

Report 03.321  
Date 25 July 2003  
File TP/3/5/1

Committee Policy, Finance and Strategy and Council  
Author Tony Brennand Manager Strategic Direction

## Transmission Gully Review Process

### 1. Purpose

To inform Councillors of the timing and process for any review of the Council's policy regarding Transmission Gully so that they can input into the process.

### 2. Comment

A number of Councillors have asked when they will have an opportunity to review the Council's policy regarding the Transmission Gully project.

Councillors need to appreciate that their primary task in roading is the development of sound strategic policies not the identification of individual roading projects.

The Council is not a road controlling authority. Transit New Zealand is the road controlling authority for Transmission Gully. Transmission Gully will only be built if and when Transit decides. Transit has to act in a manner that is not inconsistent with the Regional Land Transport Strategy (RLTS). Transit is therefore guided by the RLTS.

#### 2.1 The RLTS and the RLTC

The RLTS is constituted under section 175 of the Land Transport Act (**refer attachment 1**). The current policy of Council is expressed in the Western Corridor Plan of the RLTS. That supports the early construction of Transmission Gully as part of a wide package of road, and public transport improvements. Transmission Gully is to be built as a toll road which is important for demand management purposes.

The Council could, if it wished, hold a debate on Transmission Gully at any time. It could resolve that Transmission Gully is or is not a project that the Council wished to support now or in the future. Any resolution, regardless of what is concluded, would have no statutory effect. Transit and Transfund must act in a manner that is not inconsistent with the RLTS. The Council cannot

change its RLTS policy on the Transmission Gully project without amending the RLTS.

The RLTS is developed on behalf of Council by the Regional Land Transport Committee (RLTC). This is a standing committee of Council where outside representatives are usually appointed onto the committee alongside Council representatives. The RLTC is like a joint committee in that representatives of other organisations also have voting rights on the RLTC. In the case of the Wellington RLTC, Regional Council representatives are in fact a minority of the group. Territorial authorities are the major group.

## 2.2 Amending the RLTS

If the RLTS is to be amended then the provisions of the Land Transport Act must be complied with. This would require ensuring the analysis meets the statutory tests and the public consultation processes are adhered to.

It should be appreciated that during the development of RLTS 1999-2004 both Transfund and the Ministry of Transport took a very close interest in the robustness and compliance with the Act of the RLTS. They examined our work closely to see that:

- the land transport needs had been correctly identified
- that the analysis demonstrated that the proposed strategy provided the most desirable means of responding to such needs in a safe and cost effective manner, having regard to the effect on the environment
- that the appropriate role for each mode had been correctly identified
- that the analysis was robust and supported the proposed analysis

Because of the statutory implications of the RLTS these agencies wished to ensure that the RLTS was robust and supported by sound technical analysis. In their view this is a requirement if the Act is to be complied with.

During the development of the RLTS 1999-2004 the primary political input was in the development of the vision, objectives, targets and performance indicators. Much of the rest of the strategy development was of a technical analytical nature in order to be robust and comply with the legislation. When it came to choose between options this was not project based. The RLTS development work showed that there was strong network interdependency. This related to upstream and downstream capacity but also across modes. Therefore any single particular project should be understood to be part of a bigger package designed to achieve a specified set of objectives. If a particular project in that package is replaced by a project that is significantly different then it is likely that other projects in the package will also have to change.

The development of the RLTS 1999-2004 took 30 months to complete. A draft programme for the next review of the RLTS which commences in July 2003 has been drawn up. This programme anticipates the new RLTS being adopted in June 2006. It should be appreciated that the passing of the land transport

management bill later this year is likely to place even more onerous public consultation requirements on the RLTS process than in previous years.

The review of the RLTS will have an opportunity for key stakeholders to comment. This includes the Passenger Transport Committee of Council. This is estimated to be around September 2005.

### 2.3 Western Corridor Implementation Subcommittee (WCIS)

The RLTC has constituted a subcommittee (WCIS) to review all the information available. This is expected to take till February 2004. The WCIS will formulate a recommendation. That recommendation will go to the RLTC where it is expected that the recommendation will be sent to key stakeholders for comment. The stakeholders will include the Passenger Transport Committee of Wellington Regional Council. It is likely to be March/April 2004 when comments from stakeholders are sought.

The WCIS is going through a process that will identify improved cost and benefit estimates for the project. It will also consider Transmission Gully's relationship with other projects on the corridor including passenger transport upgrades.

### 2.4 RMA Issues

The Council prepares a regional policy statement under the RMA. This statement guides the Councils resource consent processes.

Transmission Gully has a designation under the RMA. It still needs to obtain its resource consents before construction can take place. All the resource consents are Regional Council consents and will involve discussions around levels of mitigation not whether the project should be built or not. It is likely that any Council hearings would be heard before independent commissioners.

## 3. Summary

Councillors have two opportunities to submit on the Transmission Gully process. The first opportunity is through the Passenger Transport Committee with respect to the WCIS exercise. This is expected to take place in March/April 2004. The second opportunity is through the Passenger Transport Committee where that committee is a key stakeholder in the review of the RLTS. This is expected to take place in June 2006.

It should be appreciated that in both these instances the role of councillors in the Passenger Transport Committee is that of a submitter as a stakeholder. This role does not give councillors the power to make a binding decision on the future of Transmission Gully.

## 4. Communications

There are no relevant communication matters.

**5. Recommendation**

*That this report be received.*

Report prepared by:

Report approved by:

**Tony Brennand**

Manager Strategic Direction

**Dave Watson**

Divisional Manager Transport

**Attachment:**

1. Section 175 Land Transport Act