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Partner Reference
G C Lanning - Auckland

Auckland Transport
Private Bag 92250
AUCKLAND 1142

Writer's Details
Direct Dial: +64-9-977 5406
Fax: +64-9-977 5069

Email: gerald.lanning@simpsongrierson.com

For: Joanne Rua, Legal Counsel
By Email: Joanne.Rua@at.govt.nz

Tēnā koe Joanne

Preparation of the Auckland Regional Land Transport Plan

1. Simpson Grierson has provided legal advice on a range of matters relating to the preparation of the Auckland Regional Land Transport Plan (**RLTP**). This has included advice on the relevance of issues raised by submitters concerning the impacts of greenhouse gas emissions from the transport network on climate change. Our advice has also included a comprehensive summary of all of the relevant legal requirements for the preparation of the RLTP, which address a broader range of issues than climate change.
2. The advice has been prepared in draft and finalised after comment from AT staff to ensure that the advice is comprehensive and based on an accurate understanding of the facts. We understand that AT staff have generally adopted our advice when providing their advice to the Regional Transport Committee (**RTC**). We have also attended workshops with the RTC to discuss our advice and answer questions. In our view, therefore, staff and RTC members have a thorough understanding of the legal framework they are working within.
3. In terms of the RTC's role, the provisions of the Land Transport Management Act 2003 (**LTMA**), and section 14 in particular, are of central importance. Section 14(a) requires the RTC to "be satisfied" that the RLTP "contributes to the purpose" of the LTMA, and is "consistent with the GPS on land transport". In doing so, the RTC must consider and take into account the matters listed in section 14(b) and (c). In our view, from what we have seen, the RTC and staff have understood and carefully considered the section 14 requirements. In particular there has been a thorough analysis of the GPS in its entirety, what it requires and whether the RLTP will be consistent with it. This has included a consideration of the views expressed by submitters.
4. The staff's advice to the RTC has addressed each of the section 14 requirements and provided an evidential basis for a conclusion that each requirement is met. We understand that this advice is acceptable to the RTC. On that basis, in our view, the RTC's decision-making process appropriately addresses these requirements.

Yours faithfully
SIMPSON GRIERSON

Gerald Lanning
Partner

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