

-
- (d) recognise and avoid the adverse cumulative effects, and potential cumulative effects of activities on the environment (which includes the amenity of the Heritage Area) or its Heritage Features:
 - (e) ensure that any subdivision, either individually or cumulatively, is of a character, scale and intensity that does not adversely affect the Heritage Features in particular by—
 - (i) recognising that the Heritage Area has little capability to absorb further subdivision; and
 - (ii) avoiding subdivision that does not actively protect and significantly enhance the Heritage Features:

[note – this clause is under review by Waitakere City Council]

- (f) ensure that any development is of a character, scale and intensity that does not adversely affect the Heritage Features:
- (g) maintain the quality and diversity of landscapes in the Heritage Area by—
 - (i) protecting landscapes of local, regional and national significance;
 - (ii) restoring and enhancing degraded landscapes; and
 - (iii) managing change within the landscape in an integrated way, including in the rural landscape to retain a rural character:
- (h) manage aquatic and terrestrial ecosystems to protect and enhance indigenous habitat values, landscape values, and amenity values:
- (i) recognise that people live and work in the Ranges, foothills and coastal villages in distinctive communities and provide for their social economic and cultural wellbeing:
[note – this clause is under review by Waitakere City Council]
- (j) provide for future rural uses and opportunities in order to retain a rural character:
[note – this clause is under review by Waitakere City Council]
- (k) recognise and protect the historic, current and future role of the Heritage Area as a natural and physical resource for water catchment and supply and in particular provide for the sustainable development of the water catchment and supply system (including infrastructure and activities) and all its components:
- (l) protect in perpetuity, the natural and historic resources of the Waitakere Ranges Regional Park for their intrinsic worth and for the benefit, use, and enjoyment of the people and communities of the Auckland Region and New Zealand.

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Implementation

Additional requirements and matters under Resource Management Act 1991

10 Regional Policy Statements and Regional Plans

- (1) When preparing a regional policy statement or regional plan that affects the Heritage Area, the Auckland Regional Council must have particular regard to the purpose of this Act and the Heritage Features and give effect to the objectives.
- (2) **Subsection (1)** is in addition to the requirements in sections 61(2) and 66(2) of the Resource Management Act 1991.
- (3) When evaluating a proposed policy statement, proposed plan, plan change or variation that affects the Heritage Area, the Auckland Regional Council must examine whether the provisions of the proposed policy statement, proposed plan, plan change or variation —
 - (a) are the most appropriate way to achieve the purpose of the Act; and
 - (b) give effect to the objectives.
- (4) **Subsection (3)** is in addition to the requirements in section 32(2) of the Resource Management Act 1991.
- (5) When reviewing a regional policy statement or regional plan that affects the Heritage Area under section 79 of the Resource Management Act 1991, the Auckland Regional Council must —
 - (a) have particular regard to the purpose of the Act and the Heritage Features; and
 - (b) decide whether the existing regional policy statement or regional plan —
 - (i) adequately achieves the purpose of the Act; and
 - (ii) adequately protects the Heritage Features; and
 - (iii) gives effect to the objectives.

11 District Plans

- (1) When preparing a district plan that affects the Heritage Area, the Waitakere City Council [*and Rodney District Council*] must have particular regard to the purpose of this Act, and the Heritage Features and give effect to the objectives.
- (2) **Subsection (1)** is in addition to the requirements in sections 74 and 75 of the Resource Management Act 1991.

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- (3) When evaluating a proposed district plan, plan change or variation that affects the Heritage Area, the Waitakere City Council [*and Rodney District Council*] must, examine whether the provisions of the proposed plan, plan change or variation —
- (a) are the most appropriate way to achieve the purpose of the Act; and
 - (b) give effect to the objectives.
- (4) Subsection (3) is in addition to the requirements in section 32(2) of the Resource Management Act 1991.
- (5) When reviewing a district plan under section 79 of the Resource Management Act 1991, the Waitakere City Council [*and Rodney District Council*] must —
- (a) have particular regard to the purpose of the Act and the Heritage Features; and
 - (b) decide whether the existing district plan —
 - (i) adequately achieves the purpose of the Act; and
 - (ii) adequately protects the Heritage Features; and
 - (iii) gives effect to the objectives.

12 Requests for Plan Change

A request made under sections 65(4) or 73(2) of the Resource Management Act 1991 to change a regional or district plan that affects the Heritage Area may be rejected, in whole or in part, by a relevant local authority if the request —

- (a) is inconsistent with the purpose of this Act; or
- (b) does not protect or enhance the Heritage Features; or
- (c) is inconsistent with the objectives.

13 Resource Consents

When considering an application for resource consent that relates to the Heritage Area, a relevant local authority must recognise and provide for the —

- (a) purpose of this Act; and
- (b) the objectives; and
- (c) any Local Area Management Plan in a district plan included in accordance with **section 15**,

as if they were collectively a matter of national importance in section 6 of the Resource Management Act 1991.

14 Designations and Heritage Orders

When making a decision under Part 8 of the Resource Management Act 1991 that affects the Heritage Area, the person making the decision must recognise and provide for the —

- (a) purpose of this Act; and
- (b) the objectives; and
- (c) any Local Area Management Plan in a district plan included in accordance with **section 15**,

as if they were collectively a matter of national importance in section 6 of the Resource Management Act 1991.

15 Local Area Management Plans

- (1) Waitakere City Council [*and the Rodney District Council*] may, in its district plan adopt Local Area Management Plans.
- (2) The purpose of a Local Area Management Plan is to identify and provide for long term objectives relating to the future amenity and character of the local area in the Heritage Area by —
 - (a) identifying the distinctive natural, cultural or physical qualities of a place or locality that contribute to the pleasantness, aesthetic coherence, and cultural and recreational attributes; and
 - (b) including objectives, descriptions, rules, or definitions of the environment, amenity, or character (including uses, and scale and intensity of development) of a place or locality identified under **paragraph (a)**.
- (3) A Local Area Management Plan must —
 - (a) not be inconsistent with the purpose of this Act; and
 - (b) give effect to the objectives.
- (4) Before adopting a Local Area Management Plan in its district plan under **subsection (1)**, Waitakere City Council [*or Rodney District Council*] must consult with people and committees in the place or locality concerned in accordance with the First Schedule of the Resource Management Act 1991.

Additional requirements and matters under Local Government Act

16 Additional requirements and matters under the Local Government Act 2002

A relevant local authority exercising its powers under section 12 of the Local Government Act 2002 in relation to the Heritage Area must have particular regard to the purpose of the Act and the Heritage Features and the objectives.

17 Auckland Regional Growth Strategy

The Auckland Regional Council must, when reviewing and amending the Auckland Regional Growth Strategy prepared under section 37SE of the Local Government Act 1974, ensure that the strategy and any amendments are not inconsistent with this Act.

18 Relevant local authorities must monitor and report

- (1) The relevant local authorities must jointly monitor —
 - (a) the state of the environment in the Heritage Area; and
 - (b) the progress made towards achieving the objectives; and
 - (c) the funding impact arising from activities to be undertaken specifically to give effect to this Act.
- (2) The relevant local authorities must jointly produce and each adopt a report on the monitoring undertaken under **subsection (1)** —
 - (a) within 5 years after the commencement of this Act; and
 - (b) after the first report, at intervals of not less than 5 years.
- (3) The relevant local authorities must jointly give public notice of the report —
 - (a) by means of a notice published in —
 - (i) 1 or more daily newspapers circulating in the Heritage Area; or
 - (ii) 1 or more equivalent other newspapers that have at least an equivalent circulation in that Heritage Area to the daily newspapers circulating in the Auckland Region; and
 - (b) by any other means that the relevant local authorities think desirable in the circumstances.

19 Management of Waitakere Ranges Regional Park

- (1) The Auckland Regional Council must, in consultation with the public, prepare, approve and maintain a management plan for the integrated management of the whole of the Waitakere Ranges Regional Park.

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- (2) For the avoidance of doubt, any management plan in existence at the commencement of this Act is a plan for the purposes of subsection(1).
 - (3) The Auckland Regional Council must adopt the special consultation procedure in accordance with section 83 of the Local Government Act 2002 in respect of adoption or amendment of a management plan under subsection (1).
 - (4) For the purposes of the integrated management of the regional park network, a management plan prepared under this section may form part of a comprehensive management plan for all regional parkland managed by the Auckland Regional Council.
 - (5) When preparing a management plan under subsection (1), the Auckland Regional Council must have particular regard to the purpose of this Act and the Heritage Features and give effect to the objectives.

20 Watercare Services Limited

- (1) This Act does not limit or affect the responsibilities or powers of Watercare Services Limited in relation to the Heritage Area under the Auckland Metropolitan Drainage Act 1960 or section 707ZZZS of the Local Government Act 1974.
- (2) This section applies to avoid doubt.

Relationship with other Acts

21 Obligation to have particular regard to sections 7, 8 and 9

When exercising a power or carrying out a function in relation to the Heritage Area under an enactment specified in **Schedule 3**, a relevant local authority must exercise the power or carry out the function having particular regard to the —

- (a) purpose of this Act; and
- (b) the Heritage Features; and
- (c) the objectives.

22 Waitakere Ranges Heritage Area Covenants

- (1) If an owner of land located within the Waitakere Ranges Heritage Area agrees to manage all or part of that land in a manner that contributes to the purpose of the Act, and if the relevant local authorities agree, the parties may enter into a covenant on such terms and conditions as the parties may agree to provide for the management and protection of the land.
- (2) A covenant entered into under subsection (1) may include conditions specifying contributions to be made to assist with the management of covenanted areas.

- (3) A covenant entered into under subsection (1) will be known as a Waitakere Ranges Heritage Area Covenant but in all other respects must be treated as if it were a conservation covenant under the Reserves Act 1977.

23 Relationship with Foreshore and Seabed Act 2004

This Act does not limit or affect the Foreshore and Seabed Act 2004.

Deed of Recognition

24 Recognition of tangata whenua statement of relationship

- (1) The Crown or the relevant local authorities may acknowledge any statement of particular historic, traditional, cultural, and spiritual relationship of tangata whenua of the Heritage Area with any land in the Heritage Area by entering into a Deed of Recognition with tangata whenua in respect of that land.
- (2) A Deed of Recognition—
- (a) may not relate to any water; and
- (b) may not relate to any private land included in the Heritage Area.
- (3) A Deed of Recognition —
- (a) may record the Crown or relevant local authority's acknowledgement referred to in subsection (1); and
- (b) must identify the area to which the Deed of Recognition relates; and
- (c) may acknowledge, where appropriate, any statement of relationship by any others who claim tangata whenua status with the area; and
- (d) without limiting section 26, must identify specific opportunities for contribution by tangata whenua to the management of the area by the Crown or relevant local authority.
- (4) A Deed of Recognition may be amended or revoked by agreement between the parties.

25 Purpose of Deed of Recognition

Without limiting **section 26**, the only purpose of a Deed of Recognition is to identify opportunities for contribution by tangata whenua to the management of an area by the Crown or the relevant local authorities.

26 Effect of Deed of Recognition

Except as provided in **section 24(3)(d)** and **section 25**, a Deed of Recognition—

- (a) does not affect the exercise of any power or the carrying out of any function or duty by any person under any Act, regulation, or bylaw; and
- (b) must not be taken into account by any person in the exercise of any power or the carrying out of any function or duty under any Act, regulation, or bylaw by that person; and
- (c) does not permit any person, when considering any matter or making any decision or recommendation under any Act, regulation, or bylaw, to give any greater or lesser weight to a statement of relationship of tangata whenua with any area, as recorded in a Deed of Recognition, than that person would give under that Act, regulation, or bylaw if no Deed of Recognition existed recording that statement; and
- (d) does not affect the lawful rights or interests of any person; and
- (e) does not have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to any area referred to in a Deed of Recognition.

27 Other Deeds of Recognition

Where the Crown or relevant local authority has entered into a Deed of Recognition for an area with tangata whenua, that Deed of Recognition does not prevent the Crown or local authority from entering into further Deeds of Recognition for that area with other tangata whenua who may have an historic, traditional, cultural, and spiritual relationship with that area.

28 Notice of Deed of Recognition

When the Crown or relevant local authority enters into a Deed of Recognition, or is a party to a Deed of Recognition that is amended or revoked, the Crown or relevant local authority, as the case may be, must, by notice in the *Gazette*, give notice of that Deed of Recognition or the amendment to, or revocation of, a Deed of Recognition.

Part 3

Miscellaneous Provisions

29 Preservation of existing rights

This Act does not limit or affect—

- (a) any title or right to ownership of the land or natural resources within the Waitakere Heritage Area, whether that title or right to ownership is conferred by Act, common law, or in any other manner;
- (b) any statutory acknowledgement included in any Act and listed in Schedule 11 of the Resource Management Act 1991; or
- (c) the ability of any person to bring a claim or continue to bring a claim in any court or tribunal relating to the foreshore, seabed, or other land or natural resources of the Heritage Area arising out of the Treaty of Waitangi, or any Act, or at common law, or in any other manner or any remedy associated with such claim.

30 Transitional Provisions

- (1) Where an application for resource consent for any activity within the Heritage Area has been —
 - (a) lodged before the commencement of this Act; but
 - (b) not finally determined before the commencement of this Act,

the continuation and completion of an application (including rights of appeal) must be in accordance with the Resource Management Act 1991 as if this Act had not been enacted.

- (2) Subject to subsection (3) where a plan change, variation, proposed policy statement, heritage order, or a notice of requirement for designation, has been —
 - (a) notified before the commencement of this Act; but
 - (b) not finally determined before the commencement of this Act,

the continuation and completion (including rights of appeal) of the plan change, variation, proposed policy statement, heritage order, or a notice of requirement for designation must be in accordance with the Resource Management Act 1991 as if this Act had not been enacted.

- (3) This Act affects, from the date of commencement, any plan change, variation, proposed policy statement or heritage order, or notice of requirement for designation listed in Schedule 4.

Replacement Page A69

Schedule 1 s6
Indicative Map of Waitakere Ranges Heritage Area

[map to be inserted]

Schedule 2 s6
Description of Waitakere Ranges Heritage Area

The Waitakere Ranges Heritage Area is all that part of the Waitakere Ranges Area shown on SO Plan **xxxxxx** enclosed by a line –

[description of area to be inserted]

Schedule 3 s21
Acts to which Parts 1 and 2 apply

Biosecurity Act 1993 (Part 5)
Hauraki Gulf Marine Park Act 2000
Historic Places Act 1993
Local Government Act 1974
Reserves Act 1977
Soil Conservation and Rivers Control Act 1941

Schedule 4 s30
Transitional Commencement Schedule

[Documents identified by ARC to be inserted]

Draft Community consultation and communication report

Waitakere Ranges and foothills protection – proposed legislation

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

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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

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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 Gravitas 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.

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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.

ASO