

## Proactive Release

This document is proactively released by Te Manatū Waka the Ministry of Transport.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

Listed below are the most commonly used grounds from the OIA.

<u>Section</u>	<u>Description of ground</u>
6(a)	as release would be likely to prejudice the security or defence of New Zealand or the international relations of the New Zealand Government
6(b)	as release would be likely to prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by <ul style="list-style-type: none"> <li>(i) the Government of any other country or any agency of such a Government; or</li> <li>(ii) any international organisation</li> </ul>
6(c)	prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
9(2)(a)	to protect the privacy of natural persons
9(2)(b)(ii)	to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
9(2)(ba)(i)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public
9(2)(ba)(ii)	to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest
9(2)(f)(ii)	to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility
9(2)(f)(iv)	to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
9(2)(g)(i)	to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty
9(2)(h)	to maintain legal professional privilege
9(2)(i)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
9(2)(j)	to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

# Te ripoata o te wiki mō te Minita o Te Manatū Waka | Weekly Report to the Minister of Transport

For the week ending 15 September 2023

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## 1 Actions from transport officials' meeting

Meeting with Te Manatū Waka Ministry of Transport (the Ministry) and Waka Kotahi NZ Transport Agency (Waka Kotahi)	Due date
None this week.	

## 2 UPCOMING BRIEFINGS

## 2 Upcoming briefings

Briefings to Minister Parker	Due date
<b>Ministerial Direction to Waka Kotahi to Collect Tyre Product Stewardship Fees</b> <i>Responsibility: Matt Skinner, Acting Manager, Mobility and Safety</i>	Week ending 22 September 2023.
<b>Proactive Release of Policy Advice on Government Policy Statement 2024</b> <i>Responsibility: Tim Herbert, Manager, Investment</i>	Week ending 22 September 2023.
<b>Managing Access to The Milford Road</b> <i>Responsibility: Nick Potter, Acting Manager, Placemaking and Urban Development</i>	Week ending 22 September 2023.
<b>Metropolitan Rail Network Cost pressures briefing</b> <i>Responsibility: Jacob Ennis, Acting Manager, Supply Chain</i>	Week ending 22 September 2023.
<b>Proactive Release - Regulations Implementing Changes to Land Transport Regulatory Fees and Charges - Cabinet and Associated Papers</b> <i>Responsibility: Brendan Booth, Chief Legal Adviser and Manager, Procurement</i>	Week ending 22 September 2023.
<b>Letters to Waka Kotahi and KiwiRail Board Chairs on funding decisions for cyclone recovery</b> <i>Responsibility: Nick Paterson, Manager, Cyclone Recovery</i>	Week ending 29 September 2023.
<b>s 9(2)(f)(iv)</b> <i>Responsibility: Andrew Hicks, Acting Manager, Programme Assurance and Commercial</i>	Week ending 29 September 2023.
<b>Draft Government Policy Statement 2024 Summary of Feedback from Consultation</b> <i>Responsibility: Tim Herbert, Manager, Investment</i>	TBC September 2023.
<b>New Zealand – Solomon Islands: Outcome of Air Services Negotiations</b> <i>Responsibility: Tom Forster, Manager, Economic Regulation</i>	TBC September 2023.

Note: the briefing 'Metropolitan Rail Network Cost Pressures briefing' was superceded by advice titled 'Aide Memoire: Updated letters to KiwiRail, Waka Kotahi and Councils on the Rapid Review'.

**2 UPCOMING BRIEFINGS**

<b>Briefings to Minister O'Connor</b>	<b>Due date</b>
<b>Managing Access to The Milford Road</b> <i>Responsibility: Nick Potter, Acting Manager, Placemaking and Urban Development</i>	Week ending 22 September 2023.
<b>Appointment of Delivery Agency and next steps for the Chatham Islands Vessel Replacement project</b> <i>Responsibility: Andrew Hicks, Acting Manager, Programme Assurance and Commercial</i>	Week ending 29 September 2023.

Note: the briefing 'Appointment of Delivery Agency and next steps for the Chatham Islands Vessel Replacement project' is on hold and has not been sent to the Minister.

## 3 KEY PRIORITIES

## 3 Key priorities

<b>Minister Parker</b>	
<b>Budget 2024: Commissioning work on the Fiscal Sustainability Payment and broader reprioritisation opportunities</b>	
<p>On 28 August 2023, you received a letter from the Minister of Finance which outlined expectations for a permanent baseline savings exercise, also known as the Fiscal Sustainability Payment (FSP). Vote Transport is required to identify savings of \$15.23 million per annum from 2024/25, which represents a 2 per cent reduction on an eligible baseline of \$761 million.</p> <p>The Ministry met with transport agency Chief Financial Officers on 15 September 2023 to explain which appropriations are considered 'in scope' for the FSP exercise, and to commission the development of advice on the impact of a 2 per cent, 5 per cent, or 10 per cent reduction to eligible appropriations. Given the constrained fiscal environment, we believe it sensible to look at a wider range of reductions, including a request for further information on potential initiatives that could be reprioritised through Budget 2024 to address cost pressures and invest in higher value initiatives.</p> <p>Treasury has signalled that it will release guidance on the FSP exercise in early October 2023. We are beginning work now to ensure we can provide you with a robust savings proposal to present to Budget Ministers at the appropriate time (deadlines have not yet been set).</p> <p><i>Responsibility: Tim Herbert, Manager, Investment</i></p>	<p><b>Next steps:</b></p> <p>Treasury to release formal guidance on the FSP savings proposal in mid October 2023.</p>
<b>Minister Parker</b>	
<b>Air services negotiations</b>	
<p>On 13 September 2023, in a fourth round of negotiations, Ministry officials, along with a colleague from the Ministry of Foreign Affairs and Trade (MFAT), successfully concluded negotiations with representatives of the Association of Southeast Asian Nations (ASEAN) on a regional air services agreement.</p> <p>A number of ASEAN Member States placed some limits on the extent to which they improved upon the existing bilateral arrangements with regard to services to third countries. Nevertheless, the agreement raises the overall quality of our air services relationships with ASEAN Member States and represents a step forward in terms of opportunities for airlines. It also provides a clear signal of the importance New Zealand places on working with ASEAN as a region.</p> <p><i>Responsibility: Tom Forster, Manager, Economic Regulation</i></p>	<p><b>Next steps:</b></p> <p>The ASEAN Secretariat will consult us on a legal scrub of the text. We will then seek Ministerial approval for signature and work with MFAT on completing procedures for ratification.</p>

<b>Minister Parker</b>	
<b>Community Connect Implementation</b>	
<p>Greater Wellington Regional Council (GWRC) has now successfully implemented the full range of Community Connect concessions from 1 September 2023. GWRC has now also ended its self-funded universal half price fares. This means that all regions who plan to adopt Community Connect (including free fares) have now done so. Note that Marlborough District Council is the only public transport authority to opt out of Community Connect.</p> <p><i>Responsibility: Matthew Skinner, Acting Manager, Mobility and Safety</i></p>	<p><b>Next steps:</b></p> <p>We will continue to keep your Office informed of progress.</p>
<b>Minister Parker</b>	
<p>s 9(2)(f)(iv), s 9(2)(h)</p>	
<p><i>Responsibility: Andrew Hicks, Acting Manager, Programme Assurance and Commercial</i></p>	

## 3 KEY PRIORITIES

**Ministers Parker and O'Connor****Cyclone Recovery**Policy function (excluding legislation) and Investment function

We continue to work with the Treasury, KiwiRail and Waka Kotahi on funding proposals for local road recovery in Phase 2 of the National Resilience Plan (NRP). The Treasury undertook consultation on the draft Cabinet paper in the week ending 15 September 2023, with Cabinet decisions on Phase 2 NRP expected on 18 September 2023.

Legislation function

We are continuing to progress the draft OiCs (for Waka Kotahi and KiwiRail works) under Tranche 6. We met with the Review Panel on 14 September 2023. We provided an update to your Office on the outcome of the meeting, that includes any changes required to the draft OiCs as a result of the Panel's feedback.

Finance function:

Since the previous Weekly Report update, KiwiRail has claimed \$6.5m under the Rail Maintenance and Renewal of the Rail Network appropriation for weather event recovery costs.

**Next steps:**

Following Cabinet decisions on Phase 2 of the National Resilience Plan expected on 18 September 2023, we will provide you with letters for the Boards of both Waka Kotahi and KiwiRail about the funding decisions.

We will provide you with a draft LEG paper on 20 September 2023 for the two OiCs for Waka Kotahi and KiwiRail works, as per the Tranche 6 timeframes.

*Responsibility: Nick Paterson, Manager, Cyclone Recovery*

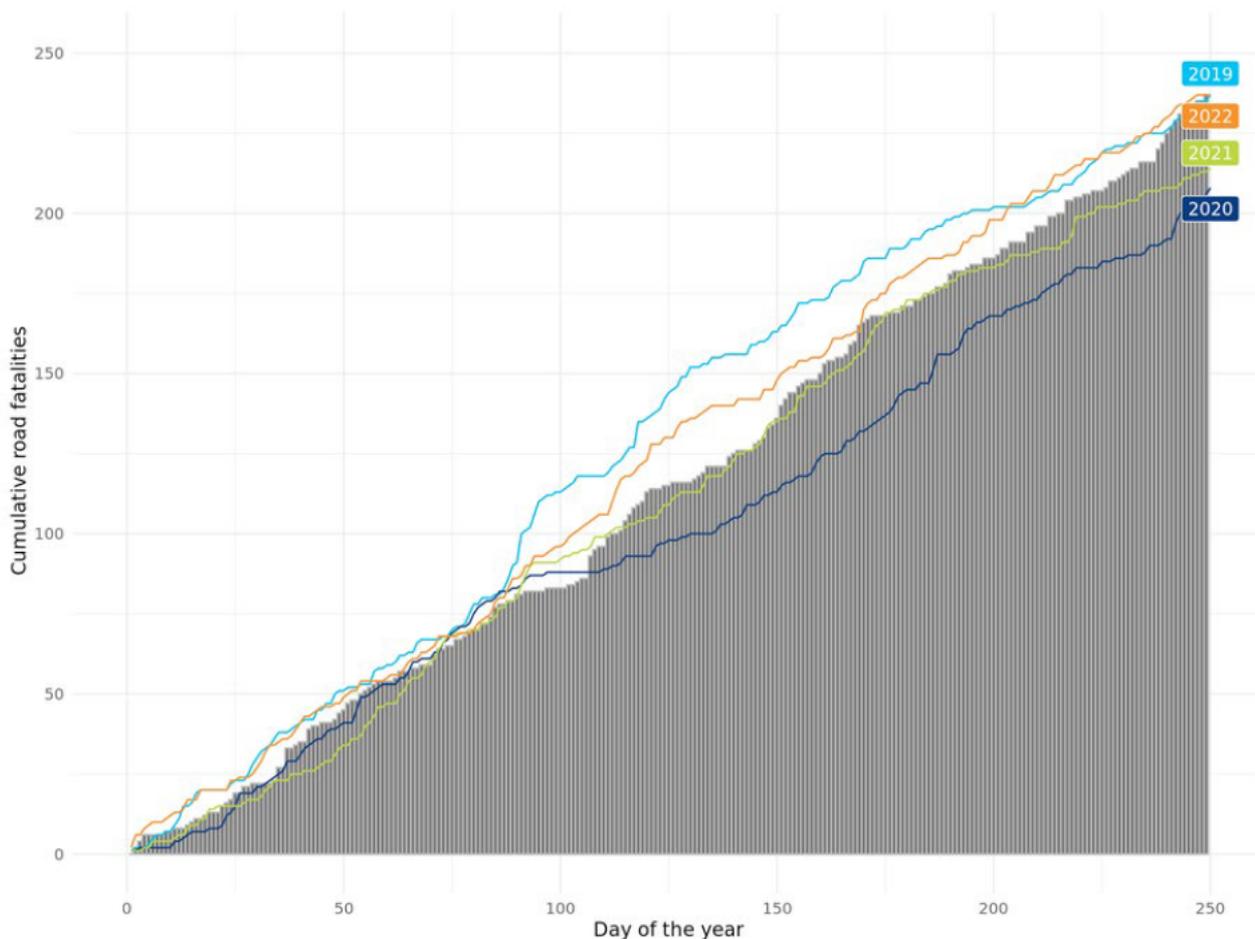
**Minister O'Connor**

**None this week.**

### Year to date road fatalities

As at 13 Sep 2023 provisional road fatalities are **240** for the year, this is 3 fewer fatalities than the same date in 2022. A year-to-date comparison is shown in the table below:

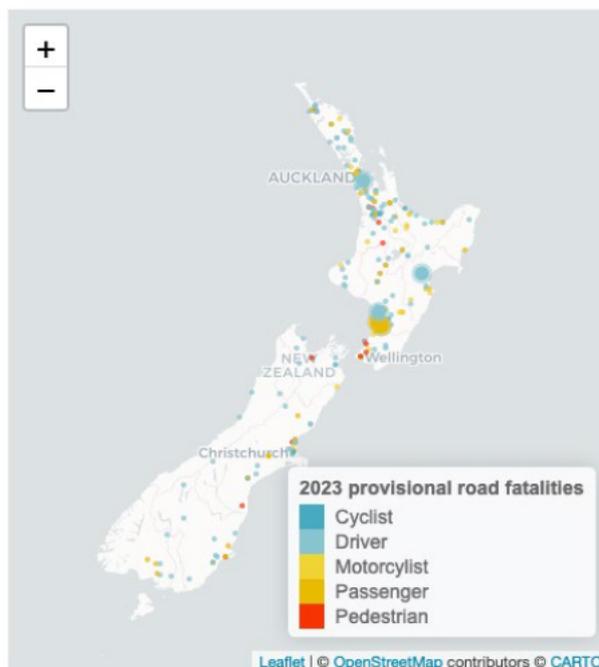
crash month	2019	2020	2021	2022	2023
Jan	32	21	18	29	<b>22</b>
Feb	26	32	28	25	<b>32</b>
Mar	33	31	34	32	<b>27</b>
Apr	45	9	25	37	<b>32</b>
May	29	23	31	27	<b>27</b>
Jun	27	29	37	32	<b>31</b>
Jul	14	32	16	25	<b>25</b>
Aug	24	23	20	27	<b>35</b>
Sep	11	15	13	9	<b>9</b>
<b>Total</b>	<b>241</b>	<b>215</b>	<b>222</b>	<b>243</b>	<b>240</b>



3 KEY PRIORITIES

Year to date road fatalities

The chart below provides a comparison of fatalities by mode and region for the last five years. The map show fatalities for 2023 by mode and location, highlighting fatalities from the last seven days with larger circles.



Responsibility: Dan Jenkins, Manager, Analytics and Modelling

## Clean car and electric vehicle registrations

Summary of registrations by CCD Band for week ending 10 September, 2023

Total registrations

total registrations this week	delta prev week	last full month (Aug)	delta prev month	year to date	delta prev year to date
3746	-2199	19,922	6,095	191,506	-18,064

This week's registrations by emissions band and vehicle type

CCD.band	Heavy	Light	Motorcycle	Total	delta_prev_wk	Weekly trends this year	
						Low	High
Zero (0g/km)	0	314	14	328	-133	78	1317
Very low (1-49g/km)	0	78	0	78	-313	7	607
Low (50-99g/km)	0	873	0	873	-193	187	1758
Moderate (100-149g/km)	0	931	0	931	-434	284	4210
High (150-199g/km)	0	560	0	560	-598	204	6903
Very high (200-249g/km)	1	326	0	327	-304	78	7220
Extremely high (over 250g/km)	0	266	0	266	-168	49	3637
Unknown	173	16	194	383	-56	107	933

This week's registrations for ZERO EMISSION BAND (0g/km) battery electric vehicles

Vehicle type	New	Used	Total	delta_prev_wk	Weekly trends this year	
					Low	High
Car	211	97	308	-122	19	1195
Bus	0	0	0	0	1	20
Van	5	1	6	1	1	36
Truck	0	0	0	-1	1	3
Motorcycle	14	0	14	-11	1	46
Other	0	0	0	0	1	36

EV (Battery electric) LIGHT vehicle Fleet (inc. motorcycles/ATV etc.)

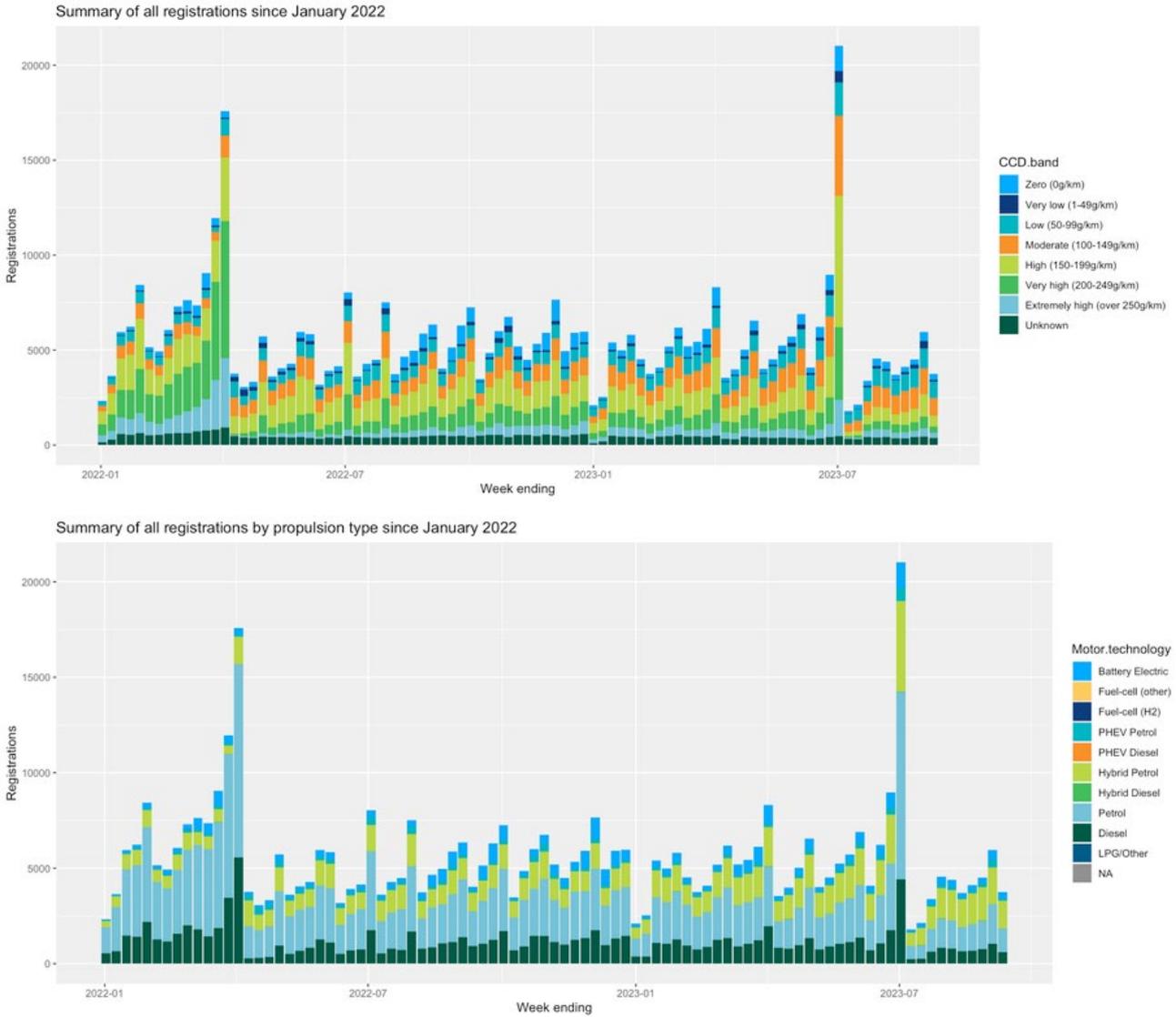
CCD.band	Vehicle_gp	Fleet size 2018	long-term trend	Fleet size today	% of total fleet
Zero (0g/km)	Car	3869		59004	1.284
Zero (0g/km)	Motorcycle	336		2752	0.060
Zero (0g/km)	Other	16		178	0.004
Zero (0g/km)	Van	653		1549	0.034

EV (Battery electric) HEAVY vehicle Fleet

CCD.band	Vehicle_gp	Fleet size 2018	long-term trend	Fleet size today	% of total fleet
Zero (0g/km)	Bus	11		329	0
Zero (0g/km)	Other	2		51	0
Zero (0g/km)	Truck	11		142	0

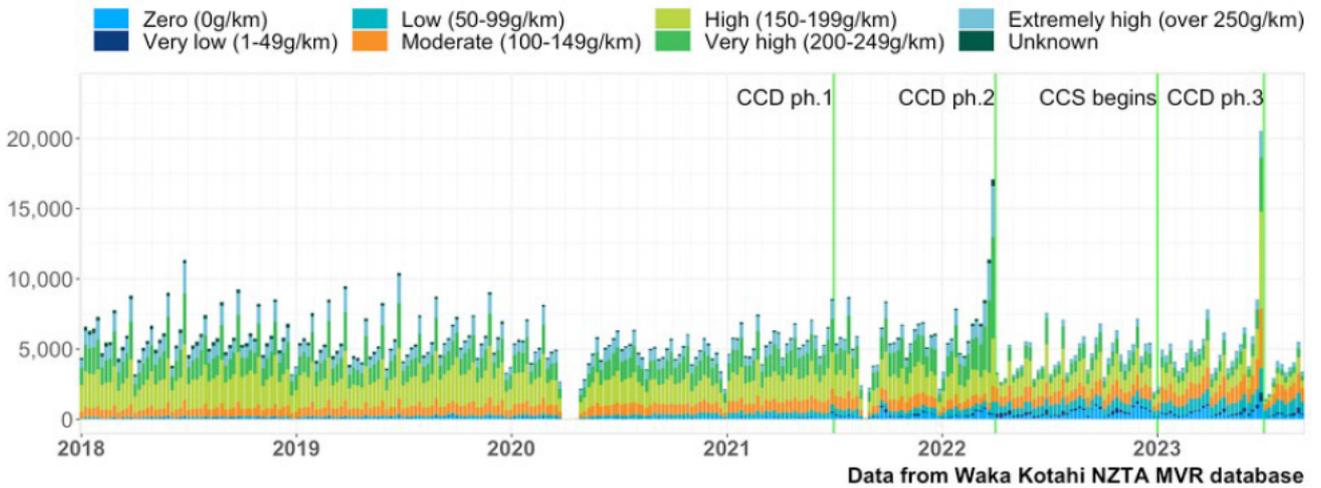
3 KEY PRIORITIES

Graphical summary of registrations:



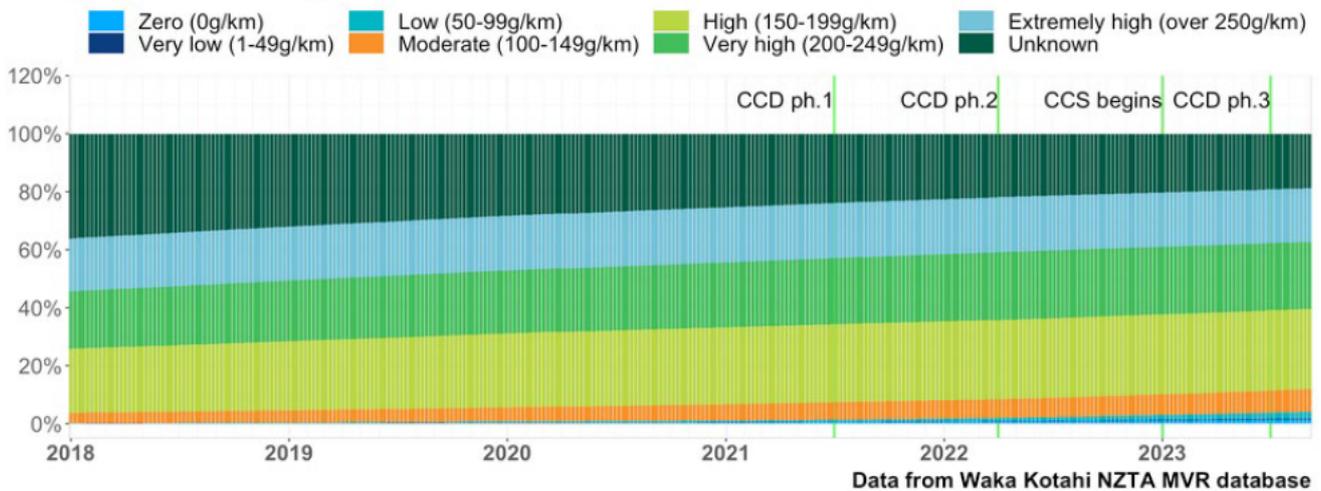
Clean car and electric vehicle registrations

Weekly registrations of light motor vehicles



Light motor vehicle fleet

As a proportion of all light motor vehicles



More detail of the weekly registrations and fleet size can be found at the link below:

<https://www.transport.govt.nz/statistics-and-insights/fleet-statistics/weekly-electric-vehicle-report/>

Responsibility: Dan Jenkins, Manager, Analytics and Modelling

## 4 CABINET PAPERS

## 4 Cabinet papers

Minister Parker		
Paper	Committee	Status
<p>s 9(2)(b)(ii), s 9(2)(f)(iv)</p> <p><i>Responsibility: Jacob Ennis, Acting Manager, Supply Chain</i></p>	<p>Cabinet. 18 September 2023.</p>	<p>We provided you with an updated Cabinet paper on 7 September 2023 for your consideration.</p>
<p><b>Outcome of the consultation on moving to the Euro 6/VI vehicle noxious emissions standards</b></p> <p>This paper proposes to amend the Land Transport Rule: Vehicle Exhaust Emissions 2007 following public consultation on a draft Rule. It also seeks Cabinet agreement to the amendment Rule being finalised and published in the New Zealand Gazette prior to the 2023 General Election.</p> <p><i>Responsibility: Nick Paterson, Acting Manager, Environment and Emissions Policy Design</i></p>	<p>Cabinet. 2 October 2023.</p>	<p>We provided you with a draft Cabinet paper on 5 September 2023.</p>
<p><b>Orders in Council for Waka Kotahi and KiwiRail works</b></p> <p>This paper seeks agreement to submit the Orders in Council (OiCs) to the Executive Council for approval. The timeline for this paper is consistent with the timeline for Tranche 6 OiCs.</p> <p><i>Responsibility: Carmen Mak, Director, System and Regulatory Design</i></p>	<p>Cabinet. 2 October 2023.</p>	<p>We intend to submit the draft Cabinet paper to you by 20 September 2023. Departmental and Ministerial consultation is scheduled to take place from 20 - 22 September 2023.</p>

## Minister O'Connor

None this week

## 5 Cabinet papers led by other agencies

Title	Lead agency	Minister and Committee	Estimated timing to Cabinet Committee
National Resilience Plan (NRP) Phase 2 Report	Treasury	Minister of Finance Cabinet	18 September 2023
<b>Comment</b>			
<p>s 9(2)(f)(iv)</p>			<p><b>Next steps:</b> FYI only.</p>
<p>The paper also proposes that six further proposals be invited into the Treasury’s Investment Management System for further consideration following development of Risk Profile and Strategic Assessments. These include the s 9(2)(f)(iv) and longer-term state highway and local road resilience work.</p> <p>The Ministry was involved on the Treasury moderation panel for these proposals. We support the recommendations in the paper.</p> <p><i>Responsibility: Nick Paterson, Manager, Cyclone Recovery</i></p>			

## 5 CABINET PAPERS LED BY OTHER AGENCIES

Title	Lead agency	Minister and Committee	Estimated timing to Cabinet Committee
Severe Weather Emergency Recovery (Local Government) Amendment Order 2023	Department of Internal Affairs	Minister of Local Government Cabinet	18 September 2023
<b>Comment</b>			
<p>This paper seeks Cabinet's agreement to submit the Severe Weather Emergency Recovery (Local Government) Amendment Order 2023 to the Executive Council and Governor-General for enactment.</p> <p>This Order in Council removes the requirement for specified councils to amend their 2021-31 long term plans required by the Local Government Act 2002 to expedite voluntary buyout offers to owners of severely affected properties.</p> <p>The Ministry has no comments on this paper.</p> <p><i>Responsibility: Nick Paterson, Manager, Cyclone Recovery</i></p>			<p><b>Next steps:</b> FYI only.</p>

## 5 CABINET PAPERS LED BY OTHER AGENCIES

Title	Lead agency	Minister and Committee	Estimated timing to Cabinet Committee
Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Amendment Order 2023	Ministry of Housing and Urban Development	Associate Minister for the Environment Cabinet	18 September 2023
<b>Comment</b>			
<p>This paper seeks Cabinet's agreement to submit the Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Amendment Order 2023 to the Executive Council and Governor-General for enactment.</p> <p>This Order in Council provides a standardised form of a streamlined planning process for councils to implement plan changes to enable new housing or papakāinga that supports the recovery efforts. This Order acts as the Ministerial direction, removing the need for councils to apply to the Minister for the Environment to use the Severe Weather Emergency Recovery Streamlined Planning Process.</p> <p>The Ministry has no comments on this paper.</p> <p><i>Responsibility: Nick Paterson, Manager, Cyclone Recovery</i></p>			<p><b>Next steps:</b> FYI only.</p>

## 5 CABINET PAPERS LED BY OTHER AGENCIES

Title	Lead agency	Minister and Committee	Estimated timing to Cabinet Committee
Severe Weather Emergency Recovery (Waste Management and Resource Management – Time Extensions and Extension of Water Permits) Amendment Order 2023	Ministry for the Environment	Associate Minister for the Environment Cabinet	18 September 2023
<b>Comment</b>			
<p>This paper seeks Cabinet’s agreement to submit the following Orders in Council to the Executive Council and Governor-General for enactment:</p> <ul style="list-style-type: none"> <li>• Severe Weather Emergency Recovery (Waste Management) Order 2023</li> <li>• Severe Weather Emergency Recovery (Resource Management – Extension of Water Permits) Order 2023</li> <li>• Severe Weather Emergency Recovery (Resource Management – Time Extensions) Order 2023</li> </ul> <p>The Waste Management Order provides an expedited process under the Resource Management Act 1991 (RMA) for establishing certain classes of landfills and temporary waste facilities, where those sites are established by specified councils, Waka Kotahi and KiwiRail</p> <p>The Extension of Water Permits Order grants 33 water take and use consent holders the ability to continue to exercise their existing consents while their new consent application is considered, as if their consent application was submitted on time.</p> <p>The Time Extensions Order provides time extensions for:</p> <ul style="list-style-type: none"> <li>• Prosecutions under the RMA; an additional 12 months to commence proceedings for RMA non-compliances, in line with the 24 months provided under the National and Built Environment Act 2023</li> <li>• Compliance with the following national direction instruments: National Policy Statement for Freshwater Management 2020 (NPS-FM), the Resource Management (Stock Exclusion) Regulations 2020 (Stock Exclusion Regulations), and the National Planning Standards.</li> </ul> <p>The Ministry has no comments on this paper.</p> <p><i>Responsibility: Nick Paterson, Manager, Cyclone Recovery</i></p>			<p><b>Next steps:</b> FYI only.</p>

## 6 Transport Crown entity and state-owned entity (SOE) updates



### **The first-ever exemption under the Maritime Security Act 2004**

Maritime NZ has issued the first exemption under the Maritime Security Act 2004, providing a structure around a trial for Carnival Corporation's OceanMedallion technology. The exemption allows nine specific ports to accept Pacific Cruise Lines medallions as alternative passenger identification, which is required when the passengers re-enter a port's secure area to re-board a cruise vessel. Under the current legislation passengers are required to supply original government-issued tamper-proof photo identification, and all other cruise vessels continue to require this.

Maritime NZ is working with Carnival Corporation, Princess Cruise Lines, and nine ports throughout the 2023-24 cruise season to gather information on the trial. This information will inform future use of technology within port security and include any potential risks and benefits. Maritime NZ is also engaged with our partner government agencies and international partners to ensure we are meeting our obligations.

In 2022, Maritime NZ and CentrePort met with Carnival to observe and test the process with a cruise vessel. This test provided the understanding and assurance we could trial the system as a method of identification. During the trial and the discussions after, we identified a number of benefits and risks, with the key initial benefit being a reduction in passenger processing times. The main key risk identified was technology failure, however Princess Cruise Lines and the ports have agreed to revert back to the current regime as per our legislation should it be required. Any unforeseen risks identified during the trial will be raised in a timely manner with Maritime NZ and discussed with a view to mitigation.

### **Approved Code of Practice consultation begins**

From 13 September 2023, Maritime NZ starts six weeks of consultation on the draft of an Approved Code of Practice (ACOP) for loading and unloading cargo at ports and on ships. Consultation closes 25 October 2023 and we expect to have a final draft for Ministerial approval in December 2023.

An ACOP provides confidence for port operators and People Conducting Business and Undertakings that if they comply with the practices described in it, then they are meeting the test of what is reasonably practicable under the Health and Safety at Work Act. The ACOP does not impose new requirements but instead clarifies for everyone (including operators, workers, the regulator, and unions) what is reasonably practicable and expected. Its aim is to reduce the number of serious injuries, illnesses, and fatalities among workers who carry out this work.

The Approved Code of Practice was identified by the Port Health and Safety Leadership Group as a key safety action under the Port Sector Insights and Action Plan given the inconsistency around management of critical risks on ports.

Consultation is likely to include some webinars to explain the intent of the ACOP.

## 6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES

**KiwiRail and Kairahi update**

s 6(c)

**Achilles Bulker update**

On 11 September 2023, the ocean-going tug *Vallianz Prestige* arrived in New Zealand from Singapore. The tug was issued a notice of direction by MPI on arrival due to biofouling non-compliance. The tug was directed to go outside of New Zealand territorial waters (12 nautical miles from the coast) until compliant with New Zealand regulations. This has delayed the departure tow of the *Achilles Bulker* from the Port of Tauranga to a foreign port. The Marine Warranty Surveyor (MWS) has also arrived in New Zealand and has begun inspecting the ship and its proposed towing arrangement. Maritime NZ is engaging with the MWS and we have emphasised our function as a regulator with oversight responsibilities rather than approval-granting functions. The MWS and the Captain of *Achilles Bulker* have expressed their appreciation for Maritime NZ's presence.

**MV Atherina (IMO 9403152) detention**

On 4 September 2023, bulk carrier *Atherina* experienced an engine failure during berthing at CentrePort, Wellington. There was a failure of the main engine control system and the main engine was not operational as designed. Maritime NZ issued a notice of detention to the vessel on 7 September 2023.

The vessel was detained until repairs to the main engine were completed and it was operating to the satisfaction of the ship's classification society. The detention was lifted on 11 September 2023 after the conditions for release were met.

**International Oil Pollution Compensation visitors**

On 6-7 September 2023, two representatives from the International Oil Pollution Compensation Funds visited Maritime NZ.

The International Oil Pollution Compensation Funds (IOPC Funds) provide financial compensation for oil pollution damage that occurs in Member States, resulting from spills of persistent oil from tankers. The Funds were established to create international agreement on liability and compensation following the oil spill from the Torrey Canyon in 1967 and are financed by contributions from entities that receive certain types of oil by sea.

**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES**

The IOPC Funds representatives spent time with operational staff at the Marine Pollution Response Service (MPRS) in Auckland, and then with head office-based staff in Wellington. Their presentations covered how the funds conventions work in conjunction with other liability conventions and insurance regimes, the types of claims that might succeed (or fail), clean-up processes, and environmental damage. The visit was important so that a broad range of staff understand how IOPC Funds could support NZ should a spill of persistent oil from a tanker occur here, and critically how we would need to manage processes and practices to record information around claims to enable them to be successful. It was also an important event to promote ongoing international relationships for Maritime NZ personnel.

s 9(2)(a)



**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES****40-series reform engagement**

One of Maritime NZ's priorities is a multi-year project to update and simplify the '40 series' rules that relate to the design, construction, and equipment of our domestic commercial fleet.

The 40-series reform seeks to eliminate duplication and inconsistencies in the current rules and will allow the rules to be easily updated to cater for new innovations. The updated rules will be clearer, giving greater confidence to workers across maritime design and construction that their creations fall within the compliance rules.

As we progress this work, we are testing key areas of potential change with stakeholders including surveyors, owners, operators, boat builders, and equipment suppliers. In the week of 18 September 2023, we are planning to release 'exploring change' documents that set out preliminary proposals for accommodation, personal safety, access and escape; anchors and cables; navigation; and radio communications. This follows the release of 'exploring change' documents on life-saving appliances, electrical, fire protection, survey, stability, drainage and freeboard, watertight and weather tight integrity, and machinery.

This engagement is not formal consultation and is considered 'business as usual' for this project. The feedback we receive will be used to inform the development of formal proposals and draft rules that will be publicly consulted on, subject to your approval. We are working towards opening this public consultation in 2024.

**Media update**

We received one request from *NewstalkZB* asking about the emergency towage report which was prepared for the Associate Minister of Transport. We re-directed the request to Minister Damien O'Connor's office.

## 6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES



**Aviation Security Service**  
*Kaiwhakamaru Rererangi*

## Key Updates

### Near collision in flight between Whangarei and Auckland

Crew of an Air New Zealand aircraft flying between Whangarei and Auckland had to take action to avoid collision with a smaller aircraft on 28 August 2023. There was only 100 feet (45 metres) between the aircraft when the Air New Zealand crew took evasive action.

The Transport Accident Investigation Commission (TAIC) has launched an investigation and is working with Air New Zealand. CAA is also investigating the incident and we are currently reviewing data and records from both operators and Airways NZ (the air navigation service provider). Our investigation is still in its early stages, and we will continue to keep you updated.

### Engine issues affect Air New Zealand planes

In an NZX announcement on 12 September 2023, Air New Zealand announced that an American aerospace engine manufacturer, Pratt & Whitney, disclosed a condition affecting the required maintenance plan for the global fleet of Geared Turbo-Fan jet engines.

Air New Zealand has 16 Airbus A320/321 Neo aircraft potentially affected by this condition. These aircraft fly domestically and to Australia and the Pacific. It is too early to say what the impact will be on the airline and its operations.

CAA will monitor the situation and work with Air New Zealand as we receive more advice from the manufacturer and the Federal Aviation Administration in the USA on the likely effects and corrective actions that may need to be taken.

## 6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES

**Communications and External Engagement 11 September 2023****Media plan – 7 days from 17 September 2023**

Nil

**Media mentions – 7 days to 13 September 2023**

Date	Activity	Channel
6 September 2023	<p><b>Huge increase in police drone use: Sensible solution or spies in the sky?</b></p> <p>Quoted from article: On 1 July 2023, Police gained Civil Aviation Authority certification allowing them to significantly expand their operations, and do things such as fly over property without prior notification, extend the range of flights beyond line of sight, and fly indoors...</p> <p>...The number of police drone flights has increased since this certification, and a new IT system allows flights to be logged and tracked.</p> <p>In the first five weeks after CAA certification, there were 156 police drone flights.</p>	The Post
7 September 2023	<p><b>Patient privacy compromised at Nelson Hospital as unauthorised drone flights investigated</b></p> <p>Quoted from article: CAA deputy chief executive aviation safety, David Harrison, confirmed they had received a complaint from Nelson Hospital.</p> <p>“At this time there is insufficient information to identify the operator(s), which restricts our ability to make further enquiries,” he said.</p> <p>Civil aviation rules required drone operators to gain consent of the property owner or person in charge of the land they were flying over, and breaching those rules was an offence, he said.</p> <p>“There are a number of enforcement options available to the Director of Aviation, which range from a formal written warning through to prosecution. Fees and penalties can vary.”</p> <p>Any filming of people from drones without consent fell under the Privacy Act and was outside the CAA’s jurisdiction, he said.</p>	Stuff

## 6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES

Date	Activity	Channel
12 September 2023	<p><b>Laser strike on Police Eagle helicopter</b></p> <p>A man was arrested and charged for shining a laser at the Police Eagle helicopter on 11 September 2023 in Auckland. The incident received wide media coverage and CAA was approached for comment by Newshub.</p> <p>CAA statement:</p> <p>We are aware that a laser strike occurred in Auckland on 11 September 2023. Laser strikes are a serious threat to aviation safety. Direct eye exposure to a laser beam impacts a pilot's vision; this can completely disorient them or lead to incapacitation. In the worst-case scenario it can have disastrous outcomes. Laser strikes will be considered as endangering transport which is a crime under Section 270 of the Crimes Act 1961. The matter is currently being handled by NZ Police.</p>	Newshub, Stuff, RNZ, TVNZ, NZ Herald

**Upcoming communications and engagement**

Planned release/publish	What	Type	Why
From mid-September 2023	All stories from Vector Winter issue	Vector Online article(s)	Ongoing education by putting some Vector articles online for anyone to access.
July-September 2023 (multiple dates)	Airworthiness and maintenance	Face-to-face event	Education for owners and operators to increase their understanding of the requirements for maintaining their aircraft.
September-November 2023 (multiple dates)	Plane Talking	Face-to-face event	This series of seminars, as part of the Work Together, Stay Apart campaign, serves the aerodrome communities and will be held in aero clubs and flying schools throughout New Zealand. There are 21 dates in total.

## 6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES

Planned release/publish	What	Type	Why
September 2023	Plane Talking	GAP video	To educate the aerodrome community about standard radio calls. This video is the first educational product to be released as part of the Work Together, Stay Apart campaign.
July-December 2023 (multiple dates)	Dangerous Goods (DG)	Face-to-face event	To provide training and qualification for the carriage of DG
October 2023	Weight and balance	GAP booklet (update)	BAU version update
October 2023	Vector special issue: accidents that have common causes	Aviation industry magazine	To highlight the most common causes of fatal accidents that safety investigators go to.
TBC	In, Out and Around Queenstown	GAP booklet (update)	BAU version update
TBC	In, Out and Around Christchurch	GAP booklet (update)	BAU version update
TBC	In, Out and Around Manawatu	GAP booklet (update)	BAU version update



No update this week.

**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES**



**INTERISLANDER**

***Kaiarahi* Dry Dock**

*Kaiarahi* is tracking well through the Coral Sea on the return journey home and is expected in Wellington on 15 September 2023. It will return to service shortly after completing final checks. The dry dock is an important component of Interislander maintenance procedures to support reliable services.

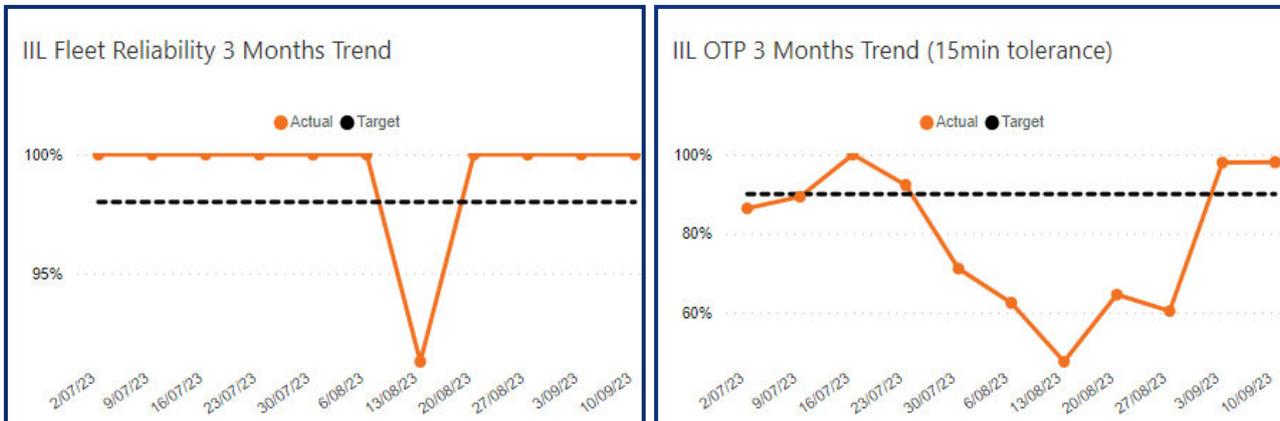
***Valentine* sale**

KiwiRail briefed shareholding Ministers on 13 September 2023 of the confirmed sale of the *Valentine*. The sale supports more reliable Interislander services by maintaining a three-ferry fleet operation and contributing to the budgeted investment in fleet maintenance. The *Valentine* was acquired in 2021 following its leasing to provide replacement tonnage while the *Kaiarahi* was out of service.

**Performance**

On Time Performance and sailings have recovered after the recent weather events and the *Kaitaki* weather related disruption.

The below shows the trend data for OTP and reliability:



6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES

The weekly breakdown of the relevant statistics is shown in the table below:

Date range	On Time Performance (15min Tolerance) OTP Target 88%	Reliability (Excl. Weather) Reliability Target 98%	Reliability (Incl. Weather)
14 Aug 2023 – 20 Aug 2023	65% <i>Aratere</i> - 95% <i>Kaiarahi</i> - not sailing <i>Kaitaki</i> - 38% <i>Valentine</i> - not sailing	100%	100% 0 sailings cancelled due to weather
21 Aug 2023 – 27 Aug 2023	60% <i>Aratere</i> - 50% <i>Kaiarahi</i> - not sailing <i>Kaitaki</i> - 78% <i>Valentine</i> - not sailing	100%	86% 8 sailings cancelled due to weather
28 Aug 2023 – 03 Sep 2023	98% <i>Aratere</i> - 96% <i>Kaiarahi</i> - not sailing <i>Kaitaki</i> - 100% <i>Valentine</i> - not sailing	100%	100% 0 sailings cancelled due to weather
04 Sep 2023 – 10 Sep 2023	98% <i>Aratere</i> - 96% <i>Kaiarahi</i> - not sailing <i>Kaitaki</i> - 100% <i>Valentine</i> - not sailing	100%	100% 0 sailings cancelled due to weather

**IREX UPDATE**

**Terminals update**

KiwiRail continues with early enabling works within the existing contracts.

s 9(2)(f)(iv)

**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES****Wellington**

Wellington – The Downer HEB JV continued early works at the Wellington ferry terminal continues. This relates to new Interislander commercial and passenger vehicle marshalling yards, a site village on Kaiwharawhara Point, and a temporary jetty to barge material around to the main wharf construction site.

**Waitohi Picton**

Enabling and early works continue in Waitohi Picton. Work continues around the Dublin Street and Auckland Street intersection. In recent weeks we have carried out work to reconnect underground pipes, including one night of activity overnight when close residents were offered alternative accommodation. Road closures to allow for safe working continue and we engage with local residents and businesses on that.

Downer HEB JV has a team working at Westshore (on the Bluebridge side of the harbour) and on 18 September 2023, will begin constructing a temporary jetty, as part of the main wharf construction set up.

Marine Mammal Observers will be out monitoring when piling is being undertaken, with hydrophones (water-based microphones) and land-based monitoring equipment also in place for monitoring of noise and vibrations. Bubble curtaining is also being installed to lessen the impact.

**NETWORK****Bay of Plenty Regional Transport Committee**

The Bay of Plenty Regional Transport Committee (of which KiwiRail is a member) heard a public presentation on the benefits of public transport planning for potential inter-regional services in Bay of Plenty (Hamilton-Tauranga) and intra-regional services (within Bay of Plenty). The committee agreed to include provision for a co-funded (with NLTF) detailed business case on potential passenger rail services in its Regional Land Transport Plan.

KiwiRail expressed support for the approach on the basis that no decisions can be taken without informed planning and cost-benefit assessments.

s 9(2)(f)(iv)



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**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES****Hewlett's Road**

KiwiRail is working with Waka Kotahi as the Road Controlling Authority for Hewlett's Road on potential safety improvements to the two pedestrian crossings. This follows the tragic incident resulting in a fatality on 31 July 2023. KiwiRail and Waka Kotahi previously proposed improvements but these were not funded.

KiwiRail and Waka Kotahi have been engaging with local principals to discuss the options for improvements, which include installing 'maze fencing' to require pedestrians to turn in both directions before crossing and removing vegetation to increase lines of sight. We are also discussing the eventual addition of automatic gates which will be integrated into the signalling system, and the initial fencing will be designed to enable later additions. The intention is to address the vegetation as soon as practicable, install the maze fencing in the coming months, and to integrate gates into the signalling system at a later stage.

KiwiRail is working closely with Tauranga City Council on these proposals and responding to local enquiries to keep people informed.

KiwiRail is also maintaining contact with the family of Jorja-Ray Smith.

**Line reopening to Port of Napier**

On 15 September 2023, KiwiRail will be celebrating the official reopening of the rail line to Napier, connecting Port of Napier once again to the main trunk line.

This section of line between Hastings and Napier, particularly around Awatoto, was badly damaged in February 2023 by Cyclone Gabrielle. Track and embankments were washed away and there was major damage to Bridge 217, which lost piers and spans in the floods. Rebuilding has been a huge effort from our teams and our contracting partners, such as United Civil and local firms like Eastbridge, who have helped to bring the railway back online.

The work has included rebuilding two-metre-high embankments, replacing 800 sleepers, 140 metres of rail, laying 3,000 cubic metres of formation (the rock foundation under the tracks) and 3,500 tonnes of ballast.

The rebuild of Bridge 217 is a temporary solution, so that we can get rail freight moving as quickly as possible. A permanent new bridge will be designed and built over the next couple of years.

Freight will start moving again on 19 September 2023 – welcome news for our key customers Winstone Pulp International (WPI), Team Global Logistics, Silver Fern Farms and the port. Port of Napier is a key part of the regional economy, and to once again get our customers' freight to and from the port efficiently, and using low-emissions rail, is an important step toward reinstating the Hawke's Bay supply chain and ensuring the region's economic success.

**6 TRANSPORT CROWN ENTITY AND STATE-OWNED ENTITY (SOE) UPDATES****Rail Network Rebuild (RNR) update**

Work on Stage 2 (Eastern Line Otahuhu – Britomart) is progressing well, following the resumption of work after the FIFA Women’s World Cup. It remains on schedule to be completed in January 2024.

Since the stage began on 20 March 2023 to 10 September 2023:

- 3,787 metres of formation (the compacted rock foundation below the track) has been excavated and replaced
- 5,400 metres of ballast (the larger rocks the tracks sit in) has been replaced
- 5,195 metres of drainage has been improved
- 554 metres of rail has been replaced

With \$75 million additional funding from Waka Kotahi confirmed, planning for the next stage of the rebuild (in conjunction with Auckland Transport) is well advanced. We expect to publicly announce it in early October 2023.

RNR Stage 3 will run from Labour Weekend 2023 to June 2024 and has two parts:

- Stage 3a: Major upgrades to the Western Line between New Lynn and Newmarket, including replacing aging formation.
- Stage 3b: More minor drainage-focussed work on the Southern Line between Pukekohe and Puhinui, to improve resilience and the performance of the rail foundations in this low-lying part of the network.

For Stages 1 (Southern Line Otahuhu – Newmarket) and 2, whole sections of rail line were fully closed for periods of time. Stage 3 takes a different approach – working on evenings, some weekends and over the usual public holiday shutdowns - to avoid full and lengthy line closures. Stage 3 is more complex and though disruption to some customers is unavoidable, the impact of Stage 3 will be much less than the impact of Stages 1 and 2.

**SCENIC SERVICES****Coastal Pacific Scenic Train Returns**

The iconic Coastal Pacific scenic train will once again return to the South Island’s East Coast next week with the first service for the season scheduled for 21 September 2023.

The strong demand of this journey has also allowed us to introduce a daily service from 14 December 2023 which is earlier than anticipated.

We will also be showcasing a new offering for our visitors in time for the summer season, with the launch of the Coastal Pacific Scenic Plus dining experience, with our brand-new kitchen carriage. Customers will be treated to the experience of not only seeing and hearing the scenery but tasting local produce and wines as well.

The Coastal Pacific is a key part of both the Kaikoura and Marlborough regional economies, giving visitors an insight into these stunning East Coast regions, with local tourism operators welcoming the return of the service. The Coastal Pacific runs from September to April each year.

**UPCOMING MEETINGS/EVENTS**

15 September 2023 – Event is being held at the Bridge 217 site to mark the reopening of the line between Hastings and Napier. Hon Kieran McAnulty has been invited to attend.

## Directory

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