

Comments on Draft Decision and Draft Conditions

Te Ara Hauāuru – North West Rapid Transit Project
FTAA-2511-1146

Property: [REDACTED]
Owner: Pauline Skeates (via a Trust)

To: North West Rapid Transit Expert Consenting Panel
Via: substantive@fasttrack.govt.nz
Date: 14/08/2026

Tēnā koutou,

I am the owner of [REDACTED] (via my Trust) and previously provided invited comments on the North West Rapid Transit application.

I acknowledge the regional transport objectives and potential public benefits of the Project. My comments at this stage are not intended to oppose the Project itself. They concern whether the draft decision and designation conditions provide reasonable certainty, transparency and protection for a privately owned property that is directly and substantially affected by the designation.

The property plan provided by NZ Transport Agency shows the designation extending across a substantial proportion, apparently most, of [REDACTED], together with an indicative earthworks area extending into the property from the Ivanhoe Road frontage.

The plan is marked **DRAFT**, and the final extent of permanent works, temporary construction requirements, stormwater requirements and property acquisition has not yet been established.

This uncertainty is particularly significant when combined with the proposed **25-year lapse period** for the designation.

My personal and professional circumstances

I am 70 years old.

[REDACTED] is not simply an investment property. It is an important part of my professional life, business activities and financial security.

I practise as a psychologist from the property. I also use the barn at the rear of the site as a professional training venue for workshops and teaching, and I rent the barn to other organisations and individuals as a venue for hire.

The property therefore supports several interconnected activities:

- my psychology practice;
- my professional training and teaching;
- the operation of the rear barn as a training facility;
- income derived from hiring the barn as a venue; and
- residential income from a beneficiary of the Trust

The prospect of full acquisition, partial acquisition or prolonged uncertainty as to what part of the property may ultimately be required is therefore of considerable concern to me at this stage of my life.

A 25-year lapse period extends until I am approximately **95 years old**. It therefore extends well beyond any realistic professional working horizon and across a substantial part of my retirement planning period.

This is not an abstract planning issue.

The uncertainty affects decisions I need to make now about whether I should continue investing in the property, developing my professional activities, accepting future venue bookings, maintaining and improving the barn, planning the future of my practice and making long-term financial and retirement decisions.

NZTA's response to my earlier comments does not resolve this issue

I have considered NZTA's response to the earlier comments relating to [REDACTED]

NZTA states that the Project will be constructed in stages, that properties will generally be acquired as each stage is confirmed and detailed design progresses, and that property acquisition **usually commences only 2–3 years before construction**.

NZTA also states that Public Works Act compensation will address property acquisition and business disturbance or relocation.

I recognise that acquisition and compensation are primarily dealt with under the Public Works Act.

However, that does not resolve the issue I have raised.

If acquisition discussions ordinarily commence only 2–3 years before construction, while the designation can remain in place for up to 25 years, I could potentially remain uncertain for many years about whether all or part of my property will be acquired. During that period, with the Public Works designation on the property, there will be no members of the public willing to pay market price for the property, and the only buyer will be the entity owning the motorway. NZTA has advised that property acquisition only commences 2-3 years prior to construction of the relevant section with the full benefit of the acquisition package available to the vendor. I understand that NZTAS will be prepared to buy a property earlier than the usual acquisition period if a property owner needs to or wishes to sell earlier but that the

compensation package is less advantageous than if they await an unknowable period of time until NZTA is ready. That is not equitable to a property owner that has strong reasons for selling their property.

Compensation at some future point does not remove the present effect of that prolonged uncertainty.

The Panel itself acknowledges that projects with lengthy lapse periods may create adverse social and community effects, including uncertainty for landowners whose intentions must yield to the objectives of the designation holder.

My circumstances illustrate precisely why this issue matters.

I therefore respectfully request that the Panel strengthen the conditions applying to directly and substantially affected properties such as [REDACTED]

1. Site-specific clarification of the impact on [REDACTED]

Before an Outline Plan is submitted for any part of the Project affecting [REDACTED] NZTA should be required to provide the owner with a site-specific property impact plan.

That plan should identify, to the extent then known:

- land required for permanent Project works;
- land required only temporarily during construction;
- any proposed easements, stormwater infrastructure or other interests in the land;
- the extent of proposed earthworks;
- finished ground levels and contours;
- retaining walls, barriers, structures and drainage infrastructure;
- proposed landscaping and boundary treatment;
- vehicle and pedestrian access arrangements;
- the treatment and proposed useability of any land remaining in private ownership; and
- any land presently within the designation that is no longer reasonably required and can therefore be released from the designation.

This is particularly important because Draft Condition 1A provides that works will be regarded as consistent with the Indicative Design drawings if they comply with the balance of the conditions and are approved through the later Outline Plan process.

That preserves significant flexibility for NZTA.

Where that flexibility exists over a substantially affected private property, it should be accompanied by an equivalent obligation to provide the affected owner with clarity.

2. Direct consultation before detailed design is finalised

I request a condition requiring NZTA to consult directly with the owner and occupier of [REDACTED] before finalising any Outline Plan that materially affects the property.

That consultation should involve:

- provision of relevant design information;
- reasonable time for the owner to consider and comment on the proposed design;
- discussion of property access, boundary treatment, landscaping, construction effects and retained land;
- consideration of the owner's comments before the design is finalised; and
- written confirmation of the matters raised, changes made in response and reasons why any material concerns were not adopted.

The draft conditions already provide structured consultation requirements for particular commercial landowners and access arrangements.

A directly affected property containing professional and business activities should receive comparable procedural certainty.

3. Protection of any land retained in private ownership

If NZTA ultimately requires only part of [REDACTED], the final design should be required to demonstrate that the remaining property continues to be reasonably usable, accessible and functional.

This should include consideration of:

- vehicle access;
- pedestrian access;
- emergency access;
- privacy;
- security;
- usable outdoor areas;
- parking and servicing where relevant;
- finished levels;
- retaining structures;
- stormwater;
- landscaping and screening;
- the operation of the psychology practice and training activities; and
- the relationship between the permanent Project works and the remainder of the property.

Draft Condition 16C requires consultation where an existing lawful vehicle access will be permanently altered and requires the Outline Plan to demonstrate safe and practicable alternative access.

However, Condition 16C(c) provides that this protection does not apply where the relevant property interest has already been acquired by the Requiring Authority.

I ask the Panel to clarify or amend this provision so that, where **only part of a property is acquired**, the obligation to provide safe and practicable access to any retained property continues to apply.

4. Construction access and disruption

The draft Construction Traffic Management Plan provisions appropriately recognise the need to maintain safe and practicable access to affected properties or provide alternative arrangements.

Given the degree to which [REDACTED] appears to be affected, I request that any CTMP applying to works at or adjoining the property specifically address:

- periods when access may be restricted;
- alternative vehicle access;
- pedestrian access;
- emergency access;
- rubbish, courier and service access;
- construction vehicle movements;
- hours of particularly disruptive activity;
- continuity of access for clients and professional activities where reasonably practicable; and
- a named NZTA or contractor liaison person.

I support the inclusion of Draft Condition 16F, which establishes a Construction Traffic Issues Resolution process for affected landowners and occupiers.

5. Construction noise, vibration and building condition

The draft Construction Noise and Vibration Management Plan requires management of noise and vibration effects, monitoring, communication with neighbouring owners and procedures relating to building condition surveys.

Given the earthworks shown within or immediately adjoining [REDACTED], I request a **pre-construction building condition survey** of the substantial buildings on the property, including the rear barn, before vibration-generating construction occurs nearby.

Where relevant, an equivalent post-construction assessment should be undertaken.

The barn is particularly important because it is actively used for professional training and venue hire. Establishing its pre-construction condition protects both the owner and NZTA if any subsequent issue arises.

6. Landscaping, screening, privacy and reinstatement

Draft Condition 26 addresses retention of vegetation where practicable and reinstatement following temporary occupation.

For [REDACTED], the final landscape treatment should specifically address:

- visual screening from Project infrastructure;
- privacy;
- security;
- boundary treatment;
- replacement planting;
- reinstatement of areas temporarily occupied;
- mitigation of any loss of existing vegetation or screening; and
- the interface between Project land and any land remaining in private ownership.

The Form and Landscaping Statement should specifically identify the treatment of substantially affected adjoining private properties rather than addressing these matters only at the general corridor level.

7. The 25-year lapse period requires stronger protection for directly affected owners

The proposed 25-year lapse period is one of my principal concerns.

I recognise the reasons infrastructure projects may require extended planning periods.

However, there is a substantial difference between allowing a Project a long period in which to proceed and requiring an individual private owner to live for potentially decades with unresolved uncertainty over the future of most of their property.

In my case, I am 70 years old and actively practising as a psychologist, running professional training and deriving venue-hire income from this property.

A 25-year designation therefore potentially encompasses the remainder of my working life and extends well into retirement.

If the Panel retains the 25-year lapse period, I request that directly affected owners receive formal periodic communication from NZTA.

At minimum this should include:

- the current anticipated timing of detailed design;
- the anticipated construction stage affecting the property;
- current anticipated acquisition timing;
- whether full or partial acquisition is contemplated;
- material changes to the proposed design;
- changes in the extent of land likely to be required; and
- confirmation as to whether the full extent of the designation affecting the property remains reasonably necessary.

Material changes should be communicated directly to affected owners rather than relying solely upon information being placed on a general Project website.

8. Early clarification of property acquisition intentions

NZTA's response indicates that property acquisition generally occurs only 2–3 years before construction.

For a property as substantially affected as [REDACTED] appears to be, I consider that an earlier indication of likely property requirements is reasonable.

I therefore request that the Panel require, or at least expressly recommend, that NZTA engage with me as early as practicable to identify whether its anticipated requirement is likely to involve:

- full property acquisition;
- partial acquisition;
- temporary occupation;
- an easement or other property interest; or
- designation without acquisition of the whole property.

I appreciate that detailed design may change.

Nevertheless, there is a considerable difference between acknowledging reasonable design uncertainty and leaving an owner without any meaningful indication of whether the majority of her property is eventually expected to be acquired.

9. Business and professional effects should be expressly recognised

NZTA has acknowledged in its response to the earlier submission that Public Works Act compensation may extend to **business disturbance and relocation**.

That acknowledgement is important.

[REDACTED] should therefore not be considered solely as a residential property for the purpose of engagement and construction planning.

It is also a place from which professional psychological services are provided and where professional education, training and venue-hire activities occur.

Where practicable, detailed design, construction staging and access arrangements should therefore take these existing activities into account.

The rear barn's significance in this context is primarily its **actual professional, functional and economic use**, irrespective of whether it has formal heritage scheduling.

10. Consideration of the extent of private land affected

The Panel's draft decision recognises that the degree of scrutiny given to alternatives should increase where the impact on private land is greater.

It records that the consideration of alternatives needs to be more careful where there is greater impact on private land.

Given that the designation appears to extend across most of [REDACTED], I ask the Panel to satisfy itself that the extent of the designation over this particular property is reasonably necessary.

In particular, where parts of the property are included primarily to provide future flexibility rather than because they are presently expected to be required for permanent works, I ask that the designation boundary be narrowed wherever reasonably practicable.

Requested outcome

I respectfully request that the Panel amend or strengthen the draft conditions so that directly and substantially affected property owners are not left dependent solely on generic management plans, future Outline Plans and eventual Public Works Act negotiations.

In relation to [REDACTED], I seek:

1. a site-specific property impact plan before the relevant Outline Plan is finalised;
2. direct and meaningful consultation before material detailed-design decisions affecting the property are confirmed;
3. clarification of the likely permanent and temporary land requirements;
4. protection of the usability and access of any property remaining in private ownership;
5. specific construction access and liaison provisions;
6. pre- and post-construction building condition assessment where appropriate;
7. site-specific landscaping, privacy, screening and reinstatement measures;
8. direct periodic communication throughout the extended lapse period;
9. earlier clarification of the likely nature and timing of any property acquisition;
10. recognition of the existing psychology practice, professional training activities and venue-hire business operating from the property; and
11. reconsideration and reduction of the designation footprint over 83 Ivanhoe Road wherever land is not reasonably necessary for the Project.

I again emphasise that these comments are **not intended to prevent the North West Rapid Transit Project**.

They seek a proportionate level of certainty and protection for a private owner whose property is substantially affected by a designation that may remain operative for up to 25 years.

For me, at age 70, with my professional practice, training activities, business income and retirement planning connected with this property, the effects of prolonged uncertainty are immediate and real.

I respectfully ask the Panel to take those circumstances into account when finalising the decision and conditions.

Ngā mihi,

Pauline Skeates

