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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

Rodney resident/Waitakere City resident	38
Other (family/whānau/group; interested organisation; individual; visitor)	292
Non-questionnaire response or no response	217

Respondents were asked if they supported new legislation to protect the ranges and foothills. About 70 per cent supported legislation, 21 per cent disagreed and 9 per cent either did not know or did not respond. Of those who were land owners in the proposed area about 54 per cent said yes to legislation, about 38 per cent said no, and eight per cent either didn't know or didn't respond.

In answer to the question on whether the boundary of the proposed protected area was in the right place, about 53 per cent of respondents agreed, 30 per cent disagreed and 17 per cent either did not know or did not respond. Of those who said yes, about five per cent wanted stated specific areas they wanted to remain included, or to be added and about two per cent suggested excluding areas. Of those who said no to the proposed boundary about 20 per cent wanted the areas excluded from the area and about 15 per cent wanted a more areas included.

General themes

Many of the comments sought to show either agreement or disagreement in principle with the proposal to introduce new legislation, and showed agreement or disagreement in principle with the boundary suggested.

While there was a fundamental difference of opinion in the 'blocks' of responses, and this is discussed below, there was also broad agreement that the Waitakere Regional Park and bush clad areas are important, and that some form of protection is required. The trend of differences arises in relation to the treatment of the foothills and/or privately owned land. This was expressed through various trends.

Concept versus details

A number of comments were received about the level of detail provided. Some respondents opposed the proposal on the basis they could not comment on details that were not available, while other respondents supported the concept and the introduction of legislation, leaving the drafting to 'the experts'. Comments included *"We cannot support that which we have not yet seen."* and *"Good idea but how can you support something you do not know the details of?"* to *"I strongly support the proposed legislation and hope that the council will be proactive in supporting it through the parliamentary process in its current form."*

Further consultation

A number of respondents sought further information on the draft legislation, considering this essential because 'the devil is in the detail'. They sought this and the opportunity to make comments on it before the Council made a decision on whether to support introducing legislation or not. *"Never seen draft legislation - How can I comment?"*

In contrast some respondents felt there had been sufficient consultation and discussion over a number of years. Others felt the parliamentary process would provide sufficient opportunities to make comments on the draft legislation. *"No more consultation required. Please just get on and legislate to protect the ranges now!"*

Decision-making

There was some discussion on the role of central government and 'Wellington', with a number of respondents urging the Council to retain 'ownership' of the proposal and not allow central government to be involved in the process, fearing a loss of control over the outcomes. *"Don't want decisions and control of Waitakeres in Wellington."*

In contrast a number of respondents felt that the proposal was of national importance and central government needed to be involved to provide that appropriate recognition or to provide a level of security not available through local government. *"This area is a national asset of important beyond the residents and landowners of Waitakere. The area needs strong protection at a legislative level to protect it from development imperatives at the local level."*

Comments were made also about who had the right to influence the decision about whether legislation should be introduced. In this context comments were made about the Council's role and who made decisions over privately-owned land. A number of comments were made that only the landowners had the right to make decisions on about what happened on their land. Others viewed the proposal differently, and felt that 'public good' should be considered, that what happened on private land affected a wider area, such as neighbours' land on the same road, the wider neighbourhood, catchments and Ranges and foothills in general.

Some extended the discussion to say that the current regulatory regime was too harsh and needed to be relaxed. Others saw a need for stronger restrictions or for increased the enforcement of the current regulations.

Comments ranged from *"Owners of private property must be allowed to enjoy and develop their property as they see fit, with minimal interference by governments"* and *"People who have invested in this area do not want to be strangled by legislation. This is a beautiful national treasure that we all want to keep in the best state for future generations to enjoy. Put some tighter controls in place for district planners, and those who manage building consents."*

Other suggestions included *"Need stricter control on form and colour of buildings in the landscape i.e. reinstate Ranges colour controls."*

Policy - Why is legislation needed?

Many respondents discussed the policy on which the Council had based the consultation material. This included the understanding that the current layers of regulation (including legislation such as the Resource Management Act and the Waitakere City District Plan) did not provide adequate long term protection and certainty for the Ranges and foothills, particularly in managing cumulative effects of subdivision and development. A number of respondents opposed this assumption and preferred other methods rather than new legislation, such as using the district plan and structure plan. There were many comments that believed new legislation was necessary because the current regulations were not effective.

Comments ranged from *"Legislation to protect the ranges is urgently needed particularly as the RMA is fundamentally flawed given that it only considers development on a case*

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by case basis and does not consider the wider picture”, and “Once we lose it it'll be gone forever, we only get one chance. We don't own the land, the land owns us.

There were a number of comments about subdivision and development. There was general disagreement with intensive development in the Ranges or foothills. However there were a variety of comments on what level of development was appropriate – including suggestions the current level was too restrictive, and others felt it was too lenient. Related comments included suggestions that large land blocks should be able to be subdivided – at a level either consistent with or in addition to that allowed in the current District Plan. There were a number of comments on incentives.

“We would like to keep the developers out of the foothills and the ranges, but we do feel that the bigger landowners should at least get rate concessions, some form of compensation. This doesn't affect us personally, because we live on the traditional quarter acre section. We sincerely hope the council will succeed with their aim. I believe that the ranges are a legacy which should be passed on unspoilt to the future generations.

“We have bought homes in an area in which subdivision below four hectares is not permitted. We bought with that knowledge and for that reason....

Other methods

A number of respondents suggested other methods, either in addition to or in place of legislation. These included economic incentives included rates relief and incentives.

“The council view is that any development is bad. My property has been pasture for 100 years, with incentives and this includes subdivision into larger lots. Properties such as mine could be extensively planted into native bush this enhancing the area.

“Support new legislation to protect the buffer area around the ARC park boundary but this needs to allow people to live and enjoy life in the areas and villages that exist. I support incentives for landowners to protect their land rather than rules that are over the top, e.g. with regard to weeds. The main threat that I would like to see protected are future subdivisions especially in the eastern foothills”

Some comments suggested management could be improved (pest and weed control, visitor management and service and amenity infrastructure (roads, sewage systems etc). A few comments suggested the Metropolitan Urban Limit be shifted, either now or would need to be shifted in the future when there was a need for more residential land.

General comments

There were many general comments:

- *“This Bill is not in our personal interest but in our view is of great public and environmental importance”*
- *“People live in this area because they love the bush and it is not right that developers move in to cut down the bush and subdivide and destroy the look and feel of Waitakere.*
- *“People need to live somewhere, but the Waitakere Ranges is too important to sell off little by little as these property developers would love to make there fortune here and now! Where westies like me and so many other wish to leave*

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the way it is for the future westies. Hard decisions need to be made and people held responsible for their actions.

- *“As a “Westie” I see what a wonderful asset the proposed area is to the whole of Auckland, for tourism, residents and for preserving the beauty and uniqueness of NZ. Already subdivisions have taken over the picturesque vineyards and orchards which is what the West was known for too.*

Boundary feedback

In this phase of consultation a boundary map was produced showing a revised boundary from that used in phase two (April – May 2004).

Generally written comments on the proposed boundary were quite general and evenly split. They can be grouped into the following categories:

- Opposed to or supportive of the inclusion of the foothills
- Opposed to or supportive of the inclusion of the Penihana land
- Opposed to or supportive of the inclusion of each of the Oratia, Opanuku, Swanson and Anzac Valley foothill catchments
- Opposed to or supportive of the inclusion of the Titirangi-Laingholm area
- Opposed to or supportive of the inclusion of Piha
- Proposed inclusion of areas north of Swanson Road (outside proposed boundary)
- Proposed inclusion of areas outside the MUL with conventional urban zonings.

There were also a number of comments regarding the inclusion of parts of Rodney District.

Specific property or boundary comments were more likely to arise in conversation with concerned landowners within the proposed boundary.

Market research / opinion polling.

In January/February 2005, WCC commissioned an independent company UMR Research Limited, to undertake a telephone survey. The survey was undertaken from 2-5 February at UMR Research's national interview facility in Auckland. The sample was comprised of 300 residents within the proposed project area. The survey measured their awareness and opinions of the project and of the proposed legislation. Results showed:

- There was a high level of awareness about the project at 88 per cent (92% for foothills residents and 86 % among remaining areas).
- Of those aware of the project, 76 % were aware that legislation had been proposed
- Of those, a majority (52%) supported the use of legislation, 18% were neutral and 21% opposed.
- Support for the use of legislation was weaker among foothills residents at 46%, with 14 % neutral and 33 % opposed.
- The main reasons given for supporting the use of legislation were that it would protect the area, support greater control of development in the area, and the perception that legislation was an effective tool for protecting the area
- The main reason given for opposing the use of legislation was that it was unnecessary as other processes were already in place.
- Following information regarding the legislation, all respondents were asked their level of support. 60 % supported, 15% were neutral and 21 % opposed.

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- Support for the use of legislation was again weaker among foothills residents at 53%, with 12% neutral and 29% opposed.

ARC commissioned an opinion poll of 500 Auckland region residents (excluding Franklin and Papakura Districts) to gauge public opinion surrounding the proposal for legislation. Results showed:

- 73 % of respondents supported the new law, 16 % were neutral and 8% opposed. (This followed some information on the new law proposed)

Unprompted reasons for supporting the new law included

- | | |
|---|-----|
| • Important to retain open space/parks/green areas | 58% |
| • Important to protect the landscape | 31% |
| • Development is destroying the environment | 29% |
| • Law will still allow land owners development rights | 9% |

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Phase four – draft legislation

Approach

In February 2005 Waitakere City Council reviewed phase three consultation and decided to extend consultation for three months to allow time for consultation with specific landowners and further work on drafting legislation, including consultation with central government agencies.

Feedback from the previous few months had shown that many people wanted to see draft legislation before making their decisions on whether to support it or not.

The consultation and extensive communications programme was undertaken by Waitakere City Council, and focused on a series of drop-in sessions and individual, small group or family meetings with representatives of the Council.

Key messages

The key messages communicated during the consultation phase were:

1. Waitakere City Council is considering whether to introduce draft legislation to Parliament.
2. The Council wants all landowners within the proposed Heritage Area to "get the facts" and to understand in detail how it might affect them.
3. Contact the Council to 'get the facts'.
4. Or visit one of four 'get the facts' drop-in session to get the facts in person and have any questions answered.
5. Copies of the draft bill are widely available for comment

Consultation programme

A consultation programme was designed to allow extensive one-on-one discussions with landowners in the proposed area. Landowners who had expressed specific property concerns in their previous comments were contacted and a series of site visits were planned.

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.

A theme of 'get the facts' was used for the consultation and communications programme. Landowners and other interested parties were encouraged to get the facts before they made decisions and expressed opinions.

Consultation and communication methods

Consultation and communication methods included:

- Four drop-in sessions (4-6 hours each) for landowners to have specific concerns answered (about 400 people attended)

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- Meetings or site visits with interested landowners, families or groups of neighbours to discuss specific property or boundary issues
- Draft legislation freely and widely available for comment
- Personal, individual contact with officers and elected members
- WCC website
- A flyer advertising the draft legislation and drop in sessions, delivered to all letterboxes in the project area (about 8,000)
- A letter from Waitakere City Council to all ratepayers within the project area (whether they lived in the area or outside)
- A series of billboards around the city
- Media release
- A series of full-page weekly advertisements in local community (free) newspapers

In addition:

- A small number of community-organised meetings were held. Reported attendees included meetings of 600 (against the legislation) and 800 (supporting the legislation).
- A letter was also sent to Rodney District residents and ratepayers.

Analysis of feedback

Background to feedback

Feedback has been received in a number of ways (reflecting the variety of consultation methods used):

- electronic and printed questionnaires continued to be provided
- written and electronic correspondence (including a petition)
- verbal comments (in person or by telephone)
- landowner and special interest meetings

Written comments

The call for comments on the draft legislation resulted in less feedback than the previous consultation exercises, and much of the information received mirrored previous comments.

About 100 letters or emails were received. Many of these were correspondence sent to all or some elected members of Council and were aimed at influencing the decision-making process.

There were much fewer comments on the content of the draft legislation and on the boundary, and these were more likely to be expressed verbally rather than in writing.

Just over 60 late questionnaires were received with no identifying details. The responses were evenly split between support for and opposition to the boundary and the legislation.

Landowner and special interest meetings

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Officers met with the owners of about 25 properties to discuss the draft bill in general and specific property issues in particular. Many of the meetings involved site visits. Some meetings involved groups of neighbours and others' extended families.

Concerns discussed included:

- the language used in the bill
- how the bill would or could be interpreted
- anomalies in and/or views that current rates policies were unfair in some situations
- beliefs that property rights were being taken away and should be compensated for
- rural character – should it be retained? why and how
- how uneconomic rural land uses could be addressed
- how rural economic development could be tackled
- how social and economic issues could be dealt with in the bill, or whether other initiatives could be undertaken.

General themes

As with the previous consultation period, many of the comments sought to show either agreement or disagreement in principle with the proposal to introduce new legislation.

The comments can be categorised as those relevant to:

- the consultation programme
- the draft bill and its implementation
- current policies and plans
- current management processes

Relevant to consultation programme

There were very few written comments on the consultation programme. The few received generally commented on the lack of consultation with landowners "*Landowners in the area directly affected should have been contacted personally about this issue*".

There was a belief expressed consistently by at least one submitter that the consultation process was flawed (all or in part). Another belief expressed both verbally and in writing that the decision-makers should not consider the views of people who were not landowners in the proposed area, nor the views of people outside Waitakere City.

There were a number of positive comments received during personal conversations or meetings with specific landowners, reflecting on the opportunity to have one-on-one discussions or site visits about specific concerns.

Relevant to the draft bill and its implementation

The need for legislation

This was the topic of many comments, both verbal and written. Many comments queried why legislation was needed in addition to the Resource Management Act and district plans, with an underlying feeling that those tools could be used more effectively. A lesser number felt structure plans would be effective instead of legislation. There were also comments supporting of legislation, as the current tools were not sufficient to guarantee long-term protection, particularly of the character of the foothills.

Wording of draft legislation

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There were a number of general comments stating the legislation was flawed, vague or otherwise ineffective. Very few comments provided alternative wording or amendments.

Most of those suggesting amendments related to excluding the foothills from the Heritage Area, or correcting information on the regional parkland. Other specific suggestions included:

- confirming the status of structure plans
- including a list of permitted activities as a schedule
- correcting the history of the parkland
- acknowledging the importance of the habitat, built and worked-environments
- clarifying the meaning 'national importance' and deleting the word 'national' from the title
- more explicitly stating the different impacts the bill would have on different areas, such as the bush-clad Ranges and the foothills

Property rights

Many verbal comments reflected on the impact the draft bill would have on property rights. These were split between the perception that property rights would be diminished by the introduction of legislation (landowners less able to do what they wanted on their property), and comments from those who felt their property rights would be enhanced (less impact on landowners from other landowners' activities).

The most frequent comments received both verbally and in writing were about subdivision and development and the impact the legislation would have on these activities.

A number of comments related to current district plan rules and policies (see below). Some discussed the need to limit or stop further subdivision in the area, particularly in the foothills. Comments ranged from

"There will always be pressure to further sub divide... the district plan does not control subdivision and development as claimed by some people.", to "If this bill will 'stop' any further subdivision within the 'buffer' zone of the foothills, my family and I are 100% behind the council and it's enforcing of the bill" and "It is vitally important that no more subdivision of the foothills of the Waitakere Ranges is allowed."

On the other hand, there were comments that subdivision would enhance the character of the area.

"The legislation refers to passing on our inheritance to our descendants. But in actuality the limits on subdivision jointly arising from recent reinforcements to the District Plan and this legislation will mean that most of our descendants will be driven off this land within another generation."

Parkland

Written and verbal comments were received about Auckland Regional parkland within the proposed Heritage Area. These comments showed differing perceptions about the status of the parkland and, to a degree, detracted some community members from focusing on the intent and content of the legislation.

Relevant to current policies and plans

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The vast majority of discussions with small groups or individuals related to current policies and plans, particularly Waitakere City District Plan provisions and policies about subdivision. Most discussions were therefore irrelevant to the wording of the draft bill, although an outcome of the bill would be to strengthen the intent of the current district plan.

There were a number of discussions and comments relating to incentives or compensation for landowners unable to subdivide, as detailed in the current plan. This generated much discussion about land uses appropriate for rural areas, and resulted in agreement to investigate this issue further.

Boundary comments

The boundary for the extended consultation period remained the same from phase three.

In general, there were no new policy issues raised about the proposed boundary.

A number of specific property issues that were identified in the previous months were investigated further. A number of meetings (on and off-site) were held with individual or family landowners to look at specific property issues.

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How issues have been addressed

Comment

Concerns with consultation process, use of questionnaire, claims of support

Response

The consultation programme was designed to:

- raise awareness
- encourage community engagement
- identify trends in community opinion
- prompt additional extensive comment

In addition to the consultation methods implemented by the Councils, two independent surveys were carried out. Their findings reflected the trends identified from the questionnaire.

The rules have changed since properties were purchased.

The rules and statutes governing the management of land and natural resources have always been subject to change. The Resource Management Act was introduced in 1977 and was different from the Town and Country Planning Act. District plans have become operative and, apart from being reviewed every ten years, and can be changed as a result of changes by the council, private plan changes, or as a result of appeals and the outcomes of mediation.

The draft bill is clumsy and unspecific.

The Bill reflects the current RMA approach, that is, it is effects-based and therefore not prescriptive. It would not be appropriate in the current legal framework to include prescriptive rules or conditions in a bill.

It is difficult to know what effects it might have in practice.

The Bill has been revised to provide greater clarity about the outcomes sought, including how it will be implemented through district plans.

This will result in litigation.

The bill provides guidance to decision-makers and thus provides flexibility to address each application individually. This will also reduce the current levels of litigation in the long-term.

Protection can be achieved through the RMA and/or district plans

The current statutory and regulatory framework works in assessing and avoiding adverse effects on the environment. However the bill has been drafted to ensure the affects of a proposal will be assessed on the contribution it will make to achieving a future, long-term goal, which is not possible under the current framework.

There are no clear guidelines relating to subdivision and/or development.

It is not normal for guidelines to be provided in legislation. Guidelines will be produced outside the regulatory framework, and to support District Plan. The appropriate current WCC guidelines will be revised to reflect the bill when it is enacted.

The Bill has been revised to provide greater clarity about subdivision and development.

The same rules can't apply to private and public land.

Current legislation such as the Resource Management Act applies to both private and public land.

The proposed bill includes some specific requirements for the way parkland is managed. This approach is not unusual.

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Some key provisions in the district plan are not yet operative – Objective 9 and Policy 9.1 - therefore they have not yet been tested to see if they are effective	<p>Although the provisions (re "outstanding landscapes") are not formally operative they are implemented as if operative. These relate only to 'outstanding landscapes' whereas the bill covers much more. See Clause 8. 'Heritage Features of Waitakere Ranges Heritage Area'.</p> <p>In addition, this section of the plan does not address issues about cumulative effects and the lack of certainty and permanence for the future character of the Heritage Area.</p>
Locals should be in charge of local affairs	<p>The proposed legislation requires the current decision-makers to implement the Act through tools already used.</p> <p>In relation to Waitakere City those decision-makers are Waitakere City Council, Auckland Regional Council and the Environment Court.</p> <p>Parliament regularly makes decisions that affect Waitakere City. In relation to the bill, once a decision is made by Parliament, no new decision-makers would be involved other than those above.</p>
Legislation should not be used as a means of controlling land use in rural areas of Waitakere City.	<p>Legislation provides an over-arching approach that will apply consistency for key decisions that affect the proposed Heritage Area. Such decisions and the processes for making them are already the statutory framework of the RMA and LGA – this will not change.</p>
The regional parkland is already protected.	<p>The bill is about much more than protecting the regional parkland.</p> <p>The Local Government Act 2002 repealed previous provisions relating to the purpose of regional parks, and repealed the Auckland Centennial Memorial Parks Act 1941. As a result this nationally significant protected area of some 17,000 hectares has no clear purpose (except for about a third of the area subject to the Reserves Act). The bill rectifies that matter and brings the high level statutory purpose of the management in line with that of other areas of equivalent significance.</p>

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Conclusion

The purpose of the consultation reported on in this document was to ascertain community views and opinions in relation introducing legislation in order to achieve better protection of the Ranges and foothills in the long-term.

The consultation programmes were designed to raise awareness, show trends in public opinion, and to highlight specific suggestions or concerns with the proposal. Consultation focused firstly on the proposal in general, and secondly on a specific draft bill, seeking views on how it could be improved or clarified to address concerns. In addition, views were sought on additional actions to complement the initiatives already under discussion.

Throughout the consultation programme there was an emphasis on engaging people in the community in the process informally. It was recognised early in the process that the decision was made to introduce legislation to Parliament there would be considerably more consultation. There would be at least one, and probably two, formal submission processes.

Effectiveness of consultation process

Over all, consultation was effective with a comparatively significant level of response.

An early emphasis on electronic communication via website and email to accompany a hard copy newsletter/questionnaire city-wide mail out and supporting radio advertising campaign contributed positively towards the significant level of response in phase three.

The establishment of a specific email address ranges@waitakere.govt.nz, clear links from the Waitakere City homepage, and ability to email the questionnaire and browse detailed maps and an outline of proposed legislation all offered significant opportunities to raise the level of public participation.

The range of questions focused the responses on issues that the council required feedback on, and prompted a wide range of responses.

A decision to only hold meetings on request was successful, focusing resources on meeting structures put in place by community organisations and individuals. In response to a request from the Titirangi Residents and Ratepayers Association, the Council invited all residents and ratepayers associations to convene meetings, undertaking to meet the costs. The disadvantages of this approach included an inability to control or contribute to the context in which council staff contributed information to community meetings, and inconsistencies with effective facilitation.

The information gathered was complemented by independent opinion polls and market research. This approach was successful in confirming the integrity of the results.

The focus on raising awareness and gathering feedback appropriately led into the extended consultation period with a specific focus on the content of the draft bill. This

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provided opportunities for specific issues to be discussed in detail, particularly those relating to individual properties.

Council response to feedback

During and following the consultation programme the Council was considering the feedback with a view to improving the draft legislation and responding to gaps in current approaches.

Where appropriate, the bill was revised take into account issues raised.

The Council has already agreed to address some major issues identified outside the scope of the legislation. Two major initiatives are: assessing and discussing the issue of rates in the area; and investigating how the City can support economic development, redevelopment and the retention of the rural character of rural areas within the proposed Heritage Area. These initiatives will be undertaken regardless of whether the draft bill is introduced to Parliament.

Comments received will continue to be addressed as appropriate.

Councillor involvement

Throughout the consultation and communications process councillors were fully involved.

There was good attendance by councillors at most of the community meetings

All questionnaires and written comments collected were made available to all members, along with summaries

Members received hundreds of emails, letters and telephone calls as addresses and contact details were widely distributed by stakeholder groups.

Appendices

Council resolutions

1. Resolutions from previous Council meetings

Consultation materials

2. Newsletter / questionnaire, December 2004
3. Letter from Mayor and Deputy Mayor, December 2004
4. Letter from Mayor, March 2005
5. Advertising material (advertisements, billboard, flyer), March 2005

Market research report

6. UMR Research report, February 2004

Appendix One: Resolutions from previous Council meetings

Resolutions from Council meeting 4 May 2005

745/2005

That the Waitakere Ranges and Foothills Protection Project - Geographic Scope, Proposed Boundary, and Some Policy Issues report be received.

746/2005

That a report assessing and discussing the issue of rates in the Waitakere Ranges and Foothills protection area be prepared and brought back to the Council for their consideration.

747/2005

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.

748/2005

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.

749/2005

That the Council agrees that the proposal that the legislation should apply only to parkland and voluntarily included private land does not meet the policy objectives of the Council in respect of the Waitakere Ranges and Foothills.

750/2005

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.

Resolution from Council meeting 27 April 2005

682/2005

1. That officers report back to Council on the Waitakere Ranges and Foothills proposals for enhancing awareness and promoting the potential for business, including the concept of farmers' markets, as provided for in the District Plan and which would continue to be provided for under any proposed legislation.
2. That the funding allocated for the development of a business incentive package in the Annual Plan 2004/2005 now be applied to this project.

Resolutions from Council meeting, 16 February 2005

169/2005

1. That the Waitakere Ranges and Foothills Protection Project report be received.

A100

DRAFT Community consultation report – May 2005

2. That Council acknowledges the high level of response to the Council's call for submissions and feedback on the proposals for the further protection of the land in the agreed project area.
3. That Council agrees that the independent research that it commissioned shows there was a high level of awareness of the relevant issues, and that the consultation process may be considered to be successful in elucidating issues and measuring levels of support for, of concern about, and of opposition to the proposals.
4. That Council notes the consistent conclusions from the Auckland Regional Council research and consultation that was undertaken around the Waitakere Ranges and Foothills Protection Project.
5. That Council notes the overall high level of support (majority) for taking further action to protect the Ranges and Foothills, including legislation.
6. That Council notes the main concern expressed by the public was the desire to see and assess the actual draft Legislation, before forming a final view on its acceptability.
7. That Council notes that there are numerous technical matters to be dealt with before the Bill is sufficiently prepared to present to Parliament.
8. That Council agrees that time should be taken to attend to those technical matters, and to allow for focussed discussions with specific landowners in order to improve the efficacy and acceptability of the draft Bill.
9. That Council agrees that further work should be undertaken as expeditiously as possible, with a view to reporting back to the Council on progress made in May 2005, before a final decision on whether the draft legislation should be submitted to Parliament by June 2005.
10. That the Council notes that the draft Bill, as a tool, is consistent with Council's agreed policy objectives.
11. That Council agrees that work should continue to prepare the draft Bill for the Parliamentary process, should the decision to proceed be taken.
12. That Councillor Neeson's proposals for addressing the protection of the Ranges and/or Foothills be included in the protection work programme.

171/2005

That the Report on Feedback on Proposed Boundary for Waitakere Ranges and Foothills Protection Area report be received.

Resolutions from Council meeting 16 November 2004, reconvened from Council meeting on 10 November 2004

2047/2004

That the Terms of Reference for the Waitakere Ranges and Foothills Working Party be amended as follows:

- any media release or other public communication on the Waitakere Ranges and Foothills Protection Project through partner publications will be discussed and where possible agreed to by the members of the Working Party beforehand. The final sign-off for all communication/consultation material rests with each organisations nominees.
- that the scope of the matters to be considered by the working party include "Such other matters as agreed to by the constituent organisations".

2050/2004

A101

DRAFT Community consultation report – May 2005

That the consultation process and timeline as outlined in the Agenda report for the Waitakere Ranges and Foothills Protection Project be approved, subject to a review of the consultation process and outcomes to be undertaken by Council in February 2005.

2051/2004

That Waitakere City Council write to all the Resident and Ratepayer groups requesting a meeting between the consultation dates and that Council cover all costs that relate to those meetings.

2052/2004

That update reports be provided to the City Development Committee regarding the Waitakere Ranges and Foothills Protection Project consultation.

2053/2004

That the Waitakere City Council representatives on the Waitakere Ranges and Foothills Working Party be delegated authority to sign off final versions of consultation and communications material produced for the Waitakere Ranges and Foothills Protection Project phase three consultation process.

2055/2004

That the boundary of the Waitakere Ranges and Foothills Protection Project be as shown on the map attached at page A1 to the Agenda and to Mean High Water Springs on the coast, and that this be consulted on as part of the consultation process.

2056/2004

That Council supports independent market research on the effectiveness of the consultation approach regarding the protection of the Waitakere Ranges and Foothills within the Terms of Reference as outlined at this meeting, to be jointly funded by the Auckland Regional Council and Waitakere City Council.

2057/2004

That the policy and content of the draft legislation as outlined in the 10 November Council Agenda report "Waitakere Ranges and Foothills Protection Project – Proposed Legislation" form the basis for preliminary drafting of a local bill.

1933/2004

1. That Mayor Bob Harvey, Crs Hulse and Clews be the three nominated Council Members to form part of a Waitakere Ranges and Foothills Working Party and Cr Lawley as the alternate in their absence.
2. That the Auckland Regional Council, Central Government and the Rodney District Council be invited to nominate up to three (3) representatives to join a Waitakere Ranges and Foothills Working Party.
3. That Te Kawerau A Maki and Ngati Whatua both be invited to nominate a representative to join the Waitakere Ranges and Foothills Working Party.
4. That the Terms of Reference for the Waitakere Ranges and Foothills Working Party as outlined on pages A10 to A11 to the Agenda be approved.
5. That the Auckland Regional Council and Central Government be approached seeking direct contributions towards the costs of the Phase Three consultation and implementation of the Waitakere Ranges and Foothills Protection Project.

A102

DRAFT Community consultation report – May 2005

1936/2004

1. That the Waitakere Ranges and Foothills Protection Project – Proposed Legislation report be received.
2. That the information contained in the Agenda and appendices provide the basis for the consultation material to be prepared for the community consultation process for the Waitakere Ranges and Foothills Protection Project.

A103