



NZ TRANSPORT AGENCY  
WAKA KOTAHI

## Roads of national significance



# MacKays to Peka Peka Project Alliance

# Statutory approvals management plan

Project Alliance Board Approval  
Chairman G Darlow

PAB Chairman

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Finance and Administration Plan	430PN.08
Quality and Systems Plan	430PN.09

# Contents

<b>Authorisation and revision record</b>	<b>2</b>
<b>Document status</b>	<b>2</b>
<b>Other documents</b>	<b>2</b>
<b>Glossary</b>	<b>4</b>
<b>1. Introduction</b>	<b>5</b>
1.1 Background	5
1.2 Project features	6
1.3 Project objectives	6
<b>2. Statutory framework</b>	<b>7</b>
2.1 Statutory framework	7
2.2 Statutory approvals	10
2.3 Consenting considerations	12
<b>3. Strategy</b>	<b>13</b>
3.1 Prepare a project design philosophy	13
3.2 Designate the Expressway corridor (and any potential new local roads)	13
3.2.1 Extent of designation	13
3.2.2 Assessment of environmental effects (AEE)	13
3.2.3 Mitigation measures	14
3.2.4 Consent conditions	14
3.3 Undertake pre and post lodgement consultation	14
3.4 Employ the national consenting process	15
3.5 Obtain non-RMA approvals	15
3.6 Submit an outline plan	15
<b>4. Process, time frames and responsibilities</b>	<b>16</b>
4.1 Project time frame	16
4.2 Consenting stages and time frame	16
4.3 Responsibilities	17
<b>Appendix 1 – Discussion paper</b>	<b>18</b>
<b>Appendix 2 – Pre-lodgement process</b>	<b>20</b>

## Glossary

AEE	Assessment of Environmental Effects
BoI	Board of Inquiry
DoC	Department of Conservation
EPA	Environmental Protection Authority
GWRC	Greater Wellington Regional Council
HPA	Historic Places Act
KCDC	Kapiti Coast District Council
LTMA	Land Transport Management Act
M2PP	MacKays to Peka Peka
NoR	Notice of Requirement
NPS	National Policy Statement
NZHPT	New Zealand Historic Places Trust
NZTA	NZ Transport Agency
RMA	Resource Management Act
RoNS	Roads of National Significance
RPS	Regional Policy Statement
SAR	Scheme Assessment Report
WLR	Western Link Road

# 1. Introduction

The Wellington Northern Corridor (Levin to Wellington Airport) has been identified by the Government as a road of national significance (RoNS). Improvements to the Wellington Corridor are required to enhance safety, ease congestion and improve reliability of travel times along this section of the State Highway network.

The MacKays to Peka Peka project (also referred to as M2PP) is one of the eight sections of this corridor that are being upgraded. The project is being delivered by an Alliance consisting of the NZ Transport Agency (NZTA), Fletcher Construction, Beca, and Higgins Group, with support from Goodmans, Incite and Boffa Miskell.

The Statutory Approvals Management Plan has been developed by the M2PP Alliance to provide a framework to assist with preparing applications for the statutory approvals required to construct, operate and maintain the MacKays to Peka Peka Expressway. It is also intended to provide stakeholders and other interested parties with an outline of the proposed process and approach to obtaining the necessary Resource Management Act (RMA) and other statutory authorisations (eg under the Historic Places Act 1993 (HPA) and Reserves Act 1977).

Given the dynamic nature of the approvals process this plan will continue to be refined and updated as further relevant information comes to hand.

## 1.1 Background

The MacKays to Peka Peka Project section extends from the MacKays Crossing interchange to Peka Peka Road. It is comprised of approximately 18km of four-lane median divided expressway through the areas of Raumati, Paraparaumu and Waikanae, and includes a new bridge over the Waikanae River and provision of interchanges to connect with local roads.

The route roughly follows a historical expressway designation referred to as the Sandhills Motorway, and more recently a local road designation referred to as the Western Link Road (WLR) in the Kapiti Coast District Plan. The Notice of Requirement (NoR) for this designation was issued in 1997 but was not confirmed until 2006 following 3 Environment Court and 2 High Court hearings on appeals relating to the effects of the proposal on the Waikanae Christian Holiday Park and the waahi tapu in the Takamore area. In addition to the WLR designation, a number of current regional consent approvals are still valid for the construction of the WLR. These approvals cover such matters as discharges to waterways, earthworks and construction related effects.

Regardless of these existing authorisations the proposal to construct the MacKays to Peka Peka Expressway needs to be considered within the following context:

- The project has a high degree of national, regional and local significance and interest – the Wellington Northern Corridor RoNS projects are a key component of the Government Policy Statement on Land Transport Funding, the National Land Transport Plan and the Regional Land Transport Strategy.
- Kapiti Coast District Council (KCDC) is a significant stakeholder, and is actively involved in the project as an Alliance partner.
- The project involves the construction of a four-lane expressway versus a two-lane local purpose road.
- While the proposed route has been identified, the exact alignment and the form and number of connections will be determined as part of the first phase of the project – thus the exact nature, extent and number of consents required cannot be accurately ascertained early on in the project.
- Existing designations and regional resource consents for the WLR cannot be used to implement the purpose and possible alignment of the proposed MacKays to Peka Peka Expressway route – a new designation will need to be obtained, most likely over much of the existing WLR designation, as well as new regional consents (although the existing approvals and their associated background material can be used to inform these further applications).
- Because of the significance of the project, it is intended that the NoR and resource consent applications will proceed via the national consenting path, with the processing of these applications

being administered by the Environmental Protection Authority (EPA). The NZTA anticipates requesting that these will be heard and determined by a Board of Inquiry (BoI) – thus, there will only be one opportunity for the project to be heard on its merits.

- The scale of the project, together with the identified social and environmental constraints, will require a high level of effects assessment and environmental management to meet statutory requirements, and, in particular, the requirements of the BoI process.
- In addition to the necessary RMA approvals, it is likely that other non-RMA approvals will also be required.

## 1.2 Project features

The proposed MacKay's to Peka Peka Expressway route passes through a variety of settings including rural farmland, ecological and reserve areas, and residential, industrial and commercial areas along the Kapiti Coast.

Some of the key environmental and cultural features identified along the route include:

- Queen Elizabeth [Regional] Park.
- Ecological areas, predominantly wetlands, not all of which have been identified in background material, and Council documents and registers.
- Remnant dune landscape.
- Watercourses and flood plains, including the Waikanae River, Wharemaukau Stream and Waimeha Stream.
- A registered waahi tapu area, which includes a urupa and the Maketu tree, and other sites of significance known to local Iwi.
- Sites and areas of archaeological value, both recorded and unidentified to date, including possible koiwi.

Some of the key physical features within the vicinity of the route include:

- The Paraparaumu central business district (the 'town centre').
- Residential dwellings.
- Rural lifestyle properties.
- Paraparaumu airport and business park.
- Two primary schools.
- The Waikanae Holiday Camp ('El Rancho').
- A historic homestead (Kauri Homestead).
- Nga Manu Bird Sanctuary.

## 1.3 Project objectives

The project objectives are:

1. To enhance inter-regional and national economic growth and productivity by establishing a cost-optimised route between MacKays Crossing and Peka Peka that enables more efficient movement of freight and people from, to and through the Kapiti District.
2. To improve access to Wellington's CBD, key industrial and employment centres, port, airport and hospital by developing a road to expressway standards between MacKays Crossing and Peka Peka that improves regional and national network security and reliability.
3. To provide relief from severe congestion on the State Highway and local road network by:
  - a. improving the efficiency, reliability and level of service offered by State Highway 1 between MacKays Crossing and Peka Peka

- b. appropriately balancing the competing functional performance requirements of inter-regional and local traffic movements, recognising that modal and route choice opportunities need to be provided that enable local facilities and amenities in the Kapiti District to be efficiently accessed.
4. To improve the journey time reliability of travel on the section of State Highway 1 between Levin and the Wellington airport by increasing the efficiency of through traffic movement between MacKays Crossing and Peka Peka.
5. To improve the safety of travel on state highways by enhancing the level of safety and personal security experienced by local and inter-regional users of the State Highway network between MacKays Crossing and Peka Peka.
6. To manage relevant social, cultural, land use and environmental impacts that may arise from the project by ensuring that any such impacts are appropriately addressed.
7. To integrate the Expressway into the urban form of the Kapiti District by recognising the physical characteristics of both current and future planned settlement patterns in determining its design and alignment.

In advancing these objectives the consenting component of the project will be guided by the following considerations in seeking to secure the necessary RMA and non-RMA approvals:

- That the purpose and relevant principles of the RMA and other applicable legislation are achieved.
- That environmental effects are properly scoped, comprehensively assessed and appropriately managed.
- That the consenting process is consistent with other RoNS projects, particularly those within the Wellington Northern Corridor.
- That delays in obtaining necessary approvals are avoided.
- That consent conditions control and manage the effects associated with the construction of the Expressway and provide for its continued operation and maintenance.

## 2. Statutory framework

### 2.1 Statutory framework

The statutory framework for gaining project approvals is summarised as follows.

#### **Resource Management Act 1991**

The government has identified State Highway 1 from Levin to Wellington as a RoNS. Although the RMA includes a separate process for determining resource consents and designations of national significance under Part 6AA, the project will still be assessed against the statutory tests in Part 2 of the Act.

Part 2 sets out the purpose and principles of the RMA, with its purpose being to promote sustainable management of natural and physical resources (s.5). This, in turn, requires that the use, development and protection of natural and physical resources is undertaken in a way that enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, while:

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations
- safeguarding the life-supporting capacity of air, water, soil and ecosystem;; and
- avoiding, remedying or mitigating any adverse effects of activities on the environment.

In achieving this purpose, specific matters of national importance are required to be recognised and provided for (s.6). Relevant matters to this project include:

- The preservation of the natural character of wetlands and rivers and their margins (s.6(a)).
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (s.6(c)).

- The maintenance and enhancement of public access to and along rivers (s.6(d)).
- The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s.6(e)).
- The protection of historic heritage from inappropriate use (s.6(f)).

Other relevant matters that shall be given particular regard to in achieving the purpose include:

- Kaitiakitanga (s.7(a)).
- The ethic of stewardship (s.7(aa)).
- The efficient use and development of natural and physical resources (s.7(b)).
- The maintenance and enhancement of amenity values (s.7(c)).
- Intrinsic values of ecosystems (s.7(d)).
- Maintenance and enhancement of the quality of the environment (s.7(f)).
- Any finite characteristics of natural and physical resources (s.7(g)), and
- The effects of climate change (s.7(i)).

Finally, in achieving the purpose of the Act the principles of the Treaty of Waitangi also need to be taken into account (s.8).

In 2008 the government initiated a major programme of resource management reforms. Phase I of this programme focused on streamlining and simplifying the RMA and resulted in a number of amendments coming into force in October 2009. Included amongst these changes was the establishment of a national consenting process in Part 6AA of the RMA for proposals of national significance, and the ability for a NoR to be directly referred to the Environment Court for a decision (ss.198A-198M).

Phase II of the reform programme is currently underway and covers a number of areas relevant to this project, some of which have the potential to have a considerable impact on associated consenting processes. The most significant of these relates to provisions and requirements regarding infrastructure, including reconsideration of designations and related processes such as property acquisition processes under the Public Works Act.

A discussion document outlining potential infrastructure and urban planning related reform options is currently being consulted on. Submissions received will be used to help inform advice to the government in early 2011 on a preferred policy package. Following consideration and decisions on this advice the government has signalled that it proposes to introduce RMA amending legislation into the House in 2011. As the nature and scope of proposed amendments could have a material effect on the project, the Phase II reform process will need to be closely monitored to ensure that likely impacts are identified at an early stage.

### **National/regional policy statements**

There are no operative national policy statements (NPS) that are of relevance to this project. However, the proposed NPS for freshwater management could have an impact on the regional planning framework and regional consenting for this project. For instance, the January 2010 report back of the Bol into this proposed NPS included a number of recommended policies relating to freshwater quality and contamination that could have implications for the project in their current form (eg Policy E4 - the discharge of any contaminant into freshwater requires a discretionary activity consent).

The report into freshwater management released by the Land and Water Forum in September 2010 further recommends that a NPS on freshwater management be developed based largely on the recommended draft of the Bol. The content of this report is the subject of a series of engagement meetings to be convened around New Zealand through to March 2011. The feedback from these meetings, along with the report findings, will be reported back to the government in early 2011, with major policy decisions anticipated around mid-2011. The outcome of this process will need to be closely monitored to ensure that any potential impacts of these policy decisions on the project are clearly identified at an early stage.

Under the RMA, regional policy statements (RPS) assume an influential role in informing the content of relevant planning documents (such as regional and district plans which are required to give effect to them) and in considering NoR's and resource consent applications.

Both the operative and proposed Wellington RPS contain objectives and policies regarding such matters as air and freshwater quality, landscape and ecology and regionally significant infrastructure that are of relevance to this project. In May 2010 Greater Wellington Regional Council (GWRC) released decisions on submissions received to the proposed RPS – these are currently the subject of eight Environment Court appeals. The points of appeal raised affect a number of provisions that are material to this project including objectives and policies relating to the air, biodiversity, infrastructure, landscape, open space and tangata whenua sections of the proposed RPS. Consequently, both the proposed and operative statements will need to be considered in seeking approvals for this project.

### Regional plans

The following operative Wellington regional plans also contain objectives, policies and rules of relevance to this project:

- Regional Freshwater Plan 1998
- Regional Soil Plan 1999
- Regional Air Quality Management Plan 2000
- Regional Discharges to Land Plan 1999

As these plans are proposed to be reviewed over the next two years, the potential impact of these reviews on the project will need to be closely monitored.

### District plan

The Kapiti Coast District Plan 1999 is the only district plan document relevant to this project - the entire route is fully contained within the KCDC administrative area. However, there are a wide range of potential planning issues of relevance to this project, particularly concerning the effective integration of land use and transport. Also of relevance are a number of plan changes introduced since 2003. These include:

- Plan Change 54 – Pritchard-Westfield (between Mazengarb Road and Lindale), Parararaumu
- Plan Change 63 – Tasman Lakes
- Plan Change 66 – Waikanae Golf Course
- Plan Change 67 – Ferndale Trust, Peka Peka
- Plan Change 73 – Parararaumu Airport
- Plan Change 79 – Waikanae North Area
- Plan Change 80 – Ngarara
- Plan Change 82 – Bunnings
- Plan Change 83 – Meadows Precinct

The Council is currently reviewing the operative District Plan and has released a series of discussion documents, three of which are of particular relevance to the project – Urban form and transport, Biodiversity and landscape, Character and heritage. At this early stage it is uncertain how this review will impact on the project. However, the consenting team will proactively engage with the Council throughout the process and will closely monitor the progress of the review (including any proposals relating to the existing WLR designation) in preparing the necessary applications.

### Other relevant legislation

In addition to the RMA other statutes of particular relevance to this project are the Historic Places Act 1993 and the Reserves Act 1977. Under the former legislation any works that may result in any archaeological site being destroyed, damaged or modified require an authority to be obtained from the New Zealand Historic Places Trust (NZHPT). The latter would apply if any aspect of the project impinges on any gazetted reserve.

The Local Government Act 2002 and Wildlife Act 1953 may also be relevant if the project requires the stoppage of any local roads or is likely to impact on the habitat of any protected wildlife.

### Other strategies and plans

There are a number of other relevant statutory and non-statutory strategies and plans which have been prepared outside the requirements of the RMA that will also need to be considered in preparing the necessary applications. These include:

- Government Policy Statement on Land Transport Funding (2009/10–2018/19) – prepared under the Land Transport Management Act (LTMA)
- National Infrastructure Plan (2010)
- National Land Transport Programme (2009–2012) – prepared under the LTMA
- New Zealand Transport Strategy (2008) – prepared under the LTMA
- National State Highway Strategy (2007)
- The New Zealand Urban Design Protocol (2005)
- Wellington Regional Land Transport Programme (2009–2012)
- Wellington Regional Land Transport Strategy: Western Corridor Plan (2007–2016) – prepared under the LTMA
- Wellington Regional Freight Plan (2007)
- Wellington Regional Strategy (2007)
- Draft Greater Wellington Parks Network Plan (2010)
- Queen Elizabeth Park Management Plan (2006)
- Kapiti Coast Choosing Futures: Community Plan (2009)
- KCDC Development Management Strategy (2007)
- KCDC Sustainable Transport Strategy (2008)
- KCDC Cycleways, Walkways and Bridleways Strategy (2009)
- KCDC Design Guides (eg Waikanae North Design Guide, Ngarara Zone Neighbourhood Development Areas)

## 2.2 Statutory approvals

At this juncture it is not possible to conclusively identify all aspects of the proposed Expressway that will require specific statutory approval. This is largely due to the fact that the final alignment and width of the Expressway corridor is still being determined, as is the design of the Expressway and its associated interchanges. However, statutory approvals that are likely to be required include:

- NoR to designate the Expressway corridor and any possible new local roads under the RMA.
- Outline plan approval for associated works.
- Regional and district resource consents under the RMA.
- Authorisations under other legislation.

### Designations – Expressway and local roads

The process for securing a designation (referred to as NoR) is detailed under ss.166–186 of the RMA. However, the decision-making aspects under this part of the Act would be superseded by those under Part 6AA if the Minister for the Environment considers this project to be a proposal of national significance and refers the NoR's (and any associated resource consent applications) to a Bol or the Environment Court for a decision.

### Outline plans

Under s.176A of the RMA further outline plans may need to be submitted to KCDC depending on the level of detail available at the time of lodging the NoR/s. Matters they would need to address are:

- The height, shape and bulk of the project.
- The location of the project.
- Likely finished contour of the land.
- Vehicle access, circulation and parking provision.
- Proposed landscaping.
- Any other matters to avoid, remedy or mitigate any adverse effects on the environment.

If sufficient project detail is able to be included in the NoR/s a request to waive the outline plan requirements can be made under s.176A(2) of the RMA.

### GWRC resource consents

The process for preparing and assessing regional resource consents is outlined under s.88 and ss.104-112 of the RMA.

Approvals will need to be obtained under the various regional plans administered by GWRC for the construction, operation and the maintenance of the MacKay's to Peka Peka Expressway. The range of possible consents required include:

- Discharge permits for the discharge of sediment laden water to water courses where it may enter a water body.
- Extraction permits.
- Land use consents for road and tracking activities; bridge construction over the Waikanae River; placing bridges over streams; and placing and using culverts in streams.
- Water permits for the take of groundwater; diversion of groundwater from within wetlands; and take of water for dewatering of excavations.
- Earthworks relating to roading and tracking activities.
- Stream crossings, diversions, reclamations and culverts.
- Air discharge relating to concrete batching plant.

### KCDC resource consents

There is also a possibility that KCDC resource consents will be required for activities that fall outside the scope of the proposed Expressway designation, including:

- Works areas outside the designation (eg quarries).
- Clean filling of areas outside the designation.
- Relocation of affected infrastructure of other utility providers.

### Non-RMA approvals

In addition to authorisation under the RMA, other non-RMA approvals will also be required as a precursor to the investigative and construction phases of the project. These include authorisations under the Historic Places Act 1993 (if there is a probability that any archaeological sites might be destroyed, damaged or modified), the Reserves Act 1977 (if the project impinges on Queen Elizabeth Park (QE Park) or a gazetted reserve), the QEII National Trust Act 1977 (if the alignment impinges on any QEII covenanted area), the Local Government Act 2002 (if the project requires the stoppage of any local roads) and the Wildlife Act 1953 (if the project impacts on the habitat of any protected wildlife).

### National consenting process

Part 6AA of the RMA contains provisions for 'proposals of national significance', including the ability for such proposals to be processed via a national consenting process. This process would enable the NZTA to lodge the necessary NoR's and any associated regional and district resource consents with the EPA for processing. Any additional approvals required under the Historic Places Act or Reserves Act would not, however, be covered by this process and would still need to be determined separately.

Once the applications are lodged, the EPA has 20 working days to make a recommendation to the Minister on whether the proposal is a matter of national significance and should be referred to a BoI or the Environment Court. The EPA can request further information or commission a range of reports during this stage.

Once the EPA makes its recommendation, the Minister then makes his/her decision. If the Minister decides to refer the matter to either a BoI or the Environment Court, the EPA will publicly notify the application, call for submissions and forward all submissions received to the appointed decision-making body. The appointed decision maker will then hold a hearing to consider the RMA applications and the submissions received, and make a decision on the applications. Any subsequent appeals would be restricted solely to points of law.

## 2.3 Consenting considerations

CONSIDERATIONS	ACTIONS
Proposed RM Phase II reforms.	Close tracking of the reform process and possible timeline.
KCDC District Plan review.	Engage KCDC in the plan review process so that any potential impacts of the review on the Expressway approval process are identified and addressed at an early stage.
Community, stakeholder and iwi views of the project.	Early engagement and issues identification with parties as per the Stakeholder Management and Communication Plan and the Iwi Engagement Strategy.
Coordination of technical inputs.	Initiate management control procedures, including regular meetings and workshops with technical teams.
EPA pre-lodgement process	Early engagement with the EPA to establish programme for engagement and process for peer review of technical reports (refer Appendix 1 - Pre-lodgement process).
Specialist inputs to identify and deliver appropriate mitigation.	Contractor involvement in design and consenting process to provide more detail and certainty. Early involvement of all potentially relevant technical experts in the design and development of the scheme.
Workable consent conditions	Early and regular liaison and consultation with KCDC, GWRC and their technical advisers. Contractor involvement in design and consenting process to provide more detail and certainty.
Securing the necessary approvals.	Preparation of a comprehensive assessment of effects, together with early engagement with KCDC, GWRC, Department of Conservation (DoC), iwi and local stakeholders.

## 3. Strategy

### 3.1 Prepare a project design philosophy

A design philosophy for the project is currently being prepared to inform options assessment and guide the development of the scheme. It incorporates the following considerations:

- The requirements for RoNS Expressways.
- The NZTA's Urban Design and Landscape Framework.
- Other State Highway roading standards.
- Urban design and integrated land use planning principles; and
- Environmental management principles.

### 3.2 Designate the Expressway corridor (and any potential new local roads)

A NoR(s) will be prepared that seeks to designate the Expressway corridor and any potential new local roads if required. The designations process has been selected as the preferred approval approach as it will offer more flexible, long-term protection for the Expressway than that provided by a resource consent. Once in place, the designation would not be able to be altered by any other party, would protect the project from any use that is inconsistent with its purpose and would offer a basis for the subsequent acquisition of the land required for the project (including compulsory acquisition) if necessary.

#### 3.2.1 Extent of designation

NoR(s) sought for the project will ensure that the extent of the designations:

- cover all the land required to construct, operate and maintain the Expressway (and any potential new local roads), including temporary construction activities, earthworks and mitigation works
- are aligned and of sufficient width to accommodate changes that may arise from subsequent detailed design
- cover all the land and works required to effectively and efficiently complete the project, including any works or associated mitigation that may be required on land that is subject to an existing designation. Aside from the WLR designation there are no other identifiable existing designations that are affected by this project.

#### 3.2.2 Assessment of environmental effects (AEE)

A single, comprehensive AEE will be prepared to accompany the NoR(s). It will include sufficient detail to enable subsequent construction to occur, and will clearly identify and assess all the relevant effects associated with the project, including:

- Engineering, including geometrics, geotechnical, and structural.
- Transport and traffic (local and regional and all modes).
- Strategic transport rationale for route.
- Economics.
- Stormwater and flooding.
- Water quality.
- Contaminated land (including UXO).
- Ecology.
- Social impacts.
- Heritage and archaeology.
- Cultural.

- Planning.
- Spatial pattern and form of settlements.
- Visual and landscape (including lighting).
- Urban design and landscape, including land use and transport integration.
- Construction, including siltation management.
- Noise, vibration and air quality.

The level of detail and focus of the AEE will be overseen by the M2PP approvals team, with all technical assessments following a similar process (refer Appendix 1 – Pre-lodgement process) and report format. The range of technical experts and peer reviewers that will be commissioned to undertake this assessment will be confirmed once a preferred route has been selected.

### 3.2.3 Mitigation measures

The development of the project scheme will examine methods for managing the environmental effects of the Expressway's construction (eg construction traffic), which will be informed by involving Alliance participants in the early phases of scheme development and assessment of effects on the environment.

Appropriate mitigation measures will be identified and developed in collaboration with KCDC and GWRC. Such measures will include consideration of the use of management plans to control the effects associated with specific aspects of the construction process (eg earthworks, noise, traffic) and to enable change to occur within an agreed 'effects envelope'.

### 3.2.4 Consent conditions

A suite of draft consent conditions (including ones covering the ongoing operation and maintenance of the Expressway post-construction) will be developed for the project through workshops with the technical experts and stakeholders including DoC and iwi. The conditions will be further refined through pre-lodgement consultation with KCDC, GWRC and the EPA expert technical peer review advisors (if appointed), and approved by the NZTA.

All RMA applications will be lodged with a set of recommended conditions.

## 3.3 Undertake pre and post lodgement consultation

A separate Stakeholder Management and Communication Plan has been prepared for the project which outlines NZTA's approach to engaging and consulting with the Kapiti Coast community (ref: 430PN.04).

Key components of the consultation process include:

- Pre-lodgement consultation to test and refine the identified route options and confirm a preferred route and interchange locations.
- Statutory consultation with key stakeholders and affected parties prior to lodgement of the necessary approvals.
- Ongoing consultation with key stakeholders (eg GWRC, DoC, iwi).

Consultation will assume an important role in the preparation and development of the necessary statutory applications through:

- offering a means whereby issues can be identified and recorded, thus ensuring they are included and addressed as part of the assessment of effects
- providing an avenue whereby mitigation measures can be identified and developed in consultation with stakeholders and affected parties
- providing opportunities for the benefits of the project to be communicated at local, regional and national levels.

### 3.4 Employ the national consenting process

The Wellington Northern Corridor, which includes the MacKays to Peka Peka Expressway project, is identified in the Government Policy Statement on Land Transport Funding as one of seven initial RoNS. The government has identified these roads as essential routes that require significant development to reduce congestion, improve safety and support economic growth. Consequently, it has signalled that planning for their future development needs to be quickly advanced due to the important national contribution that these roads make to the land transport network.

Due to its contribution to the Wellington Northern Corridor RoNS, the project clearly appears to meet a number of the criteria in s.142 for being assessed and determined as a proposal of national significance under Part 6AA of the RMA (eg involves significant use of natural and physical resources; has aroused widespread public interest). As such, the NZTA Board has signalled that the NoR(s) and resource consent applications will be submitted to the EPA for processing.

In terms of a preferred referral route, the NZTA will seek for these applications to be heard and determined by a Bol. The reason for this is that unlike the Environment Court referral route, Bol's are required to consider and deliver a decision within a nine-month statutory time frame (although there are grounds under s.149S to extend this to a maximum of 18 months under special circumstances). This, in turn, would provide the NZTA with greater certainty concerning the approval time frames associated with the project, and aligns with the government's desire to see RoNS projects expedited as quickly as possible.

The necessary RMA approval applications will be prepared through a coordinated approach and understanding with both the EPA and the relevant local authorities (KCDC and GWRC). All RMA applications for the project will be lodged for processing with the EPA at one time, including any designations or alterations to designations to accommodate any new local roads. It is anticipated that any applications for new local roads would be prepared by the NZTA in conjunction with KCDC as an Alliance partner, and the roads transferred to KCDC at a later stage.

In preparing the necessary applications the M2PP approvals team will work closely with the EPA (and other RoNS project teams to promote cross-boundary consistency with applications) prior to formal lodgement of the NoR and associated consents (refer Appendix 1 - Pre-lodgement process).

### 3.5 Obtain non-RMA approvals

The full nature and extent of additional approvals required under other legislation (eg Historic Places Act, Reserves Act) will be confirmed once a preferred project design option has been identified. In the interim, general authorisations are being sought under the Historic Places Act to undertake random geotechnical testing, and further authorities will be sought to undertake invasive testing of areas where the likely existence of archaeological sites is high. The M2PP approvals team has been in close liaison with the NZHPT concerning the authorisations currently being sought.

Once the extent of other approvals required has been confirmed, their associated investigative, effects assessment and consultation requirements will be aligned with the NoR and consents approval process to ensure consistency and reduce duplication across these processes.

### 3.6 Submit an outline plan

All the relevant detail relating to methods to manage identified environmental effects is unlikely to be fully known at either the time of lodging the NoR and resource consent applications, or at the time the project is heard before the Bol. To address this situation an outline plan will be subsequently prepared and submitted to KCDC for consideration once further detail regarding relevant aspects of the project is available.

Where sufficiently detailed and robust conditions to address identified project related effects are able to be formulated as part of the NoR, these will be included in the notice and a request made that they be waived from further consideration at the outline plan stage.

## 4. Process, time frames and responsibilities

### 4.1 Project time frame

The broad, indicative time frame associated with key components of the project is as follows:

PERIOD	MILESTONE
Mid-to late 2010	Option development and consultation.
Late 2010	Consultation on options.
Early 2011	Refinement of options.
Early to mid 2011	Consultation on preferred option.
By mid-2011	Preliminary design.
Mid to late 2011	Scheme Assessment Report. Preparation of statutory approvals. Engagement with EPA and peer review process. Ongoing engagement with stakeholders.
Late 2011 to early 2012	Lodgement with the EPA.
Mid 2012 to early 2013	Detail design.
Mid-late 2013	Construction starts.
Late 2016	Construction complete.

### 4.2 Consenting stages and time frame

The indicative staging and associated time frame of the consenting component of the project is as follows:

STAGE	DETAIL	TIME FRAME
Engagement with EPA, GWRC and KCDC	Early and regular engagement to determine expectations and to develop common understandings regarding process requirements and environmental assessment and proposed mitigation.	On-going
Options development	Analysis of consenting requirements during the development of options and preliminary design of the preferred option. Secure s.12 HPA authorisations for geotechnical testing. Undertake non-invasive testing for archaeological sites in the Takamore area. Prepare archaeological scoping report, including outline of assessment methodology and identification of proposed investigations. Engage with NZHPT to discuss archaeological authority issues and confirm consenting strategy. Secure s.18 HPA authorisations for archaeological site investigations and engage technical contractors. Identify additional non-RMA approvals required.	To Mar 2011

STAGE	DETAIL	TIME FRAME
Draft AEE reports	Prepare specialists reports alongside the preparation of the Scheme Assessment Report.  Undertake invasive archaeological site testing and use results to inform specialist archaeological report.	Mar-Sept 2011
Preparation of draft NoR, GWRC/KCDC consent and non-RMA applications.	Prepare NoR and GWRC/KCDC consent documentation.  Prepare s.11/s.12 HPA applications to authorise destruction, damage or modification of archaeological sites.  Prepare applications associated with any additional non-RMA approvals required.	July 2011 to lodgement date
Review of draft AEE reports by the EPA and NZTA	Review draft AEE reports to determine if the assessments can support the statutory process, to limit potential further information requests.	By Sept 2011
Finalisation of assessment reports	Finalise AEE reports further to reviews.	By Dec 2011
NZTA Approval	Approval of documentation by NZTA	By Dec 2011
Lodgement of NOR and consent applications with EPA	Lodge all documentation with the EPA.	By Jan 2012
Board of Inquiry	Hearing and determination of applications by Bol.	Feb - Nov 2012

In order that the project is ready for construction in mid-late 2013 the key consenting milestones are the target lodgement date, being late 2011 – first quarter 2012, and the target application decision issue date, being late 2012.

### 4.3 Responsibilities

The M2PP Approvals Team is responsible for implementing the consenting strategy and securing the necessary approvals required under the RMA. The following people are the team leads:

PERSONNEL	RESPONSIBILITY
Graham Spargo	Approvals Manager
Robert Schofield	Consents Manager
Jane Black	Consultation and Stakeholder Manager

The roles and responsibilities of the leads and wider team members are set out in Appendix 2.

Within the context of the M2PP Alliance project delivery model the NZTA has overall financial responsibility for the project. As such the agency's roles and responsibilities are centred on such matters as overall project oversight, ensuring consistency and coordination between the Wellington Northern Corridor RoNS projects and internal/Board approval of key project and statutory documentation.

## Appendix 1 – Pre-lodgement process

### NZTA Discussion paper: Pre-lodgement ‘completeness check’ process for Wellington Northern Corridor road of national significance

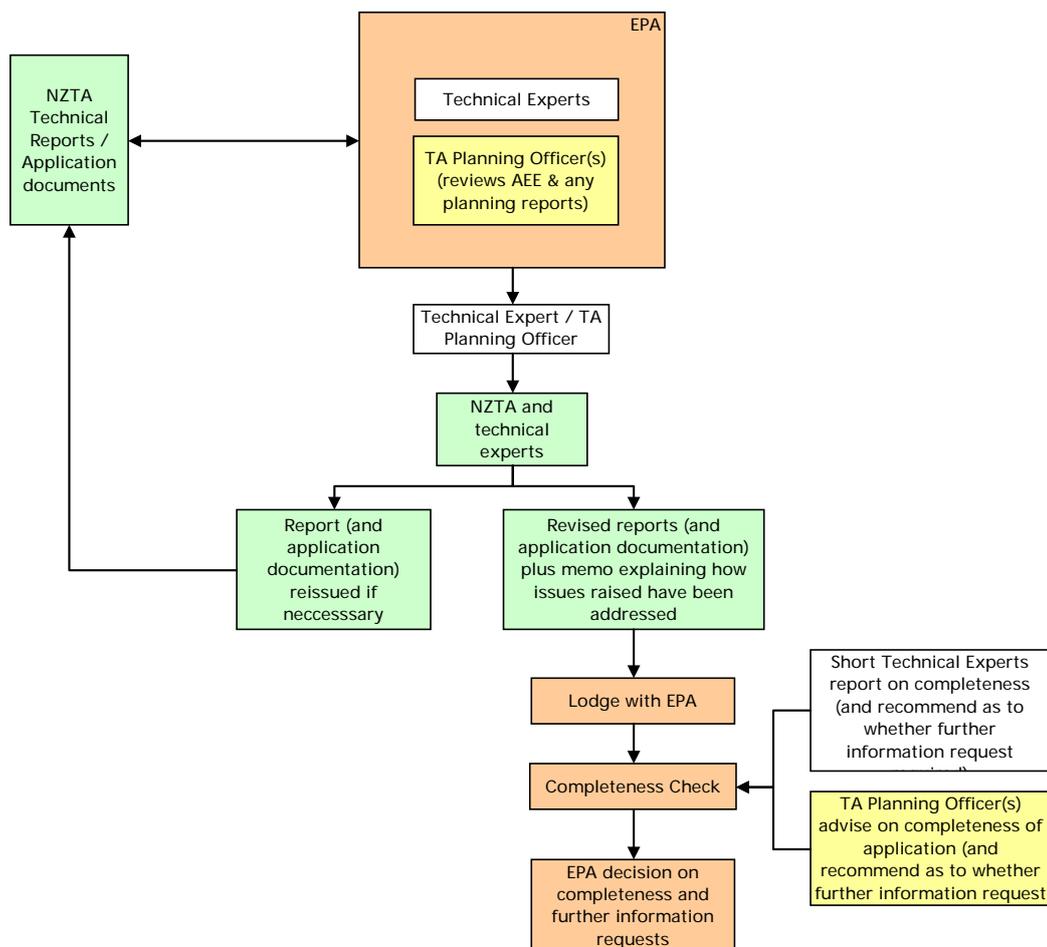
In advance of developing and agreeing a protocol between the NZTA and the EPA, this note proposes a process for handling the pre-lodgement process in the Wellington Northern Corridor.

This process relates to the immediate lead up to the lodgement. Whilst the scope of the protocol has yet to be determined, in our view the protocol will provide principles in respect of the overall national consenting process including when discussions and liaison will commence. The protocol will aim for a no surprises approach.

The process described below does not specify time frames and these will need to be discussed in advance in respect of each project. Those advance discussions will for example include the NZTA advising on the scope of project and the assessments likely to be undertaken, which will in turn will inform the number of technical experts likely to be required to undertake peer review work.

### Pre-lodgement process

The NZTA propose a pre-lodgement process, as follows:



The particulars of the proposed process shown in the diagram above are, as follows:

- Independent peer review consultants and TA planning officers are contracted to the EPA as consultants.

- The NZTA 'agree' the broad scope of the role of the EPA consultants with EPA. The EPA may choose to allow council(s) to comment on the scope. Issues would include whether the scope includes:
  - Section 88 RMA: providing a view as to whether or not enough information has been provided for a consent application to pass the section 88 RMA test.
  - Further information: advising on other things they can look at for the purpose of advising whether or not the EPA should make any requests for further information (section 149).
  - Advising on the merits of the applications.

Reviewers will need to specify clearly which category a concern/issue they are raising falls into.

The precise detail of the scope to be is to be prepared by the EPA. The broad scope can form the basis for all NZTA/EPA applications, notwithstanding the ability for these to be reviewed to reflect local circumstances or differences in types of effects assessment required.

- The NZTA technical reports and draft AEE shall be issued to consultants and then their review of them shall be supplied simultaneously to the EPA and the NZTA. IPENZ protocols should be applied, ie reviewers should not finalise their work until they have discussed their findings with the report authors.
- The NZTA shall advise how they have addressed issues (or not) and supply this information (plus an amended report and AEE) to the EPA and its consultant. If there is sufficient time to do so, the consultant to respond if concerns have been resolved or not. [Note this step will only work if EPA consultants provide timely advice.]

Separately the NZTA intends to meet with Council planners on a regular basis to discuss project and issues raised during the review process. The EPA shall attend meetings in order to advise on programme and any process matters.

This alternative process is being proposed because of the inefficiencies contained in the current process for the Transmission Gully Project. Advantages of the proposed process are considered to include, the following:

#### **For TA's**

- Reduces the burden and exposure of TA's to technical consenting matters.
- Facilitates independent verification process of technical matters.
- Allows TA's to more independently make submissions on applications, including instructing any experts that they consider that they need to do so. This is because TA's will not be bound by the findings of the peer reviewers.

#### **For EPA**

- Control over the purpose of the pre-lodgement process.
- Clear role and relationship with TA planners, technical reviewers and with the applicant.
- Continuity of expert advice over pre-lodgement and Bol process.

#### **For the NZTA**

- Clear communication and interaction with EPA experts.
- More precise time frames and certainty of technical merits of projects.
- Clarity regarding the TA's role and the peer reviewers role which means that basis for discussions with TAs is better understood.

## Appendix 2 - Approvals team roles and responsibilities

### MacKays to Peka Peka Expressway

PERSON (BID NAMED = *)	ROLE
Graham Spargo*	<ul style="list-style-type: none"> <li>▪ Oversight and direction for approvals processes</li> <li>▪ AMT participation</li> <li>▪ External facing relationship management</li> <li>▪ Management of project alignment with adjoining RoNS</li> <li>▪ EPA process advice and relationship management</li> <li>▪ Quality assurance for overall approvals strategy and tactics</li> <li>▪ Technical input to Expressway options selection</li> <li>▪ Fostering coordination with the design and construction teams</li> <li>▪ Direction and quality assurance for development of Scheme Assessment Report (SAR), AEE and NoR</li> <li>▪ Oversight of approvals budget and progress and reporting to APM</li> <li>▪ Expert evidence at Bol as required</li> <li>▪ Media interaction on factual matters</li> </ul>
Robert Schofield*	<ul style="list-style-type: none"> <li>▪ Consents strategy and process oversight and direction</li> <li>▪ AMT participation</li> <li>▪ Technical liaison for approvals processes</li> <li>▪ EPA interface and process management</li> <li>▪ Quality assurance for consenting and designation processes</li> <li>▪ Technical leadership for consenting matters</li> <li>▪ Technical input to Expressway options selection</li> <li>▪ Lead role in alternative options assessment</li> <li>▪ Oversee document development for SAR, AEE and NoR</li> <li>▪ Budget and progress reporting to Approvals Manager</li> <li>▪ Expert evidence at Bol as required</li> <li>▪ Media interaction on factual matters</li> </ul>
Louise Miles*	<ul style="list-style-type: none"> <li>▪ Technical leadership for NoR and related processes.</li> <li>▪ Budget and progress reporting to Consents Manager</li> <li>▪ Technical expertise and advice on obtaining approvals</li> <li>▪ Quality assurance on application materials</li> <li>▪ Expert evidence at Bol as required</li> </ul>
Marc Baily*	<ul style="list-style-type: none"> <li>▪ Oversight, direction and technical leadership for urban design and landscape</li> <li>▪ Technical input to Expressway options selection</li> <li>▪ Budget and progress reporting to Consents Manager</li> <li>▪ Expert evidence at Bol as required</li> </ul>

PERSON (BID NAMED = *)	ROLE
Jane Black*	<ul style="list-style-type: none"> <li>▪ Stakeholder engagement and consultation oversight and direction</li> <li>▪ AMT participation</li> <li>▪ Stakeholder processes, planning and delivery</li> <li>▪ Submission feedback analysis and reporting</li> <li>▪ Budget and progress reporting to Approvals Manager</li> <li>▪ Expert evidence at Bol as required</li> <li>▪ Media interaction on factual matters</li> </ul>
Anna Lewis*	<ul style="list-style-type: none"> <li>▪ Specification and management of technical specialist contracts</li> <li>▪ Budget and progress reporting to Approvals Manager</li> <li>▪ Regional consents</li> <li>▪ EPA technical process support</li> <li>▪ Document development for SAR, AEE and NoR</li> <li>▪ Support for stakeholder processes as required.</li> </ul>
Amos Kamo	<ul style="list-style-type: none"> <li>▪ Iwi liaison and relationship facilitation</li> <li>▪ Technical input to Expressway options selection</li> <li>▪ Advice and interventions to progress the Alliance objectives</li> <li>▪ RMA evaluation work for RMA approvals applications.</li> <li>▪ Expert evidence at Bol as required</li> </ul>
Greg Vossler	<ul style="list-style-type: none"> <li>▪ Technical and policy input to development of approvals document and processes as required.</li> <li>▪ MfE and CG related process advice and networking.</li> <li>▪ EPA technical process support</li> <li>▪ Submission feedback analysis and reporting</li> <li>▪ Document development support for SAR, AEE and NoR</li> </ul>
Susan Jones	<ul style="list-style-type: none"> <li>▪ Technical and policy input to development of approvals document and processes as required.</li> <li>▪ Darzin database oversight and day to day management</li> <li>▪ Support for stakeholder processes as required.</li> <li>▪ Submission feedback analysis and reporting</li> <li>▪ Document development for SAR, AEE and NoR</li> </ul>
Natasha Wilson	<ul style="list-style-type: none"> <li>▪ Technical and policy input to development of approvals document and processes as required.</li> <li>▪ Regional consents advice and technical documentation.</li> <li>▪ Submission feedback analysis and reporting</li> <li>▪ Document development for SAR, AEE and NoR</li> <li>▪ Support for stakeholder processes as required.</li> </ul>
Alex Rielly	<ul style="list-style-type: none"> <li>▪ Technical and policy input to development of approvals document and processes as required.</li> <li>▪ Darzin database and day to day management</li> <li>▪ Support for stakeholder processes as required.</li> <li>▪ Submission feedback analysis and reporting</li> <li>▪ Document development for SAR, AEE and NoR</li> </ul>

## Our contact details

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