

Proposed Engagement and Consultation Process for AT's 2015 Plans

Recommendation

That the Board:

- i). Endorse the Key Directions for Consultation on the transport content of Auckland Council's Long Term Plan (LTP) and the Auckland Transport Regional Land Transport Plan (RLTP)

Executive summary

This paper seeks the Board's endorsement of key directions and timing for engagement on the upcoming RLTP; these are:

- Engagement with Councillors, Local Boards, Transport Stakeholders and Maori, including workshops with these groups in April/May 2014
- Submissions process timed to align with AC, in Jan/Feb 2015
- Online consultation, also in Jan/Feb 2015
- Replace formal Hearings with more informal Transport Conversations as defined later in this document

Strategic context

The Land Transport Management Act states that AT must consult on its RLTP, and may combine this consultation with AC's consultation on the LTP.

Work is currently underway to develop the 2015-2045 Integrated Transport Programme (ITP). The ITP will identify an optimised 30 year programme, which fits within the expected funding / financial envelope and delivers the best transport outcomes.

The first ten years of the ITP will become the RLTP and be used as the basis for consultation. The ITP is a non-statutory document and will not part of a formal public consultation process. However any changes to the RLTP made by the Board in response to consultation and engagement, and new information that comes to light, will need to be reflected in the ITP. This is likely to include changes to the ten year programme, and potentially to strategy, objectives and policies.

Background

The Land Transport Management Act (LTMA) and the Local Government Act (LGA) each set out requirements that impact on the RLTP. Key requirements in the LTMA are:

- 18(1) When preparing a regional land transport plan [Auckland Transport]:
 - a) must consult in accordance with the consultation principles specified in section 82 of the Local Government Act 2002; and
 - b) may use the special consultative procedure specified in section 83 of the Local Government Act 2002
- 18(2) [...] Auckland Transport must consult both the governing body and each affected local board of the Council.

- 18A(3) Auckland Transport complies with section 18(1) if the required consultation on the regional land transport plan is carried out in conjunction with the Auckland Council's consultation on its long-term plan [...]
- 18H(1) [Auckland Transport] must[...]
- (a) establish and maintain processes to provide opportunities for Māori to contribute to the organisation's land transport decision-making processes; and
 - (b) consider ways in which the organisation may foster the development of Māori capacity to contribute to the organisation's land transport decision-making processes; and
 - (c) provide relevant information to Māori [...]

Section 16 (5) of the LTMA allows NZTA to set requirements for AT's RLTP. To date NZTA has written to the Chair requiring AT to deliver its RLTP work program to NZTA in April 2015 (close to the final date for submission to AC), and publish its RLTP by July 2015.

The Local Government Act 2002 Amendment Bill (no 3) 2013 is scheduled to be passed into law in time for the 2015 Long Term Planning round and makes changes to the Special Consultative Procedure, which are intended to make the process more flexible and relevant. For example, Councils will be encouraged to produce easy to read documents, rather than providing stakeholders with the full draft LTP.

Issues and options

Consultation Principles and the Special Consultative Procedure

Consultation Principles

AT must act in accordance with the LGA principles of public consultation when adopting the Auckland RLTP. In essence, this means AT must:

- Provide everyone who might be affected by, or have an interest in, its decisions with relevant information, and encourage them to present their views;
- Receive these views with an open mind, and give them due consideration when making decisions;
- Communicate decisions, and the reasons behind them, to all those who have presented their views.

The Special Consultative Procedure

Section 83 of the LGA sets out a Special Consultative Procedure which includes:

- Publishing a document outlining the proposed decision/s
- Receiving written submissions over a period of at least one month
- Giving all submitters the option of presenting their views at a Hearing

Section 18(2) of the LTMA was amended in 2013, so that AT “may” (changed from “must”) use the Special Consultative Procedure in adopting its RLTP. The same amendment removed a list of 14 organisations and groups which must be consulted on the RLTP.

The intent of these amendments, and further amendments to the LGA to be enacted in 2014, is to give AT and other public organisations more flexibility to design decision-making and engagement processes that are efficient, effective, and appropriate to a range of different circumstances and community interests, while still according with the principles of consultation.¹

Key Directions

The following recommended key directions take advantage of the new, more flexible consultation requirements:

- Auckland Transport will engage in pre-consultation, prior to developing the draft RLTP, with a focus on:

Councillors	It is appropriate for Auckland Transport, a Council Controlled Organisation, to maximise engagement of the Governing Body of Auckland Council
Local Boards	Auckland Transport has committed to involve Local Boards in time to influence prioritisation and strategic direction for the RLTP
Transport interest groups	It is recommended that Auckland Transport involve transport interest groups early, in time to influence the overall direction of RLTP
Maori	The RLTP is an opportunity to progress Auckland Transport’s Maori Engagement Framework through close involvement of Māori in the early stages of development of transport plans and strategies.
- Engagement with the above groups will be scheduled in April/May 2014 and will include two workshops for Councillors, four “cluster” workshops with Local Boards, and two to four cluster hui with Maori (Mana whenua) and a Transport Stakeholders’ Workshop. Feedback from these workshops will be considered in the drafting of the ITP and RLTP.
- Although it is no longer a statutory requirement to use the Special Consultative Procedure, it is proposed that AT still choose to publish the draft RLTP, to receive public submissions over a period of one month, and to publish submissions and responses. AT will align the timing of its submissions process with AC’s consultation on its LTP, from 24 Jan to 24 Feb 2015. AT will also co-ordinate with AC on public communications.
- Particular effort will be made to design online consultation processes which are interesting and engaging, and which encourage a wide range of people to present their views.
- In place of formal hearings, is recommended that AT hold “Transport Conversations” with submitters who have raised points which would benefit from further discussion. Relative to formal hearings, this option is expected to offer more time for Board members and management to consider new ideas raised in submissions and to engage in meaningful dialogue, and as a result to develop a better RLTP.

¹ <http://www.dia.govt.nz/Better-Local-Government#proposed5>

This recommendation responds to concerns raised in the 2012 RLTP process:

- In 2012, the resource devoted to meeting legislative requirements around the hearings and associated reports was out of proportion to the value added. Because a Hearing is a formal meeting under LGOIMA, submitters are constrained to only raising points already raised in their written submission, and the Hearings Panel's role is limited to asking questions of clarification.
- A formal hearings process is not considered the best framework for AT's dialogue with the AC Governing Body or with Local Boards.
- Furthermore, a dialogue that is based on partnership will be more consistent with AT's Maori Engagement Framework.

Communication channels

The table below outlines a suggested alignment of communication channels and tools:

	Communities and Public	AC Governing Body	AC Local Boards	Transport interest groups	Maori
Auckland Transport Website	✓	✓	✓	✓	✓
Auckland Council website	✓			✓	✓
Workshops (April 2014)		✓✓	✓✓✓✓	✓	✓✓
Auckland Council newsletter	✓			✓	✓
Auckland Council consultation document (Jan 2015)	✓			✓	✓
Letters advising of consultation/ Briefing memos	(previous submitters)	✓	✓	✓	✓
Media releases and media pack (Jan 2015)	✓				
AT Ambassadors handing out brochures in public places	✓				✓
Advertising (newspaper, radio, bus backs, online, other?)	✓				✓
Interactive online/ social media campaign (Jan/Feb 2015)	✓			✓	✓
Structured feedback forms	✓				
AT staff to attend scheduled meetings		✓ (Mar 15)	✓(*22) (Jan/Feb 15)	✓	
Transport Conversations			✓	✓	✓
Letters of response	✓	✓	✓	✓	✓




In addition to external communications, an internal communications plan will be prepared in recognition of the importance of the RLTP to the future work programmes and budgets for AT.

Next steps

Consistent with the above requirements and key directions, the recommended timing for consultation is:

- Two Councillor workshops and four local board cluster workshops to be held in April/May 2014 to provide for Local Board members' input into the RLTP, along with a transport interest groups' workshop, and initial consultation with Maori;
- July to October 2014 - development of Draft RLTP with the Board
- Approved draft RLTP document printed before Christmas 2014
- Written and online submissions accepted from 23 January to 24 February 2015, which aligns with AC submissions on the Long Term Plan
- Transport Conversations to be scheduled in late March/ early April 2015
- AT to adopt its work program for the ten years from 2015/16 in April 2015, and submit this to both NZTA and AC by 30 April
- AT to adopt the final RLTP in May 2015, and amend the ITP as required to ensure the documents are still aligned.
- Final RLTP document to be printed and distributed by 31 July 2015

Document ownership

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Glossary

Acronym	Description	Business Unit
ITP	Integrated Transport Programme	Strategy & Planning
LGA	Local Government Act	
LGOIMA	Local Government Official Information and Meetings Act	
LTMA	Land Transport Management Act ()	
LTP	Long Term Plan (Auckland Council document)	
RLTP	Regional Land Transport Plan	RLTP Funding