

Chairperson and Committee Members
REGULATORY MANAGEMENT COMMITTEE

27 OCTOBER 2011

Meeting Status: **Public**

Purpose of Report: For Decision

APPROVAL OF TRANSMISSION GULLY SUBMISSION

PURPOSE OF REPORT

- 1 This report seeks the Regulatory Management Committee's approval of the draft Kāpiti Coast District Council submission on the Transmission Gully proposal (Attachment 1).

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 The New Zealand Transport Authority (NZTA) and Transpower New Zealand Limited (Transpower) lodged applications for Notices of Requirement (NoR) and Resource Consents for the Transmission Gully Proposal with the Environmental Protection Authority (EPA) on the 15th September 2011.
- 4 The Minister for the Environment directed that the matters be decided by a Board of Inquiry. The Minister has appointed Judge Brian Dwyer as Chair of the Board of Inquiry, and Commissioner Russell Howie, Glenice Paine, David McMahon and David Mitchell as members. The Board will receive submissions on the Transmission Gully Proposal. Submissions close on Monday 31st October.

CONSIDERATIONS

- 5 The draft submission supports the Transmission Gully concept but notes that Council has concerns about specific aspects of the proposal. This support is therefore conditional on the Proposal being approved with conditions that deal with the concerns raised in the Council's submission. Councillors have received a number of updates on these concerns since the application was lodged with the EPA on the 15th September.
- 6 The submission identifies the matters that Council has concerns about and notes the responses required to address them. The main concerns (and required responses) are:
 - Ecological effects (assurance is needed that significant effects on the Te Puka Stream resulting from the diversion of 1.2km of the stream will be mitigated adequately and that there will be long-term, independent monitoring of these and other ecological effects);

- Stormwater and runoff (compliance with Council’s hydraulic neutrality policy is required);
- Road design and local resilience (a local alternative route between Sang Sue corner and MacKay’s Crossing is required for resilience in case of a significant event (e.g. accident, flood, earthquake); further information is also needed on the treatment of bypassed sections of SH1, possible tolling, etc.);
- Landscape and visual effects (more certainty is needed to be confident that significant landscape and visual effects will be mitigated adequately);
- Effects on Council’s water supply for Paekākāriki (an agreed portion of land currently within the designation needs to be vested to Council for the proposed Paekākāriki bore site); and,
- Historic heritage (more detail is needed to show how effects on the brick fuel tower will be mitigated).

Financial Considerations

7 There are no financial considerations.

Legal Considerations

8 There are no legal considerations.

Delegation

9 The Committee may consider this matter under para 7.35 of Section B2 of the Council’s Governance Structure (as amended on 21 April 2011), which gives it:

“authority to review and approve any Kapiti Coast District Council submission on any issue that is being made on behalf of Council”.

Consultation

10 The extremely tight timeframe for submissions (20 working days plus a two week extension provided part way through the process) has not provided time for formal consultation on the draft submission. However, the Chairs of the Community Boards have participated in a number of updates to Council on the key concerns raised in the submission.

Policy Implications

11 The submission does not result in any policy implications.

Tāngata Whenua Considerations

12 There are no Tāngata Whenua or Treaty of Waitangi considerations.

Publicity and Other Considerations

13 There are no publicity or other considerations.

RECOMMENDATIONS

- 14 That the Regulatory Management Committee approves the draft Kāpiti Coast District Council submission on the Transmission Gully proposal (Attachment 1) appended to Report SP-11-398 subject to any amendments.

Report prepared by:

Approved for submission by:

Jane Gunn
**EXPRESSWAY PROJECT
MANAGER**

Gael Ferguson
**GROUP MANAGER, STRATEGY &
PARTNERSHIPS**

ATTACHMENTS:

Draft Submission of the Kāpiti Coast District Council on the Transmission Gully Proposal