

OC220152

22 April 2022

Tēnā koe [REDACTED]

I refer to your email dated 9 March 2022, requesting the following under the Official Information Act 1982 (the Act):

*"In relation to the **attached** NZTA document, could you please MoT's "feedback on the workshops and advise of any matters that we [NZTA] should address and report back on." as referred to on page 7 attached.*

Please provide copies of MoT's material or correspondence relating to the NZTA's 2021-24 NLTP MODERATION PROCESS."

The document you attached to your request refers to external observers from the Ministry of Transport (the Ministry) being present at the final moderation workshop, taking place over 14, 15, and 16 June 2021.

Officials from the Ministry were present at final moderation workshops conducted on 14 to 17 June 2021. Ministry Officials took an observation role. At the end of each workshop Ministry Officials were provided with a few minutes to make any observations.

The Ministry did not provide any formal written feedback on the NLTP process, nor advise of any matters that Waka Kotahi New Zealand Transport Agency should address and report back on.

Attached in **Appendix 1** are excerpts from personal notes taken by Ministry Officials. These reflect verbal observations that were made during the workshops.

Some information has been redacted under sections 9(2)(f)(iv) and 9(2)(g)(i). The interests of the public have been considered and do not weigh in favour of release.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website www.ombudsman.parliament.nz

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Tim Herbert', written in a cursive style.

Tim Herbert
Manager, Investment

APPENDIX 1 - EXCERPTS

Day 1 – 14 June 2021

Notes of Abby McRoberts reflecting comments conveyed at workshop on 14 June 2021

- Thank you for the opportunity to observe, I appreciate the insight this is providing into the NLTP process following on from the GPS.
- I am seeing that a regional level you have a tough job, taking these large bids and reducing them to what is likely to be approved,
- Assessment appears robust which gives me confidence, I'm seeing a good level of scrutiny even though some would say these are relatively 'small' amounts
- There have been a few implementation concerns raised (for example council interpretation of the IPM) which are useful to see, as we think about how we go from GPS to NLTP to RLTPs, I'm re-iterating conversations you all have been having all day, ^{s 9(2)(g)(i)} [REDACTED]
- The way projects can be applied to different activity classes is interesting. ^{s 9(2)(g)(i)} [REDACTED]
- When the Ministry's work has been mentioned I've noted this and will follow these up with my colleagues, and I have a list of to-dos for myself to follow up also

Day 2 – 15 June 2021

Notes of Matthew Skinner reflecting comments conveyed at the workshop on 15 June 2021

- Good to see robust discussion around how different things align to objectives. Got onto it in the end around possible vs probables - this is going to be key for the Government in any decisions to put in any additional funding (e.g. What is the difference between no additional funding and \$x of additional funding).
 - Can see the challenge of putting something together that delivers on GPS outcomes, and difficulty doing this without strategic objective weightings. The discussion around Safety, Better Travel Options, and Freight (to some extent) having specific deliverables, while CC doesn't is broadly consistent with the intentions at the time GPS was developed. The Minister's view was that CC would broadly be delivered through other priorities (like increasing PT through BTOs), and the GPS was written that way deliberately. So it's not surprising that there are fewer projects with CC as Primary Outcome.
 - Two key things that I would support based on the discussion:
1. Doing a fair and consistent assessment against the IPM. If you are confident the IPM accurately reflects GPS priorities, ^{s 9(2)(g)(i)} [REDACTED]. For something like Te Huia rail, put it forward in line with what the IPM says. If it's not a high priority as a result, but you think it should be (or you think the Minister wants it to be), then it means one of two things:
 - a. The IPM isn't working properly
 - b. The Board should be aware that something isn't proposed for funding due to the IPM rating, but that there may be wider considerations not captured within the IPM that mean there could be merit in departing from the IPM.

2. Doing a cross reference/back check that the prioritised projects (post IPM) make sense according to the GPS. ^{s 9(2)(g)(i)} [REDACTED]. It would be concerning to see W&C funding concentrated on Te Araroa projects. This wasn't the intention of GPS - the high rating in the IPM seems to relate to a single mention of the Tourism Strategy in GPS 2021. This shouldn't mean that high volume urban cycle routes are the same priority as low volume tourist routes.

Notes of Abby McRoberts reflecting comments conveyed at the workshop on 15 June 2021

- Even stronger scrutiny today compared to yesterday
- Method was effective, being able to ask questions directly to those closely involved with the regional applications
- Parking a lot of things, ensuring time to go back to these

Day 3 – 16 June 2021

Notes of Matthew Skinner reflecting comments conveyed at workshop on 16 June 2021

- Largely echoing my comments from yesterday. I can see that there is strong consistency in terms of how you have applied the IPM. I really do want to stress the importance of going back after this exercise and checking your results against the GPS.

Notes of Abby McRoberts reflecting comments conveyed at workshop on 16 June 2021

- Splitting across activity classes, interested to see how this is treated

Day 4 – 17 June 2021

Notes of Matthew Skinner reflecting comments conveyed at workshop on 17 June 2021

Government commitments

- Just want to pick up on the point around Government Commitments, and how these are interpreted. They are an important part of GPS, but an expectation rather than a direction.
- I think it is ok that you haven't necessarily built them into the IPM, but there needs to be a further step. Ultimately, the Board should be able to demonstrate that the investment through 2021-24 NLTP will be sufficient to meet the 10 year commitments - and if not, why not.
- If there are pressures that may mean the commitments over 10 years cannot be met, the Board may need to either consider making changes to the NLTP to ensure that it can be met, or conveying the potential risks that they can't be met to the Minister.

Funding

- I want to reiterate that no decisions or even consideration of additional funding has been taken by Cabinet around additional funding.
- No assumptions should be made about this in the NLTP unless they are agreed by the Minister beforehand.

- Future decisions could take any shape or form so it is dangerous to assume now (e.g. Govt might decide there isn't enough flexibility in Crown debt limits, or they might enable WK to borrow against the NLTF, or they might want to provide additional funding to specific projects outside of the NLTF).

NLTP messaging

- Really important that NLTP decisions (and comms) don't pre-empt future Government announcements.
- If there was any messaging, even along the lines of s 9(2)(f)(iv) that limits Ministers' ability to make decisions around funding.

Considering GPS priorities within (and outside of) the context of the IPM framework

- The Board should be able to demonstrate that we are spending available funding on the best available projects (in terms of GPS alignment, and therefore IPM), and where we aren't, why we aren't (this helps us understand if particular GPS settings are leading to adverse outcomes).
- Someone made a point around ATAP. Explaining what is in/out (relative to expectations) and why, is really important, and more broadly than just on ATAP. I wonder if there's some sort of framework you can use to help the Board make decisions on things where you think there are wider considerations that mean you might take decisions that aren't necessarily directly in alignment with the IPM to meet wider GPS/Government priorities.
- This could also be used with the Minister to help with decision making if further funding is sought to fund a larger programme.

For example:

Activity	Comments (whose priority is it)	Why IPM suggests not funding	If it were prioritised, what would not be funded	Consequences of not funding, when will it be funded

Notes of Abby McRoberts reflecting comments conveyed at workshop on 17 June 2021

- Thank you for the opportunity to listen in today, I really was focussing on the process you used today, and listening in gave me good insight into this
- Was still quite detail focussed with similar conversations on IPM assessments as last week, less high level than I expected we didn't zoom out to the strategic priorities as much as I'd hoped, but all of the topics covered were valid and essential, so I could see the benefit of dotting all the I's and crossing all the T's
- Note the thinking being done ahead of the Government releasing the Emissions Reduction Plan, and think it will be helpful for Ministers to be aware of the link between that and the NLTP that will be released. Matt and I will make sure to pass this information on to our colleagues.