

## 14. Land use and property effects

### Overview

The main property effects of the Project can be separated into three broad categories:

- properties with land that is directly required (either the whole or in part) for the Project;
- land with an easement or other property right (including rights of way and water rights, for example) that is directly affected by the Project; and
- properties within close proximity to the Project.

The land holdings range from Crown Land, Council owned land including road and reserves, and private land. By far the largest land requirement is land already owned by the Crown for roading purposes. There are some properties where part acquisition will be required. All property owners whose land is directly affected have been consulted and are aware of the property required.

There are some examples of properties that will be required for construction of the Project, but that will not be purchased. Examples include properties that are required for construction purposes, but which are not required in the long term for occupation by the road. The effects on these properties can also be managed through the Public Works Act 1981 (PWA) process, although in some cases alternative arrangements can be made with landowners.

There are a number of instances where the Project will affect other property rights such as physical access to a property, forestry logging access or a water supply arrangement. It is considered that effects on other property rights have been well identified through both property agreements and consultation.

Properties within close proximity to the route that have been identified as being subject to or particularly sensitive to effects have been identified through the technical studies. Actual and potential effects on these properties have been identified in relation to specific technical areas and appropriate mitigation has been devised.

Actual and potential (including perceived) effects on property values is not considered to be a relevant consideration under the RMA. Effects on amenity values are a relevant consideration, and those that are affected by the Project are considered through assessment of other actual and potential effects including noise, landscape and access.

### 14.1 Introduction

The Project involves the construction and operation of a major new transport link. The main property effects of the Project can be separated into three broad categories:

- properties with land that is directly required (either the whole or in part) for the Project;
- land with an easement or other property right (including rights of way and water rights, for example) that is directly affected by the Project; and
- properties within close proximity to the Project.

Land parcels that will be directly affected to a greater or lesser degree by 'land take' requirements to accommodate the Main Alignment are shown in the Land Requirement Plans (LR01- 20) and in the accompanying schedule. Seventeen land parcels are directly affected by the Porirua Link Roads.

The land holdings range from Crown Land (Minister of Transport and Minister of Conservation), Council owned land including road and reserves, and private land which is primarily large rural holdings, but also includes some rural-residential lifestyle blocks, and urban rural land and business land.

By far the largest land requirement is land already owned by the Crown for roading purposes. This land comprises approximately 49% of the total land required for the Main Alignment to date. Only a very small amount (0.6%) of land has been required for the Porirua Link Road, but the property owners have all been consulted about the alignment and their suggestions have been able to be taken into account. All land is within the Wellington Region, and the majority of land required is within the jurisdiction of the Porirua City Council. Smaller land requirements are within (from largest to smallest) Kapiti Coast District, Wellington City and Upper Hutt City.

All property owners whose land is directly affected have been consulted and are aware of the property required.

## 14.2 Land acquisition and occupation

The Crown and the PCC both have the ability to acquire land under the PWA. For the most part the NZTA's property agents have been able to enter into property agreements with landowners to purchase land. Consequently, the NZTA's agents have been able to acquire a significant amount of land for the Project already.

There are some properties where part acquisition will be required. This could result in severance of land, or reduction in the size of land areas such that previous aspirations for property development can no longer be realised. For example, a property may be reduced in size so that it no longer meets district plan rules for subdivision. The property valuation and acquisition process under the PWA will take into account any adverse effects on the value of properties arising from part purchase, and appropriate compensation will be arranged with the land owner.

There are some examples of properties that will be required for construction of the Project, but that will not be purchased. Examples include properties that are required for construction purposes, but which are not required in the long term for occupation by the road. Construction land requirements that may not be required in the long term include:

- construction yards containing (for example) project offices, workers conveniences, machinery and equipment storage, smoko rooms;
- lay down areas including (for example) storage of precast concrete components;
- mitigation measures such as noise barriers;
- fill sites; and

- construction access routes alongside the alignment, which are required in many locations where there is difficult topography, or to use existing tracks.

Those properties are shown in the land requirement plans (and eventually in the relevant district plans should the NoRs be confirmed) as required for roading purposes in the same way as the land that will be purchased. However, on completion of construction, the requiring authority will be required to review the designation, and uplift those parts that are no longer required for roading purposes.

The effects on these properties can also be managed through the PWA process, although in some cases alternative arrangements can be made with landowners, such as a property rental arrangement. Through the PWA process, the requiring authority would be required to return the land in its original state, or as otherwise agreed with the landowner.

It is considered that the effects on property have been well acknowledged through consultation, and will be adequately compensated for through the PWA.

### 14.3 Access, easements and other property rights

There are a number of instances where the Project will affect other property rights such as physical access to a property, forestry logging accesses or a water supply arrangement. To address this:

- Where accesses are affected, alternative arrangements for access are proposed, and either have been or will be developed in close consultation with the landowner. In some instances underpasses or bridges will be provided for landowners whose accesses are severed by the alignment.
- Forestry logging accesses have been provided for through appropriately designed and sized underpasses.
- Alternative water supplies will be provided for all those with lawfully established water rights that are affected.

It is considered that effects on other property rights have been well identified through both property agreements and consultation.

### 14.4 Properties within close proximity

Properties within close proximity to the route that have been identified as being subject to or particularly sensitive to effects have been identified through the technical studies. Actual and potential effects on these properties have been identified in relation to specific technical areas and appropriate mitigation has been devised. These include:

- Properties that will be affected by elevated noise levels (during operation of the road) have been identified through noise modelling and where the noise standards are breached, appropriate methods are proposed to manage noise. Methods include noise barriers such as bunds and noise walls.

- Landscape and visual effects assessments have been carried out from key vantage points where the route will be visible from public places and close properties. Where required adverse visual effects will be mitigated.
- Flightys Road will be upgraded (with road surface improvements) and the NZTA will facilitate a process for it to become vested as a legal local road.

Whilst it was raised as an issue during consultation, actual and potential (including perceived) effects on property values is not considered to be a relevant consideration under the RMA. Effects on amenity values is a relevant consideration, and those that are affected by the Project are considered through assessment of other actual and potential effects including those examples (noise, landscape, access) given above.