

## PART F: CONSULTATION AND ENGAGEMENT

### 10. Consultation and engagement

#### Overview

Consultation and engagement has been undertaken in accordance with recognised good practice, as well as the NZTA's and PCC's respective legislative requirements. Consultation during this phase of the Project has involved engagement with local, regional and national stakeholders. Consultation and engagement has involved a number of methods, as appropriate, including one-on-one meetings, group meetings, public open days, newsletters and online material.

On-going consultation and communication with the relevant regulatory agencies has also been undertaken as part of the preparation of consenting documentation. Engagement with tangata whenua has been undertaken on the basis of long established relationships with the NZTA.

#### 10.1 Introduction

This chapter outlines the strategy and methodology for carrying out consultation and engagement on the Project and sets out:

- the statutory framework for consultation and engagement (Section 10.2);
- previous consultation and engagement on the Project (Section 10.3);
- the consultation and engagement objectives (Section 10.4);
- the consultation engagement process (Section 10.5);
- the consultation and engagement methods used (Section 10.6);
- the outcomes from consultation and engagement (Section 10.7);
- consultation undertaken by PCC in relation to the Porirua Link Roads (Section 10.8); and
- proposed future consultation and communications (Section 10.9).

The consultation strategy and methods adopted have been developed to provide targeted and effective engagement with iwi and consultation with stakeholders and the public.

For further detail, including on the public consultation undertaken, including the consultation specifically undertaken in relation to the Porirua Link Roads, reference should be made to the Consultation Summary Report (**Technical Report 22**).

## 10.2 Statutory framework

There are no specific statutory requirements for consultation under the RMA for either a NoR or an application for resource consent, except in relation to meeting Treaty of Waitangi obligations under section 8. However, consultation with potentially affected parties and key stakeholders reflects NZTA policy and is considered to be good practice.

Within the framework of relevant statutory matters, this consultation and communication in respect of Phase 2 has addressed:

- the potential environmental effects of the Project;
- suitable approaches for avoiding, remedying, mitigating or off-setting effects on the environment;
- consideration of alternative sites, routes and methods for achieving the Project objectives;
- engagement with tangata whenua; and
- construction management of the Project.

Regard has also been had to the following legislation:

- the Land Transport Management Act 2003 (relevant to the NZTA only); and
- the Local Government Act 2002 (relevant to PCC only).

### 10.2.1 Land Transport Management Act 2003

The Land Transport Management Act 2003 (LTMA) has a much more general emphasis on consultation than the RMA as it relates to the development of land transport programmes. It does not specifically relate to individual projects.

NZTA's operating principles are set out in Section 96 of the Land Transport Management Act 2003 (LTMA). Specifically relevant to consultation, the NZTA must in meeting its objective:

*“(a) exhibit a sense of social and environmental responsibility, which includes -*

*(i) avoiding, to the extent reasonable in the circumstances, adverse effects on the environment; and*

*(ii) ensuring, in relation to its functions under section 95, and to the extent practicable, that persons or organisations preparing regional land transport programmes -*

*(A) take into account the views of affected communities; and*

*(B) give land transport options and alternatives an early and full consideration in a manner that contributes to the matters in subparagraph (i) and subparagraph (A); and*

*(C) provide early and full opportunities to the persons and organisations who are required to be consulted in order to contribute to the development of regional land transport programmes; and*

*(iii) meeting the requirements of section 18H (Maori contribution to decision making);”*

Section 18H further directs that NZTA:

*“must, with respect to funding from the national land transport fund, -*

*(a) establish and maintain processes to provide opportunities for Maori to contribute to the organisation’s land transport decision-making processes; and*

*(b) consider ways in which the organisation may foster the development of Maori capacity to contribute to the organisation’s land transport decision-making processes; and*

*(c) provide relevant information to Maori for the purposes of paragraphs (a) and (b).”*

## 10.2.2 Local Government Act 2002

Under the Local Government Act 2002 (LGA) councils must prepare a consultation policy to be reviewed within six months of each local government election<sup>81</sup>. PCC’s Community Consultation Policy was last reviewed on 21 April 2010. It includes the following statement:

*“The Council is committed to determining the views of its constituent communities as accurately as possible and will use the appropriate techniques to meet this objective in the most effective and efficient manner”.*

In particular, the policy addresses each of the LGA requirements including<sup>82</sup>:

*“Council will encourage those people who will, or may be affected by, or have an interest in, the matter to present their views”*

The policy is supported by the Council’s Policy on Significance, adopted on 26 June 2006, and by an operational guide for staff.

In preparing its long term council community plan (LTCCP)<sup>83</sup>, PCC uses the special consultative procedure in the LGA and its policy as outlined above. The Porirua City LTCCP includes provision for PCC’s future capital expenditure on the provision of the Porirua Link Roads.

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81. Under section 40(1)(h).

82. Requirement under section 82(1)(b).

83. Porirua City Long Term Council Community Plan 2009 – 2019, June 2009.

### 10.3 Previous consultation and engagement on the Project

It is important to understand the scale and length of consultation undertaken throughout the development of the Project before considering the consultation strategy and the consultation that has been completed as part of this current Phase of works – which involves the preparation of RMA applications and associated investigations. Key phases are further detailed in the Consultation Summary Report and are summarised as:

- The existing designation – which was notified in 1996 and confirmed in 2003;
- Western Corridor Plan 2006 – which involved GWRC and Transit NZ (at the time) carrying out a review of options for the western corridor north of Wellington;
- Scheme Assessment Report (SAR) – 2007/2008 – which was prepared following confirmation of the Western Corridor Plan. The SAR process encompassed a re-evaluation of the designated route with the objective of optimising the alignment and providing more certainty;
- Consultation on the preferred route – 2008 – to obtain feedback that would allow the scheme design of the proposed highway to be finalised;

#### 10.3.1 Existing Designation

The most significant of the early milestones in terms of the RMA was the NZTA (then Transit New Zealand) serving NoRs to designate the route in 1996. The last of the NoRs were confirmed in 2003 after the resolution of all appeals. The NoR involved public notification and a total of 281 submissions were received. The majority of these (218) related to the two NoRs lodged with the Porirua City Council. Of the submissions recorded, 221 indicated support for the designations and 57 submissions were in opposition.

#### 10.3.2 Western Corridor Plan

In 2004 Wellington Regional Council and Transit New Zealand (now NZTA), with the assistance of the relevant councils, commenced a review of options for the western corridor north of Wellington. This study resulted in the Western Corridor Plan which involved consultation on alternatives, and options for the transportation corridor and the preparation of the overall package of transportation strategies between Peka Peka in the north and the Ngauranga Gorge in the south. Overall there were 5,993 submitters on the plan, including 3 submissions that were in the form of petitions, which represented 5,880 people.

During consultation in 2005 Transmission Gully was not initially identified as the preferred route. In terms of submissions specifically on Transmission Gully and the Coastal route, approximately 5,780 submitters did not clearly indicate support for an upgrade of the Coastal Route. Of these submissions, approximately 5,000 promoted the construction of Transmission Gully as an alternative. Following submissions and further assessment, Transmission Gully was included in the Western Corridor Plan as the preferred option for SH1 between Linden and MacKays Crossing.

### 10.3.3 Scheme assessment (Phase 1)

Following confirmation of the Western Corridor Plan, in 2007 the NZTA commenced a scheme assessment of the Project. The SAR process encompassed a re-evaluation of the designated route with the objective of optimising the alignment and providing more certainty. In 2008 the SAR was completed. This process brought about proposals to change the designated alignment and alter the configuration of the connections to eastern Porirua. Key stakeholders from each council were involved in a two day workshop during which options were considered and a preferred alignment selected. There was also general support from the councils in the region for the recommendations arising from this review.

### 10.3.4 Consultation on the Preferred Route

In July 2008 consultation was undertaken with the public and stakeholders in the Greater Wellington region on the preferred route, to obtain feedback that would allow the scheme design of the Project to be finalised. The prime intention of the consultation process was to provide all interested and affected parties with information on the alternative alignments and methods that were assessed, and to provide means by which their views on the preferred route could be considered by the Project team.

## 10.4 Consultation and engagement objectives

A series of consultation objectives and principles have been developed to be used for consultation with stakeholders and the public. The NZTA and PCC objectives in relation to engagement and consultation are as follows:

- In relation to GWRC, WCC, PCC, KCDC, HCC and UHCC:
  - to carry out technical engagement in all relevant stages of the assessments of environmental effects, including the development of mitigation measures, to provide RMA and other statutory consents on terms/conditions which reflect an appropriate level of consensus with these stakeholders;
- In relation to tangata whenua:
  - to engage with tangata whenua during assessments of environmental effects and in the development of mitigation measures which satisfies RMA requirements in relation to their values and interests and strengthens NZTA's relationship with tangata whenua;
- In relation to stakeholders generally:
  - to fully and accurately inform the assessments of environmental effects including the development of mitigation measures, of relevant values and interests and resolve unnecessary conflicts;
- To encourage stakeholders, affected persons and the public to raise any particular concerns they may have in the most appropriate forum for addressing that concern; and
- To comply with legislative requirements and apply good practice to consultation for the purpose of informing RMA processes, including any relevant statutory instruments and NZTA's principles.

## 10.5 Consultation and engagement process

The aims for this part of the consultation and engagement process have been to:

- identify and understand iwi and stakeholder issues;
- robustly consider options for integrating issues and ideas into the decision making process;
- make sure the wider community is captured by the consultation process as people will have moved into and out of the area since the last round of consultation in 2008; and
- meet the requirements for consultation under the LGA 2002 (for PCC).

## 10.6 Consultation and engagement methods

The following methods have been used during the current phase (Phase 2) to consult with different groups, individuals and affected parties. These are detailed further in the Consultation Summary Report:

- Project consultation database;
- one-on-one discussions and meetings;
- Project open days and expo;
- Project website, free-phone number and email;
- focused community and stakeholder meetings; and
- newsletters.

## 10.7 Summary of Phase 2 consultation and engagement outcomes

### 10.7.1 Engagement with tangata whenua

The Project team has a Communications and Stakeholder Liaison Manager who manages all contact and engagement with iwi groups that the Project team need to be in contact with on the Project. Other members of the Project team, as well as external consultants, are also involved with iwi engagement, as and when required, to deal with specific technical issues pertaining to the Project.

In the work carried out on the Western Corridor studies and subsequent Western Corridor Plan, Transit New Zealand and GWRC identified Te Runanga o Toa Rangatira (Ngati Toa) as the predominant iwi with tangata whenua status in the area that covered the Western Corridor. Ngati Toa was consequently consulted with during the Western Corridor studies and on the Western Corridor Plan, and was commissioned to produce a Cultural Impact Report for the Western Corridor in October 2005. In this report, Ngati Toa stated that it was the predominant iwi with tangata whenua status in the area that covered the Western Corridor. The report also provided a map illustration of the bottom half of the North Island and Northern part of the South Island which shows the rohe (tribal area) of Ngati Toa. The Project clearly falls within the rohe of Ngati Toa.

Notwithstanding the above, in 2009 the Project team also contacted and engaged with another major iwi group in the Wellington region, the Port Nicholson Block Settlement Trust, to advise the Trust about the Project and to ascertain the nature of any future engagement that the Trust may wish to have with the Project team on the Project. The Trust indicated that it only wished to be kept advised of any news or new developments on the Project. The Project team's relationship with the Trust has been on this basis.

Ngati Toa has prepared a Cultural Impact Assessment report (**Technical Report 18**) for the Project. This report incorporates information from the findings of a number of the other technical studies that have been undertaken.

### 10.7.2 Consultation with directly affected parties

All persons who own land, who occupy land, or who have registered interests in land, that is directly affected by the designations have been contacted. A full summary of the consultation undertaken with these parties is provided in the Consultation Summary Report (**Technical Report 22**). Key issues discussed include:

- possible land exchanges to provide more useable land areas for farming operations/recreational use;
- noise treatments required on properties;
- maintenance of access to people's properties;
- flood mitigation; and
- visual mitigation.

### 10.7.3 Engagement with regulatory authorities

Early in the consenting phase of the project (mid-2009), the NZTA and the five local authorities identified the need for a coordinated approach to the preparations for lodgement of the consenting documents. This was prior to the establishment of the EPA. The Regulatory Authorities Technical Advisory Group (RATAG) was set up, and met approximately monthly with key tasks including:

- engagement and use of common consultants and experts where possible;
- a coordinated approach to planning advice where relevant; and
- efficiencies gained in distributing information and key messages.

### 10.7.4 Other functions of local authorities

In addition to regulatory functions, the five local authorities fulfil multiple roles with regard to the Project:

- Asset owners – all Councils own assets which have the potential to be affected by the project, e.g. regional parks, and water supply and stormwater.

- Specialist technical roles – there are Council officers who have specialist technical advisory roles and the knowledge and experience of these personnel has been acknowledged. Where appropriate (and offered) their expertise has been used.

It is noted that PCC also have an additional role as a requiring authority / applicant for the Porirua Link Roads.

#### **10.7.4.1 Porirua City Council**

Numerous discussions have been held with PCC across a wide range of matters regarding the Transmission Gully Project. As the majority of the Project is within the Porirua City boundaries and PCC is the requiring authority for the Porirua Link Roads, the Council's involvement has been crucial. Matters discussed can be broken down into the following subject matters:

- land use/planning policy;
- landscape design;
- infrastructure/transport network; and
- community impacts.

#### **10.7.4.2 Kapiti Coast District Council**

Discussions with KCDC have been held across a wide range of matters associated with the Transmission Gully Project. Meetings with various functions of Council have covered the following matters:

- infrastructure assets;
- land use/planning policy; and
- landscape design.

#### **10.7.4.3 Wellington City Council**

Discussions with WCC have been held regularly regarding the Project. Meetings with various functions of Council have covered the following matters:

- infrastructure assets; and
- land use/planning policy.

#### **10.7.4.4 Upper Hutt City Council**

Consultation with Upper Hutt City Council has been more confined, as the Transmission Gully Project affects only a small section of land within the Upper Hutt District boundaries (at Wainui Saddle).

The Council's primary involvement has been through the RATAG meetings, and technical working group meetings with key infrastructure managers.

#### 10.7.4.5 Greater Wellington Regional Council

Until commencement of Phase 2 of the Project, the NZTA's consultation with GWRC has focussed on land use and transport effects and been carried out through GATS, the Western Corridor Study, and Regional Land Transport Strategy. The scope of this consultation has expanded during Phase 2 of the Project, as environmental effects assessments were prepared in relation to activities requiring regional resource consents. Recent consultation with the GWRC has focussed on the following matters:

- planning matters (particularly regarding NZTA's request for a change to the Regional Freshwater Plan)
- transportation impacts;
- infrastructure impacts;
- flood management;
- land use impacts;
- recreational and landscape impacts;
- property impacts; and
- ecological effects on land, water (fresh and marine).

#### 10.7.5 Department of Conservation

The NZTA has a non-project specific MoU with the Department of Conservation (DOC) which identifies that the two agencies undertake to engage early with each other where there is potential for conflict to occur between both agencies' objectives when working near, adjacent or through Public Conservation Land.

During the preparation of the NoR and AEE documentation, officers from the DOC Wellington regional office have been involved as follows:

- a "kick off" information and briefing presentation by the NZTA staff and technical team to introduce the Project, project methodology and key deliverables to the DOC team;
- attendance at two environmental management plan interactive workshops which were focussed on developing integrated solutions to managing effects of construction and operation in key focus areas; and
- attendance at a workshop with GWRC to discuss ecological effects and mitigation;
- attendance at a conditions drafting workshop, along with an offer to review relevant draft consent and designation conditions;
- supply of draft ecology, water quality, flooding and stormwater reports for comment.

The key issues that the DOC officers have been interested in are:

- managing effects on the natural environment;
- involvement with review of draft consent and designation conditions; and
- review of all the technical reports on ecological and water related topics.

### 10.7.6 NZ Historic Places Trust

The NZTA has a non-project specific MoU between NZTA and the NZ Historic Places Trust (HPT). There is on-going dialogue between the two organisations, both in relation to the Project and in relation to the wider Wellington RoNS programme.

The HPT has been provided with the draft archaeological assessment and the draft built heritage assessment reports for review and comment.

### 10.7.7 NZ Railways Corporation

Because the Kenepuru Link Road crosses the NIMT railway lines, consultation with the KiwiRail Land and Asset Manager has taken place to identify and agree to the proposed solution for bridging the NIMT rail line. A Deed of Grant will be developed to address the property related issues.

In order to further the preparation of the Deed of Grant documentation, NZTA and KiwiRail are working together to confirm:

- cross sections at either parcel boundary and at track centreline;
- bridging structure dimensions/details so that appropriate clearances are maintained; and
- an agreement to undertake detailed construction planning with KiwiRail to manage construction impacts and avoid potential delays to the construction of the Project, and identify opportunities when rail closures could be used to undertake key pieces of work.

### 10.7.8 Network utility providers

The NZTA has undertaken an extensive information gathering and consultation exercise in relation to identifying actual and potential effects on utilities. Further information about the consultation that has been undertaken is set out in the Consultation Summary Report (**Technical Report 22**) and Chapter 15 of this AEE report.

Utility providers whose assets are affected by or are close to the Project route include:

- Transpower – There are a number of towers potentially affected as a result of the Project principally along the northern section of the route (north of State Highway 58). NZTA and Transpower have an agreement in place to jointly oversee design, consent and construction of the solution. The two parties are also preparing agreements to protect assets during construction.

- Vector – There are twenty (approx.) gas main locations affected as a result of the Project. Ongoing consultation with Vector, via Vector’s Land Management Coordinator and Key Relationship Manager, has taken place to identify and agree to a proposed solution for changes required to these assets.
- Powerco – There are four locations where Powerco infrastructure is affected by the Transmission Gully project.
- Wellington Electricity Lines (WEL) Company – There are five locations where WEL infrastructure is affected by the Project.
- Electra – 33KV line(s) running along the existing SH1 (north of Paekakariki) are affected by the Project. Consultation with Electra’s Network Planning & Development Manager and Network Engineer has taken place to identify and agree to a proposed solution for changes required to these assets.
- TelstraClear – there are two locations where TelstraClear assets are affected by the Project.
- Chorus/Telecom – there are six locations where Telecom assets are affected by the Project.
- Vodafone – the Project will require a single Vodafone cell tower near Linden to be relocated.

### 10.7.9 Community service providers

#### 10.7.9.1 Emergency services

Emergency services staff have been consulted, including New Zealand Fire Service, New Zealand Police, Wellington Free Ambulance and St John Ambulance. Local fire fighting staff have also attended the Open Days. Emergency services providers have not raised any particular concerns with the Project.

#### 10.7.9.2 Public health organisations

Capital and Coast District Health Board and other public health organisations were asked whether they would like to be consulted on the Project. In response, Regional Public Health (on behalf of a number of health organisations) met with the planning team regarding the Project. Feedback received was predominantly related to the Porirua Link Roads, specifically:

- what impact the proposed Link Road traffic volumes would have on community cohesion and overall health effects on communities from noise and air emissions along the route; and
- what impact the Link Roads will have, in terms of access and connectivity, especially on surrounding disadvantaged communities.

These issues were discussed with Regional Public Health, and have been identified within the Social Impact Assessment (**Technical Report 17**).

### 10.7.9.3 Schools

The Ministry of Education and 34 schools have been contacted regarding the project. Other than school properties directly affected by the route, no representatives from the schools or Ministry of Education have asked for further meetings or information.

### 10.7.9.4 Housing NZ Corporation

Housing New Zealand Corporation (HNZC) owns approximately 1900 out of the 4000 houses in Eastern Porirua. HNZC's interest in the Project is primarily around any direct impact on its properties and interests. It has reviewed proposed alignment drawings and consultation material, and identified no issues with the Project. Future detailed construction plans have been requested (when they are completed).

## 10.7.10 Community advocacy groups

Residential associations, advocacy groups and community boards who have previously expressed an interest in the Project and groups that have since expressed an interest in the Project following newsletters, letters and advertising of public Open Days, have been provided an opportunity to be consulted regarding the Project. The Consultation Summary Report provides a summary of their concerns and how they have been addressed through the Project.

### 10.7.10.1 Community boards

Tawa Community Board has been consulted in regards to the Project. They did not raise any specific concerns regarding the Project.

### 10.7.10.2 Residents' associations

Residents associations within the Project area were invited by letter to attend the open days and the associations have been informed of the ability to discuss the Project with the NZTA and PCC through newsletters.

### 10.7.10.3 Environmental groups

NZTA met with the Royal Forest and Bird Protection Society (Forest and Bird) to discuss the Project and the Proposed Plan Change to the Wellington Regional Freshwater Plan. Forest and Bird wanted to understand what testing of water quality and ecological assessments had occurred. NZTA provided an outline of the reports being produced and later provided draft freshwater, avifauna, herpetofauna and marine ecological reports. The NZTA has supplied the information requested, and no feedback has been received to date.

The following environmental groups requested, and were provided, presentations by NZTA on the Project:

- Pauatahanui Inlet Community Trust (PICT);
- Guardians of Pauatahanui Inlet (GOPI); and
- Pauatahanui Wildlife Reserve Staff.

#### 10.7.10.4 Business groups

The Wellington, Porirua and Kapiti Chambers of Commerce were invited to attend the open days or have follow up meetings regarding the project.

#### 10.7.11 Transport groups

A meeting was held with a representative for both the Road Transport Association and NZ Heavy Haulage Association. At the meeting a presentation was given by the NZTA to explain historic, recent and likely future project development. The presentation highlighted specific issues of interest to heavy vehicle users.

A meeting was held with the Automobile Association, Wellington Region. The NZTA provided a presentation to explain historic, recent and likely future project development, including issues of particular interest to road users, such as effects of the Project on traffic volumes. Various questions were asked by members, but no specific concerns were raised.

### 10.8 Consultation on the Porirua Link Roads

Following the conclusion of consultation on the preferred route for the Main Alignment in 2008 by the NZTA, PCC continued to inform directly affected land owners and occupiers about the progress of the project. Various link road routing and property access options were explored. A meeting was held with directly affected land owners to discuss the options for each of the two proposed Porirua Link Roads in November 2009 and suggestions made at the meeting were further developed by the project team. Following that work a "preferred option" was selected for each link road.

In February 2010 PCC resolved that there should be public consultation on the preferred options for the Porirua Link Roads before deciding on their alignment and design details. A consultation document was distributed to property owners and occupiers on or close to the proposed alignments, as well as to local and national organisations expected to be affected or to have an interest in proposed Porirua Link Roads. The document was also hand-delivered to businesses near the proposed Waitangirua Link Road intersection with Warspite Avenue and posted on PCC's website with an online form for responses.

The consultation period commenced on 26 February 2010 after some initial publicity in Kapi Mana News and on Samoan Capital Radio. The consultation period was originally intended to close on 19 March but was extended to 23 March 2010 to include late submissions.

During the four week consultation period, the page on PCC's website was visited 1194 times. While there was a good level of interest, there were only a modest number of submissions received. A total of 34 submissions were received, with 22 of these received electronically through the website.

Respondents were asked if they supported, opposed or "don't mind" the Link Roads design and preferred routes. Most of the submissions received "supported" (19) or "don't mind" (8) with 7 opposed to the proposal.

Most of the respondents lived in Porirua or represented organisations that had an interest in the project, with only two from out of the area. Of the seven respondents who opposed, four were concerned about the possible additional traffic in local streets and two of these believed that the link roads were not needed (or had not been justified to their satisfaction). Two others in opposition were concerned about the details of the connection to the Main Alignment and one was concerned about the possible effects on natural gas pipeline routes. Some of these concerns were also held by those who supported or "didn't mind" the Porirua Link Roads.

The various issues raised by all 34 respondents were reported to Council and considered by the project team. PCC decided to approve the proposed alignments as shown in the consultation document for the purpose of preparing the current NoRs and application for resource consent for the Porirua Link Roads.

## 10.9 Future consultation and communication

### 10.9.1 Statutory approval phase

On-going consultation and communications will be welcomed by the NZTA and PCC throughout the statutory approvals phase of the Project and post-lodgement. It is the NZTA's experience that the RMA process benefits from on-going communication and information sharing with the public throughout this phase, both on an on-going basis and in response to any submissions.

### 10.9.2 Construction phase

The conditions that are proposed by the NZTA and PCC for both the designations and the resource consents will require any future contractor/constructor to set up active communication processes that will be on-going through the construction phase of the project. The types of methods that could be employed are outlined in the Draft Construction Environmental Management Plan. The experience of the NZTA with other major construction projects around the country is that communication and information is one of the best ways to manage the effects of construction on people and communities.