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## Government Policy Statement on Land Transport 2024 public consultation

For decision:  For noting:

### Ngā tūtohunga / Recommendations

That the Regional Transport Committee (committee):

- a) Notes that the government intends to commence public consultation on the draft Government Policy Statement on Land Transport 2024 (GPS) in mid-late June 2023.
- b) Endorses the development of a submission on the draft GPS 2024 to be submitted by the committee to the Minister for Transport, for consideration for approval by the committee in July 2023.

### Te whakarāpopototanga matua / Executive summary

1. The GPS sets the government's priorities for land transport investment over the next 10-year period. It also sets out how money from the National Land Transport Fund (NLTF) is spent on activities such as public transport, state highway improvements, local roads, and road safety.
2. It is reviewed and updated every three years and is subject to a public engagement and feedback process, before the Minister of Transport makes the final decision as to its content and direction.
3. The government is currently reviewing the GPS 2021 and intends to commence public engagement on the draft GPS 2024 in June 2023. Public engagement is likely to last for a period of 6 weeks.
4. The Ministry of Transport has tentatively agreed to attend a meeting of the committee in June to present the draft policy direction, subject to release of the consultation documents. This will provide an opportunity for committee members to understand and inquire into the government's intentions, emphasis and priorities for land transport.
5. It will also give committee members an opportunity to understand potential implications for their statutory role and functions as a regional transport committee, particularly with a focus on the committee's task of reviewing the current Regional Land Transport Plan (RLTP) next year. This is important in light of last year's Judicial Review on the RLTP initiated by All Aboard Aotearoa, which was successfully defended.
6. Following the session, a submission from the committee on the draft GPS will be prepared, provided to the committee for consideration and endorsement, and submitted to the Ministry of Transport.

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## Ngā tuhinga ō mua / Previous deliberations

7. The committee has not previously deliberated on the GPS 2024.

## Te horopaki me te tīaroaro rautaki / Context and strategic alignment

8. The GPS sets the government's priorities for land transport investment over the next 10-year period. It also sets out how money from the NLTF is spent on "activity classes" such as public transport, state highway improvements, local roads, and road safety.
9. The RLTP must be "consistent with" the GPS.
10. In 2022, there was a judicial review of the Auckland RLTP. Amongst other things, the applicant, All Aboard Aotearoa, alleged that "Contrary to the associated priority outcome in GPS 2021, the RLTP does not make investment decisions that support the rapid transition to a low carbon transport system, that materially reduce harmful emissions, and that give effect to the emissions reduction targets in the Climate Change Commission Advice".
11. The judicial review was successfully defended by AT, but the process emphasised the significance of the GPS to the committee, which has statutory responsibility for recommending the RLTP to AT for approval. In particular, the committee must be satisfied that the RLTP is consistent with the GPS before recommending it for approval.
12. Auckland Council will be leading a group submission, with the support of AT, on the draft GPS. This submission is expected to emphasise the strategic priorities of the council group, rather than the Auckland transport system as a whole.
13. The committee is the appropriate entity to present the transport system perspective. It is also important to advocate that GPS is constructed in a way that enables regions to achieve the statutory requirement for consistency within available resources.

## Ngā matapakinga me ngā tātaritanga / Discussion and analysis

14. The committee construct provides a unique opportunity for key decision makers and players in Auckland to collaborate and coordinate on matters relating to planning and prioritising transport investment in Auckland's transport system. This is primarily done through the development of the RLTP, but there are wider opportunities to increase the effectiveness of this forum. Understanding the policy frameworks that guide those tasks and having an opportunity to influence that policy during its development to maximise its clarity, is critical.
15. Under the Land Transport Management Act 2003 (LTMA), a regional transport committee must be satisfied that the RLTP is consistent with the GPS. Waka Kotahi New Zealand Transport Agency (Waka Kotahi), when preparing the National Land Transport Programme (NLTP), must ensure that the NLTP gives effect to the GPS.

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16. Both regional transport committees and Waka Kotahi therefore have a strong interest in using the consultation process on the draft GPS to ensure that the GPS clearly states the strategic priorities that will guide regional transport committee and Waka Kotahi investment decisions. This includes the GPS being clear as to whether the strategic priorities are of equal weight, or any one priority takes pre-eminence (as the Government had at one time indicated would be the case in respect of the climate change strategic priority).
17. The committee also has an interest in other parts of the GPS that will influence its preparation of the next RLTP: for example, the funding ranges for activity classes, and references to specific Government commitments such as the Auckland Transport Alignment Project (ATAP). The consultation process provides an opportunity for the committee to influence these matters.
18. A key issue in the recent judicial review proceedings brought by All Aboard Aotearoa Inc. against Auckland Transport, the committee, and Auckland Council (which was successfully defended), was whether the committee could reasonably be satisfied that the draft RTLP 2021-2031 was consistent with the GPS 2021-2031, as required by the LTMA.
19. The High Court found that the four strategic priorities in the GPS 2021-2031 (safety, better travel options, improving freight connections, and climate change) were of equal weight, and that no one priority (such as climate change) was more important than the others. The committee was required to be satisfied that the RLTP was consistent with the GPS taken overall.
20. The All Aboard proceedings, and similar judicial review proceedings brought against Waka Kotahi in relation to its decision-making on the NLTP, highlight the importance of the GPS being clear and consistent in the direction that is being set to regional transport committees when preparing the RLTPs and Waka Kotahi when preparing the NLTP. The committee's participation in the consultation process on the draft GPS can help to ensure this.
21. Early indications on content of the draft GPS are that it will focus on adapting to the effects of climate change, pivoting away from a focus signalled earlier on reducing carbon emissions. Consistent with the Budget, a heavy focus on recovering and enhancing the resilience of roads and railways is anticipated.
22. Other issues that could usefully be addressed by the review of the GPS include:
  - a. clear prioritisation of outcomes and objectives relative to each other
  - b. Achievability of any set targets – with high expectations for Auckland to reduce vehicle kilometres travelled (VKT) and emissions, identified targets may not be able to be met despite project delivery;
  - c. Funding uncertainty for rail upgrade costs to improve capacity and safety – with the mayor's interest to see port activities moving on to rail, freight on rail has increased. However, there is a major challenge around costs, which are now estimated to be significantly larger than the total cost of the City Rail Link (CRL);
  - d. Overall NLTF affordability – NLTF revenue has not kept pace with the increasing cost of transport service delivery and scope (new items such as safety cameras, national ticketing, etc.). This is leading to insufficient funding for maintenance, operations and renewals

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- and AT is unable to fund the increasing cost of public transport provision, particularly in relation to indexation, changes to driver wages and implementation of low emission vehicles;
- e. Funding of ATAP commitments – ATAP 2021-31 included a commitment of \$31.4b for Auckland projects however there is insufficient funding within activity classes to fund the commitments to ATAP as noted in the GPS;
  - f. The combining of NLTF and general government revenue into a single “hybrid” funding approach – with AT’s programme increasingly funded from multiple sources (Council, NLTF, Climate Emissions Reduction Fund, etc), there are additional complexities and costs incurred with recording, claiming and reporting expenditure and performance. Prioritisation is being impacted by funding availability (e.g. Carrington Road brought forward); and
  - g. Lack of flexibility and involvement over planning and development in relation to intensification – set allocated funding undermines the ability to respond to more flexible planning provisions (e.g. medium density residential standards).

**Ngā tūraru matua / Key risks and mitigations**

Key risk	Mitigation
Misalignment between the new policy direction of the GPS and the decisions made by the committee in the review of the next RLTP.	The committee is briefed by the Ministry of Transport on the draft GPS and provides feedback to the Minister. Following confirmation of the final GPS, the Ministry of Transport is invited back to the committee to present.
The GPS sets policy objectives which are not reflective of funding availability.	The committee provides a submission to the government highlighting any inconsistency between the aspirations of the GPS and the ability to meet those aspirations.

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

23. There are no immediate financial or resource impacts arising from the preparation of a submission.

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

24. The GPS 2024 is going to set government policy direction in regard to climate change.

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25. A key priority for AT, the committee and other transport organisations will be ensuring that this direction is sufficiently clear and reflective of the level of investment available.

## Ngā whakaaweawe me ngā whakaaro / Impacts and perspectives

### Mana whenua

26. Mana whenua perspectives will not be sought.

### Ngā mema pōti / Elected members

27. AT and council staff will support an Auckland Council submission, prepared by the Planning, Environment and Parks Committee.

### Ngā rōpū kei raro i te Kaunihera / Council Controlled Organisations (CCOs)

28. CCO perspectives will not be sought.

### Ngā kiritaki / Customers

29. Customer perspectives will not be sought.

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

30. There are no health, safety or wellbeing considerations.

## Ā muri ake nei / Next steps

31. Following the Ministry of Transport's presentation, a submission will be prepared for the committee's 'consideration in July 2023.



## Te pou whenua tuhinga / Document ownership

Submitted by

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