



3 May 2019

Mr Mark Ratcliffe
CEO, NZTA

NZTA's unwillingness to progress SkyPath => Demonstration of support

Dear Mark,

I refer to your letter dated 2 May 2019, which we consider is yet another disingenuous attempt by NZTA to block SkyPath's progress.

The Simpson Grierson review that you refer to was initially ordered by your ex-Chair on March 7 as follows:

"I have received correspondence from the SkyPath Trust today (March 7) which includes statements which contradict my understanding of the NZTA's previous dealings with the Trust. I am deeply concerned with this situation and I have ordered an independent investigation to establish the facts once and for all."

The subsequent "***independent investigation to establish the facts once and for all***" has been downgraded by NZTA into a review of:

"whether the Transport Agency, through its employees or representatives, entered into any commercial arrangements with the SkyPath Trust"

Such a review is meaningless in the context of delivering SkyPath because:

- a) We all know there is no commercial arrangement between NZTA and SkyPath, that's why we're in this mess: NZTA has been using SkyPath Trust's intellectual property whilst refusing to enter into a commercial arrangement for such use.
- b) The review is merely a damage control exercise for NZTA as you maintain your stance of blocking the progress of SkyPath.

It became evident that NZTA does not want SkyPath to progress not long after you commenced your temporary role at NZTA in January 2019. We first saw it in the NZTA media release of 25 February 2019 announcing that "we need to do more work before we know the right design to take forward". Such a claim by NZTA was disingenuous since NZTA has been closely involved in development of the final SkyPath design since 2011, as evidenced by NZTA Board Paper 16/08/1053 on SkyPath, page 5:

We have been working with the AHB Pathway Trust and Auckland Council on the proposed link

- The AHB Pathway Trust (the Trust) was formed to promote the development of a walking and cycling facility across the Waitematā Harbour
- Since 2011, we have worked with Auckland Council and the Trust to understand the feasibility of constructing and operating a walking and cycling facility on the Auckland Harbour Bridge (the Bridge)
- A number of design options have been considered in recent years

Furthermore the memorandum tabled by NZTA's Stephen Town and Steve Mutton at the March 2013 Kaipatiki Local Board meeting, advises:

"NZTA has worked collaboratively with the [SkyPath] Trust, Auckland Transport, Architects, Engineers and the Auckland Council to investigate and agree a feasible engineering solution for a cycling and walking structure to be attached to the existing Harbour Bridge.

The NZTA has no alternative plans for a walking and cycling facility across the AHB."

NZTA has participated in all of the design reviews and extensive option assessments for walking and cycling across the Harbour Bridge. NZTA's engineers Beca, have carried out detailed engineering studies on SkyPath and its effects on the AHB. NZTA and the Trust worked together to develop the optimized design solution for SkyPath.

NZTA subsequently took the SkyPath design through its internal project assurance and approval processes, including NZTA's formal BUDMT and VAC approvals. NZTA supported the SkyPath design through the extensive publicly notified resource consenting process of over three years.

SkyPath is a flagship project for the Government. It sees SkyPath as a vital part of the solution to addressing climate change, traffic congestion and health issues caused by our car dependent transport system.

This is the Government's "year of delivery" and Minister Genter specifically urged the parties to meet to resolve the issue, but you have refused.

You have another agenda.

Hence we will be asking Aucklanders to show their support for walking and cycling across the Harbour Bridge on Sunday, May 26. To avoid the debacle caused by NZTA's lack of preparation in 2009 we ask that you ensure the western clip-ons are available for the demonstration of support, whilst motorists use the remaining 6 motorway lanes.

Please do not hesitate to contact me with any questions.

Yours faithfully,



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**CC: Jacinda Ardern
Minister Phil Twyford
Minister Julie Anne Genter
Christine Rose, Chair, SkyPath Trust
NZTA Board members**