

Chair
Cabinet Economic Growth and Infrastructure Committee

LAND TRANSPORT MANAGEMENT ACT 2003 REVIEW: TOLLING AND PUBLIC PRIVATE PARTNERSHIPS

Proposal

1. This paper recommends improvements to the tolling and public private partnership (PPP) provisions in the Land Transport Management Act 2003 (LTMA). It accompanies a paper that recommends improvements to the planning and funding provisions in the LTMA.

Executive summary

2. The LTMA provides for road tolling schemes and for concession agreements between public and private partners. Officials reviewed these provisions and concluded there is scope to reduce barriers to the use of such arrangements.

Tolling

3. The LTMA allows for the use of tolling to pay for new roads provided there is a feasible, untolled, alternative route available. The new road, and existing roads that are near and integral to that new road, can be tolled. These fundamental principles preclude the use of tolling for general revenue collection and I propose to retain them.
4. As well as the fundamental principles discussed above, there are other statutory tests that have to be satisfied before tolling can be approved. There are issues with these tests. Some are duplicative and unnecessary. I propose to simplify and streamline the tests that are applied to decisions to toll under the LTMA. For example, several of the tests will be rolled into a requirement for toll schemes to be efficient and effective.
5. One of the tests involves the need to consider community support for the proposed tolling scheme. It is important to retain such a test but the existing test is ambiguous. I propose to replace it with a straightforward requirement that the Minister of Transport (the Minister) is satisfied with the level of support for the tolling scheme from the community in the relevant region or regions.
6. Duplicative consultation requirements will be replaced with a requirement for the Minister to be satisfied that adequate consultation was conducted.
7. In addition, Tauranga City Council has requested that the Route K toll road (Route K) in Tauranga be brought under the LTMA. Route K is subject to its own legislation (Tauranga District Council (Route K Toll) Empowering Act 2000), which is less flexible than the tolling regime subsequently established by the LTMA.

8. As the number of toll roads increases, it will be important to have consistency in the regime for setting, collecting and enforcing tolls. I therefore propose to include provisions that would enable the Route K toll road to be brought under the LTMA.

Public private partnerships

9. The concession agreement regime in the LTMA was intended to facilitate roading PPPs. However, this regime causes confusion because it focuses on ministerial oversight of arrangements that involve the lease of land, and is silent on other types of PPPs that might not involve any lease of land. The approval regime is also convoluted. There are sufficient safeguards for PPPs in the absence of the concession agreement regime. PPPs should be managed through the LTMA's general procurement regime. This would allow the stand-alone concession agreement regime in the LTMA to be repealed.
10. PPPs do need some specific legislative support. I propose to allow land held by public roading agencies (including roads) to be leased, with the Minister's approval, for a maximum of 49 years. I also propose to retain the current ability to delegate road controlling powers with the Minister's approval. These provisions enable a private party to operate a road.

Background

11. The LTMA puts in place a regime for ministerial approval of road tolling schemes and concession agreements. The LTMA allows tolling to be used to pay for new roads. The concession agreement regime provides for leasing of land (including roads) and was intended to help facilitate roading PPPs. The tolling and concession agreement provisions have been criticised as confusing and complicated¹, and may put unnecessary hurdles in the way of tolling and PPPs.
12. I asked officials to review the LTMA to reduce the barriers to the use of tolling schemes and PPPs. As a result, I propose changes to the LTMA's tolling and concession agreement regimes.
13. This paper is the second of a set of two. I also asked officials for advice on streamlining and simplifying the LTMA's transport planning and funding framework. The changes proposed in this paper follow on from the proposals in the first paper, *Review of the Land Transport Management Act 2003: Planning and Funding*.
14. Two tolling schemes have been approved since the passage of the LTMA in 2003 (the Northern Gateway tolling scheme in Auckland, and the Tauranga bridge duplication that was subsequently funded from grants rather than by tolls). Cabinet has agreed that Tauranga Eastern Link will be tolled [Cab Min (10) 25/1 refers], however, an approval order has not yet been made. The Route K tolling scheme is operated by Tauranga City Council in accordance with the Tauranga District Council (Route K Toll) Empowering Act 2000, a local Act passed before the LTMA tolling provisions were passed. No concession agreements have been approved.

¹ Criticism has come from business groups, financial institutions and infrastructure development interest groups.

15. Proposed tolling schemes and potential concession agreements assessed under the LTMA to date have not been self-supporting. All have been dependent on a substantial funding contribution from the National Land Transport Fund (NLTF). The interaction between NLTF funding and approval mechanisms, the tolling regime, and the concession agreement regime is therefore important when considering any changes to the tolling and concession agreement regimes.
16. As discussed in my first LTMA review paper, if Cabinet agrees to these changes, a Bill will be necessary.

Tolling schemes

Context

17. The land transport system derives the majority of its revenue from fuel excise duty, motor vehicle registrations and road user charges. This revenue is aggregated into the NLTF and allocated according to national investment priorities. There is no direct connection between where these funds are generated and where they are spent.
18. Under the LTMA, road tolling allows a different form of revenue generation where road users can be charged directly for using a particular road. Road users have a choice to pay the toll to use the new road or use a free alternative route. In some cases, tolls can make a useful contribution towards the cost of high volume roading infrastructure projects. Tolling could be considered for a number of projects that are programmed in the near future, and it is important that the LTMA does not pose unnecessary barriers to such schemes.
19. Internationally, tolls have often been linked to PPPs, with toll revenues used to repay debt arising from capital projects financed by the private sector. Tolloed PPP projects have been used in Australia to enable the construction of a number of major roading projects. However, New Zealand traffic volumes are lower, so financially free-standing PPPs funded from tolls alone are unlikely.

Limits on the scope of tolling

20. The LTMA only allows tolling in order to pay for new roads and requires a feasible un-tolled alternative route.
21. The LTMA also limits the tolling of existing roads. Existing roads can only be tolled if the Minister is satisfied that the existing road, or part, is located near, and is physically or operationally integral to, the new road that tolling revenue will be applied to (section 48(2) refers).
22. Stakeholders generally accept the idea that existing traffic lanes alongside new toll lanes can legitimately be tolled because users get a tangible benefit from the additional capacity provided. However, some stakeholders have signalled opposition to any tolling of existing roads where the benefits are indirect or existing users would be disadvantaged. They argue that users have already paid for the benefits provided by an existing road through their road taxes.

23. The restrictions that limit the scope of tolling have been criticised.² They are seen to limit the use of tolling as a general revenue-raising mechanism or as a pricing tool. However, they were designed to distinguish the policy intent of these provisions from wider area pricing or congestion charging schemes. They were also designed to ensure users did not perceive tolling as paying for roads a second time. The requirement for a free alternative route also mitigates equity issues for people on low incomes who may not be able to afford the toll.
24. The review considered the broader application of tolling, for example removing or lessening the requirement for a feasible alternative route. However, I have decided to focus the review on improving the current regime. Any proposal to widen the use of tolling, for example to allow for demand management or congestion charging, should rightly be scrutinised as a separate legislative proposal. Any changes to the broad parameters of tolling would require significant evidence before proceeding.
25. The review was therefore aimed at simplifying and streamlining rather than a fundamental re-write of the LTMA's tolling provisions. The proposed changes do not prevent a subsequent amendment to the LTMA tolling provisions, or stand-alone legislation, should that be desirable.
26. I do not propose to expand the scope of tolling beyond the limits currently set out in the LTMA at this time.

The treatment of revenue from tolling

27. The LTMA requires all land transport revenue to be paid into the NLTF. Currently, revenue from tolling is excluded from the definition of land transport revenue. This means that the borrowing and repayment for the toll-funded portion of toll roads is handled outside the NLTF. The exclusion of tolling revenue from the NLTF means the revenue cannot be used to fund other projects. This maintains the principle that toll revenue can only be applied to the particular project on which it is being collected. However, this also creates an administrative hurdle to establishing a toll road without related borrowing that is repaid by toll revenue. This was experienced in the development of the Tauranga Eastern Link tolling proposal, where project borrowing will be repaid by toll revenue. To address this I propose to remove barriers to future toll roads being established without borrowing by the Crown.
28. Enabling toll revenue to be considered land transport revenue would provide additional flexibility for managing and accounting for the programme of toll roads, particularly to decouple tolling from borrowing. Rather than borrowing to fund a project, the project could be initially funded from the NLTF, with the cost repaid by toll revenue. This would enable tolling schemes to be implemented with a wider variety of funding arrangements.
29. This approach, while more flexible, could raise concerns from stakeholders that tolling is being used solely as a revenue-raising tool, unless the toll revenue is tied to the costs of the new road.

² These requirements have been criticised by the New Zealand Council for Infrastructure and Development.

30. I therefore propose to allow tolling revenue to be included in the NLTF, provided there is an appropriate mechanism to tie toll revenue to the new road. The order in council can set out where the toll revenue should be applied, on a case by case basis. This will allow greater flexibility while ensuring there is robust oversight.

Difficulties with assessment criteria

31. The assessment regime for tolling in the LTMA has been cited as a barrier to the use of tolling schemes.³

32. The LTMA sets out high-level criteria that must be met before a toll scheme can be approved. The Minister must be satisfied that the activity to be funded by tolls contributes to the LTMA's purpose, takes into account the five transport objectives⁴, and takes into account a range of strategies and planning documents.

33. These are similar to the requirements to secure funding from the NLTF. This is likely to cause duplication because projects funded by tolling schemes are likely to require funding from the NLTF. In my accompanying paper, *Land Transport Management Act 2003 Review: Planning and Funding*, I recommend simplifying these requirements because there is repetition, inconsistency and ambiguity.

34. The LTMA also prevents the Minister from approving a toll proposal unless he or she has taken into account:

34.1. the availability of alternative land transport options and the impact of the activity on those options

34.2. the land transport options and alternatives that have been considered by the public road controlling authority

34.3. whether the activity is consistent with current priorities for land transport expenditure

35. These requirements are unnecessary because when a toll road is included in a regional land transport programme (RLTP), it will have been considered as part of the overall regional transport network. Furthermore, RLTPs are required to be consistent with the Government Policy Statement on Land Transport Funding (which sets out the government's priorities for land transport expenditure).

36. In addition, the LTMA states that a toll order may require the public road controlling authority to prepare a demand management plan in accordance with the order (section 46(3)(g) refers). A plan for dealing with the traffic diversion associated with tolling is an inherent part of any tolling proposal, and a requirement for one does not need to be separately prescribed. As with other provisions, this requirement also duplicates considerations made when including a toll road in a RLTP.

³ For example, by the New Zealand Council for Infrastructure and Development.

⁴ Assisting economic development; assisting safety and personal security; improving access and mobility; protecting and promoting public health and ensuring environmental sustainability.

37. The tolling approval regime should be consistent with the proposed changes to the planning and funding regime, but should not duplicate it. I propose to replace these various assessment criteria with a more straightforward test requiring the tolling scheme to be efficient and effective.

Community support

38. When considering a tolling proposal, it is important for decision-makers to assess community support. The LTMA deals with this poorly. The relevant LTMA requirement contains alternative tests. It requires that either:
- 38.1. the activity is included in the current national land transport programme, or
 - 38.2. the Minister must be satisfied that there is a high degree of support from affected communities
39. Affected communities are defined as a group of people who are affected by the proposed activity because of living, studying or working in close geographical proximity to the proposed activity.
40. For projects to date, the New Zealand Transport Agency (NZTA) and Transit New Zealand (the State highway agency prior to 2008) sought to demonstrate a high level of community support whether the activity has been included in the national land transport programme or not. It has assessed community support by undertaking a random sample survey of the affected communities. The Northern Gateway toll road, the Tauranga harbour bridge duplication and the Tauranga Eastern Link were assessed to have a high level of community support:
41. There are significant issues with these alternative tests. First, the two tests are not equivalent since an activity can be included in the national land transport programme without a high degree of support from the affected community.
42. Second, projects with a tolling component are likely to require a subsidy from the NLTF and will therefore be included in the national land transport programme anyway. Technically, this would mean in most cases the requirement for a high degree of support from the affected community would not apply. However, in practice the terminology 'high degree of support from the affected community' has been used to guide the scope of community surveys and decision-making.
43. Third, the use of the term 'affected community' means the community support test only targets a subset of the wider community that is likely to be affected by the toll road. Tests of this sort, which could give a veto to a subset of the community, are inconsistent with the need to balance the local impacts with the benefits and costs to the wider community.
44. In my view, there is a need for the level of support for tolling schemes to be assessed before they are approved. I propose to replace the current tests with a single test that requires that the Minister is satisfied with the level of support for the tolling scheme from the community in the relevant region or regions. This test would give the Minister some discretion over what level of support should be required. However, this

would be balanced by the extended scope of the test (requiring consideration of the wider community's support in every application for a tolling scheme).

Consultation on tolling schemes

45. The LTMA requires that public road controlling authorities seeking approval for a tolling scheme must consult on the proposal. However, the LTMA also states that if a matter pertinent to the scheme has already been consulted upon, it does not need to be consulted upon again.
46. The community is generally consulted on major projects due to the need to comply with the Resource Management Act 1991. As well, projects are likely to go through formal planning processes under the LTMA that require consultation, as they will involve a component of grant funding.
47. In practice, it is difficult for those proposing schemes to determine whether any previous consultation, which may have had a different focus, is adequate to preclude the need for additional consultation. Therefore, I propose to remove the existing requirement for those proposing tolling schemes to consult, and replace it with a requirement that the Minister needs to be satisfied that adequate consultation was conducted. This would mean the Minister, rather than the proposer, will determine if there needs to be any additional consultation on the proposed scheme. The Minister will also be able to request any additional information necessary to assess a tolling project.

Relying on assessments by the NZTA

48. The LTMA allows the Minister to rely on any assessment of the activity against the relevant criteria done by the NZTA, and not to have to conduct a separate assessment.
49. This originally allowed the Minister to rely on any assessment done by the transport funding agency (Transfund or latterly Land Transport New Zealand), when the State highway agency and transport funding agency were separate entities. The merger of these agencies means that, where the NZTA is the applicant for a tolling order in council, the provision creates a conflict of interest in that it permits the Minister to rely on the applicant's own assessment of the criteria. I propose to repeal this provision. This would not prevent the Ministry of Transport from drawing on assessments done by the NZTA when advising the Minister on a tolling proposal, whether submitted by the NZTA or another organisation.

Route K toll road

50. Tauranga City Council has requested that the Route K toll road (Route K) in Tauranga be brought under the tolling regime in the LTMA. Route K was established by the Tauranga District Council (Route K Toll) Empowering Act 2000 (Route K Act). This legislation created a unique regime for determining toll collection technology and changing toll rates. The new Tauranga Eastern Link will be tolled under the LTMA. This will create inconsistencies with the way tolls are collected and enforced on two

toll roads in the same region. Further, the Route K Act is less flexible than the regime subsequently established by the generic tolling provisions in the LTMA.

51. As the number of toll roads increases, it will be important to have consistency in the regime for setting, collecting and enforcing tolls. I therefore propose to include provisions that would enable the Route K toll road to be brought under the LTMA in the future and provisions that would enable the Route K Act to be consequentially repealed.

Public private partnerships

52. PPPs are a procurement option that, under some circumstances, can encourage innovation and deliver value for money. The National Infrastructure Unit has defined PPPs as:

“...long-term contracts for the delivery of a service, where the provision of the service requires the construction of a facility or asset, or the enhancement of an existing facility. The private sector partner finances and builds the facility, operates it to provide the service and usually transfers control of it to the public sector at the end of the contract. These contracts are sometimes also referred to as concession agreements.”

53. PPPs could be useful tools in New Zealand’s land transport sector, and the concession agreement provisions in the LTMA were designed to facilitate them. However, these provisions focus on concession agreements involving leases of land, requiring ministerial approval of such agreements rather than describing a process for entering into PPP contracts. This creates confusion for stakeholders. Additionally, the concession agreement regime shares many of the duplicative and unnecessary criteria in the tolling provisions. No proposals for concession agreements have been considered or approved since the LTMA’s enactment in 2003.
54. While the regime is untested, using leases as the defining characteristic of a PPP is of limited use because a PPP arrangement may not necessarily involve a lease. A PPP could vary from a long-term maintenance contract to a situation where a private sector contractor builds a road, operates it for a period, and then hands it back to the public. This means that the definition of a PPP in the LTMA may not align with the market’s view of what constitutes a PPP.

General procurement regime

55. A further complication for the private sector is that there are two procurement regimes in the LTMA: the concession agreement regime and the general procurement regime. Under the general regime, the NZTA must approve the procurement procedures for the approved activities of any of the organisations, including itself, that receive funding from the NLTF. The general procurement regime is less prescriptive than the concession agreement regime and has already been used for PPP-type arrangements, and can be used for such arrangements in future. The NZTA has used performance-specified maintenance contracts to deliver some State highway maintenance. These are long-term maintenance contracts tendered competitively with a lump sum price.

Other safeguards for public private partnerships

56. There are safeguards for PPP arrangements outside the LTMA. First, since projects entirely funded by toll revenue are unlikely in New Zealand, NZTA PPP contracts supported by private sector borrowing will almost always be on the balance sheet, and will therefore require ministerial approval under the Crown Entities Act 2004.
57. Second, the National Infrastructure Unit has issued guidance on the use of PPPs in New Zealand. This guidance sets out a process for considering potential PPP arrangements and requires a two-stage Cabinet approval process for large capital projects.
58. Third, the Government Policy Statement on Land Transport Funding could be used to provide transport specific guidance on the use of PPP arrangements if required.

Repeal of the concession agreement regime

59. I propose to repeal most of the current concession agreement regime and allow PPPs to be dealt with under the general procurement regime of the LTMA. Under this regime, the safeguards for public expenditure will still apply to any PPP arrangements. These safeguards include consultation requirements, and statutory planning and funding approval processes.
60. There is a risk that some stakeholders will interpret the proposed amendments to the concession agreement regime as meaning the LTMA no longer facilitates PPPs because it is largely silent on them. This can be managed through publicity around the change.

Leasing and road controlling powers

61. I propose to retain provisions that allow road controlling authorities to lease public land (including roads), with the Minister's approval, for the purpose of private parties operating public roads. The current restriction on the length of concession agreements, and therefore leases, is 35 years (able to be extended to 45 years in exceptional circumstances). The limit of 35 years makes potential roading PPPs less attractive to the private sector. However, a term of 50 years or greater would be deemed disposal for the purposes of Treaty of Waitangi settlements and could trigger a right of first refusal to leases. I propose that leases should be allowed for a maximum term of 49 years.
62. I also propose to retain provisions that allow road controlling authorities to delegate road controlling powers to the private sector. Such a delegation is needed to allow these partners to construct and operate roads. The Minister would need to approve the delegation, and any private partner would need to have a contract with the road controlling authority.

Consultation

63. The following departments were consulted on the paper: the Treasury, the National Infrastructure Unit, the Ministry of Economic Development, the Department of Internal Affairs, the Ministry for the Environment, the Ministry of Social Development, the Office for Disability Issues, and Te Puni Kokiri. The State Services Commission and the Department of Prime Minister and Cabinet were informed of this paper. Additionally, the NZTA was involved in the preparation of the proposals included in this paper.
64. Externally, discussions have taken place with: Local Government New Zealand; local government officials in Auckland, the Waikato, the Bay of Plenty, Wellington and Canterbury; the Automobile Association; the Road Transport Forum; and, the New Zealand Council for Infrastructure Development.

Financial implications

65. Any financial implications of these changes are expected to be small and able to be absorbed within existing funding.

Human rights implications

66. The proposals contained in this paper are not inconsistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Legislative implications

- 67.
68. If it is agreed that there should be consistency in the regime for setting, collecting, and enforcing tolls, the LTMA Bill will need to enable the Route K toll road to be brought under the LTMA. If this occurs, the LTMA will need to provide for the Tauranga District Council (Route K Toll) Empowering Act 2000 to be repealed. Normally, a government Bill may not amend or repeal a local Act, but it is permissible where the amendment or repeal is consequential in nature.
69. The national planning and funding system for transport set out in the LTMA is complex, and matters of detail may still emerge as the legislation is developed. Therefore, I am seeking delegated authority to include outstanding matters of minor policy detail in the Bill before it is introduced.

Regulatory Impact Analysis

70. A Regulatory Impact Statement, covering the proposals in this paper, is attached to the accompanying paper, *Land Transport Management Act 2003 Review: Planning and Funding*.
71. The Regulatory Impact Analysis Team has reviewed the RIS prepared by the Ministry of Transport and associated supporting material, and considers that the information and analysis summarised in the RIS meets the quality assurance criteria.
72. I have considered the analysis and advice of my officials, as summarised in the attached RIS and I am satisfied that, aside from the risks, uncertainties and caveats already noted in this Cabinet paper, the regulatory proposals recommended in this paper:
- are required in the public interest
 - will deliver the highest net benefits of the practical options available, and
 - are consistent with our commitments in the Government statement "Better Regulation, Less Regulation"

Gender implications

73. There are no gender implications arising from these papers.

Disability perspective

74. There are no direct disability implications arising from these papers.

Publicity

75. Publicity for these decisions is addressed in the accompanying paper, *Land Transport Management Act 2003 Review: Planning and Funding*.

Recommendations

76. I recommend the Committee:
- 1) **note** officials have reviewed the tolling and concession agreement provisions in the Land Transport Management Act 2003 (LTMA) with a view to reducing the barriers to the use of such arrangements

Tolling

- 2) **agree** to retain the requirements that tolling revenue is applied to the new road that is being tolled, that existing roads can only be tolled if they are near and physically or operationally integral to the new road and that a feasible, untolled, alternative route must be available to road users

- 3) **note** the tolling provisions in the LTMA contain a number of duplicative and unnecessary requirements that must be met before the Minister of Transport can approve a tolling scheme, and overly prescriptive consultation requirements
- 4) **agree** to remove requirements related to the purpose of the LTMA, the five transport objectives⁵, a range of strategies and planning documents, the availability and consideration of land transport options and alternatives, and the outcome of consultation
- 5) **agree** to remove the requirement that the Minister of Transport must be satisfied that the activity is included in the current national land transport programme or that there is a high degree of support from affected communities
- 6) **agree** to remove the provision allowing a tolling order in council to require a public road controlling authority (for example, the New Zealand Transport Agency or a territorial authority) to prepare a demand management plan
- 7) **agree** to adopt a high-level test requiring tolling proposals to be efficient and effective
- 8) **agree** to replace the alternative tests for community support or inclusion in the national land transport programme with a requirement that the Minister of Transport is satisfied with the level of support for the tolling scheme from the community in the relevant region or regions
- 9) **agree** to remove the provision that enables the Minister of Transport to rely on any assessment done by the New Zealand Transport Agency of the tolling scheme against the relevant criteria and not conduct a separate assessment
- 10) **agree** to replace the consultation requirements that apply to tolling schemes with a requirement that the Minister of Transport be satisfied adequate consultation on the tolling scheme was conducted
- 11) **agree** the LTMA should enable tolling revenue to be included in the National Land Transport Fund by ministerial approval on a case by case basis, and the order in council must specify where the revenue should be applied

Route K Toll Road in Tauranga

- 12) **note** Tauranga City Council requested that the Route K toll road in Tauranga be brought under the governance of the LTMA
- 13) **agree** there should be consistency in the regime for setting, collecting and enforcing tolls


⁵ Assisting economic development; assisting safety and personal security; improving access and mobility; protecting and promoting public health and ensuring environmental sustainability.

- 14) **agree** the LTMA should include enabling provisions to bring the Route K toll road under the LTMA and enabling provisions for the Tauranga District Council (Route K Toll) Empowering Act 2000 to be consequentially repealed

Public private partnerships

- 15) **agree** to remove the stand-alone concession agreement regime that requires ministerial approval of leases
- 16) **agree** that public private partnerships should be subject to the LTMA's general procurement regime
- 17) **agree** the LTMA allow land (including roads) to be leased by road controlling authorities, with the Minister of Transport's approval, for a period of up to 49 years for the purpose of enabling a private party to operate a road
- 18) **agree** to retain the ability to delegate of road controlling powers to private partners under contracts for the construction and operation of roads
- 19) **note** there are existing safeguards for public private partnerships, including the requirement for ministerial approval of any borrowing undertaken by the New Zealand Transport Agency under the Crown Entities Act 2004 and the general safeguards on the use of public funds under the LTMA
- 20) **note** that, in addition, the Government Policy Statement on Land Transport Funding can be used to provide transport specific guidance for public private partnerships
- 21) **note** the legislative and publicity implications of this paper are addressed in the accompanying paper, *Land Transport Management Act 2003 Review: Planning and Funding*
- 22) **note** the Regulatory Impact Statement for this paper is attached to the accompanying paper, *Land Transport Management Act 2003 Review: Planning and Funding*
- 23) **invite** the Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to prepare a Land Transport Management Amendment Bill giving effect to the recommendations set out above, including any necessary consequential, savings and transitional provisions

- 24) **authorise** the Minister of Transport to determine any matters of minor policy detail regarding tolling and public private partnerships that arise in the course of the preparation and passage of the Bill



Hon Steven Joyce
Minister of Transport

Dated: 5/5/11