

BACKGROUND TO WAITAKERE RANGES AND FOOTHILLS PROTECTION PROJECT

Strategic background

The Waitakere Ranges have long been recognised as a key strategic asset to Waitakere City and the region, with a rich and unique ecology and high biodiversity and landscape values. They are recognised as being nationally, regionally and locally important – both for their intrinsic values, and because of their proximity to the Auckland metropolitan area.

The protection of the Waitakere Ranges and foothills has been a long established goal for the Council and the City and a question that has long taxed the authorities responsible.

The Waitakere Ranges Regional Park has been formed over 110 years through gifts, grants, purchases and vestings. The area has been protected in various ways at both national, regional and local level. Over time, parts of it have been classified as reserve, park, and water catchment area. The first Crown vesting was made in 1895. In 1941, the Auckland City Council promoted legislation that created the Auckland Centennial Memorial Park to commemorate the centennial of the Metropolitan District of Auckland. These and many other generous gifts of private land, publicly funded acquisitions and transfers of land from other public agencies have combined to form parkland of some 17,000 hectares.

Waitakere City has a long, distinctive history of groundbreaking management around protection. One of the first landmark decisions around the protection of the special character of an area came from the Town and Country Planning Appeal Board in 1964. It held that it was lawful to recognise a special character area and to protect its bush through a larger minimum subdivision requirement. The decision was a result of the Titirangi Ratepayers and Residents Association seeking an urban 'special zone' to be introduced for Titirangi. The decision established the 2,000m² as the benchmark minimum subdivisional standard for the area.

Waitakere City Council in one of its earliest strategic documents, "*The Greenprint*", strongly identified the key importance of the key, as illustrated in two strategic actions below:

1. *Construct a Green Network which links existing open space, streams and bush remnants into an ecologically continuous network extending from the Ranges, along the stream and road networks, and across open spaces to the sea.*
5. *Protect Waitakere City's land forms and landscapes, ridgelines, skylines and views, control the impacts of development and the environmental effects of rural activities, and ensure that the special character of the rural areas is preserved.*

The District Plan and Regional Policy Statement further build on this work. The Regional Policy Statement currently identifies the Waitakere Ranges as an area of national and international significance. The District Plan contains the objectives and policies and methods to manage the resource management issues within the City. Various special rules exist that manage the natural resources of the area and reflect their unique character.

Much community effort has also been vested into the area. A key example of this is the West Coast Plan, which took 5 years to develop. This is a strategic plan for the West Coast and Waitakere Ranges and sets out what people want for the area, describes what needs to be done, and when to achieve this. The four strategic actions of this community plan are:

1. *Investigate ways to improve the co-ordinated management and protection of the Waitakere Ranges.*

2. *Continue to provide opportunities for debate on the different aspirations for stakeholders for both private and public land in the Waitakere Ranges and West Coast.*
3. *Encourage the further identification of the Waitakere Ranges as an area of national significance.*
4. *Encourage all relevant local and national agencies and authorities to investigate strategies to limit local and regional population growth pressures on the West Coast.*

During the early nineties community and Council undertook the development of a number of community plans, such as for Karekare and Piha. Two attempts were also made in the late nineties to develop a Visitor Strategy for the area, one by Waitakere City Council and another by community members associated with the West Coast Plan. A final strategy was not adopted. The concept of a 'Waitakere Ranges Authority' was also heavily advocated for through the 1980s but the idea was not progressed.

The foothills

An important gap in much of this work is the significance and role of the foothills abutting both the core part of the Waitakere Ranges and the metropolitan limits.

Significant amounts of technical and consultation work has occurred around the development of the Oratia Structure Plan and the Proposed Swanson Structure Plan. However work focused on the catchments' abilities to hold subdivision and did not explore what long term goals the community might hold for the area. Therefore, by default, assuming more intensive subdivision was the outcomes sought for the area.

The significance of this gap is highlighted in the findings of the Structure Planning review (2003) commissioned by Waitakere City Council. It identified the lack of a strategic vision for the foothills area as a critical issue. One of the recommendations of that review was the need to develop a strategic vision for the Waitakere Ranges and Foothills which clearly established the context in which decisions on structure plans and other proposals for use and development of land in the foothills were made.

Long term planning

In the latest long term planning document for the Waitakere City Council, the Long Term Council Community, the Waitakere Ranges and Foothills Protection Project is identified as a key project within the Green Network platform of Plan. The 'Green Network' strategic platform contains a vision that would see streams and forests full of life, the Waitakere Ranges permanently protected and a Green Network in place linking the Ranges to the sea, as well as connecting the everyday lives of the people of Waitakere with the natural world.

The Council has indicated a strong commitment to working on the protection of the Ranges, whilst recognising that there are many different values relating to the Ranges, and that much is already being done to achieve protection. As the many tools for protection are varied and community views diverse, a robust process and inclusive process to establish any new measures is important.

Status of current project

The Waitakere Ranges and Foothills Protection Project was initiated in early 2003 in response to concerns expressed by local people, local MPs, lobby groups, the Parliamentary Commissioner for the Environment (PCE) and the West Coast Plan, that the Waitakere Ranges and Foothills continue to be under pressure and further action is needed to ensure more secure protection for future generations.

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The goal of the Waitakere Ranges and Foothills Protection Project as agreed by the partners is:

'Through a partnership of iwi, Waitakere City Council, Auckland Regional Council & local Members of Parliament, and in close consultation with stakeholders, to find and implement ways of achieving better long-term protection for the natural and landscape values of the Waitakere Ranges and West Coast'.

To date the Waitakere Ranges and Foothills Protection Project has investigated both regulatory and non-regulatory mechanisms for the further protection of the Waitakere Ranges and foothills. The research done during 2003 revealed that the following issues and threats were of major significance in the Ranges and Foothills:

- Development pressures from redevelopment of existing sites, development of existing vacant sites and creation of new sites;
- That the role of the Foothills as part of the Waitakere Ranges landscape and as a buffer is not well identified in current planning frameworks;
- Human impacts of existing residents e.g. building size increases, noise, lights, traffic, domestic pets, weeds, increased infrastructure;
- Poor management of visitor numbers and visitor impacts especially in coastal locations; and
- The spread of weeds and pests – with associated insufficient resourcing and fragmentation of management.

This research was taken out to the community for discussion in 2003. A separate report details the community consultation undertaken on this project.

Policy work was undertaken to consider the issues and threats identified above. This work recognised that given the diverse nature of the issues and threats that threatened the area and its complex mix of catchments and land usage, a package of protection tools would be essential. To date that package has included:

Regulatory

- Introduce new legislation to apply a more protective management regime over the area to provide long-term certainty that the values and landscapes of the area will not be incrementally compromised or diminished.
- Amend the Auckland Regional Policy Statement and the Waitakere City District Plan as required.
- Amend the Regional Growth Strategy as required.

Non-Regulatory

- Establish a community trust or forum (as a means of accessing additional funds and achieving voluntary protection).
- Investigate World Biosphere status.
- Prioritise projects through the Councils' Long Term Council Community Plans
- Establish core staff teams within the Councils.
- Develop an implementation plan.

Given legislation provides the context or 'safety net' within which the other mechanisms can be implemented, as well as being top of the regulatory hierarchy, most discussion and debate around the project to date has focussed on this aspect of the package.

Research undertaken around the boundary issue has helped to clarify the clear relationship of the foothills to the core Ranges and how susceptible these areas are to change and

changing character. In its meeting on the 4 May 2005, Council resolved that the foothills be included within the Waitakere Ranges Heritage Area:

That the Council approves the boundary for the Waitakere Ranges and Foothills Protection Area as shown in A1 to the Agenda report, including revisions in relation to the properties at 236, 254 and 262 Henderson Valley Road and 17A Pine Avenue and those parts of the property 5 - 11 Holdens Road that would constitute 47 - 51 Parrs Cross Road, and its incorporation in any legislation that may be developed for this area.

750/2005

Specifically around the rural foothills, further field investigations and discussions with foothills landowners have helped clarify a number of issues that will influence both the drafting of the Waitakere Ranges Heritage Area bill and other parts of the packages.

Landowner expectations

There has been a widespread expectation of urbanisation of some of the rural foothills areas, resulting in many landowners never imagining any future for their land other than residential development. They have rarely been offered or challenged to consider constructive and viable future "rural" uses, or alternatives to urbanisation. This has been compounded by many former rural landuses in the foothills now becoming obsolete, a not uncommon cycle in rural landuse. The Council's current policy framework is not achieving the outcomes anticipated.

Council policy on restricting subdivision, but to also on fostering future structure plans encouraged landowners to retain land in an unproductive state and not consider alternative future states. Considerable areas of land have been abandoned from active production, or have become derelict, weed infested and run down.

The central issue emerging is the need to manage a transition from often obsolete rural landuses to future innovative, vibrant, successful rural landuses, which in character, scale and intensity provide a contrast with urban residential areas and protected parkland. The area should have a distinctive "rural" character all of its own. Given these pressures, Council passed the following resolutions at its 4 May 2005 meeting:

That the Council approves the incorporation in the draft Bill of provisions to promote and protect a future rural character in the foothills of the proposed protection area.

747/2005

That a report be prepared for the Council on how the City can support the economic development, as well as redevelopment, and retention of the rural character of rural areas of the foothills in the proposed protection area.

748/2005

Why Legislation?

A number of key pressures and threats to the Waitakere Ranges and Foothills have been identified by the Council. Of these, two –the issue of gaining a greater level of certainty of outcomes from the resource management process; and the issue of gaining greater permanence of the resource management standards into the future, have been identified as being best addressed by legislation.

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The Resource Management Act 1991 is the principal piece of legislation which guides the resource management process, including the preparation of the main Regional and local planning documents – the Regional Policy Statement and the District Plan. While Waitakere City's District Plan is widely acknowledged as being both a robust and environmentally sensitive Plan, because individual resource management decisions are made on a site by site basis, its implementation, including through the decisions of the Environment Court, does not always well address the issues of cumulative or incremental effects on the environment.

For example, a recent re-survey by the Auckland Regional Council of the landscape values of the region indicates that the Piha Road area, which 10 years ago was regarded as an Outstanding Natural Landscape, has had its landscape values degraded to a level where the landscape is now no longer regarded as outstanding. This has largely occurred as a result of development of previously vacant sites created in the early 20th Century with associated bush clearance and earthworks.

A local bill developed by Waitakere City Council could address the uniqueness of the Waitakere Ranges and Foothills by requiring some extra consideration through the resource management process. This would not duplicate existing processes but would mean that the unique values of the Waitakere Ranges and Foothills, and their role on the edge of metropolitan Auckland was recognised through the consent and District Plan /Regional Policy Statement review processes.

Key benefits of legislation can be summarised as follows:

- The best way of achieving greater certainty with regard to development outcomes
- Greater recognition of the specific values and threats that are unique to the Waitakere Ranges
- Greater emphasis on managing the area as a whole, rather than looking at issues on a site by site basis
- Greater certainty of outcome through the resource management process – landowners would be clearer on what they can and can't do
- Greater certainty for communities about the way in which their environment would be managed in the long term and the outcomes that the area was being managed to achieve.

The legislation developed to date is intended to inform the implementation of the RMA. However, it would not over-rule the RMA, and the requirements of that Act would still apply. In particular, the RMA puts a requirement on local authorities to establish, implement and review provisions to achieve the integrated management of natural and physical resources under their jurisdiction¹. The legislation is intended to reinforce this integration.

Aims of Legislation

Past resolutions of the Council have established the following principles regarding what the proposed legislation aims to achieve, in particular:

- Recognising that the Waitakere Ranges are special and deserving of care and protection, now and in the future;
- Recognising that current District Plan provisions have been reached after years of consultation and should be respected;
- Permitting changes to the District Plan to be made as long as they accord with the principles of protection that the legislation would establish (there being no adverse environmental effects);
- Acknowledging that activities currently permitted by the District Plan and

¹ Sections 30 and 31 of the RMA

- enjoyed by landowners should not be affected;
- Allowing the continuation of current statutory processes including Structure Planning;
 - Requiring bodies exercising statutory powers which affect the Ranges and Foothills to take into account the need to consider effects of development on the landscape and to avoid the potential cumulative effects development would have on the Waitakere Ranges and Foothills.

Conclusion

The proposal is to create legislation for a "Waitakere Ranges and Foothills Heritage Area". The proposed legislation would work within the existing RMA and not create another layer of regulation. The key values of this area would be clearly identified and high level policies would outline the type and level of protection that is being sought for these values. Such legislation is modelled on the Hauraki Gulf Marine Park Act, although with a greater emphasis on identifying and protecting the area's unique values and on managing incremental and cumulative effects.

Concerns about the cumulative effects of subdivision in the Waitakere Ranges and Foothills have been one of the strongest issues driving the discussion around the development of legislation.

In general, the current District Plan rules relating to the Waitakere Ranges and Foothills Heritage Area could be categorised as strict, and certainly were considered so when first proposed in 1995. However, the work undertaken on the state of the Waitakere Ranges and Foothills indicates that some of these rules, and the implementation of the rules, are not giving an adequate degree of protection to some of the values in the Waitakere Ranges and Foothills.

In the short term, the proposed legislation in itself is not expected to have a significant impact on the District Plan rules, as the RMA provides a framework by which they can be amended to address the issues currently identified. Rather, the immediate effect of the legislation would be felt in the *implementation* of the rules, particularly for activities that are identified as non-complying. It is important to stress however that the number of non-complying activities currently approved by the Council or Environment Court is low, and non-complying activities would not properly be regarded by landowners as a property right, as they are things which are not provided for within the plan.

The proposed legislation would provide greater certainty regarding outcomes in the Environment Court because the Court will have stronger guidance about the key values and priorities for management of the Waitakere Ranges and Foothills. The appeal process often involves 'balancing' the interests of parties in accordance with the purpose and diverse matters listed in the Resource Management Act. The framework contained in the proposed legislation would help to inform the Court over what matters should be given greater weight in considering any appeals on resource consent applications and District Plan changes.

Draft Community consultation and communication report

Waitakere Ranges and foothills protection – proposed legislation

**November 2004 – February 2005 – May
2005**

Waitakere Ranges and foothills protection project

Community consultation report

November 2004 – February 2005 – May 2005

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Executive Summary

In 2003 Waitakere City Council initiated a project to investigate ways to better protect Waitakere Ranges and foothills in the future.

An initial research and consultation programme in late 2003 looked at the values of and threats to a wide Ranges and foothills area. In April and May 2004 WCC and Auckland Regional Council consulted on a package of ways to protect the identified values from threats identified within the (revised) area. This phase also consulted on what people wanted the foothills area to look like in the future.

From November 2004 to February 2005 a third phase of community consultation was carried out by the two Councils, and Rodney District Council, focusing on a proposal to introduce a local government promoted bill to Parliament. Consultation focused on the concept of legislation, based on Council-approved policy, to better protect the area in the future. This included a boundary area.

In February 2005, at the conclusion of the consultation period, Waitakere City Council decided to extend the consultation programme until May 2005. This extension concentrated on the content of a draft bill – the Waitakere Ranges National Heritage Area Bill 2005. The programme was open to the wider Waitakere City community as well as specific consultation with key stakeholders and landowners within the proposed boundary area.

Results from the different methods used in phase three (proposed legislation) confirmed that there was considerable support for legislation. A variety of consultation methods were used. These consistently showed more people agreed than disagreed with using legislation as a method to better protect the Ranges in the long-term.

There was sufficient concern about the public desire to see and assess the content of the draft bill to prompt Waitakere City Council to undertake the extended consultation.

Results from the extended consultation found similar results to the consultation on the proposal to introduce legislation. These can be categorised as:

- Concerns able to be addressed by revising the proposed legislation
- Concerns able to be addressed through separate initiatives external to the proposed legislation project (eg investigating rates policies, and future rural land uses)
- Concerns in direct conflict with the rationale, policy and objectives of the policy on which the legislation is based.
- Dissatisfaction with current District Plan provisions
- Concerns about the consultation process

The level of support for the draft bill did not appear to diminish during this phase of consultation, although this was not specifically measured, nor was the level of disagreement.

Introduction

Purpose

The purpose of this report is to outline the consultation programme undertaken from November 2004 to February 2005 and from February 2005 to May 2005, and to summarise the findings from the consultation, and to provide responses to the key topics discussed during consultation.

The primary purpose of consultation is to ascertain community views and opinions in order to achieve a better project. Consultation includes an exchange of information and the sharing of views and being more responsive to what is heard. This allows for better information for efficient decision-making. Consultation is not the only consideration in the decision-making process.

Consultation is more than just informing the community. Consultation does not however, mean consensus or acceptance, nor does it equate to negotiation, although it may result in agreement to negotiate. Consultation is therefore inextricably linked with effective communications.

The report is broken down into the chronological sequence of consultation and communications.

- Consultation prior to November 2004 is discussed in the *'Background to the project'* below.
- Consultation on the proposal to introduce legislation, undertaken from November 2004 to February 2005 is discussed in *Phase three – a proposal to introduce legislation*
- Consultation from February to May 2005, focusing on a draft bill, is discussed in *Phase four – draft legislation*

Background to the project

The Waitakere Ranges and Foothills Protection Project was initiated in early 2003 in response to concerns expressed by local people, local MPs, lobby groups, the Parliamentary Commissioner for the Environment (PCE) and the West Coast Plan, that the Waitakere Ranges and foothills continue to be under pressure and further action is needed to ensure more secure protection for future generations.

A political liaison group was established, comprising of elected members from Waitakere City Council and Auckland Regional Council, local Members of Parliament and Iwi. Rodney District Council maintained a 'watching brief'.

The goal of the Waitakere Ranges and Foothills Protection Project as agreed by the partners is:

'Through a partnership of iwi, Waitakere City Council, Auckland Regional Council & local Members of Parliament, and in close consultation with stakeholders, to find and implement ways of achieving better long-term protection for the natural and landscape values of the Waitakere Ranges and West Coast'.

Protection of the Ranges and foothills area has been the subject of many discussions and submissions during past consultation processes, including the development of the Waitakere City District Plan (from the mid 1990s), consecutive annual plans, and the West Coast Plan. It is believed such legislation was first suggested in the 1970s.

The purpose of consultation in relation to this project was to ascertain community views and opinions in order to achieve a better project and outcome – that is, to find and implement ways of achieving better protection of the Ranges and foothills in the long-term.

This project began with research into the past consultation exercises and findings, up-to-date research on the state of the area and current management initiatives. Consultation was just one method of gathering information to be used in the decision-making process

Consultation Background

There have been distinctive phases of consultation since the project began. The previous phases and supporting work are detailed below.

Pre-consultation opinion polling: August 2003.

A telephone survey was conducted by Phoenix Research to gauge the level of interest in the Ranges, how they were used, people's attitudes to changes in the area, and their awareness of protection measures in place.

Of the 405 Auckland Region respondents, 161 lived in Waitakere City, and 55 of those lived within the initial project area.

The results showed:

- The Ranges area was well visited with 60% of Aucklanders visiting at least once in the past year.
- Those who had lived in the region for more than ten years, older residents and those living in the Ranges were more aware of change in the Waitakere Ranges area over the years. One third mentioned changes for the better, with improvements including better roading, more bush walks and reserves, improved facilities and amenities, the Aratika Centre, improved signage, more housing and better environmental preservation. Over-development, too much housing and increased traffic were the two most frequently mentioned changes for the worse.
- For the future, little change was desired. There was strong support amongst Auckland Region residents for maintaining and protecting the Ranges, the green areas and the bush in its present form at least. Some people suggest changes such as modest development of facilities and amenities in keeping with the character of the area, better roading, and more housing.
- Awareness overall of measures to protect the Ranges was not high. Only providing paths and bushwalks, and control of weeds and pests were noted, but not to any great degree. Waitakere City residents had higher awareness of protection measures.
- The majority of residents were positive about the job done in looking after the Ranges. Waitakere City residents were more positive than residents from the

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rest of Auckland Region, although residents living within the Ranges area were less positive than residents in the rest of Waitakere City.

The information gathered was used to inform the first phase of community consultation, mainly through the development of a discussion document.

Phase One: August to November 2003.

This phase of consultation focused on how residents and visitors valued the Waitakere Ranges and wider foothills and what they considered to be the threats. The discussion document, setting out information and facts about the perceived threats and values of the area, was widely available. The document also prompted readers to provide comments.

Consultation and communication methods included:

- A discussion document, inviting written comments. About 100 comment forms were received.
- A series of community and special interest meetings / workshops. Fifteen were held throughout the project area and wider city. About 425 people attended.
- The workshops and general project were promoted through a flyer drop to all residential and rural delivery boxes in Waitakere City (57,000). The flyer was also posted to 700 potentially interested individuals and organisations.
- Newspaper and community newsletter advertisements were placed and media releases issued.
- Interactive displays at public locations, led by community boards
- Meetings with iwi organizations and groups
- Meetings with youth and Pacific Island representatives

Information gathered showed that:

- Most participants believed that the Ranges were not currently protected enough now and for the future, and that something 'extra' was needed.
- The key issues were animal pests and weeds, negative visitor impacts, development and subdivision.
- It was unlikely one solution or response would achieve the outcome sought, and that a package of actions was likely to emerge.
- The action most often discussed was some form of legislation. Other key suggestions discussed included a World Heritage Park status, and some kind of 'freezing' of the subdivision/development provisions in the District Plan.
- Other issues raised included the need to provide proper legal protection in perpetuity for the parkland, the desire for a land purchase programme to add to public reserves, the need to better enforce existing rules, the long-term importance of education, incentives and assistance, ways to better resource such programmes, concern about fire as a threat to the area, and the role of the foothills in protecting the Ranges, and the boundary of the 'Ranges'.

A report "*The Waitakere Ranges Project Phase One Community Consultation Summary and Workshop Notes, February 2004*" outlines the processes followed and information gathered.

Background report

In December 2003 a background report¹ was produced documenting much of the material available to inform the investigation into whether there was a need for better protection of the Ranges and foothills. The report focused on the following:

- The values that people associate with the Ranges area and the roles of the various parties involved in the management of the area.
- Current management regimes and the strengths and weaknesses of these.
- Possible responses and actions to improve long-term protection of the Ranges.

This report was used in developing the content of the next phase of consultation.

Phase Two: April and May 2004.

A package of methods to better protect the Ranges and foothills was developed as a result of the previous information gathered and policy work undertaken. The package included legislation.

Consultation and communication methods included:

- Public/community forums. Two 4-6 hour forums were held to which all participants from phase one received invitations to attend, or receive further information.
- In addition to the extensive group feedback gathered during these processes, nearly 100 comment forms or letters were also received. Forum participants also discussed their visions for the wider foothills area.
- Independently facilitated and selected focus groups. A series of focus groups with 42 participants discussed the proposed package of methods.
- Information packs and comment forms were distributed to 225 people registered for the forums and to the 42 focus group participants. They were also available in the community.

Information gathered showed that:

- Generally participants felt the Ranges and foothills were important and needed to be protected
- There were different understandings of what 'protection' meant and where and how it could be put into action
- The package components, including legislation, were generally considered favorably, in principle, but more information was needed before opinions could be shared.

A report "*A Range of Opinions*" summarises the consultation programme, information gathered and materials used.

¹ Protection of the Waitakere Ranges Area – Background Paper December 2003

Phase three – a proposal to introduce legislation

Approach

The main focus of this third consultation was to move forward from the general information-gathering thrust of previous consultations, and to gather a clear indication from the public as to whether they considered legislation an appropriate method for the Council and other agencies to take to further protect the Ranges and foothills in the long-term.

The timing of the consultation was set in order to gather feedback from the community and to keep open the option of introducing draft legislation to Parliament within the 2005 parliamentary term, if this was supported.

Feedback from previous consultation phases had indicated participants wished to move on to comment on specific details of what legislation or other further protection measures might look like or what they would achieve.

The consultation programme and materials were produced in partnership between Waitakere City Council and Auckland Regional Council, with input from the Rodney District Council and other members of the Waitakere Ranges and foothills Working Party.

The aim was to enable a regional-wide as well as Waitakere City-focused consultation. Rodney District Council undertook a parallel process.

To complement the communications and consultation programme Waitakere City Council and Auckland Regional Councils independently engaged companies to undertake opinion polls.

WCC engaged UMR Research to carry out a survey of 300 residents within the proposed boundary area to ascertain whether they had found the consultation process effective and to formally survey their opinions about further protecting the ranges and foothills. ARC engaged Gravitass to carry out an opinion poll of 500 Auckland region residents, regarding urban growth in the area and the level of support for legislation.

Key messages

The key messages communicated during the consultation phase were:

1. Waitakere City Council and Auckland Regional Council, along with local Members of Parliament and iwi, are investigating ways to better protect the Waitakere Ranges and foothills in the future.
2. A key method being investigated is legislation, as the partners believe this is the only method that can provide a high level of permanence and certainty about the way in which the Ranges and foothills are managed.

3. Current statutory and regulatory methods are not effectively addressing the cumulative environmental and landscape effects of inappropriate subdivision and development.
4. Nor do current methods provide any certainty or permanence about a long term vision for the Ranges and foothills.
5. Areas with strong landscape, ecological and human relationships with the Ranges and foothills are identified within the project's boundary.
6. The Councils want to hear whether there is support for legislation or not.

Consultation programme

Throughout the time in which the Council has been working on the Waitakere Ranges and Foothills Protection Project, the proposal discussed most has been a local bill to put in place measures which address the issues of permanence and certainty around the management of the project area.

In November 2004 the Council approved a consultation programme on a proposal to introduce local government legislation, with a view to the Council making a decision on whether or not to pursue legislation at the end of February, subject to a review of the consultation process and outcomes.

The consultation process sought to determine views on the proposed boundary of the project, in particular as it related to the proposed legislation, and on the proposal to introduce legislation.

The content of the programme was based on policy approved by Council in November 2004, from which a bill would be drafted.

Consultation and communication methods

Given the nature of the proposal, a comprehensive communications programme was put into place to ensure all ratepayers and residents within the proposed area were informed about the project and aware of ways in which to be involved.

Consultation and communication methods included:

- A special newsletter and questionnaire, distributed to all residential, farm and private postal boxes in Waitakere city (nearly 60,000). In addition it was posted to all Waitakere City ratepayers living outside the city. More than 3500 responses were received.
- A letter from the Waitakere City's Mayor and Deputy Mayor was posted to all ratepayers within and neighbouring the project area (about 10,000 in total), inviting ratepayers to get involved.
- A letter to about 1200 Rodney District residents and ratepayers within areas identified as areas for consideration to include. This included the special newsletter and questionnaire, and invited the recipients to public meetings and to provide feedback.
- A letter from Auckland Regional Council to 800 interested parties and stakeholders. This included the special newsletter and questionnaire

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- A series of 14 community-led meetings held in Waitakere City and Rodney District, with an estimated 980 attendees.
- Meetings with special landowner interests or landowner families (about 100 participants in total).
- Interactive internet site (electronic survey form, plus frequent updates of information, including the draft proposed legislation as it progressed)
- Maps and information sheets covering key interest areas
- Posters distributed throughout project area
- Copies of newsletter and questionnaire widely available throughout City.
- Personal contact with elected members and Council officers
- Media releases and articles
- A radio advertising campaign run in late November, early December in late January to encourage participation in the process
- A WCC-commissioned telephone survey of 300 residents within the proposed project area, measuring their awareness and opinions of the project and of the proposed legislation
- An-ARC commissioned an opinion poll of 500 Auckland region residents to gauge public opinion surrounding the proposal for legislation.

Key methods are discussed in more detail below.

Questionnaire

A newsletter including a questionnaire was distributed city-wide, available widely and placed on the Waitakere City Council website with links from the Auckland Regional Council site. The newsletter asked specific questions on whether people wished to support legislation as a key method for achieving further protection of the ranges and foothills.

About 58,000 copies of the newsletter were distributed to all Waitakere City residential, farm and private postal boxes. About 2000 were distributed to other locations. A number were posted.

The newsletter/questionnaire provided specific information about why further protection is required, what the benefits of legislation would be, and a general outline of what the proposed legislation might contain. The questionnaire sought feedback on where people felt a boundary might best be drawn for a protection area.

The purpose of the questionnaire was to provide an easily accessible and optional framework for the public to offer feedback to the Council to support its decision-making process. The technique enabled respondents to provide 'tick-box' answers only, or to write additional comments. It was designed to allow respondents to answer as much or as little as they liked, with prompts about to ascertain reasons for their answers. The questionnaire was not intended to be used as or compared with statistically-valid information, but instead was designed to show general trends and highlight major issues or concerns.

Website

The newsletter / questionnaire and background information to the project was available on Waitakere City Council's website www.waitakere.govt.nz.

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Detailed maps of the proposed boundary areas were also posted on the Waitakere City website, along with information sheets about the implications of the proposed legislation on specific locations within the proposed boundary.

As drafting of the legislation was occurring at the same time as the consultation, the website was updated with details as they became available. A possible outline of the draft legislation was placed on the website in late December, and replaced in January with a more detailed outline of the potential legislation, including the purpose of each section. This information was shared by Council officers and at community meetings.

Email correspondence was used more than in previous phases of the project, with a special email address being widely publicized and used. All emails were logged appropriately.

Personal contact

The communications channels were designed to enable those requiring more detailed information to drill down to it either on the website, or through the opportunity to talk with or meet with Council staff.

Waitakere City Council staff on the project team and at the call centre responded to hundreds of telephone calls. The majority of the calls were simply about posting copies of the 'Update' newsletter / questionnaire, or requiring contact details to be added to the project database.

A small number of calls were responding to the radio advertisements, with callers stating their support or objection to the project. These details were noted and inserted into the comment register.

There were a larger number of calls resulting in significant discussions and some resulting in officers visiting specific properties. The majority of these calls were from people opposed to the legislation, either in principle, or because of issues on their own property.

Meetings

PCE-facilitated panel discussion

Prior to the consultation programme getting underway in November, a panel discussion/meeting was held at Waitakere City Council, facilitated by the Commissioner for the Environment, Dr Morgan Williams. Members of known interest groups were invited to attend, and about 100 took up the opportunity to take part in or listen to the panel discussion. Although the meeting was generally supportive of the proposal to introduce legislation, there were some strong views expressed in opposition. A desire to view draft legislation was expressed.

Community meetings

Council officers and elected members attended about 15 community and private meetings. Attendance totalled nearly 1000 community members and varied between meetings from about 30 to 200, with some people attending more than one meeting. Most meetings were open to the general public although not all. Council staff attended the meetings to provide stakeholders with information about the project. It was generally agreed these briefings were informal, and comments provided during these forums were not minutes or included as formal parts of this consultation phase. However it was

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obvious that some attendees expected Council representatives to take note of specific concerns or the general opinions expressed.

In general opinions expressed were split. Some meetings such as at Piha and Karekare were very supportive of legislation and others such as the Landowners Rights for Opanuku were very opposed. At other meetings, such as the Henderson Valley and Swanson Resident and Ratepayer groups those in attendance expressed a mix of views, both in support and opposition.

Both sides of the debate expressed a strong desire to view an actual draft of the legislation and were concerned that they would not have a chance to do so until after the consultation period closed.

Launch of draft legislation

A public meeting was held to present and discuss the full draft on Tuesday 14 February 2005. About 100 people attended. Views reflected the community meetings. Despite attempts to work through the key clauses requiring input, the meeting focused on philosophical discussions and not the content of the bill.

Comparison with similar consultation exercises

The level of returns is evaluated in the context of returns from similar types of mail-outs conducted recently by Council.

1. Waitakere City News 3-Waters Water Cycle Consultation (May 2004).

This mail-out yielded 130 responses from about 60,000 invitations delivered (nearly identical distribution). This low level of return can be accounted for by the low level of interest in integrated 3-waters issues.

In general, 3-waters issues have attracted very little comment in other surveys of residents over the years (including the "Household Consultation" (up until 2001), and the annual Council Services Survey (KPI Survey).

These are not issues the public appear to have any concerns about, apart from the direct effects of flooding and the occasional intractability of flooding problems. The public are generally satisfied with water supply and waste water services and the topic is non-controversial, hence the lack of public interest in commenting on the Flyer.

2. The annual "household consultation".

Up until 2001 this consultation document was of similar form to the Ranges mail-out. It gave residents opportunity to comment on any things they thought the Council was doing well, and also things the Council was perceived to be doing badly.

Out of deliveries to all households, returns averaged at about 3500 over the years when nothing else extraordinary was happening in the community. This "survey" was focused on the Council's services in general, rather than a specific issue.

3. The Proposed Waitakere City District Plan.

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In 1995 the Council received 1372 primary submissions, submitting on about 110 different aspects of the plan. The statutory processes around introducing District Plans also provide the opportunity for people to make submissions in support or opposition to original submissions. This drew another 3000 odd submissions from an unidentifiable number of people.

Of relevance to this project:

- 355 people were primary submitters to the Waitakere Ranges and Bush Living subdivision and mapping provisions
- 101 people made submissions to the subdivision provisions of the foothills, including structure plans
- 13 people made submissions to the coastal village subdivision provisions.

Clearly there is a high level of interest in Ranges preservation issues, with levels of returns much closer to those of the "household consultation" and city-wide district plan consultation on a wide range of issues rather than the 3-Waters Water Cycle Consultation.

Analysis of feedback – phase three

Background to feedback

Reflecting the variety of consultation methods used, feedback was received in a number of ways, including:

- electronic and printed questionnaires
- written and electronic correspondence (including a petition)
- verbal comments (in person or by telephone)
- community and special interest meetings
- opinion polls and market research

The call for comments resulted in considerable feedback. More than 3500 comments were received. Both the quantity and quality of comments were consistent with past consultation processes undertaken by this council.

The results of the consultation process showed there was a higher level of support for introducing legislation and for the proposed boundary than there was lack of support. This was evident from those landowners within the area, WCC residents in general, and also Auckland region residents.

Comments were based on two premises

- Process issues about who has a right to make decisions over the proposed land area
- Policy issues based around whether legislation is necessary or not.

More than 3500 questionnaires and comments were received by or soon after 4 February 2005, the deadline for comments.

This report does not attempt to provide the detail of the responses. Its purpose is to highlight the key messages emerging through the comments.

Of the 3500 responses a number of questionnaires – 755 – were returned with no additional comments. About 130 provided comments without filling in the questionnaire. Although generally there was a high integrity of responses, obvious duplicates were not included in the response summary.

The following table provides a summary overview of the questionnaires and responses received by where their interest originated.

Interest	#
Don't know	1
Land owner	1133
Resident in proposed area	298
Waitakere City resident	1479
Rodney District resident	68