

CODE OF PRACTICE FOR RENTAL SCHEME OPERATORS

The Trading in Public Places Bylaw requires a permit to carry out a rental scheme operation, such as a rental electric scooter operation, from a public place.

This document sets out a general code of practice that all rental scheme operations (operators) must comply with. To apply for a permit, operators must demonstrate to the Dunedin City Council's (DCC's) satisfaction how they plan to deliver a safe and efficient rental scheme including, but not limited to, the requirements set out here.

This code of practice applies to all operators and sets out operational and safety standards that operators must meet in order to be issued with and maintain an approval to operate in Dunedin under the Trading in Public Places Bylaw.

PURPOSE

Street trading adds to Dunedin's character, vibrancy and visitor experience. The Trading in Public Places Bylaw and conditions aim to ensure public places are safe, lively and attractive, while allowing people to move around safely and easily.

GENERAL

The Dunedin City Council may approve a permit based on, but not limited to, the matters set out in this code of practice. Permits may be granted only for property which the Council controls. The code of practice will be reviewed and updated as required to reflect best practices and the interests and safety of the Dunedin community.

LEGISLATION

All permit holders must be aware of and comply with relevant legislation and bylaws including the Health and Safety at Work Act 2015, the Dunedin City District Plan (2GP), and all transport related Acts and Regulations that determine the requirements and use of micromobility devices in New Zealand.

DEFINITIONS

"Pedestrian access" means a minimum width of unobstructed access for pedestrians must be maintained as follows: 3m in the central business district zone of the 2GP and 1.5m in all other areas.

"Public place" means an area that is of a public nature, is open to or used by the public, and which is owned, managed, maintained or controlled by the Council.

For the avoidance of doubt, in the event of conflict, all words and terms in this document are as defined in the Trading in Public Places Bylaw.

CODE OF PRACTICE – DETAILED PLAN

Operators must provide the Council with a plan which demonstrates how they intend to deliver a safe and efficient rental scheme. The operator's plan must contain details of the following:

1. Operation	
Device: - Number - Location - Time of use - Maintenance	a) The minimum and maximum number of rental devices (with the maximum being no more than 500 at any one time) b) Preferred placement locations c) How devices will be charged (where relevant) d) Managing operations in advance of major events e) Managing operations in the case of adverse or severe weather or other emergency f) Rental scheme times of operation that meet demand and ensure public safety (up to 24 hours per day/seven days a week) g) High quality and standard of rental devices h) How checks for hardware (including for metal fatigue) and software/firmware are undertaken and logged i) Reporting and rectifying defects and a preventative maintenance programme to ensure equipment is fit for purpose and safe for employees, customers and the public.
Deployment	j) How devices will be deployed. k) Rebalancing, relocation and redistribution plan for rental devices that prevents and resolves bunching. l) No more than six micromobility devices from an operator may be deployed or rebalanced in any one location, unless by previous agreement with the Council. m) If a deployment location becomes unsuitable or non-compliant, the operator will immediately cease to use that location and advise the Council.
Insurance	n) Public liability insurance of a sum acceptable to the Council must be held.
Commencement	o) How the permit commencement will be carried out (if a new operator) including timeframe and process.
Termination	p) How the operation will be terminated (including the collection of all rental devices and related equipment) if the operator no longer chooses to operate or if its licence to operate is revoked or suspended.

2. Safety and risk management	
Safety and risk management	a) Risk assessments, risk register, risk review and risk mitigation plan. b) Safety to those impacted by the business including, but not limited to, customers, visitors, public footpath and road users, and people with disabilities. c) Documented systems to operate safety and in accordance with obligations under New Zealand health and safety regulations and applicable transport legislation. d) 'No ride' or use zones and ability to demonstrate geofencing capability.
Managing non-compliant parking	e) Managing the prompt and safe relocation of rental devices that are left where they obstruct public access or are hazardous to the public ensuring:

	<ul style="list-style-type: none"> • A report of a micromobility device out of zone or in a waterway is resolved within 24 hours (if reasonably practicable) of notification by the public or the Council • Any instance (self-reported, by the public or the Council) of a toppled micromobility device is resolved within 90 minutes.
Safety and risk audit	f) The Council may at its discretion audit the operator's safety and risk management plans and processes.
Pedestrian access	g) Pedestrian access is maintained in public places at all times and that footpaths, doorways, bus stops, fire escapes or roads are not obstructed.
Education and safety awareness	h) Programmes to inform users and others about good use behaviour, safety advice, incident reporting education, incentivising good behaviour and informing and managing non-compliance from users.
Influencing user behaviour	i) Plan to influence user behaviour in the areas of riding and parking. j) Ability to confirm that any designated Council parking locations will be made visible within their app. k) Work with the Council and other relevant parties as required to develop and provide safety and nuisance reduction initiatives.

3. Communications and customer service

Communications	a) Social media and communications plan including, but not limited to, customers, visitors, public, footpath and road users, and people with disabilities. b) Any communication or promotion referencing the Council must be approved by the Council.
Customer service	c) Customer service and communication channels for customers. d) Complaint handling process. e) Response to queries.

4. Reporting

Regular reporting and meetings	a) Comprehensive monthly reporting of safety performance data and compliance including: <ul style="list-style-type: none"> • Total number of customer parking photos reviewed • Percentage and total number of parking photos that were found to be non-compliant • Action taken for any non-compliant parking • Safety initiatives undertaken • Parking and related complaints and response time logs • Any unaccounted-for devices for reasons including, but not limited to, theft, submersion in water etc. b) Monthly meetings with the Council. c) Real time incident map with cumulative data. d) Three monthly report of actual ride numbers.
Data sharing	e) Real time and historic data shared with Council staff and/or a designated third party in the format of the Mobility Data Specification (MDS) Provider Application Programme Interface (API). An audit of the operator's data feed by a third party of Council's choosing for compliance with the MDS Provider API may be required.

Incident reporting and investigation	<p>f) Incidents are identified, reported and investigated in a timely manner and appropriate corrective actions are put in place and are monitored and evaluated. This includes:</p> <ul style="list-style-type: none"> • Immediate incident reporting for actual or potential systemic, hardware and software issues in Dunedin and other New Zealand markets. • Immediate reporting of any incident affecting the safety of employees, customers and the public; an investigation will begin immediately with an initial report provided to the Council within 48 hours, unless impracticable to do so in the timeframe; and the results of that investigation provided to the Council within seven days. • Regular reporting for incidents, investigations and corrective actions in Dunedin and other New Zealand markets. • Complaints and response time logs. • Analysis of device use and safety performance data.
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5. Technology and innovation

- a) Responsiveness to emerging technology and innovation.

6. Waste minimisation

- a) Managing and minimising waste related to the rental operation including, but not limited to, support for extended producer responsibility and providing for a product stewardship programme which aims to design out waste and recover, reuse or recycle materials at the end of the products' lifecycle.
- b) Contributing to the Council's support of a zero waste inclusive of a circular economy.
- c) Supporting the city's target to reduce Dunedin's carbon emissions to net zero by 2030, including any Council procurement emissions standards that may apply.

7. Fees

- a) Fees will be applicable and may include, but are not limited to, administration fees, infrastructure fees and any fees incurred with the removal and storage of rental devices left in inappropriate locations if they have not been removed within the acceptable timeframes.

8. Compliance with this code of practice

- a) If there is non-compliance by the operator with this code of practice, the Council will as soon as practicable advise the operator of any non-compliance.
- b) Where the Council determines that any non-compliance, of which it has advised the operator, has not been remedied within a reasonable timeframe to the Council's satisfaction, the Council may revoke or suspend the permit.

9. General

- a) The Council may from time to time remove, amend or apply conditions as it sees fit.
- b) Any applicant who is dissatisfied with a Council decision made in relation to the applicant under these conditions may appeal the decision under the terms stated in the Trading in Public Places Bylaw.