



3 June 2022

OC220437

Hon Michael Wood
Minister of Transport

Action required by:
Tuesday, 7 June 2022

RESHAPING STREETS REGULATORY CHANGES – CABINET PAPER

Purpose

Provide you with a draft Cabinet paper seeking Cabinet agreement to consult on the proposed Reshaping Streets regulatory package (the proposed package).

Key points

1. We have attached a draft Cabinet paper, draft consultation document, and Regulatory Impact Statement (RIS) for the proposed package.
2. This package contains all the proposals that you agreed to consult on (OC220088 refers).
3. As agreed by you at the officials meeting on 23 May 2022, we have included changes to parts of the *Local Government Act 1974* in the proposed package. We shared the draft Cabinet paper and RIS with officials at the Department of Internal Affairs (DIA) and incorporated their comments into these documents. DIA are satisfied with the approach that we are taking.
4. There were significant delays by Waka Kotahi in providing material for the consultation document. While we have considered most of the material, this has been done at considerable speed. We may therefore need to enhance some parts of the draft consultation document before it is finalised for Cabinet consideration.
5. Waka Kotahi is drafting the new Land Transport Rule (the new rule) for the proposed package and planned to complete this before we finalised the draft consultation document. The drafting of the new rule is behind schedule and incomplete. Consequently, the current consultation document outlines the intent of each proposal, but more details need to be added when the new rule has been drafted.
6. The draft Cabinet paper seeks agreement from the Cabinet Economic Development Committee (DEV) for you to “approve any technical amendments to the attached consultation document, and other changes consistent with the policy proposals outlined in this paper, before consultation.” While this should enable us to amend the consultation document, there is a risk that substantive change may need to be made as we map out detailed policies through the rule drafting process.

7. The risk of needing to make substantive changes to the consultation document after Cabinet has agreed to release it need to be weighed against the risks of delaying Cabinet's consideration until the new rule has been drafted. As noted previously (OC220088 refers), if consultation does not begin in early July 2022, delivery of the proposed package may be delayed by several months. This is because local government elections will take place on 8 October 2022. DIA and local authorities have signalled that consultation needs to be completed before September 2022 to avoid any difficulties associated with providing feedback during the pre-election period.
8. We have been working to have the Cabinet paper and attachments considered at the DEV meeting on 29 June 2022. To enable these documents to be considered on this date, Ministerial consultation is currently scheduled to take place from 7 – 17 June 2022, at the same time as departmental consultation. This would enable the Cabinet paper to be finalised and lodged by 22 June 2022.
9. If you agree, the draft Cabinet paper, current draft consultation document, and RIS will be shared with other Ministers for their consideration and feedback before the Cabinet paper is finalised. We will also seek feedback on these documents from other departments. If DEV agrees to publicly consult on the draft consultation document and for you to approve changes to this document before consultation, we will update the consultation document before public consultation commences.
10. Alternatively, if you agree to hold off sharing the consultation document until it has been updated with details from the new rule, we will aim to have a revised consultation document ready to lodge for the next DEV meeting on 27 July 2022.
11. There is a risk that consultation will be further delayed if Waka Kotahi is unable to finish drafting the new rule in the next few weeks. We have reinforced the importance of these proposed changes to Waka Kotahi and our expectations that they need to prioritise this work to ensure the proposed package is ready for formal consultation in early July 2022.

Recommendations

We recommend you:

Either

- 1 **agree** to share the draft Cabinet paper and attached documents for the Reshaping Streets regulatory package with other Ministers for consultation, to aim for the Cabinet paper to be lodged with DEV on 22 June 2022 Yes / No

OR

- 2 **agree** for us to do further work on the consultation document and develop the new rule in detail, and aim to have a revised consultation document ready to lodge for the DEV meeting on 27 July 2022 Yes / No



Angela Parker
Manager, Placemaking and Urban Development
 03/06/2022

Hon Michael Wood
Minister of Transport
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- Minister's office to complete:** Approved Declined
 Seen by Minister Not seen by Minister
 Overtaken by events

Comments

Contacts

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