

[REDACTED]

Dear [REDACTED]

I refer to your request dated 2 June 2020, pursuant to the Official Information Act 1982, seeking:

“Would you please provide me a list concerning the consultation MoT undertook in developing the Accessible Streets Regulatory Package specifying the:

- 1. Which groups were consulted with*
- 2. The means of consultation for each group (e.g. meeting / correspondence / other (please specify))*
- 3. The date, time and place of any meetings with each group*
- 4. The points taken away from each meeting or other form of consultation by MoT for the period from 1/1/2017 to 20/5/2020?”*

Accessible Streets is a package of multiple Rule changes, developed over a number of years. Policy investigation on what would become Accessible Streets initially began in early 2018 following discussions with Associate Minister of Transport, Hon Julie Anne Genter, about priorities under the (then) new Government. However, proposals within the package, such as the minimum overtaking gap and Rule change to allow cycling on the footpath, precede the development of the Accessible Streets package.

Therefore, while Accessible Streets has been presented as a package, the process for developing the individual component parts (including associated consultation) has varied.

There has been formal consultation periods of various parts of Accessible Streets in the dates preceding your request. This includes:

- the cycling safety panel, which in its 2014 report recommended that New Zealand should trial a minimum overtaking gap rule change and
- the report from the Transport and Industrial Relations Committee regarding cycling on the footpath (Petition 2014/59 of Joanne Clendon) that recommended that the Government consider allowing children, seniors, and vulnerable users to cycle on the footpath.

Formal statutory public notification and consultation took place between 9 March and 20 May 2020, following Cabinet approval in February 2020. As you will be aware, Waka Kotahi led public consultation.

In addition to this formal consultation, during the development of Accessible Streets package there has been wider informal engagement on some or all aspects of the proposals.

In the interests of providing you with a timely response, we have interpreted that your request is referring to engagement with groups external to central government departments. If you are interested in the views of these departments on the Accessible Streets package, these are outlined in the Cabinet paper that can be found on the Ministry website: <https://www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy/accessible-streets/>.

A full list of this informal engagement as well as any associated documents are outlined in Appendix 1. This is based on a search of relevant Ministry staff's emails, electronic calendars and written notes.

Please note that for some of the meetings listed in Appendix 1 there are no minutes of those meetings held by the Ministry. In these instances, we have identified the topics of conversation, where known.

It is also important to note that Ministry officials regularly engage with a range of sector stakeholders (including quarterly meetings with walking and cycling advocates) and it is likely that Accessible Streets has been discussed at these and other forums. However, it is not practical for us to search and identify all instances of where this may have occurred.

Some information has been withheld under section 9(2)(a) to protect the privacy of natural persons. With respect to the information that has been withheld, I do not consider that there are any other considerations, which render it desirable, in the public interest, to make the information available.

You have the right under section 28(3) of the Official Information Act to make a complaint about the refusal to release this information to the Ombudsman, whose address for contact purposes is:

The Ombudsman
Office of the Ombudsmen
P O Box 10-152
WELLINGTON

Email: info@ombudsman.parliament.nz

Yours sincerely

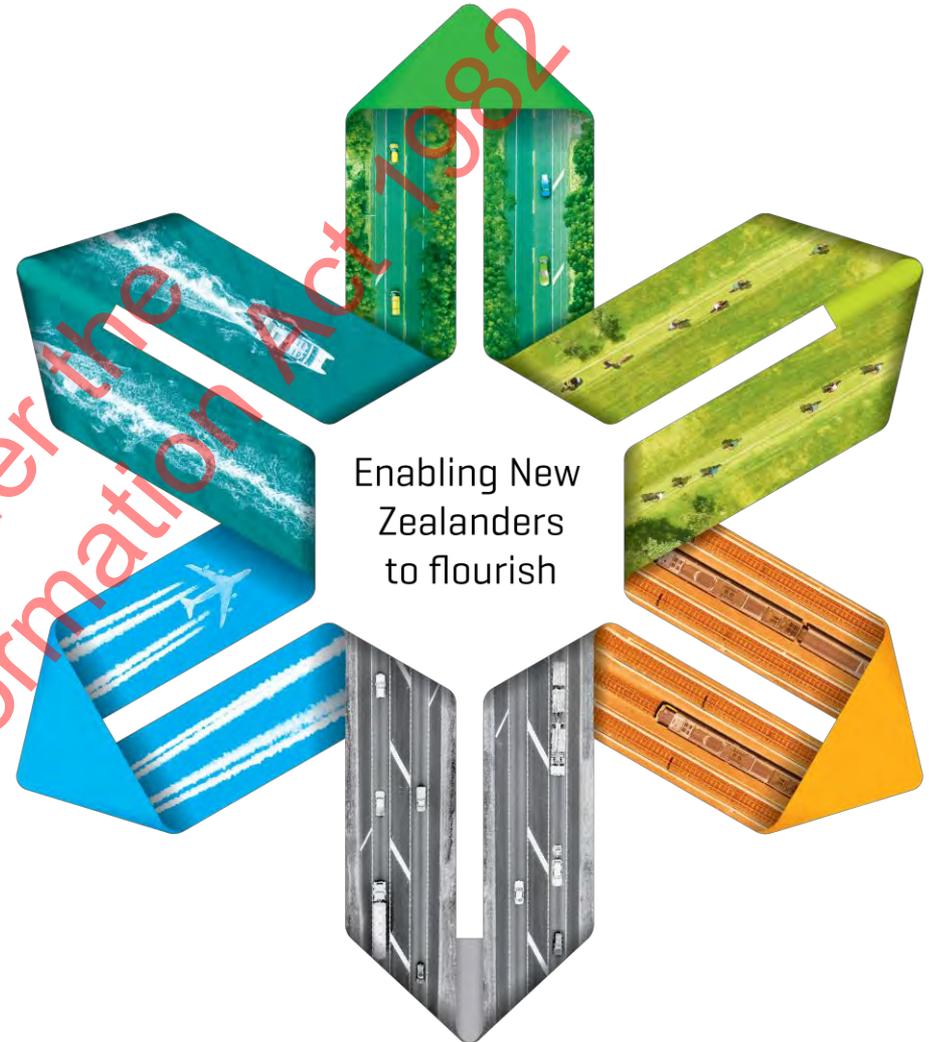
Brent Johnston
Manager, Mobility and Safety
For CHIEF EXECUTIVE

Appendix 1: Documents within scope of request

Date	Organisation	Means of consultation	Discussion topics and comment
2 May 2018	Disabled Persons Assembly	Meeting	Several conversations about mobility sector inputs, primarily about mobility scooters
18 July 2018	IM4 GOLF NZ LTD	Meeting	Mobility devices available in the New Zealand market
9 August 2018	Freedom Mobility	Meeting	Mobility devices and non-traditional bicycles for disabled cyclists (with a view to understanding potential width requirements)
29 November 2018	RSS - Road User Behaviour Reference Group	Meeting	Potential road user behaviour interventions suggested by Reference Group members – including a minimum overtaking gap and a give way rule for pedestrians on side-roads
			See Road User Group summary/reports on Ministry of Transport website via: https://www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy/more-information-on-the-road-safety-strategy/
11 October 2019	NZ Post	Meeting	NZ Post were keen to understand how/if the exemption for Paxters would be impacted by Accessible Streets
29 November 2019	Auckland Transport	Meeting	The meeting was to give an overview of the Ministry's work programme, which included an update of Accessible Streets
			Document 1 includes a side from a presentation given to Auckland Transport. Sides 2-7 and 9-18 are out of scope of this request and have not been included
4 March 2020	Local Government New Zealand, Waka Kotahi, NZ Police, and councils	Workshop on micro-mobility	Outline of Accessible Streets shared in confidence with local and central government officials
			Documents 2 and 3 include emails summarising the key points from workshop Some information withheld under section 9(2)(a) to protect the privacy of natural persons

Date	Organisation	Means of consultation	Discussion topics and comment
31 March 2020	Office of the Human Rights Commissioner	Skype meeting	This meeting was to discuss the Accessible Streets package and the ongoing opportunities for engagement
			Document 4 includes a summary of the meeting provided in Minister Twyford's weekly report. Some information has been withheld under section 9(2)(a) to protect the privacy of natural persons

Transport outcomes in context: safety, access and regulatory stewardship



Released under the Official Information Act 1982

Accessible Streets

- Inclusive access
- Healthy and safe people

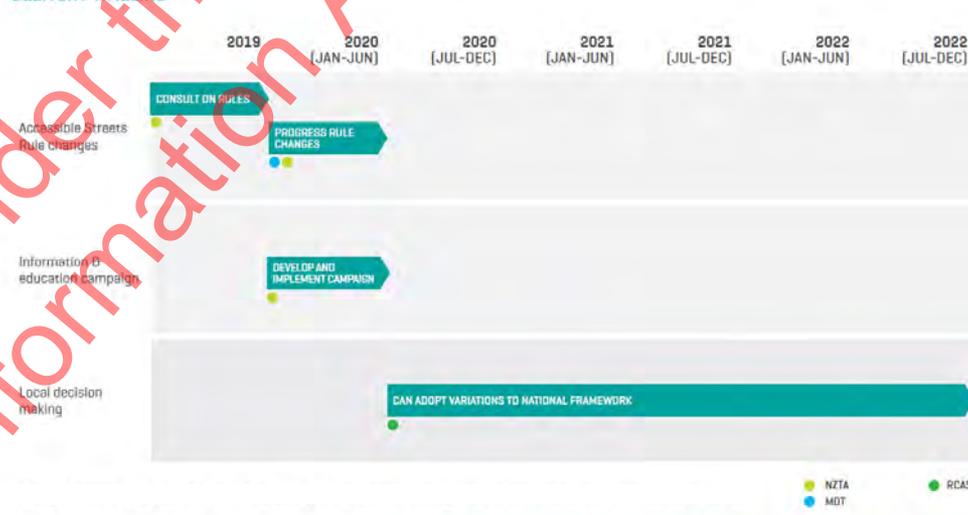
The *Accessible Streets* regulatory package is a collection of rule changes intended to:

- make the rules around footpath, bike lane and cycleway usage clear
- explicitly promote the safety of the most vulnerable road users
- encourage more people to walk, cycle, and travel by other active modes.

Where we are at:

- Subject to Cabinet decisions, public consultation is intended to open at the end of the year.

DELIVERY TIMELINE



Slides 2-7 and 9-18 have not been included as they are out of scope.

From: Brent Johnston <B.Johnston@transport.govt.nz>

Sent: Wednesday, 4 March 2020 11:03 AM

To: [REDACTED]@parliament.govt.nz>; [REDACTED]@parliament.govt.nz>

Cc: [REDACTED]@transport.govt.nz>; [REDACTED]@transport.govt.nz>; [REDACTED]

[REDACTED]@transport.govt.nz>

Subject: Update - Accessible Streets discussion at Micromobility workshop

Hello [REDACTED] and [REDACTED],

Just dropping you a quick note following the Accessible Streets discussion with local government at this morning's micromobility workshop.

Overall feedback was very positive, with the group welcoming the national framework with the ability to make local adaptations, and generally sensible rules.

Some issues that were discussed included:

- The national framework would empower local government to be clear about rules – e.g. cycle lanes, geofencing with providers etc.
- The 15kph speed limit on footpaths was widely discussed – was it too high, too low, how would it be enforced? (the width restriction received little focus).
- There was some discussion about the challenges of new technologies – e.g. increasing power, the new 2seater covered mobility scooters, changing e-bikes etc.
- It was widely agreed that behaviour change is needed to promote courtesy (over enforcement). We noted the associated information and education campaign that would accompany any changes.
- RCAs noted that making local decisions around banning devices from footpaths could be tricky.
- Some limited discussion about the inconsistency of the helmet rules.
- Challenges for RCAs adapting to the changing modes with existing infrastructure (some limited discussion about funding implications for local authorities)
- Keenness for the messaging around priority of pedestrians and vulnerable users to be very clear in the consultation – that vulnerable users take priority (e.g. the new give way by turning traffic to crossing pedestrians, overtaking gap etc.)

The issue of confidentiality was made and reiterated at least four times, so we are hopeful this will remain contained until launch.

We are happy to provide more information if you need.

Kind regards,

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Brent.

Brent Johnston
Manager, Mobility & Safety
Ministry of Transport - Te Manatu Waka

[REDACTED]
b.johnston@transport.govt.nz | www.transport.govt.nz

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The Ministry of Transport has moved! Our new address is: Ground Floor, 3 Queens Wharf, Wellington 6011. All other contact details remain the same.

From: [REDACTED]
Sent: Tuesday, 10 March 2020 2:21 PM
To: [REDACTED]@transport.govt.nz>
Cc: [REDACTED]@transport.govt.nz>
Subject: e-scooter workshop notes

Local government initial response to AS:

- Welcomed the national framework of rules but noted that each council has its own mix of issues and welcomed the scope for flexibility.
- Noted the inherent tension between the wanting the benefits of having nation-wide consistent rules and the benefits of allowing councils to set their own rules within a national framework.
- Noted that flexibility presents risks to councils (they bear the political risk of community engagement/pushback)
- Would prefer a lower maximum default speed limit on shared paths to save Councils from having to reduce the speed.
- Some call for having maximum speed limits for ebikes and scooters (perhaps also with a requirement for ebikes to require pedalling – as opposed to some effectively being low-powered motorbikes)
- Would welcome national rules on what constitutes a shared path, a cycle path etc (eg width requirements). But noted the tension between wanting lots of new infrastructure and wanting high-quality, nationally consistent infrastructure.
- Want to see consistent messaging that underlines the purpose of Accessible Streets (ie that the needs of vulnerable users (especially pedestrians) are being put at the top of the list).

[REDACTED]
Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: [REDACTED] | www.transport.govt.nz

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Weekly Report to the Minister of Transport

For the week ending 3 April 2020



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Minister Genter	
Accessible Streets	
<p><i>Meeting with Disability Rights Commissioner</i></p> <p>Ministry officials had a Skype call with ██████████ of the Human Rights Commission, who was standing in for the Disability Rights Commissioner. ██████████ reiterated the importance of engagement with disabled people. We talked them through some of our past engagement and ongoing opportunities in that space. We have also provided links to accessible documents, which the office has indicated it will share with its networks.</p> <p>To inform its own submission, the main issue we discussed was the role of road controlling authorities in varying the national framework for use of footpaths that will be established under Accessible Streets, and the need for involvement of Disability Organisations to guide these variations.</p> <p><i>Impact of COVID-19 on Accessible Streets consultation</i></p> <p>NZTA has received over 1000 submissions on Accessible Streets. However, they have also received a number of requests for extensions to the submission deadline, including from councils. We understand there will also be limited opportunities for engagement with key organisations, including Disability Organisations, during the consultation period because they are focussed on the COVID-19 response. Given the impact of COVID-19 on consultation and engagement we think it would be appropriate to extend the consultation period.</p> <p><i>Responsibility: Helen Presland, Acting Manager, Mobility and Safety</i></p>	<p>Next Steps:</p> <p>We will provide Minister Genter with advice by email in the week ending 10 April 2020 regarding extending the consultation period for Accessible Streets.</p>