
Peka Peka Improved Connectivity Single Stage Business Case

Consenting Strategy

10 October 2018

Final



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GLOSSARY OF TERMS

ABBREVIATION	TERM
BOI	Board of Inquiry
CEMP	Construction Environmental Management Plan
ESR Screen	Environmental & Social Responsibility Screen
GWRC	Greater Wellington Regional Council
KCDC	Kapiti Coast District Council
Long List Option Assessment	Peka Peka Connectivity Business Case – Long List Option Assessment Technical Memorandum
M2PP	MacKays to Peka Peka Project
M2PP Designation	MacKays to Peka Peka Expressway for Construction, operation and maintenance of the MacKays to Peka Peka Expressway
M2PP Stormwater Compliance Report	M2PP-56-D-CRG-0100 Permanent Design Compliance Report - Paetawa North/Peka Peka – New Zealand Transport Agency 2015’ report
MCA	Multi Criteria Analysis
Northern Corridor	Wellington Northern Corridor
NoR	Notice(s) of Requirement
NZ Transport Agency	New Zealand Transport Agency
OP	Outline Plan(s)
Peka Peka SSBC	Peka Peka Connectivity Single Stage Business Case report
The Project	Peka Peka Improved Connectivity Project
PP2O	Peka Peka to Otaki Project
RMA	Resource Management Act 1991
RoNS	Road of National Significance
SH	State Highway
SH1 Designation	State Highway 1 for state highway purposes
SSMP11	Site Specific Management Plan 0011 – [sector 560-570] MacKays to Peka Peka Expressway, dated 23 November 2015, Revision C, Certified Issue

1 Executive Summary

Two design options have been considered subject of this consenting strategy. They differ in terms of the design of the southbound on-ramp:

- Option 1 includes a southbound on-ramp that extends to the south west of the existing interchange and beyond the M2PP designation
- Option 2 includes a southbound on-ramp located between the existing expressway alignment and Hadfield Link Road to the north western quadrant of the existing interchange, beyond the M2PP designation and over the SH1 designation

Both Options 1 & 2 are located wholly within land that is subject to NZ Transport Agency control and over which it has an interest sufficient for the undertaking of the Project.

The M2PP project was approved by a Board of Inquiry and was subject to a comprehensive suite of consents and associated conditions, compliance with which was based on a management plan based approach, in particular the provision of site specific management plans (**SSMP**). The Project falls almost wholly within the extent of SSMP11 which addressed a range of both designation and resource consent conditions in an integrated manner. A similar approach was undertaken with regard to stormwater in accord with a stormwater compliance report.

Both Options would require an extension of the M2PP designation footprint and an alteration to designation would be required. The current level of assessment suggests that with the implementation of appropriate mitigation measures both options would likely not result in significant adverse effects.

The Project would would at the least require changes to the plans and consequentially changes to the resource consent conditions for M2PP.

The integrated approach undertaken for M2PP with its reliance on management plans to confirm compliance with both consent and designation conditions both limits and provides opportunities in terms of the consenting pathway that may be undertaken for the Project.

The intertwined nature of the management plan approach including both designation and (on-going) consent conditions means that seeking a separate “stand alone” suite of resource consents for the Project would not obviate the need for s127 RMA applications, thereby curtailing any benefit of such an approach.

The opportunity provided by the M2PP approach, is that an approvals approach based on an alteration to the general designation and consent conditions might still rely on confirming compliance through provision of amendments to and certification of the SSMPs and management plans.

The success of such approach will necessarily require a consultative relationship with both Kapiti Coast District Council and Greater Wellington Regional Council, which would effectively both mirror and continue the approach that the NZ Transport Agency and its partners undertook in the realisation of M2PP.

2 Introduction & Purpose

2.1 BACKGROUND

Typically, New Zealand Transport Agency ('NZ Transport Agency') projects require statutory authorisations ranging from a relatively simple Outline Plan ('OP') of works for projects which can be constructed under the auspices of an existing designation, through to Notices of Requirement for new designations and associated suites of resource consents for projects of national significance that might be lodged with Environmental Protection Authority ('EPA').

The Wellington Northern Corridor ('Northern Corridor') was identified by the Government as a Road of National Significance ('RoNS'). It extends from Wellington Airport to Levin and its completion, as well as assisting regional and national growth, was intended to deliver a range of benefits, including:

- Support for a growing regional population
- Support for the transport of increasing freight volumes
- Relief from the current road congestion
- Improved safety for road users
- Improved journey time reliability
- Improved access to Wellington's key facilities such as the port, central business district, airport and hospitals

The Northern Corridor was made up of eight component sections, including toward the northern end, the MacKays to Peka Peka Expressway ('M2PP') and Peka Peka to Otaki Expressway ('PP2O') projects. The general location of these projects is indicated at Figure 1, following.



Figure 1: M2PP & Peka Peka to Otaki RoNS projects

M2PP was opened to traffic on 24th February 2017, three months ahead of schedule and the main construction of the PP2O is scheduled to commence this month (November 2017).

To reiterate, the utilisation of M2PP commenced in February this year. As customers became used to the operation of the improved transport network there were operational challenges for customers identified at the northern end of the project.

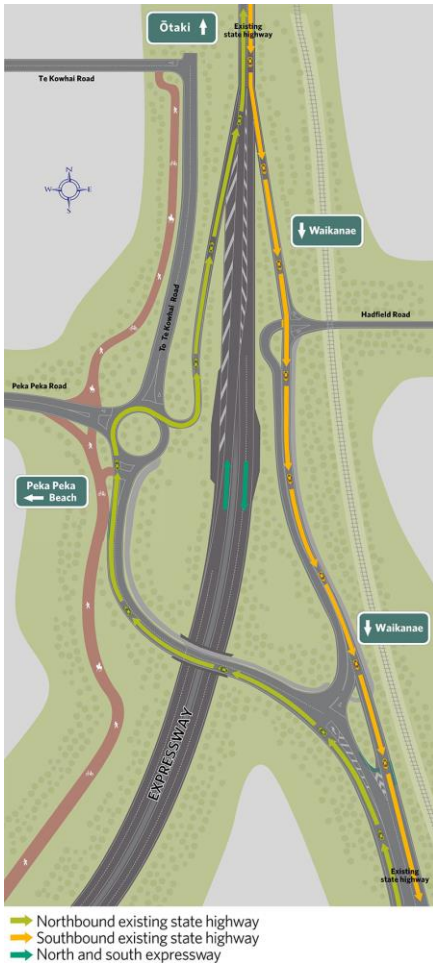


Figure 2: M2PP connectivity northern termination

As identified at Figure 2, above, M2PP provided only north facing ramps. No specific south facing accessibility was provided at this location or in the immediate vicinity. Full interchange accessibility was provided at Te Moana Interchange (Waikanae Beach) to the south and (is planned to be provided) at Otaki to the north.

In general terms, this means that traffic accessing Peka Peka is required to exit at the Te Moana Road interchange, approximately 5km south of Peka Peka. This is resulting in some vehicles (Including emergency services) currently driving approximately 1.5km north (to Te Hapua Road) and undertaking a U-turn.

The broader nature of the current traffic routing and accessibility matters are canvassed in detail in the Peka Peka Connectivity Single Stage Business Case report ('**Peka Peka SSBC**'). The nature of these matters is not therefore detailed further in this report.

However, it is in response to such matters that the Peka Peka SSBC is being undertaken, and this report addresses the consenting matters potentially raised by the development of the Peka Peka SSBC and the implementation of any identified solutions.



Figure 3: Extent of study area

The extent of the study area for improved connectivity at Peka Peka is identified at Figure 3, above.

Pursuant to the Peka Peka SSBC, improved accessibility options have been identified through an alternatives assessment exercise based on a Multi Criteria Analysis ('MCA') in general accord with NZ Transport Agency's draft guidelines and consistent with the requirements of the Resource Management Act 1991 ('RMA') as the provisions relate to notices of requirement ('NoR').

2.2 PURPOSE

The purpose of the Consenting Strategy is to outline what is required in order for the implementation strategy of the detailed business case to be considered for funding. The outcome is to provide a recommended approach to the NZ Transport Agency for obtaining approvals under the RMA for the construction, operation and management of the project.

The key components of the Consenting Strategy are:

- A brief overview of the scope of the project, including:

- NZ Transport Agency and Local Government drivers and objectives (as understood at the time of the preparation of this report)
- Assumptions made regarding design delivery
- Know dependencies between the project works (i.e. when design is available and desired programme timeframes)
- A review of the Environmental and Social Responsibility Screening undertaken at the option identification and evaluation phase of the development of the Peka Peka SSBC, taking into account the interactions with NZ Transport Agency subject matter experts and the outcomes of any technical reports
- A summary of the environmental and technical reports that were undertaken in concert with the ESR screening at the initial identification and evaluation phase of the development of the Peka Peka SSBC.
- The identification of the approvals required and the associated reasons
- The identification of the approvals pathway and the associated reasoning; and,
- The scoping of the required level of technical assessments required to support any application

As identified in the Peka Peka SSBC, two potential options to improve connectivity have been identified as a result of the work undertaken to date and are considered pursuant to the development of this strategy. The process resulting in the identification of these options is considered in terms of consenting at Section 4 of this report.

3 Project Consenting Objectives

3.1 INTRODUCTION

Both options are largely contained within the footprint of the recently completed M2PP project.

The objectives of the M2PP were:

- To enhance inter-regional and national economic growth and productivity
- Enhance efficiency and journey time reliability from, to and through the Kapiti District, Wellington's CBD, key industrial and employment centres, port, airport and hospital
- Enhance safety of travel on SH1; and
- Appropriately balance the competing functional performance requirements of interregional and local traffic movements, recognising that modal and route choice opportunities need to be provided that enable local facilities and amenities in the Kapiti Coast District to be efficiently accessed by developing and constructing a cost optimised new state highway alignment to expressway standards between MacKays Crossing and Peka Peka.
- To manage the immediate and long-term social, cultural, land use and other environmental impacts of the Project on the Kapiti Coast District and its communities by so far as practicable avoiding, remedying or mitigating any such effects through route and alignment selection, expressway design and conditions
- To integrate the expressway into the urban form of Kapiti Coast District by taking into account current and future planned settlement patterns in route and alignment selection and expressway design conditions.

These objectives are both broad and multi-faceted, reflecting the scale and character of the M2PP project and its being a major component of the realisation and implementation of the Northern Corridor RoNS. The M2PP Project was approved by a Board of Enquiry under the provisions of Part 6AA of the RMA, with construction completed in February 2017.

As has been identified in the previous section, the Peka Peka Improved Connectivity Project (**the Project**) has been developed to a large extent in response to review and consideration of the operational performance of M2PP and in this sense has effectively provided post-implementation sensitivity testing of how the M2PP objectives were met, at least in terms of the narrower focus of connectivity and accessibility at Peka Peka, being that area around the northern termination of M2PP.

Given that the Project will sit largely within the footprint of the M2PP footprint it is considered that objectives associated with its narrower focus should be complementary to and consistent with the broader M2PP objectives.

The objectives for the project must also recognise the proximity of the PP2O project which is currently under construction, and acknowledge the potential for the integration of its delivery with the PP2O project. In this regard it is considered that the Project objectives should also not foreclose the potential integration with the PP2O project, although the Project will not extend into the footprint of the M2O project.

3.2 PROJECT OBJECTIVES

The following investment objectives formed the basis of the Business Case:

- Improved customer travel times to the expressway from Peka Peka and Te Horo communities by 75% by 2025.
- Improve Peka Peka and Te Horo communities' customer satisfaction of the Expressway 30% by 2023

These may be potentially articulated for the purposes of addressing RMA requirements as follows:

- Improved connectivity to the Kapiti Expressway at Peka Peka.
- Improved local network accessibility for the Peka Peka and Te Horo Communities.
- Provide a new connection to the Kapiti Expressway that complements the current and future planned settlement of Kapiti Coast District.
- allow for integration of construction with current Kapiti Expressway projects.

3.3 STATUTORY APPROVALS

The potential statutory approvals that may be required by the Project are required by the following legislation and planning documents:

- Resource Management Act 1991
- National Policy Statement for Freshwater Management 2011
- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health.
- National Policy Statement for Freshwater Management 2011
- The Wellington Regional Policy Statement 2013
- The Regional Freshwater Plan for Wellington
- The Regional Soil Plan for Wellington.
- The Regional Plan for Discharges to Land for Wellington
- The Wellington Region Proposed Natural Resources Plan
- Kapiti Coast District Plan
- Heritage New Zealand Pouhere Taonga Act 2014

Other relevant documents that will be considered in the preparation of any applications, include:

- The Wellington Regional Transport Plan
- Transport Strategy
- Growth Strategy-Kapiti
- NZTA Statement of Intent
- Government Policy Statement on Land Transport 2015/16-2024/25
- Draft State Highway Activity Management Plan 2015/18

4 Project Scope Refinement

4.1 CONTEXT

The NZ Transport Agency sets out a standardised Business Case Approach to Project Development (a diagram setting out this approach is included at Figure 4, following).



Figure 4: NZ Transport Agency Business Case Approach to Project Development

The SSBC approach necessarily truncates the iterative nature of project development. The Peka Peka SSBC sets out the point of entry and genesis of the Project and it is not necessary to canvass such matters here. It is however necessary to briefly summarise the approach taken as it informs the approach of this consenting strategy and provides parameters or constraints as to the range of matters that this strategy can address.

In particular a long list option assessment was undertaken (and is addressed in the associated Peka Peka Connectivity Business Case – Long List Option Assessment Technical Memorandum (“**Long List Option Assessment**”)).

Consequent to this assessment, two options have been identified and the approach taken in this consenting strategy is to initially address each option separately in the following sections of this report. The purpose for taking this approach is to consider and differentiate the options to the extent that this is possible on the basis of the information currently available and in terms of the extent of the range of investigative and technical reporting and screening that has been undertaken to date. Such matters are addressed in the following sections of this strategy.

The nature of the SSBC approach necessarily constrains the provision of a comprehensive suite of technical assessments that might address every potential environmental and consenting risk at this phase of Project development. The development of the consenting strategy is explicit in recognition of this and the following sections seek to identify such risks and ensure that a pathway is developed such that any such risks can be refined and addressed at the pre-implementation and implementation phase of the Project.

4.2 APPROACH

To reiterate, two options were identified for further consideration pursuant to the Long List Option Assessment process. There are then two options that are subject to consideration by this consenting strategy:

- Option 1
- Option 2

The two options are described below. The potential environmental effects of the two options both in common and in terms of how they might differ in a resource management approvals context are addressed in the following section.

4.3 OPTION 1

Option 1 consists of a new roundabout at Hadfield Link Road, to the eastern side of the interchange with a new southbound on-ramp to the south east linking the roundabout with the southbound expressway lanes. This southbound merge includes additional crossing of the re-aligned Paetawa Watercourse.

The proposed northbound off-ramp diverges to the north of the existing Hadfield Link Road overbridge and links into the existing roundabout at Peka Peka Road. The northbound off-ramp is the same under both Options 1 and 2.

Option One is shown at Figure 5, following

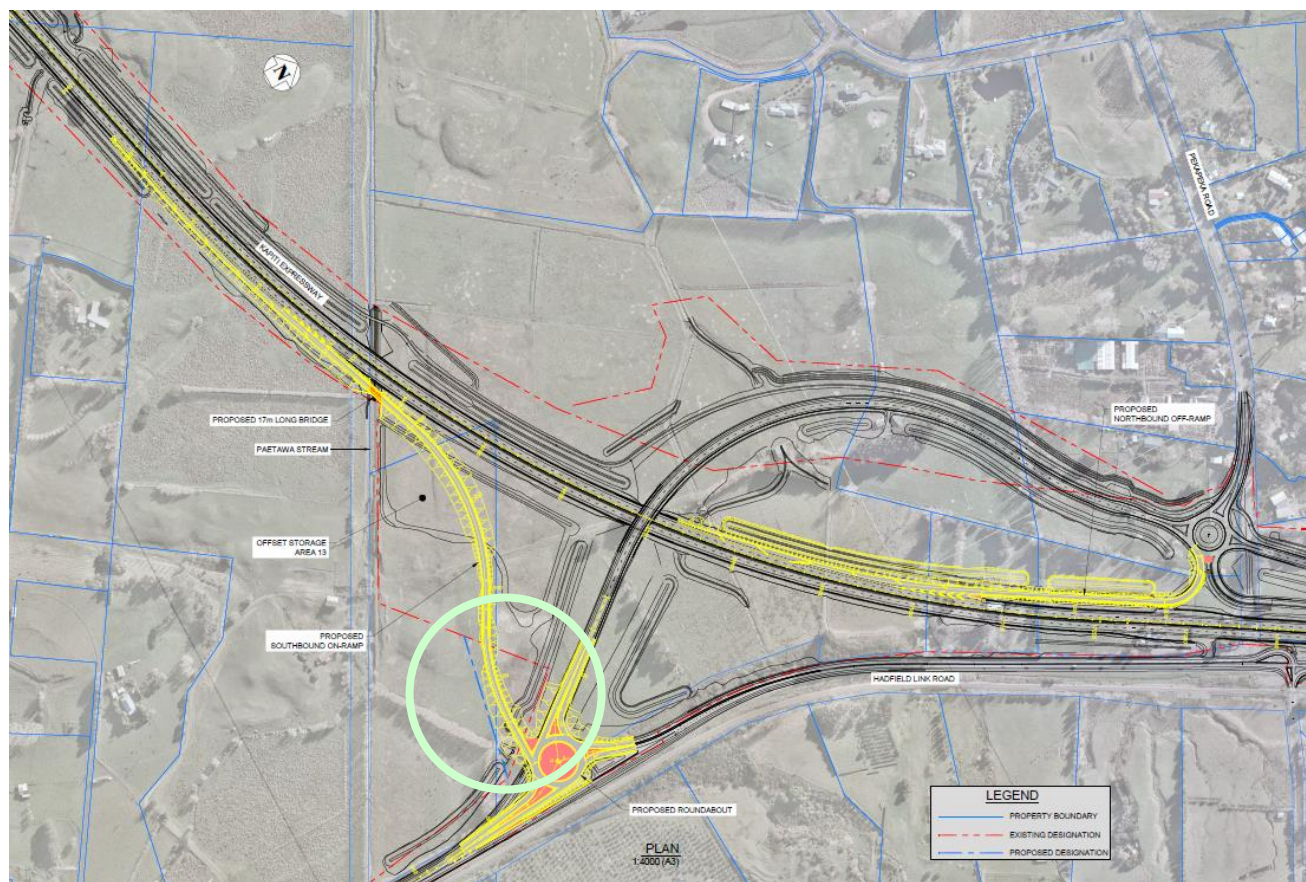


Figure 5: Option 1 layout/footprint

4.4 OPTION 2

Option 2 is indicated at Figure 6, following. This option has a southbound on-ramp that commences toward the northern end of the existing interchange with a T-Junction onto Hadfield Link Road. The on-ramp commences with a tight turn from this T-Junction with the merge being completed within the area of the existing overbridge.

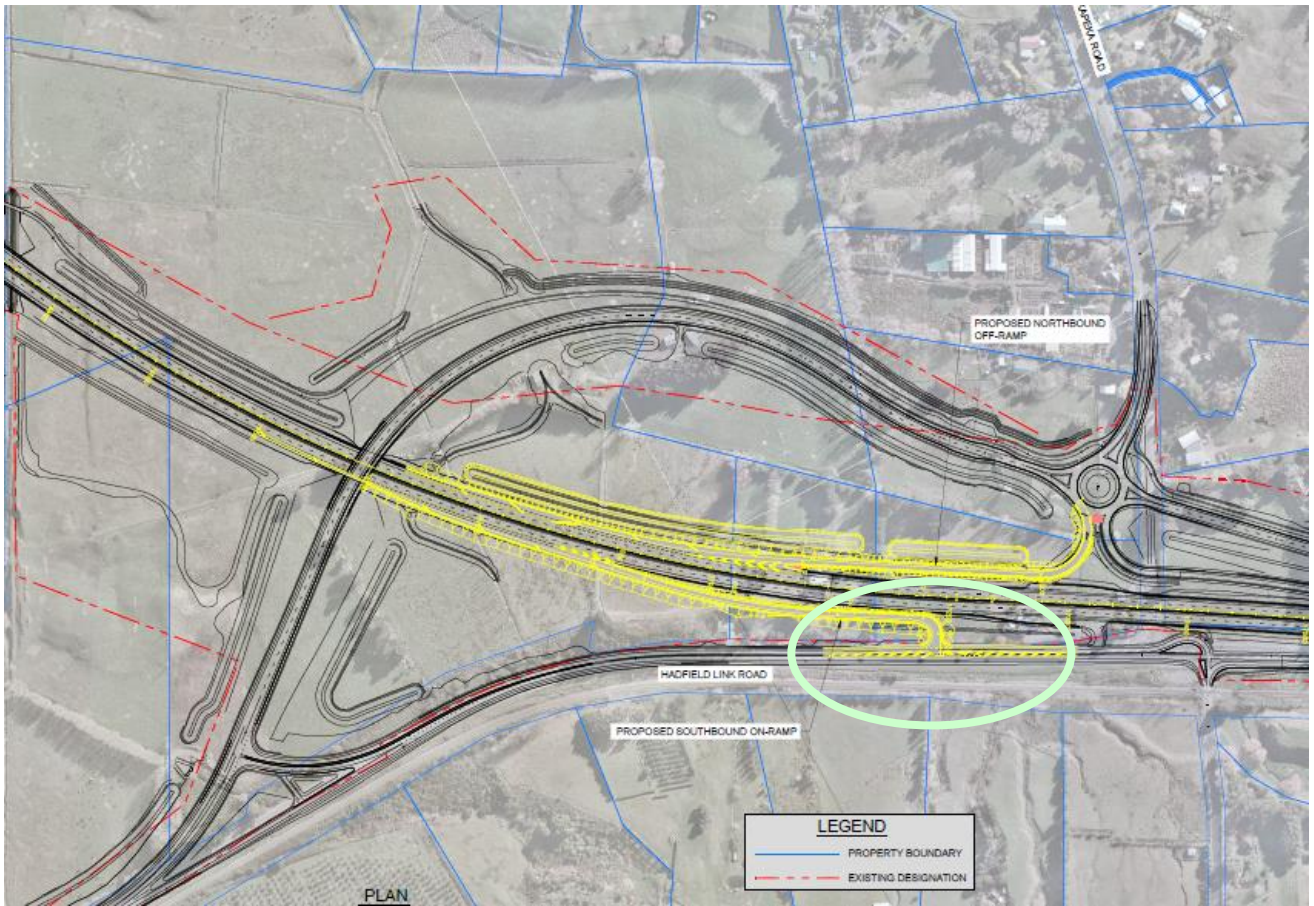


Figure 6: Option 2 layout/footprint

5 Updated Environmental & Social Responsibility Screening

5.1 BACKGROUND

A stakeholder workshop was held on 15th September 2017, where a range of issues, constraints and opportunities were identified in the canvassing of improving connectivity at Peka Peka.

An element of this workshop was a 'blue sky' option development exercise. A range of potential connectivity options were identified.

These options were subject to a range of technical and development assessment:

- Engineering Feasibility
- Environmental and Social Responsibility Screening ('**ESR Screening**')
- Land Use Development Assessment
- Stormwater Assessment

These ESR screens and reports were provided as inputs to a MCA exercise of the long list of options undertaken on 12th October 2017. The outcomes of this methodological approach are canvassed in the Long List Options Assessment.

The identification of the selected Options 1 & 2 was the outcome of this exercise.

A summary of the matters identified in these ESR screens follows. Due to the single stage nature of the business case approach undertaken and the compressed time frame, the undertaking of further screens has not been undertaken specifically for Options 1 & 2. Rather, the matters identified in the previous corresponding ESR screens have been explicitly canvassed in this consenting strategy, as follows.

5.2 MATTERS IN COMMON

The northbound off-ramp is common to both Options 1 & 2 and is located wholly within the M2PP Designation.

The M2PP project has only recently been completed and was subject to a complex suite of designation and resource consent conditions. These conditions involved a comprehensive environmental management planning approach as reviewed at Section 7 of this report.

Earthworks and recontouring and potential vegetation removal, replacement or relocation will be required to the east of the current expressway alignment. The earthworks associated with all options are located on land which has been subject to earthworking associated with M2PP, with the resultant likelihood of any archaeological or cultural discovery considered to negligible.

The general on-going social impact of both options is considered to be positive in terms of improving accessibility for local residents with no discernible impact on community cohesion beyond that of the existing environment as affected by M2PP. The proposed works are mainly located within the bounds of the existing interchange and will be of a similar nature and scale limiting any visual or amenity impacts.

The greater level of connectivity provided is likely to have a positive effect in terms of the development potential of land in the immediate proximity. However, such effect overall is considered to be small relative to the overall likely effect of the increased wider level of accessibility provided by the Wellington Northern Corridor RoNS and the completion of the M2PP Project and commencement of the PP2O Project.

Pedestrian and cycling connectivity have been improved to a significant extent as part of M2PP and will be further improved upon completion of PP2O. Similarly, visual amenity, landscaping and the character of the locality have been addressed as part of M2PP. These matters are considered further at Section 7 – Required Approvals of this report.

In particular, two watercourses are identified as traversing the extent of the potential project location. These watercourses have been modified and associated wetland works and plantings have been undertaken as part of M2PP.

5.3 OPTION 1

The southbound on-ramp extends beyond the M2PP designation. This is indicated by the light green circle at Figure 5. Although this is beyond the extent of the M2PP designation the land is held in NZ Transport Agency ownership/management.

It is however, apparent that physical works associated with M2PP associated with drainage, watercourses and stormwater extend beyond the boundary of the designation in the vicinity of the works proposed pursuant to Option 1. It appears that works have been undertaken over the full extent of the proposed footprint of Option 1 as part of the M2PP project.

The link to the southbound expressway lanes involves the construction of a new bridge structure over the Paetawa watercourse. This bridge structure might additionally be extended over low lying land or alternatively the ramp might be located on an embankment. It is considered that an embankment would provide greater potential for amenity and screen planting consistent with the existing interchange treatment (see Section 7.4 of this report and the associated Figures).

The link to the new roundabout also involves changes to existing consented drainage and earthworks beyond the M2PP designation.

5.4 OPTION 2

The southbound on-ramp extends beyond the M2PP designation and into/over the SH1 designation where the T-Junction joins Hadfield Link Road (the old State highway alignment). The location of these works is indicated by the green circle on Figure 6. Otherwise, the works associated with this option are wholly within the extent of the M2PP designation.

All the Option 2 works are within an NZ Transport Agency designation and are located within land over which the NZ Transport Agency has sufficient interest for the undertaking of the work.

The southbound on-ramp includes a tight curve at the access point where north and southbound vehicles access the expressway from Hadfield Link Road.

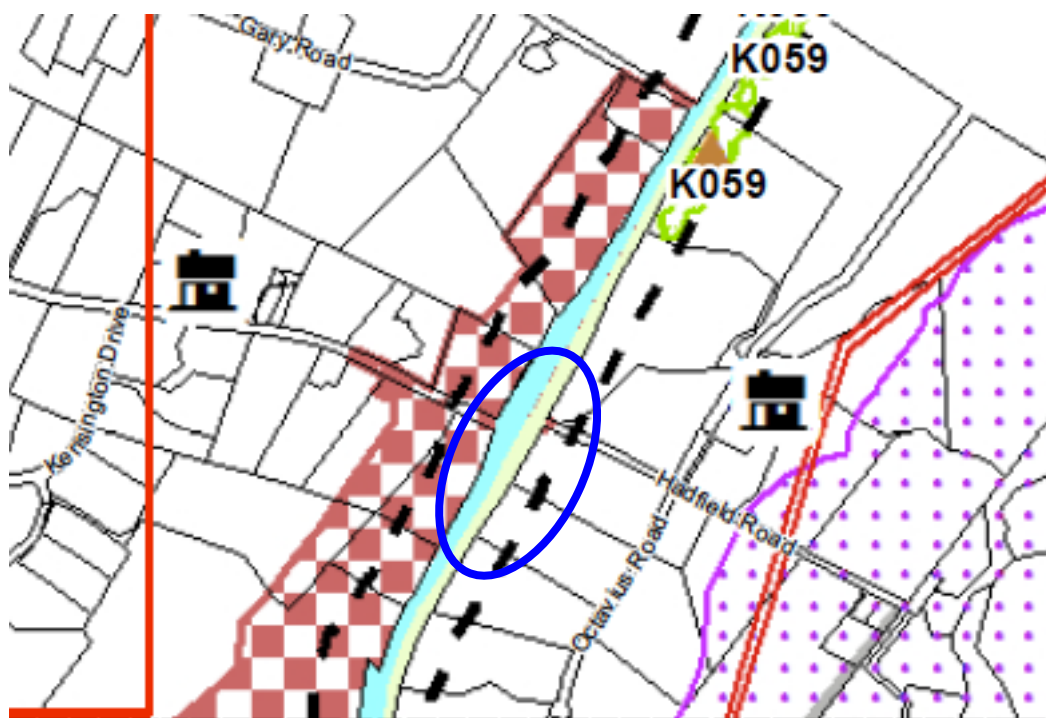


Figure 8: KCDC Planning Maps showing SH1 & MacKays to Peka Peka Expressway Designations

Figure 8 shows the extent of the M2PP designation (red chequers) and the SH1 designation (blue tint). The general location of the on-ramp is indicated by the blue circle.

The location of the on-ramp linking to Hadfield Link Road has on the face of it the potential to create noise effects associated with turning movements relative to existing rural residential sites on Octavius Road. This is a matter that may require further assessment.

5.5 ASSESSMENT OF ALTERNATIVES

The MCA process undertaken as part of the option development process has been prepared and undertaken in a manner that responds to the NZ Transport Agency requirements for the business case process.

Under Section 171(1) of the RMA, a territorial authority must have regard to consideration of alternatives when providing a recommendation on a Notice of Requirement if either the Requiring Authority does not have an interest in land sufficient for the undertaking of the work or the work is likely to have a significant effect on the environment.

The RMA further requires that an applicant consider alternative methods and locations for any resource consents where an activity might have significant adverse effects on the environment or, when an activity involves the discharge of contaminants, alternative methods of discharge.

It is intended that the MCA process undertaken as part of the business case development of this project be used as the starting point for any subsequent RMA alternatives assessments that may be developed or required.

6 Summary of Environmental & Social Responsibility Technical Reports

6.1 INTRODUCTION

Significant technical reporting was undertaken as part of the M2PP Board of Enquiry application.

Given the largely ancillary nature of the Project to M2PP with its recent consenting and completion, allied to the fact that the footprints of both Option 1 & 2 are largely within the M2PP designation as it extends around the Peka Peka Interchange, the level of technical reporting has been minimised.

It is considered that at the pre-implementation and implementation phases of the Project any necessary technical reporting can be undertaken taking into account and with reference to the assessments prepared as part of the development and implementation of M2PP.

The rationale for this approach is explained by the concentrated time frame available to develop the Project through the SSBC process, the context of the recent implementation of M2PP and the limited range of issues identified through environmental and social screening.

Nevertheless, consequent to the ESR screening undertaken and in the context of the business case development particular technical reporting was considered necessary. In particular the following technical reports were undertaken:

- Peka Peka Interchange Options Stormwater Analysis
- Land Use Change and Development potential - consequential to implementation of improved connectivity at Peka Peka

These matters had been identified as areas of higher risk at the Project inception workshop.

6.2 STORMWATER ANALYSIS

The identified area of flood risk, presence of watercourses and the extent of drainage and associated works in the vicinity of Peka Peka Interchange as part of the implementation of the M2PP project lead to potential stormwater effects being an identified area of high risk for the project.

The report references the '*M2PPP-56-D-CRG-0100 Permanent Design Compliance Report -Paetawa North/Peka Peka – New Zealand Transport Agency 2015*' report ('**M2PP Stormwater Compliance Report**'). It indicates that this report sets out the parameters of the existing M2PP works and sets out the matters and levels of compliance for the M2PP project.

The stormwater analysis report identified and confirmed a range of consent conditions associated with M2PP as being key to the implementation of this project, including:

- Peak Flow Attenuation
- Flood Level Effects
- Water Quality Treatment
- Effects of Culvert Blockage

Consent conditions SW1 to SW3 addressed these potential stormwater effects.

The report identified that additional ramps will result in additional impermeable road surface increasing peak flow and volume, Similarly, the location of the ramps will directly impact on the existing attenuation ponds and swales and have the potential to exacerbate such effects.

It further noted that:

- The increase in run off will need to be mitigated to ensure compliance with the M2PP consent conditions.
- The identified options all cross the existing attenuation ponds and swales. Any such works would need to be designed to
 - Replace any storage volume lost such that peak discharges were not increased
 - Ensure minimum retention is maintained

Further matters identified with regard to options are indicated as follows.

The northbound off-ramp common to both options will require the westward extension of several culverts that extend across the existing expressway alignment. Similarly, the relocation of swale drains westward would be required.

These works would impact on existing attenuation areas, however the stormwater analysis indicates that there is potential within the existing M2PP interchange and designation footprint to address the attenuation requirements of the M2PP consents.

Similarly, the Option 2 southbound on-ramp would impact on swales and require culvert extensions and alterations with potential effects on attenuation. However, the stormwater analysis indicates that it is likely that there is sufficient area within the interchange and M2PP designation footprint to address these matters, although this will need to be confirmed.

Option 1, southbound on-ramp would extend the footprint of the interchange southward. The stormwater analysis indicates that the alterations to the existing stormwater drainage layout consequent to this option are *prima facie* more complex and would require careful design and would include changes that would extend outside the extent of the existing M2PP designation.

The stormwater analysis concludes that the stormwater controls necessary for both Options 1 and 2 might be accommodated within the existing consent conditions.

Option 1 would require stormwater works outside the designation (additional to the Project improvements), whereas stormwater works associated with Option 2 are likely to be located within the existing M2PP designation.

The land at this location although outside the M2PP designation is in NZ Transport Agency control.

The stormwater analysis also indicates that the discharge to swale and wetland condition will likely not be able to be met but that this apparently reflects the existing situation. Confirmation between the NZ Transport Agency and the consent authority with regard to this condition would impact on the feasibility of the approvals pathway at Section 8 of this report.

Further matters that might impact on Project realisation and consenting approach are that whereas the northbound off-ramp common to both options may allow for accommodation of existing attenuation, when this is considered in conjunction with the Option 2 on-ramp, the ability to attenuate runoff from both on and off-ramp together will need to be further confirmed. Option 2 is therefore *prima facie* subject to greater constraints.

By comparison, the Option 1 on-ramp layout does not compound stormwater treatment management with the off-ramp. Although outside the designation (but within NZ Transport Agency controlled land), this option provides greater stormwater flexibility and future resilience.

6.3 LAND USE CHANGE & DEVELOPMENT

The focus of the Land Use Change and Development Technical Note was at a broader level. It gave consideration to the potential for change or acceleration to land use development patterns in the Waikanae to Otaki area as a result of improved connectivity at Peka Peka consequent of the implementation of south facing ramps.

The particular focus was on Peka Peka, Te Horo and Te Horo Beach communities, their current form and characteristics and to the surrounding rural and rural-residential areas both zoned and existing within the wider locale of the Peka Peka Interchange.

In general terms, it was concluded that the significant national, regional and local connectivity improvements provided for by the ongoing implementation of the Wellington Northern Corridor RoNS, at a higher level and the greater local and district-wide connectivity provided by the completion of the M2PP project. Further, that the commencement of the P2O project will create a greater level of accessibility both within and to the Peka Peka area such that provision of south-facing ramps is unlikely to have any significant adverse effect in terms of unplanned accelerated residential and rural-residential development.

The completion of M2PP has already resulted in higher levels of traffic growth than was expected. It is also apparent that Kapiti Coast District Council has provided sufficient zoned capacity for projected residential development.

The level of transport growth currently experienced suggests that a greater emphasis may be needed in terms of residential growth expanding northward of Waikanae. However, it is considered that the drivers of such growth are likely to be improved travel times and accessibility to the Wellington Urban area provided by the Northern Corridor RoNS implementation.

Similarly, improved access provided by the Kapiti Expressway by M2PP and to be provided by P2O, and linkages to the old SH1 alignment and the multiple access options provided by interchanges from Waikanae to Otaki, provide a significantly improved strategic and district network with multiple connections to the local road network. Such accessibility improvements are likely to drive growth in the Peka Peka area.

Within this context, the additional connectivity provided by the Project is likely to contribute to the overall potential growth of the area but not of itself have any significant effect on land use change across the Peka Peka – Te Horo area.

Generally speaking it will improve connectivity between the strategic and local transport networks which will provide for localised improvements to user experience and the convenience of the residents in the vicinity. Similarly, over time, as forecast growth eventuates in the longer term, a full interchange is likely to improve legibility between the local and strategic networks.

At a broader level however, the connectivity provided by M2PP, P2O and the Wellington RoNS are likely to subsume any effect of the project in terms of driving growth between Waikanae and Otaki.

As was addressed at Section 3 above, the Project is considered to accord with the objectives of the M2PP project (at a lower level) and any potential effects on land use development are similarly likely to accord with the objectives of the M2PP project.

This is not considered to be a matter that will have any significant risk with regard to the development of an approvals pathway.

6.4 NOISE

A preliminary noise report has been undertaken and the initial assessment indicates that the various options would likely be able to accord with the prevailing noise standards if safety barriers were to be included in any design where such safety barriers were located to the west of any new carriageway constructions and were of a height of 1.5m. In general terms, it would appear that either option might incorporate design measures such as to avoid or mitigate any significant potential adverse noise effects.

7 Required Approvals

7.1 APPROVALS CONTEXT

As previously stated, the M2PP project was the subject of a Board of Inquiry ('BOI') process with the final report and decision being released on 12 April 2013.

In total, the matters lodged for the consenting and designation of the M2PP project were:

- One Notice of Requirement
- 12 Land use consents
- 3 Discharge permits
- 14 Water permits

The decision of the BOI included conditions on the M2PP designation and to the various resource consents associated with the project. These conditions included 81 conditions to the designation and at least as many resource consent conditions. At the same time it is noted that the M2PP project was extensive covering a length of 18 kilometres and traversing a range of complex and sensitive environments.

The approach of the BOI, the NZ Transport Authority, the Greater Wellington Regional Council and Kapiti Coast District Council was to utilise a Construction and Environmental Management Plan ('CEMP') based methodology to address the project conditions. In essence, it is understood that draft management plans were provided with the application and iterations of these plans were developed in consultation with the KCDC and GWRC as the M2PP project was implemented.

The management plan methodology was summarised at Designation Condition DC7. This set out the range of management plans required and indicated that they would be prepared in general accordance with the draft management plans lodged in support of the proposal.

The condition DC7 also provided for the provision of Site Specific Management Plans ('SSMP') to assist the implementation of range of identified environmental management plans identified in the condition. The SSMP might provide the site specific detailed design and construction responses to address specific contexts and circumstances along the route.

It is understood, that as the M2PP project was implemented SSMP were developed along the route and that such approach was agreed between the NZ Transport Agency and consenting authorities as a robust method of addressing the project conditions.

In this regard, the location of the Peka Peka Improved Connectivity project, falls (almost completely) within the area delineated by:

- Site Specific Management Plan 0011 – [sector 560-570] MacKays to Peka Peka Expressway, dated 23 November 2015, Revision C, Certified Issue ('SSMP11')

SSMP11 addressed the matters set out in the BOI conditions, additional consent matters resulting from extension to the designation and changes to stormwater design.

It is apparent that SSMP11 is the best source of information as to the consent and designation condition requirements imposed on M2PP as it is required to be and is identified as being consistent with the suite of required management plans.

Further, it addresses the localised impact of management plans and conditions to the location of the Peka Peka Improved Connectivity project. It specifically identifies that it incorporates the matters of:

- Landscape
- Ecology
- urban design
- cycling, walking and access.

Finally, the certification date of November 2015 makes this document the most recent record of the manner in which conditions have been met for M2PP.

To reiterate, M2PP was subject to stormwater consent conditions. These were set out at Conditions of Consent SW1 – SW3. Compliance with the stormwater conditions was addressed in the M2PP Stormwater Compliance Report and this was canvassed in the stormwater analysis as summarised at Section 6 of this report.

The various approvals and consenting matters are further addressed below.

7.2 STORMWATER CONSENT

As previously indicated, the BOI decision includes stormwater consent conditions SW1-SW3.

An application to change conditions of consent was made by the NZ Transport Agency on 31 January 2014 and was granted by GWRC on 26 February 2014 (EPA/12/0001/07 [32710]).

This provided for the amendment of the stormwater management conditions. The amendment which specifically relates to changes to Condition SW3(c).

SW. 2 The effects of the Expressway embankment, waterway crossings and stormwater discharge on flood risk shall be addressed in the following manner:

...

c) Culvert and bridge waterway crossings shall be designed so that any increase in flood risk in the 1% AEP storm is either:

- i) contained within the designation, or*
- ii) Contained generally within the designated flood hazard area and is no more than 50mm above existing flood levels. The combined effects of filling, waterway crossings and Expressway stormwater discharge shall be assessed through the use of hydrological and hydraulic modelling.*

iii) where c) i) or ii) have not been met, the Manager may (at their discretion) certify the stormwater report required by (d), where the consent holder includes with that report the following:

- **The written approval of any landowner(s) who would be subject to a flood level that is greater than 50mm above existing flood levels.**
- **A description of the location and the degree of flood level that is greater than 50mm above existing flood levels**
- **Reasons and a discussion as to why c) i) or ii) has not been met; and**
- **A description of the consultation with affected landowners about flood level effects.**

Figure 9: Extract showing highlighted changes to the stormwater conditions

An extract of the decision, indicating the highlighted changes to the conditions is included at Figure 9, above.

It is apparent that the altered condition provides for a greater level of flexibility in addressing stormwater management associated with the M2PP project. In particular, the altered consent provides the flexibility for the consent authority to provide for managerial certification as a mechanism that avoids the potential requirement for a further resource consent or alteration to consent.

The stormwater analysis canvassed at Section 6, suggests that any stormwater management changes required by the Project might be able to be accommodated within the consents granted for M2PP.

This is a matter that falls within the control of the consenting authority.

Similarly, if the GWRC were to determine that the Project and stormwater works were outside the scope of the current M2PP consents then a change of condition to the consent might be necessary. It is apparent that such an approach was successful regarding the change of condition identified above which is of arguably of much broader significance than the spatially specific matters related to the Project. This change of condition was approved on a non-notified basis involving liaison with GWRC, KCDC and the NZ Transport Agency.

A third option on the face of it would be to seek a fresh stormwater consent for the Project. However, if a new consent were to be sought, it would be need to be undertaken in parallel to and with regard to the conditions of the existing consent continuing to be met. Given the design changes inherent in the additional footprint of the Project, such changes would require alterations to the existing consented layout that would either require certification or approval by Council, or an alteration to existing conditions. Thus seeking a new consent would also require an alteration to the existing consent, ie an unnecessary 'make-work'.

As previously indicated the consent conditions relating to stormwater are brief in that they are comprised of three specific conditions only. The stormwater analysis has included consideration of the M2PP Stormwater Compliance Report. Irrespective of the approach taken regarding changing or seeking new consents as discussed in the Section 8 below, it would require either reference to or amendment of the matters set out in the M2PP Stormwater Compliance Report and SSMP1 1

7.3 NGARARA STREAM CATCHMENT

There is an existing land use consent NSP12/01.018 pursuant to s13(1)(a) and s13(1)(e) of the RMA from Greater Wellington Regional Council ('GWRC') for the Ngarara Creek Catchment to undertake the following activities within and over Ngarara Creek, Kakariki Stream, Smithfield Drain, unnamed tributary of Paetawa Drain and Paetawa Drain to place structures (bridges, culverts, rip rap, and storm water outlets) and the associated diversion and reclamation of a section of the bed in this catchment: and to remove an existing culvert including associated disturbance of, and deposition of material on, the bed of the watercourses in the vicinity of MacKays to Peka Peka Expressway (see conditions WS 1-12 and SW 1-3).

There is also a water permit (NSP/01.020 relating to the diversion of the aforementioned watercourses (see conditions WS 1-12 and SW 1-3).

7.4 EXISTING DESIGNATIONS

There are two current existing NZ Transport Agency designations that overlay the extent of the Project footprint. They are:

- State Highway 1 for state highway purposes ('SH1 Designation')

- MacKays to Peka Peka Expressway for Construction, operation and maintenance of the MacKays to Peka Peka Expressway ('M2PP Designation')

The SH1 designation is not subject to conditions

The M2PP designation is subject to conditions as summarised in this report.

Figure 5, above indicates the extent of the M2PP designation and highlights the extent to which the Option 1 southbound on-ramp extends beyond the designation.

Figure 6, above, highlights the location of the southbound on-ramp for Option 2 and indicates where the Project footprint extends beyond the M2PP designation. It similarly indicates that this part of the Project is located within the SH1 designation footprint.

The extent of the adjacent designations is important in informing the consenting approach as considered at Section 8.

In common with the development and implementation of many other major State highway improvement projects, a management plan based approach to managing construction and on-going environmental effects was utilised for M2PP.

Through the provision of initial draft management plans and subsequent final versions prepared at (or about) the completion of the construction phase for certification by the consenting and territorial authorities, the M2PP project utilised specific technical area management plans and a range of Site Specific Management Plans covering the full extent of the M2PP project. SSMP11, as previously identified covers the preponderance of the Project area.

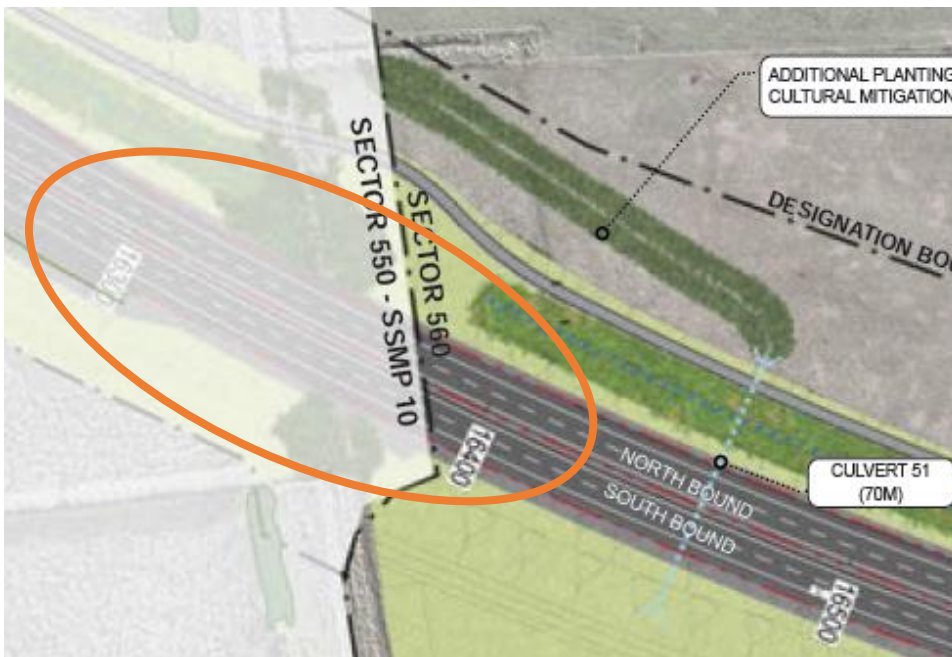


Figure 10: southern boundary of SSMP11 and merge location

SSMP 11 incorporates a range of both designation and resource consent conditions and covers the full extent of the Project excepting the merge of the southbound on-ramp to the expressway alignment. This is shown at Figure 10, above. Accordingly this strategy focuses on SSMP11. Further consideration of SSMP10 may be necessary, dependent upon the consenting approach to be determined and undertaken. For reference, the adjacent area to the south was addressed by SSMP10 - Peka Peka South - [Sector 550] MacKays to Peka Peka Expressway, dated and certified June 2014.

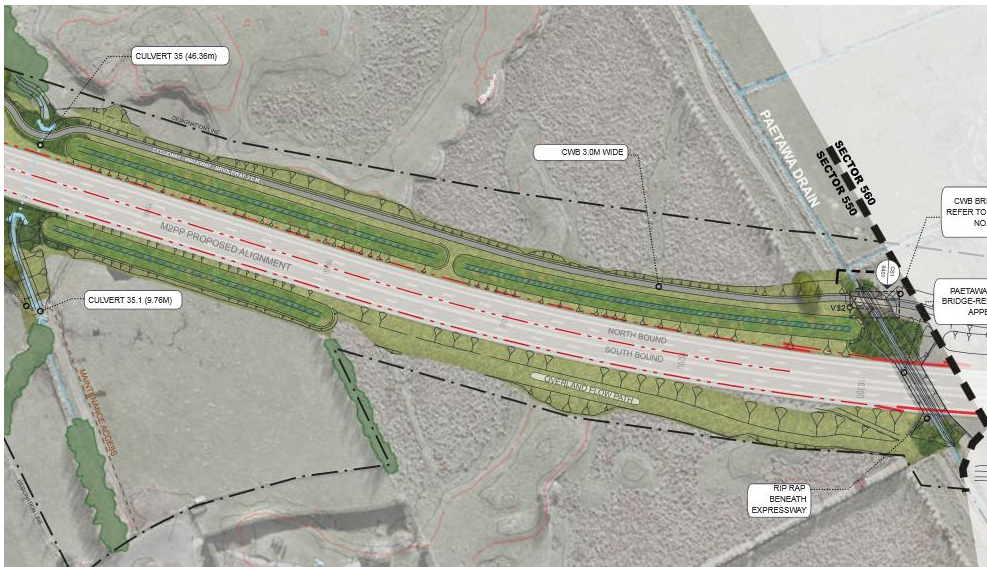


Figure 11: location of merge area within SSMP10

It is apparent from Figure 11, above, that the extent of works will basically impact only on a grassed area within SSMP10. The overland flow path and planted swale at the southern end of the merge may require consideration in the final design, however the likely effects associated with implementation within this area are likely to be at the lowest end of the scale.

A certified issue of SSMP11 was released on 22 November 2015. The following figures are extracts from SSMP11

Figures 12 and 13 indicate where the roundabout and southbound on-ramp would be located in terms of Option 1.



Figure 12: location of Option 1 southbound on-ramp

It is apparent from Figure 12 that the Option 1 on-ramp affects only a grassed area in terms of the management matters. A key associated with the extracts is included at Figure 16, following.

Figure 13 below indicates the location of the Option 1 roundabout and commencement of the on-ramp. It is apparent that the location of these works would impact on the planted swales (as identified in the stormwater analysis) but would avoid the retained vegetation.

There would be direct impact on areas of massed planting (with tree enrichment) and massed low planting. Any new configuration would potentially allow for consistent replanting or additional planting. The planting would appear to currently extend over land land that is outside the M2PP designation but under the control of the NZ Transport Agency.



Figure 13: location of Option 1 roundabout and on-ramp

Figures 14 and 15 indicate the location of the northbound off-ramp (common to Option 1 & 2) and the southbound on-ramp for Option 2.

As discussed above, these figures indicated the areas of vegetated swales which would need to be moved both westward (off-ramp both options) and moved/relocated (Option 2). There would be some requirement to reconfigure (remove and replace) massed planting undertaken in accordance with SSMP11.

However, it is apparent that the off-ramp (common to both Option 1 & 2) can be located without impact on on the retained vegetation areas.

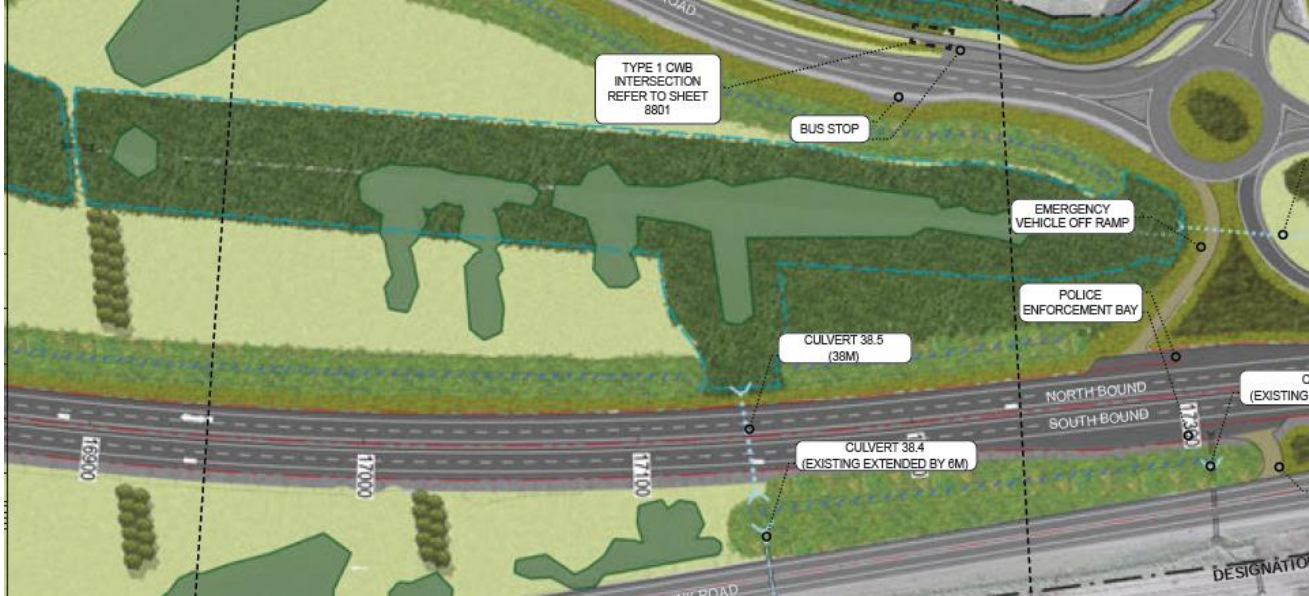


Figure 14: location of northbound off-ramp and Option 2 on-ramp

The Option 2 on-ramp would require the removal of the planted swale and may have some impact on areas of retained vegetation to the east of the Expressway.

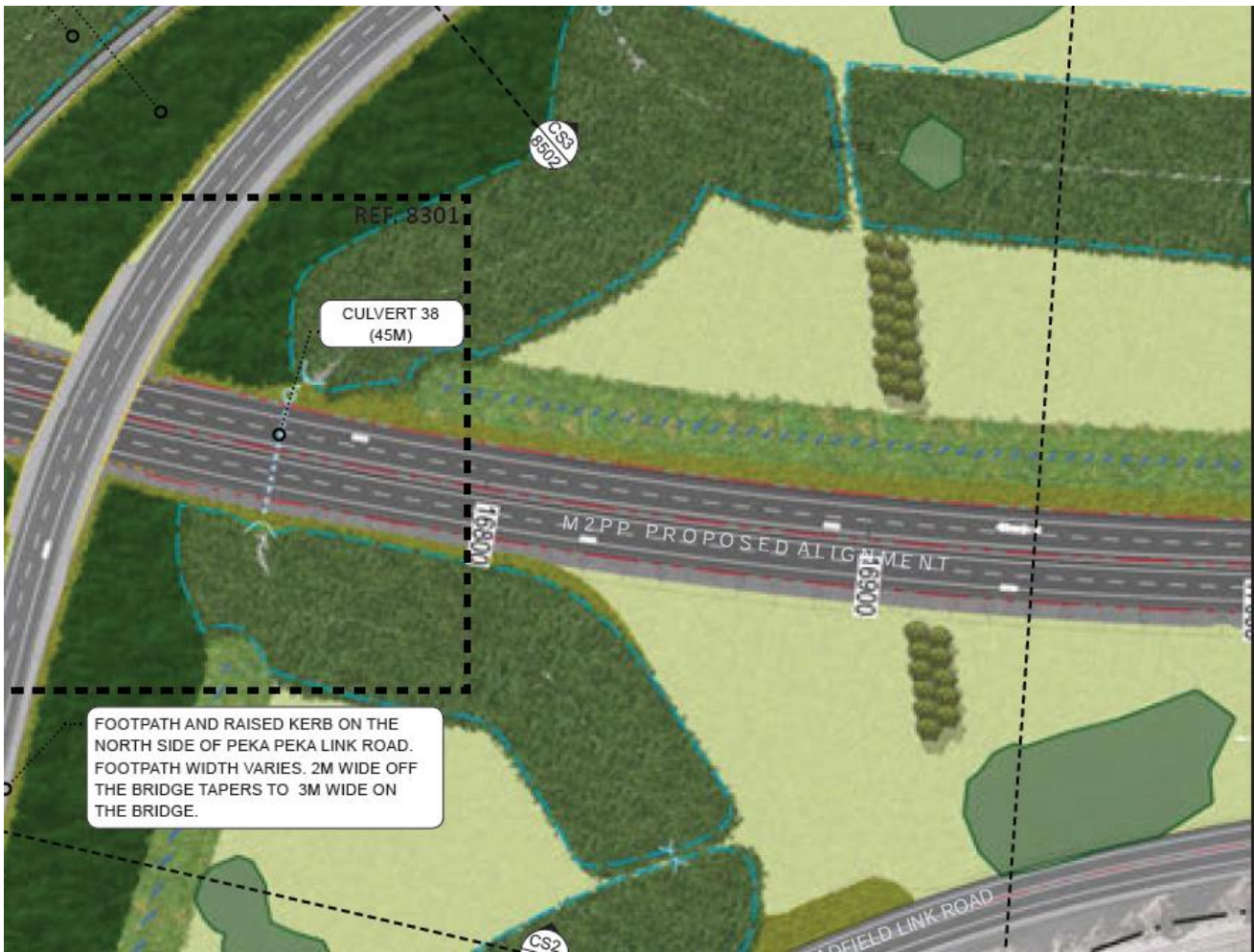


Figure 15: location of Option 2 on-ramp merge and off-ramp diverge

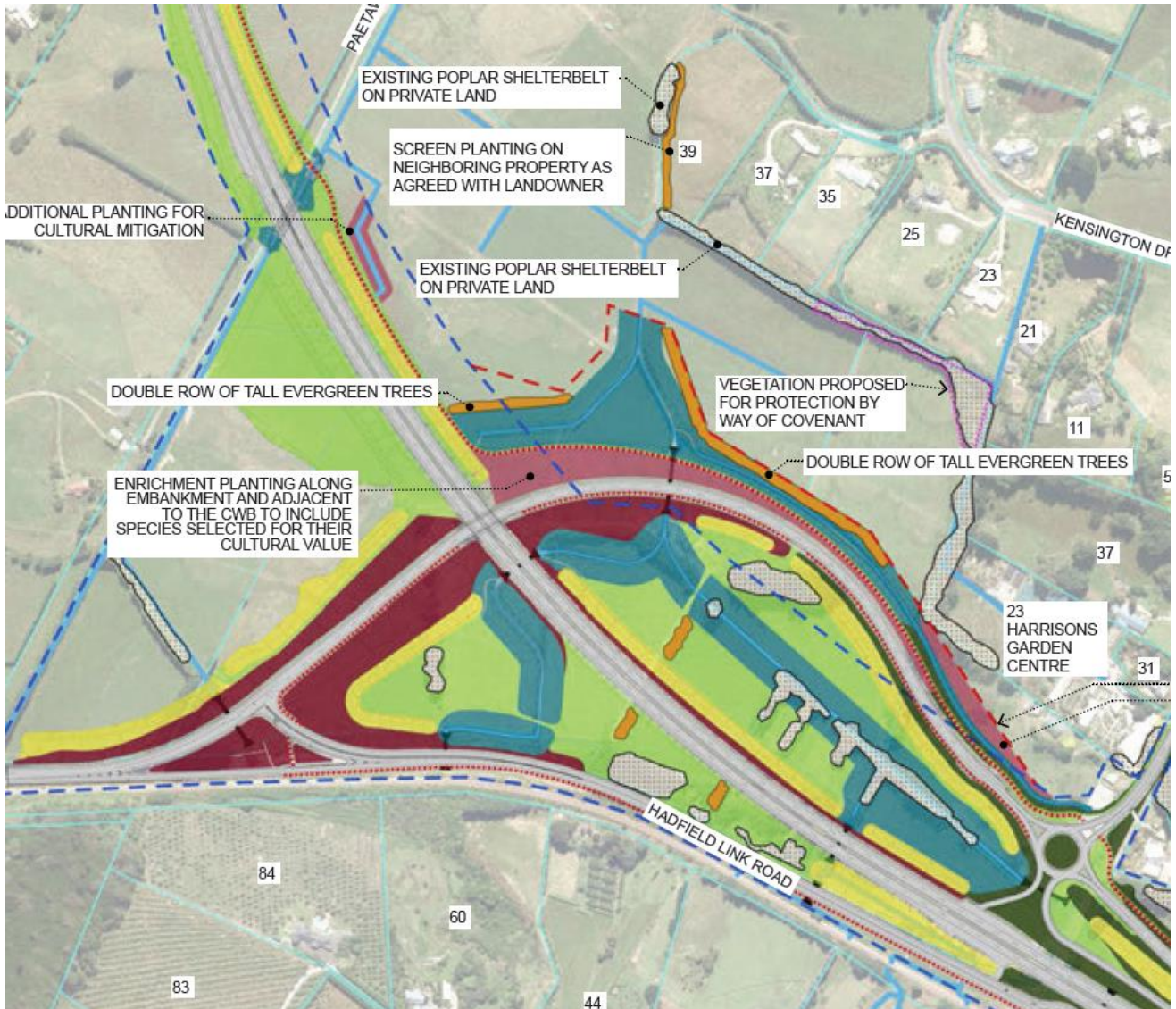


Figure 16: Key from SSMP11

Overall the physical layout of both options is likely to impact on areas of planting associated with the M2PP planting layout, Option 1 on-ramp has a lesser potential impact on retained vegetation and planted swales relative to Option 2. Both Options avoid cultural mitigation planting.

Although Option 1 extends beyond the designation it is apparent that some planting pursuant to M2PP was undertaken beyond the designation (south east). As previously indicated this is NZ

Transport Agency controlled land and would provide additional space for any replacement planting if this could not be physically located within the existing designation.



LEGEND

- EXPRESSWAY DESIGNATION
- LAND PARCELS
- CULVERTS
- WATERCOURSE
- RETAINED VEGETATION
- - - - - KAPITI BLUE - CWB
- + + + + + KAPITI BLUE - FOOTPATH

PLANTING LEGEND

- RIPARIAN MITIGATION PLANTING
- MASSED PLANTING
- MASSED PLANTING WITH TREE ENRICHMENT
- SHELTER BELTS
- GRASS
- SWALE PLANTING
- CULTURAL MITIGATION PLANTING

Figure 17: Overview of mitigation measures across the Project footprint (both options)

Further, this area of NZ Transport Agency controlled land provides the potential area for screen and amenity planting associated with any new structure required for the southbound on-ramp. Figure

17 shows an overview of the Project area indicating the various planting types and areas, including the provision of planted swales.

7.5 M2PP DESIGNATION AND CONSENTS STATUS

Currently the NZ Transport Agency is seeking to confirm with the consenting authority and territorial authority whether the designation and consent conditions have been met for the M2PP project.

Current information confirms that the SSMP011 has comprehensively set out how the range of matters of consent were (to be) met. In essence this would appear to be a synthesis of a wide range of specific reports and referenced guides and a lengthy consultative process distilled into a single document that confirms compliance with the range of conditions for the Project area.

It is apparent that some conditions have an ongoing effect (such as the requirement for 10-year management regimes associated with the Planting Management Plans).

Further, ecological matters covered by general consent conditions and landscaping matters covered by designation conditions effectively appear intertwined with the certification for confirming that all such conditions have been met being addressed by way of the SSMP approach.

A further complication is, as raised in the stormwater analysis, in that movement of planted swales and physical measures that address the stormwater consent requirements for M2PP, necessarily have the potential to impact on and interact with the landscaping and ecological planting measures provided for as set out in SSMP11 (which also maps the swales - a specific stormwater measure).

Any new consents that might be sought for the Project would almost certainly require changes to matters that have been undertaken to meet M2PP condition requirements. Further, with the management of such landscaping having ongoing requirements it would seem unlikely that *de novo* consents might address the Project without there also being a parallel requirement to review and confirm compliance with M2PP consent conditions and/or seek change to conditions if such compliance could not be confirmed.

The conflated nature of consent and designation conditions and the management plan based approach to confirmation of compliance allied to the on-going effect of conditions necessarily informs the approach to consenting and is canvassed further at Section 8 of this report.

Although most aspects of the Project are compatible with the M2PP approvals and might reasonably be addressed through amendments to the SSMP and other management plans, both Options require an extension of the footprint of the M2PP designation to encompass the proposed works and therefore an alteration to the M2PP designation.

Further, the Project includes a footprint greater than and different to that which was approved by the BOI. Therefore, although the various stormwater management measures associated with the Project might be (theoretically) addressed by way of management plan amendments, the additional works pursuant to the Project would require at least that a change is made to General Condition G1 for M2PP necessarily referencing the additional plans associated with the Project.

Such an approach, based on alterations/changes to existing approvals might still rely on the management plan based approach of M2PP and seek to rely on the certification based process adopted.

It is further noted that the altered stormwater consent condition specifically addressed the provision of a certification mechanism and similarly General Condition G42 which provided for a range of specific measures and areas relating to landscape and ecological mitigation provided for flexibility by way of consent/territorial authority certification.

7.6 IWI INTERESTS

It is understood that as part of the M2PP project, arrangements were entered into with iwi groups for grazing rights within the extent of the Peka Peka Interchange. The nature of such agreements are not known and do not specifically relate to RMA matters in terms of any approvals for the Project on the face of it.

However, given that the any Project works would potentially affect the layout and ground cover balances within the interchange as canvassed above, it is considered that it would be prudent that the consideration of any iwi agreements be undertaken in parallel to the development of the approvals pathway at the pre-implementation phase.

7.7 KAPITI COAST DISTRICT PLAN

The District Plan provides for the construction of roads within the Rural Zone as a controlled activity pursuant to Rule D.2.1.2(v). Council reserves control over route, design and construction (safety, traffic, engineering, landscaping and noise mitigation measures). Controlled Activity Standards are set out at D.2.2.2 and include operational and noise matters.

The Kapiti Coast Proposed District Plan is scheduled to become operative in late November 2017. Further consideration of the Proposed Plan will be required at pre-implementation phase to ascertain what effect if any this will have on the Approvals Pathway that might be adopted.

8 Approvals Pathway

8.1 ISSUES IDENTIFIED

It is assumed that the project will follow the conventional path through the statutory approvals process rather than the process set out in Part 6AA of the RMA for proposal of national significance. Accordingly, the approvals pathway for both of the identified options, subject to the matters specific to each option as set out below, will require alterations to existing designations, resource consents and/or changes to conditions of existing consents with the standard approach being that the necessary alterations to designations would be given to the KCDC contemporaneously with the necessary applications under the RMA being lodged with the GWRC.

Given that both options sit largely within the footprint of the M2PP project this consenting strategy is predicated on the premise that the statutory approvals for both options can be linked to the statutory approvals secured for the M2PP project as explained below.

The M2PP Project is the subject of an extensive suite of designation conditions and resource consents. The approvals mechanism employed for the M2PP project was to subdivide the project into geographic “sectors” with SSMPs developed for each sector. The Project is largely within the footprint of SSMP11. The SSMP illustrates the key built elements of the project and the various mitigations proposed with respect to ecological, stormwater and other environmental effects within the SSMP.

The SSMP specifies all those matters addressed by way of condition in the BOI decision and provides the mechanism by which compliance has been certified or the manner by which ongoing requirements will be met.

The SSMP integrates both designation and consent conditions and provides a mechanism by which compliance with the various conditions may be confirmed. This certification process involves both the territorial and consent authorities.

It is noted that the BOI decision included specific conditions (both consent and designation) that provided the facility for such mechanisms for changes to be made to SSMPs (see designation condition DC.7A-10A and resource consent condition G.19A)

Since the decision of the BOI on M2PP there have been alterations to resource consent conditions, specifically to do with stormwater management but no substantial change to the overall project.

8.2 APPROVALS MECHANISMS

Notice of Requirement

Given that both options under consideration for the Project will sit largely within the footprint of the confirmed Kapiti Expressway designation it is considered that for both options a notice can be given to the KDC to alter this designation. For the reasons set out below, the alterations sought for both options require that the designation be enlarged and may also require amendments to conditions of the designation.

Any alteration to a designation is to be processed as if it were a new designation, subject to the provisions of section 181(3) of the RMA which allows for a TLA to alter a designation in its district plan at any time if the alteration: -

- (i) *involves no more than a minor change to the effects on the environment associated with the use or proposed use of land or any water concerned; or*
- (ii) *involves only minor changes or adjustments to the boundaries of the designation or requirement; and*
- (iii) *written notice of the proposed alteration has been given to every owner or occupier of the land directly affected, and those owners or occupiers agree with the alteration; and*
- (iv) *both the territorial authority and the requiring authority agree with the alteration.*

As explained below the two options under consideration are different in terms of the land required outside of the boundary of the existing designation and for that reason may require different levels of evaluation in terms of the statutory tests of section 181(3).

The requirement for an OP for the subsequent works was waived for the M2PP project largely on the basis of the design detail anticipated to be contained in the SSMPs. This approach would need to be revisited at the detailed design and consenting stage, however it is considered that there is an opportunity through the preparation of an appropriate amendment to the SSMP11 (and any management plan documents).

This approach would on the face of it be most consistent with the overall approach taken for M2PP, and as canvassed at Section 7 would be consistent with meeting the range of relevant conditions that the SSMP approach addressed for M2PP. The critical matter will be to confirm with both the consent authority and the territorial authority that such an approach would meet their requirements.

NoR Content

Section 168(2) provides for a NoR to be given to a territorial authority for a project or work or in respect of any land where “*a restriction is reasonably necessary for the safe or efficient functioning or operation of such a project or work*”.

The key considerations in determining the scope of NoRs will be the extent and location of the “footprint” required for the selected option and to extent to which the conditions on the extant designations must be altered to accommodate the necessary works.

Based on the analysis undertaken it is likely that the additional land outside of the existing designation will be required for the two identified options as follows:

Option 1

- Further land to the south of the existing OSA 13 to accommodate discharge from the structure required for the southbound on-ramp. It is understood that there is sufficient available land currently in the ownership of the Transport Agency to accommodate this requirement.
- Further land to the west of the bridge over the Paetawa stream to accommodate potential offsetting planting necessitated by culvert lengthening at the Paetawa Stream. This would potentially require the acquisition of land not currently in the ownership of the Transport Agency.
- Additional land to offset the loss of secondary flow paths running parallel to the expressway.

All of the above are necessitated by the southbound off-ramp component of Option 1. The north bound on-ramp can be formed within the footprint of the existing expressway designation thus there will be no land requirement necessitated by this element.

Option 2

- Part of Hadfield Link Road will be required which is within the current SH1 designation but outside the Expressway designation to form the new south bound on-ramp. It is understood that the intention is to remove the State highway designation from this section of SH1, however for the purposes of carrying out this element of the Peka Peka connectivity project the Expressway designation would require alteration to include the necessary land.

The north-bound on ramp is the same for both options and thus the comment for option 1 above applies to this element of Option 2.

Alternatives Assessment – Section 171(1)(b) of the RMA requires that particular regard be had to:

whether adequate consideration has been given to alternative sites, routes or methods of undertaking a work if-

- (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
- (ii) it is likely that the work will have a significant adverse effect on the environment.*

The adequacy of assessments of alternatives for State highway projects has come under increasing scrutiny through the statutory approval process. It is now necessary to document the process undertaken to arrive at a preferred alternative in some detail. In this regard option development process described in section 5 is considered to be robust to the extent that it has evaluated the range of alternative configurations at the level of design undertaken for this business case.

Once the project moves to a more detailed level of design, and prior to NoRs be given, it will be necessary to undertake and document more focussed alternatives assessments of structures or for “pinch points” where there is potential for environmental effects and/or where the project necessitates the acquisition of land.

In this regard it is noted that the south-bound on-ramp for Option 1 requires either an embankment or a bridge. An initial evaluation of these suggests that, with appropriate mitigation measures neither structure would result in significant effects. While there will be some level of noise increase from traffic, this can be reduced to an acceptable level by a barrier.

At the level of assessment carried out for the business case it would appear that the two options under consideration do not have fatal flaws in terms of their environmental effects and the extent to which there is opportunity to mitigate any potential effect to the point where it is not significant.

Project Objectives – Section 171(1)(c) also requires that particular regard be had to: -

Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

Currently the project objectives are expressed in terms of investment objectives to be measured over time. For the purposes of the NoR process these objectives will need to be expressed such that the project can be assessed in terms of the section 171(1)(c) test in the manner suggested in Section 3, above.

Resource Consents

Assessments of the scope of existing consents for the M2PP project and the evaluation undertaken for the ESR Screen indicate that there will be no requirement for additional resource consents in addition to those granted for the M2PP project. The preliminary designs prepared for this SSBC would require modifications to elements of the M2PP project that require on-going compliance with conditions for the treatment and mitigation of stormwater, and consequently alterations to the consent conditions that refer to these.

Depending on the extent and nature of works for the selected option, alterations to extant M2PP conditions that address ecological and cultural matters may also be necessary.

Note: expansion of the stormwater treatment area for the northbound off-ramp may require land currently under lease to iwi in terms of an arrangement made for the M2PP project. This may have to be renegotiated to achieve access to this land.

Section 127 of the RMA provides the statutory mechanism to change or cancel a resource consent

As indicated in the previous section, it is considered that a change of consent will be necessary, at the least, given the additional carriageway and structures proposed as this will expand the highway layout at this location and would represent a change to the existing plans.

Section 127(3) states that section 88 to 121 apply and that such an application is to be treated as if it were an application for a discretionary activity; and

the references to a resource consent and to the activity were references to the change or cancellation of a condition and the effects of the change or cancellation respectively.

The actual extent of the changes to the existing certified layout at Peka Peka Interchange that might result from the Project will need to be developed and confirmed. However, in general terms it would seem likely that the various matters of consent and the associated conditions as have been certified as being met by way of SSMP and management plans (M2PP Stormwater Compliance Report), can be met to a similar level and manner for the Project.

If such matters can be appropriately addressed in this manner and such an approach meets with approval from the consent and territorial authorities, then revisions, amendments or addenda to the existing management plans might provide a mechanism for confirming that the Project satisfactorily addressed any associated potential adverse effects (in a manner consistent with the M2PP conditions).

This approach would rely on meeting the existing conditions associated with the M2PP BOI decision and if it met with a favourable approach from the consenting and territorial authorities would obviate the need to seek changes to conditions other than 'general accordance' and would instead rely on amendments to the SSMP and management plans and associated certification as contemplated by the BOI decision for M2PP.

Works and Implementation Phase

Undertaking the works necessary to implement the Project (in any form) will involve land disturbance and earthworks of a yet to be identified extent.

Such land disturbance works are subject to the rules of the Greater Wellington Regional Council Regional Plan, in particular the Regional Soil Plan.

It would seem likely that the works might trigger **Restricted Discretionary Activity** consents, with such consents being identified as being considered without notification and with discretion restricted to the usual soil retention, sediment control and land rehabilitation measures that accord with NZ Transport Agency standard practices and policies in this regard as set out in its Environmental and Social Management Planning Framework.

Such consents are considered to be generally technical in nature and would likely be addressed by way of a construction environmental management plan that would likely mirror the approaches undertaken for M2PP at a localised level.

Within the context of the wider designation and resource consent issues addressing permanent and on-going matters, the obtaining of the works and implementation phase consents is considered to be a relatively straight forward and standard process, of low risk.

9 Required Scope of Technical Assessment

9.1 FURTHER REPORTING REQUIRED

As identified in the previous section, there is a degree of uncertainty as to what approvals pathway might be undertaken, given the comprehensive and integrated approach taken for the M2PP project. The intertwined nature and potential on-going effect of conditions makes for a complex existing approvals regime.

Both Options 1 and 2 physical works extend beyond the M2PP designation footprint but certified works associated with the M2PP project also appear to extend beyond the M2PP designation boundary, with reference to matters set out in SSMP11.

This is not problematic but instead is considered to likely be reflective of the integrated consultative approach that appears to have been undertaken between the NZ Transport Agency, KCDC, GWRC and the Alliance in implementing the M2PP project through a management plan based approach.

Rather than further reporting per se, it is considered that the extending or reinvigorating of this consultative approach might best inform the further development of the Project.

Prior to undertaking further landscaping, ecological and stormwater management reporting establishing an agreed position with the consenting and territorial authorities on the parameters of these matters might best inform what further reports might be necessary.

9.2 KEY PROCESS ISSUES

Key issues to be addressed and resolved prior to finalisation of NoRs and resource consent applications include:

- Clear articulation of project objectives so that these can meet the s171(1)(c) tests.
- Buy in from the GWRC to the resource consent process by way of section 127 RMA application(s) to alter the existing resource consent for the M2PP project.
- Buy in from the KCDC to the alterations to the Expressway designation proposed (i.e. both to the physical extent and to any relevant conditions).
- Amend the M2PP SSMP11 to the level that allows for KCDC to waive the requirement for an OP under s176A(2)(c) of the RMA.
- Further engagement with mana whenua to enable them to input, as appropriate, into the amended SSMP and also to provide input into the design process (as appropriate) and mitigation of adverse effects.
- Negotiate satisfactory arrangement with iwi who currently lease land which will be required to manage stormwater from the northbound off ramp.
- Consultation with directly affected landowners during the development of the lodged design to confirm the location and amount of land to be acquired.
- Ongoing community engagement, including key stakeholders, persons affected by proximity to the new on-off ramps and the wider community to ensure the design process includes mitigation of actual and potential effects as far as practicable.
- Undertake location-specific MCA processes as necessary during development of the design to meet section 171(b) RMA requirements.

- Integration of the design and planning/environmental team to ensure a robust designation footprint is identified and any adverse effects are adequately identified and avoided, remedied and mitigated as necessary to meet statutory tests.

10 Conclusions & Recommendations

10.1 CONCLUSIONS

The works required to give effect to both options under consideration are largely contained within the footprint of the M2PP project. Subject to the development of a specimen design and consequential detailed technical assessments, the environmental effects of either of the two options are unlikely to be significantly different from those assessed at the time approvals were granted to the M2PP project.

The statutory approvals regime for the M2PP project required the development of a suite of management plans including SSMPs for the project corridor which detailed mitigation measures, some of which created on-going obligations to mitigate certain effects, such as the construction and maintenance of stormwater treatment devices. SSMPs were utilised to meet both designation and consent conditions thus linking the two statutory approvals regimes. SSMPs were developed in consultation with KCDC and GWRC and accordingly were certified by the officers of both these authorities

Given the statutory approvals framework put in place for the M2PP project described above, it is considered that the most effective pathway to achieving the necessary statutory approvals for the Project is by way of alterations to the areal extent of the M2PP designation as necessary, amendments to the relevant SSMPs (and other management plans, such as the M2PP Stormwater Compliance Report, as necessary) and alterations to the “general accordancy” conditions DC1 and G1 of the designation and consent conditions respectively.

Because of the manner in which the M2PP approvals have been framed It is considered that a separate “stand alone” suite of resource consent applications and designation conditions for either option would not obviate the need for s127 RMA applications to alter those conditions of consent for the M2PP project which contain on-going compliance obligations and would thus require an unnecessarily complex statutory approvals regime.

10.2 RECOMMENDATIONS

Based on the assesment contained in this report and the conclusions above it is recommended that the following approach be taken to securing the necessary statutory approvals for the project.

1. The footprint of the M2PP designation be altered to accommodate the works necessary for the preferred option
2. That an AEE supported by technical assessments as necessary be prepared for the preferred option.
3. Designation condition D1 be altered to refer to the plans, drawings and assessments prepared for the preferred option.
4. Consent condition G1 be altered by way of a s127 RMA application to refer to the plans, drawings and assessments prepared for the preferred option.
5. SSMP10 and SSMP11, and the M2PP Stormwater Compliance Report, be amended to reflect the design of the preferred option and any necessary mitigation, and certification of these amended management plans be sought from the KDC and GWRC as necessary.
6. Consequential alterations to other M2PP consent conditions be sought if necessitated by the final design of the preferred option.

7. Obtaining works phase (soil disturbance) consents in parallel to and contemporaneously with the approach set out above.