

Before a Board of Inquiry
MacKays to Peka Peka Expressway Proposal

under: the Resource Management Act 1991

in the matter of: Notice of requirement for designation and resource consent applications by the NZ Transport Agency for the MacKays to Peka Peka Expressway Proposal

applicant: **NZ Transport Agency**
Requiring Authority

Statement of evidence of **Dr James Bentley** (Alliance Project Manager – MacKays to Peka Peka Expressway) for the NZ Transport Agency

Dated: 7 September 2012

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TABLE OF CONTENTS

QUALIFICATIONS AND EXPERIENCE	2
SCOPE OF EVIDENCE	3
EXECUTIVE SUMMARY	3
CONSIDERATION OF OPTIONS	4
Approach to consideration of options	4
Re-consideration of route options	6
Consideration of alignment and overall design options.....	7
CONSIDERATION OF DESIGN DETAILS IN THE PREFERRED ALIGNMENT	10
MY ROLE IN CONSULTATION	11
Consultation with Community and Residents	12
Engagement with tangata whenua.....	12
Engagement with KCDC	12
Other stakeholders and interest groups.....	12
RESPONSE TO SUBMISSIONS	12
Re-consideration of Route Options.....	13
Southern alignment selection	13
Waikanae alignment selection.....	14
Intention to follow up with certain submitters	15
ANNEXURE A: LETTER FROM J BENTLEY TO HIGHWAY OCCUPANTS GROUP DATED 7 DECEMBER 2010	16

STATEMENT OF EVIDENCE OF DR JAMES BENTLEY FOR THE NZ TRANSPORT AGENCY

QUALIFICATIONS AND EXPERIENCE

- 1 My full name is James Michael Bentley.
- 2 I have a Bachelor of Science Degree with Upper Second Class Honours and a Doctor of Philosophy Degree (both in Chemical Engineering) from Loughborough University in the UK. I am a fellow of the Institution of Professional Engineers, New Zealand.
- 3 I have twenty years' professional experience in infrastructure development, operations and management. I have spent the last two years working as the Alliance Project Manager for the MacKays to Peka Peka Expressway Proposal (*the Project*). I am responsible for leading the team of planners, designers, constructors and specialists, and for reporting to the Project Alliance Board (*PAB*) responsible for delivery of the Project on behalf of the NZ Transport Agency (*NZTA*).
- 4 In addition to my role as Alliance Project Manager, I am Chief Executive of Synergine Group, a multi-disciplinary infrastructure services company, and I am also the Director of the Centre for Infrastructure Research at the University of Auckland. I have held each of these positions since 1 August 2009, prior to which I spent three years as Chief Executive of Metrowater Limited, the water and waste water network management and retail council controlled organisation of Auckland City Council. This role required me to oversee the development, funding, delivery and management of network infrastructure in Auckland. My other experience includes 12 years with the Thames Water Group, half of which was focused on the UK operation and half on the international business including Turkey, Spain and the Middle East.
- 5 My evidence relates to the Notice of Requirement (*NoR*) and applications for resource consent lodged with the Environmental Protection Authority (*EPA*) by the NZTA for the construction, maintenance and operation of the Project.
- 6 I am familiar with the area that the Project covers and the State highway and local roading network in the vicinity of the Project.
- 7 In my capacity as the Alliance Project Manager, I am authorised to give evidence on behalf of the NZTA.

SCOPE OF EVIDENCE

- 8 My evidence explains the approach that was taken in the consideration of alignment and design options in the development of the Project, and the reasoning for some of the key decisions made in respect of those alignment and design options. My evidence focuses on those matters that I oversaw or directed in my capacity as the Alliance Project Manager.
- 9 Relevant to this, my evidence explains my role in the consultation undertaken to date, and provides some response to matters raised in submissions.

EXECUTIVE SUMMARY

- 10 There were three key stages to the design development of the Project leading to the final proposal and its subsequent application with the EPA:
 - 10.1 Updating the assessment of the preferred route for the proposed Expressway between MacKays Crossing and Peka Peka;
 - 10.2 Determining the preferred alignment within the selected route, as well as the preferred number and form of interchanges and whether local roads cross under or over the Expressway; and
 - 10.3 Determining the final alignment and design.
- 11 The principal tool that was used to assess options and to inform the decision-making process was Multi-Criteria Analysis (MCA). This tool allowed the NZTA consider the environmental, social, cultural, financial and other relevant matters associated with different options considered for the Project.
- 12 A further refined alternatives assessment was carried out in relation to the southern end alignment of the Project, and the alignment in the vicinity of the Waikanae River. These refined alignment choices were also considered using an MCA process.
- 13 Significant consultation was undertaken to inform and supplement the MCA process, much of which I was personally involved with.
- 14 A number of submissions raised issue with the assessment of alternatives for the Project, both generally and in relation to specific parts of the alignment. I have addressed these submissions below.

CONSIDERATION OF OPTIONS

- 15 As outlined in the evidence of **Mr Roderick James**, in response to the Project being identified as a part of the Wellington Northern Corridor road of national significance,¹ the NZTA undertook its assessment of and consultation on options for locating an Expressway between Mackays Crossing and Peka Peka during August-December 2009. As explained in **Mr James'** evidence, after deliberating on the information and feedback before it, the NZTA Board agreed (on 11 December 2009) that its preference was for the "Sandhills option", but this was subject to "further alignment development within the corridor, including more detailed assessment of effects and further community consultation".²
- 16 As explained in the evidence of **Mr Andrew Quinn**, the NZTA engaged an Alliance team to deliver the Project. The Alliance team was responsible for undertaking this further assessment work and consultation, on behalf of the NZTA. In my capacity as Alliance Project Manager –
- 16.1 I oversaw the various teams who undertook the technical assessments and community and stakeholder consultation on these matters;
- 16.2 I led the Alliance Management Team (*AMT*) who discussed and made recommendations; and
- 16.3 I reported the recommendations of the AMT to the PAB for its decisions.

Approach to consideration of options

- 17 There were three key stages to the design development of the Project leading to the final proposal and its subsequent application with the EPA:
- 17.1 Updating the assessment of the preferred route for the proposed Expressway and the number and location of interchanges between Mackays Crossing and Peka Peka;
- 17.2 Determining the preferred alignment within the selected route, as well as the form of interchanges; and

¹ In the Government Policy Statement on Land Transport Funding 2009/10-2018/19.

² Minutes of the NZTA Board Meeting 11 December 2009, Minute 1C.

- 17.3 Determining the final alignment and design and whether local roads cross under or over the Expressway.
- 18 The principal tool that was used to assess options and to inform the decision-making process was MCA. MCA is a tool commonly used to assist the decision-making process for major infrastructure projects, where there is often a complex array of environmental, social, cultural, financial and other relevant matters to take into account. MCA provides a robust methodology for identifying, weighing and testing all relevant factors involved with a proposal, with the input of experienced experts. I am familiar with the use of MCA in decision-making in my previous roles, and have found it particularly useful in drawing out the issues and in comparing options.
- 19 Ultimately, however, MCA is only a tool for making decisions, and overall judgments are still needed to take into account competing factors and requirements – for example, in weighing the quantitative matters such as the relative costs of options with the more qualitative matters, such as environmental benefits and disadvantages.
- 20 MCA was used to determine the most preferable outcome in each of the alignment stages I described earlier. In the initial alignment confirmation stage, the MCA process looked at several route alignment options for the Expressway from MacKays Crossing to Peka Peka. The location and number of interchanges were also considered at this stage of the design. A number of options resulted from this MCA process. This was described as the “long list of design options” in the Scoping Report.³ These options were further developed by the designers and specialists.
- 21 The secondary stage of the MCA process was to assess the “long list of design options” once further development of the options was undertaken. The options were worked through in light of the additional information that had been developed. The outcome of this process was a refined “short list of options”.
- 22 Finally the “short listed options” were refined by the MCA to determine the decisions regarding whether local roads should go under or over the Expressway.
- 23 In relation to this Project, I facilitated the MCA process, which was undertaken by a group of relevant experienced experts, with input from other team members (for example, Kāpiti

³ Scoping Report, October 2010.

Coast District Council (*KCDC*) and NZTA staff). The results of the MCA processes were provided to the AMT to make qualitative judgements on the key issues and implications, and to make recommendations to the PAB. The PAB in turn made its recommendations to the NZTA Board for its ultimate decision.

- 24 An overview of the options' assessment process is provided in Chapters 9 and 11 of the assessment of environmental effects (*AEE*) for the Project, and is further addressed in the evidence of **Mr Robert Schofield**. An overview of the approach to consultation and the feedback provided through this consultation is given in the Consultation Summary⁴ and in the evidence of **Ms Jane Black**.

Re-consideration of route options

- 25 As part of the first phase of design development between June and December 2010, the Alliance Project team sought to update the 2009 assessment of route options. This update was based on an improved understanding of the nature of the proposed Expressway sought by the NZTA, drawing on the preliminary investigations and analyses undertaken by the Alliance (particularly in respect of interchange locations, which was undetermined in 2009). Some refinements of the concept design were also made to avoid significant environmental effects, particularly in terms of the wetlands in Waikanae North.
- 26 The other route options were also reviewed to ensure they represented technically and environmentally feasible alternatives to provide for a reasonable comparison to be made. The options considered are shown on Figure 9.1 in Chapter 9 of the *AEE*.⁵
- 27 The MCA process found that, compared with the other principal alternative routes, the 'Sandhills' route:
- 27.1 Was least preferred in terms of its potential effects on cultural and heritage values;
 - 27.2 Was comparable to the other options in terms of effects on the natural environment;
 - 27.3 Was comparable to the other options in terms of economic benefits to the Kāpiti District and wider Wellington Region;

⁴ Technical Report 3.

⁵ Page 226.

- 27.4 Offered significantly greater benefits for promoting efficient, convenient and safe movement of pedestrians, cyclists and vehicles throughout the District;
- 27.5 Caused the least physical disruption to existing residential areas and to the town centres of Paraparaumu and Waikanae; and
- 27.6 Consequently, had the least adverse social impact.
- 28 The cost of property acquisition and construction associated with the Sandhills Route was significantly less than the other route options, and it could be constructed in a shorter time period, with less disruption of traffic and properties.
- 29 Following the weighing of these matters the Alliance team was satisfied that the selected route for the MacKays to Peka Peka Expressway was superior to the other corridor options.

Consideration of alignment and overall design options

- 30 The other part of the first phase of design development (known as the Scoping stage) focused on specific Expressway alignment options within the 'Sandhills' corridor, and the location and nature of interchanges. During this process all initial options were assessed and refined to discard non-feasible options and to identify and select the optimal alignment.
- 31 In relation to the Expressway alignment, the focus of the decision-making process was to seek to contain the Expressway alignment within the currently designated corridor as far as practicable, given the long history and level of expectations associated with this corridor. Given the community awareness associated with the Sandhills corridor, the NZTA considered that there needed to be significant benefits to justify moving the alignment.
- 32 In terms of interchanges, traffic modelling concluded that the greatest benefits were to be obtained from having four interchanges: at Raumati South, central Paraparaumu, Te Moana Road, Waikanae, and Peka Peka. However, there were a range of options in regard to their exact location and form. The alignment and interchange options that were considered are shown in Figure 9.3 in Chapter 9 of the AEE.⁶
- 33 Two sections of the route presented significant RMA challenges:

⁶ Page 242.

33.1 At the southern end, the positioning of the alignment relative to Poplar Avenue and Leinster Avenue to the north (chainage 1900 to 4300). In this location, the alignment options were narrowed down to either:

- (a) aligning the Expressway to the west of the Leinster Avenue neighbourhood, involving the severance of a part of Queen Elizabeth Park; or
- (b) aligning the Expressway to the east of Leinster Avenue thereby avoiding severance of Queen Elizabeth Park but impacting on a number of residential properties.

33.2 In the Waikanae River vicinity, the positioning of the alignment between the Waikanae River and Te Moana Road (chainage 10400 to 11950). In this location, the alignment options were narrowed down to either:

- (a) traversing a small portion of a registered wāhi tapu (the western option), still impacting on a number of residential properties; or
- (b) avoiding the registered wāhi tapu but cutting through a part of the Puriri/Kauri Road neighbourhood, and hence impacting on a greater number of residential properties, including a scheduled heritage building (the eastern option).

34 I discuss these two sections of the alignment further below. However, I note that the issues regarding the options for these two locations, as well as the other option decisions, are further discussed in the evidence of **Mr Noel Nancekivell** (in relation to engineering design matters), **Mr Schofield** (in relation to the environmental effects assessment), and **Ms Black** (in relation to feedback from consultation).

35 In making decisions on the options, the AMT and consequently the PAB, had to weigh different engineering and environmental considerations, community views and preferences.

Southern end alignment options

36 In respect of the alignment options at the southern end, taking the range of environmental and social effects into consideration, an alignment to the east of Leinster Avenue was, on balance, determined to be preferable from a RMA perspective. While analysis showed this option required the acquisition of 28 properties and community feedback generally opposed this option, the alternative alignment would have had

a wide range of impacts which, cumulatively, were of high significance, in particular:

- 36.1 Community severance – more than 100 houses in the Leinster Avenue neighbourhood would have been physically separated from the remainder of the Raumati South community and its local schools, one of which (Te Ra School) would have had to have been relocated. This option would also have prevented future opportunities for further connections between the neighbourhoods;
 - 36.2 Visual impacts – an interchange on this alignment would have had significantly greater visual effects, including on Queen Elizabeth Park; and
 - 36.3 Environmental Effects – ecologically important wetlands, largely unmodified dunes, and regenerating indigenous vegetation would have been severely affected.
- 37 For these reasons, the PAB decided, on my recommendation, that the eastern alignment was the preferred option.

Waikanae alignment options

- 38 In relation to the two Waikanae alignment options, the initial phase of MCA assessments indicated that the environmental, social and cultural considerations were finely balanced as:
- 39 The western option –
- 39.1 Intruded into the registered wāhi tapu;
 - 39.2 Separated the Maketu tree from the Takamore Urupā; and
 - 39.3 Required all or part of 15 properties.⁷
- 40 The eastern option –
- 40.1 Avoided intrusion into the wāhi tapu, but
 - 40.2 Required the relocation of the historic Greenaway Homestead and the loss of its gardens; and
 - 40.3 Required all or part of 32 properties.⁸

⁷ Number of properties that would have been required in whole or in part as estimated in late 2010 based on preliminary designs.

- 41 In relation to the Waikanae River alignment options, the western option was chosen because –
- 41.1 the alternative alignment would have required a much greater number of properties (25 as opposed to 11⁹);
 - 41.2 the alternative alignment would have required the removal of a scheduled heritage building (Greenaway Homestead) and the loss of its gardens;
 - 41.3 while the the western alignment would traverse a part of the registered Takamore wāhi tapu, it would avoid all culturally significant features (the Takamore Urupā, the Maketu tree, and waipuna (spring));
 - 41.4 the entire area between the Waikanae River and Te Moana Road has a long history of occupation and cultural significance, and it would not be possible to avoid having some effect on these values; and
 - 41.5 when taking the MCA scoring on its own, the eastern option was slightly preferred over the western option. However, when a more detailed qualitative weighing of the various factors was undertaken it was determined that the difference in relation to the cultural considerations was not sufficient to outweigh the additional social impacts of taking 14 additional private properties (which would have been required had the eastern option been pursued).
- 42 A critical part of the NZTA’s decision on this alignment option resulted from the continued consultation with the Takamore Trust and Te Āti Awa ki Whakarongotai. In particular this continued consultation has been to derive an appropriate set of mitigation measures to address the effects of this alignment.

CONSIDERATION OF DESIGN DETAILS IN THE PREFERRED ALIGNMENT

- 43 The second phase of design (known as the Options Assessment) focused on the design detail of various elements, and on the selection of the alignment in the Waikanae vicinity. The decisions made during the second phase of design followed the analysis of consultation feedback and the further

⁸ Number of properties that would have been required in whole or in part as estimated in late 2010 based on preliminary designs.

⁹ Number of properties determined to be required, in whole or in part, based on refined design.

work undertaken by the Project team. This process is summarised in Chapter 9.6 of the AEE.

- 44 Again, MCA workshopping by relevant technical specialists assisted in addressing matters of design detail, informed by direct stakeholder feedback, findings of previous consultation work, and knowledge of local issues and history supplied by KCDC officers, local iwi, and interest groups and organisations.
- 45 The MCA phase concluded with an AMT review of the output to decide on the recommendations on options to be taken forward. These recommendations were taken to the PAB, and subsequently confirmed by the NZTA Board.
- 46 A number of other final alignment and design decisions were also made in this period, including:
- 46.1 Final forms of the interchanges;
 - 46.2 The form and general location of the cycleway/ walkway and the bridleway;
 - 46.3 Confirmation of the eastern alignment in the Leinster Avenue vicinity; and
 - 46.4 Containment of the upgrading of State Highway 1 along the Raumati Straight to the existing designation.
- 47 The recommendations from these management reviews were subsequently endorsed by the PAB and, in turn, the NZTA Board in April 2011. Following the second phase of consultation in May/June 2011, during which feedback on these decisions was received, the final design of the Project was confirmed by the PAB and consequently the NZTA Board in 6 December 2011. More information on the consultation during the detailed design phase is set out in the evidence of **Ms Black** and **Mr Schofield**.

MY ROLE IN CONSULTATION

- 48 **Ms Black's** evidence describes the approach that was taken in consultation and its influence in the two phases of the assessment of alternatives: i.e., in the consideration of the alignment and interchange options, and the development of the design. **Mr Amos Kamo** describes consultation undertaken with Te Āti Awa ki Whakarongotai, Ngāti Toa Rangatira, Ngāti Haumia, Ngāti Raukawa ki te Tonga (including Ngā Hapu o Ōtaki), Muaupoko, and the Takamore Trust (which has the iwi mandated responsibility for the area north of the Waikanae River).

- 49 In my capacity as Alliance Project Manager, I was personally involved during the various stages of consultation.

Consultation with Community and Residents

- 50 In relation to consultation with the community and residents:
- 50.1 I attended almost all of the consultation Expos;
 - 50.2 I attended most of the meetings with affected residents, community groups and interest groups;
 - 50.3 I spoke to a number of public meetings; and
 - 50.4 I frequently responded to direct enquiries.

Engagement with tangata whenua

- 51 I attended many of the hui and meetings with tangata whenua, particularly those with Te Āti Awa ki Whakarongotai and the Takamore Trust, with whom I had the authority to work through the details of the Memoranda of Understanding and the mitigation measures.

Engagement with KCDC

- 52 Through its membership of the Alliance, I have had a working relationship with senior officers of the KCDC since September 2010. I have also met with the Mayor and Councillors at key stages of the Project to inform them of progress and issues.

Other stakeholders and interest groups

- 53 I have also met with a range of stakeholders over the course of the Project to date, including the Greater Wellington Regional Council, the Department of Conservation, the New Zealand Historic Places Trust, Te Ra School and the Waikanae Christian Holiday Park (El Rancho).
- 54 I have met with a number of interest groups to discuss the Project during the design process, including Waikanae On One (WOO) and the Highway Occupants Group (HOG).

RESPONSE TO SUBMISSIONS

- 55 Overall there were 727 submissions received for the Project. Of these 39% supported the proposal in full and 3% supported in part. There were 50% of submissions in opposition and 6% opposing in part. The remaining 2% were neutral.
- 56 The number of submissions received reflected the high degree of public interest in the Project. I have found that there has been a significant amount of public interest in this Project since the Minister's announcement in August 2009.

- 57 I have addressed my responses to the issues raised in submissions and key submissions and/or stakeholders below.

Re-consideration of Route Options

- 58 Many submitters¹⁰ consider that the MacKays to Peka Peka route option is not the best alignment option when considered against the other route options; nor do they feel that the alternatives have been adequately investigated or considered.¹¹
- 59 As I have noted above, the alignment options were originally considered by the NZTA prior to the Alliance coming on board with the Project. Following the appointment of the Alliance, investigation of the possible routes were re-considered and the MCA process was undertaken in relation to four possible route options.
- 60 **Mr Schofield** discusses the consideration of environmental effects associated with each of the route options and **Mr Nancekivell** discusses the design considerations of each option.

Southern alignment selection

- 61 A number of submitters¹² have challenged the decision made in relation to the alignment at the southern end of the project. In particular they note that the southern alignment would have less impact on the residential properties if it went through Queen Elizabeth Park.
- 62 I have discussed earlier in my evidence the justification of the selection of this alignment.
- 63 The HOG's¹³ submission refers to correspondence dated 7 December 2010. I have attached a copy of this letter to my evidence as **Annexure A**. **Mr Schofield** addresses the concerns raised in this submission regarding the adequacy of the MCA process.

¹⁰ See for example the submissions 0165 (Dobbertin), 0184 (Davies), 0210 (Taylor), 0309 (Pomare), 0386 (McCall), 0395, 0407 (Brass), 0415 (Biddiscombe), 0424 (Gray), 0428 (Brass), 0485 (KCDC-Walkways and Bridleways Group), 0505 (Save Kapiti Incorporated), 0575 (Dussler), 0689 (Drysdale) and 0735 (Scott).

¹¹ See also submissions 0399 (Cherrill A), 0400 (Cherrill R), 0401 (Cherrill J), 0309 (Pomare), 0505 (Save Kapiti Incorporated) and 0610 (Fisher).

¹² See for example submissions 0193 (Frazer), 0230 (Ansell), 0386 (McCall K), 0390 (McCall G), 0541 (Bathgate), 0542 (Highway Occupants Group), 0609 (Benge), 0681 (Dreyer), 0683 (Donaldson), and 0684 (Wellington Regional Council).

¹³ Submitter number 0542.

Waikanae alignment selection

- 64 Submissions 0647¹⁴ and 0703¹⁵ discuss the Waikanae alignment selection process.
- 65 The NZ Historic Places Trust (NZHPT) discuss in their submission the consideration of alternatives for the Project in determining the western Waikanae Alignment Option (items 12-17) and the multi-criteria analysis scores attributed to each of the outcomes. They question "*if a more balanced approach to positive and negative effects would deliver similar outcomes, without severely compromising cultural heritage values*".
- 66 I have outlined the reasons for selecting the western alignment earlier in my evidence. However I note that the Project team acknowledged the number and significance of constraints through this area when the assessment was undertaken as to route selection in this area. All of these matters were given full consideration during the MCA process and when the decision was made and endorsed for this route.
- 67 I acknowledge that one of the functions of NZHPT is to "*advocate the conservation and protection of wāhi tapu, wāhi tapu areas*".¹⁶ However, there are a large number of constraints in this area that needed to be considered with the eastern option including cultural features. This is why an MCA process was used to allow for scoring of all of these factors, not just cultural considerations.
- 68 Takamore Trust¹⁷ has opposed the western route through the "*Takamore Wāhi Tapu Precinct*". As I have discussed previously, the MCA investigated the various options through this section of the alignment. I acknowledge that the western route scored less favourably overall in the MCA tables. However, the analysis required careful qualitative judgement not just relying on the outcome of a numerical analysis, and it was based on this further analysis that the western alignment was chosen.
- 69 For completeness I note that Te Runanga O Āti Awa Ki Whakarongotai Inc¹⁸ made a neutral submission stating that they would have preferred "*an alternative Expressway route*". I consider that I have already addressed this issue in my

¹⁴ NZ Historic Places Trust.

¹⁵ Takamore Trust.

¹⁶ Section 39, Historic Places Act 1993.

¹⁷ Submitter 0703.

¹⁸ Submitter 0708.

response to the submissions above, and in the section of my evidence regarding the route alignment in this area.

- 70 It is my opinion that the western and eastern options were considered appropriately on their merits. **Mr Schofield** will discuss the environmental effects relating to this decision, and **Mr Kamo** will address the impacts of this decision on the wāhi tapu area.

Intention to follow up with certain submitters

- 71 As I have earlier noted, there are particular submitters who have significant stakeholder interests in relation to the Project and with whom there have been ongoing discussions in view of those interests. Those include Takamore Trustees, Te Runanga O Āti Awa Ki Whakarongotai Inc, KCDC, Metlife Care, Kāpiti Medical Centre, Greater Wellington Regional Council, Transpower, Waikanae Christian Holiday Park and others who have filed submissions noting the need for further discussions as to various issues and concerns.
- 72 In my capacity as Alliance Project Manager, and in discussion with the NZTA, I have directed that follow up occur with a view to trying to narrow points of difference and if possible achieve resolution of issues. Relevant witnesses will report back on the extent of progress in such discussions as part of the next "rebuttal" evidence stage.



James Michael Bentley
7 September 2012

**ANNEXURE A: LETTER FROM J BENTLEY TO HIGHWAY
OCCUPANTS GROUP DATED 7 DECEMBER 2010**

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7 December 2010

Frank Whelan
236 Main Road South
Paraparaumu 5032

Dear Frank

I am writing in response to your letter of 1 December 2010 and the attachment which sets out questions from HOG members regarding NZTA's preferred option for the Southern end of the expressway route. In this response we have tried to set out our answers in a way which will help to inform your feedback on the options we presented in the consultation process.

To aid this, in some cases we feel it is necessary to provide some context by way of reference to statutory documents and provisions that will be relevant to the Board of Inquiry that will eventually consider the Expressway application. The purpose, principles and relevant assessment criteria of the Resource Management Act will be used.

I think it is important to note that in assessing the application for the Expressway the decision-maker will review the various values and issues associated with the range of considerations. It will not simply be a matter of assessing the individual impact of each, but also the overall impact of the considerations when taken together. In other words it might well be the case that the individual elements do not by themselves sway a decision for an alignment, but taken together the overall impact might be sufficient to sway a decision.

In the attachment to this letter we set out our response to each of the questions raised by you. I would like to point out that we are currently in a process of public consultation. Although we have clearly identified which of the two options we consider to be preferred, we welcome feedback on each option before confirming our alignment selection

I look forward to meeting with you on Wednesday 8 December to discuss these matters further.

Yours sincerely



Jim Bentley
Project Manger
M2PP Alliance Group

Impacts on Queen Elizabeth Park

In identifying impacts we considered the breadth of matters set out in the RMA (see Appendix 1 for key matters from Part 2, sections 5, 6 and 7) and the Reserve Act Provisions.

- i. The park has formal status as a recreation reserve under the Reserves Act. We need to consider how the Expressway impacts on the objectives, principles and policy set out in the Reserves Management Plan – the current plan has been operative since 2006; a new draft plan was consulted on by GWRC in 2010. These plans highlight a number of factors which need to be considered.
- ii. The majority of the park is owned by the Department of Conservation, with a portion at the northern end the subject of a recent land swap between NZTA and the Crown, and as you point out, the DOC land is managed by GWRC. Ownership is detailed in the 2010 GWRC parks network plan.
- iii. Impacts of the Expressway on the park would include;
 - a. Removal of Park land from park use and the likely level of mitigation which would be required.
 - b. Potential uses of land left either side of the Expressway (need to refer to Reserve Management Act objectives) – there are potentially positive and negative aspects from this.
 - c. Future plans for the park as identified in the Reserves Management Plan (walking and cycleway networks, wetland restoration).
 - d. Visual impact would be greater through the Park alignment.
 - e. Concerns relating to partnerships administered by GWRC for management of the Park, including the stated position of Ngāti Toa, not supporting an Expressway through the park.

Constructing the Expressway through a part of the Park would require the uplifting of the land's gazetted reserve status, not only the road corridor itself, but quite possibly the triangular area of park that would be cut off by the road from the remainder of the Park. This uplifting process occurs under the Reserves Act, and is a quite separate process from that of lodging Notices of Requirement and Resource Consent applications under the RMA. Uplifting the reserve status requires the approval of the Minister of Conservation, and cannot be brought under the Board of Inquiry process. While the land itself could be transferred, this would not obviate the need to uplift the land's reserve status. As the administering body responsible for the Park, the agreement of the GWRC would be an important component to proceeding with an application, as would the position of iwi. While an application could proceed without such agreements, it would significantly increase the uncertainty of the process.

Any person may lodge an objection to any proposed revocation of reserve, and while there is no ability to appeal to the Environment Court, a decision of the Minister may be judicially reviewed. While there is a statutory limit of 1 month for persons to lodge objections, there is no overall time limit to the process.

We are aware that part of the area of the Park which would be required for the Expressway is currently being used as a temporary storage area for fill. However, the long term availability and potential of the Park needs to be considered in line with stated positions in the Reserves Management Plan.

The various impacts on the Park were identified by Alliance Team members who have reviewed the relevant statutory documents and have been in discussion with officers from GWRC and KCDC. They have considered the planning for the Park and its context within the Kapiti District and a team of experts covering a range of subjects including landscape and visual impacts, ecology, and hydrology has also considered the alignment options. Further, our iwi advisor has contacted authorised iwi representatives to understand the values associated with the Park land.

We are not in a position to give names and contact details of each of the team members but you have access to the Alliance through me and other managers and we are open to meeting with you and responding to any further questions you have.

We agree that if the alignment through the Park was chosen there are a number of “beautification” and other mitigation measures which could be adopted, but on balance these do not persuade us that this should be the preferred alignment.

Impacts on two schools (e.g. noise and air quality)

1. For noise impacts New Zealand Standard 6806:2010 Acoustics: Road Traffic Noise has to be considered – this is a new standard specifically introduced to manage road traffic noise. These standards post-date both the original Sandhills motorway designation and the Western Link Road Designation.
 2. For Air Quality, NZTA has to meet National Environment Standards in relation to Air Shed limits and for ‘sensitive receptors’ (which include schools within 100 metres). As Te Ra School would be closer than the limits prescribed a consequential impact would be the need to consider relocation of the school.
 3. For both noise and air quality general evaluations have informed our thinking, but as yet no specific investigations have yet occurred although monitoring is about to commence. Investigations into visual and noise abatement measures would only be required once the final alignment has been determined. We will have noise and air quality data before the final alignment is determined.
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4. There is evidence of informal tracks and paths used by students and residents alike for moving east/west within Raumati to schools and other destinations. The QE alignment option would disrupt these networks to a greater extent than our proposed option.
5. We are aware that the Te Ra School was established when the motorway designation was in place, but that does not mean the impact on the school will not be of significance.

Of course, the cost of relocating the Te Ra School will not be as much as the total cost of property acquisition for the alignment identified as preferred. However, there are many other considerations, some of which relate to cost, including the cost of providing mitigation such as the beautification you referred to in the attachment to your letter.

Further to the above impacts that an Expressway in the vicinity of the Western Link Road designation would have on the schools, there is the added consideration that the preferred route nominated by the Alliance would no longer require the designation which currently bisects the South Raumati area and therefore there is potential for further residential development in this area which could be beneficial to the schools.

We are not in a position to give names and contact details of each of the team members but you have access to the Alliance through me and other managers and we are open to meeting with you and responding to any further questions you have.

Effects on an identified ecological area

The Kapiti Coast District Plan provides protection for a crescent of land surrounding Te Ra School (Raumati South Peatlands – KCDC Ecosite 131). Alignment choices in this vicinity would remove a significant portion of this scheduled area.

The KCDC listing in the Heritage Register of the Kapiti Coast District Plan states that the area consists of an 11.09ha area of “kanuka–gorse scrub, manuka scrub wetland”. According to the District Plan, the site’s inclusion is as a result of it being a small area of nationally under-represented habitat type. It is generally accepted that wetlands have been reduced to less than 10% of their former extent across New Zealand. The Wellington Region has seen an even higher reduction, having lost approximately 97.5% of the wetlands that existed prior to 1840 (based on satellite imagery from the New Zealand Land Resources Inventory). The Kapiti Coast District Plan contains a number of provisions regarding the protection of these identified ecological sites.

In addition to the general values of an under-represented habitat type, ecological investigations by the Alliance team to date have established that the Raumati South Peatlands provide habitat to a number of plant species uncommon in the Wellington Region. Botanical, freshwater, lizard and bird investigations are continuing through the summer to gain a better understanding of the ecological values of these wetlands, including the presence of any rare or threatened species.

Given the sensitivity of wetlands to hydrological changes, it is likely the location of an expressway of this scale through the identified wetland would result in substantial loss of wetland, and associated adverse ecological effects on other habitat values.

Ecological assessments have only been undertaken to date in areas with known ecological values (i.e. presence of remnant indigenous vegetation, significant habitat for indigenous fauna etc).

According to the current biological inventories, there are no known areas of ecological values within the residential properties in this area.

The focus of ecological investigations to date has been on ascertaining those values of any ecological features within and adjacent to the proposed alignment. No consideration has been given to 'off-setting' for the loss of any ecological areas.

We are not in a position to give names and contact details of each of the team members but you have access to the Alliance through me and other managers and we are open to meeting with you and responding to any further questions you have.

Construction challenges of building over deep peat

Relative to the option that goes through private property along Main Road, the route option traversing the Regional Park, as well as the wetlands to the east of Te Ra School, would involve a longer distance of construction over deep peat.

The consideration identified in the consultation document alludes to this, plus the fact that our work to date suggests deeper than average peat conditions (i.e. over 3m in depth) are possible compared to elsewhere on the route. No specific distances have been determined as this would be subject to detailed geotechnical investigations at a later stage.

We are not claiming that roads cannot be constructed in this depth of peat. However, given that much of the alignment we have identified as preferred has for many years contained existing road and housing development, the issues associated with road construction and maintenance over an area of deep peat will be lessened, resulting in lower long term costs.

Iwi and archaeological interests

The Alliance has been in contact with the authorised representatives of all iwi with mandate across Kapiti. In the case of the Regional Park, Ngāti Toa are the iwi with manawhenua status over the land. Discussions with Ngāti Toa's representatives have indicated a general preference for the Expressway not to go through Queen Elizabeth Regional Park. The Park was an area of significant Māori habitation. RMA decision-makers will give consideration to these views in terms of RMA tests set out under the Act. The archaeological interests in the Park are general in nature, given its historical use, rather than specific items or locations.

We note that the Western Link Road designation only involved a widening of Poplar Avenue, not a dissection of a part of the Park.

We are not in a position to give names and contact details of each of the team members but you have access to the Alliance through me and other managers and we are open to meeting with you and responding to any further questions you have.

General

It was not our intention to mislead with this statement of a consideration. What we were trying to convey was that by developing a design which is able to keep Poplar Avenue connected to the existing SH1 we have prevented the lack of this connectivity as being a negative consideration. However, by retaining the Poplar Ave connection to SH1 we avoid the need for any local connecting road bisecting the Raumati South area.

Costs

It is true that we do not yet have detailed costings and therefore we need to treat any consideration of costs with care. From the indications we have it appears that the construction costs of the preferred route would be less than the alternative through the Park. Property costs through the preferred alignment would likely be greater than the difference in construction costs between the two alignments but these would be partially or fully offset by the cost of moving Te Ra School, the cost associated with the consenting risk through the Park and the cost of Park mitigation required.

It is too early to confirm whether the preferred alignment would be higher in cost when all of these factors are taken into account.

Appendix 1

Resource Management Act Part 2 Sections 5, 6 & 7

5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, *sustainable management* means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

6 Matters of national importance

- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:
 - (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
 - (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
 - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
 - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
 - (f) the protection of historic heritage from inappropriate subdivision, use, and development:
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(g) the protection of recognised customary activities.

7 Other matters

- In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—
 - (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
 - (b) the efficient use and development of natural and physical resources:
 - (ba) the efficiency of the end use of energy:
 - (c) the maintenance and enhancement of amenity values:
 - (d) intrinsic values of ecosystems:
 - (e) [Repealed]
 - (f) maintenance and enhancement of the quality of the environment:
 - (g) any finite characteristics of natural and physical resources:
 - (h) the protection of the habitat of trout and salmon:
 - (i) the effects of climate change:
 - (j) the benefits to be derived from the use and development of renewable energy.