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## Regional Transport Committee feedback on the Draft Government Policy Statement for Transport

### Aronga / Purpose

1. To provide background information on the direction of the draft Government Policy Statement for Land Transport 2024/25 – 2033/34 (GPS) and on a proposed submission from the Auckland Regional Transport Committee (RTC) on the draft GPS. It seeks endorsement of the draft submission.

### Tuku mana / Delegation

2. The Auckland Council's Statement of Expectations for Substantive CCOs 2021 generally restricts independent submissions to government, except to the extent such submissions are referable to statutory obligations. In association with its task to prepare the RLTP, the RTC can make comments to the Minister on the practicalities and process elements of the draft GPS.

### Ngā tūtohunga / Recommendations

That the Regional Transport Committee (committee):

- a) Endorses the submission to the Minister of Transport on the draft Government Policy Statement for Land Transport 2024/25 – 2033/34 (GPS) included in Appendix 1.
- b) Notes that Auckland Council (AC) is also preparing a submission on the draft Government Policy Statement for Land Transport 2024/25 – 2033/34 (GPS), on behalf of the Council whanau.

### Te whakarāpopototanga matua / Executive summary

3. The draft GPS 2024/25 – 2033/34 was released by the Minister of Transport for public consultation on 17 August 2023. Submission close 15 September 2023. It is attached to this report for reference.
4. The draft GPS increases the number of strategic priorities from four to six. Climate change, freight and safety remain priorities. However, the safety priority is weakened in a movement away from "Road to Zero" and climate change is split into an adaptation and mitigation priority. Two new priorities are added to strengthen focus on operations, maintenance and renewals, and rural and urban development. Travel options is no longer a strategic priority.

Entered by Board Secretary

- The Auckland RTC is subject to AC’s restrictions on submissions to government and cannot generally make an independent submission, except to the extent such submissions are referable to its statutory obligations as an RTC to prepare the RLTP. Matters of policy direction should be left to Auckland Council and it is currently preparing a submission accordingly. However, the RTC, in association with its task to prepare the RLTP, could make comments to the Minister on the practicalities and process elements of the draft GPS, particularly given the RTC was a respondent in 2021 to judicial review proceedings that related to the RTC’s application of the GPS.

## Ngā tuhinga ō mua / Previous deliberations

Date	Report Title	Key Outcomes
May 2023 RTC	GPS 2024 public consultation	The RTC endorsed the preparation of a submission on the draft GPS.

## Te horopaki / Background

- The GPS outlines what the Government wants to achieve in land transport, and how it expects to see funding allocated between types of activities (for example, roading, public transport and road safety) across the land transport system. Each GPS sets out the priorities for a 10-year period and is updated every three years.
- The role of the GPS and its place in the wider transport decision making system is set out in the Land Transport Management Act 2003 (LTMA). Under the LTMA, the RTC must prepare an Auckland Regional Land Transport Plan (RLTP) every 6 years (reviewed every three years) and that RLTP must be “consistent with” the GPS. It is the responsibility of the RTC to submit the RLTP to AT for approval.
- In regions other than Auckland, Regional Transport Committees are established and administered by the regional council and comprised of political representatives (usually Mayors) of the constituent district/city councils, Waka Kotahi and KiwiRail). It is likely that these RTC’s will make substantial submissions on the draft GPS on behalf of their region’s political landscape.
- Recognising Auckland’s unique position, the LTMA provides for the AT Board to perform both the RTC role and the regional council role with respect to the preparation of and RLTP for Auckland. The Auckland RTC comprises the Auckland Transport Board (which includes a non-voting member Waka Kotahi representative) and a non-voting KiwiRail member. In Auckland, however, due to the makeup of Auckland’s Regional Transport Committee (not being elected members) this primary submission task is being undertaken by Auckland Council.
- The Auckland Council submission is being jointly developed by AT and AC staff. The submission is focusing on substantial policy and funding expectations and addresses the relationship between central and local government. The AT board will have an opportunity separately to review and endorse the AC submission as part of the Auckland whanau.

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11. The Auckland RTC is subject to AC's restrictions on submissions to government and cannot generally make an independent submission, except to the extent such submissions are referable to its statutory obligations as an RTC to prepare the RLTP. Matters of policy direction should be left to Auckland Council, however, the RTC, in association with its task to prepare the RLTP, may make comments to the Minister on the practicalities and process elements of the draft GPS, particularly given the RTC was a respondent in 2021 to judicial review proceedings that related to the RTC's application of the GPS.

## **Te hononga ki te “Statement of Intent 2023 - 2026”/ Alignment to Statement of Intent 2023 - 2026**

12. The Auckland RTC is responsible for preparing the RLTP. However, this function must be carried out in the context of various Auckland Council guidance and policy levers, including the Mayor's Letter of Expectation and Auckland Transport's Statement of Intent.

## **Me mōhio koe / What you need to know**

13. There are a number of changes to the government's priorities from the 2021 GPS.

### **Changes to strategic priorities**

14. In 2021, there were four strategic priorities: Safety; Better travel options; Improving freight connections; and Climate change. The government has introduced two new priorities, separated the climate change priority into two, and removed the better travel options priority.
15. Sustainable urban and regional development is a new priority. Previously, economic and development objectives were less explicit and spread across the freight and travel options priorities. The new priority more strongly reflects government housing objectives.
16. Maintaining and operating the system is the second new priority. The previous GPS emphasised transformation rather than “business as usual” in the strategic priorities. The draft 2024 GPS recognises that maintenance, in particular, has seen under-investment.
17. The climate change priority in GPS 2021 has been separated into two components, reflecting the need to both mitigate (Reducing emissions) and adapt to climate change and other events (Increasing resilience).
18. GPS 2024 removes the strategic priority around travel options. The importance of travel options is incorporated into the urban development priority and is less explicit.
19. Safety retains its strategic priority status, but the government is moving away from the previous commitment to achieve zero deaths and serious injuries by 2050. The short term 2030 target of reducing deaths and serious injuries by 40 per cent remains.
20. Only one of the strategic priorities therefore remains largely as outlined in GPS 2021. The Integrated freight system priority closely reflects GPS 2021.

### **Changes to overall direction and tone**

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21. In addition to material changes to the priorities themselves, the draft GPS signals a marked softening in language and tone with respect to government expectations. The draft GPS is in this respect less ambitious than GPS 2021, focusing on more qualitative improvements like “reducing” and “increasing”.
22. This is most evident, and most relevant to the RTC, in the case of the Reducing Emissions priority. The Climate change priority from GPS 2021 was defined as, “Transforming to a low carbon transport system that supports emissions reductions aligned with national commitments, while improving safety and inclusive access.” The primary outcome explicitly recognised “giving effect to the emissions reduction target the Climate Change Commission recommended to Cabinet”, thereby providing a quantifiable target against which performance could be measured, regardless of whether that target was achievable within available resources or what the impact may be on other strategic priorities.
23. The draft GPS is clear that land transport investment, and subsidiary documents like the RLTP, are to support “Transitioning to a local carbon transport system” and to “contribute to reducing greenhouse gas emissions”.
24. AT’s Legal Services team has been engaged for their initial assessment of the draft GPS and whether the type of ambiguity which contributed to the judicial review is present. Legals summary opinion is that:

*In summary, there is nothing in the way that the draft GPS 2024 expresses those priorities which would particularly invite judicial review of AT decisions about RLTP consistency with GPS 2024. The strategic priorities are not unclear or ambiguous. It should be remembered that the GPS is essentially a policy document and not law. The strategic priorities are ‘aspirational’ and consistency with GPS 2024 is to be determined against consideration of the GPS 2024 as a whole.*

**Changes to funding and investment**

25. The draft GPS proposes an increase in NLTF revenue from \$15.5 billion in 2021/22-2023/24 to \$20.8 billion in 2024/25- 2026/27, an increase of \$5.3 billion (34 percent). This requires a funding package of \$7.7 billion, because revenue over 2021/22-2023/24 was propped up by a \$2 billion Crown loan.
26. Key changes in activity class allocations include: the public transport services activity class increases by 50 percent; the local road maintenance and renewals activity class increases by 35 percent; the safety activity class decreases by 37 percent, despite the traffic infringement fee revenue going into this activity class.
27. The draft GPS also reintroduces investment priorities, which were not identified in GPS 2021. Projects identified in the Auckland region are: Warkworth to Whangārei – State Highway 1; Auckland Northwest Rapid Transit; Auckland rail third and fourth Mains Expansion; Avondale to Onehunga rail link; and Level Crossing Upgrade and Removal Programme.

**RTC feedback**

28. While the draft GPS therefore provides an appropriate degree of direction to the RTC, the current government will not finalise the GPS before the election. This means that GPS 2024 will need to be approved by the incoming government.

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29. It is likely that significant changes will be made following the election. It is too early to determine in what way priorities or funding allocations will change or if the changes will result in another round of consultation. This creates two risks for the RTC:
- i. Subsequent changes make it difficult for the RTC to submit an RLTP to the AT board which is “consistent with” the GPS, increasing the risk of judicial review.
  - ii. The time available for development of the RLTP is further reduced, placing limitations on public consultation, analysis or other phases of development.
30. The RTC submission attached to this report anticipates these risks and requests further consultation if substantive changes are made to the draft. It asks for sufficient time to develop the RLTP, including for consultation, should changes be made and the publication of the final GPS be delayed.
31. The progress of the draft GPS will be monitored over coming months and an update provided to the RTC.

**Auckland Council submission**

32. AC and AT staff are currently working on a group submission which responds to policy and investment priorities. The draft submission is generally supportive of the draft GPS, including the strategic priorities and funding allocations. The council submission notes concern at the softening of ambition around safety and carbon emissions. The AT Board will have an opportunity to review and endorse (if appropriate) the AC submission.

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

33. The GPS sets out funding allocations from the National Land Transport Fund to various transport activity classes. It directly impacts AT funding for transport activities and influences AT priorities.

**Ka whaiwhakaaro ki te Tiakanga Taiao / Climate change and sustainability considerations**

34. The GPS sets government direction for climate change and sustainability across the land transport system, as well as the resourcing available to activities which support climate change and sustainability. For AT to continue to resource climate change and sustainability, adequate direction and resourcing via the GPS is required.

**Ngā whakaaweawe atu anō / Other impacts**

Relationship	Consulted Y/N	Views and Perspectives Received
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Māori	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	This report and submission are designed to reflect the needs of the RTC in regard to its statutory functions. Government is seeking Māori views and feedback separately.
Elected members	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	Elected members will approve the final group submission on the draft GPS. This report and attached submission are designed to reflect the RTC's independent views and needs.
Council Controlled Organisations	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	CCOs have been engaged separately by Auckland Council as part of the process for developing group feedback on the draft GPS.

## Ā muri ake nei / Next steps

35. Subject to RTC endorsement, the attached RTC submission on the draft GPS will be provided to the Minister of Transport.

## Ngā whakapiringa / Attachments

Attachment number	Description
1	Draft Regional Transport Committee submission on the draft Government Policy Statement for Land Transport 2024/25-2033/34.
2	Draft Government Policy Statement for Land Transport 2024/25-2033/34.



## Te rārangi o ngā kupu whakatau / Decision checklist (for Board and Committee members)

Have the following matters and impacts on them been considered in decision making?	Considered Y/N	
Alignment to Statement of Intent 2023 – 2026 principles and statement of performance expectations	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Budget and fiscal constraints	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Climate change and sustainability (including contributing to the Transport Emissions Reduction Pathway)	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>

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Customer and community engagement	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
Equity of access to transport	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Māori outcomes	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
Health, safety and wellbeing outcomes	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>

### Te pou whenua tuhinga / Document ownership

<b>Submitted by</b>	Hamish Glenn <b>Head of Transport Policy</b>	
<b>Recommended by</b>	Jenny Chetwynd <b>Executive General Manager Planning and Investment</b>	
<b>Approved for submission</b>	Dean Kimpton <b>Chief Executive</b>	