device users, and users of other transport modes	Medium
Damage to berms and underground infrastructure continues cost implications	RCAs, residents	Medium
Opportunities and risks		
Risks - Councils would continue to interpret the rules inconsistently. Legal ambiguity would remain and potentially be tested through the courts (for example, if a parking ticket was challenged). Given the different approaches by council, in some locations there will continue to be public confusion, different compliance expectations, costs for RCAs (due to damaged berms and assets), safety and access risks.		
Option 2	**Require signage where berm parking is disallowed through a council bylaw**	

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Description	Legislatively clarify that when a Road Controlling Authority (RCA) prohibits berm parking through a bylaw, signage is required for the restriction to be enforceable.	
Impact	Incidence	Magnitude
Provides enforcement and legal certainty for RCAs, helping to reduce the risk of disputes over bylaw enforcement.	RCAs	Medium
Provides clarity for road users about where berm parking is 'not allowed', potentially helping to improve compliance and reduce compliance burden/costs (eg, issued parking tickets)	Road users	Medium
Significant cost burden to many RCAs due to now needing signage installed to meet enforceability requirements	RCAs that currently do not implement signage for enforcement	High
Significantly increases the number of signs, potentially creating visual clutter and maintenance costs	RCAs, residents	Medium
Improves pedestrian safety and visibility outcomes by reducing unsafe berm parking in constrained/urban environments.	Road users, particularly pedestrians and mobility device users	High
Opportunities and risks		
Opportunities- Signage provides a clear physical cue of where berm parking is not allowed, improving compliance and in turn mitigating disbenefits of berm parking. This aligns with the practice of some RCAs and there are existing traffic signs that RCAs may be able use (eg, "No Parking / No Stopping" signs). Risks – The are many RCAs that currently do not use signage to indicate where berm parking is not allowed – this will impose additional implementation and maintenance costs on them. This will increase the number of signs on the network which introduces the potential risk of visual clutter.		
Option 3	**Do not require signage where berm parking is disallowed through a council bylaw**	
Description	Legislatively clarify that signage is not a requirement for RCAs to prohibit berm parking. The option does not prevent RCAs from using signage where they choose to utilise it.	
Impact	*Incidence*	*Magnitude*
Provides enforcement and legal certainty for RCAs, helping to reduce the risk of disputes over bylaw enforcement.	RCAs	Medium
May improve pedestrian safety and visibility outcomes (dependent on other mitigation practices eg public education, warning	All road users, particularly pedestrians and mobility device users	Medium

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systems) by reducing unsafe berm parking in constrained environments.		
No physical cue for road users to understand if they can or can't park on berms	Road users, particularly drivers	Low-medium
Enables councils to restrict berm parking without being constrained by signage requirements and associated costs	RCAs	High
Supports proportionate network management across urban and rural contexts without excessive or unnecessary signage.	RCAs	Medium

Opportunities and risks

Opportunities – Without a requirement for signage (which has financial implications that can act as a constraint for RCAs), RCAs have more flexibility to restrict berm parking according to presenting risks/issues within their local context, including across urban and rural environments. This option aligns with current practice of majority of RCAs and it can be implemented fastest. It is important to note that under this option RCAs are not prevented from using signage if they choose to.

Risks – Without the physical cues that signage offers, road users may unknowingly breach berm parking restrictions. This raises a potential fairness issue which also has cost implications for affected road users. The extent to which this option supports the objectives sought will likely be dependent on supporting initiatives to help road users understand where berm parking restrictions are in place. Other initiatives utilised by RCAs include public education campaigns focused on making residents aware of restrictions and providing warnings to offending vehicle owners prior to issuing infringements.

Option 4	**Change presumption: require signage where berm parking is allowed**
Description	Reverses the current presumption by prohibiting berm parking by default, unless signage explicitly indicates that berm parking is permitted (ie, RCAs would be required to install signage where berm parking is permitted).

Impact	*Incidence*	*Magnitude*
Provides enforcement and legal certainty for RCAs, helping to reduce the risk of disputes over bylaw enforcement	RCAs	Medium
Provides clarity for road users about where berm parking is allowed, improving compliance and reducing compliance burden/costs (eg, issued parking tickets)	Road users	Medium
Significant increase in the number of signs, and associated costs, across the roading network	RCAs	High
Disproportionate implementation costs and visual clutter in areas where berm parking is low risk or not problematic (eg, rural and suburban)	RCAs, particularly those responsible for rural and suburban areas	High

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Potentially more difficult for the public to understand given this option reverses the current presumption (ie, signage now indicates where berm parking is permitted, not prohibited)	Road users and residents	Low
Opportunities and risks		
Opportunities – Signage provides a clear physical cue of where berm parking is allowed, improving compliance and in turn mitigating disbenefits of berm parking. Risks – Is the option which requires significantly more signage and associated costs for RCAs. This option also introduces potential for visual clutter and potential public confusion by reversing current presumption with berm parking.		

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Assessment of options for berm parking

Criteria	Option 1 Status Quo	Option 2 Require signage where berm parking is disallowed through a council bylaw	Option 3 Do not require signage where berm parking is disallowed through a council bylaw	Option 4 Change presumption: require signage where berm parking is allowed
Improve road and lane user safety	**0**	**+** Physical cues from signage improves compliance and in turn likely supports safety outcomes.	**0** With no physical cues from signage, safety outcomes are likely dependent on other supporting initiatives from RCAs to inform road users of restrictions (noting that some RCAs already adopt this approach)	**+** Physical cues from signage improves compliance and in turn likely supports safety outcomes.
Increase efficient use of roads and lanes	**0**	**+** All options clarify requirements to restrict/permit berm parking – in turn taking pressure of the roading/parking network where utilised.	**+** All options clarify requirements to restrict/permit berm parking – in turn taking pressure of the roading/parking network where utilised.	**+** All options clarify requirements to restrict/permit berm parking – in turn taking pressure of the roading/parking network where utilised.
Limit cost and burdens for users and practical to comply with	**0**	**++** Clearly indicates to road users where berm parking is 'not allowed', making it easier to comply and ability to avoid costs (eg, parking tickets).	**0** Clarifies that road users across the country cannot rely on signage as the means of restricting and enforcing berm parking – however this option relies on supporting initiatives from RCAs to inform road users of where restrictions are in place.	**++** Clearly indicates to road users where berm parking is 'allowed', making it easier to comply and ability to avoid costs (eg, parking tickets).

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Minimises costs on government including to maintain and implement rules	**0**	– High implementation and maintenance costs for RCAs due to the need for more signage across their networks (noting that this option is the current practice of some RCAs, but appears to only be in place for small parts of their roading network).	++ Lowest cost option for government. Avoids widespread signage (noting that RCAs are still allowed to use signs if they wish) and enables RCAs to manage berm parking based on presenting risks/issues within their local context/circumstances	– – Highest cost option. Would require a significant implementation and maintenance costs for RCAs due to the need for signage across their networks. Using signage in this way is not current practice for any RCAs.
Enable fair distribution of outcomes amongst different groups	**0**	– Likely limits benefits to stakeholders in areas where RCAs can afford signage, disadvantaging those in areas with less resources or extensive networks	+ With costs and implications of signage decoupled from RCA decisions about where berm should not be allowed, benefits shared broadly given berm parking restrictions are more likely to be imposed based on presenting risks/issues within their local context/circumstances.	– – Likely limits benefits to stakeholders in areas where RCAs can afford signage, disadvantaging those in areas with fewer resources or extensive networks. Disproportionately impacts rural and lower-density communities where berm parking is likely to be less risky or not problematic.
Totals	**0**	**+2**	**+4**	**+1**

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MINISTRY OF TRANSPORT
TE MANATŪ WAKA

Options analysis: lane use proposals
Background paper

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Key Messages

- As part of the Government's 'Rule's Reform' programme, the Minister of Transport intends to progress a set of practical changes to improve lane use. This paper outlines and provides an initial assessment of options to progress such changes.

- We have developed a set of criteria to help identify proportional measures to address problems. This requires consideration of how effectively options will deliver on the objectives for this work that being –

    - Improve road safety outcomes
    - Greater understanding of and compliance with amended Rules
    - Enhanced efficiency of the transport network
    - While also considering associated regulatory burden for users and government.

- We have identified the following five assessment criteria which reflect good regulatory principles and will help provide a fulsome analysis:

    - Improve road and lane user safety
    - Limit cost and burdens for users and practical to comply with
    - Increase efficient use of roads and lanes
    - Minimises costs on government including to maintain and implement rules
    - Enable fair distribution of outcomes amongst different population groups e.g. Children, Elderly, Disabled peoples.

- The paper uses the criteria to carry out an assessment of the proposals to see which will fulfil the objectives of the work. The proposals are:
    - allowing children to ride on footpaths
    - give way to buses leaving bus stops
    - allow e-scooter's in cycle lanes
    - Mandatory passing gap of 1m when the posted speed limit is 60km/h or less and 1.5m when the posted speed limit is over 60km/h

- There is limited data available in relation to all these changes. we were still able to ascertain some data about usage and injuries related to transport modes although limitation exist such as samples size or the period of time the data reflects. We have some data and information about enforcement from our understanding it is quite limited. Previous work in this used bespoke analysis that would be difficult to replicate without significant time and financial costs. We may be able to use some of this to guide direction of work given the context has not significantly changed.

- The main factor to consider when context has changed is there has been an increasing amount of injuries on e-scooters as availability and use of them have increased across New Zealand. Although these injuries still do not compare to bicycle injuries but we are not able to ascertain the usage of each device.

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- Following this we will prepare the Regulatory Impact statement before a discussion document is produced for public consultation in late February to early March.

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Background

The Minister of Transport intends to progress a set of proposed changes to improve lane use across the transport system

1. In June 2025, the Minister of Transport announced that the Government is progressing a work-programme to increase productivity and efficiency through comprehensively reforming New Zealand's land transport rules.

2. The Minister has agreed (and publicly communicated) that this work-programme will include a workstream focussed on improving lane use across the transport network. This would include to:

    - Enable e-scooters to use cycle lanes,
    - Enable children to ride bikes on footpaths
    - Establish a minimum overtaking gap for passing cyclists, horse riders, etc
    - Require vehicles to give way to busses exiting bus stops

These proposals were originally progressed as part of the 2020 'Accessible Streets' package

3. Versions of the four proposals (above) were originally a part of the previous Government's 'Accessible Streets' package. This was a set of regulatory changes to improve the safety and accessibility for pedestrians and users of active transport on footpaths and shared paths.

4. While the proposals were consulted on, and a preliminary Regulatory Impact Statement (RIS) was developed, Cabinet ultimately did not agree to progress the package of changing before the 2023 General Election.

5. The Minister of Transport has since directed officials to progress a set of practical changes to improve lane use. Subsequently, the Ministry of Transport and NZTA has agreed that where appropriate, the proposals and supporting analysis should be 'lifted and shifted' from previous work as part of 'Accessible Streets'.

The workstream has a Project Plan outlining problem definition and objectives for any proposed changes

6. While practically officials (MoT and NZTA) intend to build on previous work where possible, it is important from a principled policy perspective that any proposed changes respond to the problem definition we have identified, as well as deliver on the workstream's overall objectives. Both are set out in the Project Plan and detailed below for context[1]:

Problem Definition	Objectives
Road rules (as set out in the Land Transport (Road User) Rule 2004 (Rules) are intended to keep road users safe, and ensure efficient traffic flows. However, as a result of changing technologies, including new or popularising modes of transport, as well as growing safety concerns arising from, for example, urbanisation, some rules have not kept	Recognising the interconnected issues outlined above, the objectives for the lane use workstream seek to respond to the interconnected issues outlined above: • Improve road safety outcomes • Enable greater understanding of and compliance with amended Rules

[1] The text below is consistent with what is detailed in the lane use workstream Project Plan.

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pace with modern regulation and are no longer fit for purpose. There is evidence of road users not complying with the current rules as a consequence. Continuing to allow non-compliance undermines the effectiveness of all transport rules.	• Enhance efficiency of the transport network

We have developed criteria based off good regulatory principles and sets the direction on this workstream

7. To understand (in part) to what extent we can borrow from previous work, the Ministry has reviewed the previous preliminary RIS.

8. From our initial analysis, we consider that the assessment criteria are no longer fit for purpose for the current proposed rule changes. This reflects that previous criteria were heavily weighted toward 'equity' considerations, with limited consideration or discussion of regulatory burden and cost - both for lane users and for the government to administer.

9. This paper seeks to review the assessment criteria, identify options and provides an initial assessment of these options, indicating preliminary preferred options. However, this is an indicative assessment at this stage because the Ministry:
    - also is engaging with other government departments to understand if there are other changes across the system that we should be aware of that may influence the options we present or recommend to the Minister of Transport, and
    - in reviewing the preliminary RIS, has identified a need to obtain updated data on a range of matters that could influence our impact analysis.

10. Nonetheless, this initial assessment will help to have help justify the direction of this workstream. Having a clear set of objectives, criteria and recommended options helps to present this work to the Minister, other government agencies and groups for them to engage and give feedback on this work more meaningfully.

Criteria

The criteria seek to reflect good regulatory principles

11. To enable effective analysis, we have selected five key criteria (set out in more detail in the following tables) that reflect diverse objectives:
    - Improve road and lane user safety,
    - Limit cost and burdens for users and practical to comply with
    - Efficient use of roads and lanes
    - Minimises costs on government
    - Enables fair distribution of outcomes

12. In determining this criteria, we have also considered:
    - MfR's guidance on regulatory stewardship and government expectations on good regulatory practice, and

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- How the criteria may link to and support the considerations the Minister must turn his mind to under s 164 (2) of the Land Transport Act 1998.

Improve road and lane user safety	
Description of criteria	How does this relate to sections in s 164 (2):
• Safety and limiting the risk of injury/death while travelling in lanes is an important responsibility of an effective regulatory system. • Government has a responsibility to protect the safety of people. This is particularly important in the transport sector where there can be fatal consequences if rules are not fit for purpose. • There are wider benefits of improving safety, such as reduced spending on healthcare and enabling people to feel safe and use their allocated lane.	• (a)the level of risk existing to land transport safety in each proposed activity or service, • (c) the level of risk existing to land transport safety in New Zealand in general, and • (d) the need to maintain and improve land transport safety and security, including (but not limited to) personal security.
Example question: how does this option improve the safety for the transport network?	

Limit cost and burdens for users and practical to comply with	
Description of criteria	How does this relate to sections in s 164 (2):
• All regulation generates time and costs for users to understand and comply with. • Regulation which is overburdensome on individuals is cumbersome and generates time and cost pressures which reduce system efficiency.	• (e)(i) whether the proposed rule— assists economic development, and • (e)(iii) whether the proposed rule— protects and promotes public health.
Example question: How easy is it for regulated groups to comply with the option?	

Enhance the efficient use of roads and lanes	
Description of criteria	How does this relate to sections in s 164 (2):
• Efficient use of lanes reduces travel time and costs for users. This can also result in positive externalities including emissions reduction. • It would mean it would allow lanes being used in the best way that serves the transport system to be less congested.	• (e)(iv) whether the proposed rule— ensures environmental sustainability (more people using bikes, e-scooters and walking over using petrol stuff.
Example question: does this appropriately balance safety and efficiency	

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Minimises costs on government	
Description of criteria	How does this relate to sections in s 164 (2):
• Costly or complicated regulatory systems tend to reflect ineffective regulatory practice. This is undesirable as there may be more cost-effective or less complicated ways to achieve the same outcome. • It is good regulatory practice to ensure that rules are effective and proportionate to the issue it deals with.	• (da) the appropriate management of infrastructure, including (but not limited to): o (i)the impact of vehicles on infrastructure; and o (ii) whether the costs of the use of the infrastructure are greater than the economic value generated by its use.
Example question: How does this minimise regulatory costs and complexity, how much does it cost government to implement and maintain the system?	

Enable fair distribution of outcomes	
Description of criteria	How does this relate to sections in s 164 (2):
• Disproportionate impacts on certain groups should be avoided. • Considers how different outcomes are distributed to different groups, and whether this is proportionate.	• (e)(i) whether the proposed rule— assists economic development; and • (e)(iii) whether the proposed rule— protects and promotes public health.
Example question: How does this distribute outcomes to different groups of people? Are there any groups disproportionately impacted?	

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Options

13. This section presents options for each of the lane use proposals. The options identified reflect either:

    - original options as proposed through the 'Accessible Streets' package,
    - amended options which better reflect the practical changes the Minister of Transport has indicated he would like to explore, or
    - other options as to enable a full analysis.

14. In addition to the main options presented, some proposals include other supplementary measures that could be incorporated (such as additional guidance or signage) which may increase the effectiveness of any proposed option.

15. We recognise additional measures may, however, come with associated costs. With this considered, we have presented these measures as optional tag-ons. These measures will be placed as paragraphs following the options of the wider proposal. So that they can be considered alongside whatever wider option is chosen.

16. Additionally, wider issues that are relevant to all changes such as compliance with the rules and public awareness are addressed for all proposals generally below.

17. Under each proposal, a brief impact analysis is provided for each option. A multicriteria assessment of options against the criteria outlined above is provided in the subsequent section of this paper.

Assumption of assessment

18. In our options analysis, we have focused on actual behaviour and current practices. This means our assessment considers how well people currently comply with the rules and how practical those rules are to follow. As a result, many of the anticipated benefits of changing the rules may be less significant than expected, because in practice, people are already behaving as if the new rules were in place. This widespread non-compliance highlights that the existing rules are often ignored by road and path users.

19. Nevertheless, good legislative design and fairness remain important. Even if a rule is rarely enforced, it is still technically illegal to break it. Updating the law to reflect actual behaviour—essentially legalising what is already common practice—can improve the fairness and clarity of the rules. Additionally, some current rules may be unfair to certain groups, even if they are not widely followed in practice. Have rules that are not enforced or inconstantly applied erodes confidence and trust in government.

Implementation

Public Awareness

20. Along with any new legislative measures we will ensure that there is sufficient material available for people to understand any changes. Literature around these rule changes suggest education campaigns may help ensure future compliance with new rules. However, there are risks with the ability to monitor the effectiveness of these campaigns have on compliance. Public campaigns

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around changes are plausible but given their questionable effectiveness and costly nature we cannot be sure there will be agreement from Ministers.

21. A function of rules will be for stakeholders (e.g. cycling groups, footpath and road safety groups) to use them to help inform education campaigns. We plan to create materials that will assist in education campaigns that will happen with roll out. These can be provided to give public guidance on the rules and be used by advocacy groups for their own education campaigns.

Compliance and enforcement

22. Rules inform and support social norms; however, they are only binding when there is effective enforcement. There are limitations across all the proposals for enforcement officers (Police and Councils). This can be for several reasons from proposals being hard to enforce in the first place or it is not cost-effective to enforce. We will be seeking input from local councils on current enforcement activity and whether they will be able to enforce any new rule changes.

23. We engaged with Police in December 2025 currently infringements relevant to our proposals are not commonly enforced by Police. For example, in the past 2 years only one fine was given to someone under 16 for riding on the footpath.

24. Police's view is that these proposals being introduced will not change the amount of enforcement currently carried out by Police. For example, there is no practical means to measure passing distances to an evidential standard, so there need to be a low expectation of Police enforcement of this.

Assessment limitations and scope

Magnitude

25. The magnitude of each criteria in the impact analysis is measured on how large an issue is in terms of the policy.
    1. Low – minor impacts for a limited group of people, no impacts to whole population, has a small cost(less than $50,000 per annum)
    2. Medium – medium impacts for a limited group of people or minor impacts for whole population, has medium cost (greater than $50,000 but less than $1 million)
    3. High – significant impacts for limited groups or medium impacts for whole population, has high costs (greater than 1 million)

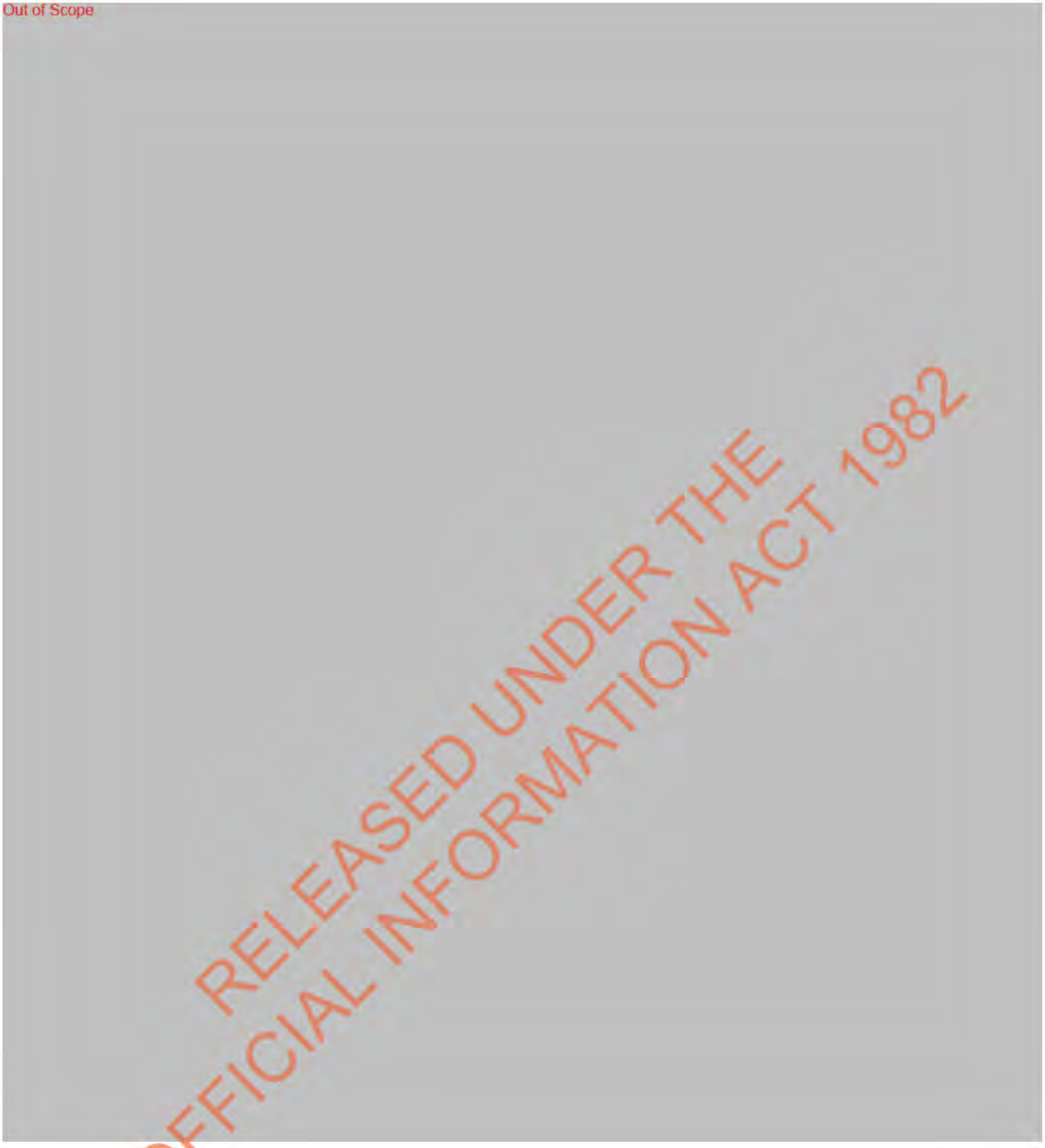
Magnitude assessment ratings

Impacts	No groups	Limited groups	Whole population	Costs
minor	Low	Low	medium	<$50,000
medium	Low	medium	high	$50,000-$1,000,00
high	low	high	high	>$1,000,000

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Page 10 -22 are out of scope of this request, therefore those have been removed.

Out of Scope



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Berm parking

68. Vehicles often park on berms when there's no parking available on the road. Parking on the berm can block the footpath for pedestrians and devices or reduce visibility for vehicles when exiting driveways (especially in areas with fast-moving traffic). Parking on berms can also damage underground infrastructure.

69. The Road User Rule has definitions for **roadway** and **road margin** but there is no definition for *berm* and *verge*.

70. These definitions are particularly significant when addressing the difference between rural and urban environments. The Road User Rule also has national application and wider policy implications as it affects more people. There is a challenge in defining what urban or rural areas are – legislative boundaries may be needed which may have effect on the issue.

71. Road controlling authorities disagree about how they can restrict berm parking and whether they need signage. For example, both Auckland Transport and Christchurch City Council have bylaws which prohibit parking on berms. However, Auckland Transport considers it unenforceable unless signs are erected every 100m, while Christchurch City Council considers it enforceable without the use of signs.

72. This is because Christchurch City Council made their bylaw under the Land Transport (Road User) Rule 2004, which doesn't require signs for a berm parking restriction through the making of a bylaw.

73. In contrast, Auckland Transport made its bylaw under the Land Transport Act 1998, which (combined with the Land Transport Traffic Control Devices Rule) requires signs. Auckland Transport installed signs across approximately 48 locations across the Auckland region between October 2016 and February 2018, costing approximately $50,000.

74. As well as being costly, signs may also be visually unappealing and make the street appear cluttered.

75. This suggests we need greater clarity on whether signs are required for berm parking restrictions or are not required. We're also aware that some road controlling authorities would like the explicit ability to impose a general prohibition on berm parking, through a bylaw, without the use of a sign or other markings to notify people of the restriction.

How should berm parking be regulated		
Option 1	*Status Quo*	
Description		
Impact	incidence	*magnitude*
Requirements are unclear and interpreted differently	Auckland and Christchurch City Councils	Medium
Opportunities and risks		
[fill out if applicable]		
Option 2	Provide TCD signs for RCA wanting to make signs or bylaws	
Description	Provide signs in the TCD Rule FOR RCAs wanting to make signs or bylaws for berm parking.	
Impact	*incidence*	*Magnitude*

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Still have to make bylaws	*Local councils*	*Medium*

Opportunities and risks	
[fill out if applicable]	
Option 3	Accessible Streets proposed solution (with public register)
Description	To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by: passing a resolution, and registering the restriction with the Transport Agency. passing a resolution, and publishing user accessible information on the council website.

Impact	*incidence*	*Magnitude*

Opportunities and risks	
[fill out if applicable]	
Option 4	Accessible Streets proposed solution less public register
Description	*To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by:* *passing a resolution RCA to host a register of berm restrictions (online and other means)* *passing a resolution, and publishing user accessible information on the council website.*

Impact	*incidence*	*Magnitude*

Opportunities and risks	
[fill out if applicable]	
Option 5	Ban all parking on berm (reverse the presumption) – apparently preferred by RCAs.
Description	To ban parking on the berm and allow RCAs to use signages if they want to approve berm parking under any circumstances. To also require RCAs to administer and maintain a register of berm parking prohibitions. Ensuring there are TCDs available to RCAs to use in making signs and markings or bylaws ensures uniformity of signages and markings to decrease confusion

Impact	*incidence*	*Magnitude*

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	Option 1 Status Quo	Option 2	Option 3	Option 4	Option 5
Improve road and lane user safety					
Increase efficient use of roads and lanes					
Limit cost and burdens for users to comply with					
Minimises costs on government including to maintain and implement rules					
Enable fair distribution of outcomes amongst different groups					

Opportunities and risks		
[fill out if applicable]		

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Pages 27 - 30 are out of scope of this request, therefore those have been removed.

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

Improvements to lane use and traffic control device changes

AllMOT| 27 November 2025

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The pages that were out of scope of this request from this presentation have been removed.

Current rules

Out of Scope

Out of Scope

Berm parking

- Councils apply rule around berm parking differently we are considering ways to make this standard consistent.

Out of Scope

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Proposals

Children on Bikes on footpaths

E-sooters in cycle lanes

A minimum overtaking gap

A requirement to give way at bus stops

Berm parking

Option 1 Status Quo inconsistently applied rules on who can park on berms

Option 2

Provide signs for local councils wanting to make signs or bylaws

Option 3

To remove the need for signage and councils can create bylaws but with a public register of restricted areas

Option 4

To remove the need for signage and councils can make by laws

Option 5

Ban all berm parking and require signs for where berm parking is allowed

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Transport Portfolio Weekly Report Week commencing Tuesday 20 January 2026

Project: Lane Usage and Traffic Control Systems

Out of Scope

Lane use rule changes – public consultation plan

We are finalising analysis and advice on preferred options for public consultation.

In addition to the four proposals you have previously announced (kids on bikes on footpaths, e-scooters in cycle lanes, minimum passing gaps of cyclists and horse riders etc, and a requirement to give way to buses leaving bus stops), we have included an additional proposed rule change to address legal ambiguity regarding signage requirements for dis/allowing parking on berms. This additional proposal follows correspondence that you and the Ministry have received from the public seeking this be addressed.

We expect to provide you with a draft discussion document in February 2026, which, subject to your agreement, would enable public consultation to commence in late February 2026 as planned.

Associated papers

Briefing: Rules Reform: Approval to start Public Consultation on Improvements to lane use This briefing seeks agreement to commence ministerial and departmental consultation on a Cabinet paper seeking agreement to policy decisions for several Land Transport Rules Reform Programme workstreams. These include the light vehicle warrant of fitness/certificate of fitness A review, lane use rules, and heavy vehicle productivity.	**Date:** Wednesday 18 February 2026

Decisions required	Confirmed / Denied
None this week	N/A

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Transport Portfolio Weekly Report Week commencing Monday 02 February 2026

Project: Lane Usage and Traffic Control Devices	
Project Status: This workstream includes allowing kids to ride bikes on footpaths, e-scooters in cycle lanes, minimum passing gaps, give way to buses leaving bus stops, parking on berms. We are finalising analysis and advice on preferred options for public consultation. We are on track to provide you with a draft discussion document next week, which, subject to your agreement, would enable public consultation to commence in late February as planned at the same time as consultation on heavy vehicle rule changes.	
Associated papers	
Briefing: Rules Reform: Approval to start public consultation on Improvements to lane use This briefing seeks agreement to release a discussion document for public consultation outlining a series of proposed changes to improve lane use as part of your Rules Reform Programme.	**Date:** Wednesday 11 February 2026

Decisions required	Confirmed / Denied
None this week	N/A

Transport Portfolio Weekly Report Week commencing Monday 16 February 2026

Stakeholder	Update
Petitions Committee	The Petitions Committee (the Committee) wrote to you asking that section 11.14 of the Land Transport (Road User) Rule 2004 be reviewed as part of the Land Transport Rules Reform programme (the Rules Reform programme). The Committee asked that this section be rewritten to use the words 'berm' or 'verge' rather than 'road margin'. Last week, we advised you that we would provide a draft response to your Office by Tuesday 17 February. We will now provide the draft response on Tuesday 24 February, to align with consultation on lane use starting.

Transport Portfolio Weekly Report Week commencing Monday 9 March 2026

Project: Lane Usage and Traffic Control Device Changes	
Project Status: There has been strong public interest on the proposals to improve lane use, with over 4,000 submissions already received. A summary of submissions will be provided to you alongside final policy advice in April 2026.	

Decisions required	Confirmed / Denied
None this week	N/A

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Transport Portfolio Weekly Report Week commencing Monday 23 March 2026

Lane Usage and Traffic Control Device Changes
There has been strong public interest in the proposals to improve lane use, with over 5,000 submissions already received through public consultation. Feedback on the proposals has been largely supportive, with many submitters highlighting the safety benefits and practicality of the changes, such as allowing e-scooters in cycle lanes and children to ride bikes on footpaths. However, support for the berm parking proposal has been low. Though the proposal does not necessarily mean councils would prevent berm parking, submitters are raising concerns about losing the ability to park on berms. Consultation will run until Wednesday 25 March.

Transport Portfolio Weekly Report Week commencing Monday 30 March 2026

Lane Usage and Traffic Control Device Changes
The four-week public consultation on proposals to improve lane use closed on 25 March, with just over 6,000 submissions received. Feedback on the proposals has been largely supportive, with many submitters highlighting the safety benefits and practicality of the changes, such as allowing e-scooters in cycle lanes and children to ride bikes on footpaths. However, support for the berm parking proposal has been low. Though the proposal does not necessarily mean councils would prevent berm parking, submitters are raising concerns about losing the ability to park on berms.

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Neha Pawar

From: Declan Lynch
Sent: Wednesday, 3 September 2025 9:54 am
To: Maria Mahoni
Subject: FW: TARDIS Workflow Task - Select Templates - s 9(2)(a)
Attachments: July 2025 - berm parking enforcement.docx

From: Declan Lynch
Sent: Friday, 1 August 2025 11:59 am
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: FW: TARDIS Workflow Task - Select Templates - s 9(2)(a)

s 9(2)(h)



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From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Wednesday, 30 July 2025 2:57 pm
To: Emma Keel <E.Keel@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Subject: FW: TARDIS Workflow Task - Select Templates - s 9(2)(a)

Kia ora Emma,

Katrina wants me to assist you with the s 9(2)(a) ministerial which you have been drafting a response for. From my understanding you have prepared everything, and I am just helping with getting it through. If you have a different understanding, please let me know.

The link to the ministerial is here: M250428 TCB25-1721 - s 9(2)(a) - Ministerial - Reply Minister Bishop | Download

If you have anyone you need to Peer Review and QA it.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz

TE MANATŪ WAKA MINISTRY OF TRANSPORT | Hāpaitia ana ngā tāngata o Aotearoa kia eke
Enabling New Zealanders to flourish

From: NoReply.Tardis@cloud.opentext.com <NoReply.Tardis@cloud.opentext.com>
Sent: Wednesday, 30 July 2025 1:20 pm
To: Declan Lynch <D.Lynch@transport.govt.nz>
Subject: TARDIS Workflow Task - Select Templates

Hi Declan,

A Ministerial workflow has been assigned to you in TARDIS

M250428 - TCB25-1721 - s 9(2)(a)

Please complete the step: Select Response Template

This paper is due to be sent out on **05/08/2025**. Please complete your step in a timely manner.

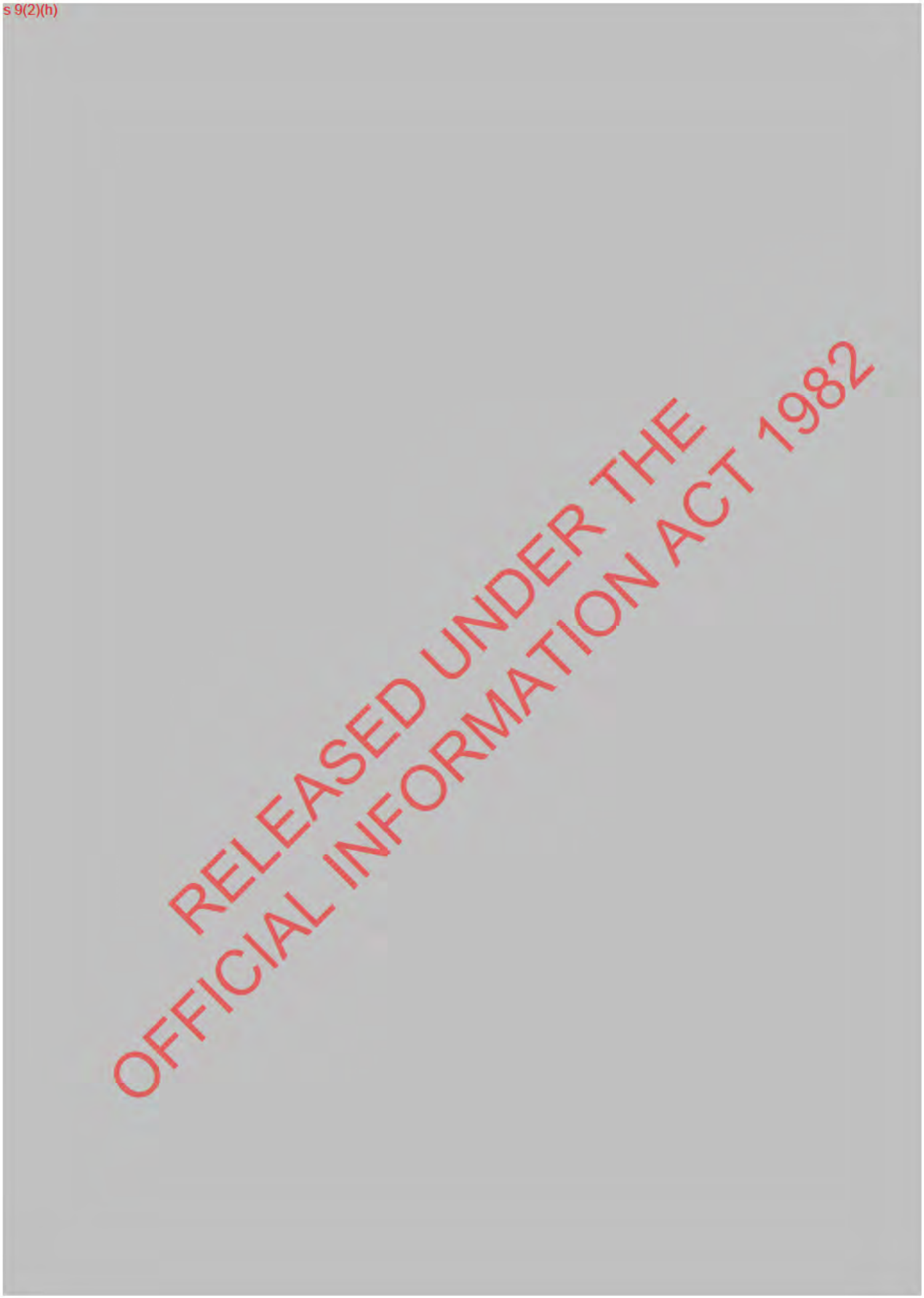
T3/Senior Manager Comments:
As discussed, Emma in Legal has been working on a reply if you can help get it through the system

Please click here or go to your My Workflows in TARDIS. Refer to the step instructions within TARDIS for more information.

Do not reply to this email. If you need help with this workflow please contact:
Ministerials@transport.govt.nz for Ministerial Correspondence.
OIA@transport.govt.nz for all OIA items.
OCU@transport.govt.nz for all other workflows.

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s 9(2)(h)



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s 9(2)(h)



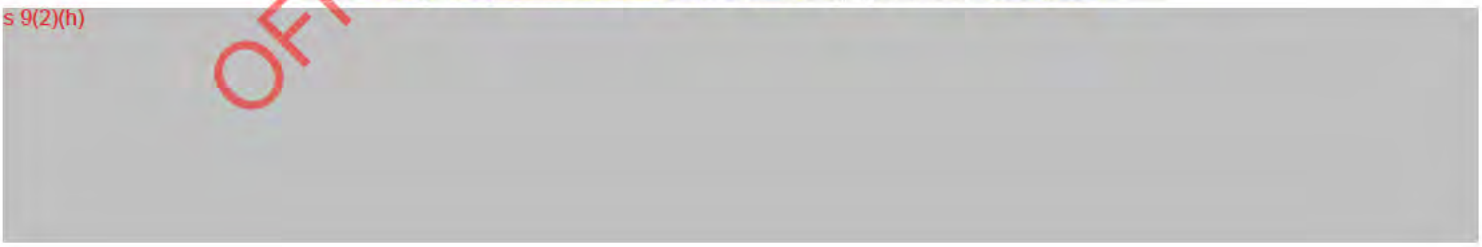
- We note the Auckland Council's consultation webpage for the 2025 Bylaw makes specific reference to allow for faster enforcement in relation to berm parking:

To support the proposed Vehicle Use and Parking Bylaw 2025, Auckland Transport and Auckland Council are proposing some changes and updates to the rules in the proposed bylaw

These include:

- Moving the rules about **vehicles on parks and beaches** from the Public Safety and Nuisance bylaw to the new Vehicle Use and Parking bylaw. There will be no changes to the existing rules about vehicles on parks and beaches, rather the change will allow us to more efficiently enforce any unsafe driving and unauthorised parking.
- Adding the tools available under the Land Transport Act 1988 regarding **heavy vehicle use and parking** to the bylaw. This includes the ability to restrict heavy vehicles from parking in areas where they are causing problems for the community (e.g. where they are blocking visibility).
- Define '**off a roadway**' more clearly to increase certainty about where parking is prohibited. This will allow us to install signage and begin enforcement faster in areas where the community has told us there is a problem (e.g. where parking is causing safety concerns at a local park, or damaging utilities under a berm)

s 9(2)(h)



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Out of Scope

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Document 7

Neha Pawar

From: Osei Owusu <osei.owusu@nzta.govt.nz>
Sent: Wednesday, 22 October 2025 2:09 pm
To: Bonnie Hayvice
Cc: Declan Lynch
Subject: Options to deal with berm parking
Attachments: Clarifying road controlling authority powers around the restriction of berms.docx

Hi Bonnie and Declan,

I have been playing with five possible options to address berm parking which may require amendments to the Road User and TCD Rules.

The assessment is still very high-level but it gives you some idea of what options we could look at more closely. I am happy to start a conversation on these if needed. Not a final product, just a conversation starter.

Out of Scope

Regards

Osei Owusu

Senior Policy Advisor, Users and Vehicles System Policy
System Policy | Te Tūāpae System Leadership

Email: osei.owusu@nzta.govt.nz
s 9(2)(a)

Waka Kotahi NZ Transport Agency
Christchurch, Level 1, BNZ Centre, 120 Hereford Street
PO Box 1479, Christchurch 8011, New Zealand
Facebook | Twitter | LinkedIn

WAKA KOTAHI NZ TRANSPORT AGENCY www.nzta.govt.nz

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Clarifying road controlling authority powers around the restriction of berms

Vehicles often park on berms when there's no parking available on the road. Parking on the berm can block the footpath for pedestrians and devices or reduce visibility for vehicles when exiting driveways (especially in areas with fast-moving traffic). Parking on berms can also damage underground infrastructure.



6.2 Parking vehicles off roadway

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a roadway if he or she can stop, stand, or park it on the road margin without damaging ornamental grass plots, shrubs, or flower beds laid out or planted on the margin.

(2) Subclause (1) does not apply if the road controlling authority provides signs or markings, or makes a bylaw, indicating that a rule different from the one in subclause (1) applies.

Clause 6.2: substituted, on 1 November 2009, by clause 19 of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

The Road User Rule has definitions for **roadway** and **road margin** but there is no definition for *berm* and *verge*.
These definitions are particularly significant when addressing the difference between rural and urban environments. The Road User Rule also has national application and wider policy implications as it affects more people. There is a challenge in defining what urban or rural areas are – legislative boundaries may be needed which may have effect on the issue.

Road controlling authorities disagree about how they can restrict berm parking and whether they need signage. For example, both Auckland Transport and Christchurch City Council have bylaws which prohibit parking on berms. However, Auckland Transport considers it unenforceable unless signs are erected every 100m, while Christchurch City Council considers it enforceable without the use of signs.

	Option 1 – Status quo	Option 2 – Provide TCD signs for RCA wanting to make signs or bylaws	Option 3 – Accessible Streets proposed solution (with public register)	Option 4 – Accessible Streets proposed solution less public register	Option 5 – Ban all parking on berm (reverse the presumption) – apparently preferred by RCAs.
What is the proposed change	Nil	Provide signs in the TCD Rule FOR RCAs wanting to make signs or bylaws for berm parking.	To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by: • passing a resolution, and ➢ registering the restriction with the Transport Agency. passing a resolution, and • publishing user accessible information on the council website.	To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by: • passing a resolution ➢ RCA to host a register of berm restrictions (online and other means) passing a resolution, and • publishing user accessible information on the council website.	To ban parking on the berm and allow RCAs to use signages if they want to approve berm parking under any circumstances. To also require RCAs to administer and maintain a register of berm parking prohibitions. Ensuring there are TCDs available to RCAs to use in making signs and markings or bylaws ensures uniformity of signages and markings to decrease confusion.
Required legislative change	Nil	*Road User Rule* Signs for Clause 6.2(2). *TCD Rule*	*Road User Rule* **Amend clause 6.2** *(2) Subclause (1) does not apply if the RCA –*	*Road User Rule* **Amend clause 6.2** *(2) Subclause (1) does not apply if the RCA –*	*Road User Rule* **Amend clause 6.2(1)** to ban parking on berms outright. RCAs can use clause 6.2(2) to provide signs or make bylaws to

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<table>
<tr>
<td></td>
<td></td>
<td>Amending Clause 12.5 to add berm parking signs to Schedule 1.
Possibly amend the TCD Rule to require berm parking signage where there are berm parking restrictions.</td>
<td>(a) makes and registers a resolution under clause 5 of the Land Transport Rule: Paths and Road Margins 2020 that restricts motor vehicles parking on the berm: or
(b) otherwise provides signs or marking, or makes a bylaw, indicating that a rule different from the one in subclause (1) applies.

TCD Rule
Amendment to section 12 (Stopping, standing and parking)

Amend the TCD Rule to allow RCAs provide traffic signs to instruct people on berm parking restrictions.

Amendment to the TCD Rule to make the Agency (NZTA) administer and maintain a public berm register.</td>
<td>(a) makes and registers a resolution under clause 5 of the Land Transport Rule: Paths and Road Margins 2020 that restricts motor vehicles parking on the berm: or
(b) otherwise provides signs or marking, or makes a bylaw, indicating that a rule different from the one in subclause (1) applies.

TCD Rule
Amendment to section 12 (Stopping, standing and parking)

Amend the TCD Rule to allow RCAs provide traffic signs to instruct people on berm parking restrictions.

RCA publish user accessible information on their website/local register.</td>
<td>depart from the outright ban in clause 6.2(1).

TCD Rule
Amendment to section 12 (Stopping, standing and parking)

Amend the TCD Rule to allow RCAs provide traffic signs to instruct people on berm parking restrictions.

RCA publish user accessible information on their website/local register.</td>
</tr>
<tr>
<td>Sign and marking requirements</td>
<td>This is unclear as Auckland Council and Christchurch City Council interpret this differently.</td>
<td>The RCA must provide signs and markings if they do not want subclause 6.2(1) to apply.</td>
<td>The RCA must provide signs and markings if they do not want subclause 6.2(1) to apply.</td>
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</tr>
<tr>
<td>Enforcement by RCA</td>
<td>Land Transport (Offences and Penalties) Regulations 1999 - Schedule 1 – Offences provisions and penalties
<table>
<tr><th>Max conviction for individual</th><th>Max penalty on conviction for body corp</th><th>Infringement fee for individuals</th><th>Infringement fee for body corp</th></tr>
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<tr><td>$1000</td><td>$1000</td><td>$70</td><td>$70</td></tr>
</table></td>
</tr>
<tr>
<td>Implementation impact</td>
<td>None</td>
<td>There is no public register of berm parking prohibitions.</td>
<td>All restrictions registered with the Transport Agency will be publicly available via an online register. NZTA to develop a register.</td>
<td>RCAs to keep a record/register of berm parking restrictions.</td>
<td>RCAs to keep record of berm parking prohibitions on their websites and other accessible places for the public. A bar code scan could bring up information.</td>
</tr>
<tr>
<td>Comment</td>
<td>The management and administration of berm parking is unclear and affects the enforceability of penalties and offences.</td>
<td>The availability of berm parking signs in the TCD Rule will allow RCAs seeking to enforce them to use them to warn road users. Lack of signs will</td>
<td>If there's no requirement to put up signs or markings, a vehicle could unknowingly be parked on a restricted berm and receive an infringement fee. This could be</td>
<td>If there's no requirement to put up signs or markings, a vehicle could unknowingly be parked on a restricted berm and receive an infringement fee. This could be</td>
<td>An RCA seeking to enforce berm parking must provide a signage which has been made available in the TCD Rule to avoid people unknowingly parking there. This is also supported</td>
</tr>
</table>

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		create the same situation as the status quo. There is a lack of either a public register held by the Agency or a local one held by the RCAs.	particularly problematic for people unaware of the berm parking restrictions in the area they're visiting. A public register might go a long way to inform road users if they are aware of its availability and access. Cost to the Agency.	particularly problematic for people unaware of the berm parking restrictions in the area they're visiting. The availability and accessibility of a locally held register depends on the efficiency of the RCAs. Cost to RCAs.	by a register of berm parking prohibitions administered by the RCA. The availability and accessibility of a locally held register depends on the efficiency of the RCAs. Cost to RCAs.

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Document 8

Neha Pawar

From: Keegan Taylor
Sent: Monday, 10 November 2025 2:13 pm
To: Osei Owusu; Cori Yap
Cc: Declan Lynch; Bonnie Hayvice; Katrina Quickenden
Subject: FW: Updated TCD Amendment list for the Ministry's assessment
Attachments: MoT Comments - Table A Proposed Amendments to TCD Rule (17 Oct 2025).docx; Lane use and TCD updated timeline.pdf

Kia ora Osei and Cori

Out of Scope



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Berm parking

The material you provided on the options to address berm/verge parking is very useful. I think we can discuss this and tie it into the RIS we are developing as part of a more detailed discussion on the updated timeline below.

Out of Scope



Thanks

Keegan Taylor
s 9(2)(a) E: taylk@transport.govt.nz | transport.govt.nz
s 9(2)(a)



From: Osei Owusu <osei.owusu@nzta.govt.nz>
Sent: Monday, 20 October 2025 7:58 am
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Cc: Declan Lynch <D.Lynch@transport.govt.nz>
Subject: Updated TCD Amendment list for the Ministry's assessment

Good morning team,

Out of Scope

Regards

Osei Owusu

Senior Policy Advisor, Users and Vehicles System Policy
System Policy | Te Tūāpae System Leadership

Email: osei.owusu@nzta.govt.nz
s 9(2)(a)

Waka Kotahi NZ Transport Agency
Christchurch, Level 1, BNZ Centre, 120 Hereford Street
PO Box 1479, Christchurch 8011, New Zealand
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Document 9

Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Monday, 17 November 2025 5:32 pm
To: Keegan Taylor; Declan Lynch
Cc: Osei Owusu; Anaru Silao; Katrina Quickenden
Subject: RE: Attn project leads: Commissioning November dashboard for steering group

Kia ora Keegan

Out of Scope

Kind regards
Cori

From: Keegan Taylor <K.Taylor@transport.govt.nz>
Sent: Monday, 17 November 2025 12:12 pm
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Cc: Osei Owusu <osei.owusu@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>; Katrina Quickenden <K.Quickenden@transport.govt.nz>
Subject: RE: Attn project leads: Commissioning November dashboard for steering group

Kia ora koutou

This email covers off the outstanding points from Wednesday's meeting.

Out of Scope

Out of Scope

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Berm analysis

- I have worked with Declan to refine the options paper he has developed: Options assessment background paper.docx. I think the berm analysis can slot in nicely to this document.

- We are pulling from the table that you sent through to kick things off. You will see that there are still some gaps which need to be filled in. Can we please discuss how we go about filling this in when we catch up next.

Out of Scope

Happy to discuss.

Keegan Taylor
s 9(2)(a) | E: taylk@transport.govt.nz | transport.govt.nz

s 9(2)(a)

From: Keegan Taylor
Sent: Monday, 17 November 2025 6:28 am
To: 'Cori Yap' <Cori.Yap@nzta.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Cc: Osei Owusu <osei.owusu@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>
Subject: RE: Attn project leads: Commissioning November dashboard for steering group

Kia ora Cori

Out of Scope

Thanks

Keegan Taylor
s 9(2)(a) | E: taylk@transport.govt.nz | transport.govt.nz

s 9(2)(a)

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Friday, 14 November 2025 4:17 pm
To: Declan Lynch <D.Lynch@transport.govt.nz>
Cc: Keegan Taylor <K.Taylor@transport.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>
Subject: RE: Attn project leads: Commissioning November dashboard for steering group

Thanks for the follow-up, Declan

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Out of Scope

Many thanks

Cheers
Cori

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Thursday, 13 November 2025 8:44 am
To: Keegan Taylor <taylk@transport.govt.nz>; Ryan McGowan <r.mcgowan@transport.govt.nz>; Angela Mansell <A.Mansell@transport.govt.nz>; Laura Bender <bendl@transport.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Julia Harker <Julia.Harker@nzta.govt.nz>; Olivia Kitson <Olivia.Kitson@nzta.govt.nz>; Karl Laulu <Karl.Laulu@nzta.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>; Blake Shepherd <Blake.Shepherd@nzta.govt.nz>; Xavier Watts <Xavier.Watts@nzta.govt.nz>; Sarah Godwin <s.godwin@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Anna Cleary <Anna.Cleary@nzta.govt.nz>
Subject: RE: Attn project leads: Commissioning November dashboard for steering group

Kia ora koutou,

Out of Scope

Ngā mihi,

Declan

From: Declan Lynch
Sent: Monday, 10 November 2025 2:28 pm
To: Keegan Taylor <k.taylor@transport.govt.nz>; Ryan McGowan <R.McGowan@transport.govt.nz>; Angela Mansell <A.Mansell@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Julia Harker <julia.harker@nzta.govt.nz>; Olivia Kitson <olivia.kitson@nzta.govt.nz>; Karl Laulu <karl.laulu@nzta.govt.nz>; Cori Yap <cori.yap@nzta.govt.nz>; Blake Shepherd <blake.shepherd@nzta.govt.nz>; Xavier Watts <xavier.watts@nzta.govt.nz>; Sarah Godwin <S.Godwin@transport.govt.nz>
Cc: Katrina Quickenden <k.quickenden@transport.govt.nz>; Anna Cleary <anna.cleary@nzta.govt.nz>
Subject: Attn project leads: Commissioning November dashboard for steering group

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Kia ora koutou e te tīma,

Out of Scope

Ngā mihi nui,

Declan

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: d.lynch@transport.govt.nz | transport.govt.nz

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Auckland | NZ Government Auckland Policy Office |Level 7, 167B Victoria Street West | PO Box 106238 | Auckland City | Auckland 1143 | NEW ZEALAND | Tel: +64 4 439 9000 |

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Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Tuesday, 2 December 2025 9:54 am
To: Declan Lynch
Cc: Keegan Taylor; Steve Penman; Anaru Silao; Osei Owusu; Bonnie Hayvice
Subject: RE: Steering group update
Attachments: Berm Parking options analysis.docx

Kia ora colleagues

Please find a marked **working draft** of the Berm parking options analysis. We can talk about this and next steps during the meeting.

Speak soon

Cheers
Cori

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Friday, 28 November 2025 11:13 am
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Keegan Taylor <taylk@transport.govt.nz>
Cc: Steve Penman <Steve.Penman@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: RE: Steering group update

Kia ora Cori,

Thank you for reviewing the item for steering group. Please let us know when Steve has provided his input.

Just to clarify we asked for the updated analysis on berm parking by our next stand up meeting on Tuesday.

Can you please have this progressed by Tuesday so we can discuss this during our stand up as originally planned.

Ngā mihi,

Declan

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Friday, 28 November 2025 9:59 am
To: Keegan Taylor <K.Taylor@transport.govt.nz>
Cc: Declan Lynch <D.Lynch@transport.govt.nz>; Steve Penman <steve.penman@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Subject: RE: Steering group update

Kia ora Keegan,

I understand Steve will provide some comments on the overall plan. From a TCD/Lane Use perspective, we reviewed and happy with this document Lane Use and Traffic Control Devices

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Update.docx which also captures what we have agreed during our regular MOT/NZTA meeting. We are happy for this to be taken forward to the Steering Group.

With Steering Group meeting moved to Monday, we will not be able to provide analysis and input earlier than originally requested on the Options Analysis paper (particularly the BERM parking component). However, we commit to provide input by Thursday next week.

Let us know if this timeframe works for you.

Kind regards
Cori

From: Keegan Taylor <K.Taylor@transport.govt.nz>
Sent: Tuesday, 25 November 2025 12:50 pm
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: Declan Lynch <D.Lynch@transport.govt.nz>; Steve Penman <Steve.Penman@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>
Subject: Steering group update

Kia ora kōrua

I have drafted an update note for the steering group based on the agreed timeline. **Can you please review and provide any feedback by COP of this Friday?**

Lane Use and Traffic Control Devices Update.docx

Thanks

Keegan Taylor
Kaitohutohu Mātāmua | Principal Adviser – Regulatory Reform
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: taylk@transport.govt.nz | transport.govt.nz
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DRAFT Berm parking

9. Vehicles often park on berms when there's no parking available on the road. Parking on the berm can block paths for pedestrians and devices or reduce visibility for vehicles when exiting driveways (especially in areas with fast-moving traffic). Parking on berms can also damage underground infrastructure.
10. The Road User Rule has definitions for **roadway** and **road margin** but there is no definition for *berm* and *verge*.
11. These definitions are particularly significant when addressing the difference between rural and urban environments. The Road User Rule also has national application and wider policy implications as it affects more people. There is a challenge in defining what urban or rural areas are – legislative boundaries may be needed which may have effect on the issue.
12. Road controlling authorities disagree about how they can restrict berm parking and whether they need signage. For example, both Auckland Transport and Christchurch City Council have bylaws which prohibit parking on berms. However, Auckland Transport considers it unenforceable unless signs are erected every 100m, while Christchurch City Council considers it enforceable without the use of signs.
13. This is because Christchurch City Council made their bylaw under the Land Transport (Road User) Rule 2004, which doesn't require signs for a berm parking restriction through the making of a bylaw.
14. In contrast, Auckland Transport made its bylaw under the Land Transport Act 1998, which (combined with the Land Transport Traffic Control Devices Rule) requires signs. Auckland Transport installed signs across approximately 48 locations across the Auckland region between October 2016 and February 2018, costing approximately $50,000.
15. As well as being costly, signs may also be visually unappealing and make the street appear cluttered.
16. This suggests we need greater clarity on whether signs are required for berm parking restrictions or are not required. We are also aware that some road controlling authorities would like the explicit ability to impose a general prohibition on berm parking, through a bylaw, without the use of a sign or other markings to notify people of the restriction.

How should berm parking be regulated		
Option 1	*Status Quo*	
Description	No changes to the Road User Rule or TCD Rule. RCAs continue interpreting requirements differently, including uncertainty about whether bylaws need signage and whether berm parking can be enforced without TCDs and what "berm" includes in urban vs rural settings, given the lack of definitions for berm and verge.	
Impact	*Incidence*	*Magnitude*
Requirements are unclear and interpreted differently	Primarily affects large urban RCAs facing parking pressure (Auckland and Christchurch City Councils)	Medium
Path obstruction and reduced visibility near driveways persists	Pedestrians, motorists, cyclists	Medium

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Damage to berms and underground infrastructure continues	RCAs, residents	Medium
Opportunities and risks		
Opportunity - No implementation cost and no legislative amendment is required. Risks - Persistent national inconsistency (ie Auckland requiring signage vs Christchurch not), ongoing public confusion and equity issues, maintenance costs for RCAs due to damaged berms and underground assets, continued safety risks ie reduced sightlines near driveways, footpath obstruction.		
Option 2	Provide TCD signs for RCA wanting to make signs or bylaws	
Description	Provide signs in the TCD Rule FOR RCAs wanting to make signs or bylaws for berm parking.	
Impact	*incidence*	*Magnitude*
Still have to make bylaws	Local councils preferring signage and bylaw-based regulation	Medium
Improves clarity where signage is installed	Local RCAs, road users and residents near signposted areas	Medium
Encourages compliance in signed areas	Drivers, pedestrians	Medium
Costs associated with signage installation and maintenance	RCAs	Medium
Opportunities and risks		
Opportunities - Supports RCA preference for signage-based regulation; creates some consistency. **Risks** - Does not solve the underlying issue of inconsistent interpretation, signage can be visually unappealing; enforcement still ambiguous.		
Option 3	Accessible Streets proposed solution (with public register)	
Description	To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by: a)passing a resolution and registering the restriction with the Transport Agency. b)passing a resolution, and publishing user accessible information on the council website.	
Impact	*Incidence*	*Magnitude*
Creates a consistent national framework for restrictions	All RCAs	Medium/High
Improves safety and visibility, reduces unsafe berm parking	All road users, pedestrians, cyclists, mobility device users	High
Enhances compliance and reduces confusion	Drivers, RCAs	High

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Improves clarity where signage is installed	Local RCAs, road users near signed areas	Medium
Supports planning and journey tools	GPS services, transport apps	Medium
Enforcement depends on public awareness of register, not on-site cues	All RCAs, enforcement teams, and road users in areas with berm parking restrictions.	Medium
Opportunities and risks		
Opportunities - Reduces costs of signage; transparent and nationally consistent; Benefits vulnerable users; improves pedestrian safety. Risks - Requires NZTA resources to maintain register; smaller RCAs may face implementation burden; Enforcement relies on awareness of online register rather than physical cues.		
Option 4	Accessible Streets proposed solution less public register	
Description	*To remove the need for signage and clarify what's needed for road controlling authorities to restrict parking on berms. Road controlling authorities will be able to restrict parking on a berm or an area of berms by:* *passing a resolution RCA to host a register of berm restrictions (online and other means)* *passing a resolution, and publishing user accessible information on the council website.*	
Impact	*Incidence*	*Magnitude*
Safety improved but awareness may vary by RCA	Road users, pedestrians	Medium–High
Compliance more dependent on local publication	Drivers, RCAs	Medium–High
Reduces signage clutter	RCAs, residents	Medium
Opportunities and risks		
Opportunities - RCAs have control over local information; simpler than national register. Risks - Fragmented information; equity may depend on RCA digital capacity; potential for inconsistent enforcement.		
Option 5	Ban all parking on berm (reverse the presumption) – apparently preferred by RCAs.	
Description	To ban parking on the berm and allow RCAs to use signage if they want to allow berm parking . Ensuring there are TCDs available to RCAs to use in making signs and markings or bylaws ensures uniformity of signages and markings to decrease confusion	
Impact	*incidence*	*Magnitude*
Maximises safety; eliminates ambiguity	All road users, pedestrians, cyclists, mobility device users	High
Improves traffic flow and compliance predictability	Drivers, RCAs	High

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Transitional impacts from loss of parking spaces	Local communities, residents	Medium
Opportunities and risks		
Opportunities - strongest safety and equity outcomes, consistent enforcement, national clarity. Risks - Enforcement effort required during transition; may reduce available parking in some areas, initial public resistance, RCA management of exceptions and registers necessary.		

Multi-Criteria Analysis for Berm Parking (early workings)

Legend

++ Strong positives / net benefit against criterion (materially improves outcome)

+ Positive / net benefit against criterion (improves outcome)

0 Neutral / mixed (limited or uneven change)

– Negative / net detriment (worsens or fails to address issues)

	Option 1 Status Quo	Option 2 TCD Signs for RCAs	Option 3 Resolution with Publi Register	Option 4 RCA Register (No Public Register)	Option 5 National Ban (Reverse Presumption	Comments
Improve road and lane user safety	0	+	++	+	++	Option 5 delivers the strongest safety outcomes with a clear national rule protecting all road users. Options 3 and 4 improve safety via consistent rules and enforcement. Option 2 provides localised safety benefits, Status Quo maintains current risks.
Increase efficient use of roads and lanes	0	+	++	+	+	Options 3–5 improve clarity and predictability of road and lane use. Option 5 reduces ambiguity and informal parking most effectively. Option 2 only improves efficiency locally.
Limit cost and burdens for users to comply with	0	0	+	+	0	Option 3 reduces user burden through a clear national register. Option 5 has neutral scoring because transitional impacts from lost parking offset benefits. Option 2

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						relies on interpreting local signage, Option 4 requires checking multiple RCA websites.
Minimises costs on government including to maintain and implement rules	0	–	–	0	0	Option 3 centralises admin with NZTA; Option 4 shifts admin to RCAs. Option 5 is neutral, costs are limited to managing local exceptions. Option 2 requires signage and bylaw management.
Enable fair distribution of outcomes amongst different groups	0	0	++	+	++	Option 5 ensures consistent national outcomes and equity for vulnerable users. Options 3 and 4 improve equity via clear rules; Option 2 only benefits areas with signage; Status Quo maintains inequities.
Totals	0	1	6	4	5	

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Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Friday, 12 December 2025 10:48 am
To: Bonnie Hayvice; Anaru Silao; Declan Lynch
Cc: Osei Owusu
Subject: RE: Lane use stand up follow up 11/12/25

Noted that thanks Bonnie.

Osei will respond to your email related to TCD

Cheers
Cori

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Friday, 12 December 2025 9:18 am
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Cc: Steve Penman <Steve.Penman@nzta.govt.nz>
Subject: RE: Lane use stand up follow up 11/12/25

Let's keep working in the separate document Anaru has linked below, for now.

Thanks for pulling this into the system!

Cheers
Bonnie

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Friday, 12 December 2025 9:01 am
To: Anaru Silao <anaru.silao@nzta.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Cc: Steve Penman <steve.penman@nzta.govt.nz>
Subject: RE: Lane use stand up follow up 11/12/25

Thanks Anaru

Bonnie/Declan - do you prefer that we work directly on your/MOT's link on the wider Lane Use Options paper (where Berm parking is included as one of the proposals):

Options assesment background paper.docx

If so, I will start with the text you already have in there and track the changes/additions we make. I can also take relevant information from the link below that Anaru sent that wouldn't be a problem.

And as Anaru indicated, I will be prioritising this problem definition section with a view to this particular section being finalised by COP today and feel free utilise an iterative process (eg, put in comments as we are working on it)

Cheers,

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Cori

From: Anaru Silao <anaru.silao@nzta.govt.nz>
Sent: Thursday, 11 December 2025 4:49 pm
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>
Cc: Steve Penman <Steve.Penman@nzta.govt.nz>
Subject: RE: Lane use stand up follow up 11/12/25

I've now got the current draft of the berm parking document in the NZTA/MoT shared site Berm Parking options analysis.docx so you have access and can get updates as you would like them.

I've accepted the track changes so it is clean starting point for the further work on problem definition – as discussed Cori will be prioritising this problem definition section with a view to this particular section being finalised COP tomorrow – thanks Bonnie for the collation of points below re problem definition and scope.

As discussed at the meeting feel free utilise an iterative process (eg, put in comments as we are working on it)

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Thursday, 11 December 2025 11:36 am
To: Declan Lynch <D.Lynch@transport.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>
Cc: Steve Penman <Steve.Penman@nzta.govt.nz>
Subject: RE: Lane use stand up follow up 11/12/25

Thanks heaps, Declan!

In terms of the narrower scope, we discussed:

- Softening para 9, and balancing it with a subsequent point/para on the pros of enabling parking on berms.
- Confirm we want to enable councils to do what works for their local areas, reflecting the difference between urban/rural roads.
- The issue is that there isn't a consistent interpretation of the Rules and ambiguity re whether disallowing berms requires signage or not.
- We want to remove ambiguity for councils. 4 key options to achieve with different costs and benefits:
  - Status quo
  - Require signage where berm parking disallowed through council bylaw (costly to councils but benefits to users)
  - Do not require signage where berm parking disallowed through council bylaw (savings for councils but murky for users)
  - Change presumption and require signs where berm parking is allowed by council by-law (more significant change, unclear benefits ie., would likely result in more signage needed in many areas).

We generally consider any definitional clarity for berms etc as out of scope / limited value as road margin definitions are clear.

Cheers
Bonnie

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From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Thursday, 11 December 2025 11:27 am
To: Cori Yap <cori.yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Anaru Silao <anaru.silao@nzta.govt.nz>
Cc: Steve Penman <steve.penman@nzta.govt.nz>
Subject: Lane use stand up follow up 11/12/25

Kia ora koutou,

Thank you everyone for coming along again today.

- It was good to hear the update on TCD from Osei, we will go and check if it is fine for the draft rule to be used for engagement with the TCD steering group.
- As discussed, can we please get the berm parking tomorrow noting that we really want to narrow down the scope of what we are focusing on.
- As agreed, can you put the Berm paper on the share point so it easier for us to provide comment.
- Thank you for the update on the education campaign and communications material, we would appreciate being able to be provided with that when you can.

If you have any questions let me know 😊

Ngā mihi,

Declan

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz

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Document 12

Neha Pawar

From: Declan Lynch
Sent: Wednesday, 11 February 2026 4:23 pm
To: Ministers Office
Cc: Quaid Forbes; Bonnie Hayvice; Keegan Taylor; Laura Bender; Katrina Quickenden; Andrew Johnsen; Amber Fraser-Mackenzie
Subject: [ATTN Quaid] Land Transport Rules Reform Improvements to lane use consultation package
Attachments: OC260011 Rules reform programme approval to consult on changes to improve lane use - Briefing - Policy.pdf; OC260011 Rules reform programme approval to consult on changes to improve lane use - Briefing - Policy .docx; regulatory-impact-statement-lane use final.pdf; regulatory-impact-statement-lane use final.docx; Discussion Document - Lane use improvements 050226.pdf; Discussion Document - Lane use improvements 050226 (2).docx

Attachments refused under section 18(d) as those are publicly available: https://www.transport.govt.nz/assets/Uploads/Briefing/OC260011-Rules-reform-programme-approval-to-consult-on-changes-to-improve-lane-use-Briefing-proactive-release_Redacted.pdf

Kia ora Quaid,

As a part of the Land Transport Rules Reform Programme, we are seeking the Ministers agreement to go out for public consultation on the improvements to lane use work stream.

We planning to time consultation with the second phase of the heavy vehicle productivity workstream which you should also be or have received today. We are currently planning consultation for 4 weeks from 18 February to 18 March. Keegan has likely been in contact with you about getting these two packages through the Office so we can start consultation on the 18 February. Just noting NZTA will need to make some minor edits and changes to the discussion document, this is mentioned in the recs of the briefing.

you saw earlier I sent an email which included a joint PR and Key messages announcing the consultation for the lane use and heavy vehicle workstreams.

Attached is the material in the package including –

- The briefing to the Minister seeking approval to consult
- The regulatory impact statement
- The discussion document

Please let me know if you have any questions.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz

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Document 13

Neha Pawar

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Tuesday, 17 February 2026 10:22 am
To: Declan Lynch
Cc: Bonnie Hayvice; Keegan Taylor; Laura Bender; Katrina Quickenden; Andrew Johnsen; Amber Fraser-Mackenzie; Emma Wardle (Parliament)
Subject: RE: [ATTN Quaid] Land Transport Rules Reform Improvements to lane use consultation package
Attachments: [CB SIGNED] OC260011 Rules reform programme approval to consult on changes to improve lane use - Briefing - Policy.pdf

Attachments refused under section 18(d) as those are publicly available: https://www.transport.govt.nz/assets/Uploads/Briefing/OC260011-Rules-reform-programme-approval-toconsult-on-changes-to-improve-lane-use-Briefing-proactive-release_Redacted.pdf

Hi Declan

Please see attached the Minister's signed copy of this paper. A few questions/notes from me:

- I somehow managed to put a version that was unsigned by Katrina to the Minister, so apologies for that.
- Public consultation now to occur for four weeks, starting 24 Feb
- Could I please see the proactive release at rec 2 before it goes live (as an FYI).
- Was the intention for this paper to also be referred to Minister Meager, so he can see the decisions made? I assume yes but let me know.

In addition, Minister has left the following comment on page one. Could I please get a few lines by **COP today?** Thanks

- Why do we need to consult on these proposals again, given they were consulted on in 2020?

Let me know if there are any questions.

Cheers

Quaid Forbes
Private Secretary - Transport | Office of Hon Chris Bishop
s 9(2)(a)

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Wednesday, 11 February 2026 4:23 PM
To: Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Keegan Taylor <K.Taylor@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Katrina Quickenden <K.Quickenden@transport.govt.nz>; Andrew Johnsen <A.Johnsen@transport.govt.nz>; Amber Fraser-Mackenzie <A.Fraser-Mackenzie@transport.govt.nz>
Subject: [ATTN Quaid] Land Transport Rules Reform Improvements to lane use consultation package

Kia ora Quaid,

As a part of the Land Transport Rules Reform Programme, we are seeking the Ministers agreement to go out for public consultation on the improvements to lane use work stream.

We planning to time consultation with the second phase of the heavy vehicle productivity workstream which you should also be or have received today. We are currently planning consultation for 4 weeks from 18 February to 18 March. Keegan has likely been in contact with you about getting these two packages through the Office so we can start consultation on the 18 February. Just noting

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NZTA will need to make some minor edits and changes to the discussion document, this is mentioned in the recs of the briefing.

you saw earlier I sent an email which included a joint PR and Key messages announcing the consultation for the lane use and heavy vehicle workstreams.

Attached is the material in the package including –

- The briefing to the Minister seeking approval to consult
- The regulatory impact statement
- The discussion document

Please let me know if you have any questions.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
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Document 14

Neha Pawar

From: SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>
Sent: Monday, 9 March 2026 4:44 pm
To: Keegan Taylor
Cc: MAXWELL, Samantha; WHITE, John; Laura Bender; Declan Lynch; Amber Fraser-Mackenzie; Angela Mansell; EVEREST, Leah
Subject: Re: Departmental consultation for Cabinet paper Land Transport Rules Reform Programme: Key policy decisions
Attachments: Annex 1 Draft Land Transport Rules Reform Programme Key policy decisions - Cabinet Paper - 24 February 2026.docx; Annex 2 - Review of Warrant of Fitness and Certificate of Fitness A requirements for light vehicles Regulatory Impact Statement.docx; Annex 3 - Increased penalties for Warrant of Fitness non-compliance.docx; Annex 4 Interim Regulatory Impact Statement - Phase 2 Heavy Vehicle Productivity.docx; Annex 5 Interim Regulatory Impact Statement Lane Use final.docx

Categories: ongoing work

Attachments refused under section 18(d) as those are publicly available onhttps://www.transport.govt.nz/area-of-interest/strategy-and-direction/land-transport-rules-reform-programme-2025

Kia ora Keegan,

Thank you for sharing this package for feedback.

Police's comments are noted below. We do not have comment on the draft LEG Cab paper. The papers attached do not include tracked changes.

Out of Scope

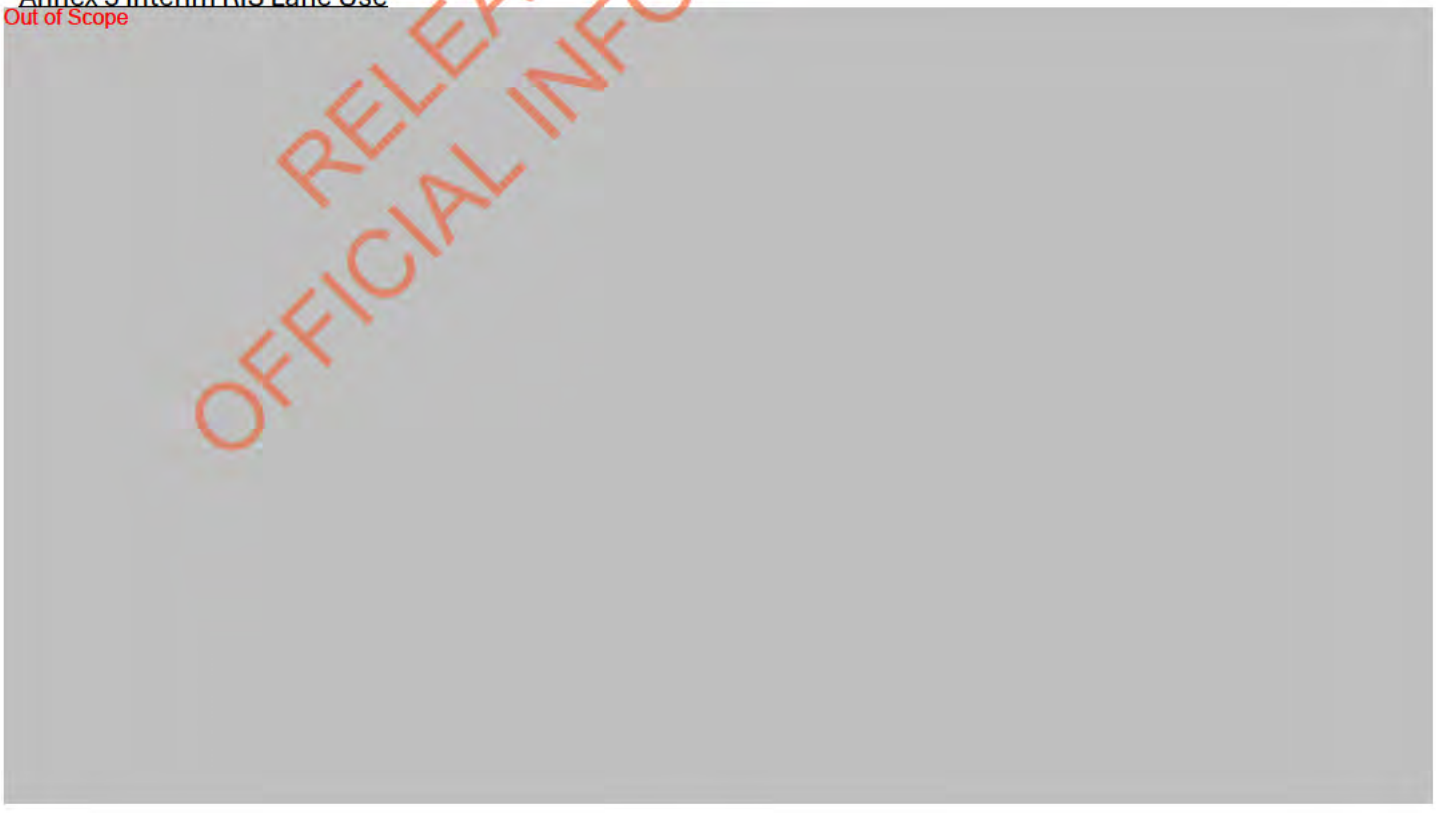
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Out of Scope



Annex 5 Interim RIS Lane Use

Out of Scope



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Out of Scope



- We note that any berm parking enforcement will be by RCAs, unless the vehicle is parked in a dangerous location and needs to be towed without delay, in circumstances where the RCA is not able to respond in a timely manner to the safety risks.

Ngā mihi,

Ginny

Virginia (Ginny) Spackman *(she/her)*
Senior Policy Advisor
People and Communities
Policy Group
s 9(2)(a)
E Virginia.Spackman@police.govt.nz
s 9(2)(a)

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From: Keegan Taylor <K.Taylor@transport.govt.nz>
Sent: Wednesday, 25 February 2026 4:37 PM
To: ben.quilter@treasury.govt.nz; john.roy@regulation.govt.nz; cindy.park@regulation.govt.nz; agencyconsultation@regulation.govt.nz; Official Correspondence NZTA <official.correspondence@nzta.govt.nz>; Steve Penman <steve.penman@nzta.govt.nz>; info@dia.govt.nz; Tina.Robilliard@dia.govt.nz; james.little@dia.govt.nz; NICKLESS, Adriana <Adriana.Nickless@police.govt.nz>; DEWINTON-DAVIES, Ashley (Ash)

<Ashley.Dewinton-Davies@police.govt.nz>; SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>; EVEREST, Leah <Leah.Everest@police.govt.nz>; MCKENNIE, Peter <Peter.Mckennie@police.govt.nz>; JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>; MOLONEY, Michael (Mike) <Michael.Moloney@police.govt.nz>; contactus@justice.govt.nz; offenceandpenaltyvet@justice.govt.nz; Lola.Valentine@justice.govt.nz; zoe.poppelwell@justice.govt.nz; Anthony.Xanthopol@justice.govt.nz; james.ting-edwards@privacy.org.nz; Eve.Kennedy@privacy.org.nz; Isabel.Doudney@privacy.org.nz; policy@privacy.org.nz; alistair.birchall@dpmc.govt.nz; Jenni.Vernon@mpi.govt.nz; Sean.Prenter@mpi.govt.nz; Thomas.Corser@mpi.govt.nz; mike.asplet@ot.govt.nz; matthew.roberts@ot.govt.nz; Hayden.Fenwick@mbie.govt.nz; Michael.Tucker@mfe.govt.nz; info@hud.govt.nz
Cc: Laura Bender <L.Bender@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Amber Fraser-Mackenzie <A.Fraser-Mackenzie@transport.govt.nz>; Angela Mansell <A.Mansell@transport.govt.nz>
Subject: [EXTERNAL] Departmental consultation for Cabinet paper Land Transport Rules Reform Programme: Key policy decisions

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Kia ora

We are seeking written feedback on the attached draft Cabinet paper - Land Transport Rules Reform Programme: Key policy decisions. **We would appreciate your feedback by 5pm Monday, 9 March.**

Out of Scope

Out of Scope

It also seeks agreement to a streamlined decision-making process for changes to lane use and heavy vehicle regulations and provides an update on the implementation of digital driver licences.

Key points:

- **Programme objectives**: The programme aims to reduce compliance costs and regulatory burden while improving road safety and modernising services. It supports commitments in the Government Policy Statement on Land Transport 2024 and the Road Safety Objectives as well as wider digital transformation priorities.
- **Progress to date**: One rule change has been implemented, and public consultation on three further changes concluded in December. Two further changes are out for consultation.

Out of Scope

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- The Minister of Transport will take final policy decisions and issue drafting instructions to PCO on changes to simplify heavy vehicle regulations and enable safe and efficient use of lanes.

- **Detailed analysis:** This Cabinet paper is supported by several annexes, including the WoF/CoF inspection requirements RIS, increased penalties for WoF non-compliance RIS, heavy vehicle productivity RIS, and improvements to lane use RIS. These annexes provide detailed background analysis on the matters covered in the paper.

Out of Scope

Ngā mihi

Keegan Taylor
Kaitohutohu Mātāmua | Principal Adviser – Regulatory Reform
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: taylk@transport.govt.nz | transport.govt.nz
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Document 15

Neha Pawar

From: Osei Owusu <osei.owusu@nzta.govt.nz>
Sent: Tuesday, 24 March 2026 11:56 am
To: Declan Lynch
Cc: Bonnie Hayvice; Leona Feng
Subject: RE: lane use material

Hi Declan,

From an initial high level assessment, these were the implementation issues raised by SMEs:

	Implementation Issue
Out of Scope	
Proposal 5 - Clarify signage requirements for enforcing berm parking restrictions	Relying on extensive signs can increase visual clutter which isn't aligned with the Safe System design principles.

We believe a staged implementation may be required to support the required updates to the Road Codes, education and operational impacts.

We are continuing discussions with the appropriate teams at NZTA on implementation impacts and we will be able to give further assessments in due course.

Regards

Osei Owusu

Senior Policy Advisor, Users and Vehicles System Policy
System Policy | Te Tūāpae System Leadership

Email: osei.owusu@nzta.govt.nz
s 9(2)(a)

Waka Kotahi NZ Transport Agency
Christchurch, Level 1, BNZ Centre, 120 Hereford Street
PO Box 1479, Christchurch 8011, New Zealand
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WAKA KOTAHI NZ TRANSPORT AGENCY www.nzta.govt.nz

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Monday, 23 March 2026 9:31 am
To: Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>
Subject: lane use material

Hi,

Out of Scope

Cheers,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
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Document 16

Neha Pawar

From: Osei Owusu <osei.owusu@nzta.govt.nz>
Sent: Wednesday, 25 March 2026 3:14 pm
To: Declan Lynch; Bonnie Hayvice; Laura Bender
Cc: Leona Feng; Cori Yap
Subject: RE: Lane Use Rule Improvements Summary of Submissions - Annotated Structure

Hi Declan,

I had a chat with Leona and Bonnie this morning and they both suggested given you a bit more detail with the outline sent earlier. Our plan is to present something more substantial possibly next week after this. I will fill in a bit more detail to help with any updates you need now.

Because there's a lot of codes/themes coming through for each proposal, we are considering ordering them under **the three broader outcomes in the RIS** (*Improve road safety outcomes*, *Generate a greater public understanding of and compliance with amended Rules* and *Enhance the efficiency of the transport network*). This will also hopefully iron out some of the discrepancies and discretion used by different coders as the satellite outcomes will capture them in the wider themes/outcomes.

We hope to organise the *Summary of Submissions* under these broad themes. If a theme is coming up significantly like wearing helmets etc., we will make sure it is discussed appropriately under the wider theme so we do not lose any nuance/strong submissions.
I will apply this to only **Proposal 2** as an example. Codes or themes that do not fall into the three identified outcomes will be discussed separately (*see end of outline*). I will provide you a snapshot of each proposal with its percentages as at **4970** submissions. We will be able to provide an updated figures at the close of consultation.

Below is just some figures for you if you need to put some quick update with a caveat that this will be updated later this week once consultation is done. It is a longish read but stick with me! 😉

Proposal 1	
Do you agree with allowing children aged 12 years and under to ride bikes on footpaths?	
Total responses	4970
Yes	3911
No	693
Not sure	366

Proposal 2	
Do you agree with introducing a minimum passing distance when drivers overtake other road users (such as cyclists, horse riders, and micro-mobility users)?	
Total responses	4970
Yes	3292
No	1227
Not sure	451

Proposal 3	
Do you agree with allowing e-scooters to be used in cycle lanes?	
Total responses	4970
Yes	4026
No	494
Not sure	450

Proposal 4	
Do you support requiring drivers to give way to buses leaving bus stops on roads with speed limits of 60 km/h or less?	
Total responses	4970
Yes	2846
No	1665
Not sure	439

Proposal 5	
Do you agree with the proposal to clarify that signage is not required for some parking rules to be enforceable?	
Total responses	4970
Yes	1466
No	2101
Not sure	1381

Are there any other impacts that need to be considered (such as safety, accessibility, and compliance) if the proposal is implemented?	
Total responses	4970
Yes	3019
No	971
Not sure	940

Are there any other impacts that need to be considered (such as safety, accessibility, and compliance) if the proposal is implemented?	
Total responses	4970
Yes	2893
No	1039
Not sure	1038

Are there any other impacts that need to be considered (such as safety, accessibility, and compliance) if the proposal is implemented?	
Total responses	4970
Yes	2273
No	1356
Not sure	1341

Are there any other impacts that need to be considered (such as safety, accessibility, and compliance) if the proposal is implemented?	
Total responses	4970
Yes	1790
No	1709
Not sure	1471

Are there any other impacts that need to be considered (such as safety, accessibility, and compliance) if the proposal is implemented?	
Total responses	4970
Yes	1210
No	1669
Not sure	2091

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PROPOSED STRUCTURE OF THE SUBMISSIONS ANALYSIS

1. Background

Sets out the context for the consultation, including:

- Why the Lane Use Rule amendments were proposed
- Objectives (safety, public transport efficiency, clarity, national consistency)
- Alignment with the Government Policy Statement and the Rules Reform Programme
- The five proposals consulted on

2. Consultation Overview
Summarises:

- Consultation period and how the consultation was promoted
- Total submissions received (online survey + email via Rules inbox)
- Submitter types (individuals, local government, advocacy groups, industry bodies)
- Link to appendices with submitter lists

3. High-Level Summary of Themes
Provides an at-a-glance picture of:

- Overall support/opposition across proposals
- Cross-cutting themes (safety, education, enforcement challenges, infrastructure constraints)
- Definition of numerical terms (e.g. “a large majority”, “most”, “majority”, “some”, “minority”)

Section gives decision-makers a quick narrative before moving into proposal detail.
Question: Are pie charts preferable, or fine to have the stats presented in a table? For example, numbers to date under Proposal 1 as follows:

Response	**Number**	**%**
Support	3911	79%
Oppose	693	14%
Not sure	366	7%

4. Proposal-by-Proposal Summaries (Proposals 1–5)

a. What was proposed
A brief restatement of the question asked in consultation.

b. How people responded
Support, opposition, and not-sure rates, based on the final dataset (statistical data – pie charts etc.)

c. Themes in support
Why submitters supported the proposal (the three wider themes will discuss both pros and cons, not necessarily one-sided)

d. Themes in opposition

Key issues and concerns raised (the three wider themes will discuss both pros and cons, not necessarily one-sided)

e. Impacts that need to be considered
Safety, accessibility, enforcement, infrastructure, compliance impacts (from key submissions)

f. Other implementation considerations (from key submissions)
Clarity needs, drafting issues, education requirements, RCA implications.

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This structure will be applied consistently to all five proposals (minor themes will be discussed under the three main outcomes - *Improve road safety outcomes, Generate a greater public understanding of and compliance with amended Rules* and *Enhance the efficiency of the transport network – Check Proposal 2*)

Out of Scope

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Out of Scope



Proposal 5 – Berm Parking Signage Clarification

(Address all these under the three outcomes - Improve road safety outcomes, Generate a greater public understanding of and compliance with amended Rules and Enhance the efficiency of the transport network as in **Proposal 2**)

Includes:

- Signage required – Councils need clear signage if they want to ban berm parking; how are people supposed to know if there is no sign?
- No signage required – Too costly and messy to sign every berm
- Berm definition – Uncertainty about what counts as a berm, if there is no kerb or footpath
- Current rules unclear – Unclear about current requirements and whether berm parking is illegal or not; esp for visitors/tourists
- Support traffic flow – Improves traffic flow and passing space on narrow streets; prevents collision with parked cars
- Safety risk – Cars block footpaths and force users onto the road; reduces visibility; hazard; damages public assets
- Lack of parking – Housing intensification and/or poor street design, but lack of off-street parking
- Berms are public space – Berms are for public use and not car parks, must remain clear
- Residents maintain berms – Residents mow and care for berms; some right to use them
- Stronger enforcement – Lack of enforcement now; want camera enforcement, warnings, wardens
- Clear national rule – Reduces ambiguity
- Education – Public education campaigns and clear comms about what's allowed
- Road reserve considerate parking – Okay as long as not damaging ground or impeding pedestrians; berms are part of road park sensibly on them
- Nuanced rules – Allow berm parking in certain contexts e.g. residents, narrow streets, short-term, etc
- Out of scope – Response is irrelevant to the question
- General support – Agrees without any distinctive reason
- General Opposition – Disagrees without any distinctive reason
- Unclear – Undecipherable/ very unclear
- Unnecessary rule change – Revenue gathering; no problem that cannot be addressed already; complicated and unworkable
- Confused – I've never thought about this before/ I don't understand the question/I don't know what this means

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5. Limitations of Analysis
Outlines:

- High (relatively) proportion of submitters who did not provide written rationale (Unclear)
- Limited cost/benefit evidence from submitters
- Instances of out-of-scope feedback
- Interpretation limitations of open-text survey design

6. Out-of-Scope Issues
Captures:

- Themes raised that do not relate directly to the proposals (e.g., national berm-parking model, mobility device definitions, unrelated safety features). (Out of Scope theme)
- Provides transparency without diluting proposal specific analysis.

7. Miscellaneous Items
A placeholder for issues raised that do not neatly fall under a single proposal and are not fully out-of-scope. (Themes that may not have sat well in the three outcomes)

8. Appendix – Submitter List (Organisations)
Anonymised list of organisational submitters in line with NZTA practice and OIA considerations.

Regards

Osei Owusu

Senior Policy Advisor, Users and Vehicles System Policy
System Policy | Te Tūāpae System Leadership

Email: osei.owusu@nzta.govt.nz
s 9(2)(a)

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PO Box 1479, Christchurch 8011, New Zealand
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WAKA KOTAHI NZ TRANSPORT AGENCY www.nzta.govt.nz

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From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Wednesday, 18 March 2026 4:56 pm
To: Declan Lynch <d.lynch@transport.govt.nz>; b.hayvice <b.hayvice@transport.govt.nz>; l.bender <l.bender@transport.govt.nz>
Cc: Osei Owusu <osei.owusu@nzta.govt.nz>; Leona Feng <Leona.Feng@nzta.govt.nz>
Subject: Lane Use Rule Improvements Summary of Submissions - Annotated Structure

Kia ora Bonnie and Declan,

Please find below an annotated structure for the Lane Use Rule Improvements – Summary of Submissions:

1. Background

Sets out the context for the consultation, including:

- Why the Lane Use Rule amendments were proposed
- Objectives (safety, public transport efficiency, clarity, national consistency)
- Alignment with the Government Policy Statement and the Rules Reform Programme
- The five proposals consulted on

2. Consultation Overview

Summarises:

- Consultation period and how the consultation was promoted
- Total submissions received (online survey + email via Rules inbox)
- Submitter types (individuals, local government, advocacy groups, industry bodies)
- Link to appendices with submitter lists

3. High-Level Summary of Themes

Provides an at-a-glance picture of:

- Overall support/opposition across proposals
- Cross-cutting themes (safety, education, enforcement challenges, infrastructure constraints)
- Definition of numerical terms (e.g. "a large majority", "most", "majority", "some", "minority")

Section gives decision-makers a quick narrative before moving into proposal detail.

Question: Are pie charts preferable, or fine to have the stats presented in a table? For example, numbers to date under Proposal 1 as follows:

Response	Number	%
Support	3911	79%
Oppose	693	14%
Not sure	366	7%

4. Proposal-by-Proposal Summaries (Proposals 1–5)

a. What was proposed

A brief restatement of the question asked in consultation.

b. How people responded

Support, opposition, and not-sure rates, based on the final dataset.

c. Themes in support

Why submitters supported the proposal.

d. Themes in opposition

Key issues and concerns raised

e. Impacts that need to be considered

Safety, accessibility, enforcement, infrastructure, compliance impacts.

f. Other implementation considerations

Clarity needs, drafting issues, education requirements, RCA implications.

This structure will be applied consistently to all five proposals (this includes high level themes based on the 4,974 submissions received to date)

Out of Scope

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Out of Scope



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Proposal 5 – Berm Parking Signage Clarification

Includes:

- Concerns about lack of parking, safety and fairness
- Views on national consistency vs local conditions
- Issues with signage clutter
- Implementation implications (guidance, enforcement consistency)

5. Limitations of Analysis

Outlines:

- High (relatively) proportion of submitters who did not provide written rationale
- Limited cost/benefit evidence from submitters
- Instances of out-of-scope feedback
- Interpretation limitations of open-text survey design

6. Out-of-Scope Issues

Captures:

- Themes raised that do not relate directly to the proposals (e.g., national berm-parking model, mobility device definitions, unrelated safety features).
- Provides transparency without diluting proposal specific analysis.

7. Miscellaneous Items

A placeholder for issues raised that do not neatly fall under a single proposal and are not fully out-of-scope.

8. Appendix – Submitter List (Organisations)
Anonymised list of organisational submitters in line with NZTA practice and OIA considerations.

Hope useful. Let us know if you are happy with this approach and if you would like anything added or adjusted.

As indicated earlier. I am on leave starting tomorrow, but Osei with the support of Leona, will lead in my absence.

Many thanks

Ngā mihi,
Cori

Cori Alejandrino-Yap
Principal Policy Advisor
Infrastructure and Stewardship System Policy
System Policy | Te Tūāpae System Leadership
s 9(2)(a)
E cori.yap@nzta.govt.nz / w nzta.govt.nz



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From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Tuesday, 17 March 2026 11:32 am
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>; Leona Feng <Leona.Feng@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>; l.bender <l.bender@transport.govt.nz>
Subject: lane use weekly catch up - follow up

Kia ora koutou,

Thank you for the meeting today I am glad to hear that you have been provided with some additional resource for the subs analysis.

As discussed, I am just sending up a follow-up email just confirming NZTA is aiming to provide the summary of submissions around 7 April. And providing us with the outline of the summary of submissions and the memo from SME's later this week.

We are happy with the approach to reflect where NZTA want their view in the final policy decision briefing.

We are also in the early stages of progressing drafting instructions, and we will seek agreement from the Minister to share the draft rule with NZTA.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform

Neha Pawar

From: Leona Feng <Leona.Feng@nzta.govt.nz>
Sent: Tuesday, 7 April 2026 4:22 pm
To: Declan Lynch; Cori Yap; Osei Owusu
Cc: Bonnie Hayvice; Laura Bender; Bonnie Hayvice
Subject: RE: Lane use and TCD work follow-up

Hi Declan,

Thanks for confirming the changes to the recommendations.

Just to clarify, item 1 is only referring to the education/marketing costs of a public awareness campaign for the changes, not the specific implementation costs like developing guidance and road user rule changes for the specific proposals.

I've deleted the second para under item 1 as that is no longer the case. We won t be able to provide any further cost estimates on implementation at this stage, as it is proposed that any additional implementation activity (i.e. guidance, road code changes etc.) will be met from baselines.

Hope this helps – let us know if you need anything further.

Cheers,
Leona

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Tuesday, 7 April 2026 3:54 pm
To: Cori Yap <Cori.Yap@nzta.govt.nz>; Leona Feng <Leona.Feng@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>; l.bender <l.bender@transport.govt.nz>; b.hayvice <b.hayvice@transport.govt.nz>
Subject: RE: Lane use and TCD work follow-up

Kia ora koutou,

Thank you for this. It will allow us to finalise the RIS and briefing and send them for peer review.

Given the final recommendations we are planning to make (set out below), and assuming the Minister agrees to all of them, do you think you would be able to provide us with the associated costs so we could provide more detail to the advice?

Out of Scope [redacted] and to not progress the proposal to clarify berm parking signage requirements;

- Out of Scope [redacted]

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- Not progressing the clarification on signage requirements for berm parking restrictions

Ngā mihi,

Declan

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Tuesday, 7 April 2026 2:36 pm
To: Declan Lynch <D.Lynch@transport.govt.nz>; Leona Feng <Leona.Feng@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: RE: Lane use and TCD work follow-up

Kia ora Declan,

Yes, good meeting today thanks. Appreciate your confirming next steps and timeframes.

Further to your request for implementation advice:

Out of Scope

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We are happy to continue to closely collaborate as policy decisions are finalised, and to flag if any implementation timing or delivery risks emerge. Also happy to discuss if needed.

Ngā mihi,
Cori

Cori Alejandrino-Yap
Principal Policy Advisor
Infrastructure and Stewardship System Policy
System Policy | Te T... pae System Leadership
s 9(2)(a)
E cori.yap@nzta.govt.nz / w nzta.govt.nz



From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Tuesday, 7 April 2026 12:00 pm
To: Leona Feng <Leona.Feng@nzta.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>; l.bender <l.bender@transport.govt.nz>
Subject: Lane use and TCD work follow-up

Kia ora koutou,

Thank you again for the meeting today.

We plan to send you a draft version of the briefing later this week, following peer review.

The final RIS is scheduled to go to panel early next week. We will aim to share a version with you later this week or early next week.

For the summary of submissions, I understand you may need additional time to complete it. We can extend the due date from 13 April to 20 April, which would move the final advice to 22 April.

As discussed, we expect to receive the implementation advice today so we can update both the RIS and the briefing.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: d.lynch@transport.govt.nz | transport.govt.nz



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Neha Pawar

From: Declan Lynch
Sent: Thursday, 9 April 2026 2:26 pm
To: SPACKMAN, Virginia; GRUSCHOW, Cameron; EVEREST, Leah
Cc: Bonnie Hayvice
Subject: Lane use final policy decisions
Attachments: OC260080 Final Policy decisions Improvements to lane use - Briefing - Police.docx

Attachment is refused under section 18(d) as it is publicly available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf

Kia ora koutou,

Thank you for providing input on the Cabinet paper in relation to delegating final policy decisions to the Minister for the lane use changes.

Following public consultation, we have updated our options slightly, Out of Scope and to not progress Out of Scope

- Not progressing the clarification on signage requirements for berm parking restrictions

I have attached the draft version of the final policy briefing. I have highlighted where we have tried to emphasis previous advice which we have received from Police.

Please let us know if you have any questions or concerns.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz

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Document 19

Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Friday, 10 April 2026 4:44 pm
To: Declan Lynch
Cc: Bonnie Hayvice; Laura Bender; Amy Moorhead; Leona Feng; Osei Owusu
Subject: NZTA comments on Draft lane use briefing
Attachments: OC260080 Final Policy decisions Improvements to lane use - Briefing - Policy + NZTA comments.docx

Attachment is refused under section 18(d) as it is publicly available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policydecisions.pdf

Kia ora Declan,

Thank you for the opportunity to provide feedback on the draft Lane Use and TCD briefing. Please find attached the document with our suggestions, clarifications and comments embedded in the attached document.

For the 5 lane use improvements proposals, please find summary of NZTA's views for easy reference:

Out of Scope

- **Proposal 5 – Berm parking enforcement clarification** (not proceeding)
  While councils support and SMEs raised legal and consistency considerations to support the proposal, these do not outweigh the policy and implementation risks identified and are better addressed through future scoping work. NZTA supports MoT's recommendation not to proceed at this stage, noting mixed public feedback and fairness and trust risks.

Out of Scope

Happy to discuss any of the points we have raised.

Ngā mihi,
Cori

Cori Alejandrino-Yap
Principal Policy Advisor
Infrastructure and Stewardship System Policy
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s 9(2)(a)
E cori.yap@nzta.govt.nz / w nzta.govt.nz

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From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Wednesday, 8 April 2026 9:33 am
To: Leona Feng <Leona.Feng@nzta.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>
Subject: Draft lane use briefing

Kia ora,

Here is a copy of the draft lane use and TCD briefing, just wanting to check with NZTA if there are any major deal breakers or technical input you want to make.

Could we please get any feedback on this before COP Friday.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz

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Neha Pawar

From: SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>
Sent: Monday, 13 April 2026 3:32 pm
To: Declan Lynch; GRUSCHOW, Cameron; EVEREST, Leah
Cc: Bonnie Hayvice
Subject: RE: [EXTERNAL] Lane use final policy decisions

Hi Declan,
Thanks for sharing this briefing – we appreciate you taking the time to set out the key changes and highlight where Police advice is reflected.
Also appreciate your response to Cam below, as we'll need to move into implementation planning fairly swiftly.

Ngā mihi,

Ginny

Virginia (Ginny) Spackman *(she/her)*
Senior Policy Advisor
People and Communities
Policy Group
s 9(2)(a)

E Virginia.Spackman@police.govt.nz
s 9(2)(a)

NEW ZEALAND POLICE
Ngā Pirihimana o Aotearoa

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Friday, 10 April 2026 11:21 AM
To: GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>; SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>; EVEREST, Leah <Leah.Everest@police.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: RE: [EXTERNAL] Lane use final policy decisions

Hi Cam,

Thanks for th s, we will keep Police updated on final policy decisions the Ministers makes.

On the berm parking point, we do not think the Minister will want to proceed with this. However, it may still be worth us adding that.

Cheers,

Declan

From: GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>
Sent: Friday, 10 April 2026 10:46 am
To: Declan Lynch <D.Lynch@transport.govt.nz>; SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>;

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EVEREST, Leah <Leah.Everest@police.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: RE: [EXTERNAL] Lane use final policy decisions

Hi Declan,

Thanks for flicking through the draft briefing and the update on proposed changes to the previous proposals.

Out of Scope

Although MOT is recommending to not proceed with the berm parking signage proposal, did you need a rec in there that authorises MOT to send drafting instructions to PCO for this proposal if the Minister still wants to progress with that rule (you may already have a heads-up that the Minister is happy with not proceeding with this, so disregard this if so).

Cheers,
Cam

Cameron Gruschow (he/him)
Senior Policy Advisor I: People and Communities
Policy Group

E cameron.gruschow@police.govt.nz

NEW ZEALAND POLICE
Ngā Pirihimana o Aotearoa

[SEEMAIL]

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Thursday, 9 April 2026 2:26 PM
To: SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>; GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>; EVEREST, Leah <Leah.Everest@police.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: [EXTERNAL] Lane use final policy decisions

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Kia ora koutou,

Thank you Out of Scope

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Following public consultation, we have updated our options slightly Out of Scope and to not progress one proposal;

Out of Scope

- Not progressing the clarification on signage requirements for berm parking restrictions

I have attached the draft version of the final policy briefing. I have highlighted where we have tried to emphasis previous advice which we have received from Police.

Please let us know if you have any questions or concerns.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
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Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Monday, 20 April 2026 4:20 pm
To: Declan Lynch; Bonnie Hayvice
Cc: Laura Bender; Amy Moorhead; Leona Feng; Osei Owusu; Siobhan Bakker
Subject: Lane Use Improvements Summary of Submissions
Attachments: Summary of Submissions Analysis Lane Use Improvements FINAL.docx

Attachment refused under section 18(d), as it is publicly available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf

Kia ora Bonnie and Declan,

As promised, please find attached NZTA's final **Summary of Submissions for the Lane Use Improvements** consultation.

The summary consolidates and analyses feedback received across all five proposals and has been finalised following internal quality assurance and sign-off.

If needed, we are happy to share the master spreadsheet containing the coded submission data and other underlying analysis that informed the summary.

Thanks, happy to talk through any of the key themes raised in the submissions, or to clarify how specific points have been reflected in the analysis.

Ngā mihi,
Cori

Cori Alejandrino-Yap
Principal Policy Advisor
Infrastructure and Stewardship System Policy
System Policy | Te Tūāpae System Leadership
s 9(2)(a)
E cori.yap@nzta.govt.nz / w nzta.govt.nz

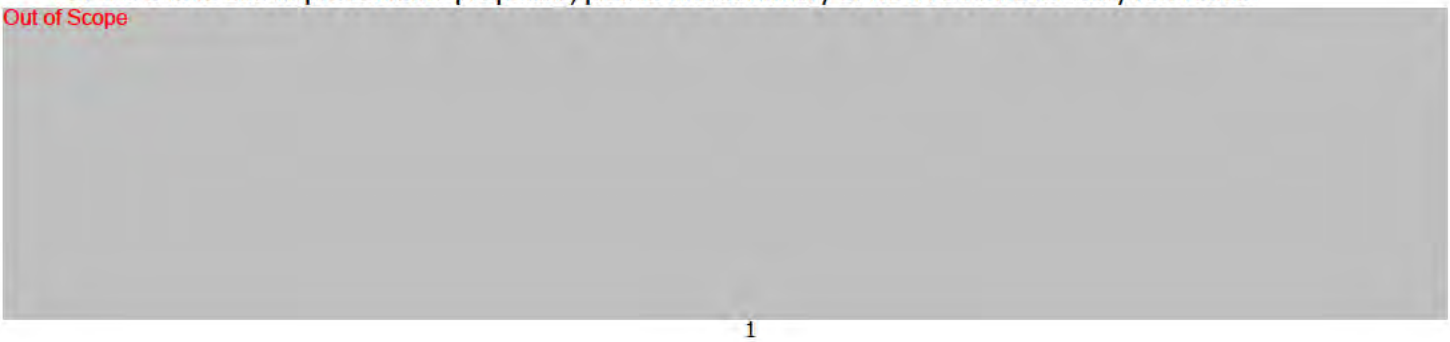
From: Cori Yap
Sent: Friday, 10 April 2026 4:44 pm
To: 'Declan Lynch' <D.Lynch@transport.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>; Laura Bender <bendl@transport.govt.nz>; Amy Moorhead <Amy.Moorhead@nzta.govt nz>; Leona Feng <Leona.Feng@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Subject: NZTA comments on Draft lane use briefing

Kia ora Declan,

Thank you for the opportunity to provide feedback on the draft Lane Use and TCD briefing. Please find attached the document with our suggestions, clarifications and comments embedded in the attached document.

For the 5 lane use improvements proposals, please find summary of NZTA's views for easy reference:

Out of Scope



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Out of Scope



- **Proposal 5 – Berm parking enforcement clarification** (not proceeding)
  While councils support and SMEs raised legal and consistency considerations to support the proposal, these do not outweigh the policy and implementation risks identified and are better addressed through future scoping work. NZTA supports MoT's recommendation not to proceed at this stage, noting mixed public feedback and fairness and trust risks.

Given the above and NZTA's support of the proposals 2 and 4, it can be updated to read 'The Ministry of Transport and NZTA recommend . . .'.

Happy to discuss any of the points we have raised.

Ngā mihi,
Cori

Cori Alejandrino-Yap
Principal Policy Advisor
Infrastructure and Stewardship System Policy
System Policy | Te Tūāpae System Leadership
s 9(2)(a)
E cori.yap@nzta.govt.nz / w nzta.govt.nz

NZ TRANSPORT AGENCY WAKA KOTAHI www.nzta.govt.nz

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Wednesday, 8 April 2026 9:33 am
To: Leona Feng <Leona.Feng@nzta.govt.nz>; Cori Yap <Cori.Yap@nzta.govt.nz>; Osei Owusu <osei.owusu@nzta.govt.nz>
Cc: b.hayvice <b.hayvice@transport.govt.nz>
Subject: Draft lane use briefing

Kia ora,

Here is a copy of the draft lane use and TCD briefing, just wanting to check with NZTA if there are any major deal breakers or technical input you want to make.

Could we please get any feedback on this before COP Friday.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform

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Document 22

Neha Pawar

From: Genevieve Woodall
Sent: Wednesday, 6 May 2026 5:02 pm
To: Declan Lynch; Jolyon Swinburn; Dewi Kurnia
Cc: Bonnie Hayvice; Laura Bender; Maria Mahoni
Subject: RE: RE: Final Lane Use RIA author/panel feedback session

Thanks Declan that is very useful. We will provide a final rating and comment by COP Friday.

Gen

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Wednesday, 6 May 2026 4:43 pm
To: Genevieve Woodall <G.Woodall3@transport.govt.nz>; Jolyon Swinburn <J.Swinburn@transport.govt.nz>; Dewi Kurnia <D.Kurnia@transport.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Maria Mahoni <M.Mahoni@transport.govt.nz>
Subject: RE: Final Lane Use RIA author/panel feedback session

Kia ora koutou,

Thank you for the panel's feedback, especially given the pressure of the fuel response work — we really appreciate it.

We have largely incorporated the panel's feedback in the version with comments, and have included tracked changes for the panel's context alongside a clean version. Where we have not incorporated comments, we have generally provided an explanation.

As requested, we have had the RIS QA'd. We would appreciate the panel providing its final comment this week on the RIS, as we plan for advice to go to the Minister next week.

We have also attached some background papers to provide further context, including our options paper and our offences and penalties paper.

In response to the panel's main concerns:

Out of Scope



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- We have tried to be clearer about our position on berm parking — specifically, that option 3, which we consulted on as our preferred option, was not sufficient to address the problem as defined.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: d.lynch@transport.govt.nz | transport.govt.nz



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Document 23

Neha Pawar

From: Declan Lynch
Sent: Tuesday, 19 May 2026 9:30 am
To: Laura Bender
Cc: Bonnie Hayvice
Subject: VSO text in lane use briefing

Kia ora Laura,

As discussed yesterday I have included some text in the lane use briefing about VSO, I have provided some extracts below of what I have said,

On berm parking:
"We do not recommend progressing the proposal to clarify signage requirements for berm parking, as. As currently proposed, the Rule would mean that people parking on a berm may receive fines without knowing that it is illegal to do so. The lack of clear and practical solutions to this problem raises broader questions of how RCA bylaws and central government rules interact. These issues in the regulatory framework would be better addressed longer pieces of vehicle system overhaul work."

Out of Scope



Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite
Te Manatū Waka Ministry of Transport
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Document 24

Neha Pawar

From: Declan Lynch
Sent: Thursday, 21 May 2026 9:37 am
To: Chris Roblett; Emily Hollis
Subject: FW: [ATTN Quaid] OC260080 Land Transport Rules Reform: Final Policy Decisions for Improvements to Lane Use
Attachments: Annex 2 Final Policy Recommendations for Traffic Control Devices Rule 2004 proposals.pdf; Annex 3 Final Regulatory Impact Statement Land Transport Rules Reform Programme Improvements to Lane Use.pdf; Annex 4 Summary of Submissions Land Transport Rules Reforms Lane Use Improvements 2026.pdf; Annex 5 Summary of Submissions Land Transport Rule Traffic Control Devices Amendment 2026.pdf; OC260080 Land Transport Rules Reform Final Policy Decisions for Improvements to Lane Use.pdf

FYI

Attachment refused under section 18(d) of the Act, the information is available here: https://www.transport.govt.nz/assets/Uploads/Improvements-to-Lane-Use-Final-Policy-decisions.pdf

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From: Declan Lynch
Sent: Wednesday, 20 May 2026 4:18 pm
To: Quaid Forbes <Quaid.Forbes@Parliament.govt.nz>
Cc: Ministers Office <MinistersOffice@transport.govt.nz>; Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Katrina Quickenden <k.quickenden@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>
Subject: [ATTN Quaid] OC260080 Land Transport Rules Reform: Final Policy Decisions for Improvements to Lane Use

Kia ora Quaid,

Please find attached the final policy decisions briefing and attachments for the Minister's weekend bag for the Land Transport Rules Reform Programme Improvements to Lane Use workstream. This work makes discrete, common-sense changes to the road rules, such as allowing children 12 years and under to ride bikes on footpaths and e-scooters in cycle lanes.

Cabinet has delegated final policy decisions to the Minister of Transport following public consultation, which closed at the end of March. There was high public interest in the consultation, so please let us know if there is interest in producing a press release to announce the decisions.

The pack contains the following documents:

- OC260080 Land Transport Rules Reform: Final Policy Decisions for Improvements to Lane Use
- Annex 1: Final Policy Recommendations for Lane Use Proposals (in briefing)
- Annex 2: Final Policy Recommendations for Traffic Control Devices Rule 2004 Proposals
- Annex 3: Final Regulatory Impact Statement: Land Transport Rules Reform Programme: Improvements to Lane Use
- Annex 4: Summary of Submissions: Land Transport Rules Reform: Lane Use Improvements 2026
- Annex 5: Summary of Submissions: Land Transport Rule: Traffic Control Devices Amendment 2026

Please get in touch if you have any questions.

Ngā mihi,

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Document 25

Neha Pawar

From: Declan Lynch
Sent: Thursday, 21 May 2026 2:03 pm
To: Sarah Godwin; Breanne Dirk
Subject: FW: [ATTN Quaid] Improvements to lane use and heavy vehicles PR and Key Messages
Attachments: Key messages - Rules Reform latest packages - Feb 2026.pdf; Draft PR - Min Bishop - Transport rules to make life easier and clearer for road users - Feb 2026.pdf; Key messages - Rules Reform latest packages - Feb 2026 (2).docx; Draft PR - Min Bishop - Transport rules to make life easier and clearer for road users - Feb 2026 (2).docx

Attachment is refused under section 18(d), it is publicly available here: https://www.beehive.govt.nz/release/common-sense-transport-rule-changes-confirmed

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From: Declan Lynch
Sent: Wednesday, 11 February 2026 2:53 pm
To: Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Quaid Forbes <Quaid.Forbes@Parliament.govt.nz>; Keegan Taylor <k.taylor@transport.govt.nz>; Katrina Quickenden <k.quickenden@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>
Subject: FW: [ATTN Quaid] Improvements to lane use and heavy vehicles PR and Key Messages

Hi Sorry sending correctly.

From: Declan Lynch
Sent: Wednesday, 11 February 2026 2:47 pm
To: Quaid Forbes <Quaid.Forbes@Parliament.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Andrew Johnsen <A.Johnsen@transport.govt.nz>; Amber Fraser-Mackenzie <A.Fraser-Mackenzie@transport.govt.nz>; Keegan Taylor <k.taylor@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Katrina Quickenden <k.quickenden@transport.govt.nz>
Subject: [ATTN Quaid] Improvements to lane use and heavy vehicles PR and Key Messages

Kia ora Quaid,

Please see attached the PR and key messages for the second round of land transport rules reform public consultations.

Later today, you will be receiving emails from Amber and me later today with the Land Transport Rules Reform consultation packages (briefing, discussion document, and Regulatory Impact Statement). Amber will send the Heavy Vehicles Phase 2 package, and I will send the Improvements to Lane Use package.

Currently we have planned the consultation at the same time, so we have gotten comms to put together a joint PR and Key Messages for the Ministers Office (attached).

If you have any questions, please let me know.

Ngā mihi,

Declan Lynch (he / him)
Adviser – Regulatory Reform
Kaitohutohu – Kaupapahere mō ngā take Whakarite

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Key messages – public consultation on rule changes to heavy vehicles and lane use

Overall

- We are seeking feedback on a range of commonsense fixes to transport rules.
- This is about rules that reflect how people actually use our roads, lanes and footpaths.
- These changes will make the transport system easier to use and safer for everyone.

Heavy Vehicle Package

- We're proposing to remove unnecessary permit requirements so rental operators can more easily move unladen HPMV truck-and-trailer combinations between depots and customers.
- We're proposing to update licence settings so Class 1 drivers can drive low and zero-emissions vehicles up to 7,500 kg and Class 2 drivers can drive electric public transport buses.
- We're proposing to make signage requirements for load pilot vehicles more practical.
- We're looking to allow overseas heavy vehicle licence holders to convert their licence by either sitting tests or undertaking approved courses.
- These are practical changes to give operators certainty.

Lane Use Package

- We are seeking feedback on five practical proposals to improve the safe and efficient use of lanes and better align the rules with how people already travel:
    - Kids will be able to ride their bikes on footpaths up to age 12, keeping them safer and reflecting common practice.
    - A mandatory passing gap will give motorists clearer guidance on how to safely pass cyclists and horse riders.
    - E-scooters will be allowed in cycle lanes, keeping lanes efficient and bringing rules in line with how people already travel.
    - Drivers travelling under 60 km/h will need to give way to buses pulling out, helping the efficiency of bus services.
    - Clearer signage rules will make it easier for councils to manage berm parking.

Ministerial Lines

- These are practical, commonsense updates to rules that no longer fit how we move around today.
- We're improving safety and making the transport system simpler and easier to understand. This is about modernising transport rules so they work better for real people in the real world.

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Q&As

What is the Government announcing?

- We're starting consultation on two sets of practical rule changes to modernise outdated transport rules and make everyday travel easier and safer.

Why are these changes needed?

- Many of our current rules are old, confusing, or no longer reflect how people actually use the transport system.
- We're updating them to improve safety, reduce unnecessary costs, and make things clearer and easier to follow.

What changes are being proposed for heavy vehicles?

- The proposals would simplify permitting requirements for transferring rental stock, adjust driver licence class requirements for heavy electric vehicles, update signage requirements for load pilot vehicles, and simplify overseas driver licence conversions for heavy vehicles

How will these changes help industry?

- They remove red tape, cut down on delays, and give operators clearer, more modern rules to work with — while keeping safety front and centre.

What changes are being proposed for lane-use and everyday road rules?

- Key proposals include raising the age children can ride bikes on footpaths to 12 years, introducing a mandatory passing gap for motorists overtaking cyclists and horse riders, allowing e-scooters in cycle lanes, requiring drivers under 60 km/h to give way to buses pulling out, and council clarifying signage requirements for berm parking.

How will everyday road users benefit?

- These changes make the rules clearer and safer— drivers, cyclists, bus users, and families. They also reflect how people already travel.

Is safety still a priority in these proposals?

- Yes. Every change is about improving safety, efficiency, or removing unnecessary rules that don't contribute to safety.

What about for pedestrians who now have to share footpaths with cyclists?

- I acknowledge there will be some concerns shared by the disability community, older people and other pedestrians.

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- Supporting education and guidance is being considered for any rule change. I expect parents and caregivers to make sure their children follow guidance on how to ride responsibly, travel at a safe speed and give way to pedestrians.
- These measures are to help make sure that footpaths can be accessible for pedestrians.

Back pocket: Many children already ride bikes on footpaths despite it being legal to do so. I do not consider these changes to significantly change footpath traffic and the safety of footpath users.

What happens next?

- Public consultation will run from 18 February until 18 March 2026 for both packages.

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Neha Pawar

From: Media Mailbox
Sent: Monday, 22 June 2026 1:26 pm
To: Quaid Forbes; Media Mailbox
Cc: Keegan Taylor; Emma Wardle (Parliament); Laura Bender; Declan Lynch
Subject: RE: Lane use rule changes PR - fact check requested by 2.30pm today
Attachments: Q&A new road rules - Minister Bishop.docx

And here is an updated set of Q&As Quaid.
Kind regards
Sharon

From: Declan Lynch <D.Lynch@transport.govt.nz>
Sent: Monday, 22 June 2026 1:22 pm
To: Quaid Forbes <Quaid.Forbes@Parliament.govt.nz>; Media Mailbox <media@transport.govt.nz>
Cc: Keegan Taylor <K.Taylor@transport.govt.nz>; Emma Wardle (Parliament) <Emma.Wardle@parliament.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>
Subject: RE: Lane use rule changes PR - fact check requested by 2.30pm today

Kia ora Quaid,

Please find attached the fact-checked press release.

Ngā mihi,

Declan

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Monday, 22 June 2026 10:34 am
To: Media Mailbox <media@transport.govt.nz>
Cc: Declan Lynch <D.Lynch@transport.govt.nz>; Keegan Taylor <K.Taylor@transport.govt.nz>; Emma Wardle (Parliament) <Emma.Wardle@parliament.govt.nz>
Subject: Lane use rule changes PR - fact check requested by 2.30pm today

Hi team,

Could I please get the attached draft PR fact checked **by 2.30pm today?**

FYI, the two rules reform PRs have been rejigged slightly. This one now solely focuses on lane use and the other covers the various stages of heavy vehicle productivity. We will pass that one on once we receive it.
Let me know if there are any questions.

Thanks,
Quaid

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Q&As on Lane Use

When was the public consultation on lane use and how many submissions did you receive?

The NZTA consultation took place between 25 February and 25 March this year. A total of 6,050 submissions were received and there was generally widespread support for four of the five proposals on improvements to lane use. We have made some changes to the proposals based on what people told us during the consultation.

What was the fifth proposal that was not supported?

The fifth proposed rule change was aimed at clarifying berm parking signage requirements. Around 40 percent of submitters did not support this rule citing concerns that people parking on a berm might receive fines without knowing that it was illegal to park there. This could make the situation more confusing and the intent was to provide clarity.

Why did you need to make these changes. Aren't a lot of these things already happening?

Yes, a lot of these things are already happening. The difference is that with the new rules they will be legally allowed to happen. These rules are practical and provide certainty for people. They are part of a programme of commonsense reforms across New Zealand's transport system.

Why have you let older riders ride on the footpath with children up to 12? And why is 12 years old the maximum?

We received a number of submissions from concerned groups and parents who would not be able to ride alongside their children (aged up to 12) on the footpath if the rule came in. They were worried about their safety if they couldn't ride alongside them. We listened and made changes to the rule so parents and older riders could protect their young ones. We know this happens already.

The Ministry of Transport considers that an age limit of 12 years and under, balances children's average size, awareness, and judgement against the safety of other footpath users.

Doesn't this open the floodgates for everyone over the age of 12 to ride on the footpath?

No, it doesn't. The rule only applies to older riders riding with children up to the age of 12. If an older rider is riding alone or with another person on a bike over the age of 12, they must continue to use the road or the cycle lanes. This has not changed.

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Are you concerned about how this might affect pedestrians, particularly elderly people and the disabled?

I acknowledge some people may have concerns about children and older cyclists riding on the footpath. This rule balances the safety of children with that of other footpath users by focusing only on children up to 12 and the people who are actively looking after them. If parents or caregivers of children, particularly very young children, think the kids need to be supervised this enables them to do that.

We expect people to use commonsense and make way for each other. Education and clear guidance will be important, and parents and caregivers will need to ensure children ride at safe speeds and give way to pedestrians.

Aren't you creating problems for cyclists by allowing e-scooters to ride in the cycle lanes?

Again, we expect people to use commonsense and courtesy when using any public space and make way for each other. Eighty-one percent of submitters agreed with the proposal to allow people to ride e-scooters in cycle lanes. Both cyclists and e-scooters travel faster than pedestrians, so it made sense that they share the same lane which is safer for everyone.

How are these rules going to be enforced?

Police will enforce the new rules as and when appropriate. Beyond this, these rule changes will give people clarity and certainty about what is allowed and what is required.

Allowing an older rider to accompany a child would help people teach children to ride courteously and safely. We expect this would not significantly change practice as many older riders already do this with younger children. It is really about supervision and guidance.

Why did you change the passing gap requirement to a standard 1.5 metres for everyone?

We know that unsafe passing creates a real problem for cyclists and horse riders and that stronger tools are needed to address this behaviour.

In 2025, 10 cyclists died on the road. In 2024, there were 9 fatal crashes, 149 serious injury crashes, and 459 minor injury crashes that involved cyclists. Something needed to be done and while some people wanted a two-metre passing gap and a 20km/h speed limit for drivers passing horses, this could pose safety issues for drivers and impede the flow of traffic. We needed to balance the practicalities of narrow roads and safety, so a universal 1.5 metre minimum overtaking gap (where practicable) was therefore considered adequate.

We had consulted on different passing gaps for different speeds, but consultation feedback highlighted the importance of simplicity and consistency, so we settled on a universal minimum gap that was aligned with the Road Code and international best practice.

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What changes are being made to traffic signs?

There are 44 minor and technical changes such as clarifying the requirements for font sizes on road signs and the dimensions of road markings. These changes will ensure we keep up to date as traffic control technology evolves, remove outdated and unclear requirements, and support a safer land transport system.

When will these rules come into force?

Subject to Cabinet agreement these new rules are expected to come into effect by the end of the year, once they have been formally approved and published through the Order in Council process.

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