

I hereby give notice that an ordinary meeting of the Transport and Infrastructure Committee will be held on:

Date: Thursday, 17 August 2023
Time: 10.00am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Komiti mō ngā Tūnuku me ngā Rawa Tūāhanga / Transport and Infrastructure Committee

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr John Watson	
Deputy Chairperson	Cr Christine Fletcher, QSO	
Members	Cr Andrew Baker	Cr Mike Lee
	Cr Josephine Bartley	Cr Kerrin Leoni
	IMSB Member James Brown	Cr Daniel Newman, JP
	Mayor Wayne Brown	IMSB Member Pongarauhine Renata
	Cr Angela Dalton	Cr Greg Sayers
	Cr Chris Darby	Deputy Mayor Desley Simpson, JP
	Cr Julie Fairey	Cr Sharon Stewart, QSM
	Cr Alf Filipaina, MNZM	Cr Ken Turner
	Cr Lotu Fuli	Cr Wayne Walker
	Cr Shane Henderson	Cr Maurice Williamson

(Quorum 11 members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

14 August 2023

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ITEM	TABLE OF CONTENTS	PAGE
1	Ngā Tamōtanga Apologies	5
2	Te Whakapuaki i te Whai Pānga Declaration of Interest	5
3	Te Whakaū i ngā Āmiki Confirmation of Minutes	5
4	Ngā Petihana Petitions	5
5	Ngā Kōrero a te Marea Public Input	5
	5.1 Public Input: Fraser Foote - Electric ferries and the opportunities for Auckland's future	5
6	Ngā Kōrero a te Poari ā-Rohe Pātata Local Board Input	5
7	Ngā Pakihi Autaia Extraordinary Business	5
8	Auckland Transport Update - August 2023	7
9	Public Transport Customer Satisfaction Metrics Overview	9
10	Approval of Auckland Transport's Statement of Intent 2023-2026	11
11	Options to Reform Legislation Governing Transport in Auckland	17
12	Summary of Transport and Infrastructure Committee information memoranda, workshops and briefings (including the forward work programme) - 17 August 2023	27
13	Te Whakaaro ki ngā Take Pūtea e Autaia ana Consideration of Extraordinary Items	

1 Ngā Tamōtanga | Apologies

2 Te Whakapuaki i te Whai Pānga | Declaration of Interest

3 Te Whakaū i ngā Āmiki | Confirmation of Minutes

Click the meeting date below to access the minutes.

That the Transport and Infrastructure Committee:

- a) whakaū / confirm the ordinary minutes of its meeting, held on [Thursday, 20 July 2023](#), including the confidential section, as a true and correct record.

4 Ngā Petihana | Petitions

5 Ngā Kōrero a te Marea | Public Input

5.1 Public Input: Fraser Foote - Electric ferries and the opportunities for Auckland's future

**Te take mō te pūrongo
Purpose of the report**

1. Fraser Foote will address the committee regarding electric ferries and the opportunities for Auckland's future.

**Whakarāpopototanga matua
Executive summary**

2. The presentation will address the electric ferry network in Auckland as it could evolve drawing on the experiences of the project team that have built the only electric ferry operating in the southern hemisphere.

**Ngā tūhonga
Recommendation/s**

That the Transport and Infrastructure Committee:

- a) whiwhi / receive the public input from Fraser Foote in relation to electric ferries and the opportunities for Auckland's future and whakamihi / thank him for attending the meeting.

6 Ngā Kōrero a te Poari ā-Rohe Pātata | Local Board Input

7 Ngā Pakihi Autaia | Extraordinary Business

Auckland Transport Update - August 2023

File No.: CP2023/11273

Item 8

Te take mō te pūrongo Purpose of the report

1. To whiwhi / receive an update from the Chief Executive of Auckland Transport on the performance of the organisation.

Whakarāpopototanga matua Executive summary

2. The Transport and Infrastructure Committee has responsibility for the oversight of major transport and infrastructure matters that affect the Auckland region.
3. Auckland Transport is a Controlled Organisation (CCO) of Auckland Council. Auckland Transport designs, build and maintains Auckland's roads, ferry wharves, cycleways and walkways, coordinates road safety and community transport initiatives such as school travel, and plans and funds bus, train, and ferry services across Auckland.
4. An update will be provided by the Chief Executive on strategic issues, operational updates and key performance metrics for the most recent reporting period.

Ngā tūtohunga Recommendation/s

That the Transport and Infrastructure Committee:

- a) whiwhi / receive the update from Auckland Transport's Chief Executive on the performance of the organisation.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Auckland Transport Chief Executive Update - August 2023	

Ngā kaihaina Signatories

Author	Duncan Glasgow - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Barry Potter - Director Infrastructure and Environmental Services

Public Transport Customer Satisfaction Metrics Overview

File No.: CP2023/11275

Te take mō te pūrongo Purpose of the report

1. To whiwhi / receive an update from Auckland Transport on the various methodologies used to measure customer satisfaction across the public transport (PT) network.

Whakarāpopototanga matua Executive summary

2. The Transport and Infrastructure Committee has responsibility for the oversight of major transport and infrastructure matters that affect the Auckland region.
3. Auckland Transport is a Controlled Organisation (CCO) of Auckland Council. Auckland Transport designs, build and maintains Auckland's roads, ferry wharves, cycleways and walkways, coordinates road safety and community transport initiatives such as school travel, and plans and funds bus, train, and ferry services across Auckland.
4. Management currently undertakes two surveys (the GravitasOPG Onboard Survey and Auckland Transport's Internal Online Survey) to evaluate the performance of PT services. The results are reported to various stakeholders across Auckland Transport and Auckland Council.
5. An overview will be provided of the methodologies employed for both surveys.

Ngā tūtohunga Recommendation/s

That the Transport and Infrastructure Committee:

- a) whiwhi / receive the update from Auckland Transport's officers on the methodologies used to measure customer satisfaction across the PT network.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Public Transport Customer Satisfaction Metrics Overview	

Ngā kaihaina Signatories

Author	Duncan Glasgow - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Barry Potter - Director Infrastructure and Environmental Services

Approval of Auckland Transport's Statement of Intent 2023-2026

File No.: CP2023/07763

Item 10

Te take mō te pūrongo Purpose of the report

1. To approve the 2023-2026 Statement of Intent (SOI) for Auckland Transport.

Whakarāpopototanga matua Executive summary

2. SOIs set out the objectives and activities of each Council Controlled Organisation (CCO) for the next three years. They serve as a basis for accountability to the council, and provide an opportunity for the council to influence each organisation's direction. SOIs should align to statutory requirements, the annual letter of expectation, group strategy and policy and the final 2023/24 annual budget.
3. Staff have reviewed Auckland Transport's final SOI and reconciled it against the shareholder comments provided to Auckland Transport in May 2023. The shareholder comments were focused on better alignment with group strategy, more meaningful performance measures, responding more directly to the passenger transport challenge and improving communications and connecting to communities.
4. Auckland Transport has made significant efforts to respond to the shareholder feedback and has addressed or responded to most of the matters raised.
5. Staff from Auckland Transport and council have worked together to refine the key performance indicators and outcomes expected. A summary of all the measures is provided on page 29, and notably Appendix 2 provides an explanation of each measure and the rationale for targets. The targets included for a number of the measures have been revised down to reflect budget and priorities. Auckland Transport has focussed on what is achievable as opposed to setting stretch targets.
6. Council staff have been working with Auckland Transport on the passenger transport recovery plan as requested. Other notable changes from the draft include more detail on Māori outcomes, Auckland Transport's response to managing disruptive events, more detail on timeframes for work programmes in the road corridor and a strengthened focus on improving customer communications with them.
7. Auckland Transport has noted that it will work with the new water entity on stormwater management. Auckland Transport has been working with council on the 'make space for water' initiative and is planning to report to the board later in the year on stormwater matters. Council could ask Auckland Transport to elaborate on its processes and commitment at a Transport and Infrastructure Committee following their board discussions.
8. Staff consider that no major modifications are required to the final SOI and that the Transport and Infrastructure Committee should approve the 2023-2026 SOI for Auckland Transport.

Ngā tūtohunga Recommendation

That the Transport and Infrastructure Committee:

- a) whakaae/approve Auckland Transport's Statement of Intent 2023-2026.

Horopaki Context

Item 10

9. The requirements for SOIs are set out in Schedule 8 of the Local Government Act (LGA) 2002. SOIs establish the objectives and activities for a CCO for the next three years. They serve as a basis for accountability to the council, and provide an opportunity for the council to influence the organisation's direction.
10. SOIs are one element of council's overall strategic, planning, reporting and accountability documentation. Other documents include the statement of expectations, CCO accountability policy, long-term plan and annual report.
11. Under the LGA the council has the ability to modify a SOI to ensure it adequately reflects the council's strategic priorities if it considers that is necessary.
12. Each SOI follows a template, as recommended by the CCO review, which has the following sections:
 - Part 1: Strategic Overview – which focuses on the three-year horizon and sets out strategic objectives, nature and scope, how it will deliver on council's outcomes and the 10-year budget (long-term plan) performance measures.
 - Part 2: Statement of performance expectations. It provides an annual work programme, financial information and responses to specific requests by the shareholder. It is updated and submitted annually.
13. At the 15 December 2022 Governing Body meeting a one-month extension of statutory deadlines for the 2023-2026 SOIs, as provided for in the LGA Schedule 8, section 4 was approved. ([GB/2022/137](#)).
14. Key steps in the SOI process were:
 - a letter of expectation was provided to Auckland Transport in December 2022 based on decisions made at the 15 December 2022 Governing Body meeting ([GB/2022/137](#)).
 - Auckland Transport provided its draft SOI to council by the deadline of 1 April 2023
 - the Transport and Infrastructure Committee approved shareholder comments on 18 May 2023 ([TICCC/2023/61](#))
 - Auckland Transport considered the shareholder comments at a public board meeting (27 May 2023)
 - the final SOI was received by 31 July 2023.
15. Staff have reviewed Auckland Transport's SOI and reconciled it against the shareholder comments provided in May 2023. The shareholder comments focused on:
 - better alignment with group strategy and policy and the draft 2023/24 annual budget
 - meaningful performance measures and more information on how these are defined and calculated.
 - responding more directly to the passenger transport challenge
 - improving communications to the public, listening to and connecting to the communities they serve
 - providing more specific milestones for improvements in the roading corridor
 - detailing how Auckland Transport addresses stormwater management and maintenance.

Tātaritanga me ngā tohutohu Analysis and advice

16. The SOI is provided in Attachment A. Staff have reconciled shareholder comments against the final SOIs and this reconciliation is provided in Attachment B.
17. Auckland Transport has made significant efforts to respond to the shareholder feedback and has addressed or responded to most of the matters raised and there are no issues for modification.
18. Staff from Auckland Transport and council have worked together to refine the key performance indicators and outcomes expected. A summary of all the measures is provided on page 29, and notably Appendix 2 provides an explanation of each measure and the rationale for targets. For several measures Auckland Transport has revised down the targets to reflect funding and priorities (e.g. arterial productivity, road maintenance, passenger transport boardings and cycling counts). Of note:
 - Auckland Transport has introduced a number of measures that council requested to be consistent with other CCOs and to enable Auckland Transport's performance to be assessed (e.g. customer complaints, resource consent adherence, road maintenance, financial and passenger transport metrics, Māori business procurement).
 - The passenger transport boardings target for this year is set at 83.4 million reflecting the impact of the rail network rebuild and existing challenges in staffing, particularly for ferries. Auckland Transport notes in the SOI that it has an additional aspirational stretch target to reach 100 million boardings by the end of June 2024 and they are reporting monthly on their progress.
 - The new performance measure and its targets 'critical assets in poor condition' notes a managed decline in asset conditions. Auckland Transport note elsewhere in the SOI that this is linked to budget constraints at the national and regional level.
 - The deaths and serious injuries have also been revised down from the previous trajectory to reflect the lower funding availability. The measure has been aligned with financial year.
 - Cycle counts baseline has been reset to 3.043 million and targets have been reset to an annual increase of 2.5 per cent. This reflects budget reductions.
 - Auckland Transport will continue to monitor estimated greenhouse gas emissions and this will be reported regularly to council.
19. Staff from Auckland Transport and council have been working together to advance a passenger transport recovery plan. This is reflected in Section 2.2 (page 19) on getting the basics right.
20. Changes to the final SOI of note include:
 - More detail on Auckland Transport's response to Māori outcomes, the Independent Māori Statutory Board's Schedule of Issue of Significance and Kia Ora Tāmaki Makaurau. This includes a sustainable procurement measure of spend with Māori businesses.
 - More detail on the processes Auckland Transport is undertaking to improve how it manages and responds to disruptive events in the Climate and Sustainability section.
 - Auckland Transport has included milestones for each project/programme in 'Section 2.2 Getting the basics right'. The emphasis is on managing and maintaining the infrastructure we currently have and improving transport services. More commentary on how Auckland Transport will minimise the impact of disruption on the road corridor and reduce road cones.

Item 10

- Stronger links to council's strategic objectives have been reflected in the final SOI in three places - Section 1.3 'Strategic alignment'; Section 2.2 'Getting the basics right' – where a new section 'Work towards the Transport Emissions Reduction Plan' is provided; and Section 2.4 'Collaboration and improving relationships' on collaborating on the Regional Land Transport Strategy.
- Auckland Transport has strengthened the focus on the customer and improving communication with them throughout the SOI.
- More references to innovating are included in the section 'Getting the basics right'.
- Auckland Transport has noted that it will work with the new water entity on stormwater management. In the paper to the board seeking approval of the final SOI, Auckland Transport noted it has been working with council on the 'make space for water' initiative and is planning to report to the board later in the year on stormwater matters. Council could ask Auckland Transport to elaborate on its processes and commitment at a Transport and Infrastructure Committee later this year following its board discussions.

21. Auckland Transport has, as requested, included a summary of the 2023/24 capital programme.

Tauākī whakaaweawe āhuarangi **Climate impact statement**

22. The final SOI supports the implementation of actions identified in Te Tāruke-ā-Tāwhiri, within the constraints of funding.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera **Council group impacts and views**

23. Auckland Transport's SOI reflects feedback from council staff and considers the impacts on the group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe **Local impacts and local board views**

24. The reconciliation exercise between the final SOI and the shareholder comments ensured that issues relating to local boards were addressed as required in the shareholder comments. Section 2.4 Collaboration and improving relationships addresses local board matters.

Tauākī whakaaweawe Māori **Māori impact statement**

25. The final SOI addresses the issues raised by the Independent Māori Statutory Board and Ngā Mātārae in shareholder feedback. The performance of Auckland Transport on its commitments to Māori outcomes is reported on each quarter as part of quarterly performance reporting.

Ngā ritenga ā-pūtea **Financial implications**

26. Financial information in the SOI has been reviewed by Financial Strategy and Planning and the 2023/2024 budgets are consistent with final Auckland Council 2023/24 annual budget decisions.

27. Forecasts provided for 2024/2025 and 2025/2026 are indicative only. The associated council operating funding projection is notably higher than the funding level assumed in the current Long-term Plan 2021-2031 or the adjusted Long-term Plan with approved changes from the 2022/2023 and 2023/2024 Annual Plans.
28. While these forecast numbers provide an initial outlook, they are subject to change and the budget approval for these years will be part of the Long-Term Plan 2024-2034 process.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

29. There are no major risks associated with approving Auckland Transport's SOI.

Ngā koringa ā-muri Next steps

30. If the committee approves the SOI, Auckland Transport will report on performance every quarter.

Ngā tāpirihanga Attachments

No.	Title	Page
A	AT Final SOI 2023-2026	
B	AT Reconciliation table final SOI with shareholder comments	

Ngā kaihaina Signatories

Author	Claire Gomas - Principal Advisor
Authorisers	Alastair Cameron - Manager - CCO Governance & External Partnerships Barry Potter - Director Infrastructure and Environmental Services

Options to Reform Legislation Governing Transport in Auckland

File No.: CP2023/11423

Item 11

Te take mō te pūrongo

Purpose of the report

1. To approve in principle support for legislative change that would provide for:
 - Auckland Council and the Crown to jointly make integrated decisions about planning the Auckland transport system; and
 - Auckland Council to have a greater role in making regional decisions about the Auckland transport system, including approving the Regional Land Transport Plan and setting fines.

Whakarāpopototanga matua

Executive summary

2. Auckland Council is the only council in New Zealand that does not have a direct formal role in preparing and approving the strategic direction for transport and the allocation of funding in support of that direction. Changes to the Land Transport Management Act (LTMA) in 2013 transferred the primary responsibility from Auckland Council primarily to Auckland Transport and its Board. The Independent CCO Review panel in 2020 noted that this change was “wrong in principle and at odds with the intent of Auckland’s local government reforms”.
3. Since 2013, the transport system in Auckland has grown in complexity, with new agencies being established (e.g. City Rail Link Limited and Auckland Light Rail). The National Land Transport Fund has become increasingly constrained and core government funding is increasingly being used to fund transport initiatives.
4. Wider government reforms are also impacting on governance, policy and decision making; this exacerbates issues with alignment and coordination challenges.
5. The Auckland Transport Board noted that the transport governance and funding arrangements for Auckland are no longer working and is seeking that council give serious consideration to how a more simplified, transparent, and robust planning and funding framework for Auckland can be created.
6. In discussions with the Minister of Transport, the mayor has indicated that a fundamental shift is needed to put Aucklanders back in charge of Auckland’s transport system, noting that Auckland Council plans to invest \$30 billion into transport in the current 10-year plan.
7. A workshop was held with the Transport and Infrastructure Committee on 9 August 2023 to discuss four broad options for addressing these challenges. These options could be progressed either by way of a government bill to amend existing public acts (the Local Government (Auckland Council) Act and the Land Transport Management Act) or through an Auckland Council developed promoted local bill. Or the council could choose to progress both options in parallel.
8. This report summarises these options and recommends that the committee supports the need for legislative change to enable Auckland Council to have a formal role in preparing and approving the strategic direction for transport and the allocation of funding to achieve it. It recommends that staff undertake further work on options and report back to this committee in September. The report also recommends the mayor has the support of council to advocate to the incoming Government that this is a priority.

Ngā tūtohunga Recommendation/s

That the Transport and Infrastructure Committee:

- a) whakaae / agree to support legislative change that, at a high level, provides for:
 - i) joint decision-making between Auckland Council and the Crown on a long-term integrated transport plan for Auckland, and on the funding and implementation of that plan
 - ii) Auckland Council to have the lead role in preparing and approving the Regional Land Transport Plan, which sets the strategic direction for transport and the allocation of funding in support of that direction
 - iii) Auckland Council to be able to make other key regulatory decisions about the Auckland transport system, including setting parking fines
- b) tono / request the Mayor to advocate for legislative change giving effect to the principles above to be a priority for the incoming Government
- c) tono / request staff to draft a local bill consistent with clause a) above and to engage with the Office of the Clerk and Parliamentary Counsel Office on the possibility of Auckland Council proceeding with the promotion of the local bill, and to report back to the Governing Body with a draft local bill and further advice on next steps in September.

Horopaki Context

Transport planning in Auckland is different to other councils in New Zealand

9. Transport accounts for more than 30 per cent of Auckland Council's budget (more than \$30 billion of overall investment in Auckland over 10 years). Despite this, Auckland Council is the only council in New Zealand that does not have a formal role in preparing and approving the strategic direction for transport and the allocation of funding in support of that direction.

Functions and responsibilities of Auckland Transport

10. The functions and responsibilities of Auckland Transport have evolved from those originally intended at its outset. Subsequent amendments have resulted in a governance framework that is not fit for purpose.
11. The Royal Commission on Auckland Governance recommendations for Auckland Transport were to bring all elements of transport under the management of one body – a Regional Transport Authority (RTA), with Auckland Council remaining responsible for high-level policy. The RTA would prepare the regional transport plan. Auckland Council would approve this plan. The rationale for the RTA was to provide a greater single focus on transport, more continuity in investment and a wider pool of expertise.
12. Cabinet agreed to these recommendations and agreed to the following additional functions for the RTA:
 - acting as an approved organisation for NZ Transport Agency¹ funding
 - being the Road Controlling Authority
 - undertaking public transport planning, regulation and contracting

¹ Now Waka Kotahi NZ Transport Agency

13. The Royal Commission also recommended that there should be a joint management structure with the NZ Transport Agency for national land transport funding and state highways. It should involve a formal agreement covering scope of activities and governance arrangements (possibly including a joint management board). Cabinet, however, chose to maintain the current structural relationship between national and regional functions for roads and rail. It did agree that a representative of the NZ Transport Agency would be formally appointed as an advisor to the RTA Board.

Changes to the Land Transport Management Act 2003

14. In 2013, the government reformed the Land Transport Management Act 2003. It combined the Regional Land Transport Strategy, which was Auckland Council's responsibility, with the Regional Land Transport Programme (which was Auckland Transport's responsibility) into one Regional Land Transport Plan.
15. Developing and approving this new plan became the sole responsibility of Auckland Transport. This had the effect of removing the Auckland Council's role in setting transport strategy and weakened the links between regional transport strategy and other council plans and strategic outcomes. The Council's role, compared to other unitary authorities² is significantly diminished. Community frustration is often directed at elected members who have limited democratic oversight of the processes.
16. The council made a strong submission against this to the Select Committee.

Independent CCO Review 2020

17. In their 2020 report, the CCO Review panel was critical of the amendments to the Land Transport Management Act, concluding that they were "wrong in principle and at odds with the intent of Auckland's local government reforms". The panel suggested a non-legislative approach to try and achieve a "single source of truth" about Auckland's transport future.

Recent government reviews are further adding to the complexity of delivering transport outcomes in Auckland

18. Government reforms like the Resource Management Act reform and the reform of the water sector are adding to the complexity of planning for and funding transport within Auckland. They highlight the need for greater coordination between central and local government.
19. The recent Review into the Future of Local Government proposes a future system where investment planning between councils and with central government is shared. The Review puts the onus on local government to "own and drive the change to make it fit for the future". The panel believes that local government needs to show leadership, providing a strong signal to central government of the need to work together on reform. To prioritise and deliver on wellbeing, Recommendation 13 proposes that central government makes a greater investment in local government through "significant funding to support local priorities, place-based agreements and devolution of roles".

Tātaritanga me ngā tohutohu Analysis and advice

Auckland Council's current levers are not working

20. In Auckland, direction setting, planning, investment and delivery for transport is the responsibility of several players (refer Figure A). The result is an overly complex transport ecosystem, where Auckland has multiple sets of published transport priorities that do not align and lack democratic oversight. There is a lack of clarity on the core outcomes desired and the level of investment that the transport system requires.

² Note, the Auckland Council is a unitary authority and performs the functions of a regional council.

21. Auckland Transport is substantially funded by both the Crown, through Waka Kotahi and the National Land Transport Fund (NLTF), and Auckland Council. Increasing funding constraints for both the Crown and council, has led to a range of parallel and bespoke planning and funding processes, and new agencies like Auckland Light Rail Ltd being created. With these changes, the operating environment has become more complex.
22. Within this complex operating environment, the directors of Auckland Transport have asked the council to “give serious consideration to how it can also lead to a more simplified, transparent, and robust planning and funding framework for Auckland”.

Figure A: Auckland’s complex transport ecosystem



23. Under the current set of governance arrangements, crucial decisions that shape the transport system reside in the Regional Land Transport Plan process, which council has limited input into or oversight of. Council does not make decisions on:
 - The allocation of large programmes (such as safety, renewals, network optimisation) to more specific investments
 - project sequencing – investments planned for delivery in the first three years of the RLTP have a higher degree of certainty than those included in years four and beyond
 - the development and application of the process by which potential investments are prioritised against each other and the way in which some projects (especially larger projects) are designed and planned for delivery – both of these matters are crucial to determining the extent to which the outcomes council seeks are delivered upon in a cost effective manner.
24. Auckland is also bound by legislation that is out of date and not fit for purpose in the Auckland context. In particular, council’s current mechanisms for collecting revenue under existing legislation and allocating its funding are not fit for purpose. An example is the council’s inability to set parking fines appropriate to the Auckland context

Non legislative approaches to improve Auckland Council's role in setting the strategic direction for transport have had limited success

25. A number of non-legislative approaches have been undertaken to try and address the issues identified above. These have all been work arounds to the current legislative constraints and have so far failed to improve matters. They include:
- i) Auckland Transport Alignment Plan (ATAP) – initiated in 2015, it is a cross -agency partnership that has developed a three-yearly indicative package of transport investments for Auckland
 - ii) more recent Integrated Transport Plan being led by the Mayor and the Minister of Transport
 - iii) Independent CCO Review recommendations
 - iv) appointment of two councillors onto the board of Auckland Transport.

Auckland Transport Alignment Project (ATAP)

26. While ATAP has effectively facilitated agreement between council and government on shared transport priorities, there are enduring problems:
- it has no statutory basis and no prescribed relationship with statutory documents like the RLTP and council's Long-term Plan. This can lead to inconsistencies in application
 - it is a time constrained process that lacks opportunities for public and stakeholder input
 - agreed investment priorities in ATAP can be relitigated through subsequent processes (e.g. Waka Kotahi business case assessment). This results in a lack of funding certainty for implementing agencies and an inability to deliver on ATAP.
 - there is a lack of certainty in the overall transport funding envelope – funding constraints mean that despite commitments there is not often the necessary funding to implement agreed projects/programmes
 - programmes are identified and provided for at a high level (e.g. safety, renewals, network optimisation, cycling). How these programme funds are then allocated to specific investments is determined through the RLTP process which is developed and approved by Auckland Transport, not Auckland Council.
27. There is general agreement that ATAP has served an important purpose. However, to address the above issues, a legislatively prescribed process for agreeing joint transport priorities for Auckland is needed

Auckland Integrated Transport Plan (AITP) – in development

28. The AITP partially addresses some of the above issues with AITP. The intended focus of the AITP is to develop a long-term, strategic integrated transport plan for Auckland.

CCO Review recommendation (and subsequent Governing Body resolution) that Auckland Council co-develop and endorse RLTP

29. The recommendation by the Independent CCO Review for the council and Auckland Transport to use existing accountability mechanisms (letters of expectation and approval of statement of intent) to co-develop the last RLTP was not successful. Reasons for this include: the legislative obligations for AT's directors, information asymmetry, a lack of council capacity and resource and timing constraints.

Appointment of two councillors to the AT Board

30. The current council has appointed two councillors to the Board of Auckland Transport. Councillors appointed to the board of Auckland Transport have the same role as other directors on the board, including the same responsibilities and expectations. This is different to their roles and responsibilities as an elected member.

Options identified for improving strategic direction and the allocation of funding for transport in Auckland

31. There are four options to address these matters by improving the mechanisms through which council and government collaborate to shape Auckland's transport system. The proposals seek to provide for greater elected member oversight of and input into these matters without compromising an appropriate role for technical expertise from both Auckland Council and Auckland Transport staff.
32. The complexity of Auckland's transport system and the scale of the funding deficit require changes to the current legislative framework for transport planning in Auckland.

Options for legislative change

33. There are two options for legislative change:

A) Government led reform - to amend existing public acts to either:

- i) amend the LTMA to assign statutory responsibility for the RLTP in its entirety to Auckland Council and allow Auckland Council to appoint the regional transport committee, with subsequent amendments to LGACA Part 4.
- ii) amend the LTMA to return to the pre-2013 arrangement whereby Auckland Council is responsible for the strategic elements of the RLTP and Auckland Transport is responsible for the investment programme to deliver on that strategy
- iii) review Part 4 of the Local Government (Auckland Council) Act 2009 (LGACA).

B) Auckland Council to develop and promote a local bill³ - to establish a Joint Transport Committee between the Crown and Auckland Council and a new Auckland Regional Transport Committee to provide for more integrated and efficient strategic and funding decisions relating to transport in Auckland.

34. While there appears to be government support to amend the public Acts noted in Option A, it is not clear it would be a priority for any new government.
35. Initial engagement with the Office of the Clerk and Parliamentary Counsel Office have indicated that variations of these options could potentially be given effect to via a local bill promoted by Auckland Council as long as any proposed amendments to public Acts (e.g. LTMA and LGACA) are consequential to what is set out in the Bill.
36. There is merit in pursuing both Government-led reform and a local bill, as these efforts should reinforce each other.
37. Pursuing a local bill has the advantage of enabling Auckland Council to take the initiative on solving the issues we have identified and to propose a legislative fix, rather than defaulting to asking the Government to do so. If done correctly, it could also encourage the Government to take up the effort.

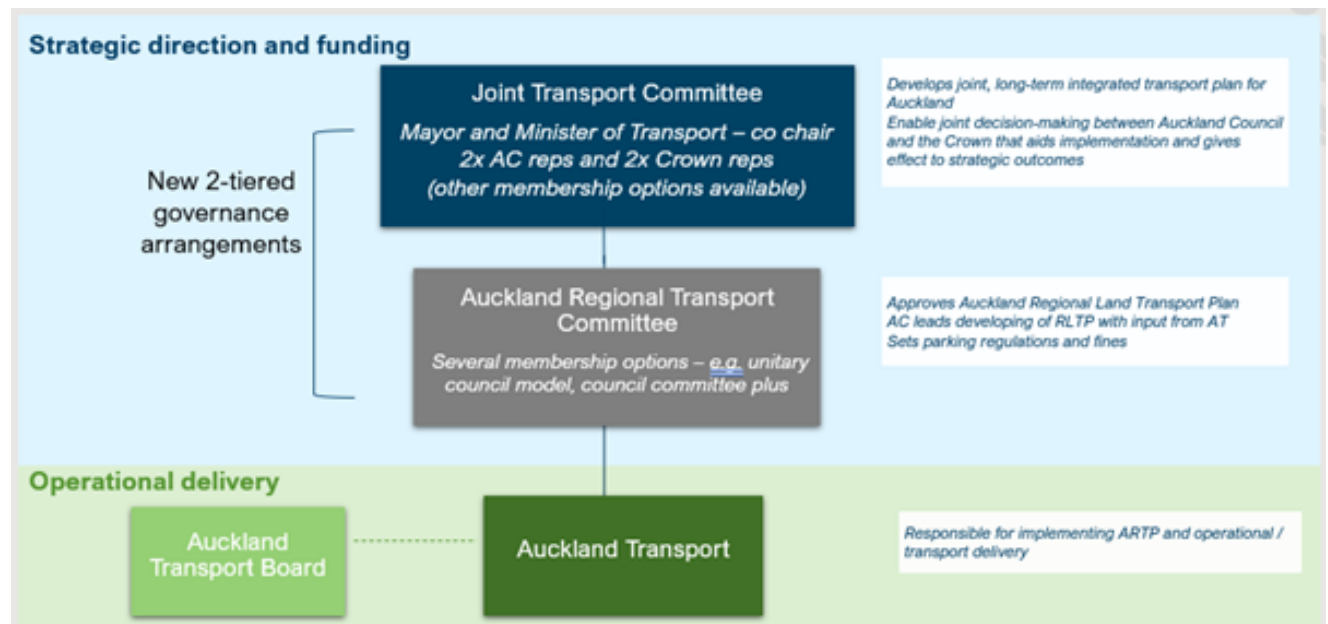
Purpose of local bill

38. There is a recognised need for a degree of consensus between Auckland Council, the government and transport agencies on Auckland's transport priorities.
39. Potential elements of a local bill were workshopped with the Transport and Infrastructure Committee on the 9 August 2023.
40. The purpose of the proposed local bill would be to –
 - a) facilitate integrated long-term transport planning and decision-making for the Auckland region
 - b) enable joint decision-making between Auckland Council and the Crown for the delivery of transport priorities that give effect to agreed strategic outcomes, and

³ A local bill deals with matters confined to a particular locality and is intended to change or limit the effect of the general law in its application to the locality it is concerned with.

- c) establish a two-tiered governance structure for transport planning and management in Auckland.
41. The bill could consist of two key governance arrangements - a new joint transport committee and a new bespoke Auckland Regional Transport Committee (refer Figure B).

Figure B: Proposed governance structure to be set out in local bill



Joint Committee for Auckland

42. The objectives of the joint committee could be to:
- take a long-term, integrated view of Auckland’s transport planning and funding
 - provide for joint decision-making between the Crown and Auckland Council
 - monitor and report on progress against key transport priorities in the Integrated Transport Plan for Auckland
43. There are several options for determining Committee membership which would need to be explored. However, it is likely that the establishment of the Joint Transport Committee would require central and local government agencies to cede some of their current responsibilities in the interests of a more integrated approach to transport planning in Auckland.

New Auckland Transport Committee

44. The function of this Committee would be similar to other Regional Transport Committees in New Zealand, but it would reflect the different governance structures in Auckland and the proposed Joint Transport Committee.
45. The objectives of the Auckland Transport Committee would be to:
- to prepare and approve the Auckland Regional Land Transport Programme - a 10-year investment programme to respond to and give effect to the Auckland Integrated Transport Plan
 - approve expenditure and allocate funding for projects specified in ITP and RLTP up to a specified level without recourse to Waka Kotahi board’s decision-making processes
 - provide the Joint Transport Committee or any of the partner agencies with advice and assistance as requested
 - determine level of parking fines for Auckland.

46. There are several options for determining Committee membership which would need to be explored. Elsewhere in New Zealand, unitary authorities appoint four members to their Regional Transport Committee. In Auckland, the Regional Transport Committee is the Auckland Transport Board. A new bespoke arrangement is required that would see an Auckland Transport Committee (ATC) established that has elected member representation from the Auckland Council.
47. Further work is required to determine the exact functions and appropriate committee membership.

Advantages and limitations of legislative reform options

48. The advantages and limitations of the options for legislative reform are summarised in the table below.

Criteria	Guide strategy	Account-ability	Achievability	Policy / Planning Alignment	Greater funding certainty
Status Quo	L	L	H	L	L
Option A – Govt led reform and amendments to public Acts	H	H	L	M	L
Option B – Local bill	H	H	M	H	H

49. The development of a local bill would bring Auckland Council’s responsibilities in line with other unitary councils and could provide agencies with a transport interest in Auckland with greater funding certainty.
50. Providing for a more appropriate distribution of functions between Auckland Transport and Auckland Council will go part way to creating a more effective set of transport governance arrangements in Auckland. However, more fundamental reform is required to address other issues with the current transport system, particularly those relating to securing appropriate transport funding and revenue.

In summary

51. A two-pronged approach is recommended that:
 - directs the Mayor to advocate for legislative change giving effect to the principles above to be a priority for the incoming Government
 - direct staff to draft a local bill consistent with the principles above and to engage with the Office of the Clerk and Parliamentary Counsel Office on the possibility of Auckland Council proceeding with the promotion of the local bill, and to report back to the Governing Body with a draft local bill and further advice by the end of September.

Tauākī whakaaweawe āhuarangi Climate impact statement

52. There are no climate impacts as a result of this report.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

53. Council staff have advised Auckland Transport on the content of this report and met with the Board Chair and Chief Executive to discuss.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

54. If the recommendations in this report are agreed, staff will engage with local boards as they commence work on legislative reform.

Tauākī whakaaweawe Māori Māori impact statement

55. If the recommendations in this report are agreed, staff will engage with iwi as they commence work on legislative reform.

Ngā ritenga ā-pūtea Financial implications

56. There are no immediate financial implications in undertaking the proposed work.
57. Any future financial decisions can be considered through the appropriate Long-term Plan and Annual Plan decision making process.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

58. There is a risk that this will not be a priority for the new government or that the government may consider that given the issues with transport in Auckland, it could look at options broader than those proposed. These risks are partially mitigated by the proposal for a local bill which provides for a joint transport committee where both Council and Government cede some powers and responsibility for transport in Auckland.
59. There is a risk that the scope of the legislative change will be considered too broad for a local bill or that the Government will seek to forgo this change in favor of some broader, future review. These risks are mitigated by pursuing the two-pronged strategy of seeking Government-led change as well as a local initiative. If the local bill is ultimately considered to be too broad, then our work is not wasted and will be useful to our advocacy.
60. It is likely that the legislative process will result in changes to the proposed legislation. This could improve the legislation in response to public submissions and scrutiny. Auckland Council would engage actively in the process to influence changes so they reflect the council's intent.

Ngā koringa ā-muri Next steps

61. If approved, staff will start the process for drafting a local bill and engaging with the Office of the Clerk and Parliamentary Counsel Office. Staff will report back to the Governing Body by the end of September.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Mayor Wayne Brown
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Item 11

Summary of Transport and Infrastructure Committee information memoranda, workshops and briefings (including the forward work programme) - 17 August 2023

File No.: CP2023/10125

Item 12

Te take mō te pūrongo Purpose of the report

1. To tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A.
2. To whiwhi / receive a summary and provide a public record of memoranda or briefing papers that may have been distributed to the Transport and Infrastructure Committee.

Whakarāpopototanga matua Executive summary

3. This is a regular information-only report which aims to provide greater visibility and openness and transparency of information circulated to Transport and Infrastructure Committee members via memoranda/briefings or other means, where no decisions are required.
4. There were no information items distributed.
5. The following workshops/briefings have taken place for the Transport and Infrastructure Committee:

Date	Subject
26/7/2023	CONFIDENTIAL: Auckland Rapid Transport Plan
9/8/2023	CONFIDENTIAL: Time of Use Charging
28/6/2023	CONFIDENTIAL: Auckland Integrated Transport Management Bill

6. Note that, unlike an agenda report, **staff will not be present to answer questions about the items referred to in this summary.** Transport and Infrastructure Committee members should direct any questions to the authors.

Ngā tūtohunga Recommendation/s

That the Transport and Infrastructure Committee:

- a) tuhi ā-taipitopito / note the progress on the forward work programme appended as Attachment A of the agenda report
- b) whiwhi / receive the Summary of Transport and Infrastructure Committee information memoranda and briefings – 17 August 2023.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Forward Work Programme	

Ngā kaihaina Signatories

Author	Duncan Glasgow - Kaitohutohu Mana Whakahaere Matua / Senior Governance Advisor
Authoriser	Barry Potter - Director Infrastructure and Environmental Services