

IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY

CIV-2021-404-1618

I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKĀURAU ROHE

UNDER the Judicial Review Procedure Act 2016

IN THE MATTER OF an application for judicial review

BETWEEN **ALL ABOARD AOTEAROA
INCORPORATED**
Applicant

AND **AUCKLAND TRANSPORT**
First respondent

AND **THE REGIONAL TRANSPORT
COMMITTEE FOR AUCKLAND**
Second respondent

Cont.

AFFIDAVIT OF NICHOLAS JOHN LEE IN REPLY

23 March 2022

Assigned judicial officer:

Next event date: Hearing on 26-28 April 2022

JACK CUNDY BARRISTER & SOLICITOR

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201.0010

AND

AUCKLAND COUNCIL

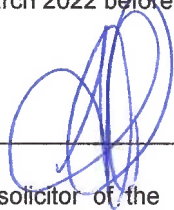
Third respondent

AFFIDAVIT OF NICHOLAS JOHN LEE IN REPLY

I, Nicholas John Lee, of Auckland, Director, swear –

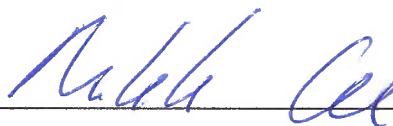
1. This is the second affidavit I have made in this proceeding.
2. I make this affidavit to put in evidence certain documents that are not exhibited to the respondents' evidence.
3. I annex marked exhibit "NJL2" an index of those documents. Given the volume of documents (totalling over 1,400 pages), I have not printed and attached physical copies of the documents to my affidavit.
4. Electronic copies of the documents will be made available to the Court and the respondents at the same time as this affidavit is filed and served.

SWORN at Auckland this ²³ day of
March 2022 before me:



A solicitor of the High Court of New
Zealand

A Ferguson
Solicitor
Auckland



Nicholas John Lee

EXHIBIT "NJL2"

This is the exhibit marked "NJL2" referred to in the affidavit of Nicholas John Lee

Sworn at Auckland this 23 day of March 2022 before me:



A solicitor of the High Court of New Zealand.

A Ferguson
Lawyer
Auckland



INDEX TO DOCUMENTS

Document	Description	Date	
1	2018 ATAP terms of reference	15 March 2018	[[302.0626]]
2	Vision Zero for Tāmaki Makaurau	1 September 2019	[[303.1012]]
3	Waka Kotahi "Keeping cities moving" plan	1 September 2019	[[303.1041]]
4	Draft Government Policy Statement on Land Transport 2021	19 March 2020	[[303.1182]]
5	Government Policy Statement on Land Transport 2021 at a glance	19 March 2020	[[303.1235]]
6	Waka Kotahi sustainability action plan	1 April 2020	[[303.1237]]
7	Auckland Council submission on draft Government Policy Statement on Land Transport 2021	11 May 2020	[[303.1275]]
8	Open agenda for Auckland Council Emergency Committee meeting	14 May 2020	[[303.1286]]
9	Auckland Transport RLTP / ATAP paper for Board subcommittee workshop	12 August 2020	[[304.1466]]
10	Auckland Transport table comparing ATAP and RLTP processes	12 August 2020	[[304.1493]]
11	Auckland Transport table summarising ATAP and RLTP processes	12 August 2020	[[304.1496]]
12	Auckland Transport presentation for RLTP / ATAP design and delivery workshop	20 August 2020	[[304.1497]]
13	Auckland Council presentation on strategic lenses	1 September 2020	[[304.1526]]
14	ATAP package development workshop	16 September 2020	[[304.1557]]
15	Auckland Transport presentation on 10-year budget for transport activity area	14 October 2020	[[304.1560]]
16	Auckland Transport presentation on RLTP for DDC meeting	23 October 2020	[[304.1603]]

201.0014

17	Memorandum to Auckland Council Climate Political Reference Group	16 November 2020	[[304.1739]]
18	ATAP packages modelling summary	26 November 2020	[[304.1743]]
19	Government notice of motion	2 December 2020	[[304.1766]]
20	ATAP Governance Group presentation	15 December 2020	[[304.1808]]
21	Auckland Transport presentation for Regional Transport Committee workshop	25 February 2021	[[304.1896]]
22	Auckland Council memorandum to Planning Committee	26 February 2021	[[305.1915]]
23	ATAP investment programme	12 March 2021	[[305.2103]]
24	ATAP	12 March 2021	[[305.2121]]
25	Auckland Transport memorandum re assessment of VKT in business cases	30 March 2021	[[305.2241]]
26	Email from Heidi O'Callahan to Shane Ellison	27 April 2021	[[305.2245]]
27	Regional Transport Committee meeting - ability for Regional Transport Committee to vary an RLTP	29 April 2021	[[305.2247]]
28	Hikina te Kohupara - summary report	21 May 2021	[[306.2631]]
29	Memorandum from Auckland Transport to Regional Transport Committee	21 May 2021	[[306.2653]]
30	Auckland Transport email	24 May 2021	[[306.2678]]
31	Email from Auckland Council to Councillor Chris Darby	26 May 2021	[[306.2660]]
32	Climate Change Commission advice to Government - Ināia tonu nei: a low emissions future for Aotearoa	31 May 2021	[[307.2755]]
33	Auckland Transport responses to questions from Auckland Council Planning Committee	31 May 2021	[[307.3173]]
34	Auckland Council paper for Environment and Climate Change Committee	10 June 2021	[[308.3441]]
35	Open minutes of Auckland Council Environment and Climate Change Committee meeting	10 June 2021	[[308.3454]]

201.0015

36	Auckland Transport email	10 June 2021	[[308.3460]]
37	Agenda for Regional Transport Committee meeting	18 June 2021	[[308.3470]]
38	Emails between Councillors	22 June 2021	[[310.4198]]
39	Email from Auckland Council to Councillor Chris Darby	24 June 2021	[[310.4208]]
40	Amendment to proposed Auckland Council Planning Committee resolution	24 June 2021	[[310.4210]]
41	Auckland Council and Auckland Transport submission on Hikina te Kohupara	25 June 2021	[[310.4564]]
42	Agenda for Auckland Transport Board meeting	28 June 2021	[[310.4611]]
43	Final Regional Land Transport Plan 2021	1 July 2021	[[301.0001]]
44	Ministry for Environment emissions reduction plan discussion document	17 December 2021	[[312.5296]]
45	Auckland Transport presentation on Future Connect / RLTP and development of 2031 indicators of success	Undated	[[311.4966]]
46	OurAuckland article - Auckland Council declares climate emergency	11 June 2019	[[308.3462]]

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