

Report 13.754
Date 21 August 2013
File EPA/12/0003/03

Committee Council
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Greater Wellington Regional Council submission to the Environmental Protection Authority in relation to the Basin Bridge proposal.

1. Purpose

To seek the Council's agreement to the overall level of support and key issues to be raised in a submission from the Greater Wellington Regional Council (GWRC) to the Environmental Protection Authority (EPA) in relation to the NZ Transport Agency's Basin Bridge notice of requirement and resource consent applications.

2. The decision-making process and significance

Officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties.

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

2.1 Significance of the decision

Part 6 requires GWRC to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance as the decision relates to feedback from the Council to another organisations process (Board of Inquiry) which will make the final decisions in relation to the subject proposal.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

3. Background

The NZ Transport Agency has lodged a notice of requirement and resource consent applications with the Environmental Protection Authority (EPA) for the Basin Bridge project. This project involves constructing, operating and maintaining a grade separated State Highway 1 (SH1) route on the northern side of the Basin Bridge.

The Minister for the Environment has referred the applications to a Board of Inquiry (BOI) for determination. The Board runs its own process and makes its decision independently of the Environmental Protection Authority and the Minister. The process allows the public and affected parties to provide input, and the BOI will deliver its decision within nine months of public notification.

The NZ Transport Agency website includes details about the proposal, including an assessment of effects and supporting technical documents: <http://www.nzta.govt.nz/projects/basin-bridge-application/>

The applications were publicly notified on 10 August 2013 and submissions must be lodged with the EPA by Friday 6 September 2013 (twenty working days after lodgement). There is no clear indication of a hearing date yet.

The key matters for GWRC relate primarily to public transport strategy and operations. The relevant natural resources and environmental management issues are not so significant by comparison.

4. Comment

4.1 Previous involvement and feedback

The need to separate east-west from north-south traffic at the Basin Reserve intersection, a key pinch-point in the transport corridor, was first identified through work to develop the Ngauranga to Airport Corridor Plan (adopted in 2008). This project was seen as crucial to assist with the efficient movement of public transport and road traffic (including freight) and to support the future Wellington City Council growth spine.

Development and assessment of the various options to achieve this separation was the subject of many NZ Transport Agency led stakeholder workshops, including a community inquiry by design process, over a number of years. Officers from GWRC and Wellington City Council were involved in these workshops, along with a range of other specialists and stakeholders.

In 2011, the NZ Transport Agency sought feedback on their two preferred solutions for the Basin Reserve - comprising a bridge either 20 metres north of the Basin Reserve (Option A), or 65 metres north of the Basin Reserve (Option B) – as part of their consultation on the wider SH1 Cobham Drive to Buckle Street improvements.

GWRC provided feedback on the Basin Bridge project as part of that wider consultation in a submission dated 13 October 2011 (refer **Attachment 1**). The Council supported the proposed improvements from Cobham Drive to Buckle Street as being consistent with the Ngauranga to Airport Corridor Plan. The submission indicated a preference for Option A of the two proposed options for grade separation at the Basin Reserve and requested that the NZ Transport Agency progress the Basin Reserve grade separation component of the wider proposal as soon as possible. GWRC also supported inclusion of a ‘clip-on’ pedestrian/cyclist facility as part of the proposed bridge structure.

4.2 Basin Bridge proposal

The proposal is to construct, operate and maintain a two lane one-way bridge between Paterson Street and Tory Street for westbound SH1 traffic. A separate pedestrian/cyclist facility is proposed as part of the new bridge structure. There will be associated improvements to the local environment, including public transport provisions and new walking and cycling facilities. The project proposes a package of mitigation measures including improvements to existing roads, bus lanes, new walking and cycling links, landscaped open space, a new building with ‘green screen’ on the corner of Kent Terrace and Ellis Street, a new building within the Basin Reserve, and a new pedestrian plaza between Kent and Cambridge Terraces.

4.3 Consenting matters within GWRC’s jurisdiction

Scope of GWRC regulatory jurisdiction

Past BOI processes have included a large number of consents within GWRC’s jurisdiction and the associated issues have been very significant, particularly around matters such as sediment control, freshwater and terrestrial ecology, groundwater and biodiversity.

For the Basin Bridge proposal, the regulatory matters within our jurisdiction are both limited in scope and significance (essentially groundwater effects, dewatering of the construction site and other site discharges).

We note that Wellington City Council’s jurisdiction is in the notice of requirement application.

Consent applications

The relevant consent applications lodged by the NZ Transport Agency includes four resource consents for the activities under the GWRC regional plans, including:

- Land use consent for excavating bore holes that may intercept groundwater associated with the construction of bridge piles and ground improvement works
- Water permit for taking and using groundwater during the excavation of bore holes associated with the construction of bridge piles
- Discharge permit to discharge contaminants to groundwater associated with the construction of bridge piles and ground improvement works
- Discharge permit to discharge potentially contaminated groundwater (from dewatering activities) to land including via the reticulated storm water system, associated with the construction of bridge piles and ground improvement works.

The key issues in relation to these consents are discussed in section 4.6 below.

4.4 Board of Inquiry process

GWRC involvement to date

GWRC was engaged by EPA to prepare draft and final ‘Completeness Check’ reports and a “Key Issues Report”. Both reports are a statutory requirement for councils in areas affected by applications to the EPA.

The Completeness Check reports confirm whether, in GWRC’s opinion, the resource application contains all of the information that would normally be required in relation to matters within its jurisdiction.

The Key Issues Report identifies the key issues that relate to the land and matters within GWRC’s regulatory jurisdiction. The focus of the Key Issues Report is on regulatory matters, such as consistency with regional natural resource planning and policy documents. The BOI will use the Key Issues Report to inform any request for further information from the applicant and directions to the NZTA and submitters. The Key Issues Report is also made available to the public.

Pre-application discussions with NZTA have also occurred regarding regulatory matters, such as interpretational issues around the regional plans.

Wellington City Council also produced both a Completeness Check and Key Issues Report in relation to the notice of requirement.

GWRC submission process

Despite the fact that the local authorities take responsibility for monitoring/enforcing compliance with any consent issued by a BOI, the RMA does not guarantee local authority involvement in the BOI hearing and decision making process. As such, GWRC must become a submitter.

As with previous and current RoNS projects before the BOI (Transmission Gully, Mackays to Peka Peka and Peka Peka to Otaki) GWRC will have legal representation and a team of experts addressing matters of concern, with the aim of influencing the final decision and consent conditions.

Following the close of submissions, evidence will be prepared by NZ Transport Agency and submitters. The BOI will direct caucusing between experts to refine matters of agreement/disagreement, and may direct the NZ Transport Agency or other submitters to produce expert reports. The NZ Transport Agency and submitter experts can give evidence and be cross-examined at the hearing.

4.5 Greater Wellington Regional Council's position

GWRC's overall position in relation to the Basin Bridge project is to support the application in full. The reasons for this are set out in the following section of the report.

4.6 Key issues to be included in Greater Wellington Regional Council's submission

Submissions to the EPA in relation to this process will be provided using a standard submission form provided by the EPA. Typically, submissions to these processes are focused on confirming the overall level of support and identifying the key issue areas for the submitter. This allows for further detail to be raised and discussed through the pre-hearing and hearing process.

The key submission point/area is identified below, with a supporting explanation provided for the Councillors consideration and information.

Transport Strategy

The Basin Bridge project is consistent with regional transport policy direction provided by the Regional Land Transport Strategy 2010 – 40 and the Ngauranga to Airport Corridor Plan, and is identified in the relevant transport programming and funding document - the Regional Land Transport Programme 2012-15.

Supporting explanation:

Wellington Regional Land Transport Strategy 2010 - 2040

This is a statutory document (prepared under the Land Transport Management Act 2003), produced by the Regional Transport Committee and approved by Greater Wellington Regional Council. It is the strategic transport document that guides the development of the region's transport system including public transport, roads, walking, cycling and freight, with a long term 30 year outlook.

The strategy recognises the importance of a strategic road network which operates safely and efficiently. It includes outcomes in relation to increasing passenger transport, walking and cycling, reducing greenhouse gas emissions, improving road safety, reducing severe traffic congestion, improving freight efficiency and improving land use and transport integration.

- Public transport journey times and reliability

Improving public transport travel times and reliability through the Basin Reserve, a key part of the public transport corridor, and allowing for a dedicated public transport spine in future, are both crucial to support growth of public transport mode share in Wellington City.

Grade separation at the Basin Reserve, together with improved bus lane and bus priority signals, is expected to provide improvements for public transport efficiency and journey time reliability in peak times. The transport assessment shows an expected improvement in bus journey times and reduced journey time variability across peak and inter-peak periods.

- Walking and cycling

The combination of the new 'clip-on' pedestrian/cyclist facility to the bridge and new pedestrian and cycling facilities around the Basin Reserve proposed in the application provide an improved level of service for pedestrians and cyclists compared with the existing situation.

- Road safety

The proposed application is expected to have a positive contribution towards road safety as a result of reduced traffic conflict between east-west state highway traffic and north-south local traffic, a reduction in traffic volumes, and a reduction in queue lengths at intersections around the Basin Reserve. The proposal will also involve safer crossing facilities for pedestrians and cyclists, which is expected to reduce the number of crashes affecting these modes.

- Traffic congestion and freight efficiency

The Basin Bridge project is expected to relieve severe congestion around the Basin Reserve intersection at peak times and will improve journey time reliability for state highway and local traffic. As a core 'ring route' providing for trips across the city, this will assist with more efficient road trips, including improved access for freight and emergency vehicles.

Ngauranga to Airport Corridor Plan

The Ngauranga to Wellington Airport Corridor Plan is an implementation plan which responds to the strategic direction set out in the Wellington RLTS and provides the agreed framework for improving the transport network through central Wellington.

The corridor plan aims to strengthen four key transport elements in the city:

1. a high quality and frequency passenger transport ‘spine’
2. highly accessible and attractive ‘activity’ or shopping streets
3. a reliable and accessible ‘ring’ or bypass route for vehicles
4. inter-connected and convenient local street, walking, cycling and passenger transport networks.

A key action in the corridor plan is to separate north-south from east-west traffic flows at the Basin Reserve, to contribute to a reliable and accessible ‘ring road’ and to enable a dedicated public transport spine to be implemented without significantly worsening traffic congestion.

In the corridor plan, this project was given an early timeframe compared with other projects, recognising its critical role in terms of allowing for public transport improvements along the spine and recognising the importance of this project in the context of the wider transport network.

Wellington Regional Land Transport Programme (RLTP) 2012 -15

The Wellington RLTP 2012-15 sets out all the transport projects planned in the region over a three year period, what they will cost and how they will be funded. It also identifies other significant transport projects expected to start within the next 10 years, along with a 10-year financial forecast. The RLTP provides the region's funding bid for funding of transport projects from the National Land Transport Fund.

The proposed Basin Reserve Bridge project is identified in the three year programme period as a third priority ‘large new project’, ranked 7th amongst 12 projects in this group.

Public Transport Spine Study

The Basin Bridge project will help to facilitate the future options for a high quality public transport spine through the project area, identified by the Wellington Public Transport Spine Study (June 2013).

Greater Wellington Regional Council requests further involvement in the operational planning and implementation phases of the project to ensure future compatibility and to maximise the efficiency and effectiveness of public transport movements through this area.

Supporting explanation:

A feasibility study looking at the options for a high quality public transport spine through central Wellington was recently completed - the 'Wellington Public Transport Spine Study'. Public consultation on the short-listed options (Light rail transit, bus rapid transit and bus priority) is currently underway and a preferred option will be confirmed in December 2013.

The Basin Bridge project has been considered in light of the options coming out of the spine study. The project assists by reducing conflict with general traffic and allowing for a dedicated corridor north-south to be implemented. Tracking curves for the options have been assessed as part of the feasibility level investigation and these suggest that the project can accommodate all the shortlisted options.

In addition to the north-south public transport spine, the Public Transport Spine Study introduces a new concept for the Bus Rapid Transit and Light Rail Transit options which involves one branch of the public transport spine travelling east-west along Patterson Street and via a tunnel through Mt Victoria. The Basin Bridge project can accommodate this additional public transport movement, however minor amendments to the detailed design may be required, depending on which Public Transport Spine option is eventually chosen. It is therefore important that Greater Wellington Regional Council continues to be involved in the operational planning and implementation phases of the project to ensure future compatibility and to maximise the efficiency and effectiveness of public transport movements through this area.

Public Transport operational issues

Construction impacts

Greater Wellington Regional Council has reviewed the applicant's Construction Traffic Management Plan. Further information and clarification is required to enable an assessment of the adequacy of measures to manage construction impacts on the operation of public transport services in relation to:

- the operation of trolley buses throughout the construction phase
- the timing and operation of planned localised diversions
- the relocation of bus stop infrastructure (including shelters) due to diversions, and the maintenance of their legal status for ease of use and enforcement purposes
- the effect these localised diversions may have on the wider public transport network
- the access for dedicated school services to Basin Reserve schools
- the planning for special events during this phase.

Greater Wellington Regional Council requests involvement in all stakeholder and associated meetings relating to the operational traffic management planning during this phase of the project.

Post construction operational issues

Further clarification and discussion is required on:

- the detailed specification for the planned school bus stops, particularly in Dufferin and Rugby Streets
- the merging of bus traffic around the Basin Reserve, particularly from the school bus stops on Dufferin Street

Regulatory issues

The key regulatory issues in regard to the activities requiring consent under the GWRC regional plans, are considered to be minor and relate to:

- discharges of contaminants to land
- groundwater effects
- management plans and consent conditions

Supporting explanation:

The potential adverse environmental effects associated with these consents are likely to be relatively minor. However, consent conditions will need to be imposed to address any outstanding concerns, or additional important matters presented during the course of process post submission.

The consent conditions imposed need to be well structured, certain, defensible, enforceable, set performance standards and be easily interpreted.

4.7 Planning matters for future RoNS project applications to the EPA

As a general point, we note that the area of ecosystem servicing has not been addressed in the wider proposal. While not a specific assessment requirement for either the notice of requirement or the consent applications under the Resource Management Act, we recognise that ecosystem services assessments are increasingly being considered best practice for large projects. We will be encouraging the NZ Transport Agency to include such assessments for future RoNS proposals.

5. Communication

The final submission will be forwarded to the EPA and made available on the GWRC website.

6. Recommendations

That the Council:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Agrees that GWRC's position will be to support the application through its submission.*
4. *Agrees to include the key submission areas set out in section 4.6 of this report in the GWRC submission.*
5. *Authorises the Chair of GWRC to agree the final wording and sign the submission on the Council's behalf.*

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Attachment 1: Previous submission from Greater Wellington Regional Council on the proposed Cobham Drive to Buckle Street transport improvements – dated 13 October 2011