

Annex 1: Talking Points

MEETING WITH NEW ZEALAND AIRPORTS ASSOCIATION

The Civil Aviation Bill

General

- 30 What are the challenges airports with differing degrees of exposure to the regional, domestic and international markets face at this stage of the COVID response and borders reopening?

Public Works Act

- 31 The Select Committee has recommended refinements to provisions in the Bill regarding when and how land becomes surplus. The Bill is now awaiting Second Reading.
- 32 The treatment of land acquired by airports on the open market is the same as for all entities with recourse to the Public Works Act.
- 33 Under the Public Works Act, the Chief Executive of LNZ must consider whether an offer back would be “impracticable, unreasonable, or unfair”.
- 34 Evidence on the individual merits of a case would need to be provided to assist with this decision, but the history of how the land was acquired can be considered and may illustrate that it would be unreasonable or unfair for the Crown to offer back the land. For example, if an airport could show that there was no compulsion for the original sale.
- 35 I understand that the requirement that the land is treated as a Government work only applies to the “airport” and would not apply land purchased for any other purpose (for example commercial investment property).

Power to set charges

- 36 Officials advise me that some narrowing was intentional. They have accepted airports’ submissions regarding the potential difficulty in stopping airlines from using airport infrastructure unless they pay. However, they don’t consider it appropriate to provide statutory charge setting powers for things for which normal commercial terms are possible.

Regulatory Airport Spatial Undertakings (RASUs)

- 37 The Select Committee has recommended amendments to address airports’ concerns that the initial drafting placed undue emphasis on enforcement rather than facilitating dialogue between the relevant parties.
- 38 I understand some airports have started engagement with border agencies on regulatory requirements and infrastructure needs over the next five years. How is that going?

The Air Navigation Review and Airways NZ

39 What is the most important thing that you think the review should focus on?

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15 July 2022

OC220569

Hon Michael Wood**Minister of Transport**

NORTH SHORE AIRPORT AUTHORITY STATUS DECISION - RISKS AND PROPOSED LETTER

Purpose

To support you in your decision on North Shore Airport's application for Airport Authority status. We have attached a letter to the applicant based on your consideration of their application.

Key points

- We have previously provided you Te Manatū Waka's advice on the North Shore application (OC210040 and OC210685 refer)
- Following a community engagement meeting at North Harbour Stadium on 14 May 2022, you have decided not to grant Airport Authority Status (AA status) to North Shore Airport (the Airport).
- We consider that as the decision maker, it is open to you to make the decision not to grant AA status, however this comes with associated legal risks.
- On your request, we have a drafted a letter of response (attached) to the Airport to notify them of your decision.

Recommendations

We recommend you:

- | | | |
|---|---|----------|
| 1 | note that the Ministry of Transport advises that the test in section 3(3) of the Airport Authorities Act 1966 does not prescribe any factors for you to consider before making a decision whether to consent to the exercise of airport authorities' powers by North Shore Airport | Yes / No |
| 2 | note that your discretionary power must be exercised for proper purposes which are consistent with the legislation and are based on factors that could be reasonably considered | Yes / No |

- 3 **note** that while it would be open to North Shore Airport to seek a judicial review of your decision, they would bear the onus of showing on balance that the decision was based on factors that were inappropriate Yes / No



Tom Forster
Manager Economic Regulation
 15 July 2022

Hon Michael Wood
Minister of Transport
 / /

- Minister's office to complete:**
- Approved
 Declined
 Seen by Minister
 Not seen by Minister
 Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Tom Forster, Manager Economic Regulation	s 9(2)(a)	✓
Ana Clark, Graduate Adviser Economic Regulation		

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NORTH SHORE AIRPORT AUTHORITY STATUS DECISION - RISKS AND LETTER

Background

- 1 North Shore Airport (the Airport), wholly owned by North Shore Aero Club Incorporated, made an application to Te Manatū Waka - Ministry of Transport for Airport Authority status (AA status) on 23 June 2020. The powers and responsibilities the airport has under legislation will change should the application be granted.
- 2 The Airport is a small regional airport located at 270/284 Postman Road, Dairy Flat, and has been operating, in one form or another, for over 60 years. These days, the Airport is predominately used for private general aviation operations, flight training and light commercial airline services.
- 3 Te Manatū Waka consulted on the Airport's application from 1 October to 30 November 2020. We sent out over 1,700 letters seeking submissions from local residents, placed two advertisements in local newspapers and held a community town hall meeting which was attended by nearly 200 residents. As a result, we received just over 450 submissions.
- 4 The submissions were roughly divided in half between those supporting and those opposing granting airport authority status to the Airport and came from a range of stakeholders both within, and outside of the North Shore community.
- 5 We have provided you with advice on the application (OC210040 and OC210685 refer). Following discussions with you after receipt of the advice you indicated your desire to meet with the community to discuss the Airport's application.
- 6 On the 14 May 2022 you attended a community meeting at North Harbour Stadium to help inform your decision whether or not to grant AA status to the Airport.
- 7 We note the Airport Authorities Act 1966 (AA Act) does not provide any specific criteria to guide a decision on whether to grant AA status. Given this, you as the decision maker have broad discretion on whether to provide consent.
- 8 You have indicated concern about the following factors:
 - 8.1 Whether this is a helpful addition to the network or not; and
 - 8.2 What future infrastructure requirements could be were the airport to grow; and
 - 8.3 Whether there has been sufficient consultation with the community about the airport's future plans.

s 9(2)(h)

s 9(2)(h)

Other risks

- 14 The Civil Aviation Bill (the Bill) will replace the AA Act. Once the Bill comes into force, airports can apply to the Secretary of Transport to be registered, rather than the Minister.

s 9(2)(g)(i)

- 16 But we note that under the Bill, the Secretary is statutorily required to take into account a broader range of factors, including the transport outcomes framework.

Next steps

- 17 Should you confirm your decision to not grant AA status, the Ministry will provide support to communicate your decision to the applicant and interested stakeholders. This includes an email to everyone who made a submission during the public consultation phase, together with an update to sector stakeholders. We will also provide a brief update on the Ministry's website.
- 18 Should you wish to issue a media release, our communications team stands ready to support your office.

Hon Michael Wood

MP for Mt Roskill

Minister of Immigration

Minister of Transport

Minister for Workplace Relations and Safety



15 July 2022

Mr John Punshon
General Manager
North Shore Airport
Auckland

s 9(2)(a)

Dear John,

North Shore Airport: Application for Airport Authority Status

Thank you for North Shore Airport's application for Airport Authority status under the Airports Authorities Act 1966 (the Act) and for your cooperation throughout the decision-making process.

As you will be aware, and as I reiterated during the Town Hall meeting on 14 May, the Act does not provide any criteria to guide decision making. As Minister of Transport, I have discretion on the criteria I use to decide whether or not to grant Airport Authority status to any applicant.

I noted at the Town Hall meeting in May that my decision would be guided by some of the following criteria:

- the social and economic costs and benefits that may result
- how the proposal fits into efficient and effective transport
- the government policy statement on land transport
- the reductions in emissions across the transport system that may result
- stakeholder and community views

Guided by the above criteria, I have decided not to make a recommendation to the Governor General to grant Airport Authority status to North Shore Airport. More specifically, my decision has been driven by the following:

1. I am not convinced that granting Airport Authority status to the Airport would be a helpful addition to the transport network in general and the aviation network in particular; and
2. I believe there are unresolved questions about what future infrastructure requirements could be were the airport to grow; and
3. I do not consider that the Airport has undertaken sufficient consultation with the community about its future plans. In particular, I note that consultation on the Airport's Master Plan was not as widespread as recommended by the New Zealand

Airports Association Airport Master Planning Good Practice Guide.¹ The Guide notes that *“the airport operator should anticipate the need for regular and ongoing consultation with airport users, local authorities, and the neighbouring community to improve information sharing and strengthen planning and development outcomes”*.

I know you would be disappointed with this outcome. However, until the above is resolved, I am not able to support your application at this time.

Thank you again for your time throughout this process.

Yours sincerely

Hon Michael Wood
Minister of Transport

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¹ Airport Master Planning Good Practice Guide, February 2017

18 July 2022

Hon Michael Wood
Minister of Transport

OC220502

TE MANATŪ WAKA MINISTRY OF TRANSPORT'S FINAL LONG-TERM INSIGHTS BRIEFING

Purpose

This briefing provides you with the final version of Te Manatū Waka Ministry of Transport's (the Ministry's) Long-Term Insights Briefing (LTIB). It outlines the steps we undertook to produce the final LTIB, and the process for you to table it with the House of Representatives.

Key points

- The LTIB is a statutory requirement in the Public Service Act 2020 (the Act). The Ministry's LTIB is on *the impact of automated vehicles operating on Aotearoa New Zealand roads*. This topic was selected because automated vehicles (AVs) have not been a priority in the Ministry's work programme but present significant future opportunities and challenges that need careful consideration ahead of their deployment.
- As required by the Act, the Ministry sought guidance from the public, firstly in September 2021 around the scope and substance of the LTIB, and most recently in May 2022 on the final draft of the LTIB. Together with further stakeholder engagement, this has shaped the final version of the LTIB.
- During the second round of public consultation, we had 23 submissions from across government agencies, academia, advocacy groups and industry. Many submitters focussed on technical aspects of AVs, and many of these issues were given the high-level focus of the LTIB. Some submissions related to issues that were already addressed in the LTIB but required further context and explanation. These submissions have been either incorporated into the LTIB or noted for future AV workstreams.
- This briefing provides you with a copy of the final LTIB and an associated draft letter for you to sign and table with the House of Representatives, where the LTIB may be subject to a Select Committee review. There is no specific deadline for tabling the final version of the LTIB. However, the guidance is that LTIBs should aim to be tabled by 30 June 2022 or as soon as practicable.
- Prior to presenting the LTIB to Select Committee we would like to meet with you to discuss the key findings, and areas where further work may be required.

Recommendations

We recommend you:

- 1 **sign** the attached letter addressed to the Clerk of the House of Representatives
- 2 **agree** to provide the signed letter and aim to table the LTIB with the House of Representatives as soon as practicable
- 3 **note** on 25 July 2022 at 4:30pm you will be meeting with transport officials to discuss the key insights from the LTIB and areas where further work may be required.



Bryn Gandy
Acting Chief Executive
 .15.... / ..07.... / .2022.....

Hon Michael Wood
Minister of Transport
 / /

- Minister's office to complete:**
- Approved
 - Declined
 - Seen by Minister
 - Not seen by Minister
 - Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Bryn Gandy, Secretary for Transport & Chief Executive		
Richard Cross, Manager, Strategic Policy and Innovation		✓
Mikusha Newdick, Graduate Adviser, Strategic Policy and Innovation		

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TE MANATŪ WAKA MINISTRY OF TRANSPORT'S FINAL LONG-TERM INSIGHTS BRIEFING

Overview of the LTIB process

- 1 On 5 May 2022, we provided you with a briefing that outlined the Ministry's approach for the release of the final draft Long-term Insights Briefing (LTIB) for its second round of public consultation (OC220318 refers). A copy of the consultation document was provided to you at the time, so you had visibility of the content and our approach.
- 2 As you will recall, the Public Service Act 2020 (Schedule 6, clauses 8 and 9) introduced a requirement for agencies to develop a LTIB at least once every three years. The Ministry's LTIB topic (*the impact of automated vehicles (AVs) operating on Aotearoa New Zealand roads*) affords the opportunity to explore the opportunities and challenges of AVs in detail before they are deployed on New Zealand roads. This will enable us to develop future policy options which will aim to improve individual wellbeing as well as support broader transport outcomes.
- 3 We have followed the requirements outlined in the Public Service Act throughout the LTIB process. This has included keeping you informed of progress on a 'no surprises' basis and developing the document independently and outside our normal working relationship. We are now providing you with the final LTIB and are ready to work with you on next steps.
- 4 Additional detail on the LTIB requirements can be found in Annex 1.

The second round of public consultation on the LTIB has been completed

- 5 The Public Service Act 2020 requires agencies to consult with the public twice before the final LTIB is tabled with the Governance and Administration Select Committee.
- 6 To inform the focus and content of our LTIB, we have extensively engaged with representatives and organisations across multiple sectors and disciplines. These stakeholders include Age Concern, representatives from the disability sector, local government including regional and city councils, academics, Business NZ and other government agencies.
- 7 The second round of public consultation focused on the draft full content of the LTIB and how well we have incorporated initial feedback received from our first consultation process. Submitters were asked to complete a survey on the key areas discussed in the LTIB. This served as an opportunity for stakeholders to comment on the final draft LTIB before it is finalised.
- 8 The consultation period was three weeks from 6 May to 27 May 2022. We received 23 submissions across government agencies, academia, advocacy groups and industry. Most submissions were from industry bodies.

Key themes from the submissions

- 9 The skew of submissions from industry organisations meant a concentration of submissions on the technical aspects of AVs and their regulatory application. Key themes from submissions included:
- Digital infrastructure: 11 out of the 23 submitters raised concern around the urgency of reserving spectrum for AVs, securing the right digital infrastructure and associated costs. Many submitters suggested that successful AV implementation will be dependent upon adequate vehicle to infrastructure (V2I). While aspects of this were covered in the LTIB, the radio spectrum required for V2I communication and how the resource(s) will be reserved to enable the operation of AVs falls more under the implementational remit of Waka Kotahi and MBIE and is out of the scope of this LTIB.
 - Testing and trialling: many submitters indicated that testing and trialling nationally will be pertinent prior to the full deployment of AVs in New Zealand. Notably, many stated that trials are occurring overseas, and those subsequent learnings will be difficult to apply to New Zealand's unique environment, topography and vehicle use cases. Some submitters suggested that better communication between local and central government will be necessary in ensuring that the appropriate infrastructure and funding allocation is available for these trials. These submitters felt that assurance of the validity of AVs operating on our roads could only come with New Zealand-specific experience.
 - Flexible transport regulation: several respondents stated an increasing need to re-examine, update, and future-proof regulations with AVs in mind. A more flexible, broader approach may be better able to keep pace with rapid technological changes, given the current developing environment.
 - Steering the course: 5 out of the 23 submissions explicitly stated the role of Government is to be proactive in "shaping and steering" the deployment of AVs in New Zealand. Other submitters implied that it is the responsibility of both Government and industry. In line with feedback on the importance of testing and trialling, some industry members claimed that Government will need to enable trials, innovative testing, and funding to fully realise the economic and social benefits from AVs in New Zealand.
 - Liability problem: while the LTIB sufficiently discusses the varying consequences associated to AV-related accidents, given the uncertainty of the regulatory approaches, many submitters raised their concerns on how this will be resolved. Further consideration needs to be given to ensure that issues related to liability are resolved equitably while maintaining consumer uptake, public buy-in and trust of the operator. Outlining an exact approach in doing this is beyond the scope of the LTIB, but we have made changes to the briefing to draw greater attention to this issue as liability is not adequately addressed in our existing legislation.

- Collaboration: submitters across the various industries stated AVs will have implications on the various government sectors, industry associations and Ministers which will require further cross-agency collaboration. This will ensure that we achieve shared positive policy outcomes and also help make progress in terms of changing legislation owned by different government agencies. The need to engage with “non-traditional” transport sectors and agencies such as telecommunications and Artificial Intelligence (AI) was also highlighted.
- 10 While aspects of the above key themes were covered in the LTIB, where appropriate, further emphasis was given to some of the topics. Comments specifically relating to the application of regulation, or the Government’s perceived direction of this work are outside the scope for this LTIB. The feedback however has been noted for the future AV work programme and discussions with Waka Kotahi, and other relevant government agencies and interest groups.
- 11 Other themes or gaps were identified by comparatively fewer submitters. Where they fell within the scope and purpose of the LTIB we added call out boxes to offer supplementary information or greater context on the following:
- Edge-cases: highlighting how we can minimise the safety implications of exceptional circumstances an AV may face, these can include temporary traffic management (e.g., events or roadworks) or emergency incidents.
 - Ethical considerations: understanding that there will be ethical implications associated with how AVs are programmed.
 - AV use cases: clarifying and providing examples of different types of AVs that can be used for transporting both people and goods and may replace or complement parts of the existing transport system.
 - A “flexible and adaptive” regulatory system: drawing greater attention to the evolving nature of AV technology and the requirements of a regulatory system that can be flexible enough to accommodate and keep pace with such change.

The Ministry has completed the final version of its LTIB

- 12 We have incorporated feedback from the second round of public consultation into the final version of the LTIB. It is structured around the key questions we need to answer to understand the impact of AVs. The LTIB is set out across five sections:
- Sections one and two provide context around the transport system and introduce the concept of technology and automation. They also introduce the transport outcomes framework, which is the lens used when discussing the impact of AVs.
 - Section three identifies the key questions that New Zealanders and the wider transport sector want answers to, in order to understand the potential impact of AVs. It includes considerations for local and central Government, including transport outcomes, current organisational goals, and regulation.
 - Sections four and five pull together the insights we have drawn from the previous section and briefly outlines what we could do next. We have outlined three high-level approaches the Government could take.

- 13 As well as producing an LTIB that delivers on the requirements under the Act, the intention is to provide an evidence base which could be used to develop an AV regulatory work programme or roadmap.
- 14 The Government will have choices about how much is invested in this ongoing work and will need to consider the advantages and disadvantages to being an early adopter or taking a 'wait and see' approach. Regardless of which approach the Government takes, it will be important that the regulatory frameworks ensure that those bringing AV technology to market are acting responsibly. At present, there is a gap in our regulatory framework around liability and responsibility for highly automated. We consider this an important issue to address regardless of the Government encouraging, discouraging, or remaining neutral towards AVs, and have proposed including this issue in our broader vehicles work programme.

You will table the final LTIB in the House of Representatives where it will be subject to a Select Committee review

- 15 We have now completed the final version of the LTIB, and it is ready to be tabled with the House of Representatives who will then table it with the Governance and Administration Select Committee. There is no specific deadline for tabling the final version of the LTIB. However, the guidance is that LTIBs should be tabled by 30 June 2022 or as soon as practicable.
- 16 Once you have tabled the LTIB, the Governance and Administration Committee will refer the LTIB to the relevant Select Committee for its review. It is likely to be referred to the Transport and Infrastructure Select Committee. The Select Committee may hear evidence from departments, invite you to appear to discuss the contents of the LTIB, receive their own public input, and seek independent advice.
- 17 On 25 July 2022 at 4:30pm we will meet with you to discuss the key insights from the LTIB and areas where further work may be required. This meeting will also act as a precursor to any potential appearance you may have in front of Select Committee. Further supporting documents can also be provided should you require them prior to any hearing.
- 18 Officials may also be called to attend the Select Committee examination of the Briefing as a witness at public hearings to give evidence (generally, Chief Executives will be expected to appear). The 'no-surprises' principle creates an expectation on Chief Executives to inform their Minister of matters that arise during the Select Committee examination. This may include:
- Notifying you in advance of attendance by officials.
 - Keeping you informed of any matters that arise during the examination that are significant to the Transport portfolio.
 - Providing you with a copy of any written information released to the Select Committee.
- 19 Once this process is complete, the Select Committee will present its findings to the House for debate. Once this has occurred, we will publish the LTIB on our website.

ANNEX 1 – LTIB requirements

The LTIB is a statutory requirement to be led by chief executives

- 1 The Public Service Act 2020 (Schedule 6, clauses 8 and 9) introduced a requirement for agencies to develop a Long-term Insights Briefing (LTIB) at least once every three years.
- 2 LTIBs are designed to be led by chief executives, who:
 - are asked to produce a briefing in time for it to be presented to Parliament by 30 June 2022.
 - are required to select the subject matter for the Briefing. They must do this by considering those trends, risks and opportunities that are particularly relevant to their department's functions.
 - can select the time horizon that is the most appropriate for the area under investigation.
 - must consider the consultation feedback when finalising the subject matter for the LTIB (before it is drafted) and then the content of the LTIB. This means genuinely considering matters raised during consultation. However, the final decision rests with chief executives and there may be good reasons not to adopt an approach suggested during consultation.
 - also need to appropriately consider Māori and Treaty interests as part of their thinking on the LTIBs.
- 3 The Public Service Act requires LTIBs to be produced independently of Ministers. This means that we will be keeping you informed of progress on a 'no surprises' basis.

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19 July 2022

OC220594

Hon Michael Wood
Minister of Transport

MEETING WITH BARNEY KONEFERENISI ON TOTAL MOBILITY ISSUES

Snapshot

Barney Koneferenisi has requested to meet with you, to discuss his proposal for a rideshare company focused on serving the disabled community, elderly, women, and people with pets.

Time and date	22 July 2022
Venue	Your electorate office
Attendees	Barney Koneferenisi
Officials attending	Not required
Talking points	Talking points are provided at Annex 1.

Contacts

Name	Telephone	First contact
Matt Skinner, Acting Manager, Mobility and Safety	s 9(2)(a)	✓
Olivia Kitson, Senior Adviser, Mobility and Safety	s 9(2)(a)	

MEETING WITH BARNEY KONEFERENISI ON TOTAL MOBILITY ISSUES

Key points

- Barney Koneferenisi wants to discuss with you a business venture he is developing called Safe Rides Auckland, a rideshare app focused on serving the disabled community, elderly, women, and people with pets.
- Last year, Te Manatū Waka was made aware of a request to the Office for Disability Issues (ODI) for funding for his initiative. At that time, there were no funding sources available in the transport sector.
- Since then, Waka Kotahi has established Hoe ki angitū Innovation Fund (the Fund) The Fund is intended to support the private sector to develop and accelerate innovative solutions which help solve transport challenges. Barney has made an application to this Fund, which is currently being assessed. Applications have closed, and Waka Kotahi expects to announce the successful applicants in September 2022.
- Officials are aware of limited accessibility to transport services and other negative transport experiences for the disabled community. We understand there is considerable regional variability in the availability of services. These issues have come through in research commissioned by Waka Kotahi and are expected to be investigated through the review of Total Mobility. The review is also expected to consider ways to take advantage of new and emerging transport services.
- s 9(2)(f)(iv)

Barney is developing a rideshare service for vulnerable passengers

- 1 Barney has identified the need for a rideshare service that serves those people that are vulnerable to discrimination from existing taxi and rideshare services. His email to you details instances of discrimination and denial of service, affecting the disabled community, elderly, women and passengers with pets.
- 2 Officials were made aware of Barney's venture (Safe Rides Auckland), and his research into transport experiences, in August 2021. At the time, there were no funding sources available in the transport sector, and we recommended Barney contact Callaghan Innovation about grants that may be available.
- 3 Since that time, Waka Kotahi has established Hoe ki angitū Innovation Fund (the Fund). The Fund is intended to support the private sector to develop and accelerate innovative solutions to help solve transport challenges.
- 4 Barney has submitted an application to the Fund. As the Fund is challenge based, his application is in response to the following challenge:

How might we provide under-served communities (including rural communities and those travelling outside normal commuting times) with greater access to

safe, low emission and reliable modes of transport other than the private motor vehicle?

- 5 Applications to the Fund closed on 4 July 2022. Waka Kotahi expects to announce the successful applicants in September 2022.

The review of the Total Mobility Scheme is expected to consider many of the issues Barney raises

- 6 The review of the Total Mobility Scheme (the Scheme) will be informed by research that was commissioned by Waka Kotahi, identifying transport experiences of disabled people. The research found identified issues with the Scheme, leading to feelings of loneliness and isolation, and passengers being unable to make essential trips. Many disabled people surveyed as part of the research reported hours-long waits for taxis, inflexibility of services or a lack of night-time services.
- 7 In our advice to you on the draft terms of reference for the review of Total Mobility (OC220220 refers), we identified accessibility and improving passenger experience among the areas of focus. This includes issues such as:
- 7.1 affordability for passengers – this may be raised with you more once half price public transport fares ends, as Total Mobility is not included in Community Connect;
 - 7.2 the supply of services, particularly wheelchair accessible vehicles;
 - 7.3 operator training; and
 - 7.4 the Scheme’s complaints mechanism.
- 8 Barney may raise concerns about the limited availability of Total Mobility services. We have had indications from Total Mobility coordinators in the public transport authorities that service providers are struggling in some areas and are leaving the market. This is reducing the availability of Total Mobility services in many regions. Officials will keep you updated on any further issues with availability of services.
- 9 We also consider the review provides a good opportunity to look at how the Scheme could take advantage of new and emerging transport services, such as on-demand services. Barney’s proposal is a good example of the new and emerging services that could help improve the Scheme. It provides an opportunity to disrupt discriminatory practices with existing services and offer a safe alternative for vulnerable passengers.

s 9(2)(f)(iv)

s 9(2)(f)(iv)

Biography



Barney Koneferenisi

Age:27

Barney was born in Samoa, and lives in Auckland. He devised Safe Rides Auckland after experiencing barriers with existing taxi and rideshare services.

As a baby, he lost his right hand and part of his left hand due to complications from meningitis. He had both legs amputated by the time he reached the age of 10.

Barney has represented New Zealand in wheelchair rugby at the Tokyo 2020 Paralympics. He has degrees in law and commerce.

Please note Barney was born in New Zealand and not Samoa as stated above

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Annex 1: Talking Points

MEETING WITH BARNEY KONEFERENISI ON TOTAL MOBILITY ISSUES

- Congratulations on your business venture, it is great to see the interest it is getting from the media and the general public. When are you aiming to launch Safe Rides Auckland? Do you have any plans to expand the business beyond Auckland?
- The findings of your research clearly demonstrate the need for transport to better serve all members of society, particularly our most vulnerable. I understand Waka Kotahi intends to publish research it commissioned into transport experiences of disabled people in the next few months, and its findings reflect a lot of the issues you've identified.
- Transport officials are planning to undertake a review of the Total Mobility Scheme, informed by Waka Kotahi's research findings. I understand they have been made aware of your research, as well as your venture.
- I am very supportive of the review. I anticipate it will look at many of the issues you have identified, as well as opportunities to improve accessibility and passengers' experience. Officials advise me that they have been scoping up the review but need to find the resource for it.
- I understand you have made an application to Waka Kotahi's Innovation Fund. Decisions on successful applications sit with Waka Kotahi, but it is great to see this Fund being set up to help fund innovative solutions to the transport challenges we need to address.

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20 July 2022

OC220604

Hon Kieran McAnulty
Associate Minister of Transport

cc Hon Michael Wood
Minister of Transport

MEETING WITH DEBBIE FRANCIS, CHAIR, AIR NAVIGATION SYSTEM REVIEW PANEL

Snapshot

Debbie Francis, Chair of the Air Navigation System Review Panel, has asked to meet with you to discuss the review's scope, work to date, and next steps.

Time and date	5:00 – 5:50pm 27 July 2022
Venue	Your office
Attendees	Debbie Francis, Chair, Air Navigation System Review Panel
Officials attending	None
Agenda	<ul style="list-style-type: none"> • The review's scope, approach and work to date • The Panel's initial thinking and insights • Next steps
Talking points	Attached at Annex 1

Contacts

Name	Telephone	First contact
Brigid Borlase, Head of Secretariat, Air Navigation System Review	s 9(2)(a)	✓
Eve Tucker, Acting Manager, Economic Regulation		

Meeting with Debbie Francis, Chair, Air Navigation System Review Panel

Key points

- You are meeting with Debbie Francis, Chair of the Air Navigation System Review Panel, on Wednesday 27 July 2022 from 5:00 – 5:30pm.
- Suggested talking points and questions are attached at **Annex 1**.
- The review has a high-level, first principles approach, aiming to address persistent questions about the policy and regulatory, institutional, and funding settings.
- The Panel is independent and was appointed by Minister Wood in May 2022. Panel members' bios are attached at **Annex 2**.
- The Review terms of reference are attached at **Annex 3**.
- The Panel is on track to provide you with a report in September on the current state assessment, ahead of providing its final recommendations to you in April 2023.

The Air Navigation System Review

Purpose of the meeting

- 1 You will meet the Chair of the Air Navigation System Review Panel for the first time since you took on oversight of the review from Minister Wood. The Chair and Minister Wood have not met since the start of the review.
- 2 The meeting is an opportunity for you and the Chair to discuss the review's scope, approach and work to date. You may also like to discuss your desired level of involvement and next steps with the Chair.
- 3 The Chair will provide you with a letter on 26 July 2022 that sets out the Panel's initial observations and next steps.

Background information

- 4 The air navigation system is a critical part of New Zealand's national infrastructure. It enables safe, sustainable, resilient, and efficient aviation operations that in turn deliver services and benefits across a range of sectors and to wider society. It enables regional and global connectivity, security and resilience, jobs and economic development, and helps to deliver civil defence and emergency responses, and access to healthcare services.
- 5 The air navigation system comprises core components that provide for the safe operation of aircraft from take-off to landing. These include the equipment, services, and information to enable flight planning, navigation, safe separation of aircraft, and system-wide communication. Not all flights need all parts of the system; however, we need a comprehensive system to provide for the full range of airborne operations.

- 6 The system includes air traffic control; communications between aircraft, and aircraft and the ground; radars and other systems to track aircraft; navigation systems on the ground and in aircraft; specialist aviation weather services; airspace design (who can fly where); airports, and information management.
- 7 The diagram below is a concept of operations (CONOPS) for the air navigation system for 2023. It was developed by system stakeholders for the Civil Aviation Authority. It shows the system's core components and demonstrates the complexity of the system. The system spans both conventional commercial and recreational aircraft, and increasingly, non-conventional aircraft such as drones.



Purpose of the review

- 8 In February 2021 Minister Wood agreed to a high-level, first principles review of the air navigation system focused on its future strategic direction and its underlying policy, regulatory, institutional and funding settings.
- 9 The review responds to several issues identified by stakeholders, including:
 - the lack of an overarching strategy or vision for the system
 - lack of the regulation keeping pace with technology (e.g. drones)

- the role of the system to meet wider national objectives, for example regional development and connectivity and delivery of essential services (e.g. emergency response)
 - the effectiveness of the user-pays funding and commercial operating models for maintaining an essential safety critical system
 - the economic impact of “black swan” events, such as COVID-19
 - climate change and the drive to decarbonise aviation.
- 10 Minister Wood appointed an independent panel to conduct the review: Debbie Francis (Chair), and members Howard Fancy, Ed Sims, and Danny Tuato’o. Panel biographies are available at **Annex 2**. The panel will make recommendations that are subject to Cabinet agreement.
- 11 A secretariat, hosted by Te Manatū Waka Ministry of Transport, supports the Panel.
- 12 Stakeholder support for the review is high. Sixteen major organisations¹ reviewed the review’s terms of reference. The terms of reference are attached at **Annex 3**.

Approach

- 13 The review is split into two phases:
- Phase 1: define the **principles and objectives** that describe what New Zealand needs and wants from the system now and 30-50 years into the future; and
 - Phase 2: assess the current system against the principles and objectives and make **recommendations** on options for strengthening the system to meet the objectives established in phase 1.
- 14 The panel’s approach is strategic and system-focused with high levels of targeted stakeholder engagement:
- a sector Reference Group provides expert input and advice to the panel (see member list at **Annex 4**)
 - the Panel will demonstrate partnership with iwi/Māori in good faith and in accordance with the principles of Te Tiriti o Waitangi. A Māori Advisory Group is being established to ensure the review appropriately engages with Māori and weaves in te ao Māori views.

Work to date

- 15 The Panel has met twice. It has heard a range of perspectives from domestic and international stakeholders, focusing on building a picture of the current state.

¹ Stakeholders include Air New Zealand (customer), Airways (air navigation services provider), Civil Aviation Authority (regulator), MetService (meteorological services provider), and airports.

- 16 The Panel is working closely with its Reference Group. It will meet this group on a 4-6 weekly basis to bring sector views and to test its thinking.
- 17 The Panel is now working to solidify its current state assessment to deliver its phase one report to you in late September.

Risks

- 18 The scope of the review is broad; however, the Panel's findings are likely to focus on priorities within the three high level settings (policy/regulation, institutional, funding). Some stakeholders may feel their specific concerns or views are not reflected in the Panel's recommendations.
- 19 Recommendations on technical matters are out of scope for the review. Some stakeholders may feel that the review is too high level and does not deal with issues affecting their immediate operating environment.
- 20 The Panel will work closely and openly with stakeholders. It will take the time to understand the issues from their perspective before it proposes recommendations. However, it will need to remain focused on a strategic, first principles approach and achieve what it can in the timeframe. It may, as part of its recommendations, pinpoint areas that warrant further consideration.

Next steps

- 21 The Panel intends to deliver its Phase 1 report to you in late September to allow you to present it to Cabinet in mid October 2022.
- 22 You may wish to meet with the Chair on a regular basis.

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Annex 1: Suggested Talking Points

- You may wish to discuss the Panel's initial impressions of the characteristics and culture of the air navigation system and its stakeholders.
- The Panel's Reference Group will have met for the second time on 22 July 2022. You may wish to ask how the meeting went, and what issues were front of mind for the participants.
- The Panel is due to deliver its Phase 1 report to you in late September 2022. You may wish to discuss the likely direction of that report, and how it will lead into Phase 2.
- You may wish to ask the Chair, Ms Francis, about her observations of how the air navigation system is similar (and different) to other systems.
- You may wish to ask if there are any issues or risks the Panel is concerned about at this early stage.

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Annex 2: Air Navigation System Review Panel - biographies

You are meeting Debbie Francis, Panel Chair



Debbie Francis (Chair) is an independent consultant specialising in strategy development, organisational culture and change management. She was previously head of PwC New Zealand's Government and People and Change consulting practices where she worked with public and private sector clients on culture and organisational change. She was a lead reviewer for the State Services Commission and undertook many performance improvement reviews of public agencies.

Debbie has undertaken similar reviews in a wide variety of private sector companies, from small start-ups to large multinationals. Debbie has also spent time in a range of executive roles, including as Chief Executive for the New Zealand Correspondence School and a two-star General equivalent in the New Zealand Defence Force. More recently, Debbie undertook a review of culture within New Zealand Police and led an independent review of the culture in the New Zealand Parliamentary workplace. She lives on a truffle farm in Waipara, has six children, six grandchildren and three cats. Her passions are military history, detective novels, fast cars and growing roses.

Other Review Panel members



Howard Fancy has extensive experience at the centre of government in the formulation, delivery, and operation of policy. He has led a wide range of major system reforms and reviews that have redesigned institutional arrangements, capabilities and relationships. He served as the Chief Executive of the Ministries of Commerce, Education, and Environment. He is currently a member of several public sector audit and risk committees. Howard has extensive experience in stakeholder engagement, including partnering with iwi/Māori. He has worked across diverse sectors on agency establishment, system performance improvements, agency reviews, strategic relationships and positioning agencies for future change and opportunities. He brings a strong strategic and systems focus. Howard holds an MCom (Economics) from the University of Canterbury. He is a member of the Institute of Directors, an Honorary Fellow, School of Government (Victoria University), and is Companion of the New Zealand Order of Merit. Howard lives in Wellington with his family.



Ed Sims has an extensive background in air navigation service provision and airline management operations. He was CEO of Airways New Zealand (2011–2017), an executive committee member and then Chair of the global air traffic control governing body CANSO (2012–2017), a member of the Air New Zealand executive team (2006–2010) and has recently returned from running Canada’s second largest airline WestJet for the last five years. Ed has held governance roles in the New Zealand tourism sector, has sat on public sector agency audit and risk committees, and is a member of the Business Council of Canada. Ed brings a depth of knowledge about the challenges of operating in the rapidly evolving, highly competitive aviation sector, and leading organisations that provide and use air navigation system services and working with aviation regulators and policy agencies in New Zealand and internationally. Ed holds an MA from Oxford and is a member of the Institute of Strategic Leadership. He lives in Auckland with his family.



Danny Tuato'o was admitted as a barrister and solicitor of the High Court of New Zealand in 2005. Along with his legal experience, he has significant leadership experience as a business owner in New Zealand, as a director in public and private sectors, and senior manager in law and education. As a Partner in a Northland provincial law practice, Danny works with a wide range of clients. He holds several governance positions, including being a member of the boards of Fire and Emergency New Zealand and Maritime New Zealand.

Proficient in te reo Māori, Danny understands the cultural dynamic of te ao Māori and Crown/Māori relations and can bring cultural competence and diversity of thought to the panel. In addition to his legal qualification, Danny holds an MA in Māori Studies from the University of Otago. Danny lives with his wife and four children in Whangārei. Danny is actively involved in Kiwi recovery and pest control projects in Northland in a volunteer capacity. He is also a volunteer for the Coastguard New Zealand Board and a trustee for the Wairau Māori Art Gallery.

REVIEW OF NEW ZEALAND'S AIR NAVIGATION SYSTEM

Terms of reference

Purpose

New Zealand does not have a current high-level statement of the principles and national level objectives for the air navigation system. Without that foundation, it is difficult to determine if the systems meet our current and future needs.

The purpose of the review is to take a high-level, first principles approach to establishing agreed objectives for the air navigation system, assess the current policy and regulatory, institutional and funding settings against those objectives, and recommend options for strengthening the system now and thirty to fifty years to the future.

Background

The air navigation system exists to enable aircraft operations. The system works as an integrated whole, providing the information and infrastructure for aircraft from the start to the end of a flight.

The air navigation system is a key part of New Zealand's transport infrastructure. The system contributes to New Zealand's economic growth and prosperity, social connectivity, resilience, and our role as a participant in regional and global fora. As a remote island nation, we rely almost exclusively on air transport to connect our people to the world.

We have international obligations and opportunities. We are a member state of the International Civil Aviation Organization. New Zealand is responsible for the world's largest search and rescue region which stretches from the Pacific Islands to the Antarctic and provides aviation safety and security support to our Pacific neighbours. This country is also home to innovators in aviation and space activities, with significant potential for growth. We export our aviation knowledge and expertise around the world.

Context for the review

The most recent national policy statement on aviation is the *National Airspace Policy of New Zealand*, published in 2012.

In the intervening decade the demands on and expectations of the air navigation system have continued to change, presenting challenges and opportunities, such as:

- new technologies: airframe materials, autonomous and remotely piloted aircraft, artificial intelligence, digitalisation, alternative fuels, and new propulsion systems
- drives for the decarbonisation of aviation

- demands for different design and use of airspace, including low altitude and urban airspace, and providing for aircraft and launch vehicles transiting to and from space
- emergence of new business models and alternative providers for some components of the air navigation system
- emerging threats and risks around cyber security and security of physical infrastructure
- ongoing globalisation of system components
- new international standards and regulations
- movement to performance-based regulation and other regulatory responses to rapidly changing technology.

Stakeholders have raised questions about the current settings for the air navigation system, including:

- clarifying and addressing the expectations on the system from aviation participants, and a range of other sectors such as civil defence and emergency management, health, economic development, and defence
- the effectiveness of the user pays model for funding air navigation services and system components
- identification of and funding for air navigation services and system components provided as a public good
- the characteristics and performance of the market for the air navigation services and system components
- the role of the aviation system in regional development, connectivity, and resilience
- the cost of air navigation services and system components
- planning for and the flexibility to enable timely investment in new air navigation system technologies
- the impacts of COVID-19 including reliance on passenger volume as the primary funding source for air navigation service provision.

Method of work

The review will be conducted in accordance with these terms of reference, and in a way that demonstrates:

- transparency
- independence and impartiality
- timely and open engagement
- consideration of the full range of stakeholders' views
- a systems-based approach
- partnership with iwi and Māori in good faith and in accordance with the principles of Te Tiriti o Waitangi (CO(19)5, Te Tiriti o Waitangi / Treaty of Waitangi guidance
- commitment to an enduring approach to continuous improvement of the air navigation system, taking a multi-generational view.

Assumptions

The review includes the following working assumptions:

- Safety is the primary objective.
- The current system is safe.
- The air navigation system is an essential part of New Zealand's national infrastructure.
- A safe, efficient, sustainable, innovative, and responsive air navigation system helps New Zealand flourish.
- New Zealand supports and participates in the global rules-based system governing civil aviation
- The system is resource limited and there will be competing demands and tensions
- The system is challenged by new and emerging technologies.

Scope

Description of the air navigation system and the scope of the review

For the purposes of this review, the air navigation system comprises the system components, the providers and users of the system components and air navigation services, and the authorising environment in which they operate.

Appendix 1 illustrates the system and its connections to and influence on the wider economy and society.

Air navigation system components and characteristics

The review will consider the air navigation system components: those elements that are essential for the aviation system to operate and to deliver on user and national expectations. The scope will include consideration of how the settings influence the provision and maintenance of the system components.

In the context of the review, characteristics refers to how the system should operate, for example it should be safe, efficient, secure, integrative, future-focussed, resilient, and responsive to emerging opportunities, threats, and risks.

Air navigation system providers, users, and authorising environment

The review will consider the roles, obligations, and needs of air navigation system providers, users and authorisers, and how the settings facilitate or inhibit their work.

Dependents and beneficiaries of the air navigation system

Several sectors and agencies depend on and/or benefit from the provision of the air navigation system, though they are not providers or direct users of the air navigation system components.

Matters for consideration

The review may consider the following:

- policy settings that influence the air navigation system
- roles, functions, obligations and duties of the agencies and organisations involved in the provision, use, regulation, and monitoring of the components of the air navigation system
- the relationships between those roles, functions, and duties
- the monitoring and evaluation of the performance of those roles and functions
- revenue, funding, and pricing mechanisms in the system
- mechanisms for identifying, providing, funding, and overseeing air navigation system components and services that are provided wholly or partly as a public good, within aviation and/or as part of other systems
- the impact that the air navigation system (and any recommended changes to the applicable settings) has on the wider ambitions for New Zealand society, economy, environment, resilience and security, and our global profile and participation
- the system and its objectives and outcomes in the context of Te Tiriti o Waitangi and a te ao Māori view
- the influence of the system on regional connectivity
- integration of new technologies into the air navigation system
- alignment with international standards and practices, and interconnectivity between systems operated by different states
- the operation of the air navigation system in the New Zealand Flight Information Region and the Auckland Oceanic Flight Information Region², and the delivery of other regional aviation-related services such as meteorological information for aviation, and the Volcanic Ash Advisory Centre - Wellington.

The review will give due consideration to:

- international models of policy and regulatory, institutional, and funding settings for air navigation system planning, delivery, and assessment of system performance
- other work relevant to this review, including but not limited to the Civil Aviation Bill, the review of the Outer Space and High Altitude Activities Act 2017, the New Zealand Aerospace Strategy, Airways' pricing round, the Civil Aviation Authority funding review, New Southern Sky, and relevant government initiatives such as the Emissions Reduction Plan and the biofuels mandate.
- the impact of COVID-19 on the aviation sector.

Matters out of scope

The following are generally out of scope of the review:

² The New Zealand Flight Information Region is our domestic airspace. The Oceanic Flight Information Region is airspace over the high seas that New Zealand manages under an International Civil Aviation Organization Regional Air Navigation Agreement.

- technical and operational matters, for example technical standards for air navigation system components; operational procedures and rules; or application of operational policies or methodologies in particular instances or locations³
- detailed examination of specific commercial agreements between parties, though the review may consider the influence the system settings have on how commercial agreements are generally developed and applied, and the results of those methods
- COVID-19 response and recovery support measures.

The review will not make recommendations that:

- directly create obligations on sectors that depend on or benefit from the air navigation system (see Appendix 1)
- relate directly to operational, tactical, or procedural matters or specific commercial arrangements regarding the operation of the air navigation system components, provision of services, or use of the system by aviation participants
- refer to amending or creating specific Civil Aviation Rules, notices, or guidance, though it may consider the regulatory system settings with respect to the agreed system objectives.

The review will, however, consider how its recommendations would impact on matters and sectors outside its scope.

Process and outputs

The review will focus on the policy and regulatory, institutional, and funding settings for the air navigation system and conduct its work in two phases.

Phase 1

In its first phase the review will:

- identify the base principles and objectives for the air navigation system
- identify the components and characteristics of an optimally performing air navigation system for New Zealand now, and 30-50 years into the future, considering:
 - national objectives
 - current providers and users of the air navigation system
 - future use cases
 - those sectors dependent or and/or benefiting from the operation of the system
 - international standards, guidance, and obligations.

Phase 1 output:

Recommendations to the Minister of Transport and Government on a set of principles and objectives, components and characteristics for the air navigation system now and 30 to 50 years into the future.

³ The review may use case studies but will focus its recommendations on system-wide matters.

Phase 2

The second phase of work will focus on assessing the current system, including all parties and how they operate, against the principles and outcomes identified in Phase 1.

Phase 2 output:

Recommendations to the Minister of Transport and Government on options to strengthen the air navigation system's ability to meet the agreed principles and objectives.

The recommendations will focus on the policy and regulatory, institutional, and/or funding settings, and consider current and future needs.

Recommendations will consider possible impacts on aviation safety.

Given its high-level nature, the review may make recommendations for further detailed examination of specific aspects or issues.

The methodology and the findings and recommendations from both phases will be subject to review by international experts in air navigation system policy, design, regulation, funding, and delivery.

Structure

The review will be conducted by a Ministerially appointed independent advisory panel.

Independent advisory panel membership

Debbie Francis (Chair)

Howard Fancy

Ed Sims

Danny Tauto'o

Term of appointment

The panel will be appointed for the duration of the review.

Secretariat

Secretariat services will be hosted by the Ministry of Transport. The Secretariat will provide research, analytical, project coordination, communications, and technical subject matter expert input as required.

Stakeholder engagement

The review will establish a reference group including (but not limited to) agencies with an interest in the air navigation system, and industry and sector stakeholders. Sub-groups may be established if required.

The Panel will seek stakeholder review of its findings and recommendations during the process of the review.

An engagement plan will ensure all relevant stakeholders are included and can present their views.

Timeframe

The review will begin in June 2022 and will be completed by May 2023.

Timeframes for the implementation of recommendations from the review will form part of the advice to the Minister of Transport and Government at the end of Phase 2.

Engagement

The Panel Chair will report to the Minister on a regular basis. The Panel will report to the Minister and the Government at the end of each phase.

The Minister of Transport may consult with colleagues responsible for portfolios that are involved in and/or potentially affected by the review.

The Panel will engage with stakeholders to inform its work.

The Panel will provide regular updates to stakeholders and their constituents through the reference group and direct communications.

A web page will provide information and updates on the review and provide a point of contact point for stakeholders.

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Annex 4: Air Navigation System Review: Reference group membership

- Airways
- Air New Zealand
- Civil Aviation Authority
- Aviation New Zealand
- New Zealand Aviation Federation
- Christchurch Aerospace
- UAVNZ
- New Zealand Airports Association
- The Treasury
- Ministry of Business Innovation and Employment
- MetService
- New Zealand Defence Force
- Land Information New Zealand
- National Emergency Management Agency
- Te Manatū Waka Ministry of Transport
- Auckland Rescue Helicopter Trust
- New Zealand Airline Pilots Association

As per the terms of reference, sub-groups can be established. The membership may change over the course of the review, and the Panel will seek views in addition to those from the reference group.

20 July 2022

OC220518

Hon Michael Wood**Minister of Transport**

cc Hon Kieran McAnulty

Associate Minister of Transport

UPDATE ON GPS 2024 DEVELOPMENT

Purpose

This briefing provides you with an update on the development of the Government Policy Statement on Land Transport 2024 (GPS 2024). Specifically, this briefing provides a proposed series of briefings for you and discusses options to structure GPS 2024 to help it to achieve your strategic priorities.

Key points

- We suggest a series of briefings for you to ensure officials remain aligned with your views as different parts of the GPS are developed. The topic of each briefing is tied to development stages of the GPS. This series of briefings will enable you to stay abreast of developments, while providing guidance or decisions as and when required.
- An A3 addressing some other GPS 2024 issues is appended, for your consideration and feedback. We are seeking your views on:
 - Whether the GPS should present a broad land transport strategy or limit itself to the scope of investment possible through the National Land Transport Fund (NLTF)
 - How directive you want to be on GPS priorities
 - How much focus there should be on the longer-term direction for land transport

Recommendations

We recommend you:

1. **Note** the proposed timetable of briefings and engagement on GPS 2024

2. **Either:**

Advise the Ministry of your feedback on the questions in the attached A3

Yes /
No

OR:

3. **Agree** to meet with officials to discuss the questions in the A3

Yes /
No

Tim Herbert
Manager
20 / 07 / 2022

Hon Michael Wood
Minister of Transport
...../...../.....

Minister's office to complete:

Approved

Declined

Seen by Minister

Not seen by Minister

Overtaken by events

Comments

Contacts

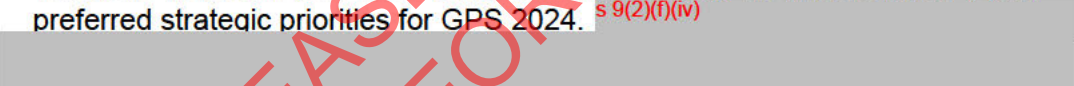
Name	Telephone	First contact
Tim Herbert, Manager, Investment	s 9(2)(a)	✓
Alastair Farr, Principal Advisor, Investment		
Paul Hawkes, Senior Advisor, Investment		

UPDATE ON GPS 2024 DEVELOPMENT

Background

- 1 We have previously reported to you on our plans for preparation of the next GPS (OC210614) and discussed possible strategic priorities for that document.

Strategy and the wider structure of GPS 2024

- 2 The GPS sets out the Crown's land transport investment strategy. Waka Kotahi and local authorities are then required to enact their parts of the government's strategy.
- 3 Providing clear, targeted strategic priorities helps local authorities understand your objectives, and gives them a strong indication of the types of projects that are likely to receive funding. Signalling of priorities will therefore aid in delivery of the associated outcomes.
- 4 Under the Land Transport Management Act 2003 (the Act), the scope of the land transport investment strategy is not limited to NLTF spending. Therefore, if a substantial proportion of land transport investment is to be direct-funded by government, the strategy can also provide signals about how the government intends to target its direct investments.
- 5 Once approved by Cabinet, such a strategy would also provide a foundation for future Budget and Climate Emergency Response Fund (CERF) bids.
- 6 You have indicated (OC210614 and Officials' meeting of 22 March 2022) your preferred strategic priorities for GPS 2024. ^{s 9(2)(f)(iv)}

- 7 We are now seeking your views on:
 - Whether the GPS should present a broad land transport strategy or limit itself to the scope of investment possible through the National Land Transport Fund (NLTF)
 - How directive you want to be on GPS priorities
 - How much focus there should be on the longer-term direction for land transport.
- 8 An A3 outlining these options is attached. We would welcome the opportunity to discuss this with you at your convenience.

Next steps

- 9 A high-level project plan for development of GPS 2024 is attached as Annex 1. This schematic provides a more streamlined view of the work-streams than that described in OC210614, but still covers the same territory.

- 10 Based on this plan, we envisage a series of briefings for you as shown in Table 1 below. The topic of each discussion is tied to the development stage of the GPS. This series of briefings will enable you to stay abreast of developments and provide officials with guidance or decisions, as and when required.

s 9(2)(f)(iv)



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Annex 1: Plan at a Glance

Annex 2: Strategic Priorities A3

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Annex 1: Plan at a Glance

GPS on Land Transport 2024



Annex 2: Delivering your land transport priorities

GPS on Land Transport 2024

Update on GPS 2024 Development [OC220518]

Context for GPS 2024

The next 10 years will represent a significant shift in the way New Zealand's land transport system operates. This will involve significant reductions in carbon emissions, while ensuring that the land transport system continues to meet the needs of all New Zealanders - from congested urban centres through to rural and provincial communities.

GPS 2024 is a critical opportunity for Government to set the right guidance for investments that will achieve these objectives.

Planning for uncertainty

While the transition is clearly signalled through the Emission Reduction Plan, it remains far from clear how the various actors within the transport system will respond.

Given this level of uncertainty the GPS needs to be as directive as possible about the Government's overall priorities and objectives, while maintaining sufficient flexibility to allow investments to adapt to a changing strategic environment and emerging patterns of behaviour.

Managing revenue and expenditure pressures

There is limited capacity within the NLTF to meet all of the Government's aspirations for land transport over the next ten years.

s 9(2)(f)(iv)

Increases in input costs are having impacts on the affordability of transport projects, resulting in project delays. The costs of maintaining and renewing the existing network are assuming a larger proportion of NLTP revenue.

On the revenue side, the more successful we are at reducing VKT, the less revenue is available. In addition, the Government has also responded to immediate cost-of-living challenges by discounting fuel taxes and public transport fares.

We need to find sustainable solutions to address the funding shortfall, while continuing transform the network to support the preferred future.

Your priorities

Your proposed priorities reflect the balance between driving system change, while ensuring the existing network remains available:

s 9(2)(f)(iv)

How can the GPS enable these priorities?

Provide a complete land transport investment strategy

Given the wider funding pressures (and increasing share of Crown funding), the GPS should provide a more holistic investment strategy that outlines how all funding sources will be used to support delivery.

This includes, for example, Crown funding sources such as CERF as well as innovative funding mechanisms, such as Green Bonds. This is a key focus for the Land Transport Revenue Review.

Send clear investment signals

Describe the priorities in a practical way to guide investment decision-making to maximise 'best' results – while giving Waka Kotahi and other partners the flexibility to manage the specific response.

This may involve, for example, providing guidance on the relative weightings of different priorities, and requiring integrated approaches to planning.

GPS should also set stronger signals to support the longer-term direction for the system. This, includes, for example:

- supporting the coordinated implementation of medium-term "mezzanine" strategies such as Emissions Reduction, Road to Zero and the National Freight and Supply Chain Strategy,
- the integration of transport planning into long-term regional spatial strategies.

Feedback on proposed directions

Your feedback is sought on the following questions

1 Should the GPS present a land transport investment strategy that is wider than the NLTF?

This ensures Government can set a holistic direction, and it is consistent with advice presented as part of the Land Transport Revenue Review.

However, this may present a challenge where the GPS signals strategic objectives in advance of the Budget process, where proposed investments are assessed against other Government priorities. On the other side, an investment strategy would signal intentions and objectives for the system which could be used to support the case for future investment.

s 9(2)(f)(iv)

2 How directive do you want to be on GPS priorities?

Developing clear guidance on achieving the priorities is essential, but we need to maintain flexibility for Waka Kotahi and partners to respond. This will be underpinned by appropriate performance monitoring.

Example: directing the response

The GPS could provide greater direction on how the priorities should be applied (especially where there is a conflict):

- confirming the order of priorities
- providing greater guidance on how the priorities to be achieved (to inform the responses sought)
- outlining a hierarchy of interventions to guide integrated responses.

20 July 2022

OC220590

Hon Michael Wood**Action required by:****Minister of Transport**

Friday, 12 August 2022

cc Hon Kieran McAnulty

Associate Minister of Transport

TRANSPORT REGULATORY WORK PROGRAMME UPDATE JUNE 2022

Purpose

Updates you on the Transport Regulatory Work Programme for land, maritime, and aviation.

Key points

- This briefing continues the series of quarterly progress updates to you about the Regulatory Work Programme (the Programme).
- We have reprioritised resource to respond to new Government priorities, including the reforms to temporarily reduce petrol excise duty and road user charges, as well as recent policy work to address issues relating to gang convoys.
- We have also progressed work aimed at reducing transport emissions across multiple modes. On 26 May 2022, New Zealand acceded to the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI, following the development of a variety of regulations and rules to bring our domestic legislation into alignment with the Annex. We have also undertaken policy development work on the Land Transport (Congestion Charging) Amendment Bill, the Public Transport Operating Model (PTOM), and the Clean Vehicle Standard Regulations.
- Reprioritising resource has resulted in delays for some projects. s 9(2)(g)(i) there has been a delay in progressing the Regulatory Systems (Transport) Amendment Bill, s 9(2)(f)(iv)
- We will publish the A3s attached to this briefing (with appropriate redactions) on Te Manatū Waka – Ministry of Transport's (Te Manatū Waka's) website, following your agreement.

Recommendations

We recommend you:

- 1 **agree** that Te Manatū Waka publishes the attached A3 summaries of the Regulatory Work Programme with the appropriate redactions on the Te Manatū Waka website. Yes / No



 Megan Moffet
Manager, Regulatory Policy
 20 / 07 / 2022

Hon Michael Wood
Minister of Transport
 / /

- Minister's office to complete:**
- Approved Declined
- Seen by Minister Not seen by Minister
- Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Megan Moffet, Manager, Regulatory Policy	s 9(2)(a)	✓
Rebecca Ellery, Portfolio Manager, Regulatory Policy	s 9(2)(a)	

TRANSPORT REGULATORY WORK PROGRAMME UPDATE JUNE 2022

Overview of the Regulatory Work Programme's current state

- 1 Te Manatū Waka – Ministry of Transport (Te Manatū Waka) and the transport regulatory agencies (Waka Kotahi – New Zealand Transport Agency (Waka Kotahi), Civil Aviation Authority (CAA), and Maritime New Zealand (MNZ)) are responsible for the regular maintenance and renewal of the transport legislative framework to ensure it is fit-for-purpose and up-to-date to allow for the delivery of Government priorities.
- 2 The Programme encompasses the collective work of Te Manatū Waka and transport agencies' that includes, or may result in, legislative changes. The Programme is set out in detail in the attached A3 summaries grouped according to the three transport modes: land, aviation, and maritime.
- 3 We last briefed you about the Programme's progress on 31 March 2022 (OC220074 refers) at the end of the first quarter of the 2022 calendar year. Since the previous update, Minister McAnulty has been appointed as Associate Minister of Transport and has been delegated responsibly for MNZ and the CAA, including their regulatory work. Therefore, this briefing and the attached A3s cover a range of work falling within your or Minister McAnulty's portfolios

From a programme management perspective

- 4 As you are aware, on 9 May 2022, Cabinet noted that Te Manatū Waka would no longer submit an annual secondary legislation change work programme to Cabinet (Cab Min DEV-22-MIN-0110 refers). Instead, Cabinet noted that Te Manatū Waka will publish quarterly work programmes on its website.
- 5 The attached A3s provide updated summaries of workstreams on the land, aviation, and maritime work programmes as at the end of June 2022 (the second quarter of this calendar year).
- 6 Note that, as per the previous update in March 2022, these A3s no longer include reference to proposed future workstreams. This is intended to improve the readability of the documents and to focus on where significant changes have occurred across the programme.
- 7 Te Manatū Waka is now considering how best to work together with the agencies to develop a more formal process for adding, removing, and adjusting projects on the work programme. We will provide you with an update on programme management progress in our next quarterly update.

In the land programme...

We have reprioritised resource to focus on new Government priorities.

- 8 On 14 March 2022, Cabinet agreed to temporarily reduce fuel excise duty (FED) and road user charges (RUC) due to a significant and sudden increase in fuel prices. 25 cents per litre was cut from petrol excise duty, and 36 percent of RUC were cut for three months. We worked closely with Waka Kotahi, Customs, and the Parliamentary Counsel Office to enable these changes through the development of an Order in Council, amendments to Regulations, and the progression and passage of the RUC (Temporary RUC Reduction Scheme) Amendment Act 2022.
- 9 On 11 April, Cabinet agreed to extend these FED and RUC reductions for two additional months (from the original expiry dates). These were enabled through Orders in Council made in June, which extended the FED reduction period to 15 August 2022 and the RUC reduction period to 31 January 2023.
- 10 Following Cabinet Priorities Committee on 8 June 2022, Ministry of Transport officials have been working alongside the Ministry of Justice and New Zealand Police to s 9(2)(f)(iv)

 Authorised Ministers with Power to Act met on 10 July 2022 to discuss final policy decisions. Officials are now working with Parliamentary Counsel Office (PCO) s 9(2)(f)(iv)

We continue to progress work to reduce transport emissions across modes...

- 11 Te Manatū Waka is currently developing the policy framework for the Land Transport (Congestion Charging) Amendment Bill to enable congestion charging in New Zealand. We recently briefed you on potential options for reform that primarily focused on the impacts of a devolved model (OC220505 refers). Following your feedback, we will now develop more detailed policy proposals for consideration by Cabinet.
- 12 Te Manatū Waka has continued to develop policy proposals relating to the Public Transport Operating Model (PTOM). In April 2022, we advised you on outstanding policy issues for the PTOM Review (OC220015 refers), s 9(2)(g)(i)

 We provided further advice and a draft Cabinet paper on 8 June 2022 (OC220364 refers) with the aim of having Cabinet Committee consideration on 27 July 2022. s 9(2)(g)(i)
- 13 The Sustainable Biofuels Obligation (the Obligation - previously referred to as the Sustainable Biofuels Mandate) progresses development of a biofuels obligation to reduce greenhouse gas emissions from New Zealand's liquid transport fossil fuels through deployment of sustainable liquid transport biofuels. This is a key deliverable under the Government's first emissions reduction plan. Te Manatū Waka is supporting the Ministry of Business, Innovation, and Employment who are the lead agency for this package of legislative reform. Public consultation on the discussion document outlining the Obligation's proposed regulations ended on 1 July 2022. The

s 9(2)(f)(iv)

- 14 Work to develop the Clean Vehicle Standard Regulations to reduce the emissions profile of New Zealand's light vehicle fleet is progressing well. s 9(2)(f)(iv)
- 15 In June 2022, you sent a letter to engage with industry on potential dates to phase in the implementation of Euro 6/VI vehicle emissions standards. Officials have since received responses and considered feedback from most parties engaged with and drafting instructions to update the Land Transport Rule: Vehicle Exhaust Emissions 2007 have been issued. Officials are now preparing a Cabinet paper seeking agreement to a six-week public consultation period on a draft amendment rule in late August 2022.
- ...while delivering a range of other priority and regulatory stewardship work.*
- 16 Consultation on policy proposals for the second Regulatory Systems (Transport) Amendment Bill (RSTA) concluded on 1 July 2022. Feedback from consultation highlighted the need for proposed changes in the land and maritime sectors and feedback included useful policy and implementation considerations. As part of planned engagement, Te Manatū Waka will meet with RCAs in late July 2022 to discuss the RSTA proposals in greater detail. Prioritisation of the vehicle forfeiture work (noted above) has led to delays in the progression of this work. We will provide Associate Minister McAnulty with advice by the end of July 2022 updating him on progress and expected timelines given these delays.
- 17 The Cabinet paper and draft consultation material for the Road Safety Penalties Review is out for Ministerial consultation. The road safety penalties package will go to the Cabinet Economic Development Committee (DEV) in August 2022. s 9(2)(f)(iv)
- 18 Te Manatū Waka has developed initial advice on the raising of vehicle fleet safety standards. This went up to you in the first week of July 2022 and is the first step in a series of papers reviewing the framework for how we regulate vehicles. The objective is to streamline our processes so that vehicle standards can respond to disruption and advances in the vehicle market more effectively.
- 19 Te Manatū Waka and Waka Kotahi are ready to proceed with the Accessible Streets package, a work programme designed to improve safety for footpath users, encourage active modes of transport, and support the creation of more liveable, vibrant urban areas. s 9(2)(f)(iv)
- 20 Under the Tackling Unsafe Speeds programme, you signed the new Land Transport Rule: Setting of Speed Limits 2022 on 19 May 2022. Waka Kotahi is now working with local government RCA's to implement the new regime.

- 21 Te Manatū Waka is currently finalising its Long-Term Insights Briefing (LTIB), which draws attention to a number of regulatory issues related to Automated Vehicles. The main recommendation is to undertake further policy development of the liability regime of highly automated vehicles starting in August 2022.

In the maritime programme...

We continue to progress primary legislative reform...

- 22 As noted above, work has continued on both the land and maritime-related reforms proposed to be progressed through the RSTA Bill. Consultation on these proposals concluded on 1 July 2022.
- 23 Work has commenced on scoping a Maritime Transport Act 1994 Review. The review will provide the opportunity to modernise the legislation and ensure the regulatory framework is fit-for-purpose for MNZ to effectively perform its role as the national maritime regulatory, compliance, and response agency. We will provide an introductory briefing to Minister McAnulty in August 2022.

...and prioritise emissions-related reforms...

- 24 On 26 May 2022, New Zealand acceded to the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI, following the development of a variety of regulations and rules to bring our domestic legislation into alignment with the Annex. While most of these legislative amendments were Gazetted on 8 July 2022 to come into force on 26 August 2022, one part of the rules has been suspended to allow time to address an error identified in section C3 of Part 199¹. This amendment rule will instead be gazetted by the end November 2022.

...while we continue with a range of other priority and regulatory stewardship work.

25

s 9(2)(f)(iv)

26

Work has continued on Part 53 (Pilot Transfer Arrangements and Ship - Helicopter Pilot Transfers). Part 23 (Operating Procedures and Training) has been added to this package as both amendment rules are important but minor changes to improve safety and international alignment. The changes will also provide greater certainty than is currently provided by the general exemption that was issued for Maritime Rule 53.4(2)(a) and examined by the Regulations Review Committee in 2021. We are planning to provide a briefing to you to confirm consultation on the proposed reforms in August 2022, with signature on the Rule expected by the end of the year. The delay from the previous briefing (September to December 2022) is due to additional work added to the programme across the quarter impacting the ability to deliver.

¹ The suspension of section C3 does not affect New Zealand's compliance with MARPOL Annex VI.e
s 9(2)(g)(i)

...although resourcing constraints continue to affect prioritisation and delay some projects.

- 32 The CAA are still finalising the 13 additional draft notices relating to Performance Based Navigation. This has taken longer than expected and continues to cause delays in the Runway Condition Reporting work, which we now expect to be completed by November this year, a further delay since last reported as September. Drafting of the proposed rule has now begun alongside development of consultation materials.
- 33 Progress on the Assorted Issues Amendment Rule has also remained on hold while the project awaits Runway Condition Reporting work to be completed and resource for drafting.

We continue to support a number of other agencies with their reform work

- 34 Te Manatū Waka continues to work closely with a number of other agencies who are developing reforms which have a direct connection to the transport regulatory system:
- 34.1 The Ministry for the Environment continue to develop RMA reforms which will result in reform legislation through the Natural and Built Environment Bill, and the Strategic Planning Bill. We are working closely to ensure a workable connection between land planning and the new resource planning arrangements.
- 34.2 The Department of Internal Affairs is progressing Three Waters reforms through the Water Services Entities Bill, and during a later phase the Water Services Delivery Bill. Te Manatū Waka will engage as work on these two Bills progresses.

Publication of the Programme A3s

- 35 The A3s from this update (see attached) will be published with appropriate redactions following your agreement.

ANNEXES 1 TO 3

- 1 Land Regulatory Work Programme A3 June 2022
- 2 Maritime Regulatory Work Programme A3 June 2022
- 3 Aviation Regulatory Work Programme A3 June 2022 [RESTRICTED]

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

Sustainable Biofuels Obligation

This project progresses development of a biofuels obligation to reduce greenhouse gas emissions from New Zealand's liquid transport fossil fuels through the deployment of sustainable liquid transport biofuels. Note: although this is a joint initiative between MBIE and Te Manatū Waka, MBIE is leading the Regulations and legislative drafting process.

Changes since last update: Provided the Minister with a draft Regulations discussion document in late March 2022, approved for release on 3 June 2022.

Current Stage: Discussion document outlining Obligation's proposed Regulations undergoing public consultation, ending 1 July 2022.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: Obligation expected to be in force from 1 April 2023.

Review of Road User Charges (RUC)

A review of the RUC regime that could, among other things: enable the extension of the end date of road user charges (RUC), exemptions for heavy electric vehicles (EVs), enable exemption of low-emissions vehicles from RUC, and create the ability to set partial RUC rates for certain types of low emission vehicles.

Other amendments seek to reduce compliance costs, improve RUC enforcement capability, simplify the RUC system, and improve the regulatory functions of Waka Kotahi in relation to the RUC Act.

Changes since last update: Preparing to provide advice to the Minister.

Current Stage: Analysis of submissions received. Consultation will inform what policy proposals are suggested to Cabinet. Some proposals could be progressed separately from others.

Next Steps: Report back to the Minister with advice and recommendations in August 2022.

Indicative Completion: TBC.

Bilingual Signage

Amending the Traffic Control Devices Rule to allow for bilingual signage where appropriate.

Changes since last update: The Kura School Signs Rule came into force on 5 April 2022.

Current Stage: Waka Kotahi has finalised a prioritised list of signs (phase two) for consultation. § 9(2)(f)(iv)

Next Steps: § 9(2)(f)(iv)

Indicative Completion: Phase 1 is complete. § 9(2)(f)(iv)

Digital Identity Licensing

Assess the impact of the Digital Identity work, being led out of DIA on driver licences.

Changes since last update: Te Manatū Waka provided feedback on the draft Cabinet paper and consultation document. Waka Kotahi working to identify opportunities, and barriers to DDL.

Current Stage: Finalisation of policy and funding bid to establish cross-government Digital Identity Trust Framework (DITF) services.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: TBC.

Vehicle Lighting Rule – Transport Instrument Pilot

This project will put in place the first transport instrument in the land regulatory regime. The Vehicle Lighting Rule has been identified as a suitable candidate.

Changes since last update: Planning continues, led by Operational Policy.

Current Stage: Policy development. Developing an amendment for the VL Rule to allow for the making of transport instruments (TIs), and identifying those components of the current VL Rule that could become TIs.

Next Steps: Policy development continues. § 9(2)(f)(iv)

Indicative Completion: § 9(2)(f)(iv)

Regulatory Systems (Transport) Amendment Bill Two

Short-term legislative maintenance to enable RCAs to review the cost-recovery limitation on residential parking charges, enable the e-service of documents, and provide modern enforcement tools.

Changes since last update: Consultation closed 1 July 2022.

Current Stage: Analysis of submissions.

Next Steps: Provide the Minister with update once submissions' analysis is completed.

Indicative Completion: § 9(2)(f)(iv)

Clean Vehicles Programme

Reducing the emissions profile of New Zealand's light vehicle fleet by introducing a Clean Car Standard and Discount.

Changes since last update: The Land Transport (Clean Vehicles) Amendment Bill 2022 passed in February 2022 and at the same time the Clean Vehicle Discount Regulations were passed.

Current Stage: Developing the Clean Vehicle Standard Regulations.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: § 9(2)(f)(iv)

United Nations Type Approvals

As a signatory to the 1958 Agreement, New Zealand complies with Regulations developed through UN working parties to harmonise vehicle standards globally. New Zealand does not however provide for automatic recognition of UN type approvals. Accepting type approvals which meet our specific safety and compliance standards would reduce regulatory barriers, and administrative overheads.

Change since last update: Linkages have been identified between this work and the Vehicle Fleet Safety and Standards Package.

Current Stage: Policy development.

Next steps: Consideration of UN Type Approvals will take place as part of the wider Vehicle Standards work. Therefore, these two items will be merged together in the next update.

Automated Vehicles: liability for level 3+ vehicles

Te Manatū Waka is currently finalising its Long Term Insights Briefing, which draws attention to a number of regulatory issues related to AVs. § 9(2)(f)(iv)

Changes since last update: Long term insights briefing released on Te Manatū Waka website.

Current Stage: Scoping.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: TBC.

Rail

Auckland Light Rail (ALR)

The public service delivery of Light Rail in Auckland connecting Māngere to Auck and CBD.

Change since last update: The Board Chair and core members have been appointed, and delegations to the Board agreed, and sent. Cabinet has agreed Heads of Terms for the Sponsors Agreement, and Ministers agreed an approach to the Detailed Planning Delivery Entity (DPDE).

Current stage: Te Manatū Waka is focused on finalising the governance arrangements for the Detailed Planning phase. A recruitment process for the full Board is underway. Te Manatū Waka is also progressing work on the statutory and contractual arrangements needed to establish the DPDE.

Next steps: § 9(2)(f)(iv) with further policy work in progress in relation to ultimate delivery entity, ownership and operations; consenting, land acquisition and early works; funding, finance and value capture; and rail standards. Beyond (but informed by) ALR, Te Manatū Waka is standing up full programme of wider policy work, to enable a consistent approach to the planning, funding, delivery and operation of rapid transit projects in New Zealand.

Indicative completion: § 9(2)(f)(iv)

Railway Rules Identification

The National Rail Industry Advisory Forum has identified 24 safety focused initiatives to progress. The focus of these initiatives include, among other things, the promotion of safety systems, standards, and interoperability.

Changes since last update: Meeting with Te Manatū Waka to align rail with changes to other licensing systems in terms of powers and license expiry. Discussions with Te Manatū Waka on investigative powers part of RSTA 2.

Current Stage: Scoping – assessing issues.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: § 9(2)(f)(iv)

Updating the Vehicle Exhaust Emissions Rule 2007 to more stringent emissions standards

This project seeks to require more stringent harmful emissions standards through amendment to the Vehicle Exhaust Emissions Rule. Stringent emissions standards will substantially reduce the economic health and social burden of rising harmful emissions in New Zealand.

Changes since last update: Officials have received feedback from industry about potential dates to phase in the implementation of Euro 6/VI. Drafting of proposed Amendment Rule is now underway.

Current Stage: Drafting of proposed Amendment Rule is currently underway, and officials are preparing a Cabinet paper seeking approval to consult on proposed Amendment Rule.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: § 9(2)(f)(iv)

Key

New item

Updated

No significant update

Placed on hold

Complete

Removed

Land Transport (Congestion Charging) Amendment Bill

This bill will amend the LTMA to enable congestion charging in New Zealand.

Current Stage: Te Manatū Waka is currently developing the policy framework for congestion charging and will be seeking Cabinet approval of this shortly.

Next Steps: Departmental consultation and Cabinet consideration.

Indicative Completion: Mid-late 2023.

Waka Kotahi Funding Review (Waka Kotahi-led)

A funding review of Waka Kotahi to develop funding proposals that sustain the strengthened regulatory function.

Changes since last update: Consultation ended in May 2022.

Current Stage: Waka Kotahi and Te Manatū Waka are working jointly as part of a policy development rōpu to undertake submission analysis and adapt funding proposals to account for public consultation.

Next Steps: Ministerial engagement in August and September on post-submission analysis and to update proposals.

Indicative Completion: Review is expected to be implemented by October 2023 (TBC).

Key

New item

Placed on hold

Updated

Complete

No significant update

Removed

Road Safety Penalties Review

A review of road safety penalties (RSP) will prioritise high-risk offences where the penalty does not align with the risk of harm. [§ 9\(2\)\(f\)\(iv\)](#)



Designating Waka Kotahi as a Health and Safety at Work Act 2015 (HSWA) regulator

A project to determine the scope and appropriateness of Waka Kotahi being potentially designated as a HSWA regulator, including determining the "defined industry, sector or type of work or circumstance" as per section 91 of HSWA and assessing cost implications.

Changes since last update: Worked with MBIE to determine policy analysis components including problem definition, objective, criteria, designation options, and sector engagement approach. Completed Rail financial case.

Current Stage: Waka Kotahi has completed designation investigation, including draft scope, and financial impacts. Ministry has re-engaged with MBIE to progress designation discussions with wider government.

Next Steps: Workshop with MBIE, Waka Kotahi WorkSafe, NZ Police to determine policy process steps in Q3 2022.

Indicative Completion: TBC Q2 2023.

Access to Driver Licensing

A regulatory review of the graduated driver licensing system (GDLS), which aims to reduce barriers to entry and progression through the system while maintaining road safety outcomes.

This work also includes the Land Transport (Driver Licensing) Amendment Rule 2019 to improve licensing for the commercial sector and reduce the frequency of eyesight testing.

Changes since last update: Supporting Waka Kotahi in development of the Driver Licensing Improvement Programme. Working with MSD to establish ongoing monitoring of access to driver licensing. Drafting briefing to the Minister on the Land Transport (Driver Licensing) Amendment Rule 2019 - currently working through agency feedback.

Current Stage: Drafting a joint Cabinet paper that will include advice on improving access to driver licences based on the work done by the Ministry of Social Development (MSD), Waka Kotahi, and Te Manatū Waka.

Next Steps: [§ 9\(2\)\(f\)\(iv\)](#)



Indicative Completion: The full GDLS regulatory review process is expected to take 12-24 months. (Noting that work by MSD and Waka Kotahi may be on a longer timeline).

Commercial driver work-time and logbooks requirements review

Reviewing work-time limits and logbook requirements for commercial drivers (under the Land Transport Act 1998 and associated Rules), with a view to reducing fatigue and associated deaths, and serious injuries. Advising on other possible solutions including monitoring systems and telematics technology.

Changes since last update: Scoping complete

Current Stage: Advice provided seeking Minister's agreement to engage with industry and Unions to better understand the issues, and to Waka Kotahi establishing a partnership between government agencies (ACC, Te Manatū Waka, NZ Police and WorkSafe), drivers' unions and private sector organisations, to support best practice for work-related road safety.

Next Steps: Pending Ministers' approval, engage with industry and Unions. Socialise the partnership concept at the Road to Zero Chief Executive Governance Group in [§ 9\(2\)\(f\)\(iv\)](#) and support Ministerial discussion at the Ministerial Oversight Group meeting in [§ 9\(2\)\(f\)\(iv\)](#)

Indicative Completion: TBC Q1 2023.

Accessible Streets

Improve safety for footpath users, encourage active modes of transport (such as walking or cycling), and support the creation of more liveable and vibrant towns and cities. It clarifies types of vehicles allowed on footpaths, enables e-scooters to be used in cycle lanes and paths, bus egress, and improves the safety of vulnerable users at intersections.

Current Stage: [§ 9\(2\)\(f\)\(iv\)](#)



Next Steps: Ministerial consultation and Cabinet consideration.

Indicative Completion: TBC.

Vehicle Fleet Safety and Standards Package

This work programme aims to improve the safety of New Zealand's vehicle fleet. Many unsafe vehicles are also poor emissions performers.

Changes since last update: Te Manatū Waka developed initial advice which went to the Minister early July 2022. That advice will be the first step in a series of papers reviewing the framework for how Te Manatū Waka regulate vehicles. Noted linkages with UN Type Approvals.

Current Stage: Policy development.

Next Steps: [§ 9\(2\)\(f\)\(iv\)](#) and environmental performance. [§ 9\(2\)\(f\)\(iv\)](#) advice on next steps for a review of the framework.

Indicative Completion: Working to complete Road to Zero (RtZ) actions by end 2022. Overall project could take 18-24 months or more, depending on consultation and extent of regulatory proposals.

Motorcycle Licensing

A review of the motorcycle licensing system intended to improve road safety outcomes for motorcyclists.

Changes since last update: Draft scope of review being refined.

Current Stage: Scoping and early policy development. Initial discussions held between Te Manatū Waka, Waka Kotahi, and ACC. Research to look into motorcycle safety and licensing interventions has been commissioned.

Next Steps: Review of whether the current graduated motorcycle licencing system is fit for purpose being undertaken. Following this review a briefing to be provided to the Minister with recommendations.

Indicative Completion: June 2023.

Tackling Unsafe Speeds

A new regulatory framework to create a more streamlined, transparent and coordinated approach to speed management, transition to safer speed limits around schools, and implement a more effective approach to safety camera use.

Changes since last update: Rule came into force in May 2022.

Next Steps: Waka Kotahi is finalising the Speed Management Guide: Road to Zero Edition and engaging with road controlling authorities to implement new Speed Rule. Te Manatū Waka is progressing appointment of the Speed Management Committee.



Parking Regulation Workstreams

Parking Penalties and Offences Review

A review and potential amendment of on-street parking offences and their associated penalties (infringement fees and fines).

Changes since last update: Gathering data from local government road controlling authorities (RCA) to support final proposals.

Current Stage: Following the Minister's approval in May 2022, working through final policy development including data gathering and early engagement with key stakeholders to test draft proposals. Drafting of Cabinet paper, consultation document, and RIS.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: § 9(2)(f)(iv)

Carshare Regulatory Framework Review

Reviewing the regulatory framework for car-sharing including international examples and best practice models. This work will investigate whether a regulatory intervention would be appropriate to address any barriers to the uptake of car-sharing, in order to support mode shift and emissions targets.

Changes since last update: Literature review nearing completion.

Current Stage: Policy development.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: TBC.

Towage and Storage (RCAs and Police)

Reviewing and revising the framework for road controlling authority (RCA) and Police ordered towage and storage.

For RCAs, this includes considering the appropriate authority for the setting of fee limits and re-setting penalty levels to enable cost recovery.

For Police, this includes considering the role of the Court in fee allocation and conviction, and re-setting penalty levels to enable cost recovery.

Changes since last update: Project restarted and in scoping stage.

Current Stage: Scoping.

Next Steps: § 9(2)(f)(iv)

Indicative Completion: TBC.

Legislative tools for RCA decision-making

Assessment of the legislative grounds, processes, form, and consultation requirements associated with the bylaws change-process, as well as the requirements for the enforcement of bylaws.

Current stage: On hold until resource allows. Some scoping has been undertaken through the systems assessment.

Parking Categories Review

A review to consider whether the current regulatory framework for parking types and associated requirements are sufficiently flexible to allow road controlling authorities (RCAs) to best manage roadside space.

Current Stage: On hold due to resource constraints.

Regulatory System Transport Amendment Rules

As part of our ongoing regulatory stewardship work, this project will contain a range of Amendment Rules to support an effective and efficient land transport system.

Changes since last update: Work has resumed on this project.

Current Stage: Waka Kotahi, Te Manatū Waka and New Zealand Police are preparing submissions for inclusion in the Amendment Rules.

Next Steps: Consideration of submissions for inclusion.

Indicative Completion: § 9(2)(f)(iv)

Reshaping Streets

Regulatory changes to make it simpler and quicker for road controlling authorities (RCAs) to make street changes that support public transport, active modes, and placemaking.

Changes since last update: Provided a draft Cabinet paper, consultation document, and RIS on 3 June 2023.

Current Stage: Awaiting Cabinet agreement to consult.

Next Steps: Seeking Cabinet agreement to consult on the proposed changes, followed by public consultation.

Indicative Completion: TBC.

Traffic Control Devices (TCD) Rule Review

This highly detailed Rule would benefit from a content and structural review. This review could include the use of transport instruments and alignment with the work under Reshaping Streets (eg enable trials of TCDs as part of street pilots of experimental traffic orders). This is also the Rule that would need changing to allow for signs in Te Reo Māori.

Current stage: Exploring options about how to progress this work most effectively.

Next steps: Explore options for new structure and how to enable trials of new and innovative street markings, and layouts (mode shift initiative).

Indicative completion: TBC. Likely to take 12-18 months.

Vehicle Repair Rule

Review and potential re-design of the Vehicle Repair Rule.

Current stage: Scoping paused due to resource constraints.

Entry to and exit from the Land Transport System

Review entry and exit provisions in the land transport regulatory system, including fit and proper person test and vehicle classification work.

Current stage: Scoping paused due to resource constraints.

Key

New item

Updated

No significant update

Placed on hold

Complete

Removed

Public Transport Operating Model Review Phase Two

Policy & legislative review, including an assessment of how barriers to the decarbonisation of the bus fleet can be minimised.

Current stage: Progressing towards Cabinet policy decisions in late-July/early August 2022. Working with Waka Kotahi and key sector stakeholder to progress development of operational policy to support reforms.

Change since last update: Te Manatū Waka has provided a draft Cabinet paper based on policy decisions to date and has undertaken departmental consultation on the paper.

Next steps: The Cabinet paper will be finalised following Ministerial consultation and lodged for consideration by Cabinet.

Indicative completion: Likely to take 12-18 months.

TSL Review Preparation

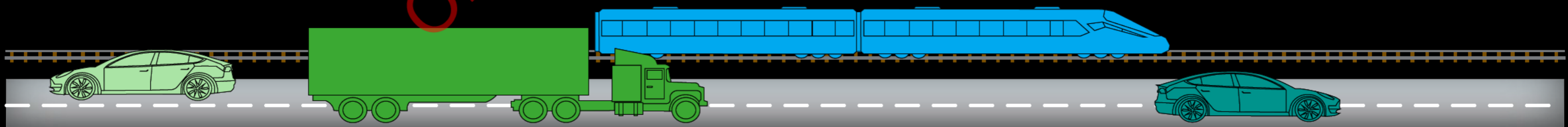
Preparing for a review of the regulatory framework associated with land transport service licensing.

Changes since last update: Continued work on Problem Exploration Paper, including data collection, and overseas comparisons.

Current Stage: Waka Kotahi is currently scoping this work, prior to Te Manatū Waka leading a first principles review when resource allows.

Next Steps: Provide Te Manatū Waka with data and analysis to inform proposed options.

Indicative Completion: Scoping complete June 2023, following review likely to take 24 months.



Maritime Transport Regulatory Work Programme



Amendments to Rule Parts 53 and 23 to improve safety and international alignment

These Rules are being amended to align with international safety requirements. The change will also provide greater certainty than is currently provided by the general exemption that was issued for Maritime Rule 53.4(2)(a). The Amendment Rule will replace the exemption.

Changes since last update: Policy development and Rule drafting is complete. Part 23 added to package.

Current Stage: Invitation to comment document and a draft Rule are being prepared. Focused on Maritime Rule 53.4(2)(a) and minor proposals for improving Part 23 (lifeboat drill safety), and Part 53.

Next Steps: Development of Invitation to Comment document for agreement to consult in August 2022.

Indicative Completion: s 9(2)(f)(iv)

Maritime Drug and Alcohol Regime for Commercial Operators

This project will enable the Director of MNZ to conduct drug and/or alcohol testing of safety-sensitive workers.

Current Stage: Policy Development - initial work on implementation options has begun.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

MARPOL Annex VI Rules and Regulations

New Marine Protection Rules, and amendments to the Marine Protection (Offences) Regulations to implement obligations arising from accession to MARPOL Annex VI.

Changes since last update: Work underway on Amendment Rule to make section C3 of the Part 199 Rules workable. Gazettal of commencement date for Tranche 1 of Rules.

Current Stage: Acceded.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: New Zealand acceded on 26 May 2022 to MARPOL Annex VI, and most of the Rules and Regulations will come into force on 26 August 2022, three months after the date of deposit.

s 9(2)(f)(iv)



40 Series Reform Project

Reform the Rules that set design, construction, and equipment standards for New Zealand domestic commercial ships, implementing a performance-based approach to setting standards.

Changes since last update: Sought comment from the sector on electrical, survey, and fire.

Current Stage: Policy development and early drafting of Rules, and transport instruments.

Next Steps: Continuing to explore change in the remaining topic areas and will engage with surveyors, owners, and operators.

Indicative Completion: s 9(2)(f)(iv)

MNZ Funding Review (including Oil Pollution Levy)

MNZ usually undertakes a review of its funding every six years (with a mid-point review every three years).

Current Stage: Scoping and information gathering.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

Omnibus (Various Amendments)

Implementing IMO obligations that were adopted from 2018 to 2022, amending minor/technical issues in Rules, and implementing MLC amendments.

Current Stage: Policy development.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

Maritime/Marine Offences Regulations

The Maritime/Marine Offences Regulations need to be reviewed and updated to ensure the enforcement system is fit for purpose.

Changes since last update: Consultation has closed.

Current Stage: Policy development.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

Cape Town Agreement Rules

New Rule to support New Zealand's accession to Cape Town Agreement which sets minimum safety standards for fishing vessels.

Changes since last update: Transport Instruments are now available and Te Manatū Waka propose a targeted consultation to include these in the Cape Town Rules. A briefing will be provided in July 2022 seeking to consult in August 2022.

Current Stage: Maritime Rules being finalised and implementation planning continuing in second half of 2022.

Next Steps: Te Manatū Waka will soon be seeking your agreement to this consultation on the enabling provisions in the Rule.

Indicative Completion: s 9(2)(f)(iv)

Maritime Transport Act Review

This review will provide the opportunity to modernise the legislation and ensure the regulatory framework is fit-for-purpose for MNZ to effectively perform its role as the national maritime regulatory, compliance, and response agency.

Changes since last update: Scoping.

Current Stage: Te Manatū Waka scoping and then sharing with MNZ.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: TBC.

Small Craft Identification

Investigating voluntary and mandatory measures to increase use of Automatic Identification Systems (AIS) by small craft (New Zealand registered craft under 300 gross tonnes not currently required to carry and operate AIS equipment).

Current stage: On hold.

Indicative completion: s 9(2)(f)(iv)

Maritime Rule Part 91 - Navigation Safety Rules

Issues have been identified with the workability of the Navigation Safety Rules; includes consideration of changes to the Rules regarding personal flotation devices.

Changes since last update: Cabinet paper, draft consultation document and draft Rules completed.

Current Stage: A decision sought from Cabinet on whether to release a public discussion document. An exposure draft of the proposed new Rules for public release with the consultation document has been completed.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

Regulatory Systems (Transport) Amendment Bill Two

Seeks to amend the Maritime Transport Act 1994 to improve the effectiveness of the monitoring and enforcement regime for maritime transport.

Changes since last update: Consultation on policy proposals concluded on 1 July 2022.

Current Stage: Analysis of submissions.

Next Steps: s 9(2)(f)(iv)

Indicative Completion: s 9(2)(f)(iv)

Key

New item

Placed on hold

Updated

Complete

No significant update

Removed

Aviation Regulatory Work Programme [RESTRICTED]



s 6(a), s 9(2)(f)(iv)

[Redacted content]

Drone Regulatory Programme

Project to update current drone Rules and introduce new requirements to ensure the regulatory framework is fit for purpose. This is Budget dependent.

Changes since last update: A tagged contingency (on the basis it is approved by Cabinet) budget of \$8.867 million has been approved for Enabling Drone Integration.

Current Stage: Post-consultation.

Next Steps: Cabinet approval of final policy recommendations expected by 6 July 2022.

Indicative Completion: TBC. s 9(2)(f)(iv)

[Redacted content]

AVSEC & CAA Funding Review

Cabinet has lifted the moratorium on funding reviews set in 2020 during the COVID-19 pandemic border closures and directed CAA to undertake a funding review to return to a financial sustainable position.

Changes since last update: The Terms of Reference was developed in consultation with Te Manatū Waka.

Current Stage: The Terms of Reference covers the scope of the review and timeframes.

Next Steps: s 9(2)(f)(iv)

[Redacted content]

Indicative Completion: s 9(2)(f)(iv)

[Redacted content]

Air Navigation Services Regulatory Framework

A review of Rule Parts regarding provision of air navigation services and associated information, with the aim of putting in place a more modern and performance-based Rules framework.

Changes since last update: CAA have begun developing performance-based Rules and incorporating a risk-based approach. CAA are currently exploring what form these could take within the regulatory framework. s 9(2)(g)(i)

[Redacted content]

Current Stage: Policy development – Drafting of proposed Rule and development of consultation materials.

Next Steps: s 9(2)(g)(i)

Indicative Completion: TBC.

ICAO Alignment (including Part 139)

Amendments to New Zealand Civil Aviation Rules to align them with ICAO Standards and Recommended Practices (SARPs).

Changes since last update: RIA is underway.

Current Stage: Developing a RIA-Lite.

Next Steps: s 9(2)(f)(iv)

[Redacted content]

Indicative Completion: TBC. s 9(2)(f)(iv)

[Redacted content]

Performance Based Navigation (PBN) Rule

Rule change to modernise regulatory framework and encourage uptake of PBN, especially by smaller aircraft operators.

Current Stage: In the process of finalising the 13 additional draft Notices. Aiming to have these drafts completed in July 2022.

Next Steps: s 9(2)(f)(iv)

[Redacted content]

Indicative Completion: TBC.

s 6(a), s 9(2)(f)(iv)

[Redacted content]

Runway condition reporting

Rule change to require aerodromes (when specified) to provide standardised runway condition reporting.

Changes since last update: Drafting of the proposed Rule has begun, alongside development of consultation materials. Seeking approval to consult in July/August 2022.

Current Stage: Drafting Notice of Proposed Rule Making (NPRM).

Next Steps: s 9(2)(g)(i)

Indicative Completion: s 9(2)(g)(i)

[Redacted content]

Assorted Issues Rule Amendment

Necessary minor updates to Rules framework to ensure the system is fit for purpose (Omnibus and Small Issues).

Current Stage: In the queue for drafting.

Next Steps: Drafting.

Indicative Completion: s 9(2)(g)(i)

[Redacted content]

Civil Aviation Bill and Implementation

Civil Aviation Bill (CAB)

A complete rewrite of the Civil Aviation Act 1990 and Airport Authorities Act 1966.

Changes since last update: The Bill was reported back from Select Committee on 2 June 2022.

Current Stage: The Bill is awaiting second reading.

Next Steps: s 9(2)(f)(iv)

[Redacted content]

Indicative Completion: s 9(2)(f)(iv)

[Redacted content]

Remaking the Civil Aviation Rules

The Civil Aviation Bill requires that all Civil Aviation Rules must be remade. New Rules will also be required to give effect to new policy in the Bill.

Changes since last update: Draft implementation programme overview has been developed and presented to the Civil Aviation Interagency Steering Group.

Current Stage: Early scoping size, timing, and resourcing needs for the project.

Next Steps: s 9(2)(f)(iv)

[Redacted content]

Indicative Completion: s 9(2)(f)(iv)

[Redacted content]

Civil Aviation Regulations

All secondary legislation, unless specified, needs to be remade under the new Act. There will also be new Regulations required to give effect to new policy.

Changes since last update: Draft implementation programme overview has been developed and presented to the Civil Aviation Interagency Steering Group.

Current Stage: Early scoping of size, timing, and resourcing needs for the project.

Next Steps: s 9(2)(f)(iv)

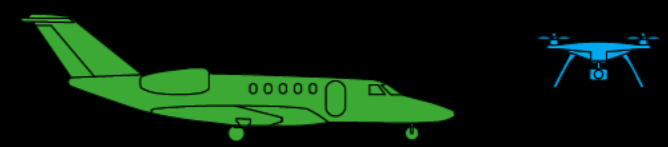
[Redacted content]

Indicative Completion: s 9(2)(f)(iv)

[Redacted content]

Key

New item	Placed on hold
Updated	Complete
No significant update	Removed





Meeting with the Waka Kotahi NZ Transport Agency

Minister of Transport, Hon Michael Wood
Meeting at 5pm on Tuesday, 2 August 2022

27 July 2022

OC220612

Purpose

This aide memoire supports your meeting with Waka Kotahi NZ Transport Agency (Waka Kotahi) on Tuesday 2 August at 5pm.

Attendance and agenda

Attendees	Nicole Rosie, Chief Executive, Waka Kotahi NZ Transport Agency
Officials attending	Allan Prangnell, Deputy Chief Executive, System Performance & Governance, Ministry of Transport
Agenda	<ol style="list-style-type: none"> 1. Cost management and understanding pressures on delivery 2. Road to Zero infrastructure 3. Waka Kotahi's remuneration approach 4. Security resilience in the transport sector.

Appendices

Talking points are available for your meeting in **Appendix One**.


You will receive talking points for agenda item four separately on a restricted classification to support your meeting in **Appendix Two**.

Contacts

Name	Telephone	First contact
Sarah Polaschek, Manager, Governance	s 9(2)(a)	✓
Brett Thomson, Principal Adviser, Governance		

Agenda item one: Cost management and understanding pressures on delivery

Waka Kotahi is facing immediate and significant delivery challenges across several programmes of work

- 1 Waka Kotahi is currently working within an environment of inflationary pressures, revenue pressures, capacity constraints and lingering impacts (indirect and direct) of COVID-19, such as staff availability. In some areas, Waka Kotahi's delivery partners (such as local government or other Crown agents) are also facing pressures exacerbating Waka Kotahi's own delivery challenges. The New Zealand Upgrade Programme (NZUP) and the National Land Transport Plan (NLTP) have been particularly impacted.
- 2 The impact of these challenges on NZUP have been communicated to you (BRI-2472). You will also receive a joint Waka Kotahi, KiwiRail, the Treasury and Ministry of Transport briefing on the cost pressures facing NZUP and the potential choices around the programme, to support a workshop with Joint Ministers on 10 August 2022.
- 3 s 9(2)(f)(iv)

Waka Kotahi has indicated it is facing financial risks within the current NLTP.
- 4 Waka Kotahi is also playing an important role in decarbonising transport. As well as progressing existing work, Waka Kotahi is about to begin implementing several Climate Emergency Response Fund (CERF) initiatives that will require sourcing resources from a constrained resource pool as well as requiring the attention of existing capability within Waka Kotahi.
- 5 Waka Kotahi has drawn down \$200 million of the \$2 billion loan facility and \$150 million from the seasonal loan facility. It is anticipating that it will fully draw down all facilities to support delivery expectations by June 2024. The Ministry understands that a significant portion of \$2 billion facility is likely to be used to service cost escalation, pressures, and reduced revenue.

Waka Kotahi's Board is responsible for making decisions around the effective use of resources to deliver a range of programmes and services

- 6 The Ministry notes the challenging global and domestic environment with which Waka Kotahi is currently operating within. Waka Kotahi has indicated through its advice to you, significant cost escalation across several infrastructure projects.
- 7 The Ministry would like to see more evidence from Waka Kotahi demonstrating how the Board is considering its cost management, including scaling of projects, consideration of trade-offs within programmes, identifying efficiencies, and leveraging its significant resources to achieve better value for money.