

April 21, 2011

Mr Colin Crampton  
Group Manager Highways and Network Operations  
NZTA  
Wellington

Dear Colin,

The AHB Pathway Working Group (PWG) would like to request the following:

1) That NZTA conducts an investigation into Tommy Parker's behaviour regarding the Pathway project. In particular;

1a) his lying to the PWG meeting on Feb 10, 2011 (in which Auckland Council, Auckland Transport, the Waterfront agency and ATEED were in attendance) when he said was awaiting the Beca feedback and that it due at the end of February. In fact, Tommy Parker had already received the Beca feedback.

He then appears to have been involved in the changing of dates of Beca e-mails in order to mislead us, as Beca's e-mail (from Will Pank entitled: "Auckland Harbour Bridge Pathway Structural Review" originally sent on 3 February 2011) was changed to 28 February 2011.

1b) his involvement in October 2008 with the supply of confidential board papers to Beca and NZTA's request that to Beca that a back-dated report be prepared so that it appears that the board paper recommendations are based on existing Beca report.

See: <http://www.fast.gen.nz/upload/081030StrongEmail.pdf>

The back-dated report (self described as a "Private & confidential letter" and a "rough assessment" by the Beca consultant) was then used to mislead the NZTA Board into accepting overly conservative recommendations to stop progress on walking and cycling access on the AHB. A subsequently review by Holmes Consulting Group (Nov 29, 2009, commissioned by NZTA) found that the Beca forecasts were "likely to be over-estimated".

1c) his failure to provide the review per the April 26, 2010 e-mail from Auckland City Council's Ludo Campbell-Reid (and subsequently confirmed in Tommy Parker's email dated April 28, 2010)...

*NZTA have instructed BECCA to undertake a full review of your proposal to ensure it is "doable" in a technical engineering sense. We have also asked that if they identify any flaws/gaps they also identify areas requiring further work. We would like them to highlight any of these other aspects and elements as part of their review.*

These are just some examples that we are aware of, we would like NZTA to investigate these and to see what other misleading acts have been carried out by Tommy Parker as we get the impression these are the tip of the iceberg. Should NZTA decide not to adequately address this matter, we will escalate as appropriate (eg: the State Services Commission, the Office of the Ombudsman, IPENZ, etc). We have further material which we can supply to NZTA's investigator.

We would also like NZTA to publicly comment on its position regarding the practice of its consultants providing NZTA with back-dated reports, "Private & confidential letters" and other such collaborative practices which would appear to lack professionalism and integrity.

2) Please let us know how you would like to proceed with the Pathway project. As we see it, there is the easy way or the hard way. Here's the easy way:

2a) Tommy Parker is removed from ongoing management of the project (for the reasons outlined above)

2b) Ensure the new appointee for NZTA, Steve Mutton, brings a 'can-do' approach. It would be unacceptable to us if Steve were to report to, or have anything to with, Tommy Parker in relation to the Pathway project. We would like to meet with Steve Mutton by May 3.

2c) NZTA supply answers to Airey Consultant's memo to Beca dated April 11, 2011 by May 2, 2011 (or a mutually agreed date thereabouts).

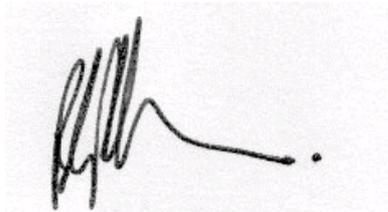
2d) NZTA continues to work to the review process mutually agreed to by NZTA and the PWG:

1. The contact persons are Corrie Keyser and Tommy Parker exclusively (*subsequently changed to Bevan Woodward and Steve Mutton as key contacts*)
2. The Pathway Group will provide NZTA with a technical report (*delivered in Jan 2011*)
3. NZTA undertakes to contract Beca to review this technical report and reply thereto in writing (*Brief e-mail received from Beca, not a formal review as expected*)
4. Once NZTA receives this report from NZTA & PWG will meet to discuss the findings and, after review with our respective interested parties, formulate the strategy going forward (*currently in progress*)
5. Should both parties agree with the findings, they will formulate the way forward. However, should they disagree, NZTA will employ a 3<sup>rd</sup> party expert to give an independent opinion.

NZTA's alternative is the hard way and whilst it is yet to be determined, it won't be pretty. It will most likely involving public demonstrations of support on the bridge on the last Sunday of every month. Planning for this will start if we don't receive a positive response to this letter.

However we hope NZTA chooses the easy option so that we can simply get on with this project and make everyone look good.

Signed,



Bevan Woodward  
AHB Pathway Project Director  
e-mail: bevan@fast.gen.nz

Cc: PWG members  
Stephen Town  
Geoff Dangerfield  
Chris Moller  
Stephen Joyce, Minister of Roading

Len Brown, Mayor of Auckland  
Kevin Wright, Auckland City  
Keith Reynolds, Beca  
John Key, Minister of Tourism

May 6, 2011

Mr Colin Crampton  
Group Manager Highways and Network Operations  
NZTA  
Wellington

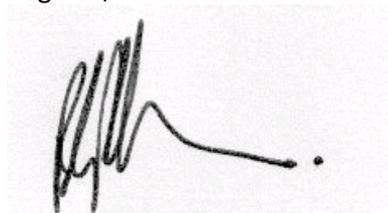
Dear Colin,

Thank you for your letter dated May 2 and subsequent phone calls. On behalf of the AHB Pathway Working Group (PWG) I can advise:

- 1) We welcome the opportunity you are offering to work with NZTA & Beca where integrity and a cooperative 'can-do' approach will prevail.
- 2) We will refrain from pursuing our concerns regarding past conduct whilst good progress on the walking and cycling pathway is being made.
- 3) We are ready to accept your invitation to work with NZTA and Beca to co-develop a feasible engineering solution for the walking and cycling pathway on the south-bound clip-on (based on the Airey Consultants Technical Report dated January 2011) within 2 months. This work would be overseen from the PWG's perspective by Bevan Woodward (AHB Pathway Project Director), Barry Copeland (AHB Pathway Architect) and Roger Twiname (AHB Pathway Structural Engineer).
- 4) The AHB Pathway proposal represents approximately \$450,000 (ex GST) of time and resources by PWG members to date. The AHB Pathway Trust has retained the professional services of Copeland Associates, Airey Consultants, WT Partnership and other consultants. The ownership of the Pathway design and associated intellectual property resides with the AHB Pathway Working Group.
- 5) In order to ensure collective confidence in the engineering solution, we are requesting Auckland Council to commission an independent peer review of the Airey Consultants Technical Report dated January 2011, as is standard practice. We are nominating Dr Barry Davidson, University of Auckland for this role. We believe his involvement will help facilitate a mutually acceptable engineering solution, within the two month timeframe. We request your agreement to this nomination.
- 6) We plan to launch our concept design of the Pathway for public feedback in June 2011.
- 7) We await your response and look forward to working closely with NZTA's representatives who you advise will be Steven Town and Steve Mutton.

Please do not hesitate to contact me with any questions or concerns.

Regards,



Bevan Woodward  
AHB Pathway Project Director  
e-mail: bevan@fast.gen.nz

Cc: PWG members, Leigh Hopper, Corrie Keyser  
Stephen Town, NZTA  
Keith Reynolds, Beca

Kevin Wright, Auckland Council  
Mike Lee, Auckland Council  
Stephen Joyce, Minister of Transport