



**SAFE JOURNEYS** for **EVERYBODY**

22 October 2020

## Complaint to Public Service Commission:

**NZTA's failure to meet its obligations under the Land Transport Management Act (2003) in carrying out its planning function for the Nelson Future Access Project (NFAP)**

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## A) Executive Summary

This document presents material in relation to NZTA's planning function for the Nelson Future Access Project (NFAP) that shows how NZTA has failed to abide by the Land Transport Management Act (2003). The Act requires NZTA to give effect to the Government Policy Statement on Land Transport when carrying out its planning and funding functions and to do this in an efficient and effective manner.

In summary:

- 1) NZTA's planning function has approved plans for public feedback that fail to give effect to the GPS. **Refer to Section C for details.**
- 2) NZTA has presented project options with outcomes inconsistent with the GPS. **Refer to Section D for details.**
- 3) In replying to our concerns, NZTA's justifications are inadequate and in places, incorrect. **Refer to Section E for details.**

NZTA's recent response to our concerns are summed up in their statement:

***“What is required for the planning process to give effect to the GPS is to ensure that investment options are assessed for consistency (or inconsistency) with the GPS priorities and objectives and that this is taken into account in the decision-making process.”***

(Para 16, NZTA letter dated 7 October 2020 – Attachment 7)

We fundamentally disagree with NZTA's position as:

1. From the outset, NZTA's planning function has failed to recognise and embed the GPS into its planning for the NFAP. **Refer to Section C (i) and (ii) for details.**
2. The LTMA requires that NZTA's options **must give effect to<sup>1</sup>** and are **consistent<sup>2</sup> with the GPS** – not merely be “taken into account” by NZTA. **Refer to Section C (iii) for details.**
3. Despite its advice that it has, NZTA has clearly not assessed the options for consistency with the GPS. **Refer to Section C (iv) for details.**

Hence we now ask the Public Service Commission to investigate our complaint detailed in **Section F.**

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<sup>1</sup> Land Transport Management Act Section 70 (1)

<sup>2</sup> Land Transport Management Act Section 20 (2) (c)

## B) Introduction

Under the Land Transport Management Act (2003), NZTA is required to give effect to the Government Policy Statement in **both** its planning and funding functions:

**Section 70 (1): "The Agency [NZTA] must give effect to the GPS on land transport when performing its functions under subpart 1 of Part 2 in respect of land transport planning and funding"**

In carrying out its Investment management activity class (which includes its planning function), NZTA is required to ensure that its outputs are efficient and effective, whilst consistent with the GPS:

**Sec 20 (2) (c) "In approving a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is –**  
**(i) consistent with the GPS on land transport; and**  
**(ii) efficient and effective;"**

The Government Policy Statement 2018/19 – 2027/28 on Land Transport (GPS 2018)<sup>3</sup> is legally applicable for the period 1 July 2018 to 30 June 2021.

GPS 2018 requires achievement of four strategic priorities:

1. Safety
2. Access
3. Environment
4. Value for Money

Section 2 of GPS 2018 describes the overall strategic priorities for GPS 2018, the national objectives for land transport, the themes and the results the Government wishes to achieve through the allocation of transport funding.

- <sup>10</sup> The strategic priorities outline what the Government wants to achieve in land transport, while the objectives provide direction for how these priorities should be achieved. The themes sit alongside the objectives and provide guidance for how objectives should be delivered.

(GPS 2018, pg 41)

The 33 required results to give effect to the GPS are mapped to the four strategic priorities in Section 2.7 of GPS 2018/27 (see **Attachment 1**).

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<sup>3</sup> <https://www.transport.govt.nz/assets/Uploads/Our-Work/Documents/c6b0fea45a/Government-Policy-Statement-on-land-transport-2018.pdf>

## C) NZTA's planning function failing to give effect to the GPS

Under the GPS activity class of Investment Management, NZTA has budgeted circa \$3 million to carry out the transport planning function for the NFAP.

NZTA prepared three potential transport package options and approved the public distribution for feedback in June 2020 (see **Attachment 2**).

In summary, the three potential transport package options are:

1. Priority Lanes – to improve public transport, walking and cycling trips with the goal of reducing the number of single-occupant vehicles
2. Coastal Corridor widening - SH6 (Rocks Road and Tahunanui Drive) from two to four lanes for general traffic
3. Inland Route – a new State Highway.

### **NZTA planning function has failed to give effect to the GPS as follows:**

- i) Rather than recognising the strategic priorities and objectives of the GPS and using those to assess the project options, NZTA considers **“it is highly likely that these priorities will again change”**, so considers itself free to select objectives that are **“able to withstand changing Government priorities”** per its advice:

The 2018 Government Policy Statement on Land Transport (2018 GPS)<sup>1</sup> provides a greater focus on safety, accessibility, resilient and liveable cities, the environment (including reducing GHG emissions), mode neutrality, reducing dependency on non-commercial private vehicles, and realising the role of the transport system in improving access to economic and social opportunities. As NFAP has a 30-year horizon, it is highly likely that these priorities will again change, hence the preferred option will need to be robust, and able to withstand changing Government priorities.

**Extract taken from NZTA's NELSON FUTURE ACCESS – INFO PACK (SEPT 2019, pg 2)**  
Copy provided in **Attachment 3**

NZTA has not only failed to adopt the GPS objectives but it has also failed to recognise that it is required to plan potential transport solutions that are consistent with each of the four GPS strategic priorities, rather than meeting only some and neglecting others.

- ii) NZTA's MCA Evaluation Criteria does not mention the GPS, nor its required results (Section 2.7, GPS 2018/27).

NZTA's Multi-Criteria Assessment (MCA) Evaluation Criteria” for NFAP (per **Attachment 4**) states that it was developed from a combination of sources including the NZTA 2016 interim business case guidelines, the Draft Commute Technical Memo on MCA Guidance and community values from the NFAP Project Reference Group.

NZTA's MCA Evaluation Criteria adopts four criteria for assessing the NFAP options:

- Iwi Partner / Stakeholder
- Investment Objectives
- Assessment of Effects
- Implementability Criteria

Whilst there is some cross-over with the strategic objectives and priorities of GPS 2018/27, this appears to be coincidental and NZTA's failure to address or specifically include the GPS in its evaluation criteria has resulted in critical omissions of the GPS required results; for example, the GPS 2018/27 objective of "Increased mode shift from private vehicle trips to walking, cycling and public transport" (Page 28, Section 2.7, GPS 2018).

In endeavouring to explain this, NZTA's letter dated 7 October 2020 (**Attachment 7**) changes the language from that of the GPS ("increased mode shift") to "encouraging mode shift".

This change of language effectively waters down the required results of the GPS. This would not happen if NZTA's planning function has expressly recognised and embedded the 33 required results per Section 2.7 of GPS 2018/27 into its planning for the NFAP.

iii) NZTA's understanding of what is required to give effect to the GPS is incorrect:

*"What is required for the planning process to give effect to the GPS is to ensure that investment options are assessed for consistency (or inconsistency) with the GPS priorities and objectives and that this is taken into account in the decision-making process."* **Para 16, Attachment 7 - NZTA letter dated 7 October 2020**

We fundamentally disagree with NZTA's position as the LTMA requires that NZTA's options **must give effect to**<sup>4</sup> and are **consistent**<sup>5</sup> **with the GPS** – not merely be "assessed for consistency (or inconsistency) with the GPS" which is then "taken into account" by NZTA.

From the outset, NZTA's planning function has failed to recognise and embed the GPS into its planning for the NFAP.

iv) NZTA's claim that it has assessed the options for consistency is incorrect:

*"The process of developing the NFAP to date has given effect to the GPS. This is because each of the options has been assessed, and continue to be assessed, in terms of consistency with the GPS priorities and outcomes."* (**Para 18, Attachment 7**)

NZTA provides the "relevant MCA analyses" to support this claim (see **Attachments 8 and 9**). However, both these analyses have assessed NZTA's options not against the required results prescribed by the GPS (Section 2.7, GPS 2018/27) but against a "do minimum" in the Year 2048 scenario (ie: 28 years in the future).

Furthermore, neither MCA analyses make any mention or reference to the GPS.

The options have not been assessed for consistency with the GPS and NZTA's advice in this regard appears to be very misleading.

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<sup>4</sup> Land Transport Management Act Section 70 (1) – See Section B

<sup>5</sup> Land Transport Management Act Section 20 (2) (c) - See Section B

## D) Project outcomes inconsistent with GPS 2018:

The following extracts highlight how NZTA’s own assessments show Options 2 and 3 are inconsistent with GPS 2018.

<b>Option 2: Widening of the Coastal Corridor SH6 to four lanes</b>	
<b>NZTA Engagement Material (June 2020) extracts:</b>	<b>Inconsistency with GPS (Extracts from GPS 2018/27 Section 2.7, Attachment 1)</b>
“this package provides extra traffic capacity to support regional growth by providing additional lanes along the existing state highway corridor.” (Attachment 2, Pg 7)	Required result 14: “A reduction in overall single occupant private vehicle travel in urban areas” (Pg 26, GPS)  Required result 17: “Increased proportion of journeys made using public transport and active modes of travel” (Pg 28, GPS)
“This package would create parking issues in the city and would make it more challenging to make Nelson more liveable and environmentally sustainable and able to reduce dependency on single-occupant vehicles.” (Attachment 2, Pg 7)	Required results 24 - 28: “Reduce transport’s negative effects on the local environment and public health” (Pg 29, GPS)  Required result 14: “A reduction in overall single occupant private vehicle travel in urban areas” (Pg 26, GPS)

<b>Option 3: Building a new Inland Route</b>	
<b>NZTA Engagement Material (June 2020) extracts:</b>	<b>Inconsistency with GPS 2018 (Extracts from Section 2.7, see Attachment 1)</b>
“this package helps Nelson because it provides extra traffic capacity to support our growing region” (Attachment 2, pg 8)	Required result 14: “A reduction in overall single occupant private vehicle travel in urban areas” (Pg 26, GPS)  Required result 17: “Increased proportion of journeys made using public transport and active modes of travel” (Pg 28, GPS)
“this package has to address negative impacts similar to those raised in response to the previous Nelson-Southern Links proposal, including air quality impacts that could be challenging to mitigate.” <sup>6</sup> (Attachment 2, pg 8)	Required results 24 - 28: “Reduce transport’s negative effects on the local environment and public health” (Pg 29, GPS)

<sup>6</sup> Declined by Environment Court in 2004 due to air pollution and community severance

By using project objectives different to those of the GPS, and by assessing against a “Do minimum” in the year 2048 scenario (rather than the results required in Section 2.7 of the GPS), NZTA is able to present an overly positive assessment of Options 2 and 3 in its public engagement material of June 2020 (see **Attachment 2**, page 4):

**Specialist Score on Project Desired Outcomes**

Project Outcomes	Priority Lanes	Coastal Corridor Widening	Inland Route Package
Moving people and freight	Significantly positive compared with status quo	Moderately positive compared with status quo	Moderately positive compared with status quo
Nelson is more accessible	Significantly positive compared with status quo	No benefit	No benefit
Quality urban environments	Moderately positive compared with status quo	No benefit	No benefit
Feels safer and is safer	Slightly positive compared with status quo	No benefit	Slightly positive compared with status quo
Resilience	Moderately positive compared with status quo	Moderately positive compared with status quo	Significantly positive compared with status quo

■ Significantly positive compared with status quo  
■ Moderately positive compared with status quo  
■ Slightly positive compared with status quo  
■ No benefit

Based on the advice provided by NZTA’s material, our assessment for consistency with the GPS (see **Attachment 1**) indicates that Option 1 is assessed as having no inconsistency with the GPS desired results. Options 2 and 3 are assessed as:

- a) Over 25% of the GPS desired results are assessed as “Inconsistent”
- b) The “Inconsistencies” outnumber the “Consistent” assessments.

Nelson Future Access Project: Assessed for consistency against the GPS strategic priorities and objectives (Section 2.7 of the GPS)		Option 1: Priority Lanes	Option 2: Coastal Corridor widening	Option 3: New Inland Route
✓	Consistent with GPS required results	20	8	8
–	Not applicable or little effect	13	16	16
✗	Inconsistent with GPS required results	-	9	9

This summary is taken from **Attachment 1** which assesses the three options approved by NZTA for public feedback against the desired results per Section 2.7 of the GPS.

In presenting transport options for public feedback that do not give effect to the GPS, NZTA is failing to meet the requirement of LTMA Sec 20 (2) (c) that NZTA must be “efficient and effective”.

## E) Correspondence with NZTA

Our letter dated 25 June 2020 to NZTA’s CEO outlines the concerns giving rise to this complaint is provided as **attachment 5**.

NZTA’s reply letter dated 14 July 2020 is provided as **attachment 6**.

NZTA’s subsequent response dated 7 October 2020 to our initial complaint (dated September 2 to the Public Service Commission) is provided as **Attachment 7**.

Per our responses provided below, we believe NZTA’s advice is inadequate and in places, incorrect.

Key extracts from NZTA’s letter dated 14 July 2020 ( <b>Attachment 6</b> )	Our Response
<p>1. “Waka Kotahi [NZTA] has approved funding for the Detailed Business Case for the NFAP from the National Land Transport Fund (NLTF) under section 20 of the Act. This followed an assessment by Waka Kotahi using its 2018-21 Investment Assessment Framework, which was developed to give effect to the GPS 2018.”</p>	<p>Whether NZTA’s internal policy document “Investment Assessment Framework” gives effect to the GPS or not (we would argue it does not) is irrelevant to our concerns which hinge on the key issue that NZTA has planned transport options for the NFAP that fail to give effect to, nor are consistent with, GPS 2018.</p>
<p>2. “The current NFAP process will also enable Waka Kotahi to meet the requirement of section 20(2)(e) of the Act in respect of any future application for NLTF funding sought for the detailed design and construction of any of the packages. Section 20(2)(e) of the Act requires that, when approving a proposed activity or combination of activities, Waka Kotahi must be satisfied that the activity or combination of activities has, to the extent practicable, been assessed against other land transport options and alternatives.”</p>	<p>NZTA’s advice fails to mention that Sec 20 (2) (e) is preceded by the requirement in Sec 20 (2) (c) (i) that:</p> <p><b><i>“In approving a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is consistent with the GPS on land transport”</i></b></p> <p>It is misleading of NZTA to claim that Sec 20 (2) (e) allows it to consider land transport options and alternatives that are not consistent with the GPS.</p>
<p>3. “Waka Kotahi considers that each of the long-term packages is potentially capable of meeting statutory requirements (including under the Land Transport Management Act and Resource Management Act 1991) at the requisite point in time.”</p>	<p>NZTA’s use of the term “at the requisite point in time” shows it is ignoring the LTMA requirement in Sec 70 (1) that NZTA must give effect to the GPS on land transport in respect of its planning function (and not just when seeking funding).</p> <p>As detailed in Section D above, NZTA’s own engagement material identifies significant aspects of the NFAP options 2 and 3 that will contradict and thus fail to give effect to GPS 2018. NZTA’s advice that the long-term package options are “potentially capable of meeting statutory requirements” is wishful thinking.</p>

	<p>Furthermore, in presenting transport options for public feedback that do not give effect to the GPS, NZTA is failing to meet the requirement of LTMA Sec 20 (2) (c) that NZTA must be “efficient and effective”.</p>
<p>4. “If, at a later date, Waka Kotahi and/or NCC seek funding from the NLTF for a particular package, Waka Kotahi will need to consider that funding application in accordance with the Act. At that point in time, Waka Kotahi must be satisfied that (among other things) the package is consistent with the GPS before approving any funding from the NLTF.”</p>	<p>NZTA is ignoring the LTMA’s requirement in Sec 70 (1) that NZTA must give effect to the GPS in respect of both its planning function and funding function.</p>
<p>5. “The MCA criteria has been developed with all of these considerations in mind, and therefore does not simply mirror the strategic priorities in the GPS, although Waka Kotahi considers the GPS is infused into the MCA criteria.”</p>	<p>From the outset, NZTA’s planning function has failed to recognise and embed the GPS priorities and objectives into its planning for the NFAP. (See Section C (i) and (ii) above)</p> <p>NZTA’s statement ignores the exclusion and watering down of the GPS strategic priorities that has been allowed to occur (as described in Sections C (ii) above).</p> <p>Hence we refute NZTA’s claim that “the GPS is “infused into the MCA criteria”.</p>
<p>6. “The multi-criteria analysis (MCA) underway for the NFAP will help to inform Waka Kotahi and NCC’s decision-making, respectively, including in respect of statutory requirements. The requirement under s70 is not the only relevant statutory requirement under the Act, and Waka Kotahi and NCC also have other relevant statutory requirement to consider, for example under the Resource Management Act and (in respect of NCC) Local Government Act 2002. “</p>	<p>NZTA’s reference to “other relevant” legislation” does not negate NZTA’s obligation in respect of the LTMA Sec 70 (1) and Sec 20 (2) (c) (i) of giving effect to the GPS.</p> <p>Per Section C, part (i) above, NZTA appears to have a disrespectful attitude toward the GPS when it states: “<b><i>it is highly likely that these priorities will again change</i></b>” and considers itself free to plan land transport activities that are “<b><i>able to withstand changing Government priorities</i></b>”.</p>

Key extracts from NZTA’s letter dated 7 October 2020 ( <b>Attachment 7</b> )	Our Response
<p>From para 4: “The NFAP is currently in the detailed business case phase. At this stage, and in earlier stages, what is required in order to give effect to the GPS is to ensure that options for investment are tested against the strategic priorities and objectives in the GPS.”</p>	<p>We reject NZTA’s statement on the following grounds:</p> <ul style="list-style-type: none"> <li>i) Per Section C above, NZTA’s testing of the options against the strategic priorities and objectives in the GPS is wholly inadequate</li> <li>ii) Merely having “tested” the options against the strategic priorities and objectives in the GPS before approving the options for public feedback is insufficient to meet requirement of LTMA Sec 20 (2) (i) that the proposed options (land transport outputs) are <b>consistent</b> with the GPS.</li> </ul>
<p>From para 4: “If, at a later date, Waka Kotahi and/or Nelson City Council (NCC) seek funding from the National Land Transport Fund (NLTF), Waka Kotahi must be satisfied, amongst other matters, that the proposed activities are consistent with the GPS”</p>	<p>NZTA is ignoring the LTMA’s requirement in Sec 70 (1) that NZTA must give effect to the GPS in respect of <b>both</b> its planning function and funding function.</p>
<p>From para 5: “To date, the options we have identified for the NFAP have been tested against those priorities and objectives and the results of that testing will, amongst the other mandatory relevant considerations that Waka Kotahi is required to take into account, inform our decision as to which package we ultimately recommend.”</p>	<p>Per Section C above, NZTA’s testing of the options against the strategic priorities and objectives in the GPS is wholly inadequate</p> <p>NZTA is ignoring the LTMA’s requirement in Sec 70 (1) that NZTA must give effect to the GPS in respect of <b>both</b> its planning function and funding function.</p>
<p>From para 7: “Waka Kotahi, together with the NCC, are in the process of developing an investment proposal for the NFAP. That process involves investigating and assessing different investment options, consulting the public on those options, and ultimately selecting a recommended package for investment. “</p>	<p>NZTA is ignoring the LTMA’s requirement in Sec 70 (1) that NZTA must give effect to the GPS in respect of <b>both</b> its planning function and funding function.</p>
<p>From para 14: “Before approving an activity for funding, Waka Kotahi is required to assess the activity against available alternatives (s 20(2)(e)). “</p>	<p>NZTA’s advice fails to mention that Sec 20 (2) (e) is preceded by the requirement in Sec 20 (2) (c) (i) that:</p> <p><b><i>““In approving a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is consistent with the GPS on land transport”</i></b></p>

<p>From para 14: “In considering alternatives, and making the final funding decision, Waka Kotahi must decide how to give effect to the GPS priorities and objectives, together with the other mandatory relevant considerations contained in s 20, for any particular project. “</p>	<p>Given LTMA Sec 20 (2) (c) (i), it is misleading of NZTA to claim that Sec 20 (2) (e) allows it to consider land transport options and alternatives that fail to give effect to the GPS.</p> <p>Furthermore, LTMA <b>Sec 20 (2) (c)</b> “In approving given a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is –</p> <ul style="list-style-type: none"> <li>(i) consistent with the GPS on land transport; and</li> <li>(ii) efficient and effective;”</li> </ul>
<p>From para 15: “It follows that “giving effect to” the GPS does not mean that the project objectives need to precisely mirror the GPS strategic priorities and objectives. Nor does an individual activity need to further every strategic priority and objective in the GPS in order to be consistent with the GPS.</p>	<p>NZTA is resorting to semantics to defend its failure to give effect to the GPS whilst carry out its planning function.</p> <p>NZTA has also failed to show how it is satisfied that its transport planning (investment management) activity is consistent with the GPS</p> <p>LTMA <b>Sec 20 (2) (c)</b> “In approving a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is –</p> <ul style="list-style-type: none"> <li>(iii) consistent with the GPS on land transport; and</li> <li>(iv) efficient and effective;”</li> </ul>
<p>From para 16: “What is required for the planning process to give effect to the GPS is to ensure that investment options are assessed for consistency (or inconsistency) with the GPS priorities and objectives and that this is taken into account in the decision-making process.”</p>	<p>Incorrect, merely ensuring options are “assessed for consistency (or inconsistency) with the GPS priorities and objectives” is insufficient.</p> <p>Legally, NZTA must ensure it is satisfied that the activity is consistent with the GPS on land transport; and efficient and effective;”</p> <p>LTMA <b>Sec 20 (2) (c)</b> “In approving a proposed activity or combination of activities, the Agency must be satisfied that the activity or combination of activities is –</p> <ul style="list-style-type: none"> <li>(i) consistent with the GPS on land transport; and</li> <li>(ii) efficient and effective;”</li> </ul>
<p>From para 17: “It is important to emphasise that the GPS does not mandate funding of particular activities. “</p>	<p>This statement is irrelevant to our complaint as we are not suggesting the GPS should mandate the funding of particular activities.</p>

<p>From para 18: “The process of developing the NFAP to date has given effect to the GPS.</p> <p>This is because each of the options has been assessed, and continue to be assessed, in terms of consistency with the GPS priorities and outcomes.”</p>	<p>To support this claim, NZTA relies on the “MCA Evaluation Criteria” (<b>Attachment 4</b>) and its provision of “relevant MCA analyses” (see <b>Attachments 8 and 9</b>). Per our response to para 23 below, these are woefully inadequate.</p> <p>Per Section C (iv) above, the options have not been assessed for consistency with the GPS and NZTA’s advice in this regard appears to be very misleading.</p>
<p>From para 20: “The MCA takes account of the objective of encouraging mode shift in each of the first three key areas.”</p> <p>From para 21: “First, in the Iwi Partner / Stakeholder Values key area, “Active and Equitable Transport Modes” is one of three “Community values” against which the packages must be assessed. The assessment involves asking “How well does the package facilitate healthy and diverse transport modes (walking, biking and micro-mobility)?”</p> <p>From para 22: “Second, in the Assessment of Effects key area, greenhouse gas emissions and human health (including “provision for facilitating new opportunities for active transport modes in packages”) are amongst the matters to be considered.”</p> <p>From para 23: “Third, while the Investment Objectives do not expressly include mode shift as an express objective, mode shift is relevant to each of the five objectives.”</p>	<p>NZTA is watering down the language of GPS 2018/27. The GPS objective is not of “encouraging mode shift“ but “Increased mode shift” (Page 28, Section 2.7, GPS 2018).</p> <p>NZTA then uses the watered-down versions of the GPS objective to claim it is covered by the MCA assessments, none of which include “increased mode shift” as an express objective as required by the GPS. Refer Section C (iii) above.</p>
<p>From para 23: “For your reference, the relevant MCA analyses are enclosed”.</p>	<p>These are included as <b>Attachments 8 and 9</b>. Per Section C (iv) above, the options have not been assessed for consistency with the GPS.</p>

## F) Complaint to Public Service Commission

Based on the material presented above, we ask the Public Service Commission to investigate our complaint that:

**NZTA has failed to meet its obligations under the LTMA (2003) in carrying out its planning function for the Nelson Future Access Project (NFAP), resulting in it approving for public feedback, transport options that are inconsistent with the GPS.**

We ask that the Public Service Commission carefully reviews Section 2 of the GPS, in particular Section 2.7 which provides the 33 required results to give effect to the GPS, and compares this to the material produced by NZTA for the Nelson Future Access Project.

We consider the Public Service Commission as having the necessary authority and mandate to investigate this complaint per the State Sector Act 1988, Sections 6 (a), (c), (h) and (i).

In terms of redress, we seek:

1. NZTA's acknowledgement that it has failed to give effect to the GPS, and advises what steps it will take to avoid repeating such failure. We consider this must include an assessment of project options which expressly recognises and embeds the 33 required results from Section 2.7 of GPS 2018/27.
2. NZTA revisits its planning for the Nelson Future Access Project, to give effect to and be consistent with the GPS per the LTMA.

Prepared on behalf of MOVEMENT, an alliance of organisations representing New Zealanders from all walks of life with the goal of ensuring safe active travel for everybody.

**CC: Nicole Rosie, CEO, NZTA  
Peter Mersi, CEO, MoT**

## G) Attachments

**Attachment 1:** NFAP Options assessed per the required results of GPS 2018: Section 2.7

**Attachment 2:** NZTA's NFAP public engagement material (June 2020)

**Attachment 3:** NZTA's NELSON FUTURE ACCESS – INFO PACK (SEPT 2019)

**Attachment 4:** NZTA's document "MCA Evaluation Criteria" for NFAP

**Attachment 5:** Letter dated 25 June 2020 to NZTA's CEO outlining our concerns

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