

Submission by

Hamilton City Council

THE DRAFT NEW ZEALAND RAIL PLAN

15 May 2020

1.0 KEY SUBMISSION POINTS

- 1.1 Hamilton City Council (HCC) supports the focus on rail.
- 1.2 HCC considers that a Rapid Regional Rail Authority should be established to progress regional passenger rail and to optimise investments.
- 1.3 HCC considers that a priority action should be to consider hydrogen opportunities.
- 1.4 HCC requests activities that support the Hamilton to Auckland Passenger Rail be priority funded as well as the establishment of a Waikato/Hamilton Metro Rail Service.

2.0 INTRODUCTION

- 2.1 HCC welcomes the opportunity to make a submission to the Draft New Zealand Rail Plan.
- 2.2 On 17 February 2020, HCC also provided early feedback (prior to the formal engagement process) to the Ministry of Transport on the Draft New Zealand Rail Plan 2019.
- 2.3 This submission replaces the earlier February 2020 submission.
- 2.4 We would like to congratulate the Government on its foresight in developing the Draft New Zealand Rail Plan (DNZRP).
- 2.5 HCC notes that the DNZRP states that:
 - The rail network has suffered from under-investment and significant parts of the network are facing a state of managed decline.
 - Over the next decade investment is needed to retain the current level of service from the national network and to achieve a reliable and resilient national freight network, providing a platform for further investment to support growth in rail freight.
 - In Auckland and Wellington early investment in the metro rail networks has seen passenger growth outstrip expectations.
 - Funding is currently allocated through the National Land Transport Fund (NLTF) to support the passenger networks and interregional passenger services, such as the Hamilton to Auckland Start-Up Passenger Rail Service.
 - The freight rail network has continued to suffer from under-investment and short-term decision-making and so changes are being proposed to the Land Transport Management Act 2003 (LTMA) to improve integrated planning and investment across road and rail.
 - The proposed investment priorities in the DNZRP will also underpin future budget considerations for Crown investment.

3.0 STRATEGIC PRIORITIES FOR RAIL

3.1 The strategic priorities for rail in the DNZRP are outlined in two key parts:

- **Part A:** Establish a new long-term planning and funding framework under the LTMA (for heavy rail network, not light rail investments).
- **Part B:** Investing in the national rail network to maintain freight rail and provide a platform for future investments for growth; and to also invest in metropolitan rail to support growth in our largest cities.

4.0 PART A: PLANNING AND FUNDING FRAMEWORK

- 4.1 HCC supports rail investment decisions being taken under the LTMA which will result in the national rail network being planned and funded alongside the rest of the land transport system, including the road and public transport networks. Please find attached a copy of our submission to the Land Transport (Rail) Legislation Bill (**Appendix A**). HCC presented its submission to the Transport and Infrastructure Select Committee on 26 February 2020. HCC advocates in the longer-term for a single central government primary agency that has governance and ownership responsibilities for inter-regional passenger services (Regional Rapid Rail) that has powers across different regions.
- 4.2 We note that the DNZRP proposes that the main agencies involved in rail (Ministry of Transport, the Transport Agency, KiwiRail, Auckland Council, Auckland Transport and Greater Wellington Regional Council) work with other councils who have responsibility for inter-regional rail services. This is a potential problem and an arrangement needs to be considered where the smaller inter-regional council has an appropriate voice in several issues, including access and timetabling. In the longer-term, a Rapid Regional Rail Authority should be considered.
- 4.3 HCC requests that the Minister of Transport, given the emergence of the Hamilton to Auckland Start-Up Passenger Rail Service and other rail considerations listed below, gives notice in the Gazette that the Waikato Regional Transport Committee (WRTC) is named for the purposes of the Land Transport (Rail) Legislation Bill (the Bill).
- 4.4 HCC is disappointed that its submission to the Bill to specifically name the WRTC has not been adopted. In support of using the Gazette process HCC notes:
- The North Island Main Trunk passes through Hamilton.
 - The East Coast Main Trunk commences in Frankton at a junction with MIMT.
 - Three rail-based inland ports exist or are under development in and around Hamilton.
 - The line to Tokoroa/Kinleith commences in Hamilton.
 - The line to Cambridge commences in Hamilton.
 - The new passenger rail service, which is likely in future to extend to Tauranga.
 - The fast rail project to Auckland.
 - The regional metro rail service.
 - A future rail link to the airport.
 - The extension south of the Auckland metro rail service into north Waikato in the future.
 - The importance of Puhinui Station interchange project to passenger rail services.
- 4.5 We note that KiwiRail is responsible for preparing a 3-year Rail Network Investment Programme with a 10-year forecast for the rail network to be approved by the Minister of Transport following Transport Agency advice. The DNZRP focuses on the needs of Auckland and Wellington and is largely silent in other regions. The Auckland Region should be required to endorse the rail activity needs of Waikato in their RLTP.

5.0 PART B: INVESTING IN THE RAIL NETWORK

- 5.1 HCC supports the stated Strategic Investment priorities for the national rail network to maintain freight rail and provide a platform for future investment in growth.

- 5.2 HCC supports the stated future opportunity to double track Auckland to Hamilton, noting that this may be informed by the Hamilton to Auckland Intercity Connectivity Business Case (being undertaken by Ministry of Transport as an initiative under the Hamilton to Auckland Corridor project).
- 5.3 HCC also notes that the Business Case may support an increased priority for double tracking and this should be pursued as a priority in areas where there will be greater benefit.
- 5.4 HCC would also like to see priority investments into improving the transport connections from Hamilton to Tauranga, given successive strategies that identify the freight routes between the Ports of Auckland (and/or Northport) and Tauranga is via Hamilton. Early consideration needs to be given to Kaimai options that would service transport needs into the future.
- 5.5 HCC notes the listed future opportunity for earlier electrification to support the Government's commitment to emissions reductions and also notes the emergence of hydrogen as an alternative to electrification.
- 5.6 HCC submits that a priority action should be to explore the hydrogen opportunities.

6.0 PART B: INVESTING IN METROPOLITAN RAIL

- 6.1 HCC commends the Government for investing in inter-regional rail from the NLTF and for also providing Crown funding to the "mandated Hamilton to Auckland InterCity Connectivity business case", which will consider the potential for rapid rail between the two cities.
- 6.2 HCC supports all of the stated Strategic Priorities for Auckland Metropolitan rail, particularly the completion of the CRL, the provision of a third main rail line between Westfield and Wiri and electrification from Papakura to Pukekohe.
- 6.3 HCC also supports all of the Future Opportunities, noting that funding availability is a determinant.
- 6.4 Hamilton to Auckland Service enhancements are noted under future opportunities and not as an immediate priority. HCC would like to see urgent incremental investment into the Puhinui Rail Station in order to accommodate inter-regional passenger rail (and a link to proposed airport services), and for the provision of more services on the Hamilton to Auckland Start-up Passenger Rail Service.
- 6.5 HCC, through the FutureProof Partnership, has submitted a programme of projects in response to the Crown Infrastructure Partners invite on behalf of Government for 'shovel ready" projects that would secure the enhancements noted in 6.4 above. The programme also includes a project to undertake concept planning for central city rail facilities that would be at the heart of any future Rapid Rail between Auckland and Hamilton and a Metro Rail network.
- 6.6 Government is participating in the significant Hamilton to Auckland Corridor project, recognising the opportunity that exists to transform current thinking and be more forward looking. HCC requests investment into progressing the opportunity for a Hamilton Metro Rail Network which is emerging as part of the Metro-Spatial Plan work.

7.0 FURTHER INFORMATION AND OPPORTUNITY TO DISCUSS SUBMISSION POINTS

- 7.1 Should the Ministry of Transport require clarification of the above points, or additional information, please contact Chris Allen (General Manager Development) on 07 838 6748 or 021 224 7939, email chris.allen@hcc.govt.nz in the first instance.
- 7.2 Hamilton City Council would welcome the opportunity to meet with representatives from the Ministry of Transport to discuss the content of our submission in more detail.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE

Submission by

Hamilton City Council

LAND TRANSPORT (RAIL) LEGISLATION BILL

14 February 2020

1.0 REQUESTED CHANGES TO BILL

- 1.1 Hamilton City Council (HCC) would like to see an amendment to Section 22A (2) (b) requiring KiwiRail to clearly outline where the funding sources for rail network improvements will come from.
- 1.2 HCC would like to see amendments to Section 22C (1)(a) and 22F (1) (c) requiring Waka Kotahi NZ Transport Agency to also advise whether the Rail Network Investment Programme (RNIP) has an appropriate balance of funding sources, as well as whether it contributes to the purpose of the Act and is consistent with the GPS.
- 1.3 Given the commencement of the Hamilton to Auckland Passenger Rail service and also given that this is being administered by the Waikato Regional Council, HCC submits that the Waikato Regional Transport Committee (RTC) should be added to Section 105 A (1).

2.0 INTRODUCTION

- 2.1 HCC welcomes the opportunity to make a submission to the 'Land Transport (Rail) Legislation Bill' (the Bill).
- 2.2 HCC supports appropriate investment into the rail network for both freight and passenger services.
- 2.3 HCC has been actively involved working with central government, Waka Kotahi NZ Transport Agency (the Transport Agency), KiwiRail and other Waikato councils to establish the Hamilton to Auckland Start-up Passenger Rail service and would like to see this progress to a Rapid Rail service which will grow into a New Zealand wide initiative.
- 2.4 Overall, HCC supports the intent to ensure that rail investment decisions are taken under the Land Transport Management Act, which will result in the national rail network being planned and funded alongside the rest of the land transport system, including the road and public transport networks.
- 2.5 HCC intends to provide early feedback (prior to the formal engagement process) to the Draft New Zealand Rail Plan 2019. The feedback will be of a similar nature to matters raised in this submission.

3.0 SPECIFIC COMMENTS

3.1 Rail Funding Sources

- 3.1.1 It is unclear at this stage how much investment from the NLTF will be directed to heavy rail activities in relation to the funding that will be contributed by rail.
- 3.1.2 There will be no certainty on this issue until the further work underway to establish track user charges is complete and the Government signals its investment priorities through the GPS on Land Transport (GPS), and KiwiRail develops its first Rail Network Investment Programme (RNIP).
- 3.1.3 HCC is concerned that the quantum of NLTF investment required to upgrade the rail network will be significantly out of proportion with the contributions from rail related fees and charges at the

expense of achieving other Government land transport objectives e.g. Road to Zero initiatives.

- 3.1.4 The only safeguard built into the legislation is that the Minister must seek advice from the Transport Agency regarding whether the RNIP contributes to the purposes of the LTMA and is consistent with the GPS.
- 3.1.5 HCC understands that the GPS will determine likely Government investment in rail activities and that the GPS is not a matter for this legislation.
- 3.1.6 HCC understands that the RNIP can include rail activities to be provided by KiwiRail directly and rail activities that could be funded fully or partially by the NLTF.
- 3.1.7 HCC considers that there should be a mechanism to ensure an appropriate balance of funding from the NLTF compared to other funding sources.
- 3.1.8 HCC would like to see an amendment to Section 22A (2) (b) requiring KiwiRail to clearly outline where the funding sources for rail network improvements will come from.**
- 3.1.9 HCC would like to see amendments to Section 22C (1)(a) and 22F (1) (c) requiring the Transport Agency to also advise whether the RNIP has an appropriate balance of funding sources, as well as whether it contributes to the purpose of the Act and is consistent with the GPS.**
- 3.1.10 Section 22F (1) (d) requires the Transport Agency to provide advice on whether the activity or combinations of activities are *“efficient and effective”*.
- 3.1.11 Section 22F (3) requires the Transport Agency to develop and make available an assessment method(s) to use when giving advice on whether the RNIP contributes to the purpose of the Act and is consistent with the GPS, as well as each activity or combinations of activities are *“efficient and effective”*.
- 3.1.12 HCC supports the Waikato Regional Transport Committee’s submission that submits these assessments must be consistent with the assessment methods used by the Transport Agency when evaluating other transport activities being included in the NLTP.

3.2 Role of the Waikato Region

- 3.2.1 For the purposes of the Bill, Section 105A (1) defines Regional Transport Committee to mean only those for the Wellington Region and for Auckland.
- 3.2.2 Given the commencement of the Hamilton to Auckland Passenger Rail service and given that this is being administered by the Waikato Regional Council, HCC submits that the Waikato Regional Transport Committee (RTC) should be added to Section 105 A (1).**
- 3.2.3 If this recommendation is not adopted, HCC would request that the Minister names Waikato RTC as an RTC for the purposes of the Bill by notice in the *Gazettes* as allowed for by Section 105 A (5) of the Bill.
- 3.2.4 HCC supports the Waikato RTC submission that submits that KiwiRail should be required to consult or engage on the RNIP with Regional Transport Committees prior to it being received by the Minister.

3.3 Track Charges

- 3.3.1 Part 2 of the Bill amends the Land Transport Act 1998 to allow fees and charges to be treated as land transport revenue for the purposes of the LTMA.
- 3.3.2 HCC supports the Waikato RTC submission that supports greater transparency of the track network charging process to ensure that the charges do not rise to levels that do not support passenger transport outcomes.

3.4 Partial Integration

3.4.1 HCC supports the Partial Integration Model proposed.

4.0 CONCLUSION

4.1 HCC thanks the Transport and Infrastructure Select Committee for the opportunity to submit on the Land Transport (Rail) Legislation Bill.

4.2 HCC is **supportive** of the provisions in the Bill which implement a new planning and funding framework for the heavy rail track network owned by KiwiRail.

4.3 HCC seeks that a number of changes as sought in the submission be made to the legislation before it is finalised.

5.0 FURTHER INFORMATION AND HEARINGS

5.1 Should the Transport and Infrastructure Select Committee require clarification of the points raised in this submission, or additional information, please contact Chris Allen (General Manager Development), phone 07 838 6748 or 021 224 7939, email chris.allen@hcc.govt.nz in the first instance.

5.2 Hamilton City Council **does wish to speak** at the Transport and Infrastructure Committee hearings in support of this written submission.

Yours faithfully



Richard Briggs
CHIEF EXECUTIVE