

Reviewing our Processes for the Development of the 2024-2034 Regional Land Transport Plan

For decision: For noting:

Ngā tūtohunga / Recommendations

That the Regional Transport Committee (committee):

1. Notes the commencement of a review of the processes for and approach to development of the 2024 Regional Land Transport Plan to ensure that it is fit for purpose, transparent and meets statutory requirements, so that it can respond to the complex ecosystem and operating environment in which the next plan will be developed.

Te whakarāpopototanga matua / Executive summary

2. Our current 2021-31 Regional Land Transport Programme (RLTP) was approved in June 2021. Since then, there have been significant changes in our operating context, particularly the endorsement of the Transport Emissions Reduction Plan (TERP), along with the expectation that the RLTP makes a substantial pivot toward carbon emissions reductions. Judicial reviews of the 2021 RLTP and National Land Transport Plan have also led to an increased focus on legal requirements. We are also expecting to see changes to the transport policy outcomes for Auckland, arising from a new ATAP outcomes framework, along with a new Government Policy Statement on Land Transport (GPS).
3. In addition, there are emerging challenges associated with a backlog of projects resulting from Covid related delays and other deferrals, cost escalation and reductions in short-term capital funding. Constraints on Waka Kotahi and Auckland Council (Council) funding are also likely to be a key factor. Development of the 2024 RLTP will also occur in parallel with other key processes, such as development of a vehicle kilometres travelled (VKT) reduction plan for Auckland, which will present alignment challenges.
4. The need to ensure we are engaging effectively with mana whenua and maata waka is also critical. Clear expectations have been set as to the nature and quality of that engagement. There will also be increased scrutiny on the relative governance roles of both the Auckland Transport Board (Board), the Regional Transport Committee (RTC) and Council.
5. The combination of these factors presents a complexity to the development of the next RLTP that we have never experienced before. Accordingly, it is critical that we review our processes and approach to the development of the next RLTP to ensure they are fit for purpose.
6. This review will cover: governance; engagement; assurance; privatisation; programme development; and interdependencies. It is our intention to seek Board, RTC and then Council endorsement of the key elements of the process once the review is completed.

Ngā tuhinga ō mua / Previous deliberations

| Date | Report Title | Key Outcomes |
|---|---|---|
| October 2022 (Design and Delivery Committee) | Reviewing our Processes for the Development of the 2024-2034 Regional Land Transport Plan | The Design and Delivery Committee noted the upcoming challenges and noted that the role of ATAP needs to be clarified in providing strategic direction versus project prioritisation. |

Te horopaki me te tīaroaro rautaki / Context and strategic alignment

7. The RLTP is the primary document guiding land transport planning and investment for the Auckland region. It includes the activities of all organisations that can receive funding from the National Land Transport Fund, particularly Auckland Transport, the Waka Kotahi and KiwiRail.
8. The formal responsibilities and requirements for preparing an RLTP are set out in the Land Transport Management Act 2003 (LTMA). Under the LTMA, Auckland Transport is responsible for preparing the RLTP. However, the Auckland RTC is responsible for completing a review of the existing RLTP to establish whether it remains relevant, consulting on the draft RLTP, and lodging the draft RLTP with the Auckland Transport Board. The Board is responsible for approving the final RLTP.
9. Auckland Transport is required to prepare the RLTP at least every six years but may do so more frequently.
10. Following the 2020 Council Controlled Organisation (CCO) Review, the RLTP must also be prepared jointly with Council, with Council endorsing the document before it is presented to the Board for approval.
11. We will provide a more complete list of legal requirements in future advice. However, the RTC must be satisfied that the RLTP: contributes to the purpose of the LTMA ‘to contribute to an effective, efficient, and safe land transport system in the public interest’; and is consistent with the GPS. Those tests emerged as a central part of the All Aboard Aotearoa judicial review of the RTC’s approval of the 2021 RLTP. While the High Court judgement concluded in favour of the RTC, it will be vital to demonstrate that the 2024 RLTP also meets those tests.

Ngā matapakinga me ngā tātaritanga / Discussion and analysis

10. The 2024-34 RLTP will be prepared in an operating context with unprecedented complexity. Key contributors to this complexity are:

- a. cost increases, deferrals and short-term capital funding reductions are creating a backlog which will likely flow into the 2032-2034 period
 - b. Waka Kotahi and Council funding may remain constrained over the ten-year period
 - c. Significant new expectation and requirements are emerging, including the need to address the requirement of the Transport Emissions Reduction Plan; to fund network adaption in response to climate change effects; to enable the transport system to address areas of transport inequity in Auckland; increased pressure in existing areas, such as support for housing development alongside existing challenges such as safety, travel choices and growth.
 - d. the need for improved engagement with Māori – both mana whenua and maata waka.
 - e. several complex timing, alignment and governance issues associated with other processes occurring in parallel to the RLTP development, that will need to be navigated. These include the development of the national VKT reduction plan, the draft GPS, changes to the ATAP constructs and the development of Council's 2024 Long Term Plan.
11. Given this significant complexity, the process for developing the 2024-34 RLTP needs to be reviewed, internally, to ensure it is fit for purpose in this complex operating environment.
12. The objectives for the process review are currently being defined. Central to them will be the need to ensure: our processes are clear about governance mandates between the Board, the RTC, and Council; public consultation is effective; the process is legally sound; the process embraces a Te Ao Maori perspective; and the work is able to pivot to a complex and changing set of outcome expectations. The key elements of the RLTP process being reviewed are:
- Governance: The decision-making relationship between the Auckland Transport Board, the RTC, Auckland Council, ATAP partners, and the Independent Māori Statutory Board (IMSB) in decision making, particularly clarifying what and when decisions are required to support the development of the RLTP. This will include the process for working with Council to “jointly develop” the RLTP, in line with the CCO Governance Review.
 - Engagement: Ensuring that we effectively engage with Maata waaka, Mana Whenua, local boards, stakeholders, Council officers and the public to help inform the RLTP process and its content to build broad support for the next RLTP.
 - Assurance: Ensuring that we have the right assurance processes in place to provide the decision-makers with confidence in the RLTP (e.g. assurance around legal requirements, costs and outcomes).
 - Prioritisation: To ensure that the changes in key policies and plans, particularly TERP, the revised outcomes framework and 2024 GPS, are reflected in the framework, alongside existing tools such as FutureConnect.
 - Programme Development: To provide greater visibility to AT teams around the RLTP and its role, which will then help to refine the process to provide greater confidence in the scope, costs, benefits and delivery timeframes in AT's proposals.

- Interdependencies: To provide clarity of the relationship (including key decisions, timing and dependencies) between the RLTP and various other processes, such as the VKT reduction plans, TERP implementation and Regional Public Transport Plan.
13. Once the review is completed, key elements of the process will be presented to the AT Board, RTC and then the Council for endorsement, ahead of the 2024-34 RLTP development process commencing. We anticipate these process elements will be presented in February/March 2023.

Ngā tūraru matua / Key risks and mitigations

14. There are three key risks to this RLTP process review:

| Key risk | Mitigation |
|--|--|
| Changes to central or local government makeup in upcoming elections at both levels lead to significantly different transport outcome expectations and emphasis, brings significant ambiguity into the outcomes framework requiring changes to the RLTP prioritisation. | The review will need to ensure that the RLTP prioritisation process is sufficiently agile to accommodate significant change at a policy level without complete redesign of the RLTP development process. |
| A successful appeal on the current RLTP is achieved late in the review process introducing additional and potentially substantial process change requirements. | As part of developing the process, we will analyse the risks from a legal perspective and build in flexibility to the process should the need arise to make changes. |
| Unsatisfactory engagement with Maata waka and mana whenua in the process leads to the RLTP development not accommodating key process or elements that will be critical to ensuring a Te Ao Maori perspective. | The process review will identify opportunities for engagement throughout the development of the RLTP to ensuring Te Ao Maori is incorporated where appropriate and at the right time in the process. |
| Unsatisfactory engagement with council staff in the process leads to the RLTP development not accommodating key process or elements that will be critical to Council's understanding of the process and their role. | We will engage with Council staff in defining the methodology for the review, so that we are transparent to them about where we need their input and assistance, and so they can endorse the review and its outcomes to Council. |

Ngā ritenga-ā-pūtea me ngā rauemi / Financial and resource impacts

15. There are no immediate financial or resourcing impacts associated with this paper.

Ngā whaiwhakaaro ō te taiao me te panonitanga o te āhuarangi / Environment and climate change considerations

16. There are no immediate environmental or climate change considerations associated with this paper. However, seeking to support the emissions reduction pathway associated with the TERP and ERP will be a key focus for the development of the RLTP.

Ngā whakaaweawe me ngā whakaaro / Impacts and perspectives

Mana whenua

17. Mana whenua have not been consulted as part of the development of this paper. However, early and effective engagement with mana whenua and mataa waka will be a key component of development of the 2024 RLTP.

Ngā mema pōti / Elected members

18. Elected members have not been consulted for this paper. However, Councillors will be closely involved in the development of this RLTP, including endorsing the draft RLTP to the AT Board. Local board members will also be engaged during the development and consultation.

Ngā rōpū kei raro i te Kaunihera / Council Controlled Organisations

19. CCOs have not been consulted as part of the development of this paper. However, other CCOs will be engaged as appropriate during development of the 2024 RLTP.

Ngā kiritaki / Customers

20. Specific customer concerns have not been considered as part of the development of this paper. However, we expect significant customer engagement and consultation will occur as part of the development of the 2024 RLTP.



Ngā whaiwhakaaro haumaruru me ngā whaiwhakaaro hauora / Health, safety and wellbeing considerations

21. This paper does not raise any health, safety or wellbeing considerations. Improving safety will be a key objective of the 2024 RLTP.

Ā muri ake nei / Next steps

22. We will produce a specific RLTP development plan and report this to the RTC in February 2023.

Te pou whenua tuhinga / Document ownership

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