

Assessment criteria for a rental e-scooter scheme licence application

The table below lists the criteria in clause 10(3) of the Trading and Events in Public Places Bylaw 2015 that Auckland Council and Auckland Transport must consider when determining whether to grant a licence.

Clause 10(2) of the Bylaw provides that the decision to grant or refuse an application must be made in accordance with any relevant guidelines approved by resolution of the Council and specified under the Bylaw. The relevant guidelines are the Trading and Events in Public Places Guidelines 2015 which provide that when considering any application for trading, the Council will assess the application on, but not limited to, the criteria contained in the guidelines. The relevant assessment criteria from the guidelines is therefore also contained in the below table.

The table also sets out the relevant requirements contained in the E-Scooter Shared Services Code of Practice.

The ***New Mobility Principles Document*** which supports the Auckland Plan 2050 (AP2050), will also be considered in assessing a rental e-scooter licence application.

A condition of any licence granted will be compliance with the code of practice and so an applicant's potential to meet the requirements of the code of practice forms part of the relevant assessment criteria.

Please indicate, in the second column, your comments on how you consider that the application meets the assessment criteria.

Assessment criteria	Comments on application
Mandatory criteria in bylaw	
10(3)(a). The location of the activity and whether it is likely to cause a nuisance, obstruction or a hazard to pedestrians or vehicular traffic	
Relevant assessment criteria in guidelines	
<i>Pedestrian access and safety</i>	
what, if any, will the potential impact be on pedestrian and vehicular traffic flow and safety	
whether the activity is likely to cause obstructions and / or disrupt ease of access	
<i>Health and safety, waste, traffic and queue management issues</i>	
whether the operator has taken into consideration health and safety issues (i.e. access and mobility; how they will minimise harm) and how they will mitigate these	
whether they will have adequate waste, traffic and queue management strategies in place	
whether they have identified possible constraints on the capacity of available parking in the area and/or pedestrian traffic and general traffic access	
Relevant requirements in code of practice	
<i>Termination</i>	

Assessment criteria	Comments on application
<p>1(b). The operator must provide a plan for how its operation will be terminated (including the collection of all its equipment) if it no longer chooses to operate or if its licence to operate is suspended or revoked.</p>	
<p><i>Safety and risk management plan</i></p> <p>1(c)The operator must confirm they have and provide a copy of a safety and risk management plan, which includes but is not limited to:</p> <p>i. Ensuring that all electronic hardware, software and firmware is fit for purpose and checked against appropriate standards.</p> <p>In the absence of specific standards for e-scooters, operators are required to</p> <ul style="list-style-type: none"> • identify and use standards or sections of a standard from other industries which can be adopted and / or modified to ensure that they have assessed and mitigated the safety risk to people using e-scooters. <p>And/or</p> <ul style="list-style-type: none"> • have a demonstrated risk management process: operators must demonstrate how they have assessed and mitigated the safety risk to people using e-scooters. <p>ii. Details relating to the proactive identification, investigation and mitigation of potential faults including but not limited to when the following conditions are present:</p> <ul style="list-style-type: none"> • If the e-scooter angle is less than 30° (down event) and • the speed reduces to zero after the down event and 	

Assessment criteria	Comments on application
<ul style="list-style-type: none"> • no brakes were applied immediately prior to the down event, e.g. within 2 seconds prior to the down event. <p>iii. Maintenance processes, which includes defect identification, rectification, and prevention, as well as detailing whether maintenance will be carried out weekly or within a timeframe according to manufacturer’s specifications.</p> <p>iv. Operational management plan that considers the use of e-scooters on roads, footpaths and bicycle lanes and has mitigation measures in place to reduce any risk to users, pedestrians, vulnerable persons, and other road users</p> <p>v. Investigation processes: Operators shall demonstrate how they will use their adopted standards and/or risk management process as part of an accident investigation to understand potential contributing factors and to show the steps to mitigate.</p>	
<p>1(d). If the operator has previously operated or is operating in other jurisdictions, information on prior performance in these areas must be provided.</p>	
<p><i>Deployment and rebalancing</i></p> <p>1(h). The operator must advise:</p> <ul style="list-style-type: none"> • The number of e-scooters they intend to deploy per tier. • The suburbs within each tier in which they intend to deploy. • How e-scooters will be charged and deployed. 	

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<p>1(i). The operator must provide a plan for re-balancing e-scooters around the city to:</p> <ul style="list-style-type: none"> • Prevent or resolve bunching; • Comply with section 3(i) 	
<p><i>Adverse or severe weather or other emergencies</i></p> <p>1(j). The operator must advise council of how they will manage operations in the case of adverse or severe weather or other emergencies.</p>	
<p><i>Influencing user behaviour</i></p> <p>1(k). The operator must provide a plan to influence user behaviour in the areas of riding and parking compliance.</p>	
<p>1(l). Operators must commit to work with Auckland Council, Auckland Transport, Waka Kotahi New Zealand Transport Agency and other relevant parties in the development and provision of safety and nuisance reduction initiatives.</p>	
<p>1(m). Operators must confirm that Auckland Council / Auckland Transport parklets will be made visible within their app.</p>	

Mandatory criteria in bylaw	
<p>10(3)(b). The specifications of any furniture, structures, equipment, vehicles and other items to be used for the activity</p>	

Assessment criteria	Comments on application
Relevant assessment criteria in guidelines	
<i>Quality of the goods, services and experience</i>	
whether the activity will provide good quality products or services that adds to the character of the area as well as ensure the protection of the consumer	
Relevant requirements in code of practice	
<p data-bbox="114 555 412 584"><i>Product requirements</i></p> <p data-bbox="114 616 869 719">1(e). The operator must provide specifications of the e-scooters to be deployed from date of licence issued. This includes but is not limited to:</p> <ul data-bbox="174 756 779 922" style="list-style-type: none"> <li data-bbox="174 756 779 785">• A detailed diagram of e-scooter equipment <li data-bbox="174 801 304 829">• Brand <li data-bbox="174 845 304 874">• Model <li data-bbox="174 890 389 919">• Used or new 	
<p data-bbox="114 959 600 987">1(f). The operator must confirm that:</p> <ul data-bbox="174 1019 943 1386" style="list-style-type: none"> <li data-bbox="174 1019 943 1080">• The e-scooter equipment complies with legal standards and requirements, including battery requirements. <li data-bbox="174 1096 943 1192">• The e-scooter equipment is of sufficiently high quality to withstand constant public use and exposure to the Auckland elements. <li data-bbox="174 1208 943 1303">• The e-scooter equipment includes smart technology with active global positioning system (GPS) and wireless connectivity. <li data-bbox="174 1319 943 1386">• The e-scooter equipment contains integrated location technology and on-board wireless diagnostics to 	

Assessment criteria	Comments on application
<p>identify mechanical failure and enable preventive maintenance.</p> <ul style="list-style-type: none"> • Any e-scooter reported or believed to be inoperable will be remotely locked, until the e-scooter is removed and repaired • Every e-scooter will be equipped with a unique identification number that is: <ul style="list-style-type: none"> ○ A minimum 100pt font size or appropriate font size to be viewable at 5m distance. ○ Prominently displayed at all times. ○ Located on both the rear wheel guard and stem. 	
<p><i>User reporting of accident and incidents</i></p> <p>1(g). The operator must confirm and provide evidence that in-app reporting features will be available on the home page of the app or within one to three clicks from the home page, to allow reporting of issues including, but not limited to: an accident, incident, damage or malfunction.</p>	
Mandatory criteria in bylaw	
<p>10(3)(c).The impacts on the surrounding environment and users as a result of noise, smell, glare, light spill, appearance or any other effects and; whether these impacts have been appropriately mitigated;</p>	
Relevant assessment criteria in guidelines	
<p><i>Impact of activity on adjacent properties</i></p>	

Assessment criteria	Comments on application
whether the activity is likely to give rise to nuisance, impact on public safety or loss of amenity caused by noise, litter, odour or anti-social behaviour	
whether it likely to impact on residential amenity	
<i>Management of the activity</i>	
whether the activity will be managed in a way that it does not 'privatise' or cause a loss of public space	
Relevant requirements in code of practice	
N/A	

Mandatory criteria in bylaw	
10(3)(d). The suitability of a person to hold an approval taking into account any known past operational issues and the applicant's experience and track record	
Relevant assessment criteria in guidelines	
<i>History (i.e. complaints about non-compliance)</i> what the applicant's track record of compliance is	
<i>Public liability insurance</i> whether the commercial service operator has appropriate public liability insurance	
Relevant requirements in code of practice	
<i>Insurance</i> 1(a). The operator must provide evidence that they hold public	

Assessment criteria	Comments on application
liability insurance of at least NZ\$2,000,000.	
<p><i>Contact details</i> 2(b). The operator must provide a contact details, including a phone number, for a suitable local staff member who can liaise with the council during licensing hours to address operational issues.</p>	

<p>Mandatory criteria in Bylaw 10(3)(g). Whether the activity is consistent with Auckland Council policies and plans, including but not limited to the Auckland Plan, Smokefree Policy, Waste Management and Minimisation Plan, local alcohol and gambling policies. See attached <i>New Mobility Principles Document</i> for further guidance.</p>	
Relevant assessment criteria in guidelines	
<i>Benefits to the community</i>	
whether the activity improves the local community / local area	
Relevant requirements in code of practice	
<p>Overall extent to which application is consistent with code of practice, including:</p> <ol style="list-style-type: none"> 1. Engagement with Auckland Council 2. Ongoing operational requirements 3. Ongoing safety enhancement and nuisance reduction requirements 4. Ongoing information requirements 	

The Auckland Plan and new mobility

Auckland's high-level strategic vision is described in the Auckland Plan 2050 (AP2050). While this plan provides strong direction on the future the council and Aucklanders are seeking, it is by necessity broad. To help with understanding the AP2050 we have compiled the following list of principles based on the outcomes, directions and focus areas described in the plan, which are particularly relevant to new mobility modes and operating models.

These principles have been developed for use in considering and guiding various types of new mobility in Auckland, and applicants should use them to demonstrate how their schemes can contribute to Auckland's strategic objectives. In saying that, it is not expected that all these principles will be relevant in every case and where they are not it is not necessary to address them for the sake of completeness. There may also be tension, or even conflict, between them in some situations. This is to be expected when dealing with the complex and often competing priorities of a city such as Auckland.

The following table sets out the principles, with a short description of the expected outcome that the application of that principle is expected to achieve. In the case of health, safety and the environment the principles take the form of a clear "bottom-line" to achieving the desired outcome, while in other cases there is greater flexibility.

The principles are generally focussed on the long-term outcomes. In the short-term, trials and staged introductions are likely to be required that may limit how well new technology can address some, or all, of these principles. If this is the case in relation to health, safety or the environment, new technology must not be worse than the present situation and an explanation of what is being done to make progress on these matters should be provided.

Please note, these principles are not intended to supplant the broad strategic direction in the AP2050 or cover every aspect of it, but rather to highlight the most relevant aspects related to new mobility. In addition to the below we encourage you to consider the plan itself and any other relevant Auckland Council policy and plans and welcome your observations on how you will be consistent with them.

Principles	Explanation	Auckland Plan links
<p>Reduce the harm to people from our transport system</p>	<p>Human life and health are paramount and should be protected. New technology must help reduce:</p> <ul style="list-style-type: none"> the number of deaths and serious injuries on our transport network on our way to our goal of zero deaths and serious injuries (DSIs) by 2050 direct harm to health which is caused by the transport system e.g. particulate emissions and noise. 	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland Direction 3: Maximise safety and environmental protection Focus area 6: Move to a safe transport network free from death and serious injury Focus area 7: Develop a sustainable and resilient transport system
<p>Prioritise active transport for short trips</p>	<p>Walking, cycling and active travel should be the best options for short urban journeys. The focus of efforts in relation to these short trips should be on making choosing active modes easier and more desirable while minimising impact on existing users of public spaces (particularly vulnerable pedestrians)</p>	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland Focus area 1: Make better use of existing transport networks Focus area 4: Make walking, cycling and public transport preferred choices for many more Aucklanders
<p>Support mass transit as the backbone of the system</p>	<p>New mobility services should support and/or complement the rapid and frequent transport network, not compete with it.</p>	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland Focus area 1: Make better use of existing transport networks
<p>Make efficient use of road space and manage congestion</p>	<p>New mobility options should provide or support more efficient methods of travel, such as through the use of smaller vehicles and/or higher levels of vehicle occupancy, especially during peak travel times, around centres and along congested corridors.</p>	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> Direction 1: Better connect people, places, goods and services Focus area 1: Make better use of existing transport networks

	This should include the avoidance or minimisation of peak period redeployment and relocation of vehicles.	
Reduce emissions and environmental impacts	New mobility options must have lower environmental effects, including contributing fewer emissions, than the modes or methods of travel they are replacing (and also taking into account new trips generated).	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> • Direction 3: Maximise safety and environmental protection • Focus area 7: Develop a sustainable and resilient transport system <p>Outcome: Environment and Cultural Heritage</p> <ul style="list-style-type: none"> • Direction 1: Ensure Auckland's natural environment and cultural heritage is valued and cared for • Direction 3: Use Auckland's growth and development to protect and enhance the natural environment • Focus area 1: Encourage all Aucklanders to be stewards of the natural environment, and to make sustainable choices
Support Māori identity and wellbeing	<p>Many of the approaches described in the principles are aligned with Māoritanga and following these principles should see that Māori benefit from the introduction of new technology.</p> <p>New mobility services should also:</p> <ul style="list-style-type: none"> • consider how they could benefit more specific Māori outcomes, such as the accessibility of papakāinga and marae • incorporate where appropriate the perspective gained from tikanga and the te ao Māori view. 	<p>Outcome: Environment and Cultural Heritage</p> <ul style="list-style-type: none"> • Direction 2: Apply a Māori world view to treasure and protect our natural environment (taonga tuku iho) <p>Outcome: Māori Identity and Wellbeing</p> <ul style="list-style-type: none"> • Direction 1: Advance Māori wellbeing
Support the development of a compact city	New mobility services should be implemented in such a way as to support Auckland's plans to take a quality compact urban approach to growth and development.	<p>Outcome: Transport and Access</p> <ul style="list-style-type: none"> • Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland • Focus area 5: Better integrate land-use and transport <p>Outcome: Homes and Places</p>

		<ul style="list-style-type: none"> Direction 1: Develop a quality compact urban form to accommodate Auckland's growth Auckland Plan: Development Strategy
Promote equitable access	<p>All people should benefit from new mobility services. New transport services and models of operation must therefore improve rather than reduce the options available to people. They also, most importantly, should be available to all parts of Auckland and all segments of society.</p> <p>It is also desirable if new initiatives are able to specifically improve the level of accessibility for people with lower transport choice.</p>	Outcome: Transport and Access <ul style="list-style-type: none"> Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland Outcome: Belonging and Participation <ul style="list-style-type: none"> Direction 2: Improve health and wellbeing for all Aucklanders by reducing harm and disparities in opportunities Focus area 6: Focus investment to address disparities and serve communities of greatest need
Support an attractive urban environment and people-focused public spaces	<p>New mobility options should enhance our city and complement its public spaces by contributing to attractive and enjoyable public spaces for people, especially on foot, and improving the well-being of communities.</p>	Outcome: Transport and Access <ul style="list-style-type: none"> Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland Focus area 3: Maximise the benefits from transport technology Focus area 5: Better integrate land-use and transport Outcome: Homes and Places <ul style="list-style-type: none"> Direction 4: Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living Focus area 5: Create urban places for the future