

OC220965

14 December 2022



Tēnā koe 

I refer to your email dated 1 November 2022 in which you requested the following under the Official Information Act 1982 (the Act):

“... a copy of all reports, briefings and advice that the Ministry provided the Minister of Transport in October 2022, excluding Weekly Reports.”

On 29 November 2022 we advised you of an extension to the time period for responding to your request. The extension was due to consultations necessary to make a decision on your request being such that a proper response could not reasonably be made within the original time limit. We have now completed the necessary consultations.

Thirty-five documents fall within scope of your request. We are withholding the titles of 11 documents (and therefore also the papers themselves). Both the titles and the contents of these documents remain under active consideration and therefore are withheld under Section 9(2)(f)(iv). No further detail about these papers has been provided to you in this response.

Of the remaining 24 documents:

- 12 are being released to you with certain information withheld or refused
- 12 are being withheld in full.

Details on how each of these 24 papers has been treated under the Act are set out in the document schedule attached as Annex One. Certain information, or full documents, have been withheld or refused under the following sections of the Act:

| | |
|-------------|---|
| 9(2)(a) | to protect the privacy of natural persons |
| 9(2)(b)(ii) | to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information |
| 9(2)(ba)(i) | to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar |

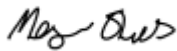
| | |
|-------------|--|
| 9(2)(f)(iv) | information, or information from the same source, and it is in the public interest that such information should continue to be supplied to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials |
| 9(2)(g)(i) | to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty |
| 9(2)(j) | to enable a Minister of the Crown or any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) |
| 18(d) | 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 to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website www.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's website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā



Megan Shields
Acting Manager, Ministerial Services

Annex One - Document Schedule

| Doc # | Reference number | Title of Document | Decision on request |
|-------|------------------|--|---|
| 1 | OC220868 | Briefing proactive release - Port of Tauranga Extension | Released with some information withheld under Sections 9(2)(a) and 9(2)(g)(i). Appendix 2 is refused under Section 18(d) as it is already published on the Ministry's website: www.transport.govt.nz/assets/Uploads/OC220637-Port-of-Tauranga-Wharf-Extension-aide-memoire-OIA-redacted.pdf . |
| 2 | OC220859 | Auckland Transport Alignment Project (ATAP) Implementation Report 1 July 2021 - 30 June 2022 | Released with some information withheld under Sections 9(2)(a), 9(2)(ba)(i) and 9(2)(f)(iv). |
| 3 | OC220877 | Meeting with the City Rail Link Limited's Chair and Chief Executive on 12 October 2022 | Released with some information withheld under Sections 9(2)(a), 9(2)(b)(ii), 9(2)(ba)(i), 9(2)(f)(iv), 9(2)(g)(i) and 9(2)(j). |
| 4 | OC220858 | Creating a High Threshold for Projects that are Inconsistent with Emissions Reduction | Withheld in full under Section 9(2)(f)(iv). |
| 5 | OC220830 | Ministerial Direction for Clean Car Upgrade and Social Leasing Scheme trials | Released with some information withheld under Section 9(2)(a). Please note the final response letter dated 12 October 2022, sent to the Sir Brian Roche, is provided (rather than the draft response letter that was originally attached to this briefing). Two of the attachments are refused under Section 18(d) as they can both be found online: New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022 https://gazette.govt.nz/notice/id/2022-go4380 New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022 https://gazette.govt.nz/notice/id/2022-go4381 |

| Doc # | Reference number | Title of Document | Deecision on request |
|-------|------------------|---|--|
| 6 | OC220887 | Waka Kotahi NZ Transport Agency Board - Next Steps | Withheld in full under Section 9(2)(f)(iv). |
| 7 | OC220878 | Meeting with the Transport Accident Investigation Commission's Chief Commissioner and Chief Executive - 12 October 2022 | Released with some information withheld under Sections 9(2)(a) and 9(2)(f)(iv). |
| 8 | OC220871 | Speech to the Bus and Coach Association Conference | Released with some information withheld under Sections 9(2)(a) and 9(2)(ba)(i). |
| 9 | OC220892 | Information and talking points to support your meeting with KiwiRail on 7 October 2022 | Withheld in full under Section 9(2)(f)(iv). |
| 10 | OC220819 | Meeting on GPS 2024: Achieving your strategic priorities | Withheld in full under Section 9(2)(f)(iv). |
| 11 | OC220807 | Updated - Proactive Release of Social Leasing Seed Funding Cabinet Paper | <p>Released with some information withheld under Section 9(2)(a).</p> <p>The three attachments to the briefing: briefing, cabinet paper and minute, are refused under 18(d) as they will soon be proactively released.</p> <p>Please note this paper was first sent from the Ministry on 11 October. However, an amended version was sent as a replacement on 26 October. While I appreciate the 11 October version of this paper is captured under your OIA request, I believe the 26 October version represents the accurate and final version and providing this version satisfies the public interest test and intention of the Act. The only difference between the two versions is the addition of paragraphs 15-17, and the associated additional risk highlighted in the cover page. If you wish to receive a copy of the previous draft version of this paper, please advise.</p> |
| 12 | OC220880 | 2022 October Baseline Update for Vote Transport | Withheld in full under Section 9(2)(f)(iv). |

| Doc # | Reference number | Title of Document | Deecision on request |
|-------|------------------|--|---|
| 13 | OC220794 | Report back – Transport choices (Climate Emergency Response Fund) | Withheld in full under Section 9(2)(f)(iv). |
| 14 | OC220751 | Funding and Financing Principles for Auckland Light Rail | Withhold in full under Section 9(2)(f)(iv). |
| 15 | OC220922 | Driving Efficiency and Value for Money Through GPS 2024 | Withheld in full under Sections 9(2)(f)(iv) and 9(2)(g)(i). |
| 16 | OC220888 | Transport Accident Investigation Commission - Cabinet paper to progress appointments | Withheld in full under Section 9(2)(f)(iv). |
| 17 | OC220893 | Joint Meeting with Auto Stewardship New Zealand, 27 October 2022 | Released with some information withheld under Sections 9(2)(a) and 9(2)(f)(iv). |
| 18 | OC220926 | Waka Kotahi NZ Transport Agency - Chair Shortlist | Withheld in full under Section 9(2)(f)(iv). |
| 19 | OC220795 | Financial update - Temporary Road User Charges and Petrol Excise Duty Reduction | Released with some information withheld under Sections 9(2)(a), 9(2)(f)(iv) and 9(2)(g)(i). |
| 20 | OC220829 | Summary of submissions on the Proposed Regulatory Changes for Reshaping Streets | Released with some information withheld under Sections 9(2)(a) and 9(2)(f)(iv). |
| 21 | OC220937 | Meeting with the Chief Minister of the Australian Capital Territory | Released with some information withheld under Section 9(2)(a). |
| 22 | OC220927 | GPS 2024: Indicative Strategic Priorities | Withheld in full under Section 9(2)(f)(iv). |
| 23 | OC220935 | Resource Management Reform - Update | Released with some information withheld under Sections 9(2)(a) and 9(2)(g)(i). |
| 24 | OC220917 | Regulatory Work Programme Quarterly Update | Withhold in full under Section 9(2)(f)(iv). |



BRIEFING

4 October 2022

OC220868

Hon Michael Wood
Minister of Transport

Action required by:
Monday, 17 October 2022

BRIEFING PROACTIVE RELEASE - PORT OF TAURANGA EXTENSION

Purpose

Seek your approval to proactively release the briefing provided to support your meeting with the Minister for the Environment, regarding Port of Tauranga. We intend to publish the briefing on the Ministry of Transport's website.

| | |
|------------------|------------------------------------|
| Number of papers | One |
| Deadline | 17 October 2022 |
| Risks | Risks are outlined in the briefing |

Recommendations

We recommend you:

- 1 **approve** the Ministry publishing one document, *Information on Port of Tauranga to support your meeting with the Minister for the Environment*, with redactions as marked, on the Ministry's website. Yes / No
- 2 **note** that this request supports the Cabinet directive to increase the breadth and depth of information being proactively released by agencies (refer CAB-22-MIN-0168.01). Yes / No
- 3 **note** that we intend to publish the document on the Ministry's website by 31 October 2022. Yes / No

Seona Ku
Acting Manager, Supply Chain

04 / 10 / 2022

Hon Michael Wood
Minister of Transport

..... / /

IN CONFIDENCE

Minister's office to complete:

☐ Approved

☐ Declined

☐ Seen by Minister

☐ Not seen by Minister

☐ Overtaken by events

Comments

Contacts

| Name | Telephone | First contact |
|---|-----------|---------------|
| Robert Parker, Policy Adviser, Supply Chain | s 9(2)(a) | ✓ |
| Seona Ku, Acting Manager, Supply Chain | s 9(2)(a) | |

BRIEFING PROACTIVE RELEASE - PORT OF TAURANGA EXTENSION

Background

- 1 In May 2022, Cabinet agreed that agencies must increase the breadth and depth of information being proactively released.
- 2 Cabinet minute CAB-22-MIN-0168.01 states that agencies should further improve openness and transparency of official information by making more information available proactively, particularly about key government decisions.
- 3 We propose to publish the following document on the Ministry's website by 31 October 2022:
 - Information on Port of Tauranga to support meeting with the Minister for the Environment.
- 4 This briefing was provided to you on 5 August 2022. The Ministry has reviewed this document and proposes some content is withheld consistent with the Official Information Act 1982 (the Act). Further detail is included in the document schedule attached at Annex 1 and set out below (paragraphs 6 to 8).
- 5 Note that whilst agencies withhold information in proactive releases consistent with the Act, section 48 of the Act, which protects Ministers and agencies from civil or criminal liability where information is released under the Act, does not apply to information that is proactively released.
- 6 We recommend that information is withheld under the following sections of the Act:
 - 9(2)(a) to protect the privacy of natural persons, including that of deceased natural persons;
 - 9(2)(h) to maintain legal professional privilege
- 7 We propose withholding the mobile numbers listed on page 1 of the briefing under section 9(2)(a) of the Act, as per standard Ministry practice to protect the privacy of the key contacts.

8

s 9(2)(g)(i)

Risks and mitigations

- 9 We do not foresee any significant risks in proactively releasing this document. The briefing largely includes information that is publicly available and provides footnotes that record where evidence originated.

10

s 9(2)(g)(i)



- 11 Note, no external agencies were consulted in the drafting of the initial briefing. As such, we have not consulted any external agencies on its proactive release.

Next steps

- 12 If you approve the release of the document, we will publish it on the Ministry's website.

Annexes

The following documents are attached to this briefing:

Annex 1 Document Schedule

Annex 2 Information on Port of Tauranga to support meeting with the Minister for the Environment

Annex 2 is refused under section 18(d) as it is publicly available.

Annex 1 Document Schedule

| Doc # | Document title | Details |
|-------|--|---|
| 1 | Information on Port of Tauranga to support meeting with the Minister for the Environment | <p>s 9(2)(g)(i)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p><u>Risks and mitigations</u></p> <p>s 9(2)(g)(i)</p> <p>[Redacted]</p> <p>[Redacted]</p> |

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982



5 October 2022

OC220859

Hon Michael Wood

Minister of Transport

AUCKLAND TRANSPORT ALIGNMENT PROJECT (ATAP) IMPLEMENTATION REPORT 1 JULY 2021 - 30 JUNE 2022

Purpose

This report provides you with insights into how the ATAP 2021-31 programme is progressing after the first year of implementation, over the period 1 July 2021 to 30 June 2022.

The report details delivery highlights, progress at a project level, information against wider outcomes from the programme, and how expenditure is tracking for the programme.

Key points

- The past year has seen significant disruption to Auckland's transport system due to COVID-19 lockdowns, seasonal flu, supply chain and inflation pressures, and bus driver shortages.
- The delivery agencies (Auckland Transport, Waka Kotahi and KiwiRail) have worked hard to continue to deliver projects and services during this time. Key projects delivered over the last six months include completion of the new Māngere bridge, the Tāmaki Drive cycleway, the New Lynn to Avondale cycleway, the Northern Busway extension, and upgrades to the Constellation bus station.
- The City Rail Link project saw the Dame Whina Cooper tunnel boring machine break through at the Karangahape Station in July 2022 and at Aotea Station in September 2022, and the completion of the Porters Avenue Pathway Bridge in Mount Eden.
- The delivery agencies have worked quickly to rephase the ATAP capital programme in response to cost escalations and funding constraints. This means that less will be delivered for the same level of expenditure.
- Looking ahead, Auckland Council's Climate Action Targeted Rate and the Climate Emergency Response Fund provide funding for new projects. This is positive but does not relieve pressure on the core ATAP programme.
- Public transport patronage was significantly impacted by the extended August 2021 lockdown. Patronage recovery has been slower than previous lockdowns due to the longer restriction period and changes to travel patterns. While there was a short-term uptick coinciding with the introduction of half price fares, this has since fallen back.

Patronage for the year to June 2022 is the lowest since the pandemic began, significantly reducing operating revenue.

- There is a significant shortage of bus drivers in Auckland, with bus operators requiring around 440 additional bus drivers as of 30 June 2022. This resulted in bus service cancellations increasing from two per cent in February 2022 (around 200 per day) to 13 per cent in March 2022 (around 1,200 per day). Improving wages and conditions for bus drivers is being worked on at a national and Auckland level. In recent months, Auckland Council and Waka Kotahi have provided funding to increase the average Auckland bus driver wage by around 12 per cent.
- In response to lower revenue from lower patronage, public transport services were reduced and the introduction of new services were delayed. Alongside the bus cancellations, this is a risk for public confidence in public transport.
- This year has seen strong direction for transport with the publication of the Emission Reduction Plan and Transport Emission Reduction Plan. The current work on the Transport Outcomes for Tāmaki Makaurau will reflect this direction.

Recommendations

We recommend you:

- 1 **note** the content of this report
- 2 **share** this report with the Minister of Finance in his capacity as ATAP Sponsor Yes / No



Karen Lyons
Director Auckland

.... / / 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 |
|--|-----------|---------------|
| Steve Zahorodny, Auckland Senior Advisor | s 9(2)(a) | ✓ |
| Karen Lyons, Director Auckland | s 9(2)(a) | |

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

AUCKLAND TRANSPORT ALIGNMENT PROJECT (ATAP) IMPLEMENTATION REPORT 1 JULY 2021 - 30 JUNE 2022

Background

- 1 In March 2021, the Government and Auckland Council agreed the ATAP 2021-31 investment package. The Ministry of Transport provides regular ATAP Implementation reports, generally two per year. This report provides a review of the first year of the ATAP 2021-31 programme.
- 2 The content in this report is based on data from Waka Kotahi the NZ Transport Agency (Waka Kotahi), Auckland Transport, Auckland Council and KiwiRail. These organisations have contributed to this report. The ATAP Governance Group, with members from these organisations, has overseen and endorsed this report.

The ATAP 2021-31 programme

- 3 The ATAP 2021-31 programme focuses on encouraging the shift from private cars to public transport and active modes, developing the rapid transit network, increasing road safety, maintaining transport infrastructure, and providing sufficient operating expenditure to run the network.
- 4 The ATAP 2021-31 programme invests around \$31.4 billion into Auckland's transport system over the 2021-31 decade. It allocates \$13.6 billion to operating, maintaining, and renewing existing infrastructure and \$17.8 billion to new infrastructure.
- 5 The ATAP 2021-31 is funded through three main sources:
 - The National Land Transport Fund (NLTF), expected to provide \$16.3 billion. The Government's Policy Statement on Land Transport (GPS-LT) 2021 sets this expectation
 - Auckland Council: \$10.2 billion
 - Crown funding: \$4.9 billion. This includes the New Zealand Upgrade Programme (NZUP), the COVID-19 Response and Recovery Fund (CRRF), and the Government's share of the City Rail Link (CRL).
- 6 The funding sources are summarised in Table 1.

Table 1: The ATAP 2021 package by funding source as of 1 July 2021

| Funding source | | Funding amount (\$ billions) |
|------------------|--|------------------------------|
| Auckland Council | Funding for Auckland Transport (including Regional Fuel Tax) | 8.9 |
| | Contribution to CRL | 1.3 |
| | Total | 10.2 |
| Government | NLTF | 16.3 |
| | Crown contribution to CRL | 1.3 |
| | Crown funded NZUP | 3.5 |
| | Crown funding from COVID-19 response and recovery fund | 0.1 |
| | Total | 21.2 |
| Total | | 31.4 |

Tracking of programme expenditure

ATAP capital programme from 1 July 2021 to 30 June 2022

- 7 Capital expenditure across the ATAP programme is below what was predicted by \$598 million with COVID-19, supply chain pressures, and funding constraints contributing. Table 2 refers.

Table 2: The ATAP capital expenditure by delivery entity

| Capital expenditure - from 1 July 2021 to 30 June 2022 | | | |
|--|-------------------------------|--------------------------------|-------------------------------------|
| Delivery entity | Actual expenditure (millions) | Planned expenditure (millions) | Per cent of planned expenditure (%) |
| Auckland Transport | 656 | 820 | 80 |
| Waka Kotahi | 349 | 558 | 63 |
| NZUP (Waka Kotahi and KiwiRail) | 376 | 475 | 79 |
| KiwiRail | 29 | 31 ¹ | 93 |
| City Rail Link Limited (CRL) | 856 | 980 | 87 |
| Total | 2,266 | 2,864 | 79 |

ATAP capital programme cost pressures

- 8 Auckland Transport estimate its ten-year capital programme costs have increased from \$11.4 billion to \$12.4 billion due to inflation.² In response to these funding pressures, Auckland Transport has rephased their capital expenditure programme (OC220554 refers).
- 9 Waka Kotahi is rephasing their programme to address current inflation concerns, but work is ongoing to assess the full impact over the ten-year period. This has slowed delivery during the reporting period.

¹ Based on the 2021 rephasing of the KiwiRail programme.

² Current estimate as of August 2022, based on inflation rates decreasing year on year from 2022 and returning to two per cent in 2027.

- 10 KiwiRail rephased their programme in mid-2021 and are managing this budget. The majority of the KiwiRail ATAP programme is made up of projects funded by the NZUP. Reporting on the NZUP is provided to you separately. KiwiRail have reported cost pressures across the NZUP (briefing 20220121 and BRI-2428 refers).

ATAP operational expenditure

- 11 Overall, the ATAP operational programme over the 2021-22 financial year saw actual expenditure match planned expenditure. Table 3 refers.

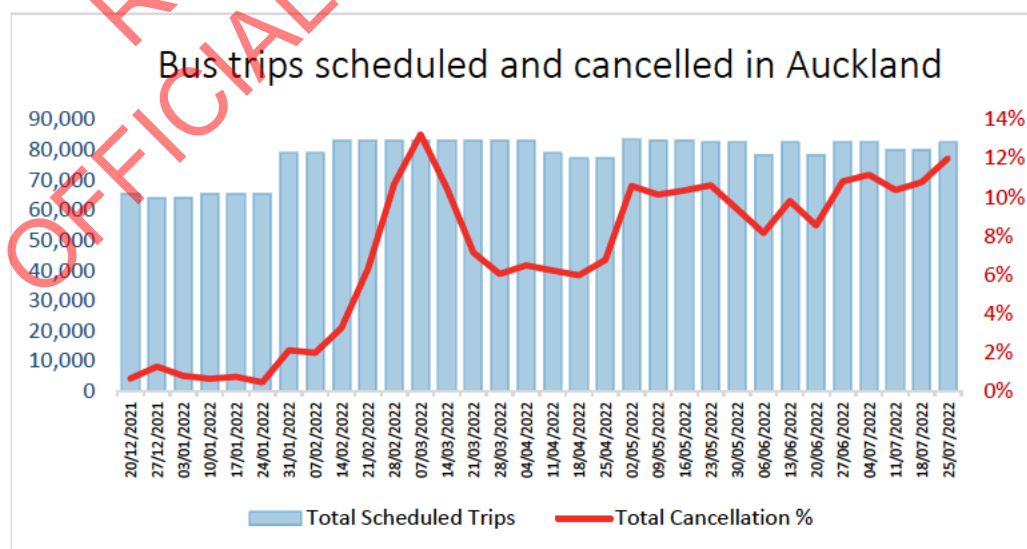
Table 3: ATAP operational expenditure by delivery entity

| Operational expenditure - from 1 July 2021 to 30 June 2022 | | | |
|--|-------------------------------|--------------------------------|---------------------------------|
| Delivery entity | Actual expenditure (millions) | Planned expenditure (millions) | Per cent of planned expenditure |
| Auckland Transport | 766 | 748 | 102 |
| Waka Kotahi | 113 | 116 | 97 |
| Total | 879 | 864 | 102 |

Operating pressures

Bus service cancellations

- 12 Severe bus driver shortages characterise the last year, with a shortage of around 440 drivers as of 30 June 2022. Driver terms and conditions, COVID-19, seasonal flu, and assaults on drivers have been contributing factors.
- 13 The shortage of bus drivers caused bus service cancellations to increase from two per cent in February 2022 (around 200 per day) to 13 per cent (around 1200 per day) in March 2022. Cancellations remained high in June and July, averaging over 1000 cancellations per day from March 2022 to June 2022. Ferry and rail services were disrupted to a lesser extent.

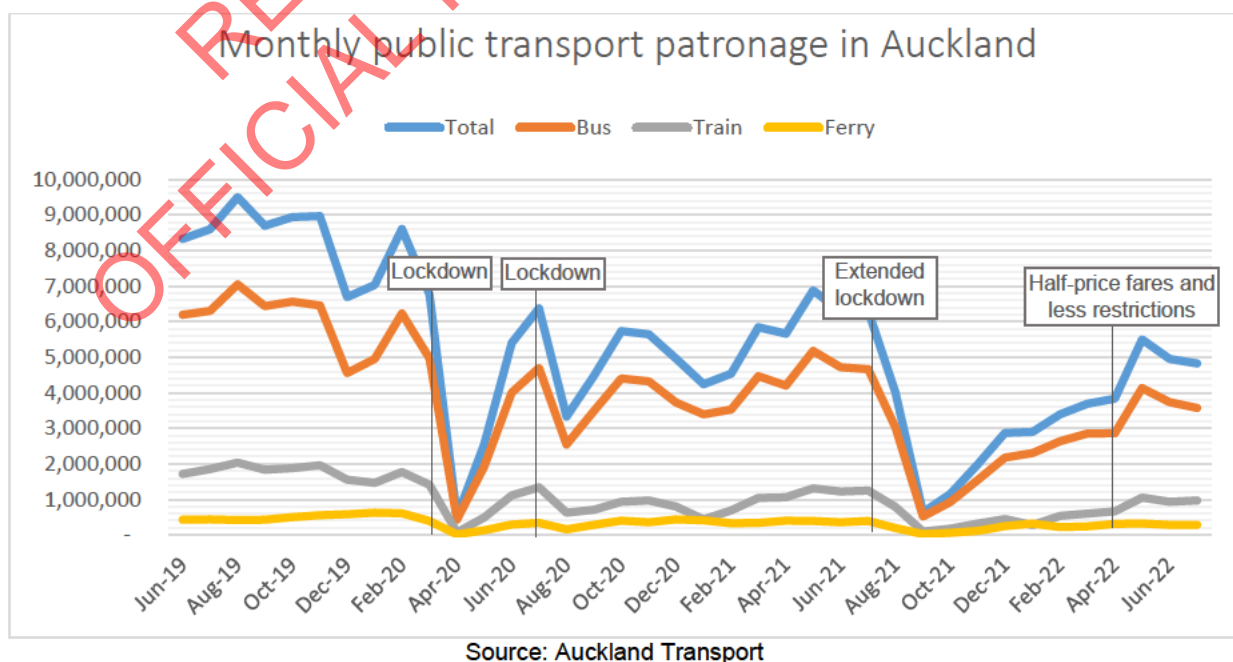


Source: Auckland Transport

- 14 For comparison, Wellington bus service cancellations increased from two per cent in February 2022 (around 45 per day) to nine per cent (around 280 per day) in March 2022. For the last week of July 2022, six per cent of bus services in Wellington were cancelled (around 170 per day), while 12 per cent of bus services in Auckland were cancelled (around 1414 per day).
- 15 In July 2022, Auckland Council provided additional funding to increase the average bus driver pay by eight per cent, and Waka Kotahi provided funding in September 2022 for an additional 3.9 per cent increase to the average bus driver pay (for a total average bus driver pay increase of 11.9 per cent). However, attracting new drivers is proving difficult. Work is underway nationally to improve terms and conditions for bus drivers.

Reduced patronage

- 16 In the Regional Land Transport Plan (RLTP), Auckland Transport predicted patronage would increase from 66 to 87 per cent of pre-COVID levels by 30 June 2022. However, the Omicron variant, changes to travel patterns, and seasonal illness resulted in patronage of 40 per cent of pre-COVID levels as of 30 June 2022.
- 17 The decrease in patronage and parking fees resulted in Auckland Transport's operating revenue being \$119 million lower than predicted in the RLTP at the end of the 2021-22 financial year.
- 18 In response, Auckland Transport reduced public transport services and delayed the introduction of new services which, alongside the bus cancellations, risks undermining public confidence in public transport. Auckland Council approved \$50 million additional funding in December 2021 to support public transport services.
- 19 Half-price public transport fares were introduced in April 2022. New HOP card sales increased by 21 per cent and patronage increased in the first month the scheme was introduced. However, patronage continued to decrease thereafter, likely in part due to the high number of bus service cancellations.



Asset renewal pressures

- 20 Auckland Transport's asset renewal programme received \$85 million less in co-funding from Waka Kotahi than what was requested in the RLTP. A combination of funding constraints and COVID-19 impacts are creating a backlog in the maintenance of existing assets. The backlog of works is increasing the number of potholes on the Auckland network as roads lose waterproofing.

Cost and funding pressures

- 21 Due to pressures on the NLTF, Waka Kotahi was unable to provide as high funding assistance rates (FARs) for level crossings, purchasing of new trains and some rapid transit projects (such as the Eastern Busway) as contemplated when ATAP was agreed and planned for in the 2021-31 RLTP. Combined with lower-than-forecast public transport revenue and cost pressures, the core Auckland Transport programme is under pressure. Additional funding for the Eastern Busway through Waka Kotahi and proposed additional Crown funding will help, while noting this particular project has experienced significant cost pressure and has been rephased.
- 22 Looking ahead, new funding sources will support new projects. Auckland Council has introduced a Climate Action Targeted Rate (CATR) as part of its response to the climate challenge. The CATR provides \$600 million over 10 years to fund new projects in addition to the core ATAP programme of works, including additional funding to deliver new and extended frequent bus routes throughout the region, new electric buses and ferries, and improved cycling and walking connections.
- 23 The Climate Emergency Response Fund (CERF) 2022 was established with an initial allocation of \$2.5 billion over four years to reduce emissions and transform the transportation system and urban environments. Auckland Transport has submitted expressions of interest for the 2022 Transport Choices fund.

ATAP delivery highlights*Delivered by Waka Kotahi*Cycling

- 24 The old Māngere Bridge was demolished and removed in November 2021, and the new bridge was completed in August 2022.
- 25 Section Two of the Glenn Innes to Tāmaki Drive Shared Path was officially opened on 25 May 2022. Section Two connects St Johns Road with Ōrākei Basin, joining up with the already completed Sections One and Three to give a continuous high-quality shared path between Glen Innes and Ōrākei Road.

Public transport

- 26 In May 2022, the Northern Busway extension from Constellation to the Albany bus station and the upgraded Constellation bus station were completed, with a new northbound platform and connecting pedestrian over-bridge.
- 27 In collaboration with Auckland Transport, construction recently commenced on the interim bus stations and bus lanes at Te Atatū and Lincoln Road, with completion

expected by mid-2023. Auckland Transport is negotiating revised operating schedules and contracts with bus operators, which is expected to include procurement of new electric bus services.

- 28 Two land acquisitions for the Eastern Busway were completed in April 2022. Community engagements for the later stages of the project were undertaken in June 2022. Further updates on the Eastern Busway project can be found in **Appendix 1**.

Roading

- 29 Stages Three and Five of the Dome Valley Safety Improvements were completed in August 2022 (after being delayed due to COVID-19). Construction on Stage One will begin in summer this year. Stages Two and Four were previously completed.
- 30 The Papakura to Drury State Highway 1 project is being progressed in three stages (1A, 1B1 and 1B2). Construction of Stage 1A (Papakura interchange and Park Road bridge) began in April 2021 (with completion scheduled for late 2023) and early works for construction of the Bremner Road bridge over the North Island Main Trunk Line commenced in August 2022 (Stage 1B1).

Delivered by Auckland Transport

Cycling

- 31 The Tāmaki Drive Cycleway (Strand Street to Ngapipi Road) was officially opened in May 2022, and the New Lynn to Avondale Cycleway opened on 4 June 2022.

Safety programme

- 32 Seven projects within the High Risk Intersections and Corridor Programme have been completed, including the completion of works at the challenging Royal Oak roundabout. This included new raised speed tables, new traffic islands, increasing the size of the roundabout and changing the layout.
- 33 The Safe Speeds Phase Two speed limit changes are continuing, with construction of speed tables at Saint Heliers town centre completed in November 2021, and speed limit changes in the rural Franklin area completed on 30 June 2022. This is part of Vision Zero, which aims to introduce speed changes on more than 800 Auckland roads.
- 34 A total of 57 pedestrian improvement schemes and five motorcycle improvement schemes were constructed during the 2021/22 financial year. The pedestrian improvements are generally raised crossings which help protect the most vulnerable road users.

Sustainability projects

- 35 In February 2022, Auckland Transport purchased an additional 23 electric trains for its rail network. The new electric trains are required for the opening of the CRL.
- 36 In April 2022, Auckland Transport entered into an agreement with EV Maritime Limited to build two electric fast ferries to be operated across inner and mid-harbour commuter routes from 2024.

- 37 In 2022, Auckland Transport contributed \$250,000 to a Ports of Auckland, Auckland Transport and Hynds joint project that will investigate the sustainable reuse of sediment dredged from the seabed during shipping channel maintenance.

Other projects

- 38 The Wolverton Culvert Emergency Work has progressed and is complete except for a small number of minor works.
- 39 The Connected Communities programme involves the delivery of bus priority, safety, and cycling improvements. The detailed design work was completed for the Great North Road corridor and Ponsonby Road infrastructure project.
- 40 Auckland Transport spent \$222 million on asset renewals in the 12 months to June 2022, compared to a budget of \$234 million. A total of 5.1 per cent (352 kilometres) of the local road network was resurfaced.

Delivered by KiwiRail

Wiri to Quay Park

- 41 The project is being delivered in four packages.
- Package One includes work on junctions at Westfield and Wiri. Works at Westfield have been completed during in June 2022 and works at Wiri are almost complete.
 - Package Two is the Third Main Line, which is currently progressing three months ahead of schedule.
 - Package Three is the works at Middlemore station. Work has been delayed as Te Whatu Ora (Health New Zealand) have appealed the Environment Court decision relating to the interface between Middlemore Station and the hospital. Mediated workshops are planned to assist reaching an agreement on the outstanding issues prior to the appeal hearing in September 2022.
 - Package Four is the works at Quay Park, which commenced in August 2022.

Rail Network Growth and Impact Management

- 42 Improved access on the North Auckland Line South and Eastern Line has enabled greater delivery of remediation works than anticipated over the past six months. New equipment provides a threefold increase in productivity.
- 43 To date, approximately 150 kilometres of Rolling Contact Fatigue remediation has been completed and around 100 turnouts remediated.

The Auckland Integrated Rail Management Centre project

- 44 The Auckland Integrated Rail Management will house Auckland Transport, KiwiRail, Auckland Traffic Operations Centre, CRL's Station Group Control Centre and the new operator Auckland One Rail, meaning faster communication and coordination between the organisations. Construction began in May 2022.

- ## Other updates

CRL Day One

- ### South Auckland Package – NZUP

- ³ Siemens are the only organisation certified to undertake signalling modifications in Auckland, and there are limited number of approved Siemens technicians and engineers.

- Widening of State Highway 1 (SH1)
- Mill Road
- Three new rail stations at Drury West, Drury Central and Paerata
- Electrification of the southern rail line (Papakura to Pukekohe)
- Build of the third main rail line
- Penlink.

- 51 During this reporting period officials have been working to determine the best option for the Mill Road corridor with a focus on emissions reduction, safety improvements and increased public transport connectivity.
- 52 Mana Whenua have gifted names to the three Drury rail stations – these are Paeraataa (Paerata), Maketuu (Drury Central) and Ngakooroa (Drury West). Maketuu and Paeraataa stations were approved by the Environmental Protection Agency under the COVID-19 Recovery (Fast-track Consenting) Act 2020, and consent for Ngakooroa has been tabled with Auckland Council.
- 53 Widening of SH1 is underway with roadway clearance initial works being completed in 2022.
- 54 KiwiRail are underway with electrification of the southern line and agreed with Auckland Transport that commuter services would cease from August 2022 until works are completed, prior to the opening of the CRL.
- 55 In June 2022, an alliance agreement with Waka Kotahi was signed between Waka Kotahi and HEB, Fulton Hogan, Aurecon, and Tonkin + Taylor for the design and construction of Penlink.
- 56 There is currently work underway with the Ministry of Transport, Waka Kotahi, KiwiRail and the Treasury to provide advice to you and Minister Robertson on the overall NZUP programme cost escalation and choices within the programme.

Regional Fuel Tax (RFT)

- 57 From its introduction in July 2018 to June 2022, the RFT has raised \$591 million in revenue and \$304 has been spent progressing projects. As of June 2022, Auckland Council has \$287 million in RFT which is yet to be spent. Auckland Council expected the capital programme to step up in the latter part of the RFT period, which it has started to do, but COVID-19 restrictions have delayed the capital programme.
- 58 Over the year to June 2022, RFT revenue was \$138 million (91 per cent of budget) and \$106 million of this has been spent progressing projects.
- 59 In May 2022, Auckland Council submitted a proposal to update the Auckland RFT scheme, to reflect the Crown's decision to fund Penlink and Mill Road through NZUP, and to fund the Puhinui Railway Station and the Downtown Ferry Terminal project from the COVID-19 Shovel Ready Programme. Further updates on the RFT projects can be found in **Appendix 3**.

ATAP programme outcomes

Progress against ATAP outcomes 2021-31

- 60 A set of key measures and indicators were identified in the ATAP Outcomes Framework to monitor how the ATAP package of investments is contributing to agreed outcomes. These were developed by a cross-agency group and endorsed by the ATAP Governance Group in May 2019 (OC190875 refers).
- 61 The framework is based on the outcomes included in the ATAP 2021 investment package, which were:
- enabling and supporting Auckland's growth
 - improving travel choice for Aucklanders
 - keeping Auckland moving
 - making Auckland's transport safe (environmental and human health).
- 62 Details on progress against each of the ATAP outcomes for this reporting period are in **Appendix 4**.

ATAP programme moving forward

Emissions reduction

- 63 Since the development of the ATAP 2021-31 programme, the Government's Emission Reduction Plan 2022 (ERP) and Auckland Council's Transport Emission Reduction Plan 2022 (TERP) have been approved. While the ATAP agencies have been aware of the need to bring emission reduction to the fore in the investment programme, these plans set clear direction and targets.
- 64 The size and scale of Tāmaki Makaurau means that the target set for Auckland contributes significantly to the overall vehicle kilometres travelled (VKT) reduction expected in New Zealand. A sub-national VKT target is being considered for Auckland, and the TERP targets a VKT reduction of 50 per cent against the baseline measure by 2030.
- 65 Both the ERP and the TERP targets, and actions identified to achieve these targets, require a transformation in Tāmaki Makaurau's transport system and improved public transport provision. The development and extension of active modes of transport across the region will be a key part of this.
- 66 Planning for future ATAP investment rounds will require alignment between government and Auckland Council across these various climate initiatives to ensure the best programme is developed and emissions reduction targets for Tāmaki Makaurau are met.

Urban development and land use

- 67 The National Policy Statement on Urban Development (NPS-UD) sets out expectations that Tāmaki Makaurau will enable intensification of walkable catchments

around rapid transit stops and enable more apartment and terrace housing around some larger town and local centres with good access to public transport.

- 68 In addition, the amendment to the Resource Management Act (1991) around medium density residential standards (MDRS) also places greater emphasis on housing intensification across Auckland.
- 69 Auckland Council is reviewing the Auckland Development Strategy which will seek political direction on where Auckland is going to grow over the next 30 years and what infrastructure provision is required to support the growth.
- 70 Auckland Council is considering a new Parking Strategy (that removes parking from roads), and the Ministry of Transport is working on a programme of rule changes for the reallocation of street space. Together these initiatives should encourage the use of existing road space for active modes and public transport.
- 71 Direction from the NPS-UD, MDRS, and Auckland Council's Development Strategy will underpin transport planning moving forward. Alignment between government and Auckland Council on Auckland's urban development including land use and transport integration are critical.

The development of Tāmaki Makaurau transport outcomes

- 72 The ATAP partner agencies are collectively developing a set of Tāmaki Makaurau Transport Outcomes to inform policy, planning and investment decisions for transport across the region.
- 73 Specific to Tāmaki Makaurau, the intention is that Cabinet and Auckland Council will consider the outcomes in early 2023.
- 74 With a new set of outcomes, it is envisaged that greater weight will be placed on emissions reduction focussed investment as well as investment in programmes and projects that will strengthen equity of access to public transport in Auckland.

Appendix 1: Eastern Busway update

1. Stage One of the Eastern Busway project is completed and operational. The total cost of the remaining stages (two, three and four) is \$1.6 billion. This cost has increased from \$1.1 billion estimated in November 2021. Due to this increase in cost, Auckland Transport has opted for a staged delivery option, which has a reduced cost of \$1.3 billion (P50). This option will deliver stages two and three while Auckland Transport investigates a solution for delivery of stage four.
2. The Eastern Busway Detailed Business Case for the recommended staged approach to address the funding shortfall and new outcomes was presented to Waka Kotahi Board in July 2022.
3. As a result, an additional \$215 million was approved by the Waka Kotahi Board in July 2022 against the re-costed staged Eastern Busway. In addition, you are taking a paper to Cabinet in late October to seek decisions on reallocation of funding from the cancelled Northern Pathway project to the Eastern Busway [OC220777 refers].
4. An agreement between the Eastern Busway alliance and Auckland Transport for the rescoped project is pending. Certainty of funding is required to sign this agreement.

Table 4: Eastern Busway updated timeline

| Stage | Detail | Construction start date | Construction end date |
|-------------------------|---|---|---|
| Stage One | Panmure to Pakuranga Town Centre | Early 2019 | Late 2021 |
| Stage Two | Pakuranga Town Centre and the Reeves Road Flyover | Site clearance started in August 2022 Construction starts early 2023 pending resource consent. | Reeves Road Flyover targeting end 2026 Busway targeting quarter three 2027 |
| Stage Three Residential | Between Pakuranga and Ti Rakau Drive Bridge | Construction scheduled early 2023 pending resource consent | Targeting quarter three 2027 |
| Stage Three Commercial | Ti Rakau Drive Bridge to Guys Reserve | Construction scheduled mid 2024 pending resource consent | Targeting quarter three 2027 |
| Stage Four | Guys Reserve to Botany Town Centre | TBC | TBC |

Source: Eastern Busway Alliance

Appendix 2: CRL Day One interdependencies and risk

| High dependency infrastructure projects | | | | |
|---|---|----------|--------------|------|
| | C8 The Strand (CRL) – completed Q4-20 Modification to rail network to allow easier access to the stabling yard at The Strand. | | | |
| | C8 Ōtāhuhu (CRL) – completed Q4-20 Construction of a new platform and addition of a 3rd track to allow trains to turn back. | | | |
| | C8 Newmarket Junction (CRL) – Q3-23 Crossover with two diamonds at Newmarket Junction between NAL and NBL down mains. | | | |
| | Western Power Feed (WPF) (KiwiRail) Q4-23 Additional traction network power for additional EMUs, increase resilience and reliability in power. | | | |
| | Papakura to Pukekohe (P2P) (KiwiRail) – Q2-24 Extend the Auckland Metro electrification from Papakura to Pukekohe. 19km of double track & power feed at Drury, including additional stabling. | | | |
| | Wiri to Quay Park (W2QP) (KiwiRail) – Q2-24 New 3.6km section of track supporting freight movements, junction reconfiguration at the Port, Westfield and Wiri. | | | |
| | Auckland Integrated Rail Management Centre AIRMC (KiwiRail) – Q4-24 The project will deliver operational efficiencies and provide KR with improved train control resilience. | | | |
| | Pedestrian standalone level crossings (Auckland Transport) – Q4 2024 Enable increase operations for CRL testing and Day One train plan. | | | |
| | Church Street East level crossing (Auckland Transport) – Q4 2024 Enable increase operations for CRL testing and Day One train plan. | | | |
| | Rail Network Growth Impact Management (RNGIM) (KiwiRail) – 2026 Accelerated investment in rail network renewals to address historic formation, drainage and track issues. | | | |
| | Henderson Terminus (CRL) - To be determined Terminating 3rd (and 4th) platform for turnback services on the Western Line to meet patronage demand post 2026. | | | |
| High dependency non-infrastructure projects | | | | |
| | Simulator (Auckland Transport) – Q2-23 Adding changes to the network including CRL to the driver training simulator. | | | |
| | Update of the AT PT network map (Auckland Transport) – Q3-23 Review of the Network Map to include the CRL changes to the network. Includes line naming. | | | |
| | EMU Batch 3 + retrofit (Auckland Transport) – Q2-24 to Q1-26 23 new 3-car trains and retrofit of the existing 72 trains to CRL norms. | | | |
| | KR Safety Case Variation (KiwiRail) - Q2-24 Regulatory approval of safety management of train operation in tunnel environment. | | | |
| | AOR Safety Case Variation (Auckland Transport) - Q2-24 Regulatory approval of safety operations of trains in the CRL. | | | |
| | Timetable (Auckland Transport, KiwiRail) – Q2-24 Develop and seek regulatory approval for the day 1 timetable and train plan. | | | |
| | Funding for Operations and Maintenance (KiwiRail-Auckland Transport) - Q4-24 Updated Access Agreement and long-term O&M funding. | | | |
| | Rail Maintenance Mobilisation (KiwiRail) – Q4-24 Additional staff and equipment required for maintenance. | | | |
| | Operational Mobilisation (Auckland Transport) – Q4-24 Mobilisation and training of c. 270 Train Drivers, 220 Train Managers, 155 Station/security/cleaners' staff. | | | |
| | Station Maintenance Mobilisation (Auckland Transport) – Q4-24 Additional staff and equipment required for maintenance. | | | |
| | Driver Training (Auckland Transport) – Q4-24 Training for drivers for the whole network to include all new projects and configurations. | | | |
| | Urban realm and Feeder station wayfinding (Auckland Transport) – Q4-24 Modification to wayfinding to allow easier access to the CRL. | | | |
| Medium & Low dependency projects | | | | |
| | Britomart Legacy Works (Medium) (Auckland Transport) – Q4-24 Undertaking legacy works that may be required as not included in the scope of CRL (tidemarks, regulatory). | | | |
| | Takanini Crossings Group (Medium) (Auckland Transport) – To be determined Closure of Spartan and Manuroa Roads crossings, grade separation of Taka and Walters Roads crossings. | | | |
| | Drury Rail Stations (low dependency) (KiwiRail) – Q3-24 – Q4 25 Construction of 3 rail stations between Papakura and Pukekohe. | | | |
| | Infill Signals (low dependency) (KiwiRail) – To be determined Installation of additional signals and balises to improve network capacity, resilience and reliability. | | | |
| Key | Completed | On track | Managed Risk | Risk |

Appendix 3: RFT Project Update

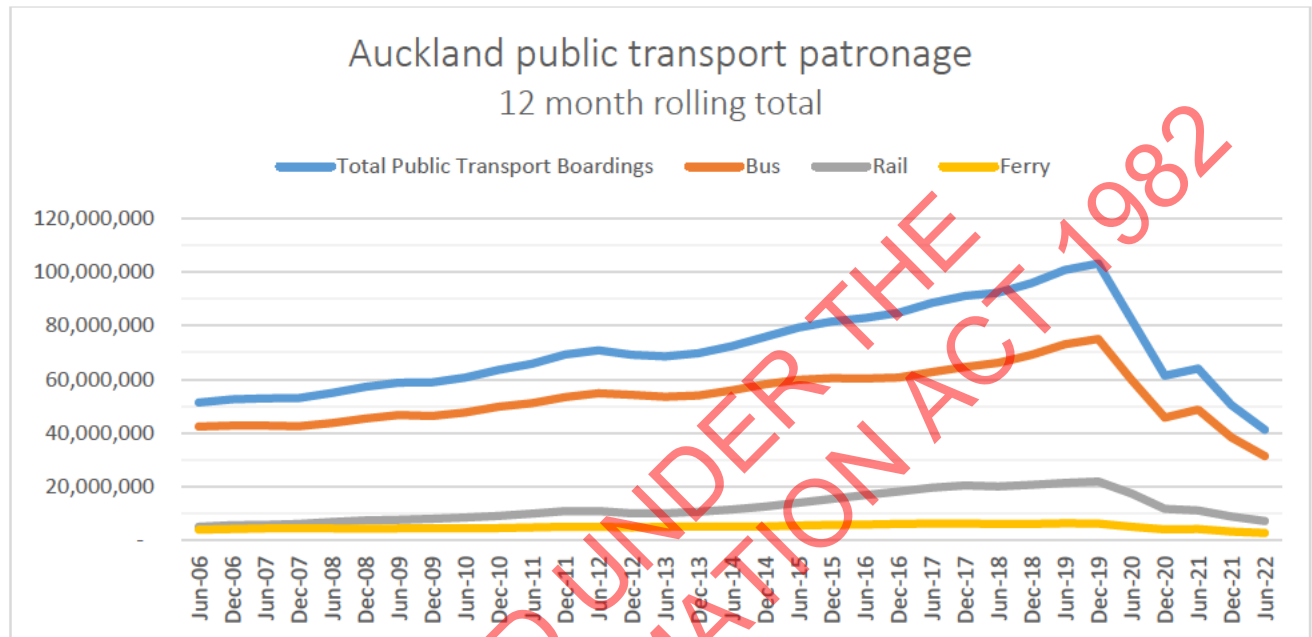
| Project name | Status |
|--|--|
| Bus priority improvements | |
| Connected Communities | Early stages - from business case to detailed design |
| Neighbourhood interchanges | Design stage |
| Rosedale Road Corridor | Investigation |
| Accessibility Improvement Project | Investigation work |
| Carrington Road Improvements | Investigation |
| Double decker network mitigation | Design stage |
| Sylvia Park bus improvements | Deferred |
| City Centre bus infrastructure | |
| City Centre bus improvements | Investigation |
| Downtown bus improvements | Investigation |
| Albert / Vincent bus priority improvements | Investigation |
| Improving Airport Access | |
| Airport access public transport improvements | Construction |
| Puhinui Bus-Rail interchange upgrade | Transferred to the COVID-19 Shovel Ready Programme |
| Māngere cycleways (Mangere Bridge) | Completed |
| Airport to Botany route protection | Ongoing (incl. renewals) |
| Airport to Botany interim bus improvements | Investigation |
| Eastern Busway | |
| Pakuranga Town Centre and the Reeves Road Flyover | Consultation completed, pending resource consent |
| Between Pakuranga and Ti Rakau Drive Bridge | |
| Ti Rakau Drive Bridge to Guys Reserve | |
| Guys Reserve to Botany Town Centre | |
| Park and Rides | |
| Park and ride programme | Not commenced |
| Mātiatia | Investigation |
| Electric trains and stabling | |
| New electric trains | Completed |
| Supporting infrastructure | Ongoing |
| Improvements to support the new City Rail Link stations | Ongoing |
| Ferry network improvements (was Downtown ferry redevelopment) | |
| Downtown ferry redevelopment | Transferred to the COVID-19 Shovel Ready Programme |
| Decarbonising the ferry fleet | Investigation |
| Road Safety | |
| Auckland Safety Programme | Ongoing |
| Minor improvements | Ongoing |
| Community Safety Fund | Construction |

| | |
|---|--------------------------|
| Active transport | |
| Ongoing cycling programme | Business case |
| Meadowbank Kohimarama Connectivity project | Construction |
| City Centre Masterplan Access for Everyone (A4E) Supporting Works | Investigation |
| Minor cycling and micromobility capex | Investigation |
| Tamaki Drive / Ngapipi Road safety improvements | Construction |
| Penlink | |
| Penlink project | Transferred to the NZUP |
| Mill Road corridor | |
| Mill Road corridor | Transferred to the NZUP |
| Road corridor improvements | |
| Lincoln Road Corridor Improvements | Design stage |
| Lake Road / Esmonde Road Improvements | investigation |
| Glenvar Road and East Coast Road | Consenting/Design |
| Matakana Link Road | Construction |
| Smales / Allens Road Widening & Intersection Upgrade | Not commenced |
| Unsealed Road Improvements | Ongoing (incl. renewals) |
| Network Capacity and Performance improvements | |
| Network performance | Ongoing |
| Intelligent Transport Systems | Ongoing |
| Growth related transport infrastructure | |
| Supporting Growth (Post Lodgement and Property) | Ongoing |
| Wainui Improvements | Construction |
| Drury Local Road Improvements | Investigation |
| Greenfield Transport Infrastructure (Northwest) | Investigation |
| Northwest Growth Improvements | Not commenced |
| Projects Supporting Auckland Housing Programme | Not commenced |
| Western Link Road Route Protection (Warkworth) | Not commenced |

Appendix 4: ATAP outcomes reporting

Public transport patronage

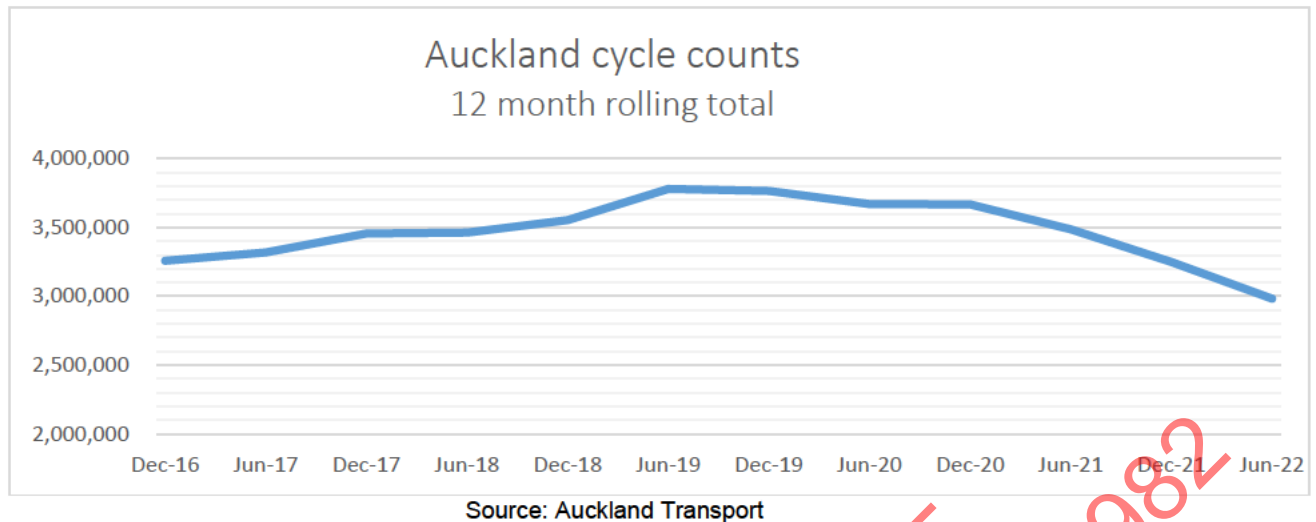
1. Patronage for the year to June 2022 has been the lowest since the pandemic began due to the extended lockdown and increased restrictions in Auckland. There was an uptick in patronage around the time half-price fares were introduced and restrictions were eased in Auckland (see para 18).



2. Public transport patronage for the year to June 2022 is 41.2 million, a decrease of 36 per cent (or 22.8 million) from the year to June 2021.
3. Bus patronage for the year to June 2022 is 31.4 million, a decrease of 36 per cent (or 17.3 million) from the year to June 2021.
4. Train patronage for the year to June 2022 is 7.1 million, a decrease of 36 per cent (or 4 million) from the year to June 2021.
5. Ferry patronage for the year to June 2022 is 2.7 million, a decrease of 36 per cent (or 1.5 million) from the year to June 2021.

Cycle counts

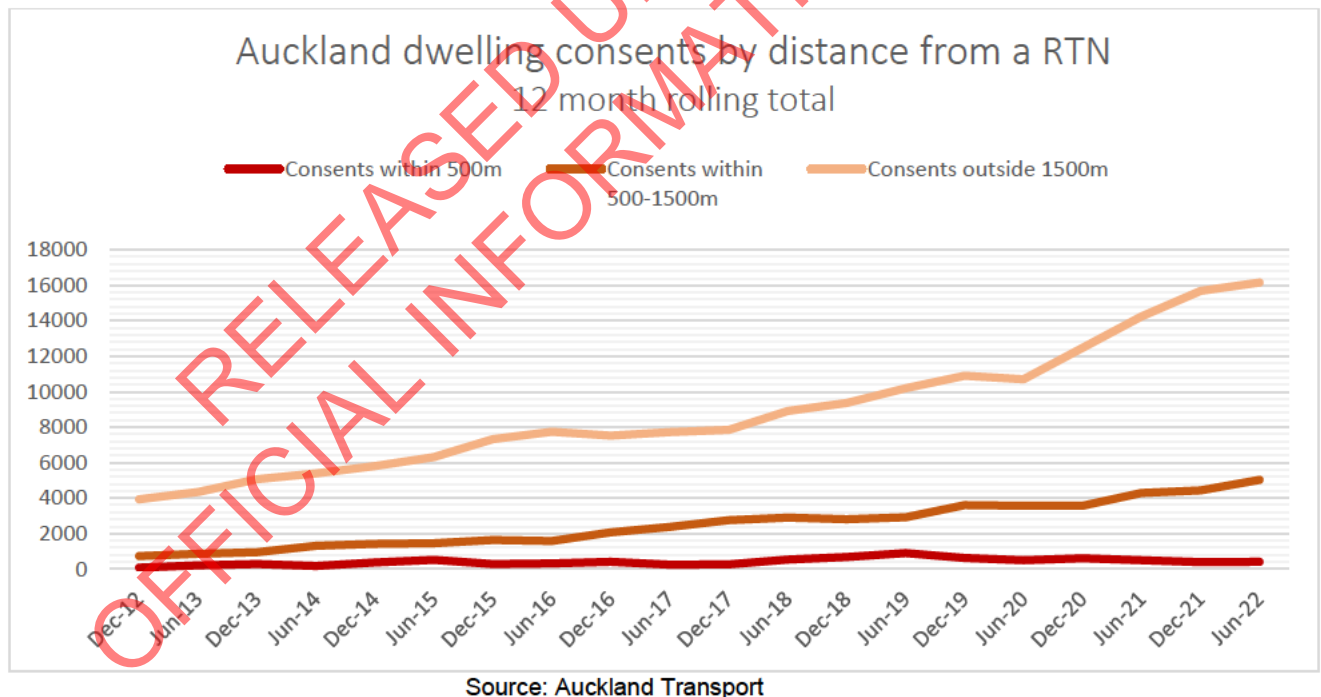
6. COVID-19 and changes to travel patterns have significantly reduced cycle counts in recent years.



7. Cycle counts for the year to June 2022 were 2.98 million, a decrease of 14 per cent (or 502,614) from the year to June 2021.

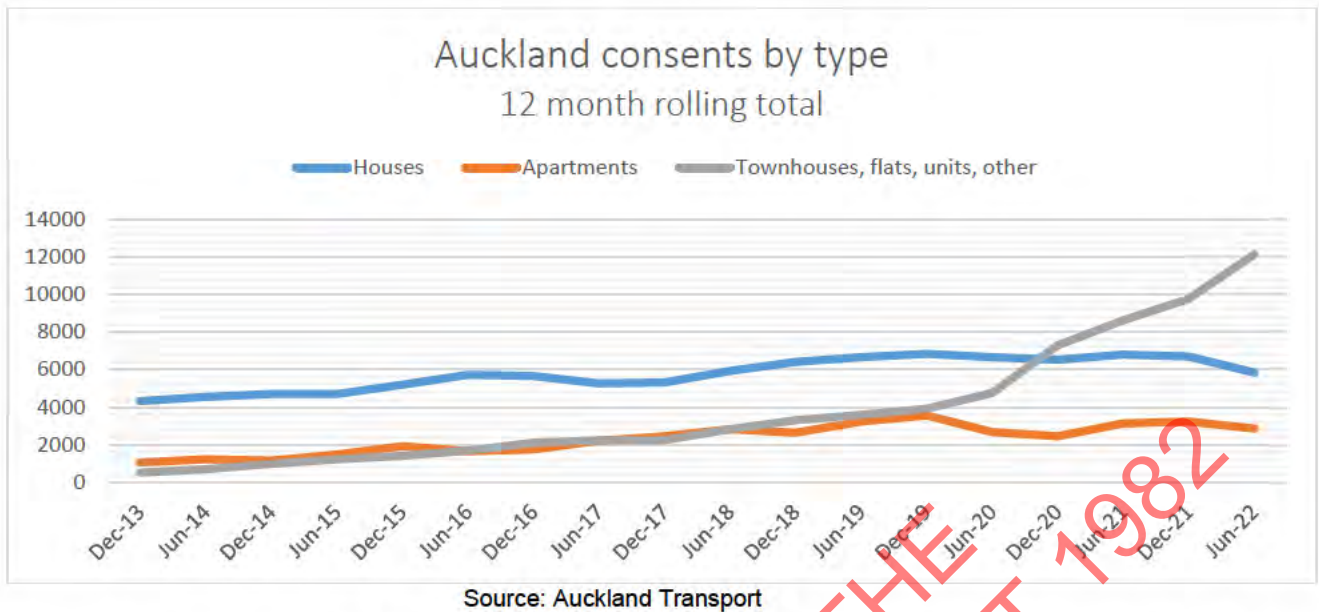
Improving travel choice for Aucklanders

8. This outcome is measured by estimating the increased population who live within 500 meters of a rapid transit stop (RTN) or frequent network stop (FTN) in Auckland. These results have not changed since the previous reporting period.



9. Auckland consents data shows an increasing number of dwelling consents are over 1500 metres from an RTN. Consents for dwellings within 500m of a RTN remain low as a proportion of all consents.⁴

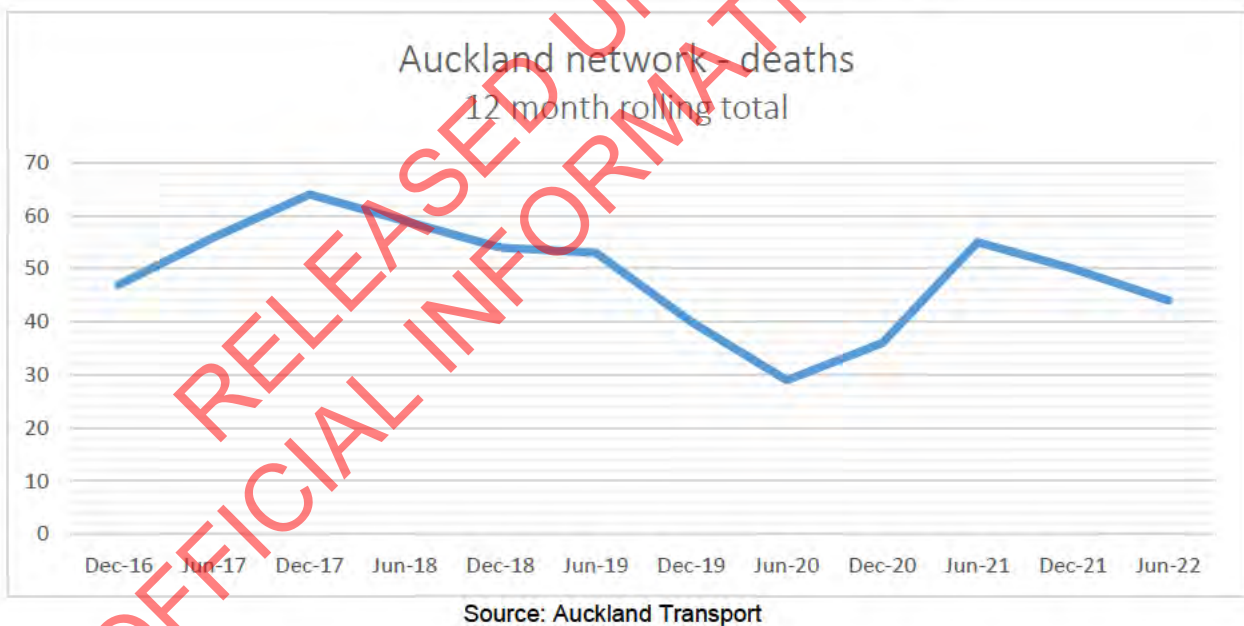
⁴ Dwelling consents do not equal actual homes built.



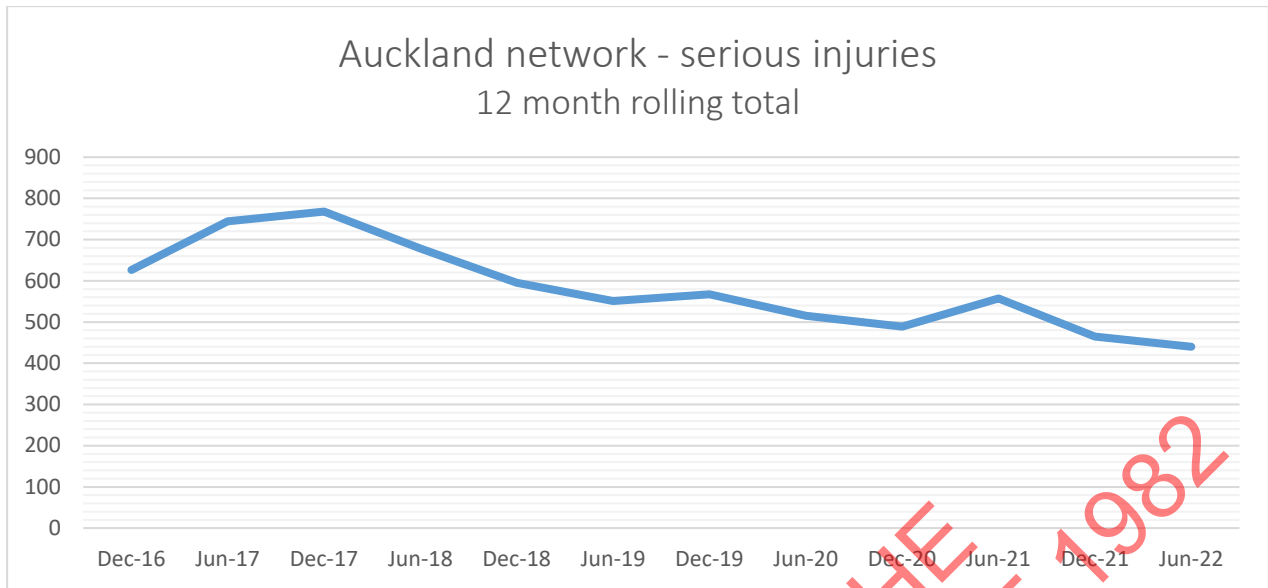
10. Consents data shows the proportion of townhouses has increased since December 2013 and has overtaken dwelling consents for standalone houses in December 2020.

Keeping Auckland's transport safe

11. Deaths on Auckland's network have decreased since the last report.



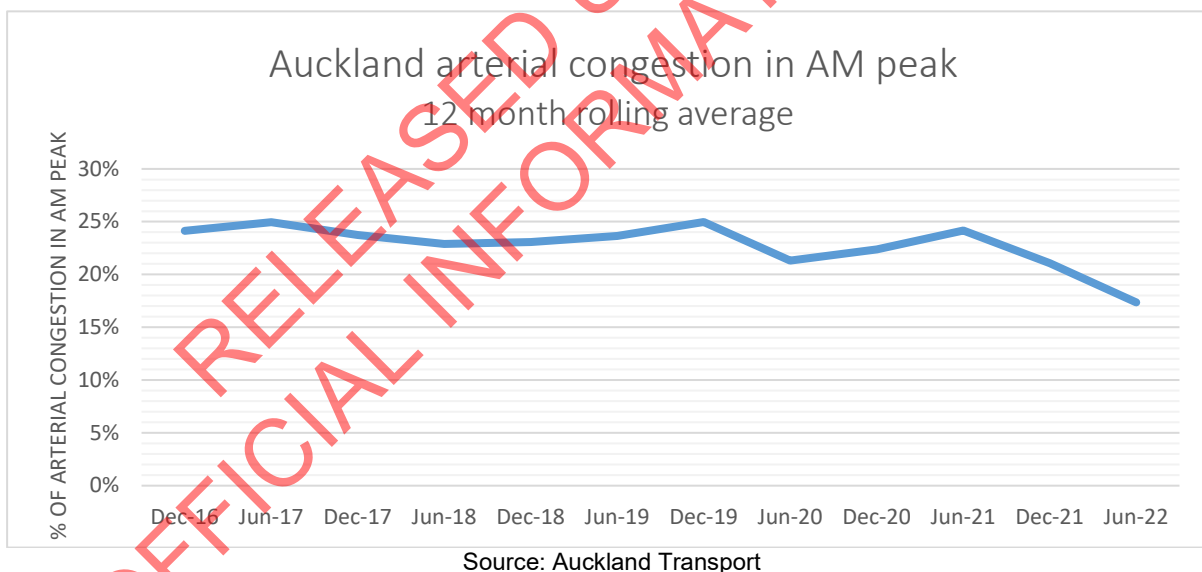
12. Deaths on Auckland's network for the year to June 2022 is 44, a decrease of 25 per cent (or 11) from the year to June 2021.



13. Serious injuries on Auckland's network for the year to June 2022 is 440, a decrease of 27 per cent (or 117) from the year to June 2021.

Keeping Auckland moving

14. Auckland's congestion in the AM peak continues to decrease, most likely due to changes in travel patterns.

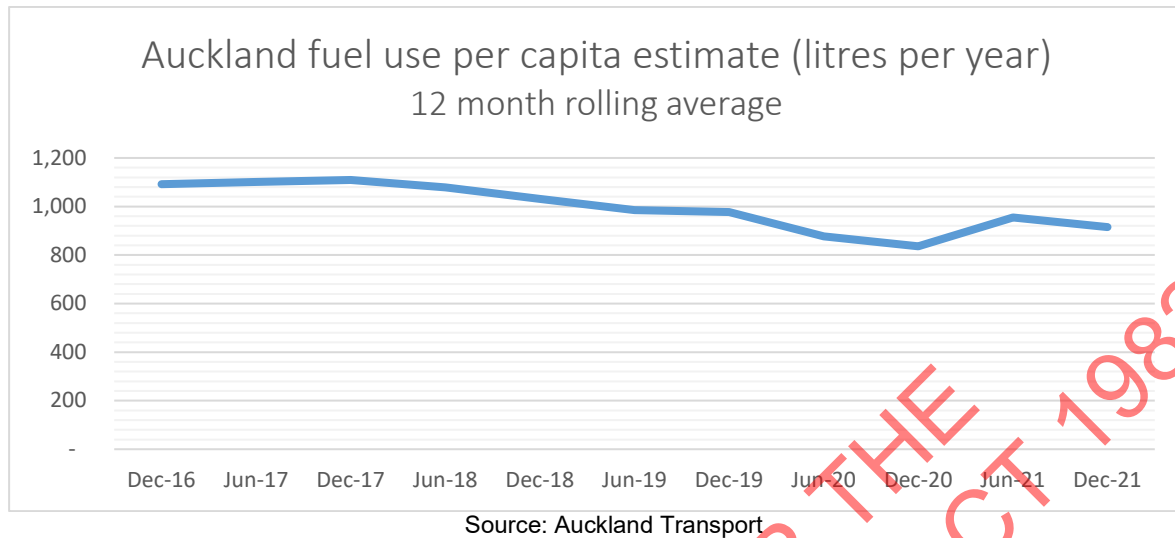


15. Auckland Transport data shows that the proportion of the Auckland arterial network subject to congested conditions⁵ was 17.4 per cent in the year to June 2022, down 6.8 per cent from the year to June 2021. However, this is most likely due to COVID-19 restrictions and changes to travel patterns.
16. It is unknown if changes to travel patterns will endure, revert, or continue to adjust in the future.

⁵ Defined as travel at less than 50 per cent of the speed limit in the AM peak on the Auckland arterial network.

Auckland fuel use

17. Auckland's fuel use per capita has seen a small decrease since the last report.



18. Per capita annual Auckland fuel use decreased from 1,109 litres for the year to December 2017 to 836 litres for the year to December 2020.
19. Per capita annual Auckland fuel use for the year to December 2021 is 916 litres.



5 October 2022

OC220877

Hon Michael Wood
Minister of Transport

MEETING WITH THE CITY RAIL LINK LIMITED'S CHAIR AND CHIEF EXECUTIVE ON 12 OCTOBER 2022

Snapshot

You will be meeting with City Rail Link Limited's (CRLL's) Chair and Chief Executive on 12 October 2022. To support you in your meeting, we have provided some suggested talking points in **Annex One**.

| | |
|----------------------------|---|
| Time and date | 11.00am, 12 October 2022 |
| Venue | Zoom |
| Attendees | Sir Brian Roche, Chair of the CRLL Board Dr Sean Sweeney, Chief Executive of CRLL |
| Officials attending | Fleur D'Souza, Acting Deputy Chief Executive, System Performance and Governance Alex Beedell, Senior Advisor, Governance |
| Agenda | Item 1: Update on the City Rail Link budget and schedule Item 2: Urban development Item 3: Targeted Hardship Fund Item 4: Workforce update (including health and safety). |
| Talking points | Suggested talking points for the agenda items are provided in Annex One . We have also included additional talking points in Annex Two which relate to your feedback on <i>the CRL Performance Update to 30 June 2022</i> . |

Contacts

| Name | Telephone | First contact |
|---|-----------|---------------|
| Alex Beedell, Senior Advisor, Governance | s 9(2)(a) | |
| Chris Jones, Acting Manager, Governance | s 9(2)(a) | |
| Fleur D'Souza, Acting Deputy Chief Executive, System Performance and Governance | s 9(2)(a) | ✓ |

MEETING WITH THE CITY RAIL LINK LIMITED'S CHAIR AND CHIEF EXECUTIVE ON 12 OCTOBER 2022

Key points

- You are meeting with Sir Brian Roche (Chair) and Dr Sean Sweeney (Chief Executive) of City Rail Link Limited (CRL) on 12 October 2022.
- You last met with the CRL Chair and Chief Executive on 7 September 2022. Topics discussed included:
 - security resilience in the transport sector - CRL noted that it would maintain communication with the Ministry on future procurement
 - update on the CRL budget and schedule, including urban development and Link Alliance negotiations
 - workforce update (especially regarding health and safety) - s 9(2)(ba)(i)
- s 9(2)(g)(i)
- The Chair may wish to discuss your expectations for the *CRL funding request* as set out in your letter of 3 October 2022, and any barriers to the delivery of those expectations (refer **paragraphs 6-8** and **16-17**).
- Suggested talking points relating to the agenda items are provided for your consideration in **Annex One**. We have also included additional talking points in **Annex Two**, which relate to your feedback on OC220660 - *City Rail Link Performance Update to 30 June 2022*.

Item 1: Update on the City Rail Link budget and schedule

- 1 The main updates since your previous meeting with the CRLL Chair and Chief Executive are set out below.
- 2 This briefing uses the *CRL Sponsor's Assurance Quarterly Report for May – July 2022* as the basis of its advice. s 9(2)(f)(iv)

s 9(2)(b)(ii), s 9(2)(j)

- 3 s 9(2)(b)(ii), s 9(2)(j)

- 4 s 9(2)(b)(ii), s 9(2)(j)

- 5 s 9(2)(b)(ii), s 9(2)(j)

You have set Sponsors' expectations for the funding request from CRLL

- 6 In your letter to the CRLL Chair on 3 October 2022, you communicated an expectation that the *funding request from CRLL* s 9(2)(f)(iv)

- 7 CRLL has indicated that it will be able to provide its funding request in

s 9(2)(f)(iv), s 9(2)(ba)(i)

- 8 s 9(2)(g)(i), s 9(2)(f)(iv)

The updated Link Alliance programme schedule will provide a forecast completion date, timings, and costs for the project

- 9 An updated programme schedule from the Link Alliance (known as 'TAP Rev 6') has been issued and is now being reviewed by CRLL, Auckland Transport, KiwiRail and the Sponsors' Assurance Manager.

- 10 s 9(2)(ba)(i)

- 11 s 9(2)(g)(i)

s 9(2)(g)(i)

11.1 s 9(2)(g)(i)

11.2 s 9(2)(g)(i)

- 12 Day One readiness is a key focus of Sponsors' officials and the Delivery Partner Steering Committee. Once defined, it will minimise delays and confusion at the end of the project.

Item 2: Urban development

- 13 Consistent with the Project Delivery Agreement, the CRL budget assumes the realisation of \$182 million in development income from the sale of Auckland Council land around the Maungawhau and Karanga-a-Hape stations.

14 s 9(2)(f)(iv)

We expected the final programme business case (with options on the land sales and precinct development) from the Joint Board Committee in June 2022

- 15 The business case will provide Sponsors with options that are likely to have different impacts on the valuation and timing of land sale proceeds. Depending on the option chosen, any land sale proceeds may not be realised until the end of the project and/or may be lower than expected.

- 16 In your letter dated 3 October 2022, you indicated that the Maungawhau and Karanga-a-Hape station development opportunities will be considered as part of any additional funding request, following receipt of the final programme business case from Kāinga Ora and Eke Panuku.

17 s 9(2)(f)(iv)

Item 3: Targeted Hardship Fund (THF)

18 s 9(2)(ba)(i), s 9(2)(f)(iv)

- 19 As at 30 September 2022, CRLL has received 216 applications (excluding applications for advance interim payments before the full THF was set up). Of these, 138 applications have been accepted so far, and businesses have received payments totalling just over \$3.0 million (GST exclusive) from the THF, including advance interim payments.

20 Sponsors' officials are awaiting additional projections for the THF spend to progress the review of the THF. The review will consider the latest available information on payments to businesses, the project's schedule, and feedback from affected businesses.

21 s 9(2)(f)(iv) [REDACTED]
[REDACTED]
[REDACTED] We will report-back to you on our progress before your next meeting with CRL.

Item 4: Workforce update (including health and safety)

22 s 9(2)(ba)(i) [REDACTED]
[REDACTED]
[REDACTED]

23 s 9(2)(ba)(i) [REDACTED]
[REDACTED]
[REDACTED]

24 s 9(2)(ba)(i) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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OFFICIAL INFORMATION ACT 1982

Annex 1: Talking Points

| Meeting with the City Rail Link Limited's Chair and Chief Executive on 12 October 2022 | |
|--|---|
| Item | Proposed talking points |
| Update on the City Rail Link budget and schedule | <ul style="list-style-type: none"> You may wish to confirm that the Chair received your letter dated 3 October and invite him to provide any feedback. We recommend that you seek assurance from the Board on its ability to meet the expectations communicated in your letter, s 9(2)(f)(iv) [REDACTED] Acknowledging the Board's work to ensure a robust negotiation process, you may wish to emphasise that Sponsors and the public require a level of certainty over the cost and schedule for CRL at the earliest opportunity. When do you anticipate 'TAP Rev 6' will be complete? s 9(2)(g)(i) [REDACTED] |
| Urban development | <ul style="list-style-type: none"> No talking points are provided for this item. |
| Targeted Hardship Fund (THF) | No talking points are provided for this item. |
| Workforce update (including health and safety) | <ul style="list-style-type: none"> s 9(2)(ba)(i) [REDACTED] |

Annex 2: Talking Points Relating to the City Rail Link Performance Update to 30 June 2022

| OC220660 - CITY RAIL LINK PERFORMANCE UPDATE TO 30 JUNE 2022 | |
|--|---|
| Activity area | Proposed talking points |
| Testing and commissioning phase | <ul style="list-style-type: none"> • s 9(2)(g)(i) [REDACTED] • s 9(2)(g)(i) [REDACTED] <p>Follow up question:</p> <ul style="list-style-type: none"> • s 9(2)(g)(i) [REDACTED] |
| 'TAP Rev 6' | <ul style="list-style-type: none"> • s 9(2)(g)(i) [REDACTED] |
| CRL day one readiness | <ul style="list-style-type: none"> • s 9(2)(f)(iv) [REDACTED] |



6 October 2022

OC220830

Hon Michael Wood

Action required by:

Minister of Transport

Wednesday, 12 October 2022

MINISTERIAL DIRECTION FOR CLEAN CAR UPGRADE AND SOCIAL LEASING SCHEME TRIALS

Purpose

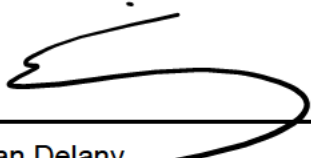
To secure your agreement to issuing the attached Ministerial Directions to Waka Kotahi New Zealand Transport Agency (Waka Kotahi) to implement the trials of the Clean Car Upgrade and Social Leasing schemes.

Recommendations

We recommend you:

- 1 **agree** to issue the *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* that directs Waka Kotahi to establish and administer the Clean Car Upgrade Trial Yes / No
- 2 **agree** to issue the *New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022* that directs Waka Kotahi to establish and administer the Trial Social Leasing Scheme Yes / No
- 3 **sign** the attached copy of *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* Yes / No
- 4 **sign** the attached copy of *New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022* Yes / No
- 5 **sign** the attached letter to the Chair of the Board of Waka Kotahi advising that you have signed the *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* and *New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022* Yes / No

- 6 **authorise** the Ministry of Transport to publish a copy of the *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* and a copy of the *New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022* in the Gazette and arrange presentation of those Directions to the House of Representatives on your behalf. Yes / No



Ewan Delany
Manager – Environment, Emissions & Adaptation
 6/10/2022

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 |
|---|-----------|---------------|
| Ewan Delany, Manager, Environment, Emissions and Adaptation | s 9(2)(a) | ✓ |
| Katherine Lee, Senior Solicitor, Legal | | |
| Sydney Van Nortwick, Graduate Policy Advisor, Environment, Emissions and Adaptation | | |

MINISTERIAL DIRECTION TO WAKA KOTAHI FOR THE CLEAN CAR UPGRADE AND SOCIAL LEASING SCHEME TRIALS

An equitable transition to a low-emissions economy requires targeted policy

- 1 The first Emissions Reduction Plan reaffirms the Government's commitments to ensuring an equitable transition to a low-emissions economy. An equitable transition is one where people are not left behind and support is available for whānau, households, and other vulnerable groups who may face challenges due to this transition and require access to resources and technologies to help them participate in and benefit from our efforts to reduce emissions.
- 2 The Clean Car Upgrade and Social Leasing schemes aim to help an equitable transition to low-emissions vehicles and low-emission transport alternatives. Funding for trials of these schemes was secured in Budget 2022; the 12 April 2022 letter from the Minister of Finance to the Minister of Transport confirming the successful Vote Transport Budget 2022 initiatives refers.

Waka Kotahi will administer the trials of the Clean Car Upgrade and the Social Leasing Scheme

- 3 On 28 July 2022, the Cabinet Environment, Energy and Climate Committee agreed to implement a trial of the Clean Car Upgrade, a scrap-and-replace scheme for people on low- and moderate-incomes to remove their unsafe, high emissions vehicles from the fleet and replace them with safer, lower emissions vehicles or transport alternatives.
- 4 On 1 September 2022, the Cabinet Environment Energy and Climate Committee agreed to implement a trial of the Social Leasing scheme, which would provide people on low-incomes with low- or zero-emissions vehicles at a subsidised weekly rate.
- 5 Waka Kotahi has responsibility for implementing and administering the trials. Waka Kotahi is working to have each trial commence in at least one of the trial's locations by 30 April 2023, as agreed to in ENV-22-MIN-031 for the Clean Car Upgrade and in ENV-22-MIN-0036 for Social Leasing.

Waka Kotahi lacks the necessary direction to administer these trials, which puts delivery at risk

- 6 Waka Kotahi is not currently able to implement these trials, as they are not covered in its functions. Delivering these Ministerial Directions will enable Waka Kotahi to commence implementation, which is necessary to begin trials at the designated time.
- 7 The Ministerial Directions and decisions of you and Cabinet about initiative design will be important both to guide Waka Kotahi and to enable Te Manatū Waka to play its oversight role to ensure the initiatives target the outcomes the Government is seeking.

- 8 The Ministerial Directions are accompanied by a letter to Sir Brian Roche, Chair of Waka Kotahi, informing him of their issuance. This letter also outlines your expectation that these trials are implemented in accordance with the decisions on the initiatives made by you and by Cabinet, an expectation which is not outlined in the Ministerial Directions.

The proposed Ministerial Directions will give Waka Kotahi the necessary functions

- 9 Currently, the functions of Waka Kotahi, set out in section 95 of the Land Transport Management Act (LTMA) 2003, do not cover the administration of the Clean Car Upgrade Trial or the Social Leasing Scheme Trial. However, this section provides that functions can be added through a Ministerial Direction in accordance with section 112 of the Crown Entities Act (CEA) 2004. Section 103 of the CEA provides for a Minister to direct a Crown agent to give effect to Government policy that relates to the entity's functions and objectives.

New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022

- 10 The *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* will give Waka Kotahi the following additional function:

to establish and administer the trial Clean Car. For clarity, this includes undertaking work necessary to establish the Upgrade prior to its implementation.

- 11 On 28 July 2022, the Cabinet Environment, Energy and Climate Committee agreed that the Clean Car Discount rebates will not apply to vehicles subsidised through the Clean Car Upgrade (ENV-22-MIN-0031 refers). The *New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022* will direct Waka Kotahi to give effect to this policy.

New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022

- 12 *New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022* will give Waka Kotahi the following additional functions:

to establish and administer the trial Social Leasing Scheme. This includes undertaking the work necessary to design and establish the trial social leasing scheme before its implementation.

- 13 Waka Kotahi was consulted during the drafting of the Ministerial Directions and was satisfied.

Legislative authority

- 14 Section 112 of the CEA provides for a Minister to direct a Crown entity to perform additional functions consistent with the entity's objectives, when empowered to do so by another Act (in this case section 95(1)(t) of the LTMA).

- 15 Section 103 of the CEA provides for a Minister to direct a Crown agent to give effect to Government policy that relates to the entity's functions and objectives.
- 16 We consider that these directions are consistent with the objective Waka Kotahi has under section 94 of the LTMA.
- 17 Waka Kotahi has been consulted on these directions, which fulfils the requirement for you to consult the relevant entity under section 115(1) of the CEA. Waka Kotahi was satisfied with the proposed approach.
- 18 Section 115 of the CEA requires you, as soon as practicable after giving these directions, to publish them in the *Gazette* and present a copy of them to the House of Representatives.

Next Steps

- 19 We ask you sign the attached Ministerial Directions by 12 October 2022. Waka Kotahi has already started work to establish the trials and it is preferable that the Directions are in place as soon as possible to enable implementation.
- 20 The attached letter to Sir Brian Roche, Chair of Waka Kotahi, informing him of the issuance of these Ministerial Directions also needs your signature.
- 21 The Ministry will arrange for the publication of the Directions in the *Gazette*, as well as their presentation to the House of Representatives. We ask you to authorise the Ministry to do this on your behalf.

The two Directions that were attached to this briefing are refused under Section 18(d) as they are publicly available.

Hon Michael Wood

MP for Mt Roskill

Minister of Immigration

Minister of Transport

Minister for Workplace Relations and Safety



Sir Brian Roche
Chair
New Zealand Transport Agency
Private Bag 6995
Marion Square
Wellington

Dear Brian,

Issuance of New Zealand Transport Agency (Trial Clean Car Upgrade Scheme) Direction 2022 and New Zealand Transport Agency (Trial Social Leasing Scheme) Direction 2022

I wish to advise that I have signed two Directions, as follows:

- A direction to allow the New Zealand Transport Agency (Waka Kotahi) to administer the trial Clean Car Upgrade scheme, and to give effect to government policy on the trial Clean Car Upgrade scheme.
- A direction to allow Waka Kotahi to administer the trial Social Leasing scheme and to give effect to government policy on the trial Social Leasing scheme.

Please find copies of the Directions attached.

As required by the Crown Entities Act 2004, a copy of the Direction will soon be presented to the House of Representatives and published in the *New Zealand Gazette*.

I expect Waka Kotahi to implement these trials in accordance with the decisions made by me and by Cabinet.

Yours sincerely

Hon Michael Wood
Minister of Transport

12 / 10 / 2022



6 October 2022

OC220878

Hon Michael Wood
Minister of Transport

MEETING WITH THE TRANSPORT ACCIDENT INVESTIGATION COMMISSION'S CHIEF COMMISSIONER AND CHIEF EXECUTIVE - 12 OCTOBER 2022

Snapshot

You are meeting with the Transport Accident Investigation Commission's (TAIC or the Commission) Chief Commissioner and Chief Executive on 12 October 2022. To support you in your meeting, the Ministry of Transport (the Ministry) has provided discussion items and talking points for your consideration (collated in **Annex One**).

TAIC would like to discuss an upcoming aviation inquiry publication, s 9(2)(f)(iv) [REDACTED], and a letter they received concerning tugboats with salvage capacity in Wellington Harbour.

The Ministry has also included a placeholder for Board appointments if further discussion is required.

| | |
|----------------------------|---|
| Time and date | 09:30am - 10:00am, 12 October 2022 |
| Venue | Zoom |
| Attendees | Jane Meares, Chief Commissioner, TAIC Martin Sawyers, Chief Executive, TAIC Naveen Mathew Kozhupakalam, Chief Investigator of Accidents, TAIC |
| Officials attending | Sarah Polaschek, Manager, Governance Jono Reid, Principal Adviser, Governance |
| Agenda | 1. Recent inquiries and upcoming publications 2. s 9(2)(f)(iv) [REDACTED] 3. s 9(2)(f)(iv) [REDACTED] 4. Other matters |

Contacts

| Name | Telephone | First contact |
|--|----------------------|---------------|
| Sarah Polaschek, Manager, Governance | s 9(2)(a) [REDACTED] | ✓ |
| Jono Reid, Principal Adviser, Governance | s 9(2)(a) [REDACTED] | |

IN CONFIDENCE BUDGET SENSITIVE

MEETING WITH THE TRANSPORT ACCIDENT INVESTIGATION COMMISSION'S CHIEF COMMISSIONER AND CHIEF EXECUTIVE - 12 OCTOBER 2022

Key points

- You are meeting with Jane Meares (Chief Commissioner), Martin Sawyers (Chief Executive) and Naveen Mathew Kozhupakalam (Chief Investigator of Accidents) from TAIC on 12 October 2022. Your last meeting with TAIC's Chief Commissioner and Chief Executive was on 16 August 2022.

Item One: Recent Inquiries and upcoming publications

TAIC has opened one new inquiry, is assisting in a new overseas inquiry, and has closed one inquiry since your last meeting

- 1 Since your last meeting, TAIC has opened one new inquiry into the capsizing of a chartered fishing vessel on 10 September 2022. The vessel capsized due to an undetermined event near Goose Bay, just south of Kaikōura, and a rescue operation was required. Six people - including the skipper - survived.
- 2 TAIC is also assisting a preliminary investigation by the Isle of Man into a 'loss of person incident' onboard an Isle of Man-registered bulk carrier while it was sailing from Bluff to Napier. TAIC is supporting the investigation as the Isle of Man is the vessel's flag state, and the incident occurred outside of New Zealand's 12 nautical mile coastal limit (which is TAIC's jurisdiction).
- 3 TAIC published a report into a serious injury that occurred during shunting operations on board the Aratere (at the Interislander ferry terminal in Wellington) on 9 April 2021. The Commission found that the remote-control operator entered the danger zone to realign an off-centre coupler, but did not reposition clear of the danger zone. Had they vacated the danger zone before moving the runner wagon towards its position, it is virtually certain that the incident would not have occurred.
- 4 The Commission also identified a safety issue as part of the investigation relating to the number of wagons that should be safely loaded on to the Aratere's outer tracks. This has since been remedied by KiwiRail and, as such, no safety recommendations were issued by TAIC.

Suggested Talking Points

- You may wish to discuss the key findings from recent inquiries, particularly around any new themes the Commission has observed regarding the safety of rail workers and actions undertaken by regulators.
- You may also wish to ask what other risks TAIC is observing.

TAIC intends to update you on an upcoming publication

- 5 TAIC will update you on the upcoming publication of an aviation inquiry into a mid-air collision between a Cessna 185 and a Tecnam P2002 near Hood Aerodrome on 16 June 2019. Both planes collided while airborne, which resulted in both planes crashing and the pilots dying.

s 9(2)(f)(iv)

■

| Response | Percentage |
|------------|------------|
| Yes | 85% |
| No | 10% |
| Don't know | 5% |

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| Government | Percentage |
|---------------------|------------|
| Current government | 85% |
| Previous government | 15% |

s 9(2)(f) [redacted]
(iv) [redacted]

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IN CONFIDENCE

BUDGET SENSITIVE

s 9(2)(f)(iv)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

s 9(2)(f)(iv) [Redacted]

- [Redacted]

[Redacted]

- [Redacted]

s 9(2)(f)(iv) [Redacted]

[Redacted]

- [Redacted]

[Redacted]

[Redacted]

[Redacted]

- [Redacted]

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

■ s 9(2)(f)(iv) [Redacted]

- s 9(2)(f)(iv) [Redacted]

Item Four: Other Matters

Board Appointments [Placeholder if required – Chief Commission and Ministry officials only]

■ s 9(2)(f)(iv) [Redacted]

- 36 On 9 August 2022, the Chief Commissioner received a letter from John Burton, a Partner at Izard Weston Lawyers who specialises in maritime law. Mr Burton raised concerns about there being no tugs with salvage capacity in Wellington Harbour, and the risks this may present for future maritime accidents or incidents. He noted that the previous tugs were sold by CentrePort, and requests for funding contributions for replacement tugs were denied by the Ministry of Transport.

- 37 The Commission has advised Mr Burton that his concerns are best raised with CentrePort, local authorities, Maritime New Zealand, the Ministry of Transport or yourself. A copy of his letter and the Commission's response is **attached** at **Appendix One**, and the Chief Commissioner had requested this be brought to your attention as part of this meeting.
- 38 The idea of funding ocean salvage tug capability reaches back almost 20 years, starting with a group of shipping incidents in 2002-03 at around the time ports were beginning to replace their old tugs with more modern units. These modern units were typically designed with harbour towage in mind, as this reflected the operational needs of port companies, which do not extend beyond harbour limits and navigation channels.
- 39 Around 2004, a tentative budget bid was prepared to seek funding to meet the additional costs of constructing two new port company tugs for seagoing rather than harbour capability. This proposal did not proceed. The matter was kept under observation by Maritime New Zealand and the Oil Pollution Advisory Committee as more tug replacements came into the frame, but no port companies were prepared to pay the additional cost.
- 40 In around 2010, Port Taranaki proposed setting up an offshore emergency response unit based at the port, with government funding assistance for the acquisition of an ocean salvage tug. The proposal did not progress for several reasons, including that a single salvage tug based in New Plymouth would be of limited help in an emergency elsewhere. More recently, there has been at least one letter to the Minister of Transport with a proposal for the Government to fund a dedicated salvage tug. Mr Burton's letter might reference the idea floating around in 2004, although the replacement Wellington tugs weren't ordered until about 2006 and 2010.

Delay to TAIC's Annual Report

- 41 TAIC has been notified by Audit New Zealand that due to staffing shortages, it will not receive the final audit report for their 2021/22 Annual Report until 2023. This is later than the prescribed deadline of 31 December 2022 in the Crown Entities Act. Audit New Zealand will include a disclaimer with their audit opinion, that the delay to TAIC's annual report was out of its control.

Annex One: Collated Talking Points

Item One: Recent Inquiries and Upcoming Publications

- You may wish to discuss the key findings from recent inquiries, particularly around any new themes the Commission has observed regarding the safety of rail workers and actions undertaken by regulators.
- You may also wish to ask what other risks TAIC is observing.

s 9(2)(f)(iv)

- [REDACTED]

s 9(2)(f)(iv)

- [REDACTED]
 - [REDACTED]
 - [REDACTED]

RELEASED UNDER THE
OFFICIAL INFORMATION ACT 1982

File:
Ref: JNB3322-497493.1

John Burton
Direct Dial: +64 21 530 041
john.burton@izardweston.co.nz

9 August 2022

Jane Meares
Chief Commissioner
Transport Accident and Investigation Commission
Wellington

BY E-MAIL

Dear Jane

Wellington salvage tug capability

It was nice to meet you at the Law Society Review forum last week.

You referred to my earlier correspondence relating to the absence of any salvage tug capability at the Port of Wellington.

My earlier correspondence referenced the recommendations from the Report of the 1968 Court of Inquiry into the *Wahine* disaster which said at para 20.10 :

The fact that no salvage deep water tug was available at the Port of Wellington is considered to be a matter of significant concern. On behalf of the Harbour Board Mr Stevenson [*incidentally a former partner of Iazard Weston*] explained that this question is already, and has for some time been under review, but possible future port developments have had to be assessed so no decision has yet been reached. Wellington is not only a main Port but its situation, central to the whole country, and close to Cook Strait, is considered to render the availability of such a tug at Wellington necessary. It is recommended that immediate consideration be given to this question. *Tapuhi and Taioma* are harbour tugs, lacking the draught or the power to be expected in a tug of the type recommended.

In response to that finding and in the wake of the terrible loss of life in the *Wahine* tragedy, the then Wellington Harbour Board purchased new tugs with salvage capability *Toia* and *Kupe*.

Both were sold several years ago to overseas purchasers.

When Centreport replaced those harbour tugs they approached the Ministry of Transport and Maritime New Zealand to see if they would contribute CapEx to the new replacement tugs so that they could be up-specced to have salvage capability. That request was declined. The result is that

Wellington has two harbour tugs *Tiaki* and *Tapuhi* built by Damen, which have no salvage capability. Essentially, the problem is that those tugs are unable to tow vessels from the stern using purpose built towing hooks and specialist towlines and bridles.

Ministry of Transport said they were undertaking a stock take of tug capability on New Zealand. At that time there was also a Wellington based tug owned by Seaworks Limited which had salvage capability. That tug has now been sold and is no longer in New Zealand.

I can state with confidence that there is no tug in Wellington today with salvage capability.

So it is now a situation of “back to the future” in which we have regressed 55 years to the 1968 position.

I am advised that the large replacement ferries being commissioned by Interislander have been designed with towage points enabling salvage tugs to be made fast to those ferries in the event of engine failure or other incident. That is all very well but the reality is there is no tug in Wellington that could be attached.

Wellington is the busiest shipping harbour in New Zealand with more than 7000 commercial vessel movements (inter-island ferries, container vessels, fuel tankers, bulk cargo vessels) every year. On average, there are 22 daily transits of interisland ferries in and out of Wellington Harbour.

Blackouts or engine failures on ships are not a theoretical risk. It happens reasonably regularly;

- In February 2022 TAIC published its report on *Funing* (MO-2020-202) which broke down on departure from the Port at Tauranga on 5th July 2020.
- On 18 November 2019 *Ovation of the Seas*, one of the world's largest cruise ships, lost all propulsion just off Steeple Rock on departure from Wellington. The ship has a capacity of 5000 passengers. Fortunately that incident occurred in calm conditions.
- On 4th July 2022 the *Portland Bay* lost power in severe weather close to the entrance of Sydney Harbour. That ship dragged anchor in storm conditions and came within 1.2 nautical miles of the coastline. Salvage tugs from the Port of Sydney were engaged and eventually saved the day.

Regrettably, it is not a matter of if, but when, we have a similar situation at the Port of Wellington. There will be no tug available to assist. If we have a repeat of, *Wahine*, *Rena*, etc with environmental damage and loss of life, TAIC will inevitably be involved. If 51 people drowned, as in *Wahine*, I imagine the Commission would convene a public enquiry. How will the ensuing report deal with the issue of lack of tug availability when that is a matter that has been raised with TAIC on multiple occasions.

Last Friday TAIC circulated the report for fire aboard *Kota Bahagia*. The covering email contains a new concluding section headed:

No repeat accidents – ever!

That is a very bold aspiration.

A Wellington maritime pilot recently informed me that CentrePort Wellington is considering a third tug. If that is correct,¹ once again there is an opportunity for central government to contribute to the up-specing of the new tug to include salvage capability.

My hope is that TAIC will take the lead in raising awareness of the problem and coordinate funding discussions between Centreport and the appropriate central and local Government agencies - agencies that are currently engaged in a very dangerous game of "pass the parcel" and with a parcel that contains a ticking time bomb.

I would appreciate the Commission's comments when time permits.

Yours sincerely

IZARD WESTON



John Burton
Partner

jr

¹ Centreport is a client of mine, but I am writing this in my personal capacity.



Transport Accident Investigation Commission

27 September 2022

By email: john.burton@izardweston.co.nz

Dear John

Salvage capability in Wellington harbour

Thank you for your letter raising your concerns about salvage capability in the Wellington Harbour region in the event of a large maritime accident and referring to your earlier correspondence to the Commission in respect of this matter.

As I previously wrote to you, Commissioners discussed this matter at our last meeting.

Your claims are concerning. However, neither the Commission's founding legislation, the Transport Accident Investigation Commission Act 1990, nor our powers under the Commissions of Inquiry Act 1908 enable us to proactively investigate issues raised by members of the public.

Put simply, we cannot investigate your claims without an initiating marine accident or incident that raises these issues squarely for our consideration. Without the ability to investigate we cannot make findings and recommendations informed by such investigations which would then have the potential to influence central and local government in the interests of transport safety.

If you have not already, we encourage you to raise your concerns directly with Centreport, local authorities, Maritime NZ or the Ministry or Minister of Transport.

Yours sincerely

Jane Meares

Chief Commissioner