

From: Jonathon Earl [REDACTED]
Sent: Tuesday, 12 May 2020 5:38 pm
To: Todd Moyle [REDACTED]; David Gordon [REDACTED]
Cc: [REDACTED] Stephen O'Keefe
[REDACTED] Walter Rushbrook [REDACTED]
Stephanie Campbell [REDACTED]

Subject: Wellington Terminal Meeting - notes ahead of Friday meeting

Todd, Dave

Some short key speaking notes if you are meeting with CentrePort on Friday. Nothing that would surprise you but hopefully useful reference material.

1. KiwiRail considers that Kaiwharawhara is not a suitable site for Interislander's new terminal due to the seismic issues and the risks these pose to the travelling public and our staff/other persons on the site.
2. We want to exit that site as soon as reasonably practicable. The new development is the logical time to do this. Not doing it then is potentially not taking all reasonable steps to ensure safety as required by HSWA (this is a shared duty with CPL).
3. We would prefer to make the transition with CentrePort as our partner.
4. However, if we have to, we will explore all other options for achieving this.
5. This includes looking to use the Public Works Act if necessary.
6. We believe that even if CPL were to attempt to oppose our use of the PWA, the only grounds they could have would be that there is a suitable alternative site (i.e. Kaiwharawhara).
7. However the GNS advice (which has been shared with CPL) is good evidence that Kaiwharawhara is not a suitable alternative.
8. Therefore we are looking for their agreement to re-start discussions on a new terminal but at Kings Wharf/Container Terminal.

This doesn't refer to potential benefits from Covid response legislation and potential new RMA and PWA shortcuts. Not sure we want to mobilise CentrePort against possible use of that pathway?

On other workstreams:

- Section 9(2)(b)(ii) [REDACTED]
- Post CP meeting also need to discuss suitable tenor for reply to GWRC letter to Greg that sought confirmation of KiwiRail's position.
- Section 9(2)(b)(ii) [REDACTED]

Regards

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