

Mōhiohio mā ngā kaipupuri whare

Information for landowners

November 2020

What's happening and what's next?

Following a detailed review and consultation, an emerging preferred corridor for SH1 Whangārei to Port Marsden Highway has been selected. The emerging preferred corridor is 'Option A' which includes upgrading the current state highway to four lanes, with some sections built alongside to straighten out curves.

Next steps in design development include undertaking ground investigations on privately owned property, which will enable us to confirm the extent of land impact for landowners affected by the project. We expect to be able to identify impacts on individual properties by mid-2021 and confirm these impacts by the end of 2021.

How has the emerging preferred corridor been informed?

At this very early stage in design development, the emerging preferred corridor is approximately 50-100 metres wide. The width of the corridor includes land required to construct, operate and maintain a transport corridor. This includes land for treating and managing stormwater, space for structures to support the highway such as retaining walls and slopes, the shared path for walkers and cyclists and of course, the four-lane highway.

The width of the emerging preferred corridor is expected to change as a result of ground investigations and design development in 2021. This means that the impact on property may change. We will keep you informed of any changes to information we have provided you in respect of your property.

What does this mean for me and my property?

Land within the designation will need to be acquired by Waka Kotahi (on behalf of the Crown), to allow for the construction, operation and maintenance of the highway.

Where property is required, the Public Works Act provides for property owners to be fairly compensated.

If you are affected, we will:

- Meet and talk with you personally
- Work with you to manage your concerns
- Explain the support you are entitled to
- Explain the relevant processes and your rights

Our aim is to work constructively with you to reach an agreement wherever possible.

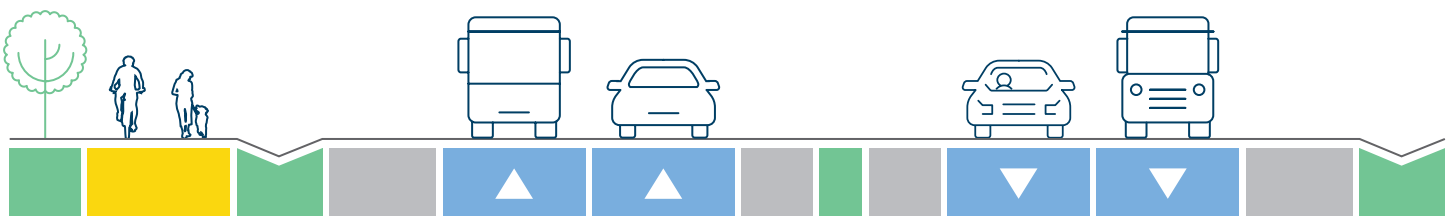
For more information

Contact us on **0800 948 342** or **w2pmh@nzta.govt.nz** if you have any questions or require more information.

Alternatively visit **www.nzta.govt.nz/w2pmh**



Kei te kaha mātou ki te mahi me ō mātou hapori katoa. Ki te hiahia koe i ēnei mōhiohio i whakamāoritia ki te reo Māori, whakapā mai i konei: **w2pmh@nzta.govt.nz**



What a cross section of the upgraded state highway between Whangārei and Port Marsden Highway could look like.

Ngā pātai auau

Frequently asked questions

What is a designation?

A designation is effectively a form of land zoning over a site or route. The designation provides protection of the land from activities that may compromise the proposed public work. It also provides certainty for affected landowners and community about the location and the nature of the public work.

What is a Notice of Requirement (NoR)?

For Waka Kotahi, the process for designating land is undertaken through a Notice of Requirement (NoR) process. A NoR is similar to applying for a resource consent. It is a statutory process in the Resource Management Act (RMA) and is how Waka Kotahi notifies Council that it is seeking to designate land. Until a designation has been confirmed and included in a district plan, a designation is referred to as a NoR

What does the Notice of Requirement (NoR) mean for me and my property?

The NoR will have interim effect on your land from the date it is lodged with Council until it is confirmed or declined following the formal hearing process. This means the land the designation covers will be affected from the date the NoR is lodged.

If you want to do anything on your land that might interact with our project you will need to seek our consent.

How can I be involved in the Resource Management Act (RMA) process?

Waka Kotahi intends to lodge a NoR and resource consent application in late-2021/early-2022.

The applications are likely to be publicly notified, and you will be able to make a formal submission through the RMA process. Following the any submissions you will also be given the opportunity to appear at the hearing if you choose to.

What if my land is required for the upgraded highway?

If some, or all, of your land is required for the project, Waka Kotahi (on behalf of the Crown) is able to purchase your land under the Public Works Act (PWA). Property negotiations are expected to commence in early-2021.

Waka Kotahi will appoint an independent Land Information New Zealand (LINZ) accredited property consultant to work with you directly, they will ensure that the purchase negotiated is fair to you as the landowner, your tenant (if appropriate), and Waka Kotahi. Part of this process involves seeking independent valuation.

What is the process for acquisition of my property under the Public Works Act?

Land Information New Zealand publishes a guide for landowners called Landowners' rights when the Crown requires your land for a public work. This outlines the process and your rights. You can download this at www.linz.govt.nz/crown-property/acquisition-and-disposal-land/public-works/landowners-rights-when-crown-requires-your-land-for-public-work-0

What happens if you've purchased more land than you actually need?

Once construction is completed, the land required for the ongoing operation and maintenance of the state highway will be surveyed. In some instances, the designation boundary may be 'rolled back' and any land not needed for the ongoing operation and maintenance of the state highway may be disposed of.

Disposal of surplus land is managed by LINZ through the Crown property disposal process. Information on Crown property disposal is available online www.linz.govt.nz/crown-property/acquisition-and-disposal-land/crown-property-disposal-process

I don't want to sell my property, can it nevertheless be compulsorily acquired?

In the event that agreement cannot be reached between you and Waka Kotahi, the PWA provides for compulsory acquisition by the Crown through the Minister for Land Information.

This will only be exercised after all reasonable endeavours have been made to negotiate in good faith the sale and purchase of your land. The compulsory acquisition of land follows the process outlined in the PWA. We recommend you seek appropriate legal advice in the event your property is being compulsorily acquired

If the compulsory acquisition process is triggered, and you object to your land being acquired for the project, you have the right to have your objection heard by the Environment Court.

Do you buy land outside the designation boundary?

From time to time, additional land outside the designation may need to be purchased by Waka Kotahi. For example, if by acquiring part of a land parcel, legal access to another part is severed, Waka Kotahi may secure alternative access or acquire the severed part of the parcel in addition to the land subject to the designation.