

SOUTHWEST GATEWAY PROGRAMME

Airport to Botany Mass Transit Project



Property Acquisition Strategy

REPORT NAME	Airport to Botany Mass Transit Project Property Acquisition Strategy
PREPARED BY	Fenella Fischer

DATED	1 March 2021
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1 EXECUTIVE SUMMARY

1.1 PROJECT OVERVIEW

The Southwest Gateway Programme

The Southwest Gateway Programme (SWGP) consists of three connected transport projects. The SWGP stems from the Airport Access Programme Business Case (PBC), which was developed by Waka Kotahi NZ Transport Agency (Waka Kotahi), Auckland Transport (AT), and Auckland International Airport Limited (AIAL) and focussed on improving access to the Airport. The PBC was endorsed by all three organisations in May 2017.

The SWGP is focussed on improving access to the airport from the south and east, and consists of the three programmes outlined below;

Airport to Botany Rapid Transit (A2B) – AT will deliver a new rapid transit system between the airport, Manukau and Botany, which will improve accessibility in the southern and eastern areas of Auckland. A2B will provide an important link in the rapid transit network, with connections to the rail network at Puhinui and Manukau stations, the Eastern Busway at Botany Interchange and light rail at the airport.

20Connect – Waka Kotahi will improve journey reliability and safety along State Highway 20, 20A and 20B. It will provide priority lanes for public transport, improved access and safety as well as better walking and cycling connections to the airport and Puhinui Road.

Auckland Airport Precinct Improvements (AAPI) – The Airport will deliver transport improvements within their precinct to contribute to providing reliable journeys on their network and support mode shift to public transport.

This property acquisition strategy has been developed for A2B long term improvements only as other agencies are responsible for acquisitions for 20Connect and AAPI. Please note this is a draft strategy and was prepared following the review of the property acquisition plans prepared by Aurecon. These plans were based on a concept design that excluded passing lanes at all the stations.

Since this strategy was completed, the design plans have been further developed. This could affect land requirements and the value of land to be acquired. As the design will continue to be developed.

The property forecast and strategy has not been updated at this time but it will be updated to reflect these changes as the design progresses.

A2B and 20Connect PROJECTS

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The A2B and 20Connect projects will be delivered in five key stages (referred to as Horizons). The preferred route of the rapid transport corridor runs down the entirety of Te Irirangi Drive, through Manukau passing the Manukau bus and train station connecting to the new Puhinui bus and rail Interchange along Puhinui Road and heads west towards Auckland Airport via State Highway (SH) 20B.

The first stage is underway with Puhinui Station being upgraded to provide an interchange which will allow for easy connections between buses and trains, and a new frequent bus service and bus priority improvements between the airport and Manukau.

A2B is proposed to provide 18km of congestion free rapid transit and 12km of new walking and cycling facilities. 20Connect is proposed to be undertaken by Waka Kotahi and completed in Horizon 5 after A2B.

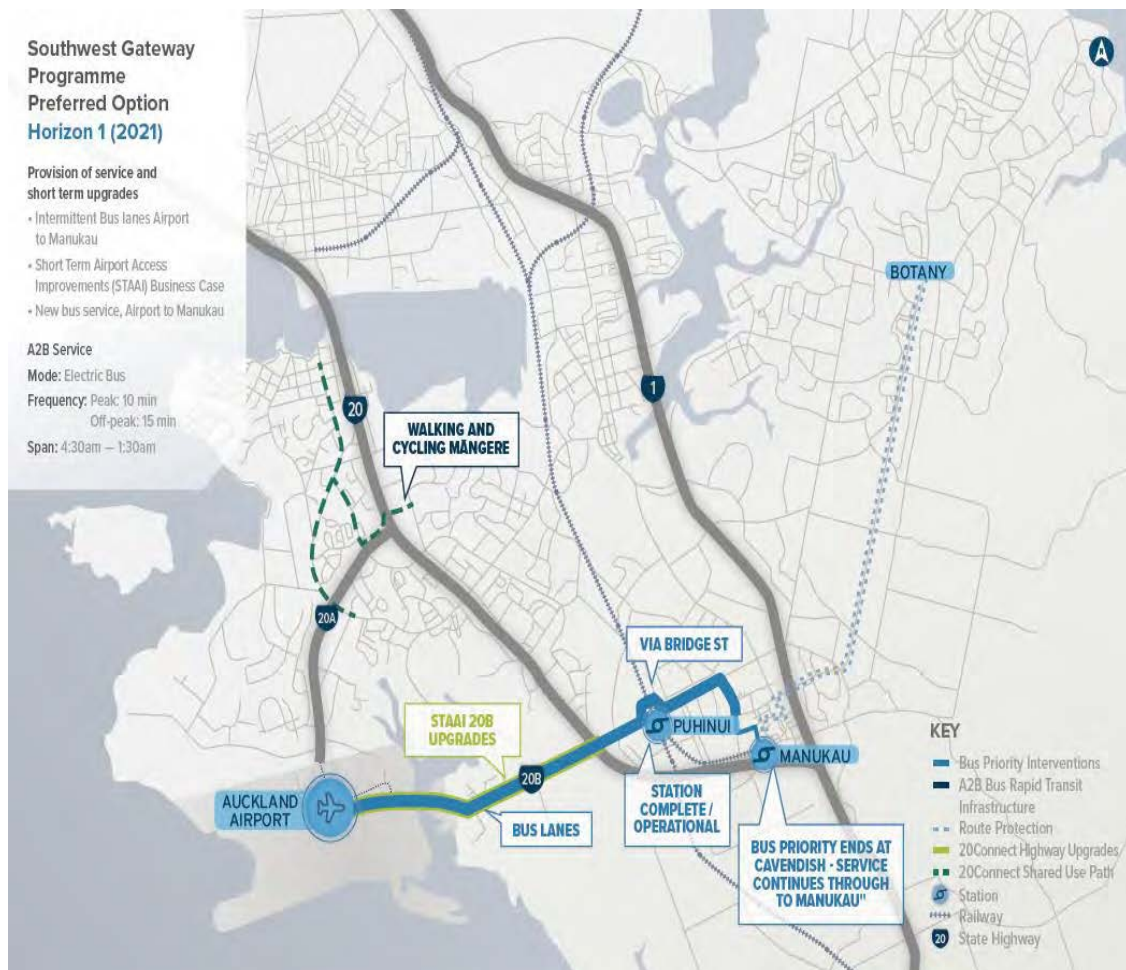
The Horizons are outlined as follows:

Horizon 1 -Short Term Airport Access Improvements (STAAI) Programme shown in figure 1.

AT will deliver by 2020/2021 the upgrade of the Puhinui Station to provide a high-quality bus/rail interchange, bus priority lanes on Puhinui Road and Lambie Drive, new and upgraded intersections and improved walking and cycling connections along SH20B, Puhinui Road and Lambie Drive. These improvements will support a new frequent bus service between the airport and Manukau.

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Figure 1: Horizon 1 Extent of the STAAI Programme



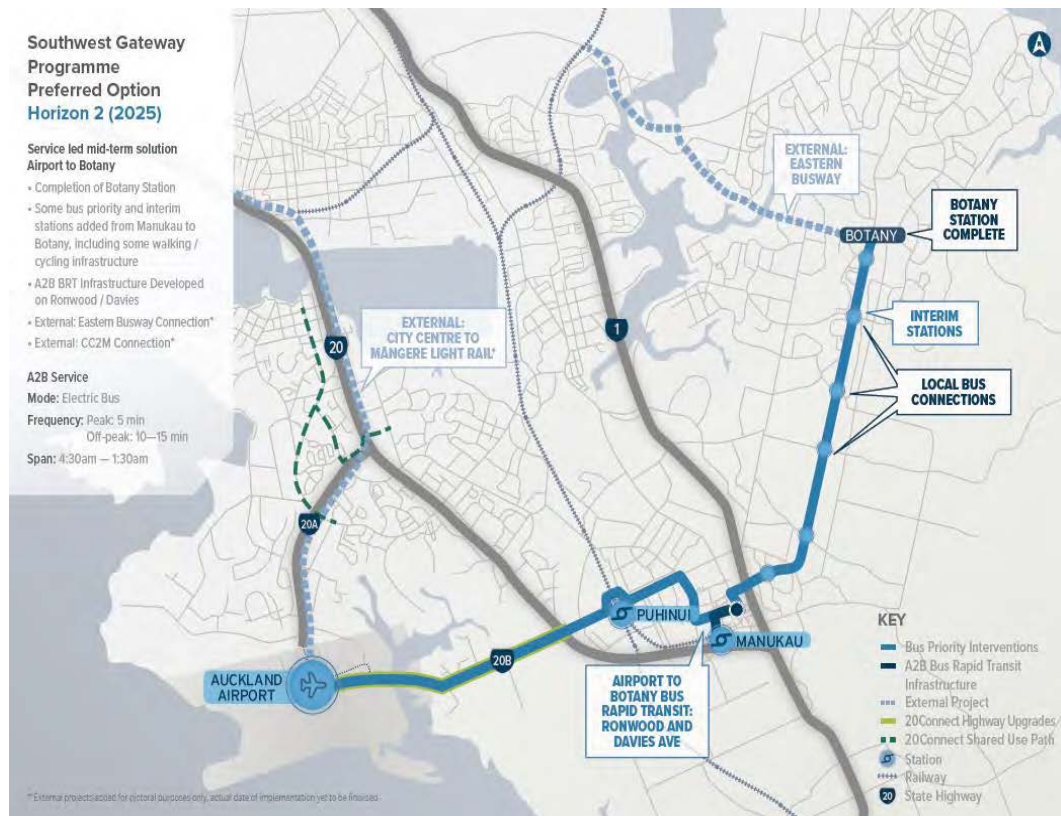
Horizon 2 – Medium Term Improvements shown in figure 2.

Horizon 2 will deliver improved access and travel choices for south and east Auckland by extending the frequent bus service to run from the airport to Botany, with some priority on Te Irirangi Drive and in Manukau to support this service.

The Medium Term Improvements have not been endorsed and currently have no confirmed funding.

The Eastern Busway Alliance (EBA) will complete the detailed design, consenting, property acquisition and construction of the first stage of the Botany Bus Interchange (BBS). This station will ultimately be an interchange and terminus for the A2B rapid transit service and Eastern Busway, as well as a major local bus interchange for east Auckland. The interchange will be built in two stages, with the first being completed by 2025 to align with the opening of the Eastern Busway.

Figure 2: Horizon 2 show the extent of the Medium - term Improvements which includes Botany Station



Horizons 3 & 4 - Long Term Airport to Botany Rapid Transit Improvements (Long-term Improvements) – shown in figure 3 & 4.

AT will complete detailed design, consenting, property acquisition and construction of the rapid transit corridor between Botany and SH20B which will link up with 20Connect and the Auckland Airport Precinct Improvements. The Long-Term Airport to Botany, 20B and 20C Connect is programmed to be completed in stages with the final stage being completed by Waka Kotahi in 2040, subject to funding.

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Figure 3: Horizon 3 shows the extent of the Long-term Improvements



Figure 3: Horizon 4 shows the extent of the Long-term Improvements



Horizon 5 – 20Connect Improvements – shown in figure 5.

Following completion of the Airport to Botany Rapid Transit corridor and related improvements, it is anticipated that Waka Kotahi will lead the delivery of improvements on State Highway 20 and 20A, including capacity and walking and cycling improvements and a new southbound SH20A-SH20 ramp.

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Figure 3: Horizon 5 20Connect and extension beyond Botany



Strategic Alignment

A2B is strategically aligned with the following frameworks and projects:

- 20 Connect (20C)
- Auckland Airport Precinct Improvements (AAPI)
- Eastern Busway
- Supporting Growth
- City Centre to Mangere Light Rail

These projects will support greenfield growth address southern motorway congestion and improve resilience of the transport network resulting in improved transport choices for a growing and vibrant Auckland.

A2B - Property Acquisition

The A2B project will be delivered in four stages, referred to as Horizons, as outlined above. The final stage, Horizon 5, will be delivered by Waka Kotahi and does not form part of this property strategy. For the purpose of this property acquisition strategy Horizons 3 and 4 have been combined as the 'Long-term Improvements'.

Horizon 1: STAAI Programme

The STAAI Programme has been endorsed by AT, Waka Kotahi and AIAL. Funding for the STAAI Programme of \$68m is confirmed in the 2018/2028 RLTP.

The largest component of this funding, being \$58m, has been allocated to the design, consenting and physical construction works for the Puhinui Interchange Project.

The Puhinui upgrade commenced in September 2018 and is programmed to be completed by 2021.

All property acquisitions in this stage have been completed.

Horizon 2: Medium-term Improvements

The business case is being submitted for approval in early 2021 which will confirm funding. It is anticipated the physical construction works will be completed by 2025.

There are two proposed new stations in Ronwood and Davies Ave, all work in this stage is intended to be carried out within the road corridor. There are presently no proposed property acquisitions for this stage of the project.

Horizon 3 & 4: Long-term Improvements

Rapid transport will travel from Auckland Airport, along State Highway 20B and Puhinui Road to the upgraded Puhinui Rail/Bus Interchange. From here, the rapid transit corridor will travel along Puhinui Road and Lambie Drive and through the Manukau Centre via Manukau Station Road, Davies Avenue and Ronwood Avenue.

It will then travel via Great South Road and Te Irirangi Drive to a new high-quality interchange at Botany, where it will connect with the Eastern Busway.

The rapid transit line will have 12 stations, including major interchanges at Botany, Manukau and the Airport and 9 other new stations along the route.

The Notice of Requirement (NoR) is scheduled to be lodged in mid/late 2021 and confirmed in mid to late 2023 (subject to funding being approved).

The property acquisition phasing has been based on the Horizon Plans above. The Horizon completion dates are as follows:

Horizon 3 – AT to complete construction and Waka Kotahi to complete south bound upgrades for 20B by 2030

Horizon 4 – AT to complete construction by 2035

Horizon 5 - Waka Kotahi to complete upgrades to SH20 and 20A by 2040.

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[REDACTED]

Acquisitions in Horizon 5 relating to the upgrade of SH20 and SH20A will be undertaken by Waka Kotahi. Waka Kotahi will prepare the property strategy for the upgrade of SH20 & 20A.

AT and Waka Kotahi are still working through the details of who will acquire the properties along Puhinui Road, referred to as S20B. There are 20 acquisitions along this section of the project, that will aligned with Stage 2, Horizon 3.

Funding is not confirmed for the Long-term Improvements in the 2018/2028 Regional Land Transport Plan (RLTP).

This report will only focus on the property strategy and risks associated around property acquisitions in A2B Long-term Improvements – Horizons 3 and 4.

Long-term Improvements Funding

There is no confirmed funding in the 2018/2028 RLTP for property acquisition for the A2B Long-term Improvements stage of the project.

[REDACTED]	
[REDACTED]	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	

1.2 PROGRAMME

The construction timeframes for the Long-term Improvements are set out below:

Programme	Construction Start (approx.)	Construction Completed (approx.)
Long-term Improvements, Horizon 3 subject to funding	2028	2030
Long-term Improvements Horizon 4 subject to funding	2030	2035
Long-term Improvements, Horizon 5 subject to funding	2035	2040

The Property Acquisition Strategy for the Long-term Improvements has identified five stages based on the Horizon plans and the physical works construction programme as follows:

- **Stage 1** – Intersection of Puhinui Road and Lambie Drive to intersection of Ronwood Ave and Great South Road – Horizon 3
- **Stage 2** – Intersection of Ronwood Avenue and Great South Road, Te Irirangi Drive to the overbridge at SH1 – Horizon 3
- **Stage 3** – SH20 intersection Puhinui Road to the intersection Lambie Drive
 - o 3a) SH20 intersection Puhinui Road to Wallace Road (excluding Puhinui Station overbridge) – Horizon 4
 - o 3b) Intersection of Puhinui and Wallace Road to Lambie Drive – Horizon 4
- **Stage 4** – Te Irirangi Drive to Botany Town Centre(Haven Drive)
 - o 4a) Te Irirangi Drive from SH1 overbridge to intersection of Dawson Road – Horizon 4
 - o 4b) Te Irirangi Drive intersection with Dawson Road to Botany Town Centre (Haven Drive)- Horizon 4
- **Stage 5** – SH20B Connect. Horizon 3 – 238 Puhinui Road to 501 Puhinui Road

NB: Botany Town Centre (from Haven Drive to Ti Rakau Drive) – EBA will consent and deliver this stage of the project. This stage is not included in the property strategy.

The key consenting milestones for the Long-term Improvements are shown in Table 2 below.

Table 2: A2B Programme

A2B programme Long-term Improvements	Key milestones
AT Board/CRC approval of Business Case	Qtr 4 2021
Milestone 1 – Lodge application for Long-term Improvements	Qtr 3 2022
Milestone 2 – Obtain designations for Long-term Improvements	Qtr 1 2024

1.3 PROPERTY ACQUISITION PROGRAMME – LONG-TERM IMPROVEMENTS (HORIZON 3 & 4)

The Long-term Improvements indicative Land Requirement Plans (LRP) currently identify [REDACTED] interests to be acquired.

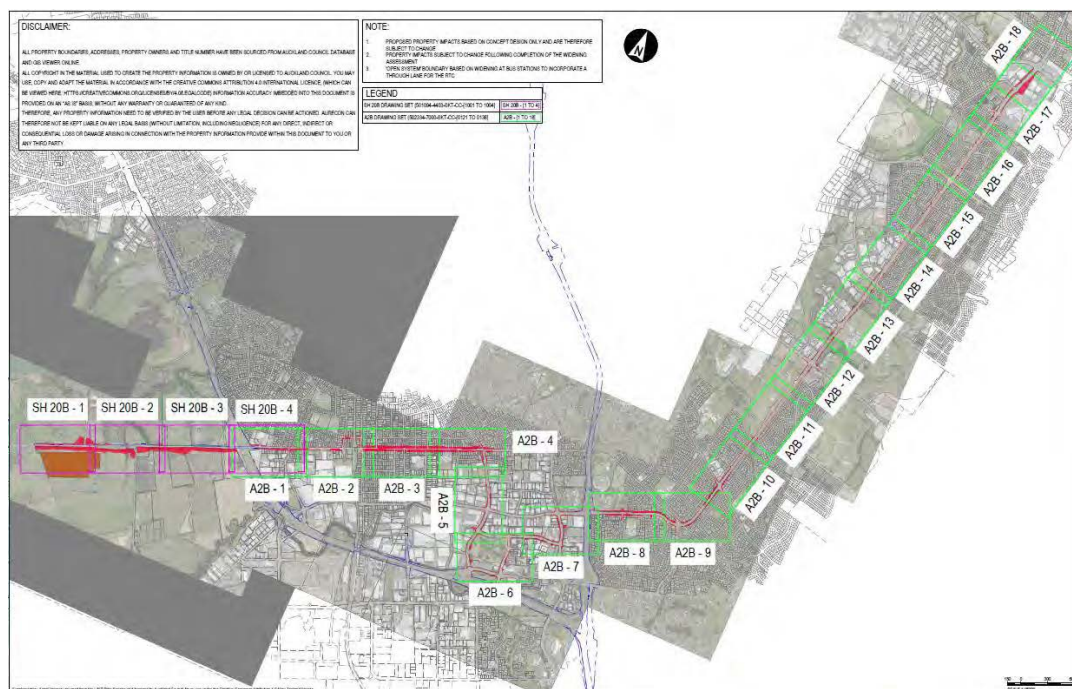
This does not include properties where there is a registered interest over the land that may also need to be acquired and compensated.

As the project moves through to more detailed design, consideration will continue to be given to reducing the property impacts of the project by avoiding or reducing land required.

There are 17 individual LRP's which are illustrated in Figure 2 below.

NB: LRP 78 and 79 directly relate to property requirements for the BBS which will be passed to the EBA. [REDACTED]

Figure 2:



The NoR will align with the acquisition stages as outlined above.

Properties Acquired to Date

No acquisitions have been completed in the Long-term Improvements of the project.

Properties to be Acquired

Properties to be acquired by AT are summarised in Table 3 below, while acquisitions on SH20B are summarised in Table 4. The Long-term Improvement programme is subject to funding and a NoR being lodged by mid/late 2021.

The estimated property costs do not include business loss, relocation costs, cost of court hearings, rental to lease temporary occupation areas during construction or mitigation work. These will be assessed as designs are progressed and there is greater certainty of final land requirements.

Table 3: A2B – Long-term Improvements stages

Property Acquisition Stages			
Stage 1 - Lambie Drive to Ronwood Ave			
Stage 2 - Ronwood, Great South Road, Te Irirangi Drive to overbridge SH1			
Stage 3a - SH20 intersection Puhinui Road to the intersection of Lambie Drive			
Stage 3b - Wallace Road to Lambie Drive			

Stage 4a - Te Irirangi Drive to Accent Drive			
Stage 4b - Accent Drive to Botany Town Centre (Haven Drive)			
Total			

Table 4: - SH20B

Property Acquisition SH20B			

NB: The estimated property costs are a base estimate or P50 estimate

1.4 FUNDING

2018/2028 RLTP

Funding was confirmed in the 2018 RLTP of \$68m for the STAAI PROGRAMME. Of this \$58m has been allocated to the design, consenting and physical works construction of the Puhinui Interchange Project.

There is no confirmed funding for the Medium-term Improvements and Long-term Improvements.

Expenditure to date

No property interests have been acquired to date.

1.5 RESOURCE

Internal and External Resource

The Property Strategy applies the following assumptions in determining likely AT resource or full time equivalents (FTE's) required to negotiate and acquire properties for each stage as follows:

Considering the number of interests to be acquired, AT would consider utilising a combination of both internal and external resources to manage the property acquisition programme effectively.

Table 4 illustrates the Full Time Employees (FTEs) that would be required to deliver the programme. This does not include additional FTEs which will be required for early engagement

to progress the NoR

Early Full acquisitions			2
Early Full acquisitions			3
Early Full acquisitions			4
Partial and Full acquisitions			5
Partial and Full acquisitions			7
Partial and Full acquisitions			9
Partial and Full acquisitions			

2 PROPERTY ACQUISITION RISKS & MITIGATION

2.1 IDENTIFIED RISKS & MITIGATION

The Strategy identifies a number of risks associated with the Long-term Improvements property acquisition programme and proposes various strategies to mitigate/minimise/eliminate each risk as follows:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- **Stage 1 and 2 – Commercial Acquisitions**

- o There are a number of partial commercial acquisitions in these two stages of the project.

- **Commercial Acquisitions mitigation**

- o Early consultation will be required to negotiate partial commercial acquisitions to ensure smoother negotiations and outcomes for all parties.
- o As the design is progressed, a detailed mitigation strategy will be developed which will identify all the property risks. Risks will be categorised high, medium or low with a plan developed to mitigate the risks. This will be a "live" document and updated regularly as the design and the acquisitions progress. The Project Team will have visibility over the mitigation strategy so property risks can be integrated into consenting and construction programmes.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



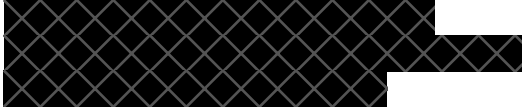

[REDACTED]

[REDACTED]

[REDACTED]

A property risk category is allocated to each individual property interest to be acquired. The risk status will be subject to constant change as the property acquisition specialist works through the acquisition process with affected owners.

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2.3 PERCEIVED RISKS AND OPPORTUNITIES

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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3 PROPERTY ACQUISITION STAGING

3.1 PROPERTY ACQUISITION STAGING RATIONALE

The Property Strategy adopts a staged approach based on the following factors:

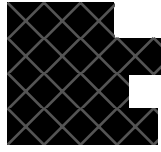
- Informed by the STAAI PROGRAMME and Medium-term Improvements
- Number of properties to be acquired
- Minimising disruption to normal traffic flows during construction
- Improve public safety by constructing high risk areas first where practical.
- To advance the acquisition programme drive by valuations will be completed. If a full valuation is required, this will be completed during the negotiation phase
- A standardised valuation report will be developed to ensure consistency in the valuation reports and methodology being released to landowners.
- All properties will be issued an offer letter and a s18 notice on the commencement of the acquisition process, [REDACTED]

3.2 PROPERTY ACQUISITION TIMING

The Strategy sets timeframes to acquire the required property interests for each stage which aligns with the detailed design and consenting, and the physical construction works deliverables whilst considering the PWA process and the requirement to compulsorily acquire property, if necessary, as shown in Table 6 below.

Table 6: Property Acquisition Timing

Property Acquisition Stages	[REDACTED]		[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]		
Stage 1 - Lambie Drive to Ronwood Ave	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Stage 2 - Ronwood, Great South Road, Te Irirangi Drive to overbridge SH1			
Stage 3a - SH20 intersection Puhinui Road to the intersection of Wallace Road.			 
Stage 3b - Wallace Road to Lambie Drive			 Early full acquisitions could be advanced.
Stage 4a - Te Irirangi Drive to Accent Drive			 Early full acquisitions could be advanced.
Stage 4b - Accent Drive to Botany Town Centre (Haven Drive)			 Early full acquisitions could be advanced.
Total			

3.3 PROPERTY ACQUISITION STAGES

The Strategy identifies five property acquisition stages below:

- Stage 1 – Intersection of Puhinui Drive and Lambie Drive to Ronwood Ave – Horizon 3
- Stage 2 – Intersection of Ronwood Great South Road, Te Irirangi Drive to the overbridge at SH1 – Horizon 3
- Stage 3 – SH20 intersection Puhinui Road to the intersection Lambie Drive

3a) SH20 intersection Puhinui Road to Wallace Road (excluding Puhinui Station overbridge) – Horizon 4

3b) Intersection of Puhinui and Wallace Road to Lambie Drive – Horizon 4

- Stage 4 – Te Irirangi Drive to Botany Town Centre(Haven Drive)

4a) Te Irirangi Drive from SH1 overbridge to intersection of Dawson Road

4b) Te Irirangi Drive intersection with Dawson Road to Botany Town Centre (Haven Drive)

- Stage 5 - SH20B- 358 Puhinui Road to 507 Puhinui Road – Horizon 3

Each stage is analysed on both an individual property basis and stage where applicable with each stage incorporating the various factors below.

1. The number of full and partial property interests already acquired
2. The number of full and partial property interests to be acquired
3. Applicable property zoning
4. Identifies perceived risks and opportunities

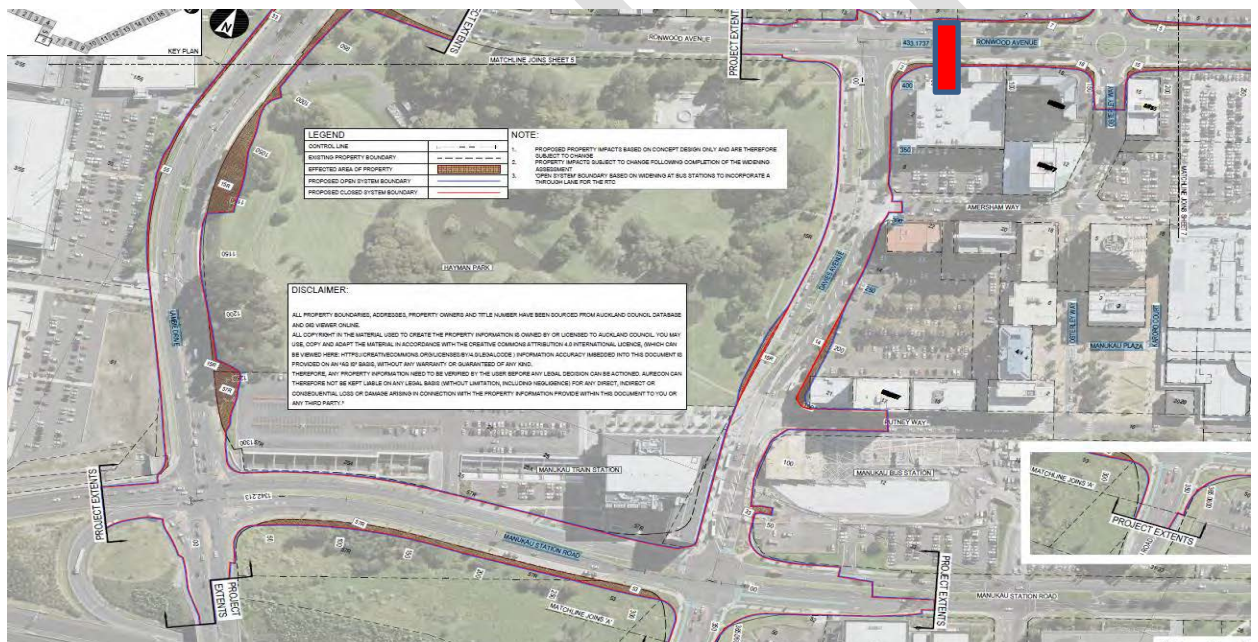
3.3.1 Stage 1 – Intersection of Puhinui Road and Lambie Drive to Ronwood Ave

Stage 1 extends from the intersection of Puhinui Road and Lambie Drive to the intersection of Ronwood Ave, as shown below in Figure 3.

Figure 3: LRP stage 1



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A summary of the required property interests for stage 1 are outlined in Table 9 below, refer to LRP.

Table 9: Stage 1 property interests

Property Acquisition Stages	
Residential Properties	2 12
Commercial Properties	
Total Properties in Stage 1	

Stage 1 property zoning

The property zoning is a mix including mixed housing suburban (MHS) residential zone, metropolitan centre (MC), light industry (LI) and general business (GB) zones.

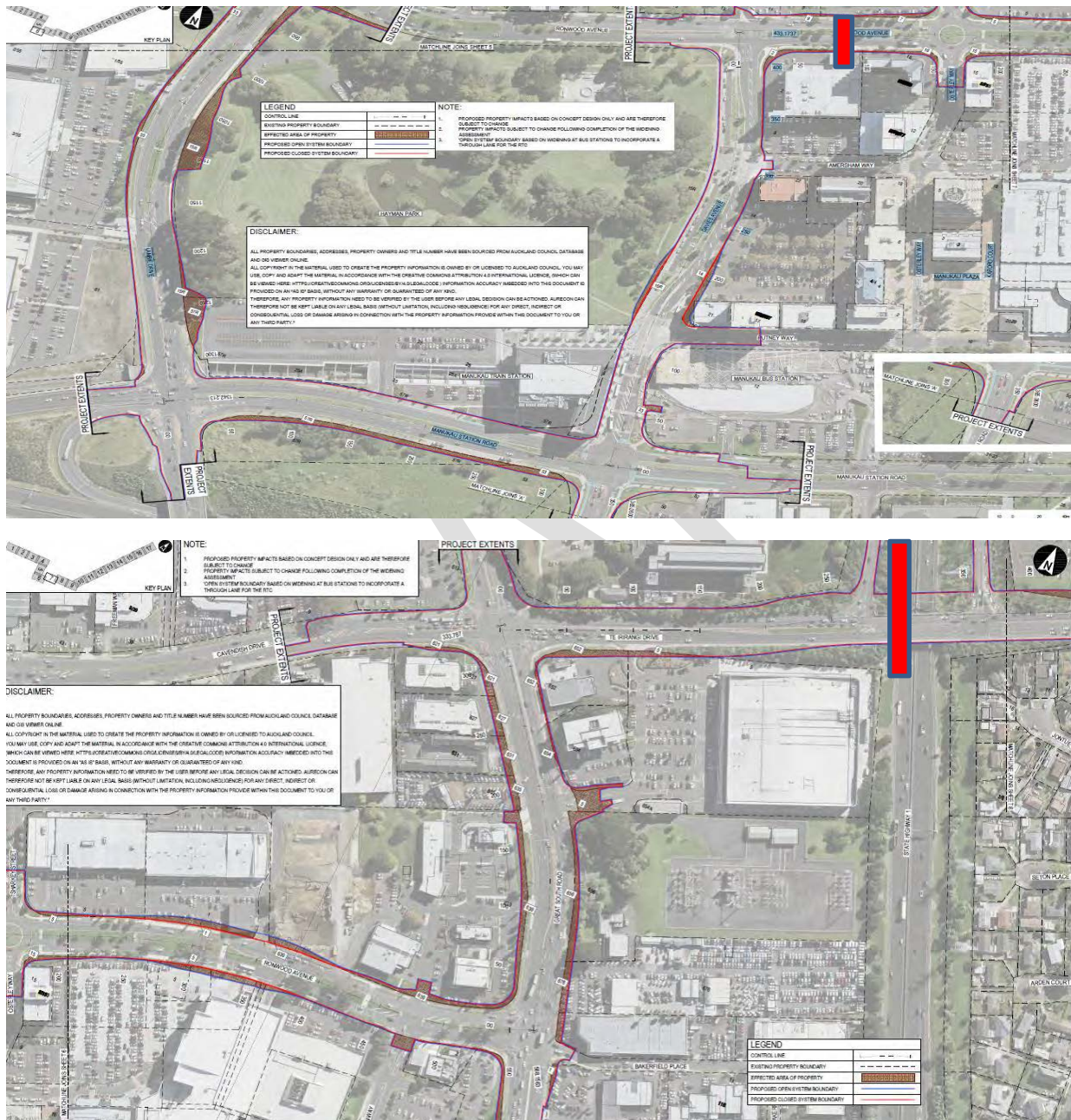
Stage 1 risks and opportunities

-
-
-
-
-

3.3.2 Stage 2 – Ronwood Ave, Great South Road, Te Irirangi Drive to overbridge SH1

Stage 2 extends from Ronwood Ave along Great South Road to the intersection of SH1 to SH1 over bridge, as shown below in Figure 4.

Figure 4: LRPs Stage 2



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A summary of the required property interests for stage 2 are outlined in Table 10 below.

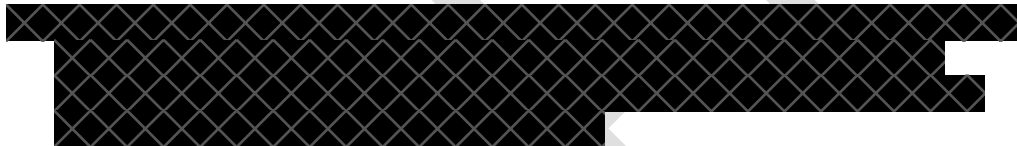
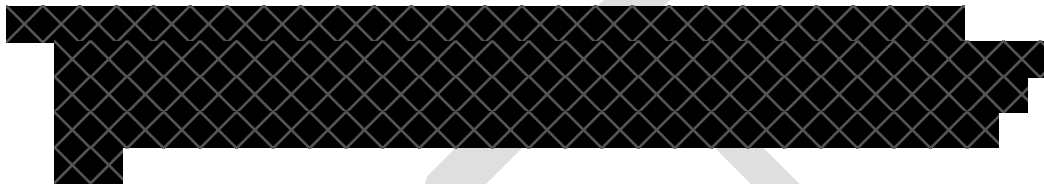
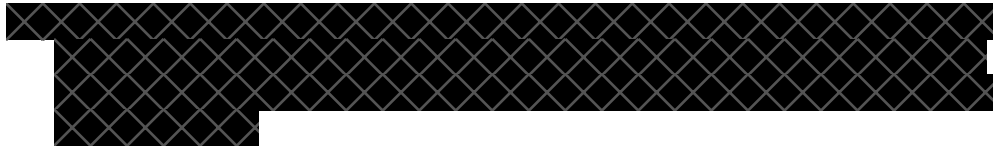
Table 10: Stage 2 property interests

Property Acquisition Stages		
Residential Properties		
Crown		
Auckland Council		
Commercial Properties		
Total Properties in Stage 3		

Stage 2 property zoning

The property zoning is a mix of metropolitan centre (MC), LI, GB and open space (OS-IR) zones.

Stage 2 risks and opportunities



3.3.3 Stage 3a - SH20 intersection Puhinui Road to the intersection Lambie Drive

3a – SH20 intersection Puhinui Road to Wallace Road

Stage 3a extends from SH20 intersection at Puhinui Road to the intersection of Wallace Road, as shown below in Figure 1.

Figure 1: LRP for Stage 3a





A summary of the property interests to acquire for this stage of stage 3a are outlined in Table 7 below.

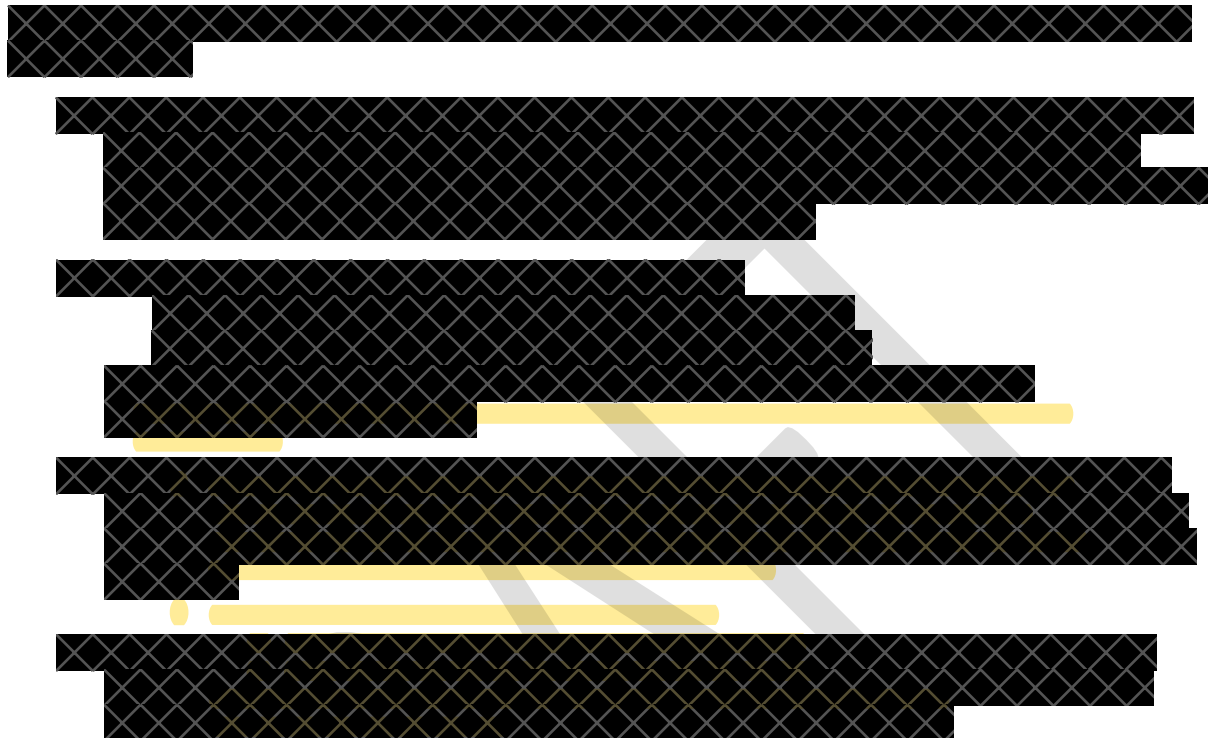
Table 7: Stage 3a Property Interests

Property Acquisition Stages		
Residential Properties		
HNZ Residential Properties		
Commercial Properties		
Total Properties in Stage 3a		

Stage 3a property zoning

The property zoning is a mix of which includes MHU, MHS single house (SH) residential zones, neighbourhood centre (NC), and LI zones.

Stage 3a risks and opportunities

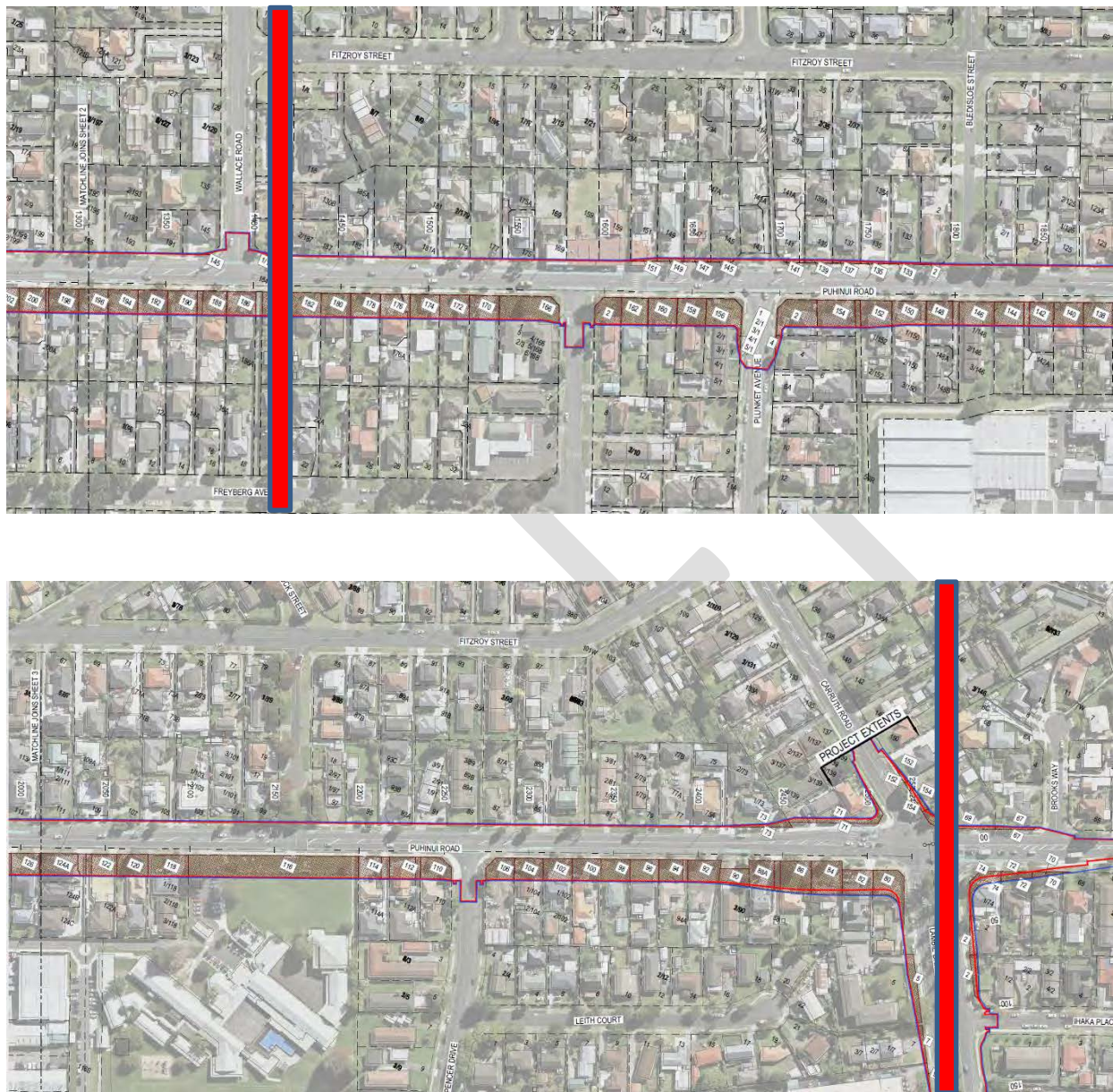


3.3.4 Stage 3b - SH20 intersection Puhinui Road to the intersection Lambie Drive

Stage 3b – Intersection of Puhinui Road and Wallace Road to Lambie Drive.

Stage 3b extends from the intersection at Puhinui Road and Wallace Road to the intersection of Lambie Drive as shown below in Figure 2.

Figure 2: LRP for stage 3b



A summary of the required property interests for stage 3b are outlined in Table 8 below.

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Table 8: Stage 3b property interests

Property Acquisition Stages		
Residential Properties	45	51
HNZ Residential Properties	2	2
Commercial Properties	2	0
School (Crown Owned Land)		
Total Properties in Stage 3b		

Stage 3b property zoning

The property zoning is a mix of which include MHU, MHS SH residential zones.

Stage 3b risks and opportunities

[illegible]

3.3.5 Stage 4a - Te Irirangi Drive to Dawson Road

Stage 4a – Te Irirangi Drive from SH1 overbridge to Dawson Road

Stage 4a extends from the intersection of Te Irirangi Drive from SH1 overbridge to Dawson Road as shown below in figure 5.

Figure 5: LRPs for Stage 4a



A summary of the required property interests for stage 4a are outlined in Table 11 below.

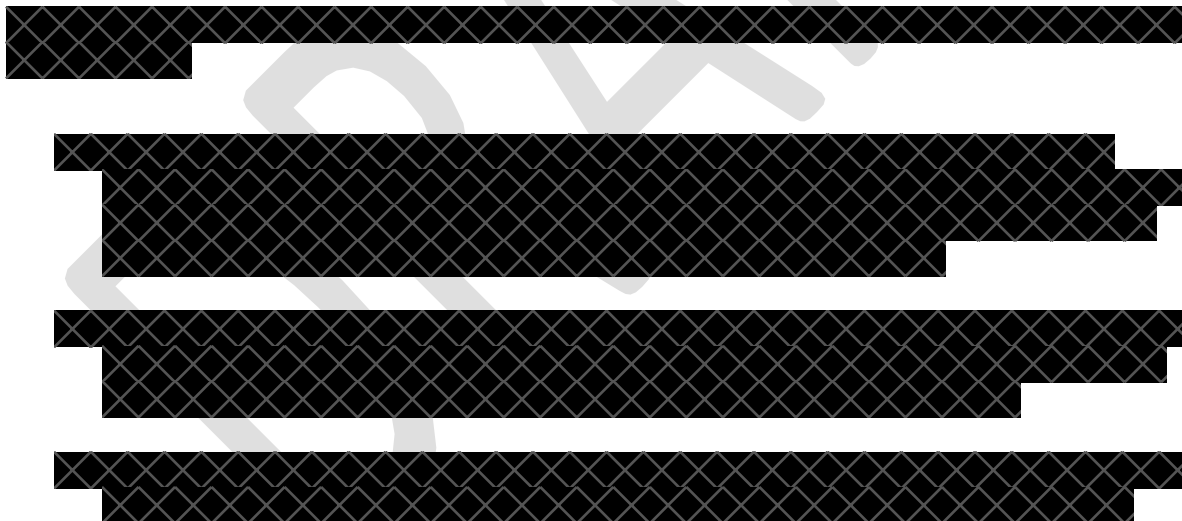
Table 11: Stage 4a Property Interests

Property Acquisition Stages		
Residential Properties	23	30
HNZ	16	
Reserve		
Total Properties in Stage 4a		

Stage 4a property zoning

The property zoning a mix of which include MHU residential zone, NC, LI, mixed use (MU), local centre (LC) and OR-IR zones.

Stage 4a risks and opportunities



3.3.6 Stage 4b - Te Irirangi Drive to Botany Town Centre (Haven Drive)

Stage 4b – Intersection of Te Irirangi Drive and Dawson Road to Botany Town Centre (Haven Drive)

Stage 4b extends from the intersection of Te Irirangi Drive and Dawson Road to Botany Town Centre to the intersection of Haven Drive as shown below in Figure 6.

Figure 6: LRP for Stage 4b

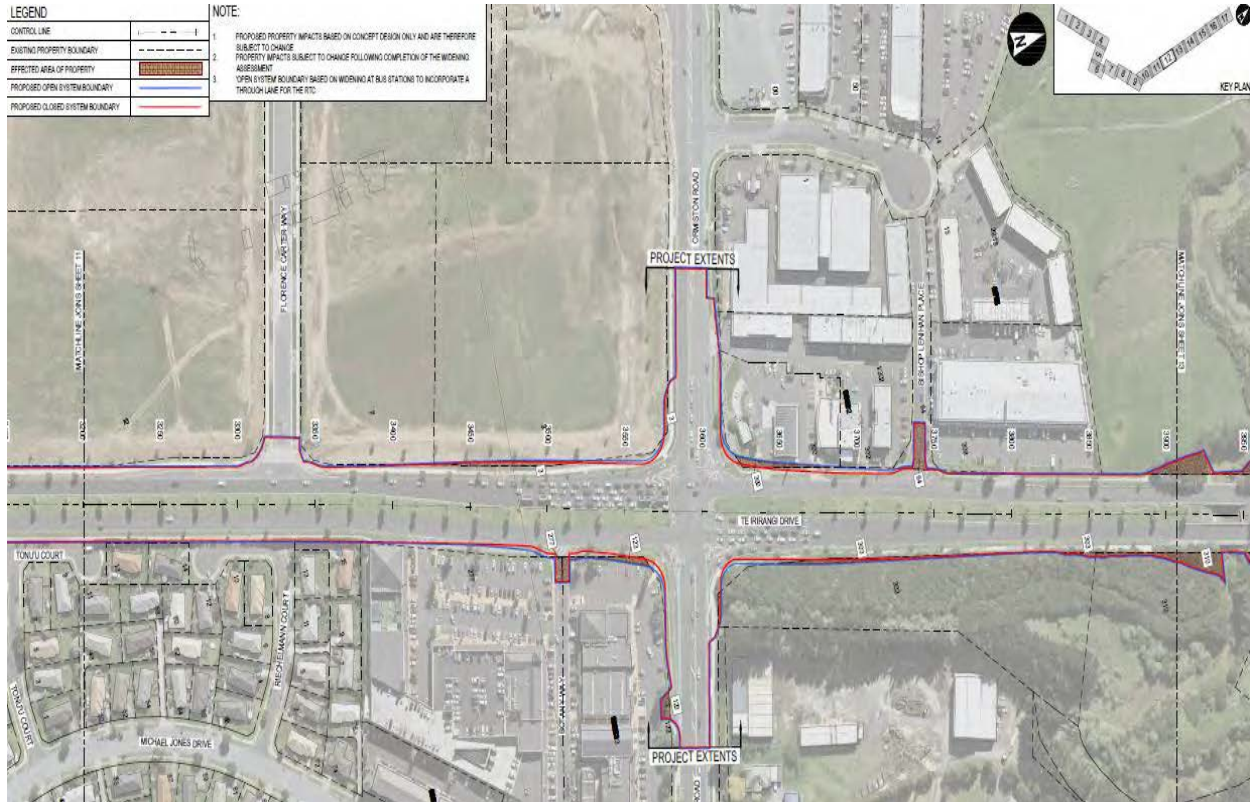


No land requirement

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DATED | 1 March 2021



No land requirement

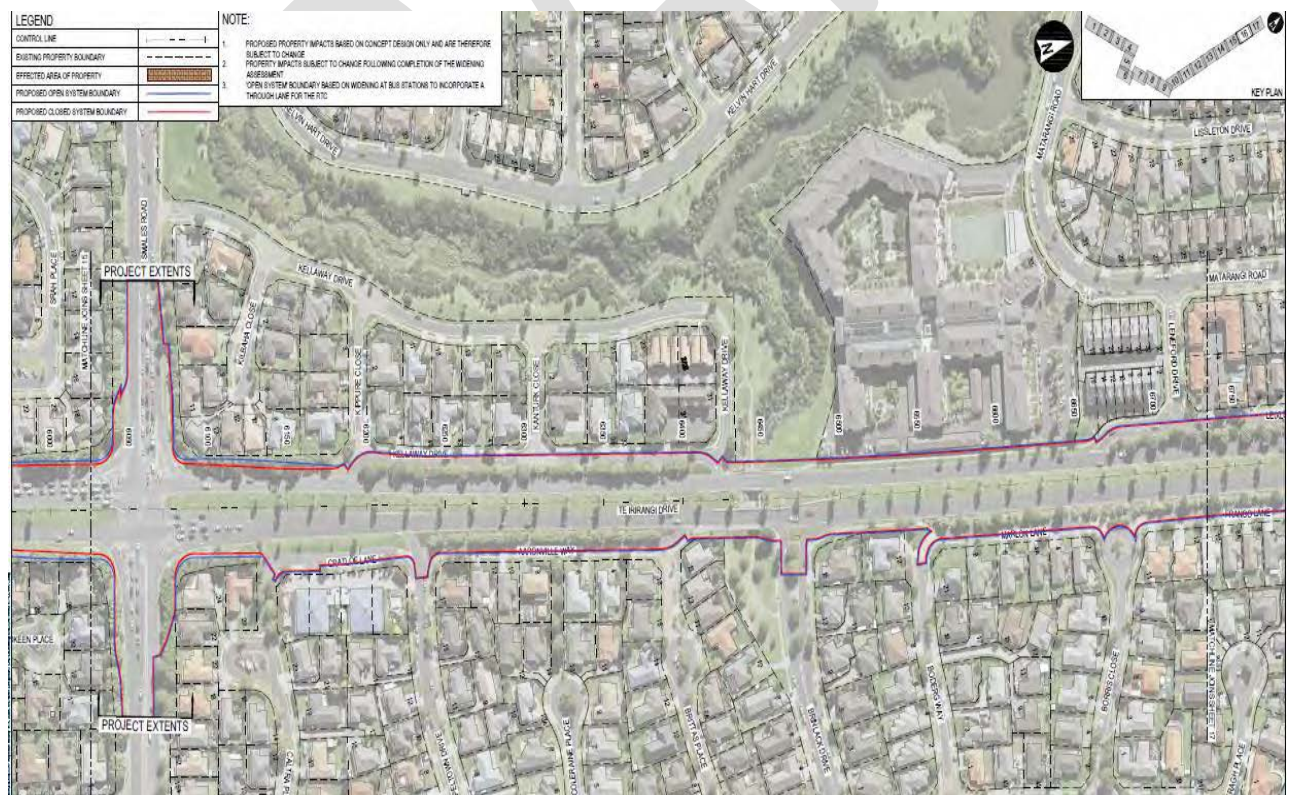
REPORT NAME
Airport to Botany Mass Transit Project
Property Acquisition Strategy

PREPARED BY
Fenella Fischer

DATED
1 March 2021



No land requirement

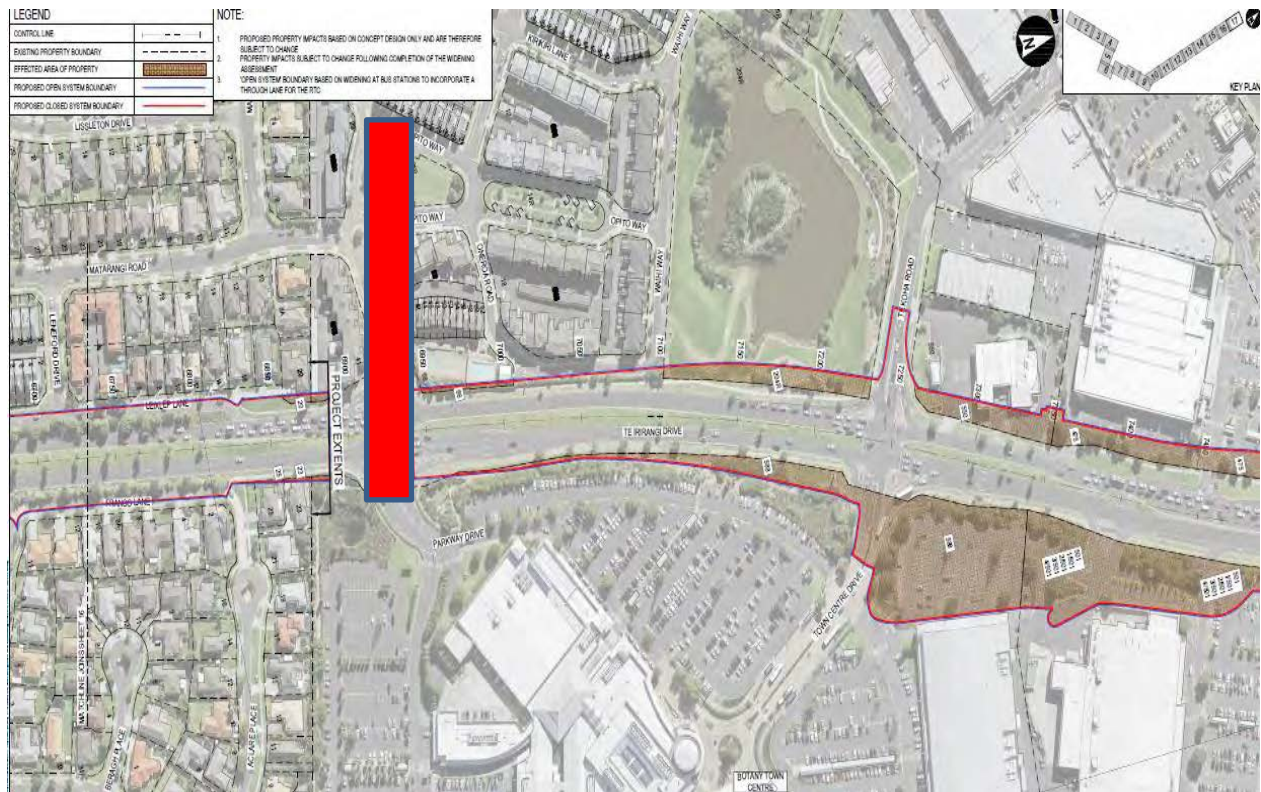


No land requirement

REPORT NAME | Airport to Botany Mass Transit Project
Property Acquisition Strategy

PREPARED BY | Fenella Fischer

DATED | 1 March 2021



A summary of the required property interests for stage 4b are outlined in Table 12 below.

Table 12: Stage 4b property interests

Property Acquisition Stages	
Residential Properties	
Commercial	
Church	
HNZ	
Auckland Council	
Total Properties in Stage 4b	

- [REDACTED]

[REDACTED]

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ATTACHMENT A: EARLY ACQUISITION GUIDELINE FOR PROPERTY

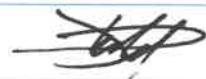
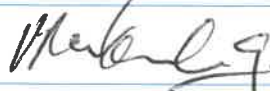
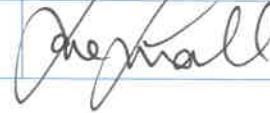
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Early Acquisition Guideline for Property

Auckland Transport Property and Planning

Integrated Networks

November 2019

Author	Julian Harrison-Tubb Team Leader Property Acquisitions	
Reviewed by	Peter Beckerleg Manager Acquisitions	
Endorsed by	Mark Lambert Executive General Manager Integrated Networks	
Approved By (Policy Owner)	Jane Small Group Manager Property & Planning	

Effective Date: November 2019

Review Date: November 2022

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1. Guideline Statement

This Guideline sets out the circumstances under which Auckland Transport (**AT**) will consider the early acquisition of property required by AT for projects and for acquisitions to advance the 'Designations, Encroachments and Legalisation Programme.

The guideline is provided to give direction on the management of early purchase transactions within the Property Acquisition Programme, and in particular, to clarify the criteria and outline a decision-making process for treating each early acquisition case(s).

2. Background

AT has full management and control of the Auckland transport system, including roads, under section 41, and 45 and 46 of the Local Government (Auckland Council) Act 2009 (**LGACA**). However, the purchaser of land for roading projects is generally AC, who is able to acquire land on behalf of and at the direction of AT pursuant to section 51 of the LGACA.

AC does not consider itself a willing property purchaser unless a purchase is:

- i) Contemplated in an annual acquisition programme prepared by the Property Acquisition Team; and
- ii) Has approved funding under the Regional Land Transport Plan (RLTP).

Early land acquisitions occur when an unscheduled land acquisition is requested by a landowner or land needs to be acquired to future proof a project that is not currently programmed in the RLTP and for which no budget is approved. An early acquisition may also be triggered by an existing designation or be affected by an encroachment.

AT's property acquisition programme can include a small number of strategic advance purchases that are justified for various reasons. These are identified and forecast when compiling the annual acquisition programme each year.

Strategic advance purchases should be identified as part of a property strategy for a particular project or arise from design development or Resource Management Act 1991 (RMA) consultation. Early identification of strategic advance purchases is one of the benefits of a robust property strategy.

3. Objectives

The Early Acquisition Guideline provides a transparent approach for management of early land acquisitions to;

- ensure AT's decisions for the early acquisition of land are consistent and fair;
- establish an agreed criterion against which early acquisition applications will be assessed;
- enable landowners to be aware of these criteria and the requirements by which their early acquisition application will be considered.

All accepted early acquisitions are subject to:

- Appropriate delegated approval for purchase of a specific property; and,
- AT having funding to complete the land acquisition; and
- AT and the landowner mutually agreeing a fair and reasonable compensation value of the property interest to be acquired, in accordance with the Public Works Act 1981 (PWA).

4. Early Acquisitions

Early acquisitions generally occur for three main reasons:

- (a) **Hardship Reasons.** Where no designation exists, but a property is on the proposed alignment for a project, or the land is designated but the designation, is for long term route protection and the project is not currently funded in the RLTP the property owner may approach AT and if they are able to demonstrate a genuine case of hardship, then AT may agree to purchase. This is in order to meet AT's obligations as a good corporate citizen. The details of AT's hardship consideration are set out in section 5 below.
- (b) **Resource Management Act s185.** Where a formal project alignment designation or requirement exists, the owner may request that AT buy the property, or apply to the Environment Court for an order requiring AT to buy all or part of the property. On occasion where circumstances justify, AT may choose to reject an advance purchase and refer the matter for consideration by the Environment Court.
- (c) **Strategic Reasons.** Where a property is on the proposed alignment for a project (or nearby and has other potential purposes) and AT require the early acquisition to assist with project planning, land for land compensation, or to reduce the risk of acquisition.

5. Hardship



See **Appendix 2** (Hardship Criteria Check List) and **Appendix 3** (Sale Process and Requirements) for further details.

6. Strategic Acquisitions

Strategic acquisitions may occur where a property is on the proposed alignment for a project (or adjacent and has other potential purposes) and AT requires the early acquisition to assist with project planning, land for land compensation, or to reduce the risk of later acquisition. These purchases must be carefully considered, and the strategic benefits weighed against the potential costs.

7. Resource Management Act – section 185

Section 185 RMA advance purchase applications are owner driven and need to be dealt with on a case-by-case basis according to their merits and taking into account the applicable statutory tests. The applicant must be the owner, or the spouse, civil union partner, or de facto partner of the owner, of the estate or interest in the land when the designation or requirement was created.

Other aspects to consider include:

- The need for the owner to sell;
- An effort to sell the property over a minimum 3-month period has been made, demonstrating an inability to sell;
- The existence of a designation and its contributable cause to the inability to sell the property at a market value that the property would have had if it had not been subject to the designation or requirement, or whether other factors may have been involved;
- Whether the designation or requirement prevents reasonable use of the owner's estate or interest in the property; and
- Legal advice as to the extent to which the landowner's case would be supported if heard by the Environment Court.

8. Public Works Act 1981 – section 34

Under section 34 of the PWA, where any part of the land of any person is taken compulsorily pursuant to the PWA, such person may require AT/AC to take any other part of the land if the partial taking would result in any residual part becoming significantly:

- i) more costly to retain at the same standard as previously; or
- ii) less useful to that person.

9. Approval Process

All requests for approval for early land acquisition must be advised to the Group Manager Property and Planning when they are received. A written report must be prepared assessing the application against the factors for consideration in this guideline before any negotiations are commenced.

The report must be submitted through the usual AT management approval process. The process should be completed within a four-week timeframe to provide applicants with certainty around the decision-making period.

10. Guideline Review

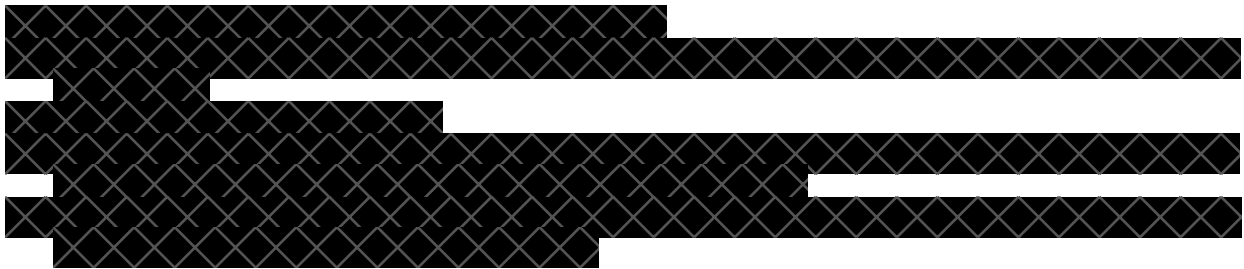
The Group Manager Property and Planning is the guideline owner and these guidelines are to be reviewed on a three-year basis. The next proposed review date is in November 2022.

Appendix 1 – Definitions

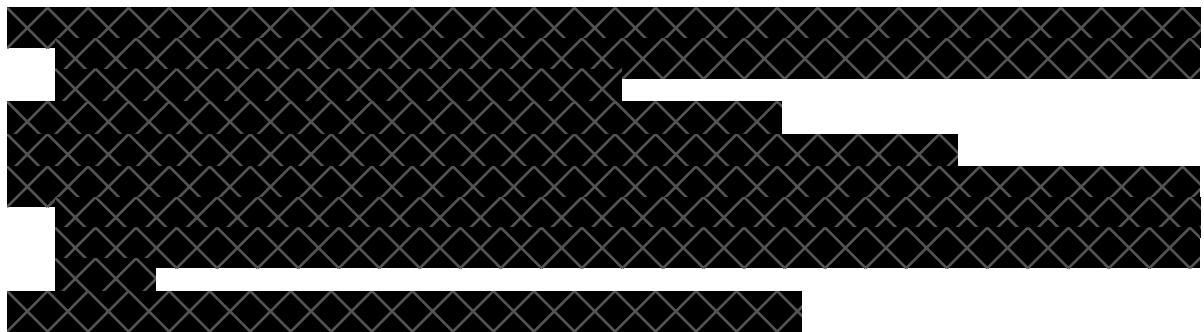
AC - Auckland Council

AT - Auckland Transport

Exceptional Circumstances



Hardship must meet the following criteria to be considered:



RLTP is the 2018 / 2028 Regional Land Transport Plan, which sets out a 10-year investment programme to deliver the requirements of the Auckland Plan, taking into account the Government Policy on Land Transport (GPS).

NZTA – New Zealand Transport Agency

Property means an interest in land, identified by a Deposited Plan on a Certificate of Title, unit title plan or cross lease plan.

PWA – Public Works Act 1981

RMA – Resource Management Act(1991

Terminology is used in this document to describe whether an aspect or statement is a requirement under law/mandatory or good practice:

- **Must** – indicates something that is mandatory or required by law
- **Should** – indicates a recommendation
- **May** – indicates a power, something that is optional and may be considered for use

An early land acquisition relates to land not currently budgeted for but is part of the RLTP. This means that a firm decision has been made that a particular corridor is required for transport purposes, as opposed to the identification of an area of interest or more than one corridor being under investigation as options.

Appendix 2 – Hardship Criteria Checklist

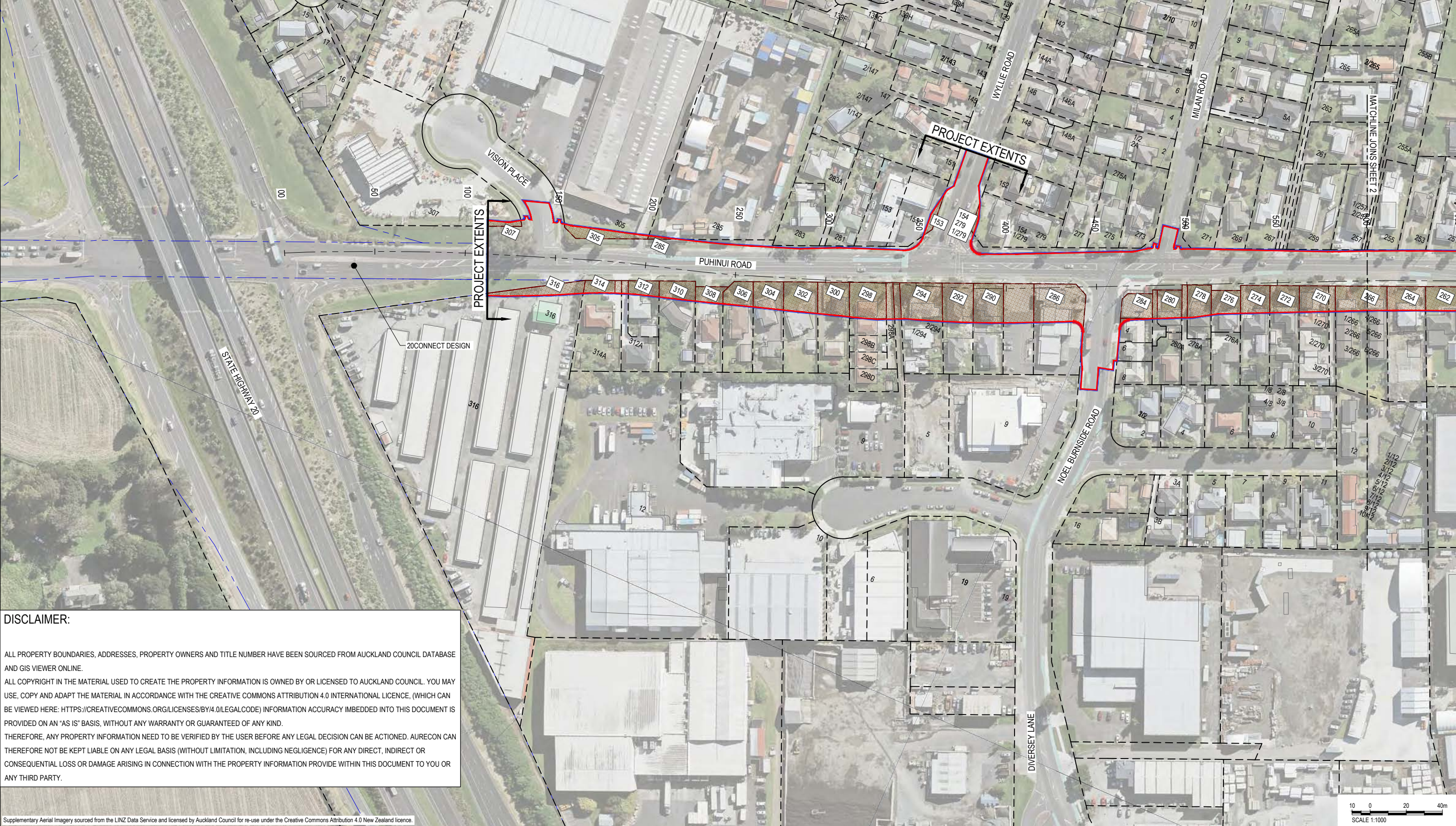
Appendix 3 – Sale Process and Requirements

ATTACHMENT B: LAND REQUIREMENT PLANS

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LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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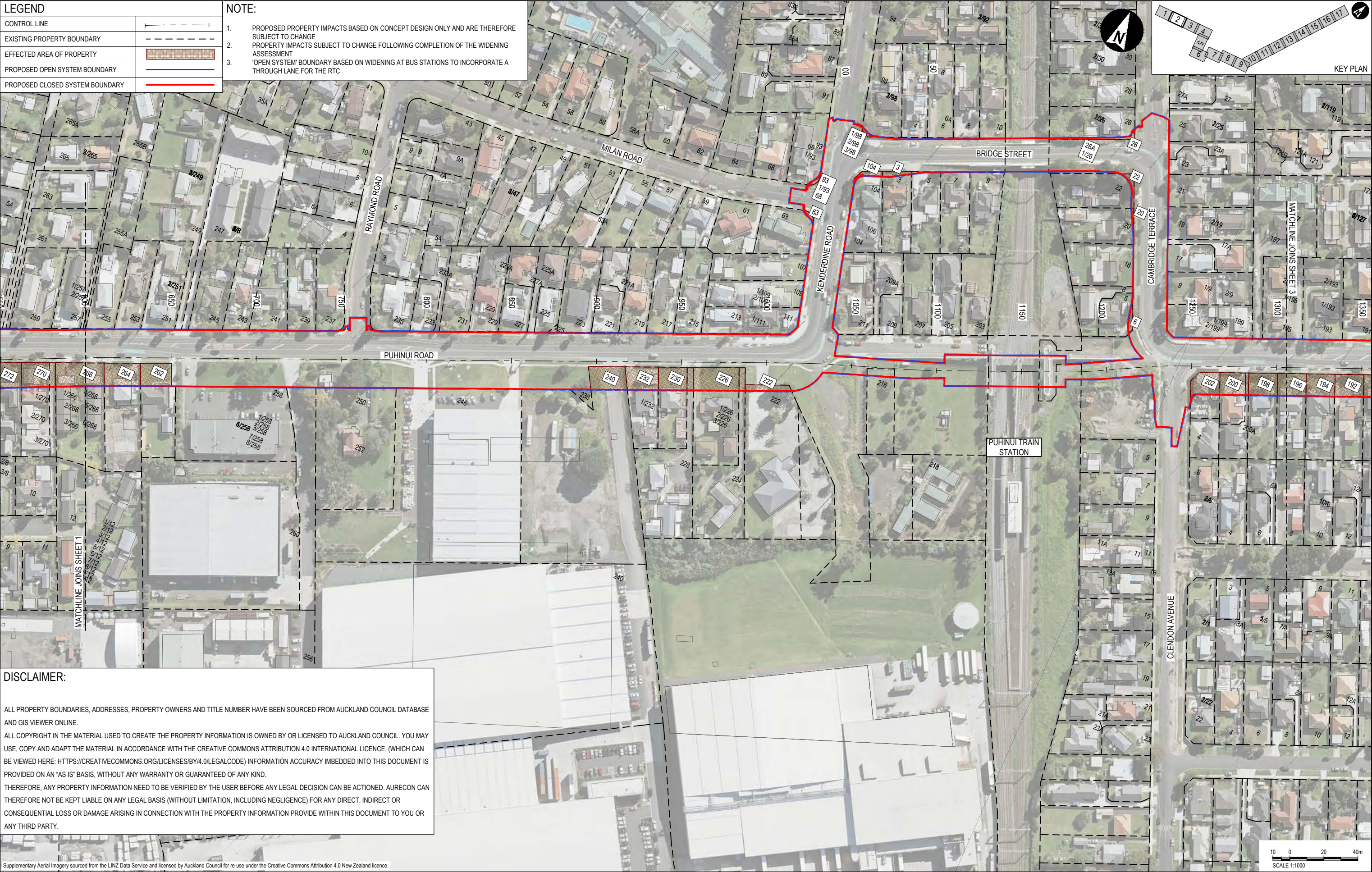
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DESIGNED	D. SINGH
REVIEWED	E.BOSMAN

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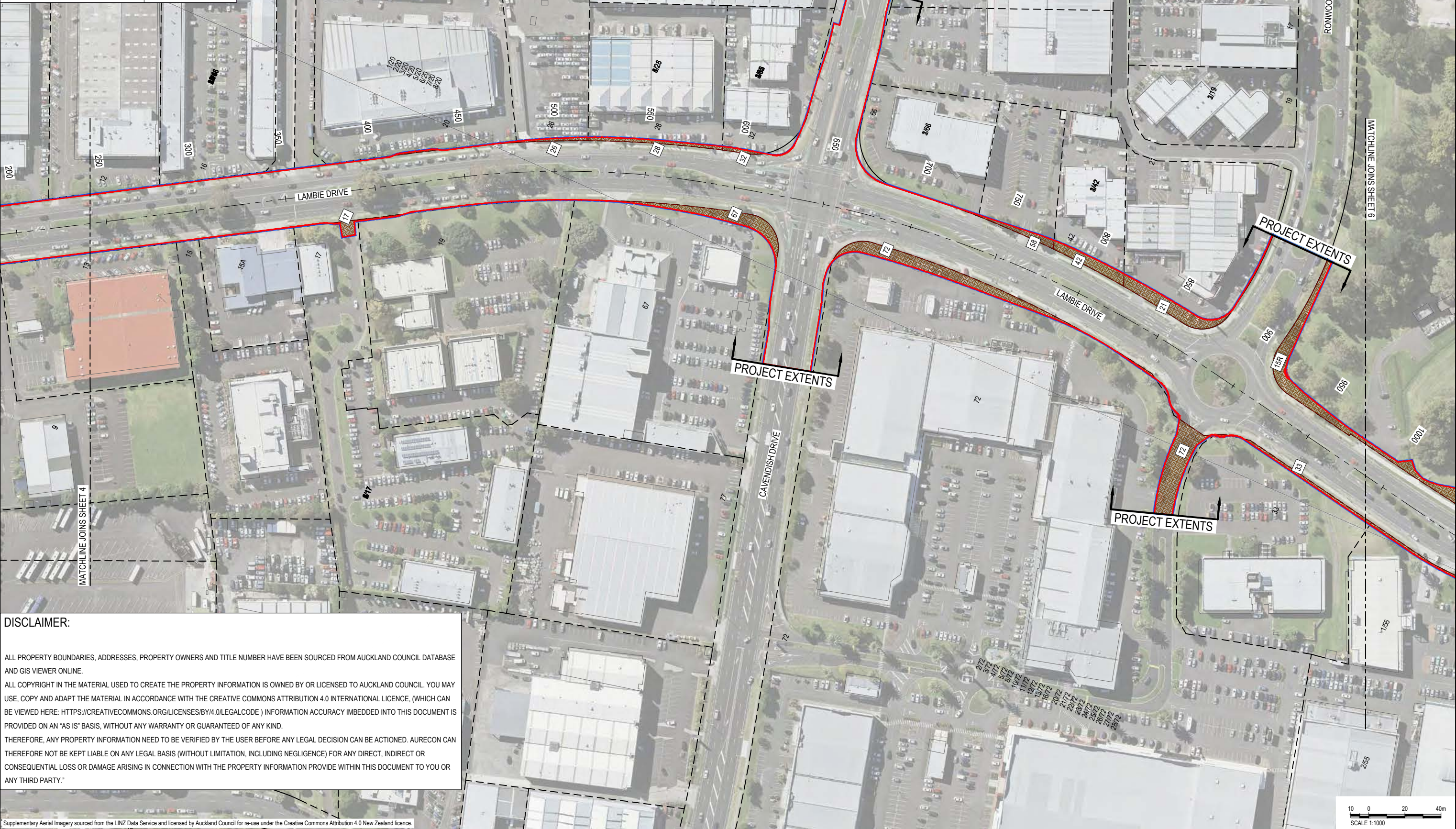
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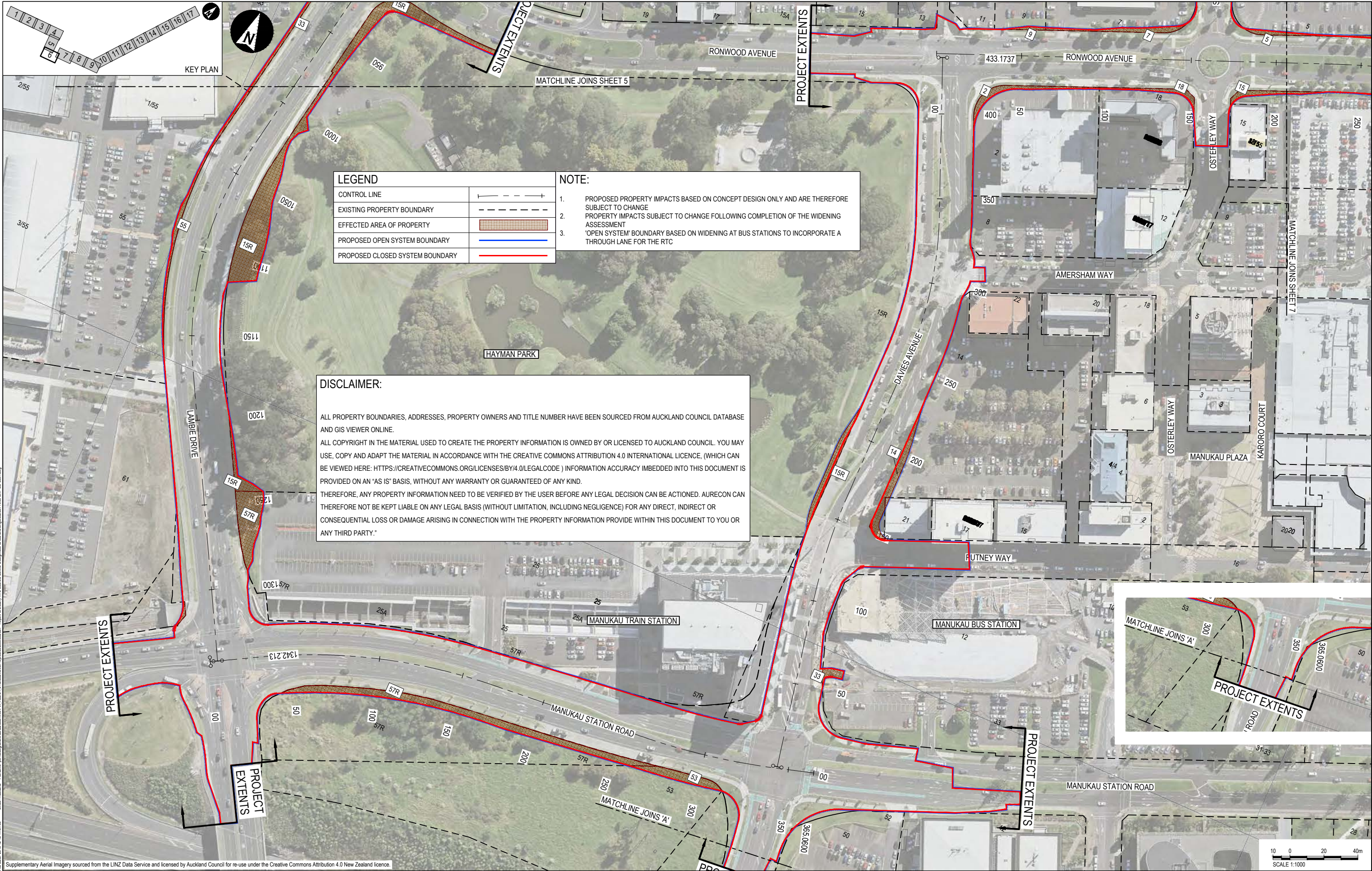
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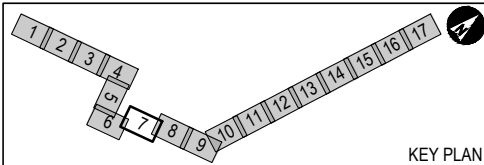
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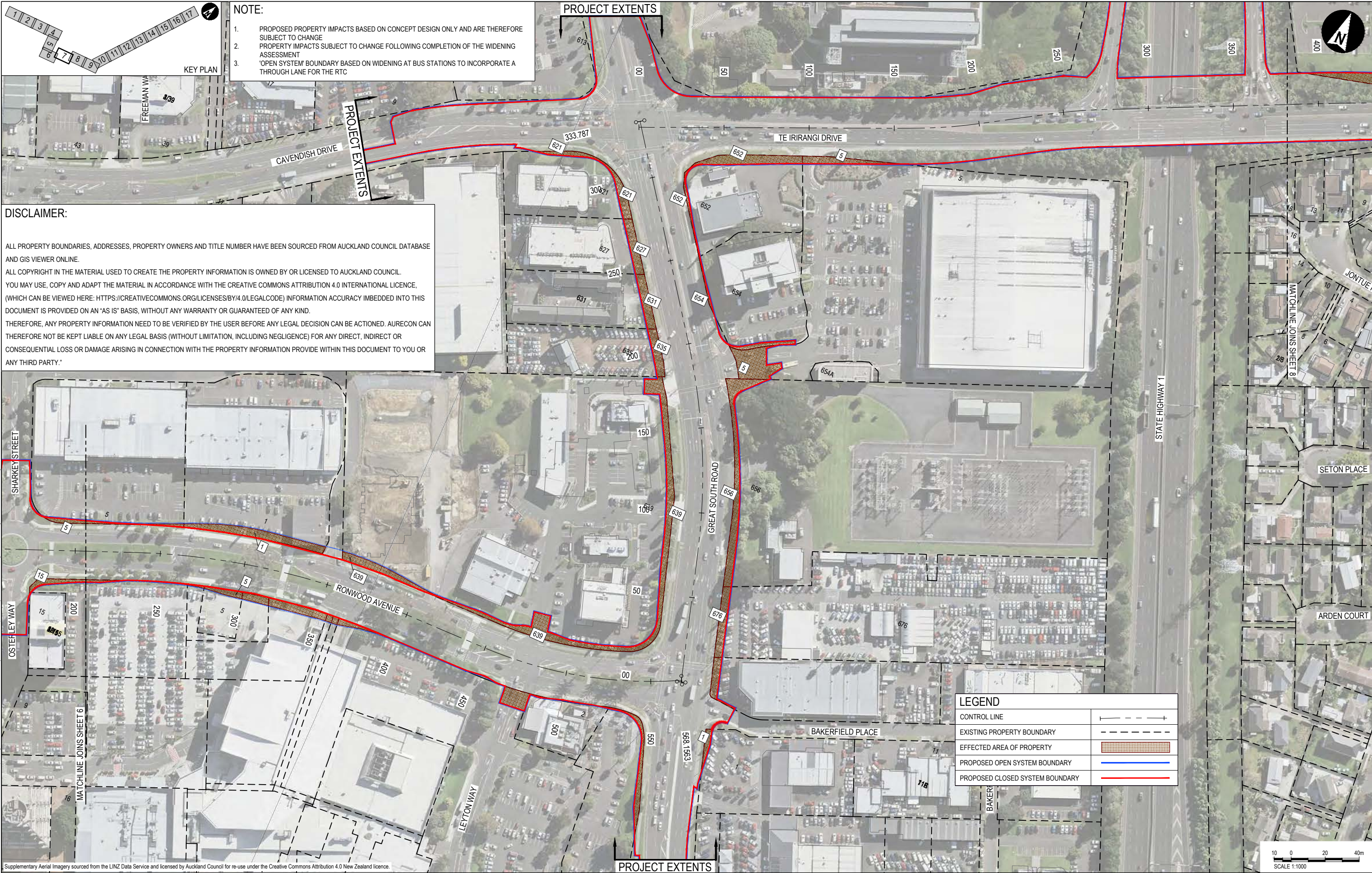
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REV	DATE	REVISION DETAILS	APPROVED
A	18.12.19	ISSUED FOR INFORMATION	
WORK IN PROGRESS			

SCALE	SIZE
1:1000	A1
DRAWN	D. SINGH
DESIGNED	D. SINGH
REVIEWED	E.BOSMAN

PRELIMINARY NOT FOR CONSTRUCTION	
APPROVED	DATE

PROJECT	AIRPORT TO BOTANY RTC SSBC					
TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 8					
DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER	REV
502334	7000	SKT	CC	0069	A	

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

NOTE:

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2. PROPERTY IMPACTS SUBJECT TO CHANGE FOLLOWING COMPLETION OF THE WIDENING ASSESSMENT
3. 'OPEN SYSTEM' BOUNDARY BASED ON WIDENING AT BUS STATIONS TO INCORPORATE A THROUGH LANE FOR THE RTC



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CLIENT

REV	DATE	REVISION DETAILS
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REV	DATE	REVISION DETAILS
A	18.12.19	ISSUED FOR INFORMATION

APPROVED

SCALE

1:1000

DRAWN

D. SINGH

DESIGNED

DESIGNED
D. SINGH

PRELIMINARY
NOT FOR CONSTRUCTION

APPROVED _____

PROJECT

AIRPORT TO BOTANY RTC SSBC

TITLE

PROPOSED PROPERTY BOUNDARIES
OPEN & CLOSED SYSTEM
SHEET 9

DRAWING A-1

PROJECT No.

WBS

	TYPE
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DISC

NUMBER

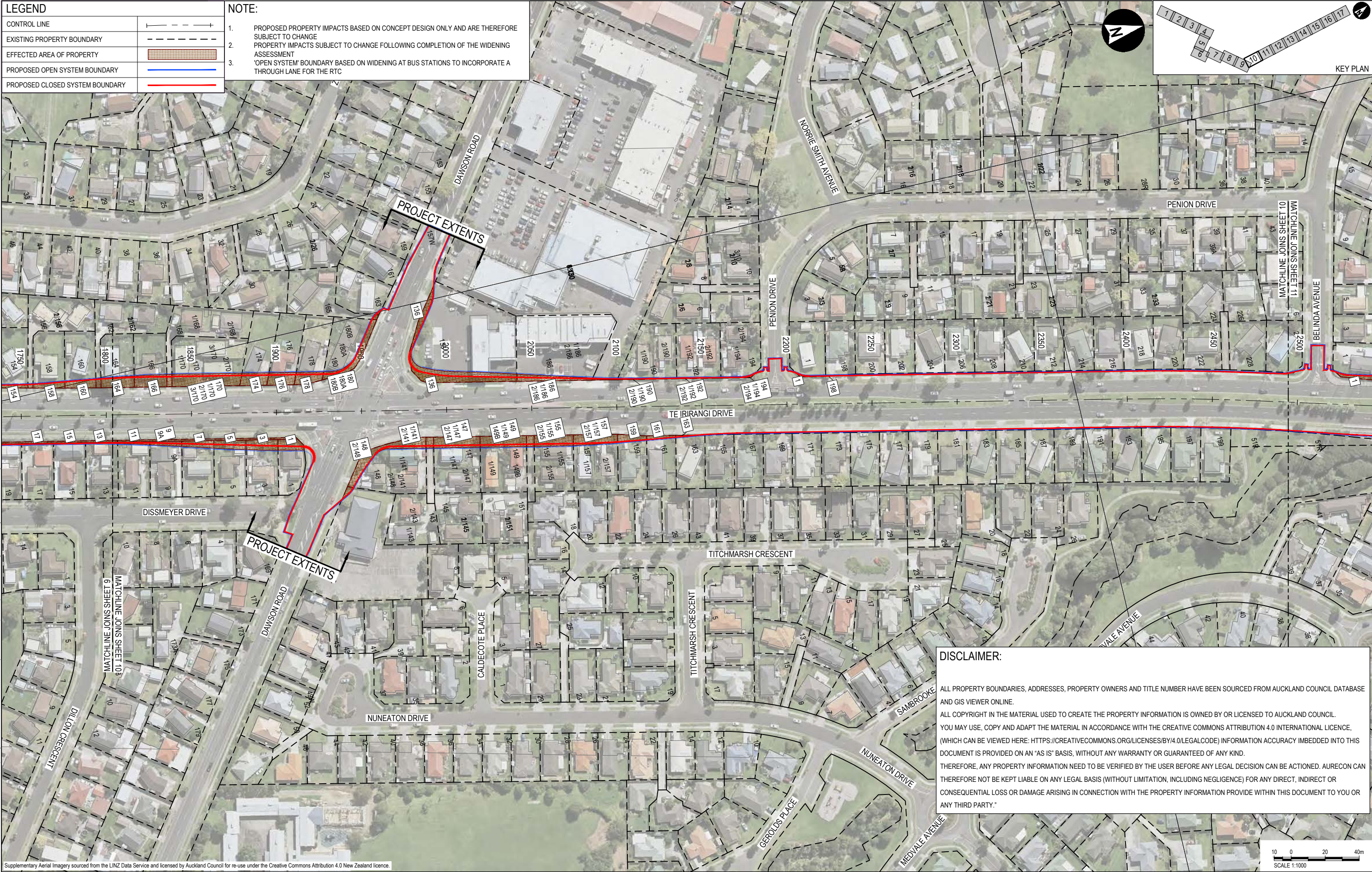
REV



WORK IN PROGRESS

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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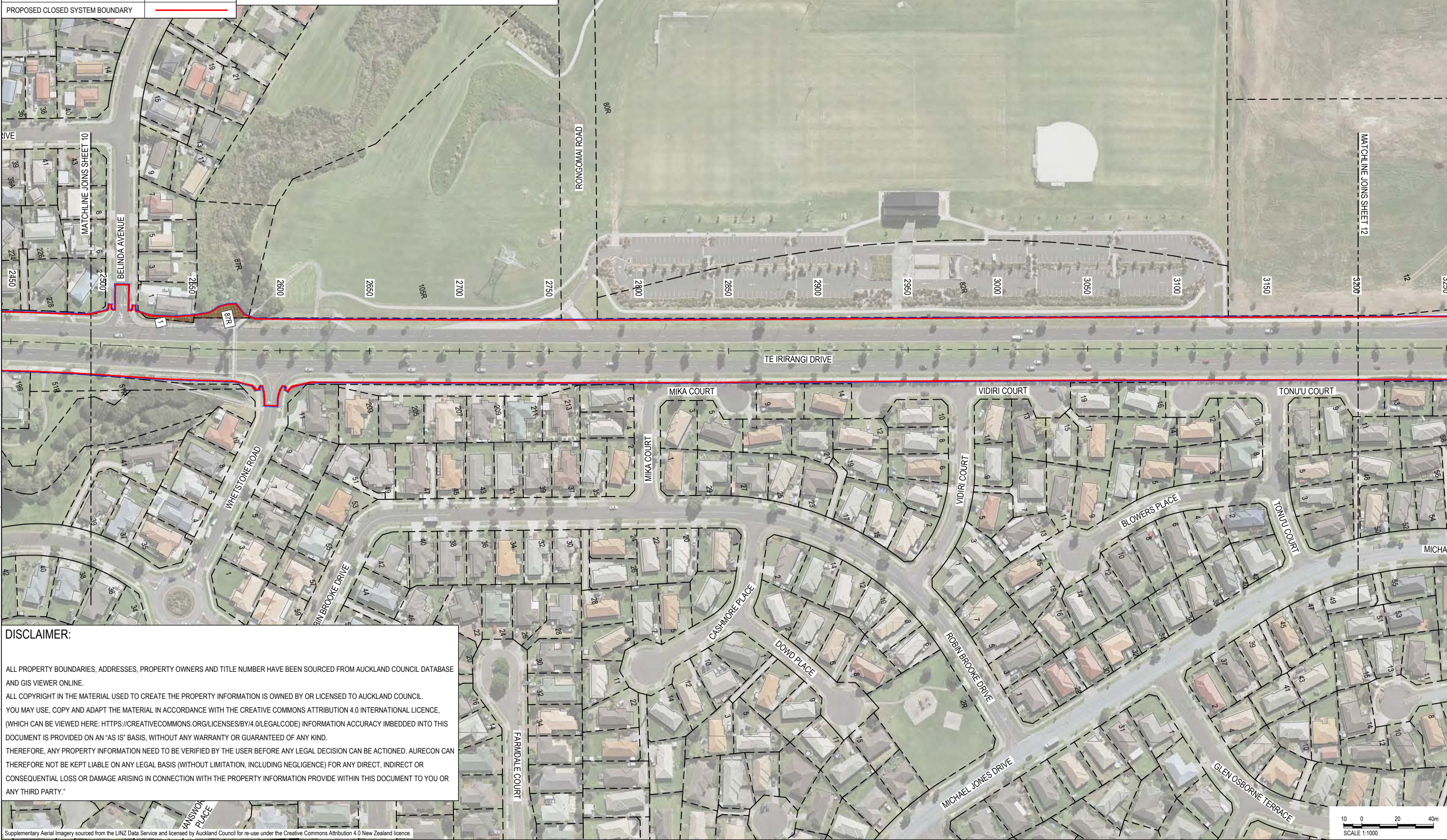
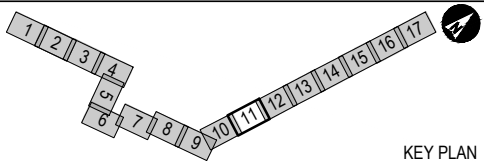
CLIENT		REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION		PROJECT	AIRPORT TO BOTANY RTC SSBC				
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						DRAWN D. SINGH		APPROVED		TITLE					
						DESIGNED D. SINGH		DATE							
						REVIEWED E.BOSMAN				DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER
										502334	7000	SKT	CC	0071	REV
															A



WORK IN PROGRESS

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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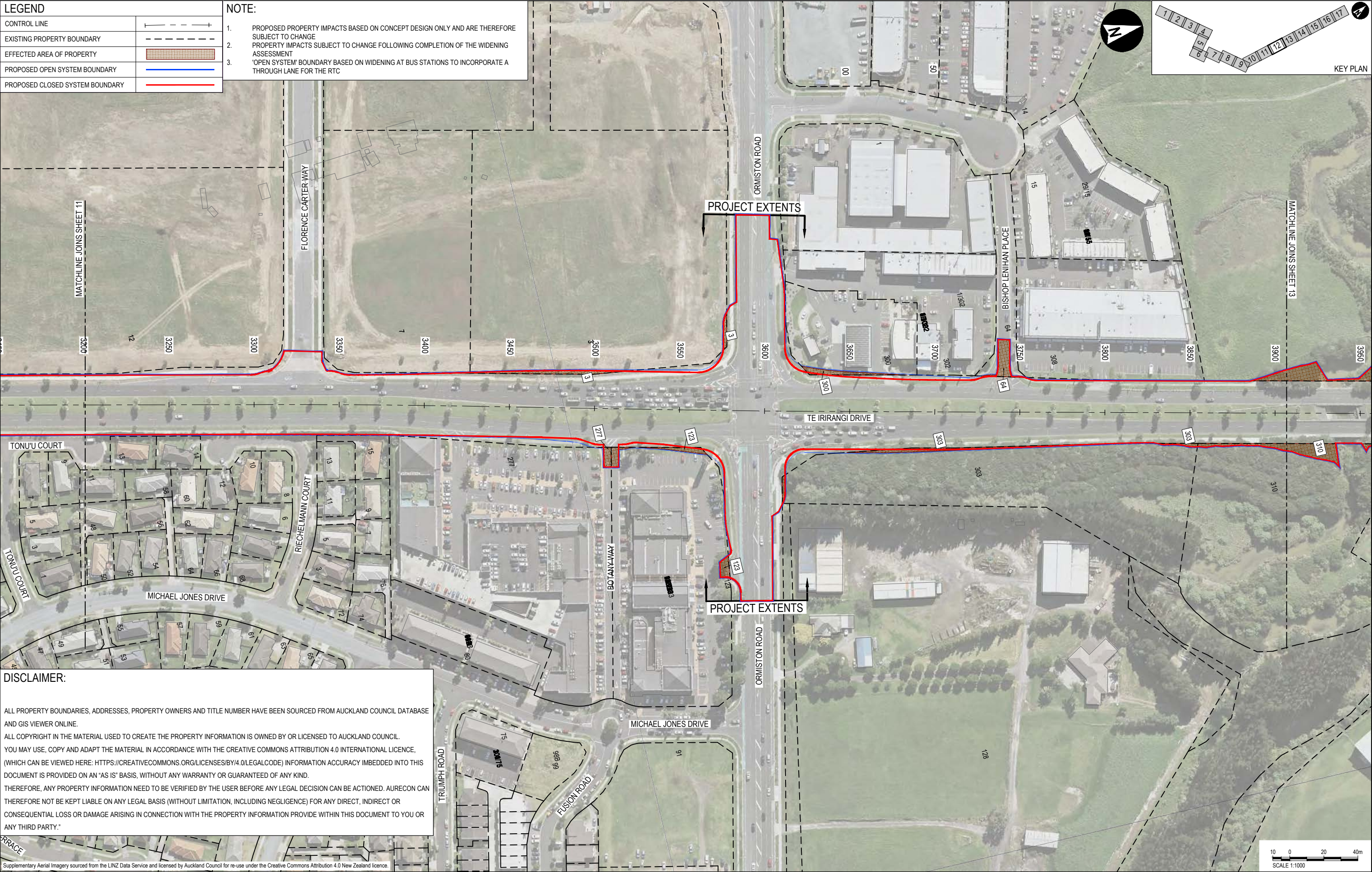
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CLIENT		REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION		PROJECT	AIRPORT TO BOTANY RTC SSBC					
		A	18.12.19	ISSUED FOR INFORMATION		1:1000	A1	APPROVED DATE		TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 11					
						DRAWN D. SINGH										
						DESIGNED D. SINGH										
						REVIEWED E.BOSMAN										
WORK IN PROGRESS										DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER	REV
										502334	502334	7000	SKT	CC	0072	A

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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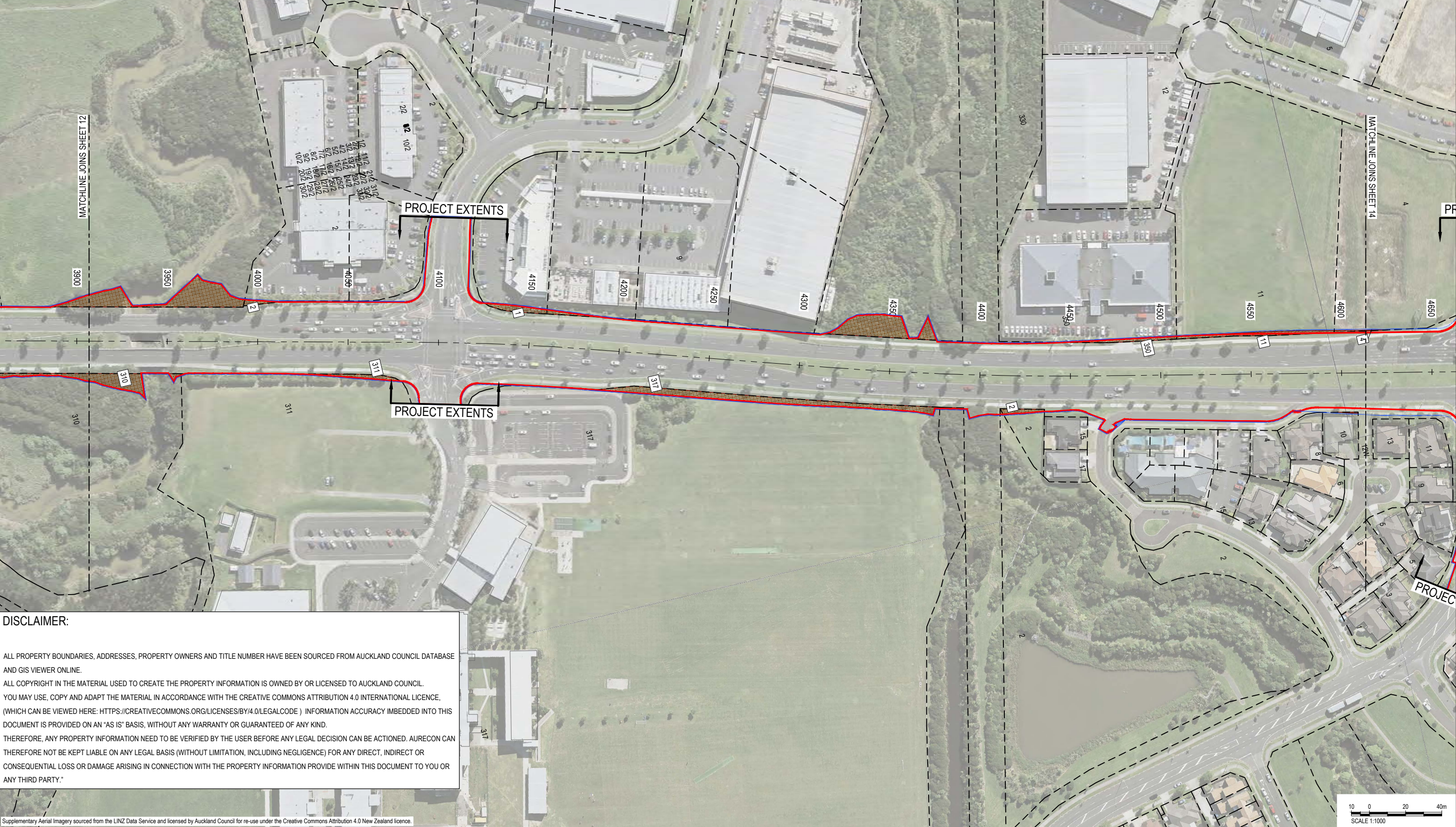
CLIENT		REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION		PROJECT	AIRPORT TO BOTANY RTC SSBC					
		A	18.12.19	ISSUED FOR INFORMATION		1:1000	A1									
						DRAWN				TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 12					
						D. SINGH										
						DESIGNED				DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER	REV
						D. SINGH				502334	7000	SKT	CC		0073	A
						REVIEWED										
						E.BOSMAN										



WORK IN PROGRESS

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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REV	DATE	REVISION DETAILS	APPROVED
A	18.12.19	ISSUED FOR INFORMATION	
WORK IN PROGRESS			

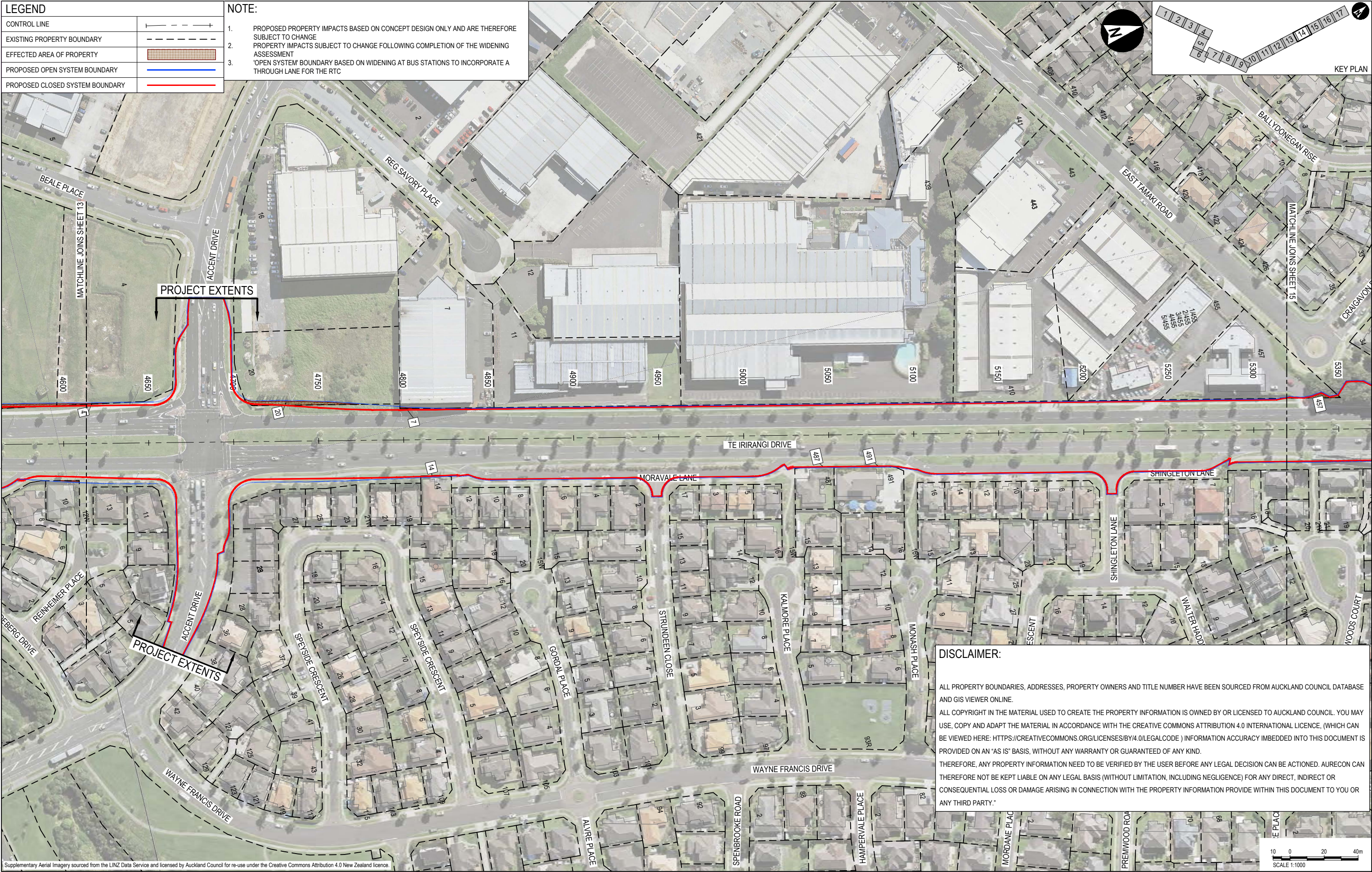
SCALE	SIZE
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DRAWN	
D. SINGH	
DESIGNED	
D. SINGH	
REVIEWED	
E.BOSMAN	

PRELIMINARY
NOT FOR CONSTRUCTION
APPROVED
DATE

PROJECT	AIRPORT TO BOTANY RTC SSBC											
TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 13											
DRAWING No.	PROJECT No.	502334	WBS	7000	TYPE	SKT	DISC	CC	NUMBER	0074	REV	A

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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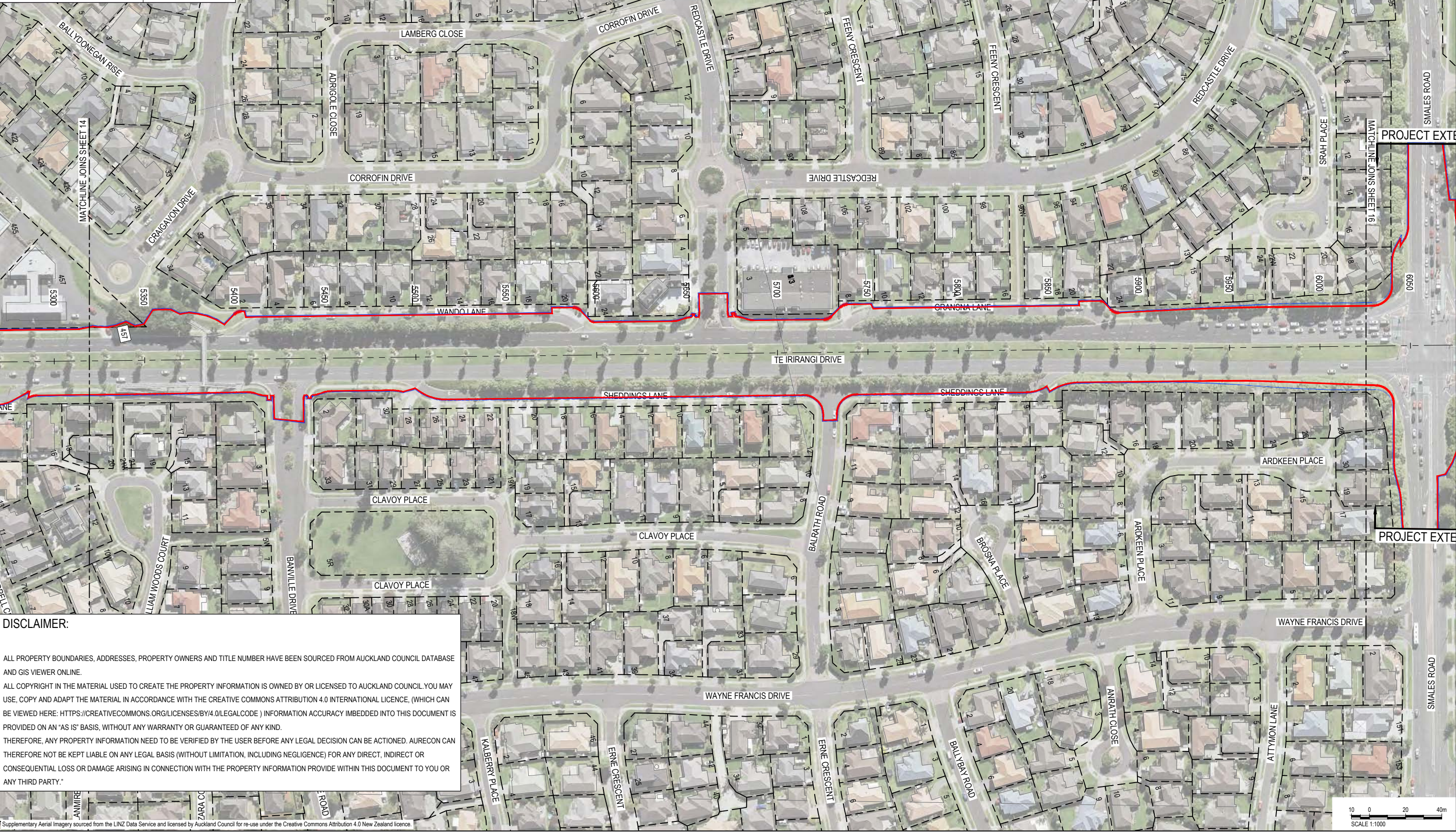
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CLIENT	REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY	PROJECT	AIRPORT TO BOTANY RTC SSBC						
	A	18.12.19	ISSUED FOR INFORMATION		1:1000	A1	NOT FOR CONSTRUCTION								
WORK IN PROGRESS					DRAWN		APPROVED	DATE	TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 14					
					D.SINGH										
					D.SINGH										
					REVIEWED										
					E.BOSMAN				DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER	REV
									502334	7000	SKT	CC	0075	A	

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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CLIENT		REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION		PROJECT	AIRPORT TO BOTANY RTC SSBC					
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						DRAWN D. SINGH		APPROVED			TITLE					
						DESIGNED D. SINGH		DATE			DRAWING No.					
						REVIEWED E.BOSMAN					PROJECT No.		WBS	TYPE	DISC	NUMBER
											502334		7000	SKT	CC	0076
																REV
																A



WORK IN PROGRESS

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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REV	DATE	REVISION DETAILS	APPROVED
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WORK IN PROGRESS			

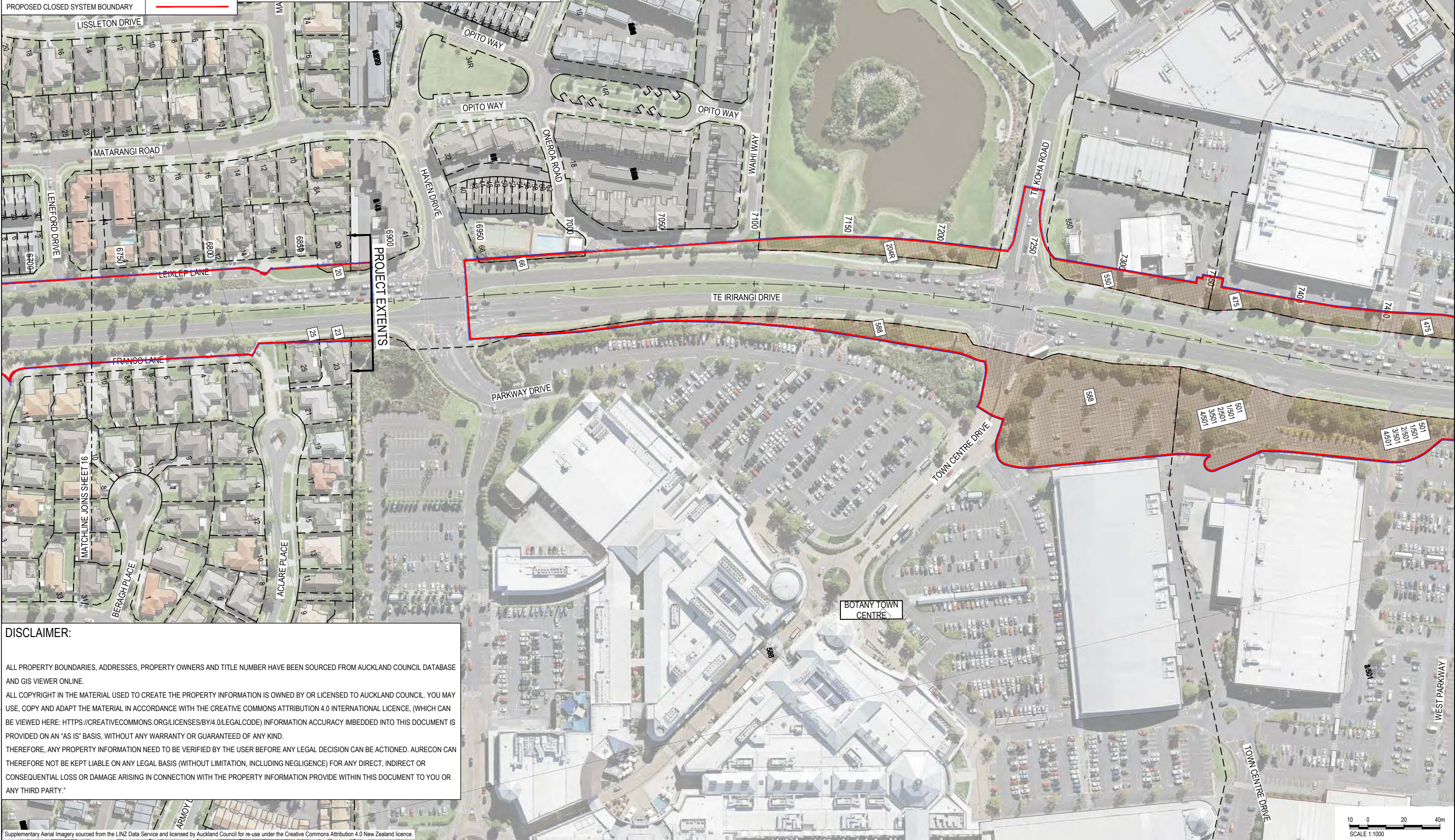
SCALE	SIZE
1:1000	A1
DRAWN	D. SINGH
DESIGNED	D. SINGH
REVIEWED	E.BOSMAN

PRELIMINARY NOT FOR CONSTRUCTION	
APPROVED	DATE

PROJECT	AIRPORT TO BOTANY RTC SSBC											
TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 16											
DRAWING No.	PROJECT No.	502334	WBS	7000	TYPE	SKT	DISC	CC	NUMBER	0077	REV	A

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

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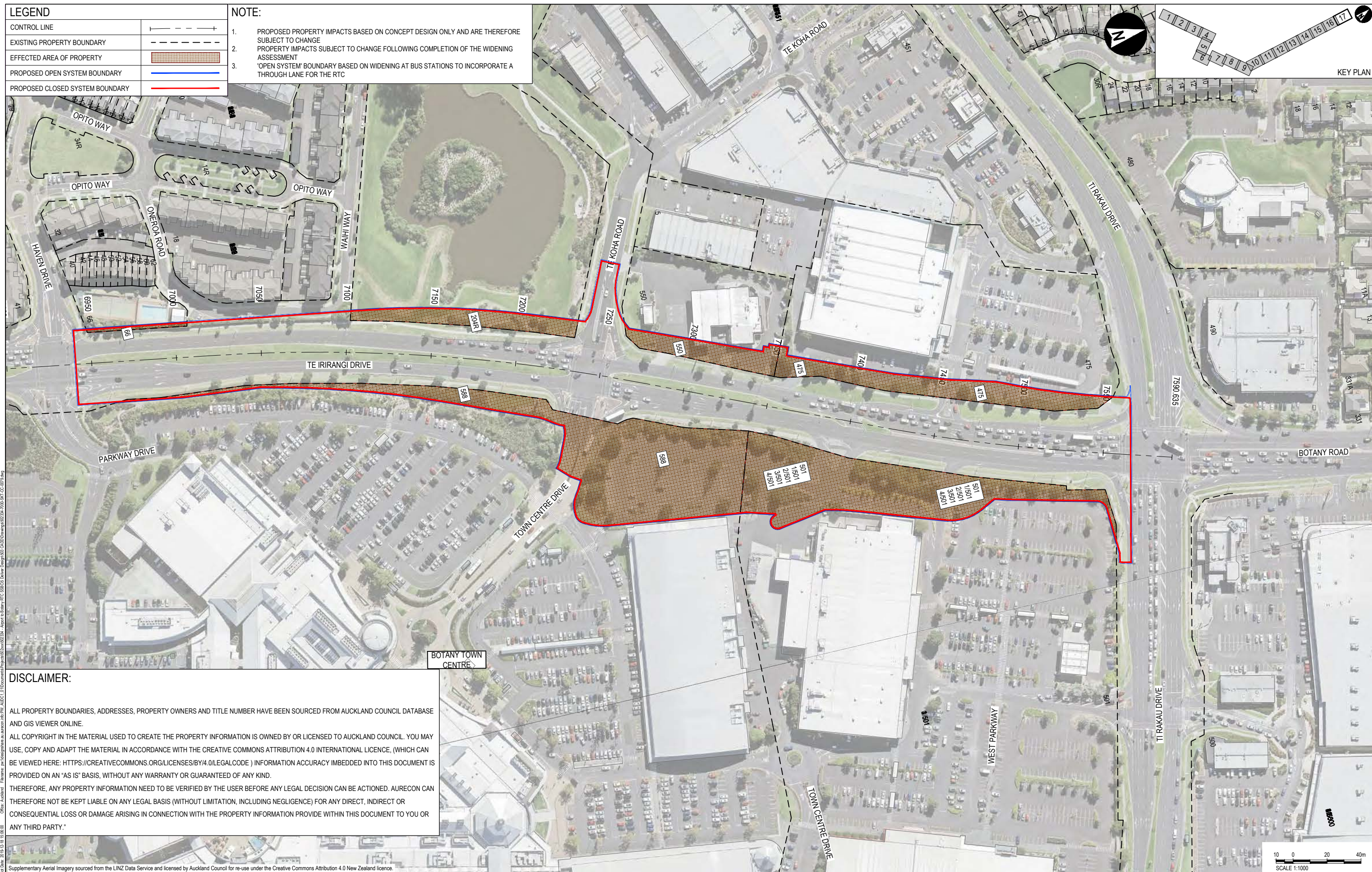
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 	CLIENT	REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION	PROJECT	AIRPORT TO BOTANY RTC SSBC					
		A	18.12.19	ISSUED FOR INFORMATION		1:1000	A1								
	WORK IN PROGRESS					DRAWN		APPROVED DATE	TITLE	PROPOSED PROPERTY BOUNDARIES OPEN & CLOSED SYSTEM SHEET 17					
						D. SINGH									
						DESIGNED									
						D. SINGH									
						REVIEWED			DRAWING No.	PROJECT No. 502334	WBS 7000	TYPE SKT	DISC CC	NUMBER 0078	REV A
						E.BOSMAN									

LEGEND	
CONTROL LINE	
EXISTING PROPERTY BOUNDARY	
EFFECTED AREA OF PROPERTY	
PROPOSED OPEN SYSTEM BOUNDARY	
PROPOSED CLOSED SYSTEM BOUNDARY	

NOTE:	
1.	PROPOSED PROPERTY IMPACTS BASED ON CONCEPT DESIGN ONLY AND ARE THEREFORE SUBJECT TO CHANGE
2.	PROPERTY IMPACTS SUBJECT TO CHANGE FOLLOWING COMPLETION OF THE WIDENING ASSESSMENT
3.	'OPEN SYSTEM' BOUNDARY BASED ON WIDENING AT BUS STATIONS TO INCORPORATE A THROUGH LANE FOR THE RTC



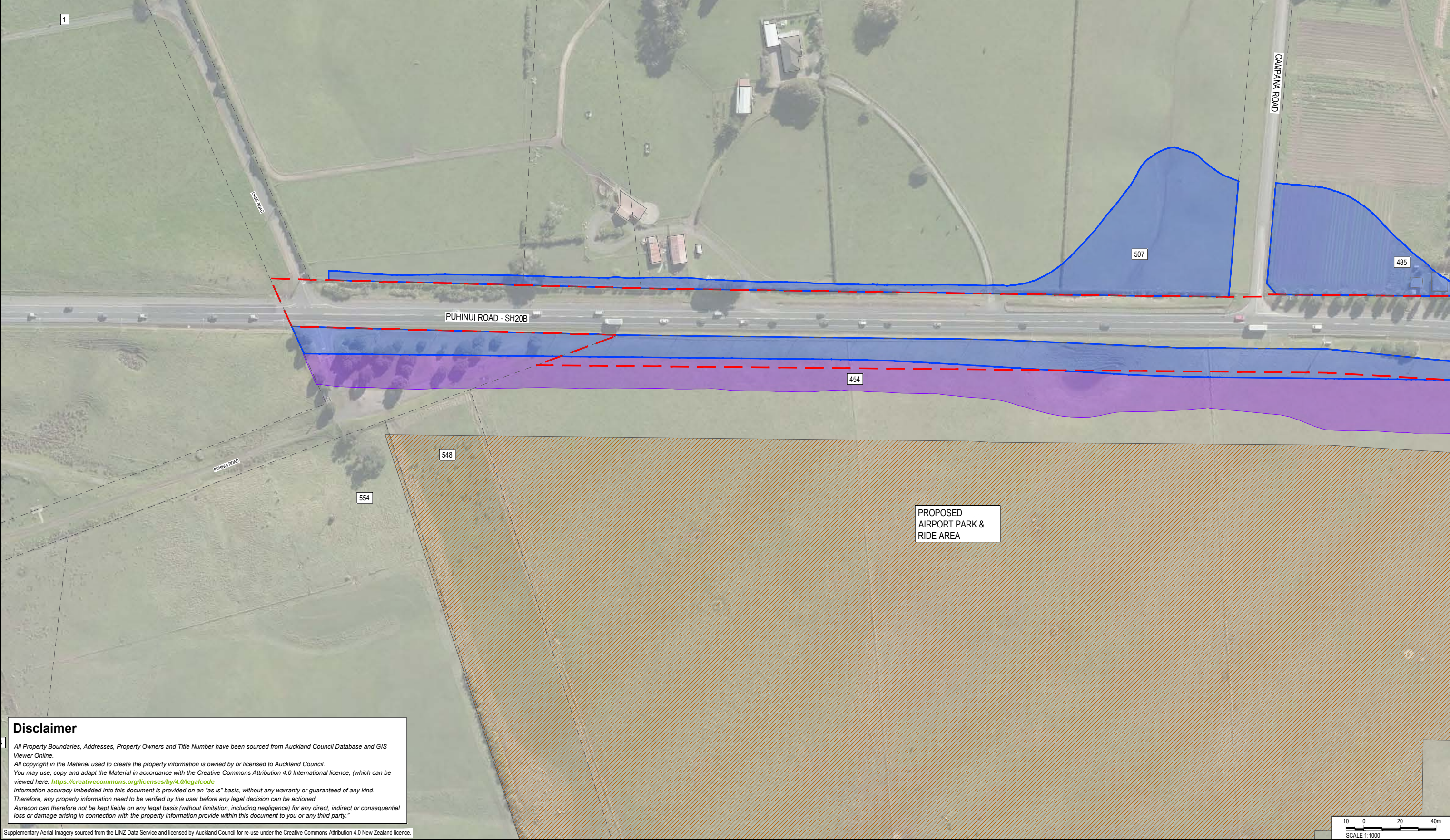
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LEGEND - AFFECTED PROPERTIES	
PROPERTY NZTA STAGE 1A	
PROPERTY NZTA STAGE 1B	
AIRPORT PARK AND RIDE	
NZTA PROPERTY DESIGNATION	



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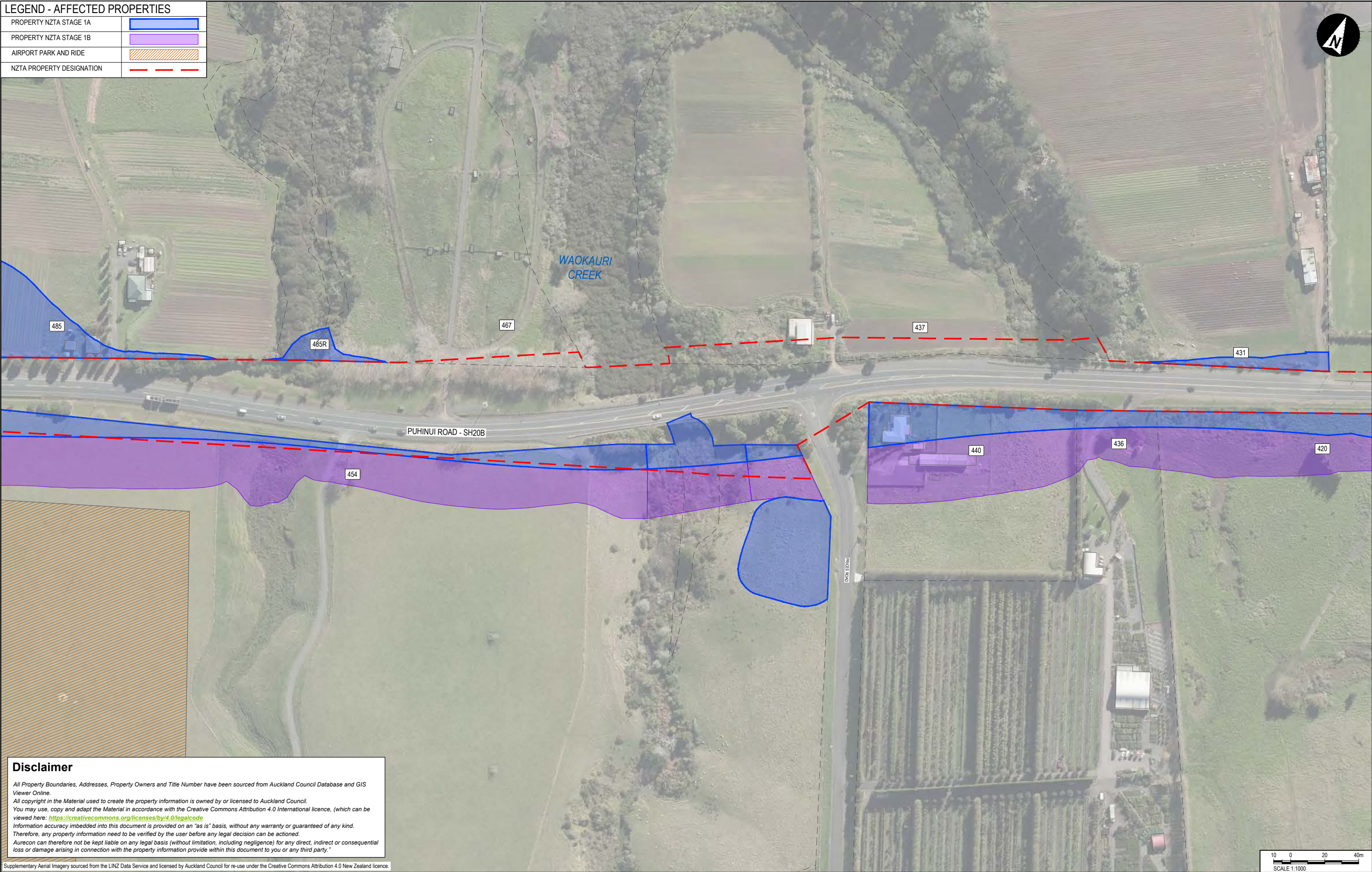
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CLIENT			REV	DATE	REVISION DETAILS	APPROVED	SCALE	SIZE	PRELIMINARY NOT FOR CONSTRUCTION		PROJECT	A2B / 20CONNECT SSBC					
			A	20.03.20	FOR INFORMATION	P. THEILER	1:1000	A1									
							DRAWN U. DORFLING		APPROVED			SH20 - AFFECTED PROPERTIES AIRPORT TO BONTONY SHEET 1					
							DESIGNED		DATE								
							REVIEWED										

LEGEND - AFFECTED PROPERTIES	
PROPERTY NZTA STAGE 1A	
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SCALE	SIZE
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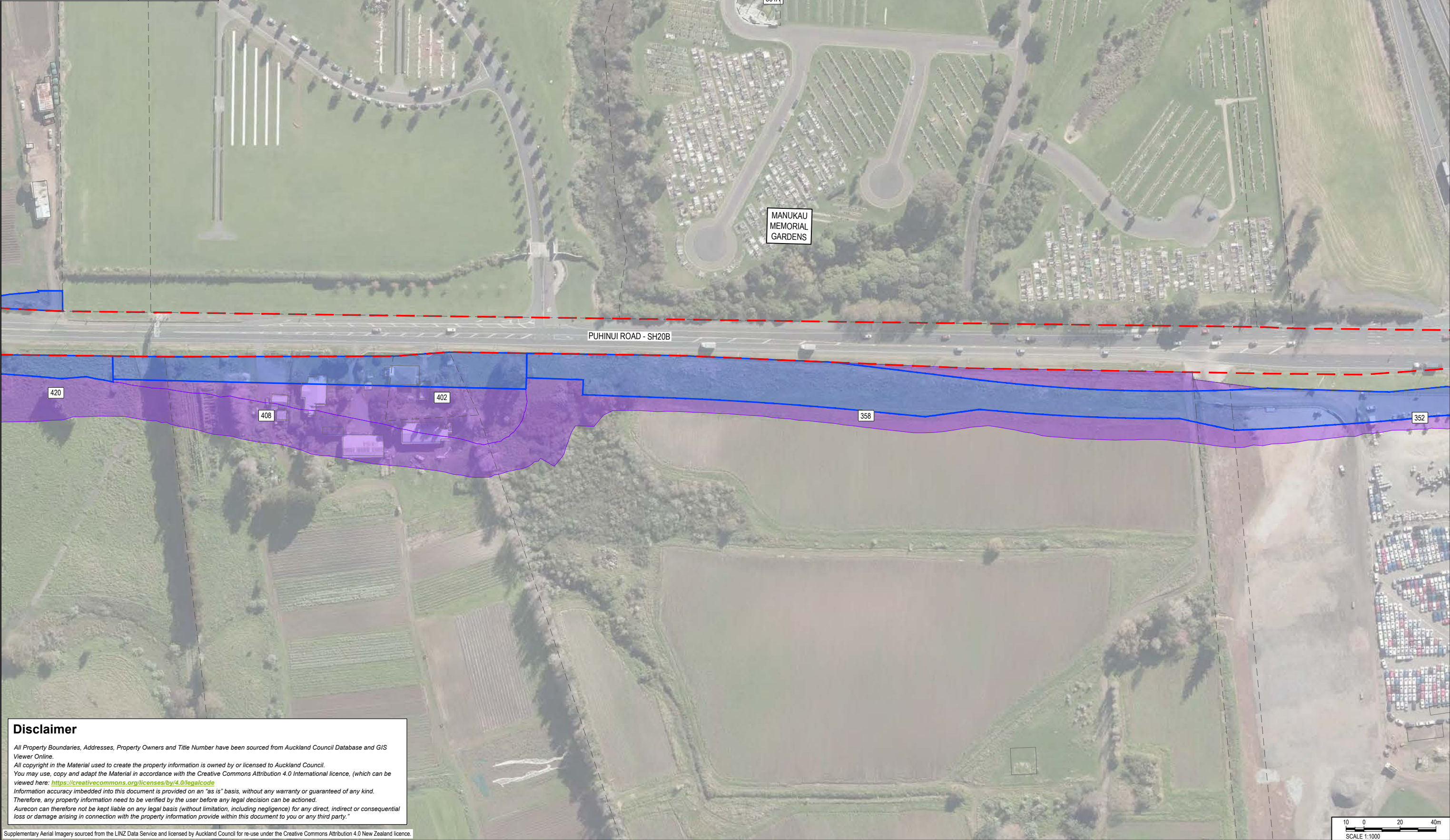
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TITLE	SH20 - AFFECTED PROPERTIES AIRPORT TO BONTONY SHEET 2																
DRAWING No.	PROJECT No.	501094	-	WBS	4403	-	TYPE	SKT	-	DISC	CC	-	NUMBER	1002	-	REV	A



LEGEND - AFFECTED PROPERTIES

PROPERTY NZTA STAGE 1A	
PROPERTY NZTA STAGE 1B	
AIRPORT PARK AND RIDE	
NZTA PROPERTY DESIGNATION	



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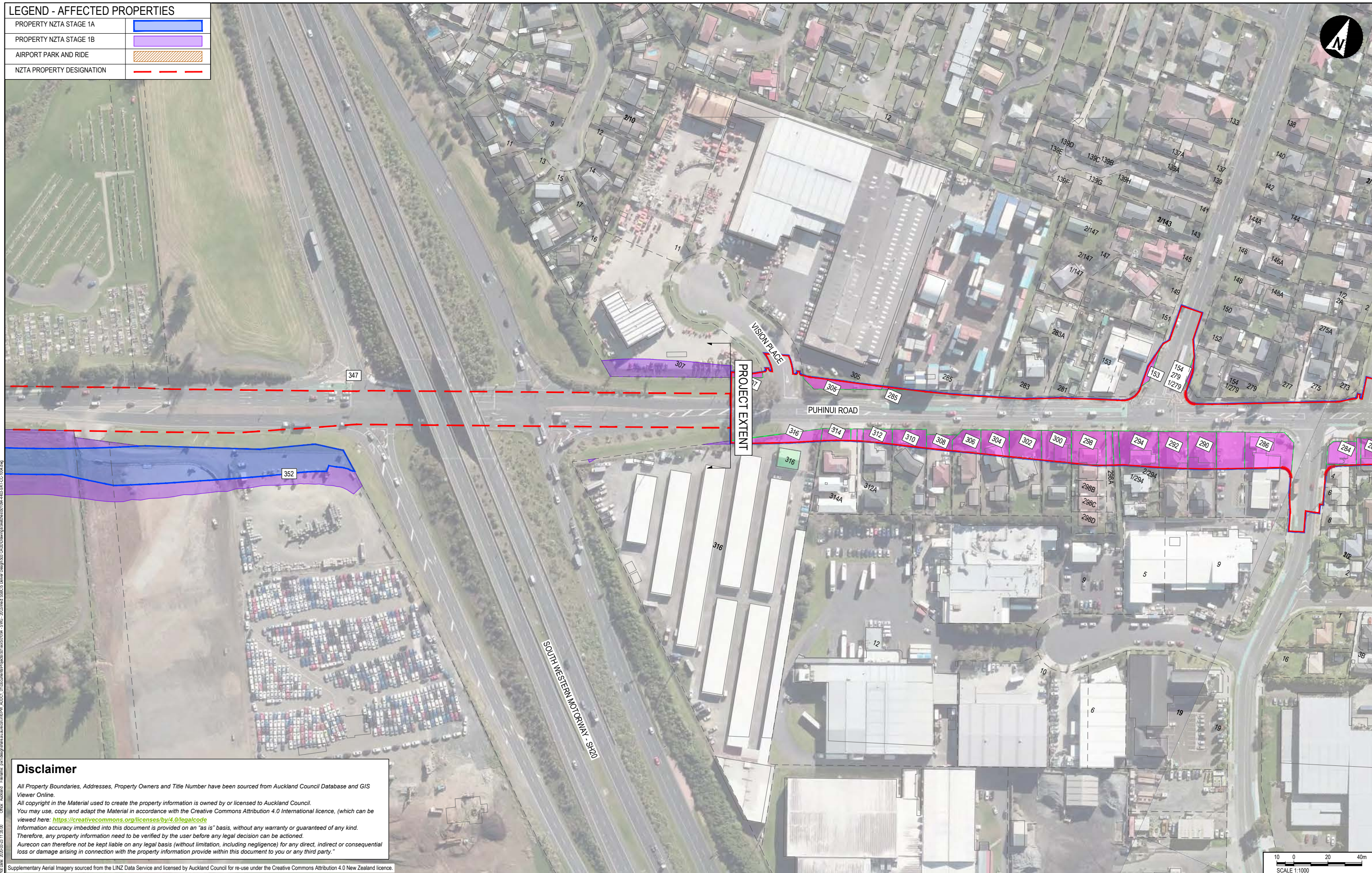
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DATE

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TITLE	SH20 - AFFECTED PROPERTIES AIRPORT TO BONTONY SHEET 3					
DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER	REV
	501094	- 4403	- SKT	- CC	- 1003	- A



LEGEND - AFFECTED PROPERTIES	
PROPERTY NZTA STAGE 1A	
PROPERTY NZTA STAGE 1B	
AIRPORT PARK AND RIDE	
NZTA PROPERTY DESIGNATION	

PROPERTY NZTA STAGE 1A	
PROPERTY NZTA STAGE 1B	
AIRPORT PARK AND RIDE	
NZTA PROPERTY DESIGNATION	



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		A	20.03.20	FOR INFORMATION	P. THEILER	1:1000	A1	APPROVED DATE		SH20 - AFFECTED PROPERTIES AIRPORT TO BONTONY SHEET 4					
						DRAWN U. DORFLING			TITLE						
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						REVIEWED									
										DRAWING No.	PROJECT No.	WBS	TYPE	DISC	NUMBER
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ATTACHMENT C: PUBLIC WORKS ACT 1981 PROCESS

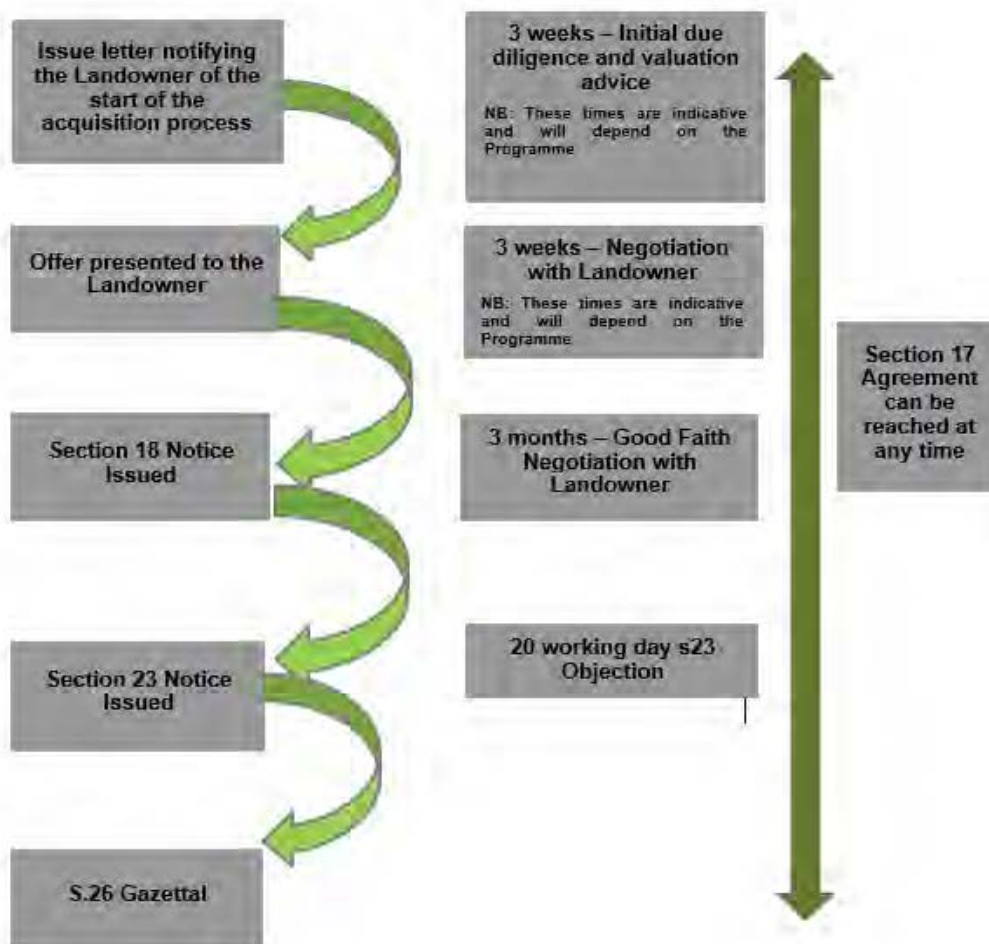
Public Works Act 1981

Properties are acquired in accordance with the Public Works Act 1981 (PWA) which provides the Local Authorities with the statutory authority to acquire land for public works by agreement (s17) or by proclamation (s26) and pay reasonable compensation.

AT is able to seek the agreement of Auckland Council as the local authority to purchase the land or seek the Governor General's agreement to take land needed for the Project when an agreement cannot be reached.

The preference of AT is to secure ownership of land on a "willing seller - willing buyer" basis by way of agreement (s17). However, to ensure that the timeframes of the Project are met, AT will adopt the following process;

ACQUISITION PROCESS



Initial landowner engagement

As part of the initial landowner engagement process, AT will provide the opportunity for an affected landowner to meet with AT to commence discussions about how the Project impacts their property. This will be initiated by a letter which sets out the process and timeframes involved.

The initial landowner engagement phase will last 16 weeks, during which time an agreement for sale and purchase can be reached. By the end of the initial 8-week period, AT will present a formal offer to purchase the land to the effected land owner. AT will then allow for another 8 weeks of good faith negotiations to reach an acquisition by agreement.

Acquisition by Agreement

Section 17 of the PWA provides provision for land to be acquired on a “willing buyer willing seller scenario” by agreement.

The objective of negotiating to reach agreement under Section 17 is to enable a compensation settlement that is acceptable to the landowner and within the requirements of the PWA in terms of market value, without recourse to the compulsory powers of the PWA.

If an agreement is not reached within the timeframes outline, a PWA Notice of Desire will be served.

Notice of Desire (s18)

Pursuant to section 18 of the PWA, a Notice of Desire (NoD) can be served on owners whose property is affected by the Project. This signals the desire of the AT to acquire the landowner’s land and is an invitation to sell the property at the valuation advised in the NoD.

The serving of a NoD will start a 3-month period of good faith negotiations. The objective of negotiations during this period is to reach mutual agreement with landowners.

The serving of a NoD, which has a 12-month lapse period, is the first step to the compulsory acquisition process. If an agreement is not reached during this period of negotiations, a Notice of Intention to take land under section 23 of the PWA will be served.

Notice of Intention (s23)

If an agreement is not reached with the landowner within 12 months of the NoD being served, section 23 of the PWA provides for a Notice of Intention (NoI) to take land to be gazetted and served on the land owner and all other parties who have a registered interest in the land.

The purpose of the NoI is to give formal notification to the landowner and / or interested parties that AC, on behalf of AT, intends to take the land for the Project.

At this point, landowners and parties with an interest in the land have the ability to make an objection to the Environment Court. However, if no objection is made, an objection made is withdrawn, or the Environment Court decision supports the acquisition, the land can be taken by proclamation within 20 working days.

Proclamation to take land (s26)

If an agreement with a landowner has not been reached following the serving of a Nol and no objection is received, or the Environment Court has disallowed any objections made and considers that the land should be taken, Auckland Transport will submit a report to Auckland Council recommending that it request that the Governor-General take the land for the public work.

The Governor-General may, if she thinks fit, by Proclamation declare that the land be taken for the public work pursuant to section 26 of the PWA.

A Proclamation to take land will be published in the New Zealand Gazette and publicly notified within one month after the date of the making. The land taken will vest in Auckland Transport 14 working days following its publication.

The Property Acquisition Strategy allows for an 8-month period from issuing a s.23 notice and the publication of the proclamation to take land being published in the New Zealand Gazette, assuming no appeal to the Environment Court.

7. Declaring Land as Road

S.114 will be used to declare the land as road.

The Minister may, by notice in the Gazette, declare any land, whether owned by the Crown or not, to be road.

AT are required to get the written consent of the Council, the Local Board (whom which the land is vested) and the Minister of Conservation as the land is part of a public reserve

8. Payment of Compensation

Under the PWA, where any land is acquired or taken for a public work, suffers any injurious affection or damage resulting from an acquisition or taking of land, compensation is required to be paid to the affected party. Noting that the affected party is to be no worse or better off than the position that they were in prior to the acquisition or taking.

Part 5 of the PWA outlines the provisions for compensation to be paid. AT will use these provisions when assessing compensation for its acquisitions or takings for the Project.

A summary of the relevant provisions of the PWA that relate to compensation are show in Table 15 below:

Table 15: PWA compensation provisions

Sections 60 & 61	Where land is taken, or an owner suffers any injurious affection from the taking of land, or any damage from the exercise of any power under the Public Works Act, an owner is entitled to full compensation from the acquiring authority for the taking or damage, subject to certain exceptions.
Section 62	Compensation shall be based on the market value of the land, within certain constraints.

Section 63	Where there has been no land acquired, but there has been injurious affection (with the exception of altered traffic flows), the authority will provide appropriate compensation.
Section 64	Compensation must be based on the whole of the work, not merely the part of the work carried out on the owner's land.
Section 66	Compensation must be made for disturbance costs (for example, the cost of relocation), in addition to compensation for the land being acquired.
Section 67	Compensation must be paid to reimburse early termination of a mortgage.
Section 68	Compensation must be made for business loss, either through acquisition of the business, or from losses suffered as a result of the project implementation.
Section 71	An owner, having been formally advised of a pending acquisition, cannot take steps to enhance the value of the property to be acquired.
Section 72	A solatium payment of up to \$50,000 for residential homes and \$25,000 for commercial properties.
Section 73	At the acquiring authority's discretion, assistance to acquire a suitable alternative property may be provided, by way of a debt charge against the new property. This is in cases where the cost of finding a suitable alternative property is in excess of the value of the property being acquired.
Section 75	At the acquiring authority's discretion, compensation may be paid to outgoing tenants, either residential or commercial, to reimburse costs incurred as a result of the project.
Section 76	The acquiring authority must reimburse reasonable costs incurred by the land owner, if a decision is subsequently made to abandon the acquisition.
Section 77	A claim for compensation may be made by a trustee, guardian, or manager, respectively.
Section 78	Any claim for compensation under the PWA relating to public works shall not be made after a period of 2 years from the date of the Proclamation or declaration taking the land.

ATTACHMENT D: DELEGATIONS AND APPROVALS

The execution of any notices or agreements required under the Strategy will be actioned under the appropriate delegation. A blue or vanilla minute will be presented to the delegate requesting approval of the financial terms and conditions and execution of the appropriate agreement or notice.

A number of delegations will be required throughout the duration of the MRP as summarised in Table 16 below.

Table 16: Delegations and approvals

	Delegation	Delegate
Acquisition of land under section 17 of the PWA including compensation payments	2016/73	Power of the Chief Executive of Auckland Council delegated to AT Group Manager Property and Planning and/or the AT Chief Executive
Compensation Certificates and discharges of those certificates under section 19	2016/73	Power of the Chief Executive of Auckland Council delegated to AT Group Manager Property and Planning and/or the AT Chief Executive
Notices under sections 18 and 23	2016/73	Power of the Chief Executive of Auckland Council delegated to AT Group Manager Property and Planning and/or the AT Chief Executive
Requests for a Proclamation under section 26	2016/73	Power of the Chief Executive of Auckland Council delegated to AT Group Manager Property and Planning and/or the AT Chief Executive
An exercise of power under section 110 and 111 of the PWA	2016/73	Power of the Chief Executive of Auckland Council delegated to AT Group Manager Property and Planning and/or the AT Chief Executive
Authorisation of a Procurement Plan or Supplier Selection Plan to initiate a procurement process	Financial delegation - 1.2.1	Chief Financial Operator (between \$250k and \$2m)

ATTACHMENT E: PROPERTY MANAGEMENT PLAN

Properties and part-properties acquired in advance of the project's construction must be managed between the time of purchase and the time of construction.

For properties that cannot be tenanted following acquisition (mainly partial property acquisitions), a maintenance schedule of properties will be prepared and implemented, to ensure that an appropriate level of quality urban environment is preserved.

Properties acquired as full sites, with improvements, will be managed by Panuku Development Auckland under a service level agreement from the time they are acquired, until the time they are needed for construction purposes.

The key objective of the Property Management Plan is to ensure that the properties acquired for the MRP do not deteriorate to the detriment of the surrounding areas and its management is through the provision of clear direction, an outline of clear responsibilities and accountabilities, and a consistent approach throughout the property lifecycle from acquisition, interim property management, through to remediation and integration into the surrounding urban land.

In particular, it sets out to:

- Ensure that the philosophy underpinning the approach to interim property management is understood
- Establishes clear guidelines processes and procedures and areas of responsibility for implementation
- Recognises that the way in which property is managed can have an impact beyond its boundaries and can contribute to broader place making objectives.

It identifies measures and methods to ensure the properties are managed in a manner that:

- Does not significantly change the character, intensity and scale of the effects of the existing use of the land
- Maintains the condition of the property at that which existed at the time of purchase by AT as the Requiring Authority
- Contributes to the functioning of the area within which the property is located
- Maintains occupancy as far as is reasonably practicable.
- The Plan will be managed by the AT Property Manager.

REPORT NAME	Airport to Botany Mass Transit Project Property Acquisition Strategy	
PREPARED BY	Fenella Fischer	DATED 1 March 2021

ATTACHMENT F: S40 OFFER BACK PROVISIONS

If a property is acquired using the provisions of the PWA, it may be subject to offer back provisions pursuant to section 40 of the PWA.

If it is subject to section 40 of the PWA and the property is no longer required for a public work, the property is to be offered for sale to the previous owner or their successor before selling on the open market.

In general, partial acquisitions are not subject to section 40 of the PWA due to an insufficient land area not meeting the applicable planning rules to allow any form of development.

In the cases where section 40 of the PWA may apply, AT will seek a waiver of the owners rights pursuant to section 40 of the PWA.

A record of Section 40 waivers will be created and provided to both the Real Estate Optimisation and Urban Product teams.

DRAFT