



Ref: SR2407807

Civic House, 110 Trafalgar Street  
PO Box 645, Nelson 7040, New Zealand

13 March 2024

P (03) 546 0200  
E LGOIMA@ncc.govt.nz  
[nelson.govt.nz](http://nelson.govt.nz)

Via FYI.org URL: [fyi-request-25940-56cb7f43@requests.fyi.org.nz](https://fyi-request-25940-56cb7f43@requests.fyi.org.nz)

**OFFICIAL INFORMATION REQUEST FOR MAYORAL CORRESPONDENCE WITH HON.  
SIMEON BROWN**

I refer to your official information request dated 29 February 2024:

1. Letters sent or received between the Mayor of Nelson and Minister Simeon Brown between 1 January and 1 March 2024.
2. Text messages (including SMS, WhatsApp, Signal) sent or received between the Mayor of Nelson and Minister Simeon Brown between 1 January and 1 March 2024.

The information you requested is enclosed below.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact LGOIMA@ncc.govt.nz

Yours sincerely

**Devorah Nícuarta-Smith**  
Manager Governance and Support Services

Encl: Combined correspondence

Internal Document ID: NDOCS-1738230957-23795



## Office of the Mayor

Hon Simeon Brown,  
Minister of Transport

23 January 2024

Dear Minister,

I write as Mayor but also on behalf of the Dow family to enquire as to the progress on implementing random roadside drug testing, an issue I have worked for many years on trying to get progress previously as MP. We note the recent Police advise that nearly a third of road deaths are attributable to drugged impaired driving and urge urgent implementation to save lives.

I became very involved in this issue because of the tragic killing of Matthew Dow on 31<sup>st</sup> December 2017 in Appleby, Nelson. This was barely an accident in that the drugged driver was so impaired by multiple drug usage and driving so recklessly that a fatal accident was inevitable. This tragedy triggered a public outcry and a petition by Karen Dow calling for action on keeping drugged drivers off the road. The petition secured huge support in Nelson but, through other families around NZ who have lost loved ones to drugged drivers, rapidly gained nationwide support.

We were very disappointed when the previous Government voted down the introduction of National's bill to introduce random drug testing, but heartened when a subsequent Government bill was introduced and then passed. Our concern is that the measures have not yet been implemented. We never felt the previous Government's heart was in it and that it seemed more worried about not being seen as anti-drug use than the safety on our roads. We believe the legislation could have been better in focusing enforcement on the presence of illegal drugs rather than the more difficult test of impairment.

We also wish to draw your attention to the urgency that the previous Government gave to passing legislation and implementing drug testing for people using illicit drugs at music festivals, but the delays and excuses for not getting on with random roadside drug testing. There have been far more lives lost on the road, yet it has just not seemed a priority. We note that roadside testing has been successfully implemented in Australia and the UK years ago.



We would appreciate your advice on where it sits in your priorities and progress on implementation. We are interested to know where and when it will be first implemented and the rollout across the country. We wish to encourage you to make it as fast a progress as possible to save lives. We feel very frustrated every time we hear of another fatality around the country.

We would welcome the opportunity to meet with you, your colleagues or officials and would be happy to do so in Nelson, Christchurch or Wellington.


We look forward to hearing progress on this important road safety issue.

Yours sincerely,

A handwritten signature in blue ink that reads "Nick Smith". The signature is written in a cursive style with a large initial 'N'.

Hon Dr Nick Smith,  
Mayor of Nelson.

Karen and Peter Dow,  
Petition Organisers and Parents of Matthew Dow

**From:** Mayor Nick Smith  
**Sent:** Tuesday, 16 January 2024 1:15 pm  
**To:**   
**Cc:** Cherie Sivignon; Phoebe Tayerle; Nigel Philpott; Tim King; Stephen Rainbow  
**Subject:** Possible Meeting with Simeon Brown re City/Regional Deals Nelson/Tasman

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Elena,

Our Council is very appreciative of the Minister in his letter of 16/1 offering a meeting and we are keen to find a time that is convenient.

I am traveling to Wellington and Parliament for the maiden speeches of six new National MPS on 31<sup>st</sup> Jan from 3-6pm.

Would it be possible to schedule a meeting earlier that day with the Minister ? We would be available anytime in the morning from 8am with the first flights from Nelson arriving at 730am. We know the Minister will be tied up from 2-3pm pm with Question time. If the only time available is between 3-6pm I would prioritise time with the Minister. We would like the meeting to include the Mayors and CEOs of both Nelson and Tasman.

I also want to wish you every good wish in your role in Simeon's office. I know from my own time as Minister how dependent I was on my Ministerial team. I also welcome you engaging with Phoebe in my Nelson Mayors Office on this and other contacts I have with the Minister.

Best wishes,

Hon Dr Nick Smith  
Mayor of Nelson

Sat, 3 Feb at 1:19 PM

Missed your call. In Melbourne for English wedding. Call anytime

Sat, 24 Feb at 3:13 PM

You came over very well on Teams reading the room in your answers which is so hard remotely. 👍😊

To reinforce your point on EVs, Linley and I were loaned a Seal from BYD NZ to drive up to Waitangi. Stunning car with range of 530km for half the price of my EV ( NZ's first and now 14 years old), with range of just 110km.

More interesting point is from Linley when she went to charge car in Pahia this morning. A queue of 8 cars for a sole charger with people getting angry with each other - she only half charged so others could get access. You are spot on on charging infrastructure.

PM was superb at BGs. 👍😊

Sun, 25 Feb at 7:16 AM

Thanks Nick - and sorry I wasn't there to be part of the conference. That is precisely why we need to fix this problem! Hope the rest of the conference goes well!



**From:** Simeon Brown (MIN) <S.Brown@ministers.govt.nz>  
**Sent:** Friday, 23 February 2024 10:47 am  
**To:** Mayor Nick Smith  
**Subject:** Correspondence from Hon Simeon Brown, Minister of Transport  
**Attachments:** M24020101.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** External email.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

Please find attached letter from Hon Simeon Brown, Minister of Transport.

Kind regards,



**Office of Hon Simeon Brown**  
Minister of Transport, Minister of Local Government, Minister for Energy, Minister for Auckland

Email: [s.brown@ministers.govt.nz](mailto:s.brown@ministers.govt.nz) Website: [www.Beehive.govt.nz](http://www.Beehive.govt.nz)  
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

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# Hon Simeon Brown

Minister for Energy  
Minister of Local Government  
Minister of Transport  
Minister for Auckland  
Deputy Leader of the House



23 FEB 2024  
M24020101

Hon Dr Nick Smith  
Mayor of Nelson  
Nelson City Council  
PO Box 645  
Nelson  
[MayorNick@ncc.govt.nz](mailto:MayorNick@ncc.govt.nz)

Dear Mayor Smith

Thank you for your letter of 23 January 2024 about progress on implementing random roadside drug testing.

I was sorry to read about the tragic death of Matthew Dow by a drugged driver in 2017. As I do not have the contact details for Karen and Peter Dow, please pass on my sincere condolences.

Like you and Matthew's parents, I am disappointed that the 2022 amendments to the Land Transport Act 1998 have not resulted in the roll out of random roadside drug testing. I understand that Police undertook a procurement process to identify a suitable oral fluid (saliva) testing device to carry out roadside drug driving testing. After rigorous testing, it was found that there was no device available to meet the criteria and intent of the legislation. Further amendments to the legislation are required to enable testing to happen.

Every day that goes by without random roadside drug testing is another day that puts New Zealanders' lives at risk. I am committed to delivering roadside drug testing on New Zealand's roads as soon as possible. While the Government's current focus is on its 100-day plan, we will shortly be turning our attention to the broader legislative programme for this year. I will advocate for amendments to enable roadside drug testing to feature on that programme.

Thank you again for writing.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Si - B'.

Hon Simeon Brown  
**Minister of Transport**