

Before a Board of Inquiry
MacKays to Peka Peka Expressway Proposal

under: the Resource Management Act 1991

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

applicant: **NZ Transport Agency**
Requiring Authority

Statement of evidence of **Roderick James** (Regional State Highway Manager) on behalf of the NZ Transport Agency

Dated: 7 September 2012

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STATEMENT OF EVIDENCE OF RODERICK JAMES ON BEHALF OF THE NZ TRANSPORT AGENCY

QUALIFICATIONS AND EXPERIENCE

- 1 My full name is Roderick Samuel James.
- 2 I am the NZ Transport Agency's (NZTA) Regional State Highway Manager for the Wellington Region.
- 3 I have overall responsibility for management of the State highway network within the Wellington, Nelson, Tasman and Marlborough local government regions. This responsibility includes the operation, maintenance and improvement of the State highway network, together with a liaison role with local authorities relating to the operation of the local roading network over that area.
- 4 A key part of my role is delivering the Wellington Northern Corridor Road of National Significance (*RoNS*), of which the MacKays to Peka Peka Expressway Proposal (*the Project*) is part.
- 5 I hold a Bachelor of Engineering (Civil) (Hons) from the University of Glamorgan, conferred in 1990 and a Masters in Business Administration from Massey University with specialist studies in tolling business models and Public Private Partnerships. Prior to joining the NZTA, I was the New Zealand director of Hyder Consulting – a civil engineering company. I am a member of the Institution of Professional Engineers New Zealand and I am a Chartered Professional Engineer (CPEng). I was president of the Intelligent Transport System New Zealand from 2004 to 2010 and a Board Member of the Intelligent Transport System Asia Pacific from 2005 – 2010.
- 6 My work experience over the past 15 years includes management and direction of major projects, including the planning and delivery of:
 - 6.1 Transmission Gully to date through the Board of Inquiry process for designations and resource consents;
 - 6.2 Tauranga Eastern Link through the toll consultation process, funding and contract award;
 - 6.3 Wellington Inner-City Bypass - management through consents, Scheme Assessment Report, Environment Court and funding application stages;

- 6.4 Wellington ATMS¹ - management of development and delivery of first Wellington ATMS;
 - 6.5 Butetown Link (Cardiff UK) - management of transport operations and public partnering program GBP250M bridge and tunnel project through an inner city environment;
 - 6.6 Sydney Cross City Tunnel - management of independent verification of systems design and implementation;
 - 6.7 Millennium Stadium Cardiff - management of all transportation related elements; and
 - 6.8 Waikato Expressway economics and Waikato Inter-regional transport study.
- 7 On 20 April 2012, NZTA lodged a Notice of Requirement (*NoR*) and applications for resource consent with the Environmental Protection Authority (*EPA*) for the construction, maintenance and operation of the Project.
- 8 I am familiar with the area that the Project covers and in particular the State highway and local roading network in the vicinity of the Project.
- 9 I am authorised to give this evidence on behalf of the NZTA.

SCOPE OF EVIDENCE

- 10 My evidence deals with the following:
- 10.1 The NZTA's statutory objectives and functions nationally;
 - 10.2 How the Wellington RoNS projects fit within the regional State highway network;
 - 10.3 Consideration of alternatives;
 - 10.4 Benefits of the Project;
 - 10.5 Relationship of the Project to other Wellington RoNS Projects;
 - 10.6 Response to submissions; and
 - 10.7 Conclusions.

¹ Advanced traffic management system.

EXECUTIVE SUMMARY

- 11 My evidence explains how the Project fits in with the NZTA's statutory role and function, and hence how the Project forms part of the Wellington RoNS, which is one of seven RoNS in New Zealand. The RoNS form a critical intended means for delivery of the Government's objectives under the Government Policy Statement on Land Transport Funding (*GPS*) to increase economic productivity and growth. Accordingly, the Project forms part of the delivery of this objective.
- 12 My evidence explains the Wellington RoNS and how it will lead to a significantly improved State Highway 1 (*SH1*). I explain how the MacKays to Peka Peka Expressway fits into the overall RoNS project, which in itself, due to its scale, is being delivered through a number of connected projects over the next 10 years. The Wellington RoNS will entail an investment of more than \$2 billion.
- 13 My evidence sets out the objectives of the Project and explains that it has been subject to substantial investigation and public consultation processes. The National Land Transport Fund (*NLTF*) provides funding for the National Land Transport Programme (*NLTP*). The current NLTP runs from July 2012 to June 2015. Early construction funding for the Project has been committed in the 2012/2013 financial year, with the remainder of the construction funding signalled as "probable" in the 2013/14 financial year and beyond. I have reviewed the submissions which are relevant to my evidence and I have responded to these submissions below.

THE NZTA'S STATUTORY ROLE AND FUNCTIONS

- 14 The NZTA was established on 1 August 2008 and is the statutory body charged with operating the State highway network under the Land Transport Management Act 2003 (*LTMA*). The NZTA is also approved as a Requiring Authority under section 167 of the Resource Management Act 1991 (*RMA*).
- 15 **Mr Andrew Quinn** in his evidence explains how an alliance procurement model is being used for the planning and construction of the Project. Of course, everything the Project Alliance does is done for and on behalf of the NZTA, which has and will continue to have responsibility for all aspect of the Project. As part of my responsibility for managing the overall development of the Wellington RoNS, I am responsible for ensuring that all work in relation to the Project is undertaken in accordance with the NZTA's Statement of Intent, standards and specifications, and that the NZTA is working appropriately with local and regional authorities. Thus, I meet regularly with the chief executives and managers of Kāpiti Coast District Council (*KCDC*) and Greater Wellington Regional

Council (GWRC) to address any strategic relationship and Project issues.

- 16 In my role as one of two NZTA representatives on the Project Alliance Board (PAB) I also meet regularly with the Chief Executive of KDCDC, Mr Pat Dougherty, and other senior members of the Alliance.

Land Transport Management Act 2003

- 17 The NZTA's statutory objective is to "... undertake its functions in a way that contributes to an affordable, integrated, safe, responsive, and sustainable land transport system."²

- 18 The NZTA's statutory functions encompass those of its predecessors, Land Transport New Zealand and Transit New Zealand (*Transit*) . The functions of the NZTA are defined in section 95(1) of the LTMA. Of relevance to this Project, the functions of the NZTA include:

"(a) to promote an affordable, integrated, safe, responsive, and sustainable land transport system"

"(c) to manage the State highway system, including planning, funding, design, supervision, construction, and maintenance and operations, in accordance with this Act and the Government Roading Powers Act 1989..."

"(e) "to manage funding of the land transport system, including (but not limited to)—
 (i) administration of land transport revenue and regional fuel taxes; and
 (ii) auditing the performance of approved organisations in relation to activities approved by the Agency and the operation of the land transport disbursement accounts of approved organisations..."

- 19 In meeting its objective and undertaking these functions, the NZTA is required by the LTMA to exhibit social and environmental responsibility. That includes avoiding, to the extent reasonable in the circumstances, adverse effects on the environment, and using revenue in a way that seeks value for money.³

² Section 94, LTMA.

³ Section 96, LTMA.

Government Policy Statement

- 20 The LTMA requires the Minister of Transport to issue a GPS every 3 financial years.⁴ The GPS enables the Minister of Transport to guide the NZTA and the land transport sector on the outcomes and objectives and the short to medium term goals that the Government wishes to achieve through the NLTP and from the allocation of the NLTF.⁵
- 21 The LTMA provides that the NZTA must give effect to the GPS when carrying out its planning functions, including in preparing a NLTP.⁶

The Roads of National Significance

- 22 The GPS 2009/10 – 2018/19 (*2009 GPS*) was published in May 2009.⁷ It identifies the Government’s goal for an initial seven RoNS.⁸
- 23 The current GPS 2012/13 – 2021/22 (*2012 GPS*) continues to list the seven RoNS⁹ and confirms that the RoNS are a critical part of the Government’s economic growth and productivity priority and a significant part of the National Infrastructure Plan.¹⁰
- 24 The 2009 GPS describes the RoNS as seven of New Zealand’s most essential routes that require significant development to reduce congestion, improve safety and support economic growth. The 2009 GPS states that:¹¹

“The purpose of listing roads as nationally significant is to ensure these priority roading developments are taken fully into account when the NZTA develops the National Land Transport Programme.

Planning for the future development of the land transport network should reflect the importance of these roads from a national perspective and the need to advance them quickly.”

⁴ Sections 84 and 86, LTMA.

⁵ Section 84, LTMA.

⁶ In accordance with section 89(1) of the LTMA, the NZTA must give effect to the GPS when performing its functions under subpart 1 of Part 2 of the LTMA in respect of land transport planning and funding.

⁷ On 26 July 2011 the Minister of Transport announced the release of the Government Policy Statement on Land Transport Funding 2012/13 – 2021/22. This will come into force on 1 July 2012. Until then, the current GPS remains in force.

⁸ At paragraphs 21 to 24 of the 2009 GPS.

⁹ At paragraph 26 of the 2012 GPS.

¹⁰ Paragraph 25 of the 2012 GPS.

¹¹ At paragraphs 22 to 23 of the 2009 GPS.

- 25 The Wellington Northern Corridor (Wellington Airport to Levin) – SH1 is one of the seven RoNS listed in the 2009 GPS. The NZTA has a programme of projects planned which relate to the improvement of this corridor. The development of the MacKays to Peka Peka Expressway is a key component of this.
- 26 The following figure shows the location of the projects included in the Wellington RoNS (of which the Project is one segment):

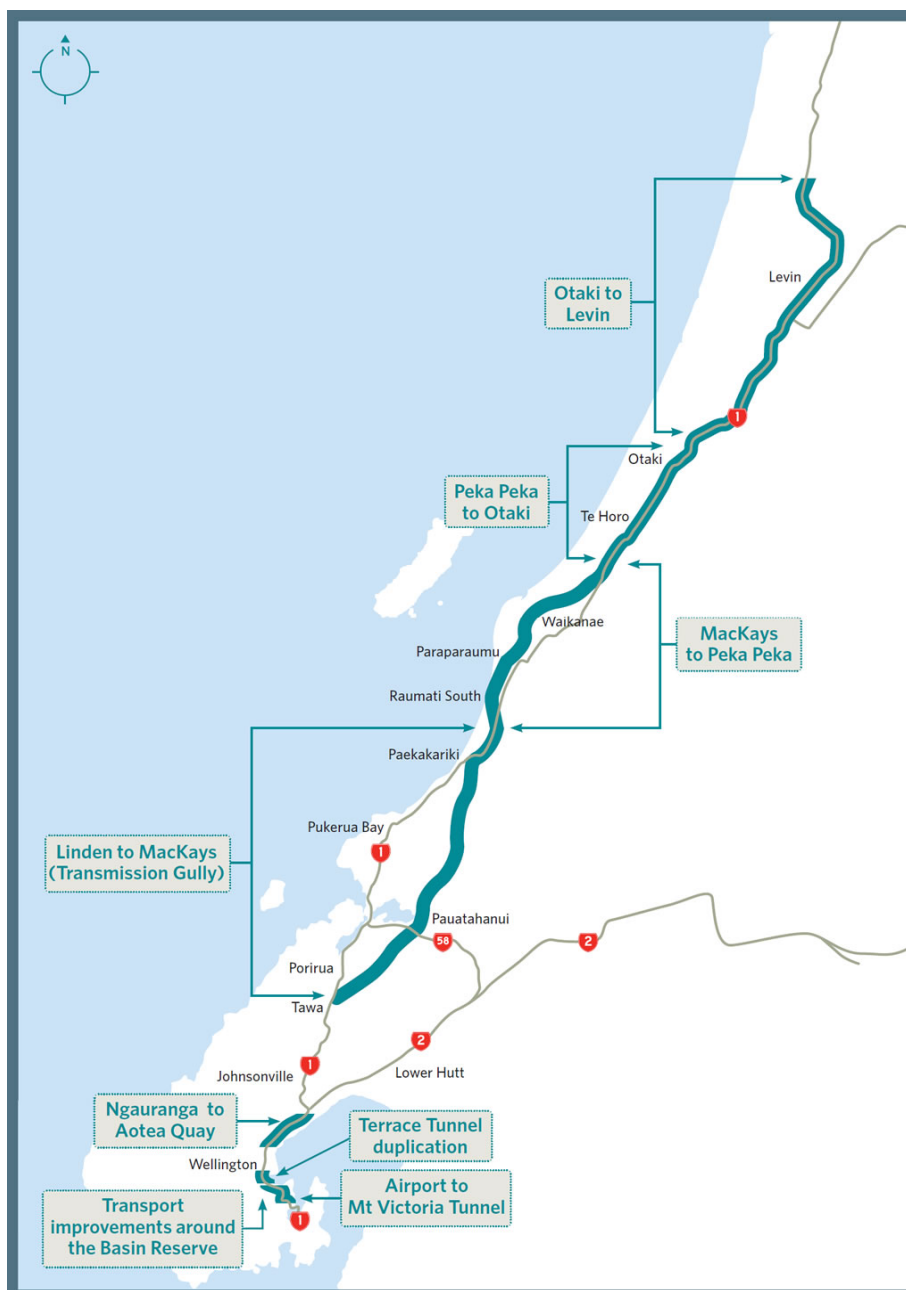


Figure 1 – The Wellington RoNS projects

- 27 Also of relevance to the RoNS and to the Project, the 2009 GPS notes the following:¹²

"Well-targeted land transport investment will keep people in employment, improve productivity, and lay the groundwork for robust economic growth in the future.

Investing in the State Highway network is important as there are significant constraints on its current capacity to efficiently move freight and people, leading to congestion in New Zealand's major cities. Unless investment in State Highways is addressed, congestion will continue to negatively impact on economic growth and productivity. Investment in State Highways will also make some of our busiest roads safer."

- 28 The 2012 GPS¹³ explains that the State highway network is key to the efficient movement of people and freight, is essential to the tourism sector, and provides critical economic links for New Zealand businesses. The GPS places particular importance on investing in the network (including RoNS) and goes on to explain that the RoNS programme is designed to address the major issues of high volumes of traffic in our major centres.
- 29 The 2012 GPS describes the RoNS as being important for addressing the needs of our key supply chains, as they will ease the most significant pressure points in the national network, by reducing congestion, improving safety and linking our major sea and air ports more effectively into the State highway network.¹⁴
- 30 Also of relevance to the RoNS and to the Project, the 2012 GPS notes the following:¹⁵

"This GPS continues and reinforces the focus on increasing economic growth and productivity as the primary objective for land transport expenditure. The expectation is that land transport funding will be directed into high quality projects and activities that will support improved productivity and economic growth, particularly in the export sector."

National Land Transport Programme

- 31 The NLTP sets out the NZTA's planned land transport investments, including for New Zealand's State highways, over the next three

¹² At paragraphs 28 and 29 of the 2009 GPS.

¹³ At paragraphs 21 to 24 of the 2012 GPS.

¹⁴ Ibid.

¹⁵ At paragraph 20 of the 2012 GPS.

years. Activities are not eligible for funding from the NLTF unless they are included in the NLTP.¹⁶

- 32 The current NLTP, which outlines the NZTA's investment programme between 2012 and 2015, gives effect to the GPS by setting out activities proposed for funding over that three year period. The previous NLTP (2009,2012) identified that the Government considers that the RoNS projects are New Zealand's "most essential" routes requiring significant investment.¹⁷ One of the priorities is planning for and delivering the RoNS:

"The NZTA's Investment and Revenue Strategy (IRS) communicates the NZTA Board's investment intentions. It's a high-level direction-setting and prioritisation tool that helps the NZTA to balance competing priorities and select the best possible mix of activities for funding – all with the goal of advancing progress against the objectives of the Land Transport Management Act 2003 (LTMA) and the Government policy statement on land transport funding 2009/10 – 2018/19 (GPS).

The Investment and Revenue Strategy aims to ensure that the NLTP gives effect to the GPS in the short to medium term and, in the long term, that the NZTA's investment decisions and business priorities are aligned with the outcomes and impacts specified in:

- *the LTMA;*
- *the NZTA's five strategic priorities, which are to: improve customer service and reduce compliance costs, improve road safety, freight efficiency and public transport effectiveness, and plan for and deliver roads of national significance."*¹⁸

- 33 The importance of, and priority for, the Wellington RoNS projects is succinctly outlined in the NLTP's Wellington Regional Summary, as follows:¹⁹

"In Wellington, the entire length of SH1 between Levin and Wellington Airport has been identified as a RoNS because of the need to provide a quality link to service Wellington, the Kapiti Coast, Levin, Palmerston North and the wider lower

¹⁶ Pursuant to section 20 of the LTMA, the NZTA may approve an activity or combination of activities as qualifying for payments from the NLTF. However, the NZTA must be satisfied that the activity is included in the NLTP to be eligible for funding.

¹⁷ Page 12, 2009-2012 NLTP.

¹⁸ Page 6, 2009-2012 NLTP.

¹⁹ Page 7, 2009-2012 NLTP Wellington Regional Summary.

North Island. Currently this route is regularly congested and has a relatively poor safety record, which inhibits the flows of people and freight and restricts economic growth.

The Wellington RoNS development will be scheduled in segments and progressed with different timeframes in the next 10 years. In the 2009–2012 NLTP most of the RoNS improvement programme will focus on detailed investigations into key projects that will improve efficiency and reduce congestion on SH1. This will enable construction phases to be appropriately staged, and ensure most improvements can be completed within 10 years.

To ensure the full benefits of the RoNS are realised, the NZTA will work closely with local authorities and other agencies to integrate the programme with local road improvements and other transport connections.”

THE WELLINGTON RONS PROJECT WITHIN THE REGIONAL STATE HIGHWAY NETWORK

The Wellington regional strategic network

- 34 The Wellington Region’s strategic transportation network is structured around two key corridors:
- 34.1 A western corridor, comprising SH1 and the North Island Main Trunk rail line, running along the western coastline of the region; and
 - 34.2 An eastern corridor, comprising State Highway 2 (SH2) and the Wairarapa rail line extending north east from Wellington City, through the Hutt Valley and into the Wairarapa.
- 35 The State highway components of these corridors are connected by State Highway 58 (SH58), which runs between the Hutt Valley and Porirua. At the Ngauranga Interchange, SH2 merges into SH1, which continues through Wellington to Wellington International Airport.
- 36 As Figure 1 shows, the Wellington RoNS projects focus on the SH1 corridor between Wellington International Airport and north of Levin. That is in recognition of the strategic importance of this section of SH1 both nationally and regionally. It is of course the primary route into and out of Wellington (the capital city and third largest economic centre) from the rest of the North Island. In addition, it provides connection with inter-island ferries, and carries a significant volume of inter-island traffic.

- 37 The NZTA has a system of classification of State highways, and SH1 is classified²⁰ as “National Strategic” in that classification system. For a State highway to be classified as a “National Strategic” route, it is required to meet threshold levels for at least three of seven specified functional criteria. To be classified in the high volume subset of “National Strategic” routes, a highway section must also meet one of two higher threshold levels for traffic volumes.
- 38 The Wellington segment of SH1 meets the threshold levels for six of the seven criteria, including both of the higher threshold levels for traffic volumes. Accordingly, it easily meets the conditions required in order to be classified in the high volume subset of “National Strategic” routes. The relevant criteria thresholds that SH1 (and therefore the Wellington RoNS) meets are:
- 38.1 Freight traffic volumes (more than 1,200 heavy commercial vehicles per day);
 - 38.2 Annual average daily traffic (more than 35,000 vehicles per day) (along part of the route);
 - 38.3 Centres of population (major city: more than 100,000);
 - 38.4 Port access for freight (more than 2 million tonnes or more than \$3 billion annually in value);
 - 38.5 Airport access for passengers (more than 3 million passengers annually); and
 - 38.6 International tourist flows (more than 60,000 travellers on route annually).

The Wellington Northern Corridor (Levin to Wellington) – State Highway 1

- 39 The Wellington Northern Corridor (Levin to Wellington) – SH 1 (*Wellington Northern Corridor*) upgrade extends from Wellington Airport to approximately 10km north of Levin, over a total length of approximately 110km.
- 40 The Wellington RoNS will provide a vastly improved SH 1 between Wellington Airport and Levin and is to be delivered in sections. The NZTA considers that to achieve the stated objectives of the Wellington Northern Corridor upgrade and where traffic volumes dictate, the standard of the upgrade will generally²¹ result in a

²⁰ NZTA, State Highway Classification, June 2011.

²¹ The Otaki to Levin section of the SH1 Wellington Northern Corridor RoNS will see a staged upgrade, beginning with a series of safety improvements between Otaki and SH57 while also providing for a staged development to a higher standard highway as demand increases over time.

median divided, dual carriageway with grade separation at interchanges. In this way improved levels of safety and traffic flow will deliver a range of regional and national benefits by improving the flow of people, goods and services.

- 41 The objectives²² of the Wellington Northern Corridor upgrade are:
- 41.1 To enhance inter-regional and national economic growth and productivity, by supporting a growing population and increasing freight volumes in the region;
 - 41.2 To improve access to Wellington's central business district, key industrial and employment centres, port, airport and hospital;
 - 41.3 To provide relief from severe congestion on the State highway and local road networks;
 - 41.4 To improve the journey time reliability of travel on the section of SH1 between Levin and Wellington Airport; and
 - 41.5 To improve the safety of travel on State highways.
- 42 The Wellington Northern Corridor is one of the largest construction programmes in New Zealand and will entail a very considerable investment (over \$2 billion for its combined sections) over the next 10 years (on current programme). It entails both the construction of new roads and works to parts of the existing State highway within different environments and urban contexts, across six local authority boundaries and within two regions.
- 43 In order to deliver the benefits of the upgrade as quickly as possible within the constraints of the funding envelope, it has been necessary to split the Wellington Northern Corridor into smaller sections²³ for delivery.
- 44 A number of these sections, once complete, will bypass the existing SH 1 which will likely become part of the local road network, subject to consultation with any affected relevant regional council(s), territorial authorities and Māori and subject to the approval of the Chief Executive of the Ministry of Transport. The chosen alignment for this project has been selected carefully following an assessment of alternatives and options over a long period of time.

²² Wellington Northern Corridor Project Summary Statement, 21 December 2009, page 4.

²³ As shown on Figure 1.

NEED FOR AND OBJECTIVES OF THE PROJECT

Historical context

- 45 The MacKays to Peka Peka Expressway Project follows some 50 years of consideration and planning of how best to provide a safe, efficient, long-term route through the Kāpiti District which is one of the fastest growing parts of the Wellington Region.
- 46 Since the 1950s, there has been a plan for a proposed road of some description along the route of the Project.
- 47 The middle-line proclamation was first issued in 1956 under the Public Works Act 1928. This was for a motorway between Wellington and Foxton.
- 48 The route was included as a motorway designation on the Hutt County Council District plans, as a precursor to the designation being included on the Kapiti Borough Council District Scheme, and known subsequently as the "Sandhills route" (because it follows a line of sand dunes created by the prevailing wind). The legal protection for the route has been modified over a number of years to reflect evolving thinking about safe and efficient highway design and management.
- 49 From 1965 until 1994, the National Roads Board, and then its successor agency Transit, held a designation for a "limited access road, being a future by-pass of Paraparaumu" in the relevant District Scheme or Plan.
- 50 Between 1995 and 1998, discussions took place between Transit and KCDC over the responsibility for the road as a "four-lane highway designed to rural state highway standards". This followed KCDC's publication of the "Kāpiti Coast Roding Network Study" in 1995.
- 51 Transit and KCDC reached agreement on funding for the first stage i.e. between Waikanae and Raumati and in 1998 KCDC issued a Notice of Requirement for what was termed the "Western Link Road". This was planned to be a local arterial to be constructed in three stages and following the designated motorway route. The central section, from Raumati to Waikanae, was four lanes.
- 52 Following various appeals, including an appeal to the High Court, the designation for the "Western Link Road" was confirmed by the Environment Court in 2006.
- 53 In 2008, KCDC commissioned urban design consultant Common Ground Studio to provide an alternative design for the Western Link Road. Following this, KCDC decided to limit the road to two lanes. I

note that construction funding was never sought by the KCDC or approved by the NZTA for the Western Link Road in this form. This is discussed further by **Mr Craig Nicholson**.

- 54 In 2009, as stated earlier, the Government released the GPS identifying the Wellington Northern Corridor (Levin to Wellington) section of State Highway 1 as a Road of National Significance.
- 55 In August 2009, the NZTA began consultation on two options for the long term future of SH1 between MacKays Crossing and Peka Peka and one option between Peka Peka and Otaki, forming part of the Wellington Northern Corridor.
- 56 The community consultation was extended to October 2009 to include a third option between MacKays Crossing and Peka Peka following community feedback on the options originally presented. The three options were:
- 56.1 Western Option: SH1 Expressway avoiding Waikanae town centre, with local supporting roads;
- 56.2 Eastern Option: SH1 Expressway following the existing rail corridor, with local supporting roads; and
- 56.3 Western Link Road (WLR) (Sandhills) option: SH1 Expressway generally following the WLR corridor.
- 57 Following feedback from the community on the three options presented, the NZTA Board met between 8 and 11 December 2009. The NZTA Board also received various briefing papers containing assessments and comparisons between the three options and on 11 December 2009 agreed:²⁴
- "The Sandhills route is the preferred Corridor for the SH1 Expressway through Kāpiti, subject to further alignment development within the corridor including more detailed assessment of effects and further community consultation."*
- 58 The reasons for the NZTA Board selection of the WLR corridor were that, when compared with the other route options, it:
- 58.1 Would have the least impact on properties, least population displacement, and the fewest properties required;
- 58.2 Would be the least cost option to construct (an estimated 25-30% lower than the other options);

²⁴ Minutes of the NZTA Board Meeting 11 December 2009, Minute 1C.

58.3 Could be constructed within the shortest period, with least disruption to local communities; and

58.4 Had the greatest proportion of local community support.

59 The Western Option was not chosen because it offered fewer compelling benefits when compared to the other two options. The Eastern Option was not chosen because the NZTA Board considered that the benefits it would yield did not outweigh the greater cost and land requirement compared with the WLR option.

60 In April 2010, the NZTA appointed the Fletcher/Beca/Higgins consortium to work with it to progress the MacKays to Peka Peka Expressway project under a collaborative form of contract (an *Alliance*).

61 In September 2010, KCDC agreed to join the Alliance team with representation on the PAB and at management level.

62 Between May 2010 to July 2011, the Alliance project team completed a technical investigation and assessment of options, informed by community consultation. Following this, between July 2011 and April 2012, the team completed an Assessment of Environmental Effects (AEE) which was lodged with notice of requirement and resource consent application which is currently before the Board of Inquiry.

Needs giving rise to the Project

63 Part A of Volume 2 of the AEE describes the need for the Project, at section 2.4.²⁵

64 As is described there, the "*existing SH 1 [through the Kāpiti District] faces a number of issues, including safety concerns, congestion problems and inefficient journeys for both local and State Highway traffic*". In particular:

64.1 Road Safety – the current SH 1 geometry is sub-standard with out-of-context curves and an inconsistent speed environment. Combined with the multiplicity of intersections and accesses, this contributes to its poor crash history and a high incidence of injury accidents;

64.2 It has to cope with a duality of arterial and local travel purposes, often operates beyond its design capacity, is prone to congestion at peak times, and these issues (together with its vulnerability to road "incident" disruptions) contribute to an experience of unreliable journey times impacting freight, commuter and other movements; and

²⁵ At pages 33 - 34.

64.3 It has significant route security vulnerability, including in the fact that it provides the only crossing of the Waikanae River.

- 65 Current significant operational pressures and safety risks are anticipated to worsen, without an effective upgrade. In particular, growing demands include the relatively high rate of population growth in the Kāpiti area and forecasted increasing road-based freight movements.
- 66 The current deficiencies in this section of SH1 do not simply impact nationally and regionally. The lack of an effective parallel local road network between MacKays Crossing and Peka Peka means that worsening safety, congestion, journey reliability and route security issues also are increasing impacting the local community.

Project Objectives

- 67 Part A of Volume 2 of the AEE sets out the Project Objectives, at section 2.6.²⁶ These can be seen to reflect the various needs giving rise to the Project, and are:

"• To:

- *enhance inter-regional and national economic growth and productivity;*
- *enhance efficiency and journey time reliability from, to and through the Kāpiti 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 Kāpiti 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 Kāpiti Coast District and its communities by so far as practicable avoiding, remedying or mitigating any such*

²⁶ At page 36.

effects through route and alignment selection, expressway design and conditions.

- *To integrate the expressway into the urban form of Kāpiti Coast District by taking into account current and future planned settlement patterns in route and alignment selection and expressway design and conditions.”*

CONSIDERATION OF ALTERNATIVES

- 68 The AEE summarises the consideration which the NZTA, as requiring authority, has given to alternative sites, routes and methods of undertaking the work proposed.²⁷ These matters are also covered in the evidence of **Dr James Bentley** and **Mr Robert Schofield**.
- 69 My evidence earlier summarises the more than 50 years of transport planning history addressing the matter of the appropriate form of and location for the SH1 strategic highway route through this section of the Kāpiti Coast District.
- 70 Strategic studies and investigations have varied as to their conclusions on the best solution for moving traffic through the Kāpiti Coast District. Evolving design assumptions for safety, efficiency, cost and other factors have seen various options considered. These have ranged from a four-lane motorway (broadly following the ‘Sandhills corridor’ being used by the Project), to, most recently, a lesser standard upgrade of the current SH1 augmented by a single lane local arterial road (known as the Western Link Road), which was considered until the Project was identified as part of the Wellington RoNS.
- 71 On the other hand, that history also shows a strong degree of consistency in identifying the importance of separating local and strategic arterial flows, to best meet national, regional and district needs for a State Highway. It also shows strong consistency in having the chosen corridor as a road corridor (predominately concluding that this corridor was the appropriate one for SH1).

RELATIONSHIP OF THE PROJECT TO OTHER WELLINGTON RONS PROJECTS

- 72 As noted above, the Wellington Northern Corridor RoNS has been split into smaller ‘projects’ of which the Project is one, so that NZTA can more effectively manage their investigation, design and construction. Each ‘project’ is stand-alone, and provides local and regional benefits, but has been planned as part of the wider corridor

²⁷ AEE, Volume 2, folder 1 of 2, Chapter 9, pages 236 – 256, folder 2 of 2, Chapter 11, page 217.

in terms of overall delivery, standards, timing and integration with the local roading network and commercial development.

Transmission Gully Motorway

- 73 To the south, the Transmission Gully motorway will provide an inland expressway alternative to the existing coastal route from Linden to MacKays (approximately 2km south of the Project), providing a safer, more resilient, and more efficient highway, particularly for freight into and out of Wellington. It will also provide a better connection from Kāpiti to the Hutt Valley, strengthening regional links, improving economic efficiencies, and building on the benefits of the Project.

Peka Peka to Otaki Expressway

- 74 The Project will eventually join with the Peka Peka to Otaki section and together provide a superior, safer alternative to the current SH1 through the Kāpiti Coast District. This will benefit all New Zealanders but in particular Kāpiti residents and businesses.
- 75 Through careful consideration of District planning requirements, Regional growth strategies and longer term transportation needs of the community, the Project has been developed to provide growth potential for the next 50 years. Both the Project and the Peka Peka to Otaki sections of the corridor have been designed to complement and, where possible, enhance the local roading network. All existing east-west connections for both sections will be maintained, enabling communities to connect across the corridor whilst providing improved transportation links for businesses to access new and existing markets.

BENEFITS OF THE PROJECT

- 76 In terms of strategic overview, the Project aims to secure a long term, high capacity corridor enabling modern safety design standards as well as improved State highway route resilience and security.
- 77 As Kāpiti is one of the fastest urbanising parts of the Wellington Region, the ability to incrementally upgrade the existing SH1 route is constrained and subject to significant on-going comprise in terms of design solutions. Several hundred properties have existing or potential direct access onto SH1. The Project resolves these issues and while giving rise to a number of adverse effects also produces significant positive effects at a national, regional and local scale.
- 78 The Project provides benefits in terms of safety, travel time savings and route security with respect to the overall Wellington Northern Corridor RoNS.
- 79 In terms of the Project's stated Objectives, those benefits include:

- 79.1 Improved safety for motorists compared to the existing SH1 between MacKays Crossing and Peka Peka, to deal with the poor accident history as discussed in **Mr Murray's** evidence;
- 79.2 Improved route security and resilience of the Wellington Region's State Highway and the Kāpiti Coast District's networks in the event of significant earthquake, road accidents or other disruption;
- 79.3 Travel time benefits and improved travel time reliability along key routes, including projected 2026 peak hour travel time savings of 7 to 10 minutes between MacKays Crossing and Peka Peka;
- 79.4 Increased local accessibility within the Kāpiti Coast District's travel network due to the provision of an additional crossing across the Waikanae River as well as full Waikanae and Paraparaumu interchanges (at Kāpiti Road and Te Moana Road);
- 79.5 Enhancement of the Kāpiti Coast District's cycling, walking and bridleway network through a new shared 16km route adjacent to the planned Expressway;
- 79.6 Removal of long-distance traffic from Waikanae and Paraparaumu centres thus allowing easier movement across the existing highway for local traffic, pedestrians and cyclists, and enabling the revitalising and upgrading of the town centres;
- 79.7 Regional and district economic benefits from improved accessibility to the major business zonings at Paraparaumu. KCDC commissioned work indicates scope for the Project to boost commercial and industrial employment growth within the District by around 1500 full time equivalents by 2031;
- 79.8 Promoting future residential and business growth in the Kāpiti District; and
- 79.9 Regional economic benefits resulting from travel time savings, improved trip time reliability and increased accessibility to and throughout the Wellington Region.

RESPONSE TO SUBMISSIONS

- 80 The 725 submissions received is reflective of the high level of interest the Project has engendered in the Region.
- 81 The detailed matters raised by submitters are handled by the various technical experts. However, I have addressed strategic matters raised in submissions below.

Issues relating to consultation

- 82 A number of submissions²⁸ raise issues with the consultation undertaken in relation to the Project. In particular these state that the consultation was inadequate, insufficient, and/or dishonest. Further, a number of submitters state that the NZTA misrepresented the views of the community when reporting on the various rounds of consultation.
- 83 In my view, these claims are not a fair or accurate representation of the consultation that has occurred.
- 84 The NZTA and KCDC have regularly consulted and engaged with the community as the Project has changed form and developed over the years since the Sandhills motorway alignment was identified. I have outlined a brief history of the Project above, and note that at each stage consultation and public engagement was undertaken.
- 85 The consultation undertaken following the appointment of the Alliance is discussed by **Ms Jane Black** in her evidence, however I would like to address the consultation undertaken by the NZTA prior to this in relation to the route option chosen.

Options consultation

- 86 Following the announcement of the RoNS in the 2009 GPS (in May 2009), the Minister of Transport announced in August 2009 that the NZTA would be consulting on four lane expressway options from MacKays Crossing to Peka Peka and from Peka Peka to Otaki.
- 87 As discussed earlier in my evidence, consultation was undertaken in relation to three possible expressway route options between MacKays Crossing and Peka Peka. The consultation period ran for 10 weeks from 24 August to 30 October 2009 and included mail drops to over 26,500 postal addresses in the Kāpiti Coast District, a number of open days and numerous face-to-face meetings with stakeholders.
- 88 I note that initially two expressway route options (not including the alignment chosen) were identified and consultation began in relation to these two options. However, due to early feedback received as part of this consultation process a decision was made to formally consult on a third option (ie an expressway following the WLR Corridor) and the close of consultation was extended by a month.
- 89 The results of this early consultation phase are set out in the *MacKays Crossing to Peka Peka Community Engagement Report*.²⁹

²⁸ See for example submissions 0011 (Smith), 0121 (Wallace), 0180 (Cairncross), 0309 (Pomare).

²⁹ <http://www.nzta.govt.nz/projects/mackays-to-peka-peka/docs/mackays-pekapeka-engagement-report.pdf>

- 90 At all stages, the feedback from the various engagements with the community was reviewed and evaluated. Associated consultation reports were prepared and reviewed by planning consultants experienced in implementing, and reporting, best practise consultation and public engagement. These reports were provided to the NZTA Board when it was considering which option to proceed with, and were published.
- 91 All NZTA consultation and public engagement has been carried out in accordance with the NZTA Public Engagement Manual 2008³⁰ and in line with the core values of public participation as developed by the internationally-recognised International Association for Public Participation (IAP2). All public engagement has been undertaken within a formal structure to ensure that views at all levels were heard and taken into consideration.
- 92 I therefore consider that at all stages a robust consultation process has been carried out.

Allegations of deception in consultation documents

- 93 A number of submitters claim³¹ that NZTA knowingly deceived the public about the Project. I take such allegations very seriously. The NZTA has a statutory obligation under the LTMA to exhibit a sense of social and environmental responsibility.³² This is an obligation that NZTA staff, Alliance staff and consultants must ensure they uphold. For the reasons I have set out, I consider the consultation was undertaken in accordance with best practice and with honesty and in good faith.

NZTA Board Decisions

- 94 A number of submitters³³ have raised the fact that the July 2009 NZTA Board Meeting minutes recorded that:

“Option 1 [ie an Expressway following the Western Link Road route] not be considered further because it does not meet acceptable integrated planning standards, and unduly severs the community of Paraparaumu in comparison with upgrading the existing state highway through Paraparaumu”.

- 95 As I have discussed above, it was on this basis that the NZTA began consultation considering two options. As discussed earlier, following initial community feedback, the route eventually chosen was put back on the table for consideration.

³⁰ See page 258 of Chapter 10, Part F of the AEE.

³¹ See for example submissions 0011 (Smith), 0121 (Wallace), 0309 (Pomare), 0494 (Kieboom).

³² Section 96, LTMA.

³³ See for example submissions 0121 (Wallace), 0210 (Taylor), 0404 (MacKay).

96 In order to ensure that it fully understood the views of the community, KCDC, and the Urban Design Review Panel that had been appointed, the NZTA Board were comprehensively briefed. That included a workshop, and numerous briefing papers, prior to a special Board meeting held on 11 December 2009 to decide on the option to be progressed.

97 The purpose for the workshop, as identified in the material supplied to the Board ahead of the meeting was:

"The workshop to be held on 8 December will provide a forum for officers to provide detailed feedback to the Board. Input to the workshop will include this Board Paper, the consultation report, and advice from urban design advisors.

Board Members will hear a presentation on the options from NZTA officers, and will have the opportunity to ask questions and discuss the options with technical staff.

The aim of the workshop is to enable Board Members to make an informed decision about the preferred option for an expressway through Kapiti."³⁴

98 In making its decision, the NZTA Board noted the consultation reports and key issues arising from them, and noted that each option had strengths and weaknesses with respect to social, cultural and environmental concerns. They also noted that KCDC supported the Eastern option, but that the community consultation indicated greater support for the Sandhills WLR option compared with the other options.³⁵

99 The NZTA Board also noted that there were clear cost advantages of the Sandhills alignment option, compared with the other options.

100 For completeness I have attached a copy of the NZTA Board's minute of 11 December 2009 as **Annexure A** to my evidence.

Unaffordable and uneconomic

101 A number of submitters³⁶ have stated that they believe the Project is unaffordable and uneconomic, and that the money would be better spent on Christchurch. **Mr Craig Nicholson** in his evidence will explain how NZTA evaluates its transport projects in order to determine their priority for funding, using a Benefit/Cost ratio as one of three assessment criteria. **Mr Michael Copeland** in his evidence will explain how the Project will result in increased

³⁴ SH1 Kapiti Expressway: MacKay's Crossing to Peka Peka – Workshop Briefing 8/12/300 paper dated 8/12/2009.

³⁵ As set out in the MacKays Crossing to Peka Peka Community Engagement Report attached to my evidence as **Annexure A**.

³⁶ See for example submissions 0001 (Knewstubb), 0002 (Booth), 0040 (McCandless), 0223 (Batterbee), 0505 (Save Kāpiti Incorporated).

economic activity and enhanced productivity in the Kāpiti Coast District.

- 102 The Project will be funded from the National Land Transport Fund with revenue coming entirely from fuel excise duty (FED), road user charges (RUC) and motor vehicle registrations (MVR), and has been prioritised on its merits against the objectives of the GPS. If the funds are not invested in this Project they will be spent elsewhere on the national State highway network.

Social effects and community severance

- 103 A number of submitters have raised concerns about community severance. These state that they believe the Project does not meet NZTA's own policies with regard to community severance, particularly in light of the resolutions recorded in the Minutes of the July 2009 NZTA Board Meeting.³⁷
- 104 While the NZTA does have policies relating to community severance³⁸ I consider that the Project has addressed community severance issues consistent with the NZTA's policies by providing key linkages for all modes of transport, including walking and cycling and I refer to the evidence of **Ms Julie Meade-Rose** and **Mr Marc Baily**. In relation to severance, I note that all existing east/west linkages will be maintained, and the Expressway will provide an additional north/south link through the local area, and will provide an additional link across the Waikanae River. Further, the NZTA is making provision for additional future east-west crossings with the agreement of KCDC.
- 105 The Project includes two pedestrian footbridges across the Expressway in the vicinity of Leinster Ave (between chainages 3000 and 3,300) and just north of Kāpiti Road (between chainages 6900 and 7400). The final locations and form of the footbridges will be subject to an Outline Plan process, allowing input from KCDC addressing issues raised in their submission.³⁹

Full Interchange at Peka Peka

- 106 A number of submitters⁴⁰ have stated that for safety reasons, and in order to provide access for Te Horo residents and businesses that will otherwise be disadvantaged by the future Peka Peka to Otaki (PP2O) section of the Wellington Northern Corridor, the Peka Peka interchange should provide for all movements. The roading and safety aspects of the Peka Peka interchange design are addressed in

³⁷ See for example submissions 0261 (Dearden), 0416 (Lepionka), 0429 (Inge), 0505 (Save Kapiti Incorporated) and 0567 (Arnold).

³⁸ See objective SR1 Environmental Policy Manual.

³⁹ Submitter number 0682 (see paragraphs 144-145).

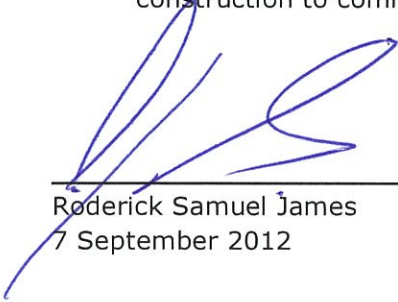
⁴⁰ See for example submissions 0017 (Brown), 0018 (Brown), 0057 (Lynch), 0384 (Gile).

the evidence of **Mr Noel Nancekivell**, and the planning aspects are addressed by **Mr Robert Schofield**.

- 107 NZTA acknowledges that currently the project area and the proposed notice of requirement for the PP2O project does not include the Peka Peka interchange. While a full interchange is not required as part of this Project, the design of the interchange at Peka Peka allows for future upgrading and additional ramps should they be required as part of the PP2O project.

CONCLUSIONS

- 108 The Wellington Northern Corridor (Levin to Wellington) State Highway 1 upgrade is nationally important and is one of seven RoNS projects listed in the GPS that are critical to economic productivity and growth.
- 109 The MacKays to Peka Peka Expressway section is an integral part of this upgrade and as such its delivery is essential to the successful delivery of the objectives of the Wellington Northern Corridor (Levin to Wellington) State Highway 1 upgrade.
- 110 Planning of a safe, reliable and efficient State Highway through the Kāpiti Coast District has a lengthy history and has been subject to substantial investigation and public consultation processes. The Project culminates this process and is currently programmed for construction to commence in the 2013/14 financial year.



Roderick Samuel James
7 September 2012

**ANNEXURE A - NEW ZEALAND TRANSPORT AGENCY SPECIAL
BOARD MEETING MINUTES – 11 DECEMBER 2009**

MINUTES OF THE NEW ZEALAND TRANSPORT AGENCY SPECIAL BOARD MEETING
HELD ON FRIDAY, 11 DECEMBER 2009

IN THE NEW ZEALAND TRANSPORT AGENCY BOARD ROOM, NATIONAL OFFICE
CHEWS LANE, LEVEL 2, VICTORIA ARCADE, 44 VICTORIA STREET, WELLINGTON

Approved by the Chair	_____
Date	___/___/___

PRESENT:

Brian Roche
Christine Caughey
Bryan Jackson

Garry Moore
Paul Fitzharris
Alick Shaw

IN ATTENDANCE:

Geoff Dangerfield
Colin Crampton
Dave Whiteridge

Julia Shackleton
Deb Hume

i. **Apologies**

Apologies were received from Grahame Hall.

ii. **Declarations of Interest**

Brian Roche declared an interest in Item 1c, "*Kapiti Expressway: MacKays Crossing to Peka Peka Option Selection*", and Item 2c "*SH1 Kapiti Expressway: North of Otaki to Peka Peka*" noting he is a Kapiti Coast ratepayer.

Brian Jackson declared an interest in Item 1c "*Kapiti Expressway: MacKays Crossing to Peka Peka Option Selection*" and Item 2c "*SH1 Kapiti Expressway: North of Otaki to Peka Peka*", noting he is a Kapiti Coast resident.

No other new declarations or conflicts of interest were declared.

Minutes

1c **Kapiti Expressway: MacKays Crossing to Peka Peka – Option Selection**

Board paper 09/12/0327

Resolved:

That the New Zealand Transport Agency Board:

- a. **notes** the consultation report and key issues arising;
- b. **notes** that three options have been thoroughly investigated for the alignment of a SH1 expressway corridor through Kapiti;
- c. **notes** that each option has strengths and weaknesses with respect to social, cultural and environmental concerns;
- d. **notes** that the Kapiti Coast District Council supports the Eastern option;
- e. **notes** that the community consultation indicated greater support for the Sandhills option compared with the other options;
- f. **notes** that there are clear cost advantages of the Sandhills option, compared with the other options;
- g. **agrees** that the Sandhills option is the preferred Corridor for the SH1 expressway through Kapiti, subject to further alignment development within the corridor including more detailed assessment of effects and further community consultation;
- h. **requests** the Chief Executive to engage with Kapiti Coast District Council and offer assistance with land use and transportation planning, given the Sandhills alignment for SH1 expressway;
- i. **notes** the Board Chair and Chief Executive will engage with iwi and the Takamore Trust over matters of waahi tapu as a priority;

- j. **requests** the Chief Executive to use all mechanisms available to fast-track the further development and delivery of the SH1 expressway through Kapiti;
- k. **agrees** the appropriate method for fast-tracking this project is the procurement of an alliance, and that through this method the aspirational goal is to lodge consents during 2011; and
- l. **agrees** to keep Board paper 09/12/0327 and the resolutions agreed at this meeting in Committee until the decision on the Kapiti Expressway: MacKays Crossing to Peka Peka Option Selection is made public.

Brian Roche / Alick Shaw

2c **SH1 Kapiti Expressway: North of Otaki to Peka Peka**

Board paper 09/12/0314

- a **notes** the consultation report and key issues arising;
- b **notes** that the an Eastern alignment for the Te Horo Expressway and an Eastern Otaki Bypass were previously approved in 2003;
- c **notes** that a number of minor modifications have been made to this route, and that further consultation has taken place with the community
- d **notes** that the community consultation indicated strong support for the proposed alignment;
- e **agrees** that the Eastern alignment for the Te Horo Expressway and the Eastern Otaki Bypass form the preferred alignment for the State Highway between Peka Peka and north of Otaki;
- f **requests** that the following issues are further investigated as the project develops:
 - i. the form and location of the interchanges providing access to Otaki and Te Horo are reviewed, in light of submissions received;
 - ii. the requirement for signage to indicate destinations off of the State Highway is reviewed;
 - iii. the design should allow for future double tracking of the North Island Main Trunk line through Otaki;
 - iv. the alignment is reassessed against current planning requirements prior to preparation the of Notice of Requirement applications; and
 - v. the NZTA should work with Kapiti Coast District Council, the Otaki Community Board and the community in general, with a view to integrating the Expressway with the proposals set out in the Otaki Community Vision document;

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- g **notes** that the construction of the Te Horo Expressway could encourage development alongside the existing State Highway 1, but that this would not be consistent with Kapiti Coast District Council's own plans and that this should be discouraged to prevent urban sprawl; and
- h **agrees** to keep Board paper 09/12/0314 and the resolutions agreed at this meeting in Committee until the decision on the Kapiti Expressway alignment between Peka Peka and north of Otaki is made public.

Brian Roche / Alick Shaw