

28 April 2023

Stacey Liakhovskaia
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REF: OIA-12367

Dear Stacey

Request made under the Official Information Act 1982

Thank you for your email of 2 April 2023 and further correspondence of 4 April 2023 requesting information under the Official Information Act 1982 (the Act). I will respond to each part of your request in turn:

What conditions of the NZTA designation are yet to be satisfied in relation to 47 Rongomau Lane?

47 Rongomau Lane is not subject to any specific designation conditions (designation reference NZTA-005) that are yet to be satisfied.

Please share the details (any decisions, correspondence, maps or official documents) that outline NZTA's plans in relation to 47 Rongomau Lane. In case of large volume documents, appreciate you could reference the particular sections related to the subject.

Waka Kotahi NZ Transport Agency does not have any further plans regarding 47 Rongomau Lane beyond accessing and maintaining planting within the covenanted area.

How does NZTA's outstanding work on the Project interfere with potential rezoning of the land @47 Rongomau Lane from rural to residential? I.e., how might the rezoning of 47 Rongomau Lane 'prevent or hinder a public work or project or work to which the designation relates' (176 -1 - b, RMA). Please provide details specifically related to this land section.

There is no outstanding work relating to the Mackays to Peka Peka (M2PP) Expressway project which is considered relevant to any potential rezoning of the land at 47 Rongomau Lane. I understand that the request specifically relates to Proposed Plan Change 2 to the Operative Kapiti Coast District Plan (PC2) and your submission requesting the rezoning of this property from rural to residential. We do not consider that this would prevent or hinder the project which the designation relates to.

What are the grounds for waiting for disposal of all designated sections before rolling back the designation? Why can't NZTA consider already disposed properties on a case by case basis?

How do the decisions and NZTA position above work with the conditions of the designation to remove the designation as 'as soon as practicable' following the completion of the Project' (DC2)?

Rolling back designations is a statutory process with a number of steps to it. For the M2PP project, the process will be complex as there are numerous affected properties. The final designation envelope also needs to consider other factors beyond property disposals such as the need to retain areas of offset storage, ecological mitigation and wetland treatment which are requirements of designation conditions alongside the requirement to uplift those parts of the designation not required in the long-term.

It is less practical and desirable (and more costly) to complete the designation rollback process on a piecemeal basis due to the volume and complexity of the work involved. It would also create additional risks for administrative errors due to having to make repeated changes to the designation. This would create significant additional work for both Waka Kotahi and Kāpiti Coast District Council.

What is the process for my land to be reviewed for designation removal as soon as possible rather than when all other sections are disposed of?

I have asked the team to further consider whether it is feasible to expedite uplift from your property and they will report back to you in due course.

why I, as an owner, wasn't notified about the designation in place and; also what I can do if I want to challenge NZTA's decision.

The information is publicly available and published in the district plan. This information would have been provided by Kāpiti Coast District Council in a Land Information Memorandum (LIM) if you had requested one. A LIM typically forms part of the recommended due diligence undertaken by a prospective property purchaser.

While the intended process for removing the designation has been outlined to you, we would be happy to discuss this further with you. We are also able to provide you with Resource Management Act s176(1)(b) approval which is effectively written approval to undertake activities within the designation. While it may require Waka Kotahi written approval, the presence of the designation over your property is not a barrier to any activity that does not hinder/affect the project.

If you would like to discuss this reply with Waka Kotahi, you are welcome to contact Kelly Standish, Senior Planner – Environmental Planning, by email to kelly.standish@nzta.govt.nz or by phone on 021 240 8724.

Yours sincerely



Robyn Elston
National Manager, System Design