



OC210707

30 September 2021

[REDACTED]

Withheld to protect personal privacy

Tēnā koe [REDACTED] Withheld to protect personal privacy

I refer to your request dated 30 August 2021, pursuant to the Official Information Act 1982, seeking:

“As per briefings list for May published on MOT’s website, I request the following please:

17 Wood Waka Kotahi 6/05/2021 Warrant of Fitness (WoF) services in Te Awamutu

37 Wood MoT 12/05/2021 Maritime NZ (Functions and Duties) Direction for the Pacific Islands 2021

40 Wood MoT 12/05/2021 FORUM ON THE FUTURE OF THE PORTS OF AUCKLAND - 17 MAY

44 Wood Waka Kotahi 13/05/2021 Meeting advice: TIL Logistics Group

49 Wood MoT 14/05/2021 UPDATE ON THE DEVELOPMENT OF A NATIONAL ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PLAN

89 Wood Waka Kotahi 27/05/2021 Baseline wage data for bus drivers

90 Wood Waka Kotahi 27/05/2021 Concerns raised by Rail and Maritime Transport Union (RMTU)

91 Wood MoT 27/05/2021 Bay of Plenty Regional Transport Committee - request for KiwiRail representation”

On 22 September 2021 we extended the time period for responding to your request, as consultations necessary to make a decision on the request were such that a proper response to the request could not reasonably be made within the original time limit. We have now completed the necessary consultations and our response is detailed below.

Eight documents fall within the scope of your request, of which four have been transferred to Waka Kotahi. Table 1 below outlines how the eight documents have been treated under the Act, including three that we enclose (along with associated attachments) and one that we are refusing in full.

With regard to Document 8 (Reference OC210331), while you only requested this paper, we have included the follow up briefing (Reference OC210586). The Ministry originally recommended that the Minister defer a decision on the Bay of Plenty Regional Transport Committee’s request for KiwiRail representation. However, the Minister advised he wished for it to proceed. We subsequently provided the follow up briefing (OC210586), gazette notice

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and two letters. As such please note, the draft letter – Appendix two of the original briefing paper (OC210331) – was never signed or sent. This has been noted in the documents attached on page 33. It is important these two briefings are released together and read in conjunction, as the original briefing on its own does not provide the full context.

You will see that certain information or documents have been withheld or refused under the following sections of the Act:

- Section 9(2)(a), to protect the privacy of natural persons
- Section 18(d) as the information requested is or will soon be publicly available.

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

You have the right under section 28(3) of the Act to make a complaint about the withholding and refusal of information to the Ombudsman, who can be contacted at:
info@ombudsman.parliament.nz

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

Nāku noa, nā


Hilary Penman
Manager, Ministerial Services

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Table 1

OIA Doc #	Document title	Description of information withheld
1	Warrant of Fitness (WoF) services in Te Awamutu	Transferred to Waka Kotahi, 31 August 2021
2	OC210343 Maritime NZ (Functions and Duties) Direction for the Pacific Islands 2021	Some information withheld under Section 9(2)(a) and one attachment to the paper refused under Section 18(d). The Direction itself, which is one of the attachments to this paper, has been Gazetted so is already publicly available and can be found at: https://gazette.govt.nz/assets/pdf-cache/2021/2021-go1951.pdf?2021-05-21_07%3A39%3A00=
3	OC210381 Forum on the Future of the Ports of Auckland - 17 May	Some information withheld under Section 9(2)(a).
4	Meeting advice: TIL Logistics Group	Transferred to Waka Kotahi, 31 August 2021
5	OC210328 Update on the Development of a National Electric Vehicle Charging Infrastructure Plan	Withheld in full under Section 18(d). This document has been proactively released on the Electric Vehicles Programme page of our website at: www.transport.govt.nz/assets/Uploads/Redacted-OC210328-Update-on-the-development-of-a-national-electric-vehicle-charging-infrastructure-plan-SIGNED-21.5.2021-Min-Wood-1.pdf
6	Baseline wage data for bus drivers	Transferred to Waka Kotahi, 31 August 2021
7	Concerns raised by Rail and Maritime Transport Union (RMTU)	Transferred to Waka Kotahi, 31 August 2021
8	OC210331 Bay of Plenty Regional Transport Committee - request for KiwiRail representation Released here in conjunction with OC210586 Gazette Notice appointing a non-voting KiwiRail member to the Bay of Plenty Regional Transport Committee.	Some information withheld under Section 9(2)(a) and one annex refused under Section 18(d). The Gazette notice, which is one of the annexes to the second paper we are releasing to you, has been Gazetted so is publicly available and can be found at: https://gazette.govt.nz/notice/id/2021-go3432



11 May 2021

OC210343

Hon Michael Wood
Minister of Transport

Action required by:
Friday, 21 May 2021

MARITIME NZ (FUNCTIONS AND DUTIES) DIRECTION FOR THE PACIFIC ISLANDS 2021

Purpose

Seeks your agreement to reissue the *Maritime New Zealand (Functions and Duties) Direction* (the Direction) under the Maritime Transport Act 1994 (the MTA) for it to continue to provide support to the Government's Pacific Maritime Safety Programme (the Programme), for the period 1 July 2021 to 30 June 2022.

Key points

- In 2010, Maritime NZ (MNZ) and the Ministry of Foreign Affairs and Trade (MFAT) identified maritime safety in the Pacific Islands region as a key area in need of development.
- The Pacific Maritime Safety Programme, established in response to the development need, provides community education, training, regulatory support, and equipment in the Pacific Islands region. The Programme is administered by MFAT and delivered by MNZ.
- There have been three previous Directions issued under the MTA to MNZ, in 2010, 2013 and 2016 to support the Programme.
- In April 2021, MFAT approved a one year extension to the Programme from 1 July 2021 to 30 June 2022. Accordingly, a new Direction is required to enable MNZ to undertake its role and deliver the agreed activities.
- MNZ's work on the MFAT-administered Programme sits outside its legislative mandate as set out in the MTA. Your agreement is therefore required for MNZ to continue with the Programme.

Recommendations

We recommend you:

- 1 **agree** to issue the *Maritime NZ (Function and Duties) Direction 2021* that extends the Ministerial directive to Maritime NZ to support the Ministry of Foreign Affairs and Trade's Pacific Maritime Safety Programme through to the end of June 2022

Yes / No

- 2 sign the enclosed *Maritime NZ (Functions and Duties) Direction 2021* Yes / No
- 3 sign the enclosed letter to the Chair of Maritime NZ confirming you have signed the *Maritime NZ (Function and Duties) Direction 2021* Yes / No



Withheld under Section
9(2)(a) of the Official
Information Act 1982

Tom Forster
Manager, Economic Regulation

Hon Michael Wood
Minister of Transport

Minister's office to complete:

☐ Approved

☐ Declined

☐ Seen by Minister

☐ Not seen by Minister

☐ Overtaken by events

Comments

Please forward to Minister via For his
information

Contacts

Name	Telephone	First contact
Tom Forster, Economic Regulation		✓
Steph Gregor, Solicitor		

Withheld under Section 9(2)(a) of the
Official Information Act 1982

MARITIME NZ (FUNCTIONS AND DUTIES) DIRECTION FOR THE PACIFIC ISLANDS 2021

Purpose

- 1 This paper seeks your agreement to issue the *Maritime New Zealand (Functions and Duties) Direction 2021* (the Direction) under the Maritime Transport Act 1994 (the MTA) for it to continue to provide support to the Government's Pacific Maritime Safety Programme (the Programme).

Pacific Maritime Safety Programme

- 2 In 2010, MNZ and the MFAT identified maritime safety in the Pacific Islands region as a key area in need of development.¹ MNZ established the role of a Pacific Shipping Safety Adviser (fully funded out of the New Zealand Aid programme) to provide advice and support to MFAT.
- 3 The Pacific Maritime Safety Programme (the Programme) provides community education, training, regulatory support, and equipment in the Pacific Islands region. The Programme is administered by MFAT and delivered by MNZ.
- 4 MNZ's participation in the Programme contributes to improving safety and environmental protection levels within the South Pacific. Participation also has potential to reduce New Zealand's search and rescue costs in the region.
- 5 MNZ's work on the Programme sits outside its legislative mandate as set out in the Maritime Transport Act. Your agreement is therefore required for MNZ to continue with the Programme. This agreement is given in the form of a Direction. The additional function must be consistent with the entity's objectives.

Phased approach to the Programme

- 6 Your predecessor, Hon Steven Joyce, issued the *Maritime NZ (Functions and Duties) Notice 2010* for a three-year period, reissued by Hon Gerry Brownlee in the form of the *Maritime NZ (Functions and Duties) Notice 2013*. The first phase of the Programme concluded on 31 July 2015.
- 7 In December 2015, the Government agreed to support a second phase of the Programme. Under this Direction, dated 18 May 2016, MNZ was directed to continue to provide advice and support to MFAT until 30 June 2021.
- 8 In May 2018, MFAT entered into a Memorandum of Understanding with MNZ to allow for MNZ to deliver the following:
 - provide programme and project management and support services for the Programme;
 - provide technical advice and technical assistance related to maritime safety;

¹ The impetus for the Programme was the October 2009 sinking of the MV Princess Ashika in Tonga that claimed 74 lives. More recently, the sinking of the Butiraoi in Kiribati in 2018, with significant loss of life, highlights the ongoing risk in the region.

- provide in-country planning, technical advice and exercises for maritime Search and Rescue in the Pacific; and
 - provide in-country planning, technical advice and exercises for marine pollution prevention, readiness and response.
- 9 In April 2021, MFAT approved a one year extension to the Programme from 1 July 2021 to 30 June 2022. As part of this extension MFAT is requiring MNZ to carry out the following additional functions:
- to deliver and implement programmes for maritime safety, maritime Search and Rescue and marine pollution in the Pacific Islands Region;
 - to provide advice and support to the Ministry of Foreign Affairs and Trade on maritime issues in the Pacific Islands Region;
 - to undertake any duties that may be agreed between MNZ and MFAT for the purposes of performing the functions under paragraphs (a) and (b), including providing technical advice, training and specialist maritime assistance to maritime agencies in the Pacific Islands Region.
- 10 Accordingly, a new Direction is required to enable MNZ to undertake its role and deliver the agreed activities. The agreed activities fit within the objectives of MNZ.

Financial Implications

- 11 The Minister of Foreign Affairs has approved \$3 million for the programme from 1 July 2021 through to 30 June 2022.

Consultation

- 12 The Ministry of Transport and MNZ support the issuing of a new Direction to enable the latter's continued participation in the Programme.
- 13 Section 115 of the Crown Entities Act 2004 require the Minister to consult with the Crown entity before giving the direction to that entity. MNZ has been consulted on this briefing, which fulfils this requirement. We have also consulted MFAT.

Next steps

- 14 To finalise the issuance of the Direction, we request you to sign the attached Direction and provide a copy to MNZ. A letter of confirmation to Jo Brosnahan, Chair of MNZ, is also attached.
- 15 The Direction must be published in the *New Zealand Gazette* and presented to the House of Representatives. The Ministry will liaise with your Office to satisfy these requirements.
- 16 Previous Ministers have issued a number of other Directions to Crown entities, which come with review obligations. We are working with the agencies to review these and will provide you with a briefing when we have done so.

Jo Brosnahan
Chair, Maritime New Zealand

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the Official Information Act 1982

Dear Jo

Issuance of Maritime New Zealand (Function and Duties) Direction 2021

I wish to advise that I have signed a Direction to allow Maritime New Zealand (MNZ) to continue to deliver maritime safety, search and rescue, and marine pollution programmes in the Pacific Islands region until 30 June 2022. This Direction also allows MNZ to provide advice and support to the Ministry of Foreign Affairs and Trade (MFAT) on maritime issues in the Pacific Islands region, and to provide technical advice, training and specialist maritime assistance to maritime agencies in this same region if agreed between MNZ and MFAT.

I am advised that MFAT has approved \$3 million for the Pacific Maritime Safety Programme from 1 July 2021 to 30 June 2022.

As required by the Crown Entities Act 2004, the Direction will soon be tabled in the House of Representatives and published in the New Zealand Gazette.

Yours sincerely

Hon Michael Wood
Minister of Transport

12 May 2021

OC210381

Hon Michael Wood
Minister of Transport

FORUM ON THE FUTURE OF THE PORTS OF AUCKLAND - 17 MAY

Snapshot

You are part of a panel of six discussing and answering questions on the future of the Ports of Auckland Ltd (POAL). The debate *'The Auckland Port: where to from here'* is hosted by NZ Herald and adjudicated by their senior journalist Simon Wilson.

Time and date	6pm – 7:30pm 17 May 2021	
Venue	Sky City Theatre	
Attendees	Mayor Phil Goff, Auckland Council Ngarimu Blair, member of the Port Future Study consensus working group 2015/16 Julie Stout, member of the Port Future Study consensus working group 2015/16 Shane Vuletich, member of the Upper North Island Supply Chain Strategy Working Group 2018/19 Gary Blick, Principal, Sapere Research Group	
Officials attending	None	
Run sheet	5:30pm	Drinks and networking
	6:00pm	Minister to arrive
	6:05pm	Event begins
	7:30pm	Event ends, networking to follow
Speaking notes	Speaking notes and Q&As provided	

Contacts

Name	Telephone	First contact
Harriet Shelton, Manager, Supply Chain	[REDACTED]	✓
Callum Gill, Adviser, Supply Chain	[REDACTED]	

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 the Official Information Act 1982

Overview

- You have been invited to join a NZ Herald convened panel exploring the issue of moving the Ports of Auckland. All of the other panellists excluding Mayor Goff have had direct involvement in producing a report on the future of POAL.
- You will give a short opening address where you can state your position on the ports question. The majority of the forum will be spent discussing Q&As with the other panellists.
- We provided you with advice before Christmas (OC200686 refers) highlighting a number of options you could take to progress work in this area. You agreed that the future of POAL would best be considered within the context of a freight and supply chain strategy.
- Talking points and Q&As are provided in Appendices 1 and 2.

Format of panel

- 1 The evening will be hosted by Miriyana Alexander, head of premium at NZME, and moderated by Simon Wilson, Senior Writer at NZ Herald. Prior to the discussion, Simon will present a short introduction to the issues and recent history.
- 2 Simon will then call on you, the Mayor and the other panellists to make their own short introductory remarks, and the discussion will begin. The event begins at 6pm and ends at 7.30pm.
- 3 The audience will comprise of NZ Herald's premium subscribers, sector leaders in the city and members of the business community, including freight, transport, shipping, economic planning and import and export, along with iwi, urban design, environment and other sectors

The Ports Future Study overview was completed over 2015/16

- 4 The Port Future Study was a mayoral initiative to examine the future of POAL. It was conducted independently from Auckland Council and was without political representation. The study was completed in July 2016.
- 5 The study considered the economic, social, environmental and cultural costs and benefits, as well as the feasibility of a range of options for the future of the port.
- 6 The consensus working group had 16 members, twelve members from stakeholder organisations and four mana whenua. The Consensus Working Group appointed an independent consultant (EY) to identify and evaluate options for the long term future of the port.

Overview of Ports Future Study 2016 shortlist options

- Option one: constraining Auckland's port to its current footprint
- Option two: enabling growth of Auckland's port at its current location
- Option three: continue with the current site in the short-to-mid-term but in the mid-to-long term move the port to a new location. Three primary location areas for further investigation emerged:

- Manukau Harbour area
- Firth of Thames area (within the Auckland region)
- Muriwai area

Overview of Ports Future Study recommendations to Auckland Council in 2016

- 7 The consensus working group presented four recommendations to Auckland Council. These were aimed at addressing future capacity concerns, competition for resources in Auckland CBD and supporting better environmental, economic, social and cultural outcomes:
 - A port relocation option be established for freight only, noting that if the port is moved, cruise ships should continue to be accommodated near the CBD
 - Comprehensive investigation of the identified location area options – Manukau Harbour and the Firth of Thames - be undertaken to decide which specific option is chosen
 - Regular monitoring of relocation triggers be undertaken to identify the time at which the port relocation option should be exercised
 - Subject to confirmed and credible commitment to establishing a port relocation option and to establishing sufficient additional berth length to accommodate expected growth in large cruise and multi-cargo vessels, the port should not expand beyond its current footprint (2016).
- 8 The next study was the Upper North Island Supply Chain Strategy, initiated in early 2018 by the Labour-led coalition Government.

The origins of the Upper North Island Supply Chain Strategy completed over 2018/19

- 9 The impetus for the UNISCS project was the Labour-NZ First government, which agreed a terms of reference for an Independent Working Group to develop a freight and logistics (supply chain) strategy for the upper North Island, including its ports.
- 10 The upper North Island, or 'Golden Triangle', was exclusively examined as the government recognised that it is the gateway to New Zealand's international markets, and the three ports' (Ports of Auckland, Port of Tauranga and Northport,) role in the supply chain is continuing to grow. Our analysis projects New Zealand's freight task to increase by about 50 per cent over the next 30 years.
- 11 While the future of the Ports of Auckland can be considered a local Government issue, the upper North Island ports and supporting road and rail infrastructure handle a significant portion of New Zealand's freight task. As the recent port congestion issues are highlighting, the effective operation of POAL is critical to the wider New Zealand economy and supply chain.

The Government appointed an Independent Working Group to investigate the upper North Island supply chain

- 12 An Independent Working Group was appointed in early 2018. Their final report was released in December 2019. They concluded that the POAL freight operation in central Auckland was no longer economically or environmentally viable.
- 13 On behalf of the Independent Working Group, EY assessed five options:
 - Do nothing (status quo)
 - Move to Northport
 - Move to Port of Tauranga
 - Move to Firth of Thames
 - Full move to Northport and Port of Tauranga
- 14 The Independent Working Group recommended an urgent decision for a full move of Ports of Auckland's freight business to Northport within 10 to 15 years, driven primarily by:
 - loss of social licence to operate and expand, and intolerable congestion beyond the port's gates
 - the opportunity for harbour-side redevelopment in Auckland and regional economic development in Northland.
- 15 Officials considered that there were some significant gaps in the analysis informing the decisions laid out in the Independent Working Group's final report. Officials recommended that further analysis was needed to test their conclusions and recommendations.
- 16 While we questioned the analysis undertaken, officials also agreed that the Independent Working Group presented some strategic arguments that warranted further examination, such as the potentially significant city-shaping and congestion-reducing benefits to Auckland and the regional economic benefits to Northland.

Cabinet consideration of the Independent Working Group's final report

- 17 Cabinet considered the final report on 9 December 2019. Cabinet noted that the Ports of Auckland is not viable as the Upper North Island's key import port in the long term. Cabinet agreed to fund \$2 million for further work to be undertaken by officials to assist final decisions on the Independent Working Group's recommendations.

Officials led a work programme with economic consultancy Sapere to undertake a deeper dive on the UNISCS questions

- 18 Given Cabinet noted that the Ports of Auckland is not viable in the long term, the key issues that Sapere, working with officials, needed to consider were: **when** the port should move, to **where** the port should move, and **how** best to facilitate this transition.

- 19 We were tasked to examine the same scenarios that the Independent Working Group considered:
- do nothing
 - full move to Northport (as recommended by the Independent Working Group)
 - full move to Port of Tauranga
 - an increase in capacity at Northport and/or Port of Tauranga
 - a new port in the Firth of Thames
 - a new port in the Manukau Harbour (discounted by the Independent Working Group early in the UNISCS).

Sapere report's findings

- 20 The Sapere report, dated 26 June 2020, supported by 16 sub-consultancy reports, widened the evidence base and contributed new findings to inform the analysis of the five potential port location options.
- 21 The report deepened our understanding of capital costs for infrastructure, consenting issues, traffic patterns in Auckland and potential port land redevelopment impacts. In particular, we now have a better understanding of the long-term operating impacts of each option on operators and the environment. The engagement with iwi, local government and port management was also critical to Sapere's process and findings.
- 22 Sapere's key findings were as follows:
- **The port has around 30 years' capacity** and the need to move the port is therefore not considered to be as urgent as recommended by the Independent Working Group. There is a ten to fifteen-year period to make a decision, allowing for long infrastructure lead times.
 - **Road congestion is not a reason to move the port**, contrary to the conclusions of the Independent Working Group. The port is a minor contributor to current congestion in Auckland and a move would not significantly lessen this.
 - **All the location scenarios would be difficult to engineer and consent**, present very high costs, and the economic costs outweigh the economic benefits. This contrasts with the EY analysis indicating a net positive economic benefit from a full shift to Northport.
 - **The highest ranked option is Manukau Harbour**, which is considered technically feasible although difficult to consent. The Independent Working Group discounted this scenario as uninsurable. Sapere found that navigability of the harbour entrance and insurability of shipping to use the harbour are less of a concern than the Independent Working Group identified, but this needs to be confirmed by a detailed feasibility study.
 - **Neither Port of Tauranga nor Northport are likely to be able to provide sufficient long-term capacity** to provide for both Auckland's and their own growth. Sapere reached this conclusion using the same expert port engineers as used by the Independent Working Group, but using a 60-year planning horizon to 2080 rather than 30 years to 2050. Additionally, a number of the supply chain actors spoken to by Sapere's transportation specialists rejected

Northport as an option because they see it as too far from, and on the wrong side of, Auckland.

There are significant differences between Sapere's and the Independent Working Group's conclusions

- 23 There are significant differences between the Sapere technical assessment, and the conclusions of the Independent Working Group and its economic advisers, EY. As noted earlier, we see this as a result of both groups placing emphasis on different objectives and having different views on what they perceived to be broken in the system.
- 24 The Independent Working Group's recommendation of a move to Northport reflects their emphasis on three objectives: reducing Auckland's congestion, the transformational city-shaping benefits for Auckland, and regional economic development for Northland.
- 25 In contrast, Sapere's assessment was more focussed on a comprehensive cost benefit analysis and understanding the triggers of a need to move and the future capacity constraints at each port. Manukau Harbour was the highest-ranked option primarily due to the efficiency and environmental gains of having a port closely located to close to freight origins and destinations in South Auckland.
- 26 Sapere's work was forwarded to Ministers who agreed to its public release. Officials provided no advice on the Sapere report and Ministers agreed that the next government would need to consider the issue.

You agreed to take forward work on the UNISCS as part of a wider freight and supply chain strategy

- 27 To take forward the UNISCS work, you have indicated support for an approach to "Build on the Independent Working Group's recommendations and Sapere's report and begin work on a national supply chain strategy, with a focus on the upper North Island" (Option 3 in OC200686).
- 28 The strategy would provide a 15-30 years or longer system-wide view and an intermediate level of strategic direction to inform more detailed investment decisions by central and local Government, iwi, and the private sector. It would be the first fully integrated piece of work to look right across industries, sectors and modes, identifying challenges and opportunities in the long-term.
- 29 A fundamental output of a supply chain strategy would be to establish how the freight system can support the Government to achieve its outcomes for New Zealand. This would require the balancing of objectives such as economic growth, decarbonisation, and supply chain resilience as a part of broader economic resilience.
- 30 Our recommended first priority for 2021 contained in briefing OC210240 (still pending your response), is on stakeholder engagement supported by an issues paper posing open ended questions to industry and other interested parties

Biographies

	<p>Ngarimu Blair, member of the Port Future Study consensus working group 2015/16</p> <p>Ngarimu is a director of Kaing Ora and currently the Deputy Chair of the Ngati Whatua Orakei Trust and their appointee to Whai Rawa Ltd which is a large commercial entity.</p> <p>He is a Director of the Sir Peter Blake Trust and a Co-Chair of the Mana Whenua Kaitiaki Forum which represents 19 tribes of the wider Auckland Region.</p>
	<p>Julie Stout, member of the Port Future Study consensus working group 2015/16</p> <p>Julie Stout is a leading Auckland architect and Chair of Urban Auckland (Society for the Protection of Auckland City and Waterfront).</p> <p>She is representing groups associated with the built-environment professions of Auckland, plus recreational harbour users.</p>
	<p>Shane Vuletich, member of the Upper North Island Supply Chain Strategy Working Group 2018/19.</p> <p>He is currently the managing director of Fresh Info, an economic research and strategy consultancy. Before founding Fresh Info in 2013, Shane led economics consultancy Covec.</p> <p>Shane was also a member of the Port Future Study consensus working group 2015/16.</p>
	<p>Gary Blick, Principal, Sapere Research Group</p> <p>Gary has a diverse background as a consultant, having advised on topics in health care, international aid, resource management, the housing market, banking sector remuneration, internet use, and public finance.</p> <p>Gary was one of the authors of the Sapere analysis. He has a deep understanding of the technical issues, particularly on the alternative land use scenarios.</p>

Annex 1: Opening remarks speaking notes

- Good evening Simon and my fellow panellists, I would like to thank NZ Herald for organising this forum tonight.
- It is a great opportunity for us to discuss the important matter of the future of the Ports of Auckland, and the relevant work that the panellists have undertaken to examine this complex question.
- In our manifesto, Labour committed to run an evidence-based collaborative process with stakeholders to agree on the future of the Upper North Island ports.
- Clearly, the recent port congestion issues have also brought into question whether the port has capacity to withstand supply chain shocks as Auckland grows over the next 30 years.
- There are a range of views on how long the port has capacity for further growth. The Port Futures Group and Sapere both indicated around 30 years. All forecasts will of course be wrong, however. We need to maintain a watch, keep options open and react in plenty of time
- I know that the Port are working tirelessly to remedy the current congestion , but this issue has clearly demonstrated the economic impact that the Port has on the rest of the country.
- I know there are also divergent views on the **where** question in particular - the Upper North Island Supply Chain Working Group, which Shane was a member of, made a strong strategic argument for Northport. The work that Gary Blick did with Sapere suggests that Manukau Harbour would be the best, but still difficult, location. This was in line with the earlier Ports Futures Group conclusions.
- There are significant social, environmental and economic considerations that arise from both of the report's conclusions, all of which have implications for Government, the private sector and society.
- Now we have all this evidence which has zoomed in on this very specific question, but we still need a strategy which looks at the bigger picture and context of a port relocation.
- I have commissioned the Ministry of Transport to continue work on the Ports of Auckland question within the context of a freight and supply chain strategy.
- This strategy will zoom-out to provide a generational approach. This is 30 year or longer system-wide view and an intermediate level of strategic direction to inform more detailed investment decisions by central and local Government, iwi, and the private sector.
- Ultimately, the Upper North Island Supply Chain Strategy Working Group's recommendations highlighted the complexity of planning the future of a single asset within the context of a complex system.
- The task of deciding the future of a port is more straightforward if the sole concern is efficiency and capacity.

- However, this question becomes more complex when other issues are considered, such as the port's role in the broader and local economy, the resilience of the port, the port's impact on the supply chain system around it, New Zealand's economic strategy, and questions of social licence to operate.
- This is a multi billion-dollar decision, and there are no easy answers. This is why I believe a strategic view on the Port's future is needed. This is something that Australia, and many other countries, have done to better understand how their supply chains operate and to inform investment decisions.
- With that, I would like to again thank NZ Herald for us hosting us tonight and I look forward to this discussing these matters further with you all.

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OFFICIAL INFORMATION ACT

Appendix 2: Question and answers

Why has the Government deferred making a decision when this issue has been around so long?

The Sapere report indicates that we have a 10- to 15-year window to make a decision on where to shift the port to. This is a similar conclusion to the Port Future Study, which recommended regular monitoring of relocation triggers over the short- to medium-term.

This is in contrast to the Upper North Island Supply Chain Strategy Working Group which indicated that a move was required with urgency.

Any move will cost billions of dollars, and have a significant impact on New Zealand supply chain. As well as the fiscal and economic implications there are also social, environmental and cultural implications for any relocation decision.

For all these reasons, I agreed with the Ministry of Transport's recommendation that this issue needed to be considered as part of a wider freight and supply chain strategy which would look at the wider picture.

Does the fact that the Government asked for further advice on the Ports question mean the Government is ignoring the final UNISCS Working Group report?

No. The Working Group made an interesting strategic argument for Northport.

However, there are social, environmental and economic considerations that arise from the report's recommendations, all of which have implications for Government, the private sector and society.

That's why Ministers asked officials to test all of the analysis, options and recommendations from the final UNISCS report before the Government makes any final decision. COVID-19 also impacted our ability to make any final decisions and our priorities are ensuring that the New Zealand economy can bounce back from the global pandemic.

I expect the work on the freight and supply chain strategy to answer a lot of unknowns and provide extra confidence for Cabinet to move forward with this work.

If the Ports of Auckland does need to move its import port, when would the shift occur?

The Sapere report indicated that we have a 10- 15 year window to make a decision on where to shift the port to. This is a similar conclusion to the Port Future Study, which recommended regular monitoring of relocation triggers over the short-medium term. This is contrast to the Upper North Island Supply Chain Strategy Working Group which indicated that a move was needed with urgency.

COVID-19 and the port congestion issues that followed may mean that a decision is needed sooner than forecast, if New Zealand continues to grow its consumption of goods rather than services. However, more time is needed to see if this is a long-term trend.

The Ministry have indicated that their freight and supply chain strategy work could take 18 months or longer. I do not expect to make any commitments around relocation until after this work has been completed. However, I must acknowledge that Government do not hold all the power – this is an Auckland Council owned asset and we will need to work alongside them for any change.

Does the Government have a preferred option for relocation?

All options remain on the table at this point.

How would any port move be funded?

Funding and finance are an important consideration, especially in now given the economic impacts that COVID-19 has had.

But right now, we still need to work through the options for this, and the funding question is something that will need to be considered in the future.

Why is the Sapere report so different from the Working Group findings?

One key difference is that the Sapere results are based on a 60 year timeframe (to 2080) while the Working Group worked to a 30 year timeframe (to 2050)

Sapere also widened the evidence base and contributed new findings in several areas, including:

- Estimates of capital costs for port, road and rail infrastructure
- Testing and revising the supply chain operating cost estimates developed by EY, the Working Group's economic advisers
- Contestability of resource management consent processes
- Specific traffic modelling
- Extending the stakeholder and iwi engagement initiated by the Working Group and
- Detailed assessment of the financial impacts of land redevelopment on Auckland Council and the amenity benefits to ratepayers

Why did officials not require Sapere to use the same timeframe as the Working Group?

Officials agreed with Sapere's view that infrastructure of this size, scale and longevity should be assessed over a longer time period than 30 years. The Working Group was independent of government.

How much is it expected to cost to move the port?

Depending on which of the five locations is chosen, Sapere estimated the total real costs, in 2019 dollars, to be between \$3.3 billion and \$17.4 billion.

The Working Group estimated around \$10 billion, with the Crown's investment estimated to be \$3-4 billion over the next 10-15 years for rail and road infrastructure.

At the point a preferred option or options are identified, a feasibility study would be undertaken and this would provide more definitive costings.

If consensus cannot be reached by all parties, will the Government intervene with legislation to force change?

Legislative intervention is an option of last resort, but we are nowhere near having to consider that.

First and foremost this needs to be a collaborative process and we would work hard to get consensus amongst the affected parties when this again becomes a priority.

Why was Northport the location recommended by the UNISCS Working Group when just three years ago the 2016 Future Ports study ranked this as number 12 in the list of preferred options, using the the same set of consultants - EY?

Northport was discounted in 2016, in part, because of its reliance on rail. The level of government commitment to rail in 2019 made it a viable option again.

Auckland Council related questions

How had the views of the Auckland Council, Ports of Auckland Ltd and other stakeholders been taken into account in Cabinet deciding to defer a decision?

Officials worked closely with stakeholders, particular iwi and the Cornerstone partners – the companies and councils with an ownership interest in the three upper North Island port – until this engagement work was truncated by COVID-19.

Among these groups there was no shared view on a preferred option. There was however wide agreement on some points, including a high level of interest in the options, and the process:

- A desire to see that decision have a robust evidence base, and be grounded within the wider strategic context of ensuring a secure, efficient Upper North Island supply chain and
- A desire for deeper engagement before a preferred relocation option is agreed. (Iwi noted that this consistent with the Treaty Partnership)

For these reasons we expect that these stakeholders will welcome the decision to defer a decision.

Will Auckland Council be compensated for any move?

Sapere notes that some sort of incentive is likely to be required to encourage Auckland Council to move the port. But the Independent Working Group concluded that the commercial incentives and rewards were sufficient for Auckland to achieve a port shift with government investment limited to supporting rail and road infrastructure.

So this issue of commercial incentives and compensation is one of the areas of difference between the two reports, and will need further consideration.

What I would say is the freeing up of Port land unlocks tremendous potential – and value generation for Auckland.

Northland and distance related questions

How does Cabinet's decisions on the location of a move of the Ports of Auckland impact investment in Northland rail?

Restoration of the existing North Auckland Line to Kauri to the north of Whangarei have been funded by the PGF and viability of this investment was not influenced by the outcomes of the ports question.

AECOM's 2019 North Auckland Line (NAL) business case concluded that the feasibility of a rail connected Northport required significant levels of Auckland trade. The PGF investment in land purchase for the Marsden Point Link, secures the option for a rail connected port in future.

Why is the Government buying land on the proposed Marsden Point Line? Doesn't that indicate the Government supports the move to Northport?

This investment was made before I was transport Minister, but it appears to be a pragmatic investment that protects future options. It does not pre-judge the Government's final decision.

Purchasing the land over provides a 'least regrets' approach by preserving the ability to invest in a rail-enabled Northport in the future.

The land can be sold in the future if this option is not progressed.

Isn't this about politics not economics?

This is about facing the reality that the clock is ticking on the long-term future of freight operations in and out of Ports of Auckland.

How does the dry dock and naval base being moved to Marsden Point fit in with the Northport option?

I am going to be travelling to Northport soon to discuss the dry-dock issue. I am also aware that the Ministry of Defence are undertaking their Estate Review, which is looking at their naval assets. However, I do not know what their plans are for Devonport.

How important will revitalising rail be in places like Northland?

The government has been consistent in our focus on getting greater utilisation of rail. The recently released NZ Rail Plan is looking at the future of rail nationally and the role it can play in economic development. It is a more efficient and environmentally friendly way to move large amounts of freight.

This isn't limited to Northland, but the current work underway in Northland provides a great example of the potential for rail across the country.

The Rail Plans starts with a focus on achieving a core reliable and resilient network. Regional investments are a next step.

We also need to consider the huge reduction of truck movements we would expect to see in the city. This should bring significant benefits in terms of reduced total emissions and decreased levels of congestion.

There is an argument that you don't want to move the Ports of Auckland too far away from the market – is Northport too far away from Auckland?

Port of Tauranga is already a major hub for freight to and from Auckland. Northport is about the same distance from Auckland as Tauranga so clearly this is an option.

However, we recognise the concerns from shippers and carriers that lengthening the supply chain will have adverse effects, such as increasing the cost of goods and increasing our carbon footprint.

How does creating a 300km return journey for each container in any way help our environment?

Roughly 800,000 of the one million-odd containers that come into Auckland annually end up staying within a 25 kilometre radius of the current port. Moving to Northport adds a 150 kilometre journey to Auckland which we cannot ignore if we want to meet our GHG obligations.

This is one reason why the Sapere analysis recommended Manukau as its proximity to Auckland reduces overall travel time and emissions

While a move to Northport would create a longer supply chain distance to Auckland, freight would likely be moved primarily by rail which produces less emissions compared to trucks.

**BRIEFING**

27 May 2021

OC210331

Hon Michael Wood
Minister of Transport

Action required by:
At your convenience

BAY OF PLENTY REGIONAL TRANSPORT COMMITTEE - REQUEST FOR KIWIRAIL REPRESENTATION

Purpose

To provide you with advice on the request from the Bay of Plenty Regional Transport Committee for a KiwiRail representative to join its Committee

Key points

- The Bay of Plenty Regional Transport Committee (the Committee) wrote to you on 8 April 2021 requesting a KiwiRail representative to join its Committee. This request follows the changes made to the Land Transport Management Act 2003 (the LTMA) to introduce the new planning and funding framework for rail.
- At present, only the regional transport committees for Wellington and Auckland are required to have a KiwiRail representative. This decision reflects Wellington and Auckland's significant metropolitan rail interests, and to manage resourcing implications for KiwiRail.
- Full integration of KiwiRail into the land transport framework, including joining all RTC's, was considered and dismissed during development of the Land Transport (Rail) Legislation Act 2020 for a range of reasons. At the time, it was acknowledged that there would be resourcing challenges for KiwiRail if it were required to support all RTCs across the country.
- However, section 105A(1)(c) of the LTMA allows you, as Minister of Transport, to extend the approach in Wellington in Auckland to other regional transport committees (RTC) through notice in the Gazette. Naming an RTC under section 105A(1)(c) for the purposes of this section requires KiwiRail to appoint a non-voting member to the RTC. RLTPs where KiwiRail is a member of the RTC are also required to include relevant parts of the Rail Network Investment Programme (RNIP) to support coordinated planning of land transport projects for that region.
- While we consider it positive that the Committee would like KiwiRail to join, we do not consider that it would be beneficial for KiwiRail to join at this point in the RLTP process. In addition, requiring KiwiRail to join the Committee may set a precedent and lead to a range of other requests for KiwiRail to join other RTCs, which could be challenging for KiwiRail to resource given its focus is on the significant investment programme underway.

- We recommend you defer taking a decision on the request at this time. This will allow agencies to embed the new planning and funding model, and give further consideration to the appropriate framework and resourcing required to support broader land transport planning processes. At this time in the land transport planning cycle RLTPs will be well developed, as is the draft RNIP.
- In the interim, KiwiRail will continue with further engagement with RTCs and councils to discuss rail interests and is currently developing an engagement framework for how it will prioritise engagement with RTCs. This includes support for relevant regions through KiwiRail regional teams, and working with Waka Kotahi to support them to represent national rail interests as applicable through their regional membership on RTCs where KiwiRail is not a member.

Recommendations

We recommend you:

- 1 **agree** to defer a decision on the Bay of Plenty Regional Transport Committee's request for KiwiRail representation, under section 105A(1)(c) of the Land Transport Management Act 2003 Yes / No
- 2 **agree** to consider requests for RTC membership for KiwiRail prior to the development of the next RNIP and the RLTPs. Yes / No
- 3 **sign** the attached letter to the Bay of Plenty Regional Transport Committee informing the Committee of your decision.

Harriet Shelton
Manager, Supply Chain

..... / /

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
Richard Manning, Senior Adviser, Supply Chain		✓
Harriet Shelton, Manager, Supply Chain		

Withheld under Section 9(2)(a) of
the Official Information Act 1982

BAY OF PLENTY REGIONAL TRANSPORT COMMITTEE - REQUEST FOR KIWIRAIL REPRESENTATION

Background

- 1 The mayors of councils representing the Bay of Plenty Regional Transport Committee¹ (the Committee), jointly wrote to you on 8 April 2021, seeking KiwiRail representation (letter attached as **Appendix 1**).
- 2 Every regional council must establish a regional transport committee for its region. Its role is to prepare regional land transport programmes and provide advice as requested by the regional council. For regional council's committee members must include:
 - two representatives of the particular regional council
 - one representative of each local council in the region
 - one representative of Waka Kotahi.
- 3 Where the regional council is a unitary authority the committee members must include:
 - four representatives of the unitary authority
 - one representative of Waka Kotahi.
- 4 At present, KiwiRail is only required to join the Wellington and Auckland regional transport committees. This reflects their significant interest in rail, due to their metropolitan rail networks, and the importance of integrated transport planning in these regions.
- 5 As part of the policy development process for the Land Transport (Rail) Legislation Act 2020, full integration of KiwiRail into the land transport framework, including joining all RTC's was considered and dismissed for a range of reasons. At the time it was acknowledged that there would be resourcing challenges for KiwiRail if it was required to support all RTCs across the country.
- 6 However, it was recognised that in future it may be appropriate to extend the approach in Wellington and Auckland to other regions. A process for including other regions is set out in section 105A of the Land Transport Management Act 2003. It allows the Minister of Transport to name a regional transport committee specifically for the purposes of that section, which would require KiwiRail to provide a non-voting member to that committee.
- 7 As Minister of Transport, you can name any regional transport committee, through notice in the *Gazette*, under section 105A(1)(c) of the Land Transport Management

¹ The Bay of Plenty Regional Transport Committee includes: Bay of Plenty Regional Council, Western Bay of Plenty District Council, Whakatane District Council, Kawerau District Council, Opotiki District Council, Rotorua Lakes Council, Tauranga City Council.

Act 2003 (the LTMA), if you consider the consequences of doing so will contribute to the purpose of the LTMA.

Request from the Committee

- 8 In its letter to you, the Committee stated that it is working to shift freight from being transported by roads to rail in an effort to reduce carbon emissions and to improve traffic flows on the regions roading network.
- 9 The Committee seeks representation from KiwiRail to improve understanding of the current network and operation; inform and provide advice to the Committee on the Regional Land Transport Plan (RLTP); and explain its future intentions including, but not limited to:
 - improving freight efficiency
 - inter-regional rail link connections both freight and passenger opportunities, and
 - rail safety initiatives.
- 10 The Committee advises that support and involvement from KiwiRail is required as there are significant economic and safety related rail objectives a specific rail target and details regarding the future focus of SH1/29 and East Coast Main Trunk Line, which need further consideration.

Bay of Plenty's rail interests

- 11 The Bay of Plenty region does have significant freight rail interests, with significant freight connections, by both volume and value, between the Bay of Plenty and Port of Tauranga, the Upper North Island and the central North Island.
- 12 New Zealand's largest export port, the Port of Tauranga, transports approximately 40 percent of imports and 50 percent of exports via rail².
- 13 The Bay of Plenty region also has significant passenger rail aspirations, however, it is mindful of the need for significant advanced planning and investment, including capital costs, operating costs and the potential impact on existing services.

The Ministry recommends you defer a decision on the request

- 14 It is positive that the Committee is looking to better integrate rail into its regional planning processes. However, the Ministry recommends that you defer your decision on the request for KiwiRail representation under section 105A(1)(c) until after the RNIP and RLTP process is completed. The intention of KiwiRail joining RTCs was to improve coordination of regional planning and the preparation of activities in the RNIP.
- 15 RLTPs and the RNIP are in the final stages of development. RTCs are required to submit RLTPs to Waka Kotahi by the end of June 2021 for assessment.

² Bay of Plenty Region Passenger and Freight Rail, Phase 1 Investigation, May 2019

- 16 The first RNIP, which is currently with Waka Kotahi for assessment, is due with you for consideration before the end of June 2021. Given that the RNIP is being finalised and prepared for your consideration, and RLTPs are also being finalised, there is limited additional scope (if any) for input into either programme.
- 17 It is therefore unlikely that there would be sufficient value added from a KiwiRail member joining the Committee at this time. In addition, it is important to consider resourcing. KiwiRail focus is finalising the first RNIP and seeking approval by the 1 July 2021 deadline, and embedding the new planning and funding model. Requiring consideration of other priorities could take this focus away.
- 18 There may be merit in reconsidering the request in the future during development of the next RLTP and RNIP. In practice, this would mean re-considering KiwiRail representation on the Committee in early 2022.
- 19 In the interim, we understand that KiwiRail will use existing channels to engage with the Council on the matters raised.

Likely future requests for KiwiRail representation

- 20 During the legislative development process, the Ministry noted that the Waikato and Horizons RTCs intended to seek approval for KiwiRail to join their committees. It is likely that there will be further requests for representation from other RTCs. Approving the request from the Committee is also likely to set a precedent and raise expectations that KiwiRail may also join these other RTCs now.
- 21 Deferring the request from the Committee will allow more time for agencies to embed the new planning and funding model and give further consideration to the appropriate framework and resourcing required to support broader land transport planning processes. Consideration can then also be given of whether there are additional RTCs that KiwiRail should join prior to the development of the next RLTPs and RNIP.
- 22 Consideration of KiwiRail joining RTCs will be on a case-by-case basis, guided by factors outlined in this briefing and an overall framework.

Regional transport committees can still consider the role of rail in their regions

- 23 RTCs can still consider the role of rail in their regions when considering their overall transport needs over the long-term. While their RLTPs would not formally include proposed rail activities in regions other than Auckland and Wellington, regional views on rail can still be reflected in RLTPs. Waka Kotahi will be expected to consider how RLTPs align with the RNIP in its advice to you. This represents a step towards more integrated transport planning.
- 24 It will also enable consideration of regional priorities and how these can be reflected in future iterations of the Rail Plan and the Government Policy Statement on land transport. These documents set the Government's priorities for rail investment in New Zealand.

- 25 KiwiRail will also continue with further engagement with RTCs and councils to discuss rail interests and is currently developing a framework for how it will prioritise engagement with RTCs. This includes support for relevant regions through KiwiRail regional teams, and working with Waka Kotahi to support them to represent national road and rail interests through their regional membership on RTCs.

Next steps

- 26 If you support the approach outlined in this briefing we recommend you sign the letter attached as **Appendix 2** responding to the Committee and advising of your decision to defer a decision.

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Appendix 1:

Letter from Bay of Plenty Regional Council Regional Transport Committee, 8 April 2021

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Appendix 2: Response to Bay of Plenty Regional Transport Committee

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OFFICIAL INFORMATION ACT

08 April 2021



By email: Michael.Wood@parliament.govt.nz

Hon Michael Wood MP
Minister of Transport
Parliament Office
Private Bag 18888
Parliament Buildings
Wellington 6060



Tēnā koe Minister

Bay of Plenty Regional Transport Committee KiwiRail representation

As local government leaders and members of the Bay of Plenty Regional Transport Committee, we want our transport system to be integrated, sustainable, resilient, efficient and enabling safe and multimodal access that meets the needs of our diverse, growing communities and regional economy.

Minister, we are delighted to confirm that we are working together collaboratively on our draft Regional Land Transport Plan with a key focus on five themes: Healthy and Safe People, Environmental Sustainability, Inclusive Access, Economic Prosperity and Resilience and Security. In relation to economic prosperity, strong rail infrastructure is critical to freight movement and growth in the Bay of Plenty. The region relies heavily on a number of key inter-regional and intra-regional freight, tourism, and employment links to support the flow of people and goods. The Port of Tauranga is the country's largest export port and a key destination for both national and regional freight movements. The Port is served by rail, road and ship networks; currently handling 32% of all New Zealand cargo, 37% of New Zealand exports and 41% of all shipping containers. The role of the Port as a gateway to international markets and the supporting rail network, is therefore critical to both the regional and national economy.

In the Bay of Plenty, we are trying to shift freight from being transported by roads to rail to reduce carbon emissions and to improve traffic flows on the roading network. Given the importance of rail in our region, we wish to again extend the invitation to KiwiRail, to appoint a representative in an advisory capacity to the Bay of Plenty Regional Transport Committee. The key purpose of the advisory representation position is to:

- Improve understanding of the current network and operation.
- Explain future intentions including, but not limited to:
 - improving freight efficiency,
 - inter-regional rail link connections both freight and passenger opportunities, and
 - rail safety initiatives
- Inform and provide advice to the committee on the Regional Land Transport Plan.



A copy of the Terms of Reference are attached.

We are at a critical stage in the development of our transport story and to ensure its success, we need the support and involvement of KiwiRail. Within the draft Regional Land Transport Plan, there are significant economic and safety related rail objectives, a specific rail target and details regarding the future focus of SH 1/29 – East Coast Main Trunk Line that need further consideration. A link to the draft Regional Land Transport Plan is as follows <https://atlas.boprc.govt.nz/api/v1/edms/document/A3750277/content>.

We look forward to your advice on our request for a KiwiRail representative on the Bay of Plenty Regional Transport Committee so we can thrive better together and in doing so, meet your and the Government's objectives and expectations.

Ngā mihi



Councillor Lyall Thurston QSO JP
Regional Transport Committee Chairman
Bay of Plenty Regional Council – Toi Moana



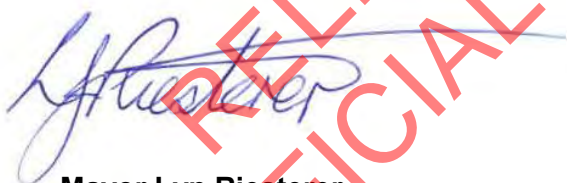
Mayor Garry Webber
Western Bay of Plenty District Council




Mayor Judy Turner
Whakatāne District Council



Mayor Malcolm Campbell
Kawerau District Council



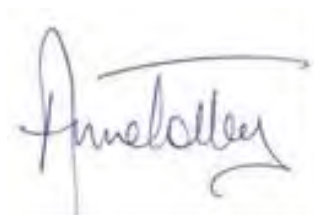
Mayor Lyn Riestter
Ōpōtiki District Council



Mayor Steve Chadwick
Rotorua Lakes Council



Chairman Doug Leeder
Bay of Plenty Regional Council – Toi Moana



Commissioner Anne Tolley
Tauranga City Council

Regional Transport Committee

Membership

Chairperson (BOPRC)	Cr Lyall Thurston
Deputy Chairperson (BOPRC)	Cr Jane Nees <i>Cr Norm Bruning (Alternate)</i>
Members	
Kawerau District Council	Mayor Malcolm Campbell <i>Deputy Mayor Faylene Tunui (Alternate)</i>
Ōpōtiki District Council	Mayor Lyn Riesterer <i>Cr David Moore (Alternate)</i>
Rotorua Lakes Council	Mayor Steve Chadwick <i>Deputy Mayor David Donaldson (Alternate)</i>
Tauranga City Council	Commissioner Anne Tolley <i>Commissioner Stephen Selwood</i>
Western Bay of Plenty District Council	Mayor Garry Webber <i>Deputy Mayor John Scrimgeour (Alternate)</i>
Whakatāne District Council	Mayor Judy Turner <i>Deputy Mayor Andrew Iles (Alternate)</i>
External Members	
New Zealand Transport Agency Alternate member to be nominated by NZTA appointed member	David Speirs – Director Regional Relationships
External Advisors	
Environmental Sustainability Advisor	Glen Crowther
Freight Advisor	John Galbraith
Road Safety Advisor	Inspector Brent Crowe – Roading Police Manager
Port Advisor	Dan Kneebone – Property and Infrastructure Manager
Ex Officio	Chairman Doug Leeder
Quorum	Five members, consisting of more than half the number of members
Frequency	Quarterly

Purpose

Section 105(1) of the Land Transport Management Act 2003 requires every regional council to establish a Regional Transport Committee for its region.

Role

- Prepare a regional land transport plan, or any significant variation to the plan, for the approval of the Regional Council.
- Approve any non-significant variation to the regional land transport plan.
- Adopt a policy that determines significance in respect of:
 - variations made to regional land transport plans under section 18D of the Land Transport Management Act 2003; and
 - the activities that are included in the regional land transport plan under section 16 of the Land Transport Management Act 2003
- Monitor implementation of the regional land transport plan.
- Make recommendations in support of land transport activities that are eligible for national funding and align with the regional land transport plan.
- Co-ordinate, integrate and adopt regional transport and land-use strategies and plans e.g. sub-regional spatial plans.
- Provide advocacy on strategic regional and inter-regional transport matters to Central Government and other key stakeholders as appropriate.
- Provide the Regional Council with any advice and assistance the Regional Council may request in relation to its transport responsibilities.
- Approve submissions to Central Government, local authorities and other agencies on Regional Transport Committee matters.
- Monitor and provide advocacy on regional road safety matters.

Committee Procedures

- Membership consists of two representatives of the Bay of Plenty Regional Council, the Mayor of each territorial authority in the region and a representative of the New Zealand Transport Agency.
- In the case of an equality of votes, the chair, or any other person presiding the meeting does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).
- The Regional Transport Committee may appoint external advisors to assist it in the exercise of its specific responsibilities and delegated authority. For the purposes of clarity, external advisors may be given full speaking rights at the discretion of the committee, but are not entitled to vote on committee matters.
- Under the Local Government Act 2002, the Regional Transport Committee is not defined as a joint committee however, the provisions of the Local Government Act 2002

and the Local Government Official Information and Meetings Act 1987 concerning the meetings of committees of regional councils, so far as they are applicable and with the necessary modifications, apply in respect of meetings of the Regional Transport Committee.

Power to Act

To make all decisions necessary to fulfil the role and scope of the committee subject to the limitations imposed.

Power to Recommend

The Regional Transport Committee recommends and reports to the Regional Council.

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Please note this is a draft letter only that was never signed.

Lyall Thurston QSO JP
Regional Transport Committee Chairman
BAY OF PLENTY REGIONAL COUNCIL

Dear Mr Thurston

Thank you for your letter dated 8 April 2021, on behalf of the Bay of Plenty Regional Transport Committee (the Committee), seeking KiwiRail representation on the Committee.

I note from your letter that the Committee seeks representation from KiwiRail to improve understanding of the current network and operation, inform and provide advice to the Committee on the Regional Land Transport Plan (RLTP), and explain future intentions. It is positive that the Committee is focused on integrating rail into its regional planning processes.

You will be aware that both RLTPs and the RNIP are in the final stages of development, and regional transport committees (RTCs) are required to submit RLTPs to Waka Kotahi NZ Transport Agency (Waka Kotahi) by the end of June 2021.

I note that the Committee undertook public consultation on its proposed RLTP 2021-31 between 5 March 2021 and 6 April 2021, and will be working to finalise the RLTP prior to submission to Waka Kotahi by the end of June 2021.

Given both the RLTP is being finalised and the first RNIP is currently being finalised by KiwiRail, there is limited scope for additional input into these processes.

I do, however, see merit in reconsidering the request for KiwiRail representation in the future given the regions freight rail interests and other rail aspirations – I have therefore deferred a decision on the request until early 2022.

KiwiRail will continue with further engagement with the Committee and councils across the country to discuss rail interests. I understand that KiwiRail is also developing a framework for how it will prioritise engagement.

This includes support for regions through engagement with regional teams, and KiwiRail working with Waka Kotahi to support them to represent national rail interests through their regional membership on RTCs where KiwiRail is not currently a member.

Thank you again for writing and sharing the Bay of Plenty regions rail aspirations.

Yours sincerely

Hon Michael Wood
Minister of Transport

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



16 July 2021

OC210586

Hon Michael Wood

Action required by:

Minister of Transport

At your convenience

GAZETTE NOTICE APPOINTING A NON-VOTING KIWIRAIL MEMBER TO THE BAY OF PLENTY REGIONAL TRANSPORT COMMITTEE

Purpose

To appoint a non-voting KiwiRail member to the Bay of Plenty Regional Transport Committee (the Committee), in accordance with section 105A of the Land Transport Management Act 2003 (the LTMA).

This briefing provides you with a Gazette notice to enable the appointment of KiwiRail to the Bay of Plenty Committee

- 1 The Committee wrote to you on 8 April 2021 requesting a KiwiRail representative. This request follows changes made to the LTMA to introducing a new planning and funding framework for the rail network.
- 2 We previously provided you advice on 27 May 2021 (OC210331 refers) through which you indicated your intention to approve the Committee's request for KiwiRail representation
- 3 This briefing provides:
 - a Gazette notice appointing a non-voting KiwiRail member to the Committee (**Annex 1**),
 - response to the Committee advising of your decision to approve the request (**Annex 2**), and
 - a letter to KiwiRail advising of your decision (**Annex 3**).
- 4 Once you have signed the attached Gazette notice officials will arrange for it to be published in the Gazette. This will give legal effect to your decision to appoint KiwiRail to the Committee. The attached letters will inform the Committee and KiwiRail of your decision.

Risks

- 5 As noted in the Ministry's earlier advice on this request, while we consider that it is beneficial for KiwiRail to join the Committee, there is a risk that requiring KiwiRail to join may set a precedent and lead to a range of other requests for KiwiRail to join other RTCs.
- 6 This could be challenging for KiwiRail to resource given its focus is on the significant investment programme underway. We are working with KiwiRail to consider how it can best support regional engagement, including in relation to attending Committee meetings. We would suggest that you consider future requests for KiwiRail representation on a case-by-case basis, but with a focus on the regions like Bay of Plenty that have significant rail interests. We will provide you with further advice should further requests come through.

Recommendations

We recommend you:

- 1 **sign** the attached Gazette notice naming the Bay of Plenty Regional Transport Committee as a regional transport committee for the purposes of section 105A of the Land Transport Management Act 2003 Yes / No
- 2 **sign** the attached letter notifying the Bay of Plenty Regional Transport Committee of your decision Yes / No
- 3 **sign** the attached letter notifying KiwiRail of your decision. Yes / No

Joanna Heard
Acting Manager, Supply Chain

..... / /

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
Joanna Heard, Acting Manager, Supply Chain		✓
Richard Manning, Senior Adviser, Supply Chain		

Withheld under Section 9(2)(a) of
the Official Information Act 1982

Annex 1: Gazette notice naming the Bay of Plenty Regional Transport Committee for the purposes of section 105A of the Land Transport Management Act 2003

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Annex 2: Response to the Bay of Plenty Regional Transport Committee

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Annex 3: Letter to KiwiRail advising of decision

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Lyall Thurston QSO JP
Regional Transport Committee Chairman
BAY OF PLENTY REGIONAL COUNCIL

Dear Mr Thurston

Thank you for your letter dated 8 April 2021, on behalf of the Bay of Plenty Regional Transport Committee (the Committee), extending an invitation to KiwiRail to appoint a representative in an advisory capacity to the Committee. I understand from your letter that the Committee seeks representation from KiwiRail to:

- improve understanding of the current network and operation
- inform and provide advice to the Committee on the Regional Land Transport Plan (RLTP)
- explain future intentions including, but not limited to:
 - improving freight efficiency
 - inter-regional rail link connections and both freight and passenger opportunities
 - rail safety initiatives.

I also note that the Bay of Plenty region has significant freight rail interests and freight connections, by both volume and value, between the Bay of Plenty and Port of Tauranga, the Upper North Island and the central North Island.

You may be aware that as part of the new planning and funding framework for the rail network implemented through the Land Transport (Rail) Legislation Act 2020, changes were made to the Land Transport Management Act 2003 (the LTMA).

One of the changes was inclusion of section 105A(1)(c) of the LTMA, which provides me, as Minister, the ability to name a regional transport committee (RTC) through notice in the Gazette, requiring KiwiRail to appoint a non-voting member to the RTC. At present, KiwiRail is only required to join the Wellington and Auckland RTC's, reflecting significant metropolitan rail interests.

Given your region's significant rail interests and aspirations, I consider that naming the Committee under section 105A(1)(c) of the LTMA will contribute to an effective, efficient and safe land transport system. I therefore intend to issue a notice in the Gazette giving effect to this.

You will be aware the Waka Kotahi NZ Transport Agency (Waka Kotahi) is in the process of assessing Regional Land Transport Plans (RLTP). You may also be aware that the first Rail Network Investment Programme (RNIP) was published on 08 July 2021.

While KiwiRail representation on the Committee will come too late for the 2021-2024 National Land Transport Programme (NLTP) process, it will ensure that KiwiRail can provide input, guidance and engagement into development of the next RLTP.

I would recommend the Committee engage with Lyndon Hammond, Programme Manager, KiwiRail, lyndon.hammond@kiwirail.co.nz, [REDACTED] to discuss attendance at the next Committee meeting.

Withheld under Section 9(2)(a) of
the Official Information Act 1982

Thank you again for writing and sharing the Bay of Plenty region's rail aspirations.

Yours sincerely

Hon Michael Wood
Minister of Transport

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Greg Miller
Chief Executive Officer
KiwiRail Holdings Limited

Dear Greg

I received a request from the Bay of Plenty Regional Transport Committee (the Committee), requesting KiwiRail appoint a representative in an advisory capacity to the Committee on 8 April 2021. The Committee sought KiwiRail representation to:

- improve the Committee's understanding of the current network and operation
- inform and provide advice to the Committee on the Regional Land Transport Plan (RLTP)
- explain future intentions including, but not limited to:
 - improving freight efficiency
 - inter-regional rail link connections and both freight and passenger opportunities
 - rail safety initiatives.

You will be aware that the Bay of Plenty region has significant freight rail interests and freight connections, by both volume and value, between the Bay of Plenty and the Port of Tauranga, the Upper North Island and the central North Island.

As part of the new planning and funding framework for the rail network, implemented through the Land Transport (Rail) Legislation Act 2020, changes were made to the Land Transport Management Act 2003 (the LTMA).

One of the changes was inclusion of section 105A(1)(c) of the LTMA which provides me, as Minister, the ability to name a regional transport committee (RTC) through notice in the Gazette, requiring KiwiRail to appoint a non-voting member to an RTC. You will be aware that at present, KiwiRail is only required to join the Wellington and Auckland RTC's, reflecting their significant metropolitan rail interests.

Given the Bay of Plenty Regions significant rail interests, I consider that naming the Committee in accordance with section 105A(1)(c) of the LTMA will contribute to an effective, efficient and safe land transport system (the purpose of the LTMA). I therefore intend to issue a notice in the Gazette giving effect to this.

While KiwiRail representation on the Committee will come too late for the 2021-2024 National Land Transport Programme (NLTP) process and development of the first Rail Network Investment Programme (RNIP), I expect that KiwiRail will provide input, guidance and engagement into development of the next RLTP and during development of the next RNIP.

I have recommended that the Committee Chairman Lyall Thurston contact Lyndon Hammond, Programme Manager, KiwiRail to discuss attendance at the next meeting of the Committee.

I trust that KiwiRail will work collaboratively and engagingly to support the Committee to meet its objectives.

Yours sincerely

Hon Michael Wood
Minister of Transport

cc.

Sue McCormack
Acting Chair
KiwiRail

Lyall Thurston QSO JP
Regional Transport Committee Chairman
Bay of Plenty Regional Council