

Rotokauri Designations

Property Acquisition and Management Engagement Practice

Hamilton City Council as the Requiring Authority

Endorsed by Hamilton City Council as territorial authority (Strategic Growth and District Plan Committee 23/02/2023)

Revision	Revision Date	Details	Prepared by	Reviewed or Approved by
V1.0	7/02/23	Initial Draft – for Council endorsement	N. Savage	T. Denton
V2.0	23/02/23	Final	N. Savage	SGDP Committee
V2.1	30/06/25	Update references	N. Savage	N/A

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1 Introduction

This Property Acquisition and Management Engagement Practice (PAMEP) has been prepared by Hamilton City Council (HCC) as the Requiring Authority (RA) for the Rotokauri designations.

Rotokauri designations will be included within the Hamilton City District Plan.

2 Background

The objective of this PAMEP is:

To provide clarity for directly affected landowners on how they can engage with HCC as RA on matters regarding property acquisition and management

And will:

- a) *Include contact details (phone, email and postal address) for the Communication Consultation and Property Liaison Manager.*
- b) *Identify timeframes within which the Requiring Authority will respond to enquiries.*
- c) *Describe the process which the Requiring Authority will follow for responding to specific:*
 - i. *Requests from landowners to purchase properties, including under s185 RMA, and for compassionate or hardship grounds;*
 - ii. *Requests from landowners to use land that is within the designation footprint but is not yet acquired by the Requiring Authority; and*
 - iii. *Complaints regarding the maintenance of properties acquired by the Requiring Authority.*

“Directly affected” is defined as being within the footprint of the designation.

3 Content

3.1 Contact details

As at 30/06/2025 the Communication, Consultation and Property Liaison Manager (the Manager) contact details are:

Name / Title	Nathanael Savage – Technical Director, Planning – Infrastructure (Rotokauri Designations Communication, Consultation and Property Liaison Manager)
Phone	07 838 6699
Email	RotokauriDesignations@hcc.govt.nz
Postal Address	Infrastructure and Assets Group Plan, Strategy and Programming Unit Hamilton City Council Building 260 Anglesea St Hamilton Central, 3204 Private Bag 3010 Hamilton 3204, New Zealand

It is expected that this contact will change over time. Any new Manager/s will update the contact details on the HCC website and in this PAMEP.

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3.2 Response timeframes

The Communication, Consultation and Property Liaison Manager (the Manager) or nominee will:

- Acknowledge receipt of the enquiry or complaint within **3 working days**.
- Liaise with relevant staff or contractors (as required) and provide a response within **a further 2 working days**.

In situations where more time is needed to prepare an informed response the Manager will advise the customer of when a response can be provided and provide updates on progress as appropriate.

If an enquiry is related directly to works under way then the enquiry may be transferred to the relevant contact for those works, and will be responded to in accordance with communication, engagement and/or complaints processes established specific to those works. The Manager will advise the customer of the transfer and relevant point of contact.

3.3 Property purchase

This section generally describes the process that will be followed for requests from directly affected landowners to purchase land affected by the Rotokauri designations.

Landowner initiated purchase:

Sometimes landowners may want their land to be purchased before being approached by HCC. This can be for several reasons, including:

- Inability to use land for desired purpose
- Lifestyle or employment changes
- Changing household needs
- Financial hardship
- Emerging medical conditions

Directly affected landowner statutory rights are outlined in the Land Information New Zealand (LINZ) booklet available from the LINZ website ([click here](#)). This booklet should be referred to in the first instance. It covers the right of landowners to apply for an order from the Environment Court (under s185 of the Resource Management Act) that would require HCC to purchase land under the Public Works Act process.

Before initiating the statutory process the landowner should contact the HCC Communication, Consultation and Property Liaison Manager ("the Manager") to discuss the potential to agree a purchase plan with Council that avoids Environment Court processes or proceedings. In effect HCC and the landowner would look to agree to enter into a purchase process that reflects the Public Works Act. This process is generally outlined in figure 1 below.

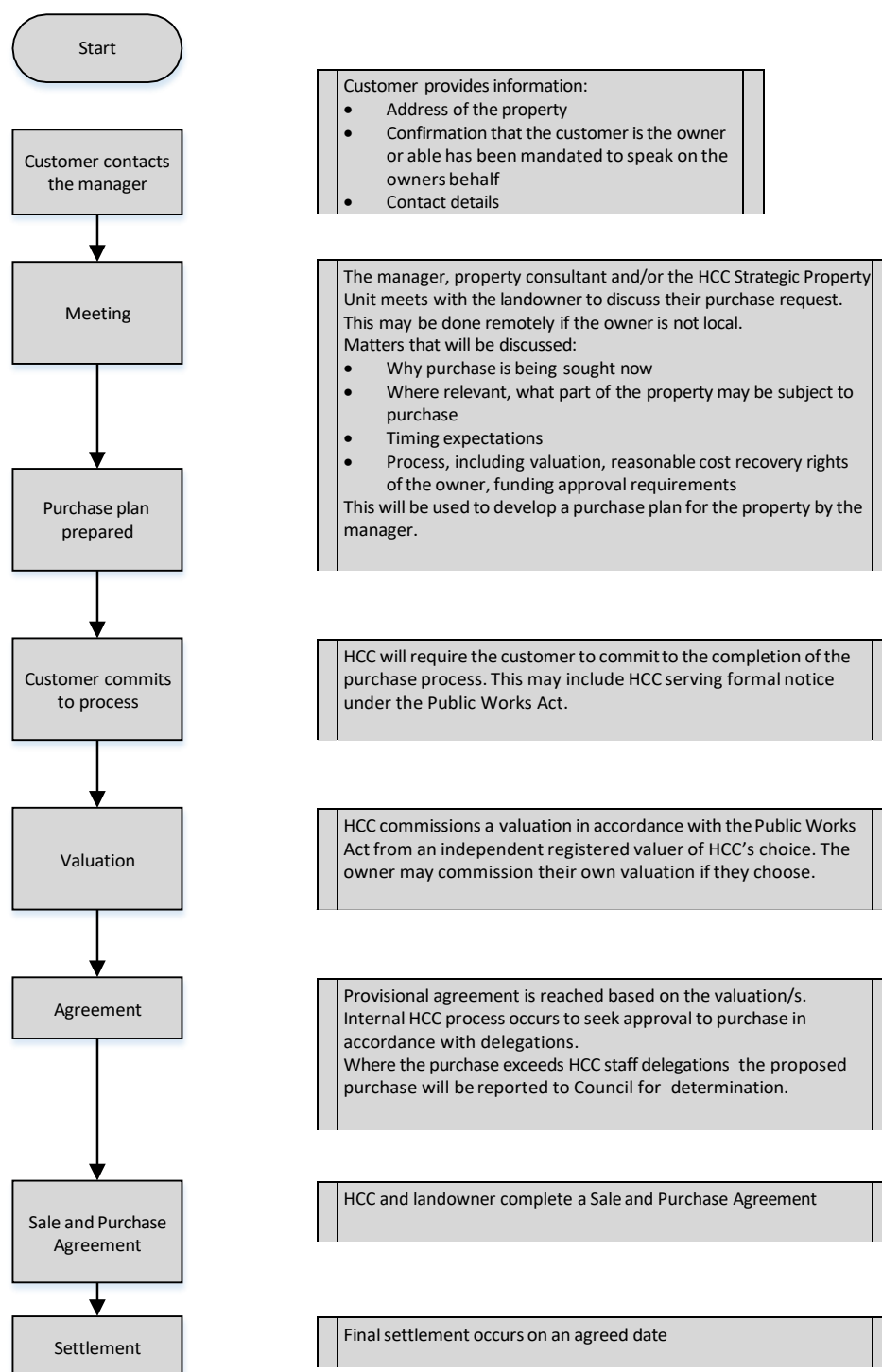
Where the reasons for landowners seeking purchase are deemed sensitive or personal, the Council will take steps to manage this information with regard to Council policy and any relevant legislation.

HCC initiated purchase:

Over the course of the designation period HCC as RA will progressively approach landowners to purchase land under, or reflecting, the Public Works Act process. The manager or representative for HCC as RA will make individual contact with the landowners as and when land needs to be secured to support any construction staging.

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Figure 1



The landowner may, at any time, choose to apply to the Environment Court seeking an order under s185 of the RMA for HCC as RA to compulsorily acquire designated land.

This note is not a substitute for the owner obtaining their own property related advice.

Relevant landowner rights and the process are outlined in the Land Information New Zealand booklet available from their website <https://www.lin.govt.nz/guidance/crown-property/acquisitions-public-works>

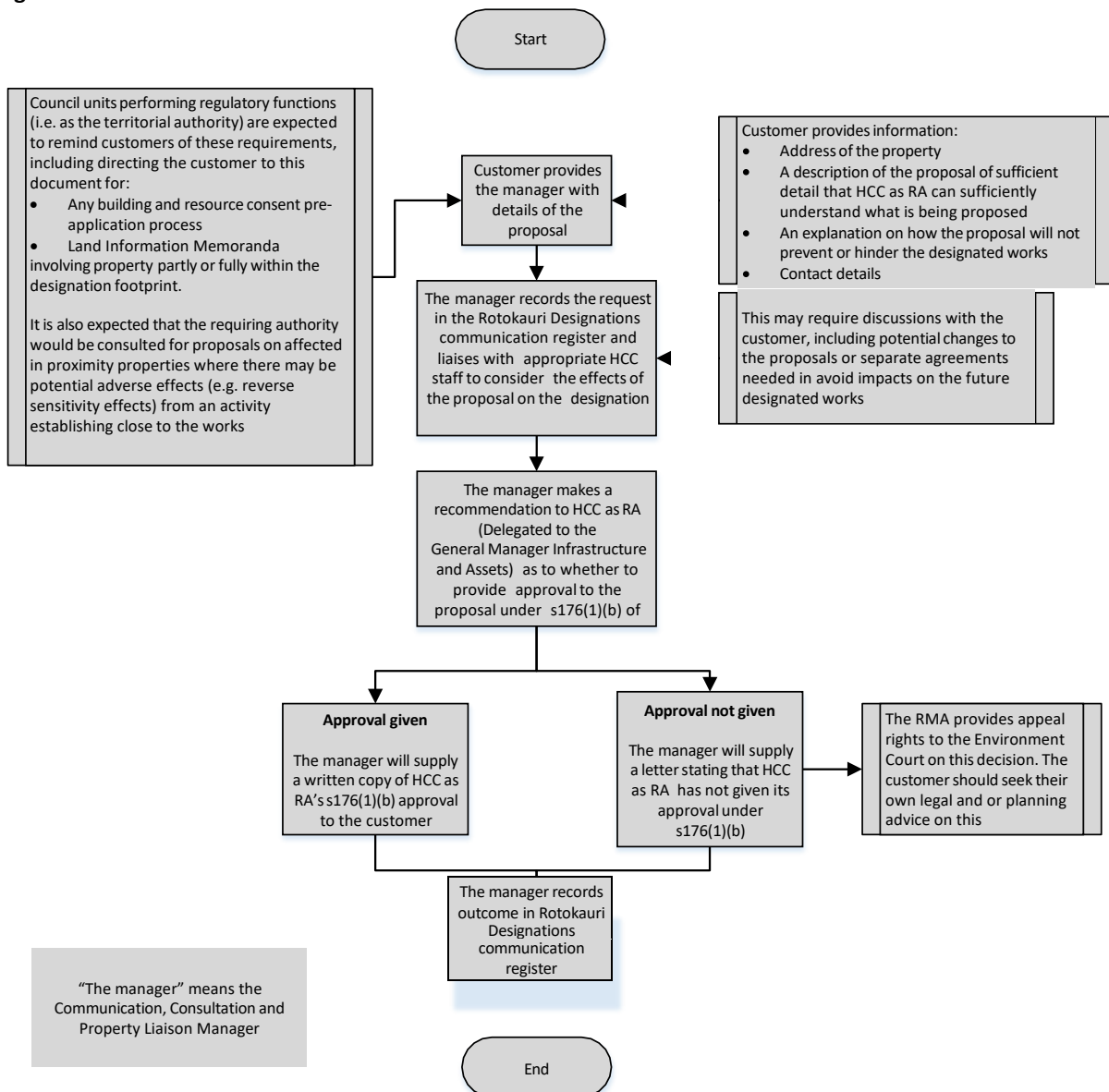
3.4 Use of designated land

Figure 2 below generally describes the process that will be followed for any person wanting to do anything on their land that is subject to the designation that might prevent or hinder the delivery or operation of the future works covered by the designations, including:

- New uses
- Changing the character, intensity or scale of an existing use
- Subdivision.

This is a legal requirement on the person wanting to do something on designated land. Refer to s176 (1)(b) of the Resource Management Act 1991 (RMA). This process applies to land subject to a Notice of Requirement too, but under s178(2) of the RMA instead.

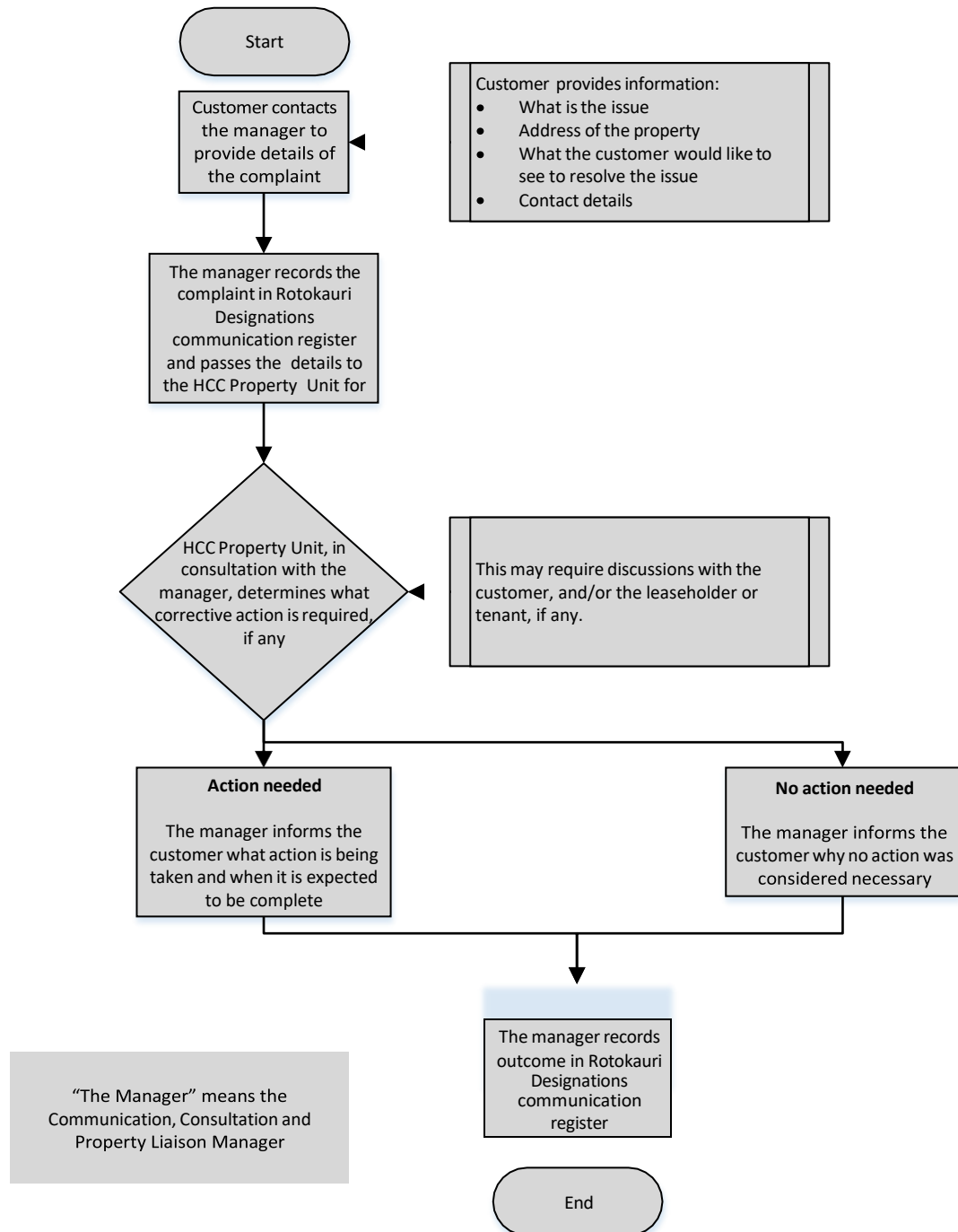
Figure 2



3.5 Complaints about property maintenance

Figure 3 below generally describes the process that will be followed for complaints about the upkeep of any property that has been acquired by HCC for Rotokauri Designation projects.

Figure 3



This process does not apply to anyone leasing the property from HCC. These maintenance issues should be raised directly with the relevant property manager in accordance with the individual lease or tenancy agreement.

Any maintenance issues with land where construction is under way will be directed to the relevant project manager and contact point for the contractor.

3.6 Frequently Asked Questions

Does the valuation reflect that the land is designated?

The valuation is prepared as if the designation does not exist.

Are my costs recoverable?

All reasonable costs incurred by the landowner are reimbursed by the requiring authority at the time of settlement. This will usually include the cost of valuation/s and legal expenses.

The landowner is responsible for maintaining records (i.e. invoices) to support cost recovery claims.

Will I be able to stay as a tenant after my property is sold? Can my tenant stay on?

This can be discussed as part of the process. HCC will generally acquire property as a vacant possession but will consider entering into leases / tenancy agreements with the existing landowner or tenant.