

17 January 2024

Shayne Plummer
fyi-request-24907-81c9749c@requests.fyi.org.nz

REF: OIA-14168

Dear Shayne

Request made under the Official Information Act 1982

Thank you for your email of 28 November 2023 requesting the following information under the Official Information Act 1982 (the Act):

A published online link or copy of NZTA internal policy documentation affirming NZTA's statutory responsibility to ensure that Austroads road design standards are followed by Road Controlling Authorities, namely Councils, for all public road construction projects in New Zealand.

Confirmation that NZTA's "Business case requirements" explicitly include the obligation to adhere to or meet Austroads road design guidelines for best practice.

Published online link or copy of NZTA internal policy documentation confirming that road safety audits, concept audits, and design audits must align with 'Austroads road design' guidelines for best practice, referencing NZTA's published Austroad guidelines.

Furthermore, I request information regarding NZTA's practice of reviewing business case requirements and any associated "exceptions" or "exception reports" before granting approval for funding release. If available, please provide a published online link or a copy of relevant NZTA internal policy documentation.

I have addressed each part of your request in turn below.

A published online link or copy of NZTA internal policy documentation affirming NZTA's statutory responsibility to ensure that Austroads road design standards are followed by Road Controlling Authorities, namely Councils, for all public road construction projects in New Zealand.

There is no statutory responsibility for NZ Transport Agency Waka Kotahi (NZTA) to use Austroads road design standards in its investment decisions, nor is there a condition on funding that Road Controlling Authorities (RCAs) must use NZTA approved standards.

As NZTA has no statutory responsibility to ensure adherence to the Austroads road design standards, this part of your request is refused under section 18(e) as the document alleged to contain the information does not exist.

With that said, NZTA is an active member of Austroads and as such, contributes to and utilises, wherever possible and practical, the practices of this organisation. NZTA uses the Austroads guide to road design as the primary reference guideline for our road network.

You can view the Austroads guides and supplementary guidance on the NZTA website [here](#).

Confirmation that NZTA's "Business case requirements" explicitly include the obligation to adhere to or meet Austroads road design guidelines for best practice.

As advised in the response to the above question, there is no statutory obligation that NZTA must ensure adherence to Austroads design standards.

The approach NZTA takes to standards within its business case approach is available on its website [here](#). This page lists the technical requirements that NZTA projects must follow, set out by the Business Case Approach (BCA) phase. NZTA suppliers are required to comply with these except when varied within the scope of a contract.

Unless specified elsewhere, there is no expectation that these requirements will be followed by approved organisations (i.e., local road controlling authorities). However, approved organisations can follow the references and standards listed on the page linked above if they choose, or they may use a local equivalent where available.

Published online link or copy of NZTA internal policy documentation confirming that road safety audits, concept audits, and design audits must align with 'Austroads road design' guidelines for best practice, referencing NZTA's published Austroad guidelines.

NZTA uses the Safe System audit, previously known as a road safety audit, to understand the safety risks of a project. This audit is not a design check against standards. Rather, it is a formal, robust technical assessment of transport safety risks associated with transport improvement and renewal projects that:

- Are completed by independent and qualified audit teams,
- Consider the safety of all people,
- Are completed by applying Safe System principles while seeking to ensure that the transport network will operate as safely as practicable by eliminating fatal and serious injury crash potential.

The objective of the Safe System audit is to identify opportunities for improved safety for all people. This audit process provides a method for better managing safety with the aim to ultimately eliminate fatal and serious injuries. Safe System audits are applicable to all types of transport projects and on all types of roads and streets. Projects can be as small as a pedestrian crossing, a set of raised safety platforms, or as large as an expressway.

NZTA requires that these audit procedures be applied to any improvement or renewal project or activity that involves funding assistance from the National Land Transport Fund (NLTF).

More information about the Safe System audit is available online at the following links:

- [Safe System audit](#)
- [Safe System audit guidelines for transport projects](#)

Further, Austroads has also published road safety audit procedures which continue to serve as additional guidance for New Zealand. At present, the published Austroads procedures do not include the Safe System Assessment Framework and are therefore not reflective of the desired New Zealand practice at the current time. However, Austroads provide extensive technical practice notes on the area of Safe System Assessment Framework and reference to these documents is still recommended.

This part of your request is refused under section 18(e) of the Act as NZTA does not have any documentation stating audits must align with Austroads road design.

Furthermore, I request information regarding NZTA's practice of reviewing business case requirements and any associated "exceptions" or "exception reports" before granting approval for funding release. If available, please provide a published online link or a copy of relevant NZTA internal policy documentation.

As an Investor, NZTA requires that every Business Case will have an Investment Quality Assurance (IQA) undertaken on it to provide assurance that the Business Case approach has been followed. The IQA forms part of the funding request, and will highlight key considerations, conditions, risks and actions required for decision makers to be aware of prior to granting approval for funding release.

The IQA is carried out as part of completing the Request for VOS Decision form, which is required as part of the Value, Outcomes and Scope (VOS) approach necessary for any project funded by the National Land Transport Fund (NLTF). The VOS Decision form is then submitted to the VOS Committee for consideration.

A copy of the VOS Decision form is provided in the following attachment:

- VOS Decision Form.pdf

The IQA section can be found on page 8 of this form.

Further, copies of internal guidance about the VOS approach are also provided in the following attachments:

- VOS approach.pdf
- High level overview of the VOS process.pdf
- Request for VOS Decision Guide.pdf

As a road controlling authority, NZTA requires its own activities to conform to the relevant standards and guidelines set out on our website and our contracts. Any deviation or non-conformance to specified standards is required to utilise the relevant departures process as part of the design development. These departures are sought independently of the investment decision making requirements.

Under section 28 of the Act, you have the right to ask the Ombudsman to review my decision to refuse part of your request. The contact details for the Ombudsman can be located at www.ombudsman.parliament.nz.

As noted in our acknowledgement email of 28 November 2023, the information requested contains names of NZTA staff. As we have not received a response as to whether the inclusion of names is required, we have deemed these to be out of scope of your request.

If you would like to discuss this reply with NZTA, please contact Ministerial Services by email at official.correspondence@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink that reads "V L Browne". The signature is written in a cursive style with a large initial "V" and "L".

Vanessa Browne

National Manager Programme and Standards