

20 February 2020

Withheld under section 9(2)(a) of the Official Information Act 1983

Dear [REDACTED]

I refer to your email of 16 January 2020 to Waka Kotahi New Zealand Transport Agency requesting, under the Official Information Act 1982:

copies of all documents including but not exclusive to briefings, correspondence, memos, and aide memoirs relating to the long-term sustainability of the National Land Transport Fund (NLTF) and the levels of revenue expected from fuel excise.

Your request was referred to the Ministry of Transport on 23 January 2020 as the information requested is more closely connected with the functions of the Ministry.

We have considered your request. We note that there are potentially a wide range of documents in scope of your request as the topic will presumably have been subject of discussion since fuel excise duty (FED) was first established as a source of transport funding.

We have emailed you twice¹ in an effort to clarify the scope of your request, but did not receive a reply. We have processed your request on the assumption it relates only to advice provided to the current Minister of Transport, Hon Phil Twyford, since his appointment following the 2017 election. We have also assumed that your request relates to projections for a time period greater than five years, rather than short term financial forecasts.

There are no communications with the Minister that we can identify that specifically cover the sustainability of the NLTF and the levels of revenue expected from fuel excise. There are, however, two documents that touch on the issue.

Of these, the most relevant document appears to be *Future of the Land Transport Revenue System project - Draft scope document* a briefing paper of 16 August 2018. We are releasing this to you in full, with only personal details being redacted under section 9(2)(a) of the Act, according to usual policy.

The briefing also has an appendix. We are releasing the information from the appendix where it relates to your request (paragraphs 1 – 11). We are withholding the text from paragraph 12 onwards, including headings, on the grounds the material is out of scope and still under active consideration under s9(2)(f)(iv) of the Act relating to *the confidentiality of advice tendered by Ministers of the Crown and officials*.

¹ 24 January 2020 and 29 January 2020

The Minister receives a regular Half Yearly Economic and Fiscal Update (HYEFU) that includes revenue projections for the National Land Transport Fund. While these projections focus on the three year horizon of the current Government Policy Statement on Land Transport they refer to projections for the next ten years. You have previously been provided with a copy of the December 2018 HYEFU under the Act.

We are providing a copy of OC191266 *Half-year economic and fiscal update 2019 forecast of National Land Transport Fund revenue* with only personal details being redacted under s9(2)(a) of the Act, according to usual policy. Although there are other versions of these regular briefings produced since 2017 we assume that for the purpose of your request, these are superseded by the most recent briefing. We can consider release of other versions if you think they are in scope of your request.

In addition to these two specific pieces of advice, we have identified a number of documents provided to the Minister since 2017 that touch on the subject matter requested, but where the sustainability of the revenue system is not the main topic. The text in these documents is standardised and all are very similar in content, with most having no more than a few paragraphs on the broader topic. A number of these documents that contain the standard text are already publicly released and are on the Ministry of Transport website.

In particular pages 3 – 5 of the RIS for *Increases to Petrol Excise Duty and Road User Charges June 2018* has a discussion about long term trends for FED. <https://www.transport.govt.nz/assets/Uploads/Land/Documents/3a6bfcc315/RIS-Funding-the-Government-Policy-Statement-on-land-transport-2018-SIGNED.pdf>

Other documents that cover the general issues you are interested in include page 29 of the 2017 *Briefing to the Incoming Minister*. <https://www.transport.govt.nz/assets/Uploads/About/Documents/9382fb90a3/BIM-October-2017-MOT.pdf>

and page 32 of the *Government Policy Statement on Land Transport 2018* <https://www.transport.govt.nz/assets/Uploads/Our-Work/Documents/c6b0fea45a/Government-Policy-Statement-on-land-transport-2018.pdf>

Several briefings to the Minister about the Let's Get Wellington Moving project touch on assumptions about revenue over the next 40 years. All of these briefings are on the Ministry of Transport's website: <https://www.transport.govt.nz/land/lgwm/>

Although it is older, the November 2014 report *Future Funding: The sustainability of current transport revenue tools model and report* is also relevant to your request. <https://www.transport.govt.nz/assets/Uploads/Our-Work/Documents/2cd8dbc206/ff-sustainability-of-transport-revenue.pdf>

The Ministry publishes our Official Information Act 1982 responses and the information contained in our reply to you will be published on the Ministry's website. Before publishing we will remove any personal or identifiable information.

In regard to the information that has been withheld under section 9 of the Act, I do not think there are any countervailing considerations that make it desirable, in the public interest, to make the information available.

You have the right under section 28(3) of the Act to make a complaint about the response to this request to the Ombudsman, whose address for contact purposes is:
info@ombudsman.parliament.nz
Yours sincerely

Marian Willberg
Manager, Demand Management and Revenue

RELEASED UNDER THE
OFFICIAL INFORMATION ACT