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**[DRAFT] Commerce Act (Specified Airport Services Input Methodologies)  
Determination 2010**

Consolidating all amendments as of [XX] [XX] 2016

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Commerce Commission

Wellington, New Zealand

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COMMERCE ACT (SPECIFIED AIRPORT SERVICES INPUT METHODOLOGIES) DETERMINATION 2010

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Pursuant to Part 4 of the Commerce Act 1986 the Commerce Commission makes the following determination:

1. General provisions
   * + 1. Title

This determination is the Commerce Act (Specified Airport Services Input Methodologies) Determination 2010.

* + - 1. Application
         1. This determination applies to specified airport services.
         2. This determination must be applied in accordance with-

the **input methodologies** in this determination; or

if clause 1.5(1) applies, the next closest alternative approach.

* + - 1. Commencement

This determination comes into force on the day after the date on which notice of it is given in the New Zealand Gazette under s 52W of the Act.

* + - 1. Interpretation
         1. In this determination-

unless stated otherwise, references to Parts are to named and numbered parts of this determination;

unless the context otherwise requires, a word which denotes the singular also denotes the plural and vice versa; and

unless stated otherwise, any reference to an allowance, amount, cost, sum or value is a reference to an allowance, amount, cost, sum or value determined in relation to an airport in respect of a disclosure year.

* + - * 1. In this determination, including in the schedule, the words or phrases in bold type bear the following meanings:

2009 disclosed assets means the assets included by the airport in question in the ‘Non-current assets’ category of the statement of financial position in the 2009 disclosure financial statements;

2009 disclosure financial statements means the disclosure financial statements completed by an airport under regulation 4 of the airport regulations for the accounting period (as defined in regulation 2(1) of those regulations) ending in 2009;

A

accounting-based allocation approach means the methodology described, in respect of-

asset values, in clause 2.2(1); and

operating costs, in clause 2.2(2);

Act means the Commerce Act 1986;

aircraft and freight activities has the same meaning as defined in s 2 of the Airport Authorities Act 1966;

airfield activities has the same meaning as defined in s 2 of the Airport Authorities Act 1966;

airport means a company described in s 56A(2) of the Act insofar as it provides specified airport services;

airport regulations means the Airport Authorities (Airport Companies Information Disclosure) Regulations 1999;

asset allocator means a proportion of a quantifiable measure used to allocate asset values that are not directly attributable and whose quantum is-

based on a causal relationship; or

equal to a proxy asset allocator;

asset category means one of the following asset types-

land;

sealed surfaces;

buildings and infrastructure; and

vehicles, plant and equipment;

asset life has the meaning specified in clause 3.6;

asset value means, in respect of an asset used by an airport for the undertaking of-

regulated activities only; or

regulated activities and the supply of one or more unregulated service,

in-

the disclosure year 2009, its unallocated initial RAB value; and

all other disclosure years, its unallocated closing RAB value;

B

business day means any day on which statistics relating to trading in New Zealand government bonds are published by a financial information service such as Bloomberg or Reuters;

C

capital contributions means money or the monetary value of other consideration charged to or received from consumers or other parties for the purposes of asset construction, acquisition or enhancement;

capital expenditure means costs that have been or will be included in a value of commissioned asset, but only to the extent that the costs have been or will be included in a closing RAB value;

causal relationship means, in relation to-

asset values, a circumstance in which a factor influences the utilisation of an asset during the 18 month period terminating on the last day of the disclosure year in respect of which the asset allocation is carried out; and

operating costs, a circumstance in which a cost driver leads to an operating cost being incurred during the 18 month period terminating on the last day of the disclosure year in respect of which the cost allocation is carried out;

closing RAB value means the value determined in accordance with clause 3.3(4);

Commission has the same meaning as defined in s 2 of the Act;

commissioned means used by the airport to supply specified airport services other than excluded services and commission shall be construed accordingly;

commissioning date means the date that an asset is first commissioned;

consumer means a person that consumes or acquires specified airport services;

corporate tax rate means the prevailing rate of income taxation applying to companies as specified in the tax rules;

cost allocator means a proportion of a quantifiable measure used to allocate operating costs that are not directly attributable, and whose quantum is-

based on a causal relationship; or

equal to a proxy cost allocator;

cost of debt means the amount specified for rd in clause 5.1(4);

CPI means-

subject to paragraph (c), in respect of the December 2010 quarter and subsequent quarters, the consumer price index stipulated in the 'All Groups Index SE9A' as published by Statistics New Zealand;

subject to paragraph (c), in respect of each quarter prior to the December 2010 quarter, the same index as described in paragraph (a) multiplied by 1.02;

in respect of quarters prior to any quarter in which the rate of GST is amended after this determination comes into force, the same index as described in paragraph (a), multiplied by the Reserve Bank of New Zealand's forecast change in that index (expressed as a decimal) arising from the amendment; and

in respect of a forecast value for a quarter, **forecast CPI**;

D

debt premium has the meaning specified in and is the amount determined in accordance with clause 5.4;

decommissioned asset means an asset (other than a disposed asset) formerly used in or in relation to the supply of specified airport services other than excluded services that has been permanently withdrawn from such use;

depreciation means an allowance to account for the diminution in a non-land asset's remaining service life potential in the disclosure year in question with respect to its opening RAB value and the amount of such allowance is determined in accordance with clause 3.4;

directly attributable means, in relation to-

asset values, wholly and solely related to an asset used by the airport in or in relation to its undertaking of a regulated activity;

operating costs, wholly and solely incurred by the airport in or in relation to its undertaking of a regulated activity; and

disclosure year shall be construed as a 12 month period ending on the date specified in an ID determination as the last date in the period to which annual disclosure relates;

Example: whilst the ID determination provides that disclosure is required by Auckland International Airport Limited in respect of the 12 month period ending on 30 June, disclosure year 2010 means, in respect of Auckland International Airport Limited, the twelve month period ending 30 June 2010;

disposed asset means an asset that, in the disclosure year in question, has been sold or transferred by the airport, or has been irrecoverably removed from the airport's possession without consent, but is not a lost asset;

document has the same meaning as defined in s 2 of the Act;

E

easement means a right to use but not possess land belonging to another person or a right to prevent certain uses of another person's land;

easement land means land acquired with the intention of-

creating an easement in respect of it; and

disposing of the land thereafter;

excluded asset means-

an asset that is acquired or held to supply excluded services;

property to the extent due to the incursion of land conversion costs except Auckland International Airport Limited's costs of seawall construction;

an asset that is not used to supply specified airport services as on the last day of the disclosure year 2009; or

easement land;

excluded services means services supplied in markets directly related to the holding of any facilities or assets for the future undertaking of—

aircraft and freight activities;

airfield activities; or

specified passenger terminal activities;

F

finance lease has the same meaning as under GAAP;

fixed life easement means an easement that-

is of fixed duration; or

whilst of indefinite duration, is to be held for a fixed period;

forecast CPI means, for-

a quarter prior to the quarter for which the **vanilla** WACC applicable to the relevant price setting event was determined, CPI, excluding any adjustments made under the definition of **CPI** paragraphs (b) or (c),arising as a result of an event that occurs after the issue of the Monetary Policy Statement referred to in paragraph (b);

each later quarter than described in paragraph (a) for which a forecast of the change in headline **CPI** has been included in the Monetary Policy Statement last issued by the Reserve Bank of New Zealand prior to the date for which the **vanilla** WACC applicable to the relevant price setting event was determined, the CPI last applying under paragraph (a), extended by the forecast change; and

quarters later than described in paragraph (b), the forecast last applying under paragraph (b), adjusted such that an equal increment or decrement made to that forecast for each of the following three years results in the forecast for the last of those years being equal to the target midpoint for the change in headline **CPI** set out in the Monetary Policy Statement referred to in paragraph (b).

found asset has the meaning specified in clause 3.10(1);

G

GAAP means generally accepted accounting practice in New Zealand, save that, where the cost of an asset is being determined in accordance with this determination, only the cost model of recognition is applied insofar as an election may be made between the cost model of recognition and the fair value model of recognition;

GST has the same meaning as defined in s YA 1 of the Income Tax Act 2007 as amended from time to time, and any equivalent legislation that supplements or replaces that definition;

H

highest and best alternative use has the meaning given in Schedule A;

I

ID determination means an information disclosure determination in relation to specified airport services made by the Commission under s 52P of the Act;

identifiable non-monetary asset has the same meaning as under GAAP save that goodwill is excluded;

indexed revaluation rate has the meaning specified in clause 3.7(7)(a);

initial RAB has the meaning specified in clause 3.1;

initial RAB value means value of an asset in the initial RAB determined in accordance with clause 3.2;

input methodology has the same meaning as defined in s 52C of the Act;

investment grade credit rated means endorsed with a credit rating by an established credit rating agency (such as Standard and Poor's) of "investment grade" on that agency's credit rating scale applicable to long-term investments;

L

land excludes-

easements; and

real property to the extent due to the incursion of land conversion costs;

land conversion costs means-

costs incurred in-

the holding and levelling of land;

seawall reclamation;

sea protection; or

seawall construction; or

any other costs incurred relating to the conversion of land for use in the supply of specified airport services;

leverage means the ratio of debt capital to total capital and is the amount specified in clause 5.2(1);

local authority has the same meaning as defined in s 5(1) of the Local Government Act 2002;

lost asset means an asset having, in relation to a particular disclosure year, an unallocated opening RAB value but determined by an airport in that disclosure year never to have been used to provide specified airport services in, where the disclosure year is-

the disclosure year 2012 or earlier, any prior disclosure year; or

any other disclosure year, any prior disclosure year after the disclosure year 2009;

M

mid-point estimate of WACC means the mid-point estimate of-

**vanilla** WACC; or

**post-tax** WACC,

as the case may be, as each is estimated in accordance with clause 5.1;

MVAU has the meaning given in Schedule A;

N

nominated WACC period has the meaning specified in clause 5.5;

non-land asset means an asset other than land, and for the avoidance of doubt, includes-

easements;

buildings;

real property to the extent due to land conversion costs;

non-standard asset means a non-land asset in relation to which an airport has applied a non-standard depreciation methodology;

non-standard depreciation disclosure means disclosure of information relating to the **airport’s** use of a **non-standard depreciation methodology** in accordance with requirements in an ID determination;

non-standard depreciation methodology means a depreciation methodology other than the methodology used in determining-

1. unallocated depreciation as specified in clause 3.4(1); and
2. depreciation as specified in clause 3.4(2);

O

opening RAB value means the value determined in accordance with clause 3.3(3);

operating cost means a cost incurred by the airport in question relating to the supply of-

a regulated activity alone; or

a regulated activity and the supply of one or more unregulated service,

and excludes-

a cost that is treated as a cost of an asset by GAAP;

amounts that are depreciation, tax, subvention payments, revaluations or an interest expense, in accordance with their meanings under GAAP;

pass-through costs;

recoverable costs; and

payments associated with a **finance lease**, where the **finance lease** has an **opening RAB value**;

P

person has the same meaning as defined in s 52C of the Act;

physical asset life has the meaning specified in clause 3.6(2);

post-tax WACC means the amount determined in accordance with clause 5.1(2);

prescribed investor rate has the same meaning as defined in the Income Tax Act 2007 or any subsequent legislation that supplements or replaces the provisions relating to prescribed investor rate in the Income Tax Act 2007;

price setting event means a fixing or altering of price for a specified airport service by an airport under s 4A and s 4B of the Airport Authorities Act 1966, which-

is deemed to occur on the date that the new price comes into effect; and

excludes instances where the price is-

subject to adjustment as a result of a **wash-up**;

reset or adjusted annually, including without further consultation;

subject to separate negotiation for inclusion in the terms of a lease or licence; or

not required to be consulted on by virtue of s 4B(3) of the Airport Authorities Act 1966;

proxy asset allocator means a proportion of a quantifiable measure-

used to allocate asset values for which a causal relationship cannot be established; and

whose quantum is based on factors in existence during the 18 month period terminating on the last day of the disclosure year in respect of which the asset allocation is carried out;

proxy cost allocator means a proportion of a quantifiable measure-

used to allocate operating costs for which a causal relationship cannot be established; and

whose quantum is based on factors in existence during the 18 month period terminating on the last day of the disclosure year in respect of which the cost allocation is carried out;

programme means a group of related projects with a common purpose;

**project** means a temporary endeavour requiring concerted effort, undertaken to create a defined outcome

q

qualifying issuer means a New Zealand resident limited liability company -

that-

undertakes the majority of its business activities in Australia and New Zealand; or

is part of a corporate group that undertakes the majority of its business activities in Australia and New Zealand;

that-

does not operate predominantly in the banking or finance industries; or

is part of a corporate group that does not operate predominantly in the banking or finance industries; and

that issues vanilla NZ$ denominated bonds that are publicly traded;

qualifying rating means-

a Standard and Poor's long term credit rating of the specified grade; or

an equivalent long term credit rating of another internationally recognised rating agency;

R

regulated activity means one of the following types of activity:

aircraft and freight activities;

airfield activities; and

specified passenger terminal activities;

regulated goods or services has the same meaning as defined in s 52C of the Act;

regulated supplier means a supplier of regulated goods or services;

regulatory tax asset value has the meaning specified in clause 4.2;

related party means-

a person that, in accordance with GAAP, is related to the airport in question; or

any part of the airport in question that does not supply specified airport services;

revaluation means the amount determined in accordance with clause 3.7(2), which, for the avoidance of doubt, may be a negative amount;

revaluation rate has the meaning specified in clause 3.7(7);

S

services has the same meaning as defined in s 2 of the Act;

special assumption has the meaning given in Schedule A;

specified airport services has the same meaning as defined in s 56A of the Act;

specified passenger terminal activities has the same meaning as defined in s 2 of the Airport Authorities Act 1966;

standard error means estimated standard deviation;

statement of financial position means the statement of financial position referred to in regulation 5(a) of the airport regulations;

supply has the same meaning as defined in s 2 of the Act, and supplied must be construed accordingly;

T

tax rules means the rules applicable to an airport for determining income tax payable contained in the Income Tax Act 2007 (as amended from time to time, and any equivalent preceding legislation, or any subsequent legislation that supplements or replaces that Act);

U

unallocated closing RAB value has the meaning specified in clause 3.3(2);

unallocated depreciation means an allowance to account for the diminution in an asset's remaining service life potential in the disclosure year in question with respect to its unallocated opening RAB value and the amount of such allowance is determined in accordance with clause 3.4(1);

unallocated initial RAB value means value of an asset in the initial RAB determined in accordance with clause 3.2(1);

unallocated opening RAB value has the meaning specified in clause 3.3(1);

unallocated revaluation means the amount determined in accordance with clause 3.7(1);

unregulated service means any good or service supplied by the airport that is not a regulated good or service;

V

valuation and property standards has the meaning given in Schedule A;

value of commissioned asset means the value determined in accordance with clause 3.9;

value of found asset means the value determined in accordance with clause 3.10;

valuer means an individual who-

is registered as a valuer under the Valuers Act 1948;

holds a current practising certificate issued by-

the Property Institute of New Zealand; or

the New Zealand Institute of Valuers;

has been engaged to act in his or her professional capacity as a valuer; and

has no relationship with, nor interest in, the airport that is likely to involve the individual in a conflict of interest between his or her duties to the-

airport; and

Commission;

vanilla NZ$ denominated bonds means senior unsecured nominal debt obligations denominated in New Zealand dollars without callable, puttable, conversion, profit participation, credit enhancement or collateral features;

vanilla WACC means the amount determined in accordance with clause 5.1(1);

W

WACC means weighted average cost of capital;

wash-up means an annual adjustment to prices reflecting actual use and actual costs incurred;

works under construction means an asset, or a collection of assets that-

has been or is being constructed by, or on behalf of, an airport;

has not been commissioned; and

the airport intends to commission.

* + - 1. Next closest alternative approach
         1. The **Commission** may determine that the next closest alternative approach will be applied to any **input methodology** in this determination if that **input methodology** is unworkable.
         2. An **airport** may propose to the **Commission,** in accordance with subclause (3), that it considers the next closest alternative approach should apply to an **input methodology** where it identifies that the **input methodology** is unworkable.
         3. If an **airport** proposes a next closest alternative approach, it must-

identify the unworkable **input methodology** and explain why it considers the **input methodology** is unworkable;

describe the next closest alternative approach that would apply instead of the unworkable **input methodology**;

describe whether the next closest alternative approach is likely to have an equivalent or non-equivalent effect to that of the unworkable **input methodology**; and

certify the information in paragraphs (a)-(c), as may be specified by the **Commission** in a s 52P determination.

* + - * 1. If the **Commission** applies the next closest alternative approach in accordance with subclause (1), it must-

identify the unworkable **input methodology**;

describe the next closest alternative approach that would apply instead of the unworkable **input methodology**;

describe whether the next closest alternative approach is likely to have an equivalent or non-equivalent effect to the unworkable **input methodology** and whether a change is required to a s 52P determination to give effect to the next closest alternative approach;

undertake any consultation that the **Commission** considers appropriate; and

publish its decision, including a description of the next closest alternative approach as specified in paragraph (b).

* + - * 1. For the purposes of subclauses (1)-(4), an **input methodology** may be considered as unworkable if it cannot be reasonably applied as intended.

1. Cost allocation
   * + 1. Cost allocation process
          1. Any-

asset values; and

operating costs,

that are directly attributable must be allocated to the regulated activity to which they are directly attributable.

* + - * 1. Any asset values and operating costs that are not allocated in accordance with subclause (1) must be allocated to regulated activities in accordance with the accounting-based allocation approach.
      1. Accounting-based allocation approach
         1. Asset allocators must be used to allocate asset values that are not directly attributable to-

aircraft and freight activities;

airfield activities; and

specified passenger terminal activities.

* + - * 1. Cost allocators must be used to allocate operating costs that are not directly attributable to-

aircraft and freight activities;

airfield activities; and

specified passenger terminal activities.

* + - * 1. Where an **airport** uses a **proxy asset allocator** for the purposes of subclause (1) or a **proxy cost allocator** for the purposes of subclause (2), the **airport** must, in accordance with the requirements in the relevant **ID determination**, explain why a **causal relationship** cannot be established.
        2. Where an **airport** uses a **proxy asset allocator** for the purposes of subclause (1), the **airport** must, in accordance with the requirements in the relevant **ID determination**, explain the rationale for using a selected quantifiable measure for that **proxy asset allocator**.
        3. Where an **airport** uses a **proxy cost allocator** for the purposes of subclause (2), the **airport** must, in accordance with the requirements in the relevant **ID determination**, explain the rationale for using a selected quantifiable measure for that **proxy cost allocator**.

1. Asset valuation
   * + 1. Composition of initial RAB

Initial RAB means the land and non-land assets included in 2009 disclosed assets, less-

excluded assets;

intangible assets, unless they are-

finance leases; or

identifiable non-monetary assets; and

works under construction.

* + - 1. Initial RAB values for assets
         1. The unallocated initial RAB value of-

a non-land asset is its value as on the last day of the disclosure year 2009 as disclosed in the 2009 disclosure financial statements had no allocation of asset value relevant to regulatory disclosures been undertaken; and

land, is its value ‘*q*’ determined in accordance with the formula described in subclause (3).

* + - * 1. The initial RAB value of an asset is determined by-

adopting its unallocated initial RAB value; and

applying clause 2.1 to it.

* + - * 1. 

where

 is the estimated value of **land** assets for the 2009 year, as used to provide **specified airport services**;

 is **capital expenditure** on **land** for the **disclosure year** 2010;

 is the value of **disposed assets** on **land** for the **disclosure year** 2010 which, for the avoidance of doubt, is a negative amount;

 is the estimated value of **land** assets for the 2011 year, as used to provide **specified airport services**;

 is **capital expenditure** on **land** for the **disclosure year** 2011; and

 is the value of **disposed assets** on **land** for the **disclosure year** 2011 which, for the avoidance of doubt, is a negative amount.

* + - 1. RAB roll forward
         1. Unallocated opening RAB value in respect of an asset in relation to-

the disclosure year 2010, is its unallocated initial RAB value; and

a disclosure year thereafter is its unallocated closing RAB value in the preceding disclosure year.

* + - * 1. Unallocated closing RAB value means, in relation to a disclosure year, in the case of-

a found asset, its value of found asset;

a disposed asset, nil;

a lost asset, nil;

any other asset with an unallocated opening RAB value, the value determined in accordance with the formula-

unallocated opening RAB value - unallocated depreciation + unallocated revaluation; and

any other asset having a commissioning date in that disclosure year, its value of commissioned asset**.**

* + - * 1. Opening RAB value in respect of an asset, is, for-

the disclosure year 2010, its initial RAB value; and

a disclosure year thereafter, its closing RAB value in the preceding disclosure year.

* + - * 1. Closing RAB value, in respect of an asset is determined by-

adopting its unallocated closing RAB value; and

applying clause 2.1 to it.

* + - 1. Depreciation
         1. Unallocated depreciation, in the case of an asset with an unallocated opening RAB value, is determined, subject to subclause (3) and clause 3.5, in accordance with the formula-

[1 ÷ remaining asset life] × unallocated opening RAB value.

* + - * 1. Depreciation, in the case of an asset with an opening RAB value, is determined, subject to subclause (3) in accordance with the formula-

[1 ÷ remaining asset life] × opening RAB value.

* + - * 1. For the purpose of subclauses (1) and (2)-

unallocated depreciation and depreciation are, in the case of-

land, nil;

an easement other than a fixed life easement, nil;

a non-standard asset, the amount calculated, subject to subclause (5), by applying the non-standard depreciation methodology;

in the case of a decommissioned asset-

unallocated depreciation is its unallocated opening RAB value; and

depreciation is its opening RAB value; and

in all other cases, where an asset's physical asset life at the end of the disclosure year is nil-

unallocated depreciation is its unallocated opening RAB value; and

depreciation is its opening RAB value.

* + - * 1. In this clause 'remaining asset life' means the term remaining of an asset's asset life at the commencement of the disclosure year in question.
        2. a **non-standard depreciation methodology** may be applied at the time of a **price setting event** if-

the results of using the **non-standard depreciation methodology**, disclosed in accordance with the **non-standard depreciation disclosure**, are consistent with the time profile of capital recovery produced by the **airport’s** methodology for calculating its revenue and its indexation approach used in r**evaluation** of its assets;

the **airport** can appropriately justify why it considers the resulting time profile of capital recovery, applied in its methodology for calculating its revenue, is appropriate in the circumstances that exist at the time of the **price setting event**; and

it is applied by the **airport** in, and disclosed in, all **non-standard depreciation disclosures** in the period to which the fixed or altered price under the **price setting event** applies.

* + - 1. Unallocated depreciation constraint

For the purpose of clause 3.4, the sum of unallocated depreciation of an asset calculated over its asset life may not exceed the sum of-

all unallocated revaluations applying to that asset in all disclosure years; and

in the case of an asset-

in the initial RAB, its unallocated initial RAB value; or

not in the initial RAB, its value of commissioned asset or value of found asset.

* + - 1. Asset life
         1. Asset life means a finite period relating to an asset, being, in the case of-

a non-standard asset, the asset life specified for that asset in the non-standard depreciation disclosure; and

in all other cases, the physical asset life of the asset.

* + - * 1. Physical asset life means, in the case of-

a fixed life easement, the fixed duration or fixed period (as the case may be) referred to in the definition of fixed life easement;

property to the extent due to the incursion of land conversion costs-

in the initial RAB, its remaining physical service life potential determined by an airport as on the first day of the disclosure year 2010; and

not in the initial RAB, its physical service life potential determined as of its commissioning date by an airport;

a found asset-

for which an asset with an unallocated opening RAB value for that disclosure year is similar (in terms of asset type and age), the asset life applying to the similar asset; and

otherwise, its remaining physical service life potential determined by an airport as on the last day of the disclosure year in which the airport first determined it to be a found asset; and

any other type of asset-

in the initial RAB, its remaining service life potential as on the last day of the disclosure year 2009 as determined in accordance with the airport's 2009 disclosure financial statements; and

not in the initial RAB, its remaining service life potential determined as of its commissioning date by an airport.

* + - 1. Revaluation
         1. ‘Unallocated revaluation’ for an **asset category** means, for indexed revaluations and non-indexed revaluations, the amount calculated, subject to subclauses (3) and (4), in accordance with the formula-

unallocated opening RAB value × revaluation rate.

* + - * 1. ‘Revaluation’ means the amount determined, subject to subclauses (4) and (5), in accordance with the formula-

opening RAB value × revaluation rate.

* + - * 1. For the purpose of subclause (1), where an airport revalues, in accordance with Schedule A, as of the same date, all-

land having an unallocated opening RAB value; and

land commissioned by that date,

unallocated revaluation for land so revalued is the revalued amount for that land less, where the land-

has an unallocated opening RAB value, its unallocated opening RAB value; and

does not have an unallocated opening RAB value, its value of commissioned asset.

* + - * 1. For the purposes of subclauses (1) and (2), where-

the asset's physical asset life at the end of the disclosure year is nil; or

the asset is a-

disposed asset; or

lost asset; or

the asset is land and the disclosure year in question is the disclosure year 2010,

unallocated revaluation and revaluation are nil.

* + - * 1. For the purpose of subclause (2), where an airport revalues land in accordance with subclause (3), revaluation for land so revalued is determined by-

applying clause 2.1 to its revalued amount to obtain the amount allocated to the supply of specified airport services; and

subtracting from the product of paragraph (a), where the land-

has an opening RAB value, its opening RAB value; and

does not have an opening RAB value, the value determined by applying clause 2.1 to its value of commissioned asset or value of found asset.

* + - * 1. When applying the **input methodologies** to calculate **revaluation** for an **asset category**, an **airport** must-

use an indexed or non-indexed approach for that **asset category**; and

use the same approach for that **asset category** when setting prices and for complying with the requirements of the **ID determination**.

* + - * 1. ‘Revaluation rate’ for an **asset category** means-

for indexed revaluations, the indexed revaluation rate calculated in accordance with the formula-

(CPI4 ÷ CPI4-4) -1,

where-

CPI4 means CPI for the quarter which coincides with the end of the disclosure year; and

CPI4-4 means CPI for the quarter which coincides with the end of the preceding disclosure year; or

for non-indexed revaluations, nil.

* + - * 1. For the avoidance of doubt, for the purpose of subclauses (3) and (5), where a revaluation in accordance with Schedule A is undertaken more than once in a disclosure year, 'revalued amount' is determined in respect of the last revaluation undertaken in that disclosure year.
      1. Revaluation treated as income

Revaluation, for the purpose of determining or assessing profitability using disclosures made pursuant to an ID determination, must be treated as income.

* + - 1. Value of commissioned asset
         1. Value of commissioned asset, in relation to an asset (including an asset in respect of which **capital contributions** were received or a vested asset), means the cost of the asset to an airport determined by applying GAAP to the asset as on its commissioning date, except that, subject to subclause (3), the cost of-

an intangible asset, unless it is-

a finance lease; or

an identifiable non-monetary asset,

is nil;

an easement, is limited to its market value as on its commissioning date as determined by a valuer;

easement land, is nil;

an asset-

acquired by an airport from another regulated supplier; and

used by that other regulated supplier in the supply of regulated goods or services,

is limited to the unallocated closing RAB value of the asset for the regulated supplier had the asset not been acquired, on the closing day of the period when the asset was transferred (as 'unallocated closing RAB value' is defined in the input methodologies applying to the regulated goods or services supplied by the regulated supplier);

an asset acquired by an airport from a related party other than an asset to which paragraph (d) applies is-

its depreciated historic cost in respect of the related party determined by applying GAAP as on the day before the acquisition by the airport; or

where sufficient records do not exist to establish this cost, its market value as of its commissioning date as determined by a valuer, subject to subclause (4);

an asset meeting paragraph (a) of the definition of excluded asset, prior to becoming a works under construction, is determined, to the extent relevant in applying GAAP, in accordance with clause 3.11;

an asset that is-

land; or

real property due to the incursion of land conversion costs,

that is works under construction on the last day of the disclosure year 2009 is determined, to the extent relevant in applying GAAP, in accordance with clause 3.12; and

an asset in respect of which **capital contributions** were received, where such contributions do not reduce the cost of the asset when applying GAAP, is the cost of the asset by applying GAAP reduced by the amount of the **capital contributions**; and

a vested asset in respect of which its fair value is treated as its cost under GAAP, must exclude any amount of the fair value of the asset determined under GAAP that exceeds the amount of consideration provided by the airport.

* + - * 1. For the purpose of subclause (1), ‘vested asset’ means an asset, associated with the supply of specified airport services, received by an airport-

without provision of consideration; or

with provision of nominal consideration.

* + - * 1. When applying GAAP for the purpose of subclause (1), the cost of financing is-

applicable only in respect of the period commencing on the date the asset becomes a works under construction and terminating on its commissioning date; and

calculated using a rate no greater than the airport's weighted average of borrowing costs in accordance with subclause (6).

* + - * 1. For the purpose of subclause (1)(e), the market value of-

land, must be determined in accordance with Schedule A; and

a non-land asset is limited to its depreciated replacement cost.

* + - * 1. For the avoidance of doubt-

revenue derived in relation to works under construction that is not included in regulatory income under an ID determination or preceding regulatory information disclosure requirements reduces the cost of an asset by the amount of the revenue where such reduction is not otherwise made under GAAP; and

where expenditure on an asset which forms part of the cost of that asset under GAAP is incurred by an airport after the asset was commissioned, such expenditure is treated as relating to a separate asset.

* + - * 1. For the purpose of subclause (3)(b), the ‘weighted average of borrowing costs’ is calculated for a **disclosure year** using principles set out in **GAAP**, where:

the cost of financing rate is the weighted average of the costs applicable to borrowings in respect of **capex** that are outstanding during the **disclosure year**;

the total costs applicable to borrowings outstanding, as used in calculating the weighted average, must include costs of borrowings made specifically for the purpose of any particular –

**capex projects**; or

**capex** **programmes**; and

the amount of borrowing costs capitalised during the **disclosure year** must not exceed the amount of borrowing costs incurred during the **disclosure year**;

if a **capital contribution** is received by an **airport**, the relevant asset becomes **works under** **construction** for the purposes of calculating the cost of financing;

subject to subclause (i), a **capital contribution** will reduce the cost of **works under construction** for the purpose of the calculation of the finance cost, even if the resulting value of **works under construction** is negative;

subject to subclause (g), if the value of **works under construction** is negative in accordance with subclause (e), the cost of financing for the period ending on the **commissioning** **date** will be negative;

if the cost of financing an asset which is **works under construction** is negative under subclause (f), it will reduce the value of the relevant asset by that negative amount where such a reduction is not otherwise made to the value of the asset under **GAAP**;

for the purpose of subclause (d), **works under construction** includes assets that are forecast to be enhanced or acquired;

if the cost of financing is derived as income in relation to **works under** **construction** and is both-

negative; and

included in regulatory income under an **ID determination**,

it will not reduce the value of the relevant asset or assets where such reduction is not otherwise made under **GAAP**.

* + - 1. Value of found asset
         1. Found asset means an asset-

other than easement land;

other than an intangible asset, unless it is-

a finance lease; or

an identifiable non-monetary asset;

not having a commissioning date in the disclosure year in question;

the value of which is neither included as an unallocated opening RAB value in the disclosure year in question nor was so included in any prior disclosure year pursuant to clause 3.3(1); and

first determined by the airport in the disclosure year in question to have a commissioning date, where the disclosure year is-

the disclosure year 2012 or earlier, in any prior disclosure year; or

any other disclosure year, any prior disclosure year after the disclosure year 2009.

* + - * 1. The value of found asset for a found asset is-

its cost calculated in accordance with GAAP; or

where sufficient records do not exist to establish its cost for the purposes of GAAP, where-

an asset with an unallocated opening RAB value for that disclosure year is similar (in terms of asset type and age) to the found asset, the unallocated opening RAB value of the similar asset;

it is a non-land asset to which sub-paragraph (i) does not apply, its market value as determined by a valuer as at the date that the asset was first determined by the airport to have been commissioned in a prior disclosure year; and

it is a land asset to which sub-paragraph (i) does not apply, its value determined in accordance with Schedule A as at the date that the asset was first determined by the airport to have been commissioned in a prior disclosure year.

* + - 1. Cost of excluded asset
         1. This clause applies to an asset-

meeting paragraph (a) of the definition of excluded asset; and

that is not a works under construction on the last day of the disclosure year 2009.

* + - * 1. Subject to subclauses (3) and (4), the cost of an excluded asset to which this clause applies for a disclosure year is determined in accordance with the formula-

base value + holding costs - net after tax revenue - tracking revaluations.

* + - * 1. For the purpose of subclause (2), where land is revalued in accordance with clause 3.7(3), all land to which this clause applies that is not works under construction must be revalued in accordance with Schedule A as at the same date in respect of which that revaluation was carried out.
        2. For the purpose of subclause (2), holding costs and net revenue exclude amounts incurred or derived-

before the first day of the disclosure year 2010; and

on and from the date referred to in subclause (5).

* + - * 1. An excluded asset becomes a works under construction on and from the date at which construction using the excluded asset commences, and the cost of the excluded asset at that date is determined in accordance with subclause (2), provided that-

the base value is treated as expenditure relating to the cost of land; and

the holding costs less net revenue and tracking revaluations are treated as the cost of property due to the incursion of land conversion costs.

* + - * 1. For the purpose of this clause-

'base value' is the sum of tracking revaluations in respect of all prior disclosure years plus, in the case of-

land held on the last day of the disclosure year 2009, the value for that land determined in accordance with Schedule A as on that day;

an asset other than land held on the last day of the disclosure year 2009, the value for that asset disclosed in the 2009 disclosure financial statements; and

an asset not held on the last day of the disclosure year 2009, its cost as of its date of acquisition determined in accordance with GAAP, but excluding any costs of financing;

'holding costs' means the sum of an airport's notional costs of holding the excluded asset for all disclosure years, where the notional cost of holding an excluded asset for the disclosure year in question is determined by applying the airport's estimate of its post-tax WACC to the cost determined in accordance with subclause (2) in respect of the preceding disclosure year;

'net revenue' means the sum of amounts, other than those included in total regulatory income under an ID determination or preceding regulatory information disclosure requirements, for all disclosure years derived from holding, or associated with, the excluded asset, where the amount derived from holding the excluded asset in the disclosure year in question is determined in accordance with the formula-

revenue derived from the *excluded asset* (other than tracking revaluations) - *operating costs* incurred in relation to the *excluded asset)\*(1 – corporate tax rate)*; and

'tracking revaluations' means the sum of all amounts obtained by-

multiplying the revaluation rate for each complete disclosure year in which the excluded asset is not revalued in accordance with Schedule A between the disclosure year in which its base value is established and the disclosure year in which the asset becomes a works under construction, by the base value for that disclosure year; and

subtracting the base value from the revalued amount in respect of each disclosure year in which the excluded asset is revalued in accordance with Schedule A.

* + - * 1. For the avoidance of doubt, for the purpose of subclause (6)(d)(ii), where a revaluation in accordance with Schedule A is undertaken more than once in a disclosure year, 'revalued amount' is determined in respect of the last revaluation undertaken in that disclosure year.
      1. Works under construction
         1. This clause applies to-

land; and

real property due to the incursion of land conversion costs,

that are works under construction on the last day of the disclosure year 2009.

* + - * 1. The cost of land to which this clause applies at the date referred to in subclause (1) is the value for that land determined in accordance with Schedule A as on that day.
        2. The cost of real property described in subclause (1)(b) at the date referred to in subclause (1) is nil, save that Auckland International Airport Limited's cost of constructing the Northern Runway must not exceed $22.3 million.
      1. Alternative methodologies with equivalent effect
         1. When completing the RAB roll forward and forecast total revenue requirements of an **ID determination**, an **airport** may apply an alternative methodology to that specified for asset valuation in clauses 3.3-3.5, 3.7, 3.9 and 3.10.
         2. An alternative methodology applied by an **airport** in accordance with this clause must-

produce an equivalent effect on the **price setting event** to the methodology that would otherwise apply under this determination; and

be consistent with the purpose of Part 4 of the **Act**.

* + - * 1. Notwithstanding clauses 3.3-3.5, 3.7, 3.9 and 3.10, when applying an alternative methodology under subclause (1), an **airport** may treat the RAB values of all or some of the relevant assets in aggregate rather than separately.
      1. Demonstration that alternative methodologies have equivalent effect

Where an **airport** applies alternative methodologies in accordance with clause 3.13, it must do so in accordance with the requirements of the **ID determination**.

1. Treatment of taxation
   * + 1. Regulatory tax allowance
          1. Regulatory tax allowance is determined by applying the tax rules and the corporate tax rate to regulatory profit / (loss) before tax.
          2. For the purpose of subclause (1), 'regulatory profit / (loss) before tax' means the amount of 'regulatory profit / (loss) before tax' as determined in accordance with an ID determination.
          3. For the purpose of subclause (1), in applying the tax rules in respect of particular items of income and expenses included in 'regulatory profit / (loss) before tax'-

a tax deduction for interest incurred in relation to debt must be substituted with a tax deduction for notional deductible interest;

any tax deduction for depreciation in respect of an asset must be calculated by applying the tax rules to the regulatory tax asset value;

any revaluation included in 'regulatory profit / (loss) before tax' must be excluded and ignored; and

the effect of any-

tax losses (other than those produced from the supply of specified airport services); and

subvention payment,

made by an airport must be ignored.

* + - * 1. For the purpose of subclause (3)(a), 'notional deductible interest' means the product of multiplying the sum of all opening RAB values by both leverage and the cost of debt.
      1. Regulatory tax asset value
         1. Regulatory tax asset value, in relation to an asset, means the value determined in accordance with the formula-

tax asset value × result of asset allocation ratio.

* + - * 1. For the purpose of subclause (1), ‘tax asset value’ means, in respect of-.

an asset-

acquired from a regulated supplier who used it to supply regulated goods or services; or

acquired or transferred from a related party,

the value of the asset determined by applying the tax depreciation rules to its notional tax asset value; and

any other asset, its adjusted tax value.

* + - * 1. In this clause-

'adjusted tax value' has the same meaning as in the tax depreciation rules; and

'tax depreciation rules' means the tax rules that relate to the determination of depreciation allowances for tax purposes.

* + - * 1. 'Notional tax asset value' means, for the purpose of-

subclause (2)(a)(i), value after applying the tax depreciation rules to the tax asset value (as 'tax asset value' is defined in the input methodologies applying to the regulated goods or services in question) in respect of the disclosure year in which the asset was acquired; and

subclause (2)(a)(ii), value in respect of the disclosure year in which the asset was acquired or transferred that is-

consistent with the tax rules; and

limited to its value of commissioned asset or, if relevant capital contributions are treated for tax purposes in accordance with section CG 8 of the Income Tax Act 2007 (or subsequent equivalent provisions), limited to the value of commissioned asset plus any capital contributions applicable to the asset.

* + - * 1. For the purpose of subclause (1), 'result of asset allocation ratio' means, where an asset or group of assets maintained under the tax rules-

has a matching asset or group of assets maintained for the purpose of Part 3, the value obtained in accordance with the formula-

opening RAB value or sum of opening RAB values, as the case may be

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unallocated opening RAB value or sum of unallocated opening RAB values, as the case may be,

applying the formula in respect of the asset or smallest group of assets maintained for the purpose of Part 3 that has a matching asset or group of assets maintained under the tax rules; and

does not have a matching asset or group of assets maintained for the purpose of Part 3, the value of the asset allocated to the supply of specified airport services were clause 2.1 to apply to the asset or group of assets.

* + - 1. Alternative methodologies with equivalent effect

An **airport** may apply an alternative RAB roll forward methodology with equivalent effect to that specified for taxation in clauses 4.1-4.2 if the alternative methodology is consistent with the alternative methodology for RAB roll forward used in accordance with clause 3.13.

1. Cost of capital

* + - 1. Commission to determine and publish estimates of the weighted average cost of capital and standard error
         1. The Commission will determine and publish its mid-point estimate of vanilla WACC and the standard error for the each disclosure year-

for each airport;

in respect of the 5 years commencing on the first day of the disclosure year in question;

within 1 month of the start of the disclosure year in question; and

in accordance with the formula-

rd L + re(1 - L).

* + - * 1. The Commission will calculate and publish its mid-point estimate of post-tax WACC and the **standard error** for each disclosure year-

for each airport;

in respect of the 5 years commencing on the first day of the disclosure year in question;

within 1 month of the start of the disclosure year in question; and

in accordance with the formula-

rd (1 - Tc)L + re (1 - L).

* + - * 1. For the purposes of subclauses (1) and (2), the **standard error** of the **mid-point estimate of WACC** is 0.0144.
        2. In this clause-

L is leverage;

rd is the cost of debt and is estimated in accordance with the formula:

rf + p + d;

re is the cost of equity and is estimated in accordance with the formula:

rf(1 - Ti) + βeTAMRP;

Tc is the average corporate tax rate;

rf is the risk-free rate;

p is the debt premium;

d is the debt issuance costs;

Ti is the average investor tax rate;

βe is the equity beta; and

TAMRP is the tax-adjusted market risk premium.

* + - * 1. For the purpose of this clause-

the fixed WACC parameters comprising leverage, average investor tax rate, the average corporate tax rate, the equity beta, the debt issuance costs, and the tax-adjusted market risk premium are the amounts specified in or determined in accordance with clause 5.2; and

the risk-free rate must be estimated in accordance with clause 5.3.

* + - 1. Fixed WACC parameters
         1. ‘Leverage’ is 19%.
         2. ‘Average investor tax rate’ is the average of the investor tax rates that, as at the date that the estimation is made, will apply to each of the disclosure years in the 5 year period commencing on the first day of the disclosure year in question.
         3. For the purpose of subclause (2), ‘investor tax rate’ is, for each **disclosure year**, the maximum **prescribed investor rate** applicable at the start of that **disclosure year** to an individual who is-

resident in New Zealand; and

an investor in a multi-rate PIE, (as 'multi-rate PIE' is defined in s YA 1 of the Income Tax Act 2007).

* + - * 1. ‘Average corporate tax rate’ is the average of the corporate tax rates that, as at the date that the estimation is made, will apply during the 5 year period commencing on the first day of the disclosure year in question.
        2. ‘Equity beta’ is 0.72.
        3. ‘Debt issuance costs’ are 0.2%.
        4. ‘Tax-adjusted market risk premium’ is, for the 5 year period commencing on the first day of each **disclosure year**, 7.0%.
      1. Methodology for estimating risk-free rate

The Commission will estimate a risk-free rate in respect of each airport-

for each disclosure year; and

within 1 month of the start of the disclosure year in question,

by-

obtaining, for notional benchmark New Zealand government New Zealand dollar denominated nominal bonds, the wholesale market linearly-interpolated bid yield to maturity for a residual period to maturity equal to 5 years on each business day in the 3 months preceding the start of the airport's disclosure year;

calculating the annualised interpolated bid yield to maturity for each business day; and

calculating the unweighted arithmetic average of the daily annualised interpolated bid yields to maturity.

* + - 1. Methodology for estimating debt premium
         1. ‘Debt premium’ means the spread between-

the bid yield to maturity on vanilla NZ$ denominated bonds that-

are issued by an airport;

are publicly traded;

have a qualifying rating of grade A-; and

have a remaining term to maturity of 5 years; and

the contemporaneous interpolated bid yield to maturity of benchmark New Zealand government New Zealand dollar denominated nominal bonds having a remaining term to maturity of 5 years.

* + - * 1. The Commission will, in accordance with subclause (3), determine an estimate of an amount for the debt premium-

in respect of each airport; and

for each disclosure year;

within 1 month of the start of each disclosure year.

* + - * 1. For the purposes of subclause (2), the amount of the debt premium will be estimated by-

identifying publicly traded vanilla NZ$ denominated bonds issued by a qualifying issuer that are-

investment grade credit rated; and

of a type described in the paragraphs of subclause (4);

in respect of each bond identified in accordance with paragraph (a)-

obtaining its annualised wholesale market bid yield to maturity;

calculating by linear interpolation with respect to maturity, the contemporaneous wholesale market annualised bid yield to maturity for a notional benchmark New Zealand government New Zealand dollar denominated nominal bond with the same remaining term to maturity; and

calculating its contemporaneous interpolated bid to bid spread over notional benchmark New Zealand government New Zealand dollar denominated nominal bonds with the same remaining term to maturity, by deducting the yield calculated in accordance with sub-paragraph (ii) from the yield obtained in accordance with sub-paragraph (i),

for each business day in the 3 month period preceding the start of the disclosure year;

calculating, for each bond identified in accordance with paragraph (a), the un-weighted arithmetic average of the daily spreads identified in accordance with paragraph (b)(iii); and

subject to subclause (4), estimating, by taking account of the average spreads identified in accordance with paragraph (c), and having regard to the debt premium estimated from applying the **Nelson-Siegel-Svensson** **approach** in accordance with subclause (6), the average spread that would reasonably be expected to apply to a vanilla NZ$ denominated bond that-

is issued by an airport;

is publicly traded;

has a qualifying rating of grade A-; and

has a remaining term to maturity of 5 years.

* + - * 1. For the purpose of subclause (3)(d), the Commission will have regard, subject to subclause (5), to the spreads observed on the following types of vanilla NZ$ denominated bonds issued by a qualifying issuer:

those that-

have a qualifying rating of grade A-; and

are issued by an airport;

those that-

have a qualifying rating of grade A-; and

are issued by an entity other than an airport;

those that-

have a qualifying rating of a grade different to A-; and

are issued by an airport; and

those that-

have a qualifying rating of a grade different to A-; and

are issued by an entity, other than an airport.

* + - * 1. For the purpose of subclause (4)-

progressively lesser regard will ordinarily be given to the spreads observed on the bond types in accordance with the order in which the bond types are described in subclause (4);

the spread on any bond of the type described in subclause (4) that has a remaining term to maturity of less than 5 years will ordinarily be considered to be the minimum spread that would reasonably be expected to apply on an equivalently credit-rated bond issued by the same entity with a remaining term to maturity of 5 years; and

the Commission will adjust spreads observed on bonds described under subclauses (4)(b) to (4)(d) to approximate the spread that is likely to have been observed had the bonds in question been of the type described in subclause (4)(a).

* + - * 1. For the purposes of subclause (3)(d), the ‘Nelson-Siegel-Svensson approach’ means a method for modelling yield curves and term structures of interest rates which establishes a relationship between term to maturity and the debt premium, and where a curve is generated by changing the parameters of a yield curve functional form to minimise the squared deviation between estimated and observed values.
      1. Estimating the WACC and standard error after a price setting event or when requested by an airport
         1. An **airport** may propose in writing that the **Commission** determines a **mid-point estimate of WACC** and a **standard error** for a nominated period commencing at the start of any quarter in a **disclosure year** (the ‘nominated WACC period’).
         2. The **Commission** will determine a **mid-point estimate of WACC** and a **standard** **error** for a price-setting period or the **nominated WACC period**-

in order to carry out its function under the **Act;** or

in response to an **airport’s** proposal in accordance with subclause (1).

* + - * 1. A **mid-point estimate of WACC** or a **standard error** under subclause (2) will be determined in accordance with clauses 5.1 to 5.4, where the reference to **disclosure years** in those clauses is modified as required to mean the price setting period or the **nominated WACC period**.
      1. Publication of WACC estimates and standard error
         1. The Commission will publish all determinations and estimates that it is required to make by this Part on its website no later than 1 month after having made them.
         2. The determinations published in accordance with subclause (1) will reference the **disclosure year** or other period to which they apply.

1. Airport land valuation methodology
   * + 1. **Interpretation**
          1. This schedule sets out the mandatory requirements for a valuer to apply when undertaking a valuation of land held by an airport for the purposes of this determination.
          2. In this schedule, words or phrases in bold type that are not otherwise defined in clause 1.4(2) of this determination bear the following meanings:

highest and best alternative use means the most probable use of land, which use-

(a) is not the supply of specified airport services;

(b) is not a use to the extent that it is influenced by the supply of specified airport services;

(c) is physically possible;

(d) is appropriately justified;

(e) is legally permissible;

(f) is financially feasible; and

(g) results in the highest estimated value of the land in question;

land has the meaning given in clause 1.4(2);

MVAU means the market value of **land** in its **highest and best alternative use** or uses determined in accordance with this schedule;

special **assumption** has the same meaning as defined in IVS 102 – Implementation;

valuation and property standards means the following material which is hereby incorporated by reference, subject to any amendments to, or replacement of, the material in accordance with Schedule 5 of the **Act**:

IVS 101 – Scope of Work;

IVS 102 – Implementation;

IVS 103 – Reporting;

ANZVGN 1 – Valuation Procedures Real Property;

**valuer** has the meaning given in clause 1.4(2).

* + - 1. **Professional valuation framework** 
         1. An **MVAU** valuation must be undertaken by a **valuer**.
         2. The valuer must undertake an MVAU valuation in accordance with the valuation and property standards, subject to any modifications, additions, or variations to those standards specified in this Schedule.
         3. Valuation and property standards with ‘mandatory practice’ status must be adhered to by the valuer.
         4. Valuation and property standards with ‘best/good practice’ status must be adhered to by the valuer when reasonably practicable.
         5. The **valuer** must -

base the estimate of value on data and circumstances appropriate to the valuation;

use appropriate methods and techniques for the estimate of value;

develop the **MVAU** valuation with sufficient information to fully support the analysis and conclusions; and

obtain the advice of a suitably qualified independent expert on any material assumption of the **MVAU** valuation, including any **special assumption**, on which the **valuer** is not suitably experienced or qualified to provide an expert opinion.

* + - 1. **Valuation requirements**
         1. In undertaking an MVAU valuation, the valuer must make the **special assumptions** set out in clause A4.
         2. The **valuer** must include in the **MVAU** valuation the likelihood, timing, and costs (both direct and indirect if any) of moving from the **special assumption** for **land** zoning to the zoning required for the development of the **land** in its **highest and best alternative use**.
         3. The **valuer** must disclose in the valuation report how they determined the **special assumption** for **land** zoning and the likelihood, timing, and costs (both direct and indirect if any) of moving from the **special assumption** for **land** zoning to the zoning required for the development of the **land** in its highest and best alternative use.
         4. The **valuer** may rely on evidence of sales of **land** as comparable market-based data only to the extent the sales were unaffected by the supply of **specified airport services**.
         5. The **valuer** may rely on evidence of sales of **land** to, or by, the **airport** only to the extent the transactions in question:

occurred on an arm's-length basis; and

the price and other terms of the sales were unaffected by the supply of **specified airport services**.

* + - * 1. The **valuer** must assume an orderly sale of the aggregated land (in economically manageable parcels) over such time as would likely be needed to achieve the **highest and best alternative use** of the **land**.
        2. The valuer must give consideration to the physical characteristics of the land (including contiguity), existing title and easement arrangements, zoning, any other restrictions or impediments, and adjoining **land** uses, when determining the **highest and best alternative use**, so as to maximise the value in the land’s alternate use and market value.
        3. The **valuer** must disclose all material assumptions and **special assumptions** made in undertaking the **MVAU** valuation in the valuation report.
        4. The valuer must include or attach to the valuation report any expert opinion obtained by the valuer in accordance with subclause A2(5)(d).
      1. **Special assumptions**
         1. The land must be valued as an aggregated parcel (which may be made up of multiple titles) of a size equal to that attributed to the supply of specified airport services.
         2. The **land** must be assumed to be notionally vacant and clear of **airport**-related improvements.
         3. The **land** zoning must be assumed to be the zoning that is most likely to apply if the **airport** did not exist.
         4. The **land** zoning most likely to apply if the **airport** did not exist must be determined by having regard to:

the current zoning (other than zoning for aeronautical services or zoning influenced by the presence of the **airport**);

the existing zoning of the **land** surrounding the **airport**;

the zoning that applied prior to the land being zoned for aeronautical services; and

any other relevant matters including:

the physical features of the **land**;

local authority planning objectives and policies, including consistency with regional policy directions;

likely permissibility under the Resource Management Act 1991 and any other statutory or regulatory requirements or considerations.

* + - * 1. Relevant development costs, including construction costs, holding costs, and the developer's or investor's profit and risk, must be included in the **MVAU** valuation.
        2. The costs of converting the land to an **airport** must be excluded from the **MVAU** valuation, including:

costs of resource consents for **airport** development;

holding costs during airport development;

costs of earthworks necessary for the formation of the level **airport** platform;

costs of any **land** reclamation or dredging;

costs of sea-wall or other coastal protection systems;

cost of **airport**-specific drainage systems, including retention ponds;

professional fees, including those for surveyors, engineers, and planners, with respect to the above-mentioned activities; and

any other costs incurred in the conversion of **land** to provide aeronautical services.

* + - * 1. Costs for remediation or demolition expenditure must be excluded from the **MVAU** valuation, including the costs of-

demolition, crushing and removal of concreted and sealed surfaces including runways, taxiways, aprons, roading, kerbs, and channels;

demolition and debris removal of airport-specific buildings and structures including terminals, hangars, fire rescue buildings, control towers, and fuel depots;

removing above- and below-ground utilities, including pipelines and cabling required for **airport**-specific activities like fuel pipelines, tanks, runway drainage and lighting, and approach lighting; and

clean-up of potential site contamination, including contamination occurring through aircraft and maintenance operations by spills of aircraft and vehicle fuels, paints/solvents, firefighting foams, underground and above ground storage tanks, radioactive materials, asbestos, PCBs, pesticides and herbicides or battery acids, or through the operation of waste disposal facilities, vehicle storage, dredging operations, building construction and underground and above ground utility lines/pipes.

* + - 1. **MVAU valuation steps**

In undertaking an MVAU valuation the valuer must-

establish and compile a schedule of the land parcels that are to be included in the MVAU valuation;

confirm ownership, tenure and aggregated land area;

determine the **special assumption** for land zoning;

consider and determine the highest and best alternative use;

determine the zoning of the land for the highest and best alternative use, and the likelihood, timing, and cost (both direct and indirect, if any) of moving from the **special assumption** for **land** zoning to the zoning required for the development of the **land** in its **highest and best alternative use**;

consider resource management (including reserve contribution) requirements, amenities in the area, and access to services;

for notional subdivision / residual value approaches-

prepare a **land** development plan (in conjunction with a planner, where considered necessary by the valuer), which must demonstrate the valuer’s view of the likely highest and best alternative use development of the land, and provide evidence for the assessment of inputs into the notional subdivision / residual value approaches;

determine market demand for the proposed development and the time period for the sale or realisation of the developed land in a notional subdivision or development, including, where material to the valuation, economic analysis to support the market demand and the time period for the sale or realisation of the developed **land**;

determine the direct costs of developing the land; and

determine any indirect costs of developing the land, including the developer’s holding costs or local authority rates;

undertake market research and obtain comparable sales information to support the alternate land uses selected including both block sales and developed land sales if both a direct sales comparison and notional subdivision / residual value approaches are to be used;

apply suitable adjusted market evidence to airport land as required, and taking account of whether a direct sales comparison or notional subdivision / residual value approaches are to be used;

reconcile the results of the valuation approaches used and determine a final value for the highest and best alternative use; and

prepare a valuation report, incorporating all disclosures required by the relevant valuation standards and this Schedule.