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21 May 2009

Office of the Auditor-General
Level 5, 48 Mulgrave Street
PO Box 3928
Wellington 6140

Dear Sir/Madam,

We would like to request an inquiry into the NZ Transport Agency's conduct with regard to the Auckland Harbour Bridge walkway and cycleway study.

In the following pages, we describe four key areas where we believe the Transport Agency has not acted honestly or with integrity in its dealings.

Consequently we believe that an investigation by the Office of the Auditor-General is warranted.

Should you have any questions on the contents of this letter, please don't hesitate to contact Bevan Woodward on 021 122 6040 or e-mail: bevan@fast.gen.nz

On behalf of GetAcross,

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NZ Transport Agency's Broken Promises and Misleading Information

(1) Reneging on repeated assurances that the provision of the walkway and cycleway had been future-proofed

In October 2008 the NZ Transport Agency (NZTA) undermined the due process and substantial progress on the walk/cycleway study by claiming that the walk/cycle way would significantly shorten the service life of the 'clip-on' lanes. In doing so it relied upon a letter (Attachment 1) dated October 28, 2008 which was:

- self-described as a "a rough assessment"
- despite being asked to comment on the life of the Bridge, the letter states that "the reliability of such projection beyond 10 years or so is unknown"
- stamped "Private and Confidential", giving rise to the question whether this was a professional advice by the consultant employer, Beca.

This "rough assessment" letter was referred to by NZTA staff as a "structural assessment" in Board Paper No. 08/10/0071, and presented at the October 30, 2008, Board meeting just two days after it was written. (Attachment 2, Item 39).

The "rough assessment" letter was the basis of the misleading recommendations in Board Paper No. 08/10/0071 (Attachment 2), including:

- "the main consequence of adding walking and cycling facilities to the Auckland Harbour Bridge is to significantly shorten the service life of the 'clip on' box girders." (Attachment 2, Item 2b)

Consequently the Board Paper's recommendation made to the NZTA Board: "the provision of walking and cycling facilities on the Auckland Harbour Bridge will not be pursued at this time" (Attachment 2, Item 2d).

The Board adopted this recommendation and NZTA staff subsequently referred to the walkway and cycleway in the media as "a dead horse" and "We've put it to bed"¹ (NZ Herald report, Attachment 3) .

However, many written assurances had previously been provided by the NZTA (formerly known as Transit/LTNZ) that provision for the walkway and cycleway had been specifically future-proofed, including:

(a) Transit CEO advises Parliament's Transport and Industrial Relations Select Committee in a letter² (Attachment 4) dated December 11, 2007:

"the work required inside the clip-on box girders to enable the walkway/cycleway will be included in the upcoming upgrade of the clip-ons. This will enable a pedestrian/cycle facility to be added in the future if it is a priority for Auckland." (2nd to last paragraph on page 3, Attachment 4).

¹ NZTA's Wayne McDonald referred to the walkway and cycleway as "a dead horse" and NZTA's Tommy Parker said "We've put it to bed".

² See "Attachment 4". Page 2 refers to the work done on the "Structural Feasibility" and confirms the feasibility of adding a walkway and cycleway.

(b) May 2008 LTNZ Board Paper No. 08/05/3089 (Attachment 5) provides written assurance as follows: states:

"In 2005, Transit NZ's specialist structural engineering consultant (Beca) carried out a 'state of the art' structural analysis of the AHB." (Attachment 5, para 4)

"While carrying out structural analysis of the AHB, Transit included a loading case involving a cycleway/walkway. The analysis found that a cycleway/walkway, which partly used the existing carriageway and also included a slight extension on the operating width, was structurally feasible. Accordingly, the current proposed works include minor future-proofing by way of including minor additional strength in the lateral members to accommodate this addition if required at some time in the future." (Attachment 5, para 8)

(c) Bryan Jackson (Transit's Chair and now NZTA Board member) wrote in a letter to ARC's Christine Rose, 19 May 2008 (Attachment 6):

"...structural elements will be incorporated into the current strengthening works to future-proof the clip-on lanes and allow for future walking and cycling options on the box girders."

"The purpose of the structural upgrade of the clip-on lanes is to ensure they stay in good condition for the next 20 to 30 years. I assure you that these works do not preclude the addition of a walking and cycling facility."

(d) The May 2008 Transit Board Paper 6173 "AHB Strengthening project" states in Item 4 (Attachment 7):

"Through innovative thinking, further structural elements have been incorporated into the current strengthening works at relatively low cost to future-proof for future walking and cycling options".

(e) Transit CEO, Rick van Barneveld writes in a May 14, 2008 letter to Hon Judith Tizard (Attachment 8):

"Given the likelihood that the next Waitemata Harbour Crossing will be a tunnel, the Auckland Harbour Bridge strengthening project must specifically include the detailed provision for a future walkway and cycleway."

"Structural elements have been incorporated into the current strengthening works to future-proof for walking and cycling facilities on the box girders."

Conclusion:

Despite the many written assurances given by the NZTA to Parliament, MP's, ARC Councilors, the media and members of the Auckland public that the future-proofing would be carried out, the NZTA used a last minute "rough assessment" letter to cancel the walkway and cycleway project.

(2) NZTA Officers publishing misinformation

NZTA CEO, Geoff Dangerfield, writes in his letter to the NZ Herald (Attachment 9, published May 9, 2009) that a public bridge walk using the clip-on lanes is not possible due to the "swaying motion" created by walkers.

NZTA Regional Director, Wayne McDonald in his letter to the NZ Herald (Attachment 9a, published May 21, 2009) writes: "that access to the bridge cannot for safety reasons, be provided."

However, these claims are untrue as evidenced by the August 2008 NZTA Board Paper No. 0015 "Auckland Harbour Bridge's 50th Birthday" (Attachment 10) which describes how a public bridge walk for the Bridge's 50th birthday was recommended; in Section 13: ***"walkers will use the eastbound clip-on"***.

Furthermore, on May 11, 2009, the NZ Herald published an article written by CEO Geoff Dangerfield entitled "Harbour bridge walk too popular to permit" (Attachment 11), where he claimed that the entire Harbour Bridge would have to be shut down for the public walk.

This is also untrue, as it is feasible to partially close the Bridge (as is done each year when the Auckland marathon runners use the Western clip-on lanes), leaving sufficient capacity to handle weekend traffic. This scenario and the recommended crowd management is described in the NZTA's August 2008 Board paper No. 0015 (Attachment 10) in item 13:

"A facility to register participants (to manage numbers) will be developed with Auckland City Council (through its call centre) and/or the New Zealand Herald."

Mr Dangerfield's article "Harbour bridge walk too popular to permit" (Attachment 11) restates the misleading claims that the clip-on lanes could not be used for the Bridge walk and that the numbers were too great to allow the Bridge walk to proceed, despite these two matters having been specifically addressed by NZTA Board Paper No. 0015 "Auckland Harbour Bridge's 50th Birthday" (Attachment 10) as described above.

Furthermore, Mr Dangerfield claims in the "Harbour bridge walk too popular to permit" article (Attachment 11) that:

***"The total cost of planning and managing a bridge walk was estimated at between \$1 million and \$1.25 million.
The Transport Agency set aside a budget of about \$500,000 as its share."***

However, in the NZTA Board Paper, "Auckland Harbour Bridge's 50th Birthday" (Attachment 10), it recommends and briefly describes eight events to commemorate the bridge's 50th birthday, one of which is the public bridge walk. Section 13 states the estimated cost of the public bridge walk is provided in section 12 as being \$200,000 - \$300,000.

The total cost to NZTA for all eight events was estimated as \$655,000 (section 22). The NZTA's GMT (General Management Team) suggested a total contribution for all eight events of \$500,000 (section 23).

CEO Geoff Dangerfield has conveniently taken the NZTA's budget of \$500,000 for ALL eight events and misleadingly described it as being the cost of just the bridge walk.

Conclusion

The NZTA is publishing misinformation regarding walking and cycling access on the Harbour Bridge, which warrants the Auditor-General's inquiry.

(3) A lack of respect for proper process and legal deadlines

(a) On July 29, 2004 Transit was requested by Parliament's Transport and Industrial Relations Select Committee to conduct a feasibility study and report back within 12 months (i.e. by July 2005).

The report was not tabled until 11 December, 2007, that is, two and a half years late (see Attachment 4). There was no reason given for the lateness.

Furthermore, it was subsequently revealed that Transit had decided three months earlier at its September, 2007 board meeting to adopt Action Paper 07/09/5981 (Attachment 17) that concludes in paragraph 17:

"Our message should be that the bridge is capable of including a cycleway/walkway and therefore such a facility does not need to be included in any below harbour crossing. However, there is no intention to progress the project further at this stage".

(Paragraph 17, Attachment 17)

(b) The NZTA has been continually late in supplying material requested under the Official Information Act.

We currently have two Official Information Act requests outstanding, lodged February 27, 2009 and March 3, 2009 (Attachments 12 and 13). Both were due by April 1, 2009.

(c) We have not received a reply to our letter dated 5 March, 2009 to NZTA's Dave Bates (Attachment 14) which seeks answers to important questions pertaining to the NZTA's decision to cancel the walkway and cycleway study.

Conclusion: These examples are typical of the lack of respect by NZTA for those it reports to and the stakeholders on this particular project, which warrant the Auditor-General's inquiry.

(4) Broken Promises

(a) At its May 2008 meeting the Transit Board resolved in Item 23C (c):

"That the Board requests the Chief Executive to continue working with Cycle Action Auckland in promoting cycling options, in particular with the proposed celebrations of the 50-year anniversary of the opening of the Auckland Harbour Bridge". (Attachment 15)

Despite a number of requests to the NZTA CEO, Geoff Dangerfield and his staff, no communication has been received from the NZTA on this matter. It is unacceptable that the NZTA staff chose to ignore this Board resolution.

(b) Another promise not met was NZTA Staff's decision to regarding Transit's Action Paper 6189 (adopted at its May 2008 Board Meeting, see Attachment 16)) under Item 17: "As part of the stage 1 assessment, a workshop is planned with stakeholders, including Cycle Action Auckland".

However, despite our repeated requests, no such a workshop was ever held.

Conclusion: These broken promises denied stakeholders the opportunity to have their say and assist determine a feasible solution for walking and cycling access on the Auckland Harbour Bridge.

Summary of Attachments

Digital Copies are available online at:

[http://www.fast.gen.nz/page/walking\(and\)biking-on-the-bridge/auditor-general-investigation/](http://www.fast.gen.nz/page/walking(and)biking-on-the-bridge/auditor-general-investigation/)

| No. | Description |
|-----|--|
| 1 | "Private & Confidential" letter from Ian Billings, Beca dated 28 Oct, 2008 |
| 2 | NZTA Board Paper: 08/10/0071 prepared by Tommy Parker, submitted to the Board on 30 October, 2008 |
| 3 | NZ Herald article: "Cyclists suggest under-slung carriageway for bridge", published 9 Jan, 2009 |
| 4 | Transit NZ (now NZTA) letter to Parliaments Transport and Industrial Relations Select Committee, dated 11 December, 2007 |
| 5 | LTNZ (now NZTA) Board Paper: 08/05/3089: Auckland Harbour Bridge Structural Upgrade Construction Funding |
| 6 | Bryan Jackson, Transit Chair (now NZTA Board member) letter to Christine Rose, Chair of ARC's Transport Committee, dated 19 May, 2008 |
| 7 | Transit NZ (now NZTA) Board Paper 08/05/6173: Auckland Harbour Bridge Structural Upgrade Construction Funding |
| 8 | Transit NZ (now NZTA) CEO's letter to Hon Judith Tizard, dated 14 May, 2008 |
| 9 | NZTA CEO, Geoff Dangerfield letter to the NZ Herald published 1 May, 2009 |
| 9a | NZTA Regional Director, Wayne McDonald letter to the NZ Herald published 21 May, 2009 |
| 10 | NZTA Board Paper: 08/10/0015: "Auckland Harbour Bridge's 50 th Birthday" |
| 11 | Contribution to NZ Herald by NZTA CEO Geoff Dangerfield "Harbour Bridge walk too popular to permit" |
| 12 | Official Information Request lodged with NZTA's Tommy Parker on 27 Feb, 2009 |
| 13 | Official Information Request lodged with NZTA's Geoff Dangerfield on 3 Mar, 2009 |
| 14 | Letter from GetAcross to NZTA's Dave Bates, dated 5 March, 2009 |
| 15 | Resolutions from Transit (now NZTA) May 2008 Board meeting |
| 16 | Transit NZ (now NZTA) Board Paper 08/05/6189: "Auckland Harbour Bridge Walking and Cycling Study", adopted at the May 2008 Board meeting |
| 17 | Transit NZ (now NZTA) Board Paper 07/05/5981: "Auckland Harbour Bridge Cycleway/Walkway" adopted at the September 2007 Board meeting |