

Entered by Board Secretary

Road Stoppings

For decision:

For noting:

Te tūtohunga / Recommendation

That the Auckland Transport Board (Board):

- a) Approves the commencement of road stopping procedures under the Public Works Act 1981 (PWA) and subject to no mana whenua objections being received, and the approval of the Minister of Land Information, notification to Auckland Council (AC) of the following sections of legal road for disposal:
 - i. Part Beach Road, Rothesay Bay adjoining 631 Beach Road, Rothesay Bay being an area of approximately 70 square metres as shown on the Land Information New Zealand and GeoMaps plan outlined and shaded in red (**Attachment 1**).
 - ii. Part Saunders Road, Dome Valley adjoining Lot 2 Deposited Plan 99981 being an area of approximately 5800 square metres as shown on the Scheme Plan and GeoMaps plan outlined and shaded in red (**Attachment 2**).
 - iii. Part Cowan Bay Road, Pohuehue adjoining 43 Cowan Bay Road, Pohuehue being an area of approximately 700 square metres as shown on the Scheme Plan and on the GeoMaps plan outlined and shaded in red (**Attachment 3**).

Te whakarāpopototanga matua / Executive summary

1. This report seeks board approval to commence road stopping procedures for three road stopping applications under the PWA and the subsequent disposal of the stopped road land by AC to the adjoining owner.

Road stopping applications

2. Road land adjoining 631 Beach Road, Rothesay Bay
 - a. The section of unformed legal road adjoining 631 Beach Road, Rothesay Bay to be stopped is required to enable the Owners of the adjoining land to amalgamate the area of road to be stopped with the property to correct an historical anomaly and enable the property's title boundary to align with the physical boundary fence.
 - b. The land shaded in red on the GeoMaps aerial image will be amalgamated with the adjoining property owned by the applicants, Paul John Turner, Lena Evelyn Chapman and Peter Christopher Chapman.

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3. Road land adjoining Part Saunders Road, Dome Valley
 - a. The section of unformed legal road adjoining Lot 2 Deposited Plan 99981 to be stopped is required to enable the Owner of the adjoining land to amalgamate the area of road to be stopped with the property to improve and legalise the current access to the farm and enable the property's title boundary to align with the existing stock proof fence.
 - b. The land outlined in green on the GeoMaps aerial image and proposed road stopping plan will be amalgamated with the adjoining property owned by the applicant, Woodside Farms (2004) Limited.
4. Road land adjoining 43 Cowan Bay Road, Pohuehue
 - a. The section of unformed road adjoining Cowan Bay Road, Pohuehue to be stopped has existing buildings constructed on the land associated with the purpose of a primary dwelling including an existing shed, two water tanks and another shed.
 - b. A part of the dwelling, sheds and other structures have also been constructed on the land owned by Crown Lands and Survey Department. A portion of this land will also be purchased to rectify the existing encroachments.
 - c. The land outlined in red on the GeoMaps aerial image and outlined in yellow in the plan prepared by C & R Surveyors Limited dated 12 February 2020 will be amalgamated with the adjoining property owned and proposed to be purchased by the applicant, Jeffrey Paul Wech.
5. The road stopping applications have been considered by Auckland Transport (AT) staff and there is no requirement for the road land by AT.

Ngā tuhinga ō mua / Previous deliberations

6. There have been no previous board deliberations regarding the road stopping matters in this paper.

Te horopaki me te tīaroaro rautaki / Context and strategic alignment

7. AT as manager of the road corridor is required to consider applications for the stopping of roads or sections of roads. Prior to proceeding to publicly notify an application under the LGA or to recommend to the Minister of Land that the road be stopped under the PWA consultation is undertaken with AT internal technical teams. This includes Development Consents, Network Operations and Safety, Road Corridor Delivery, Road Corridor Access, Planning and Investment, Property and Planning, Asset Management Planning and Policy, Māori Policy and Engagement and Elected Member Liaison (who advise Local Boards of the proposal).

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Ngā matapakinga me ngā tātaritanga / Discussion and analysis

8. The road stoppings at Beach Road, Rothesay Bay, Saunders Road, Dome Valley and Cowan Bay Road, Pohuehue were requested by the owners immediately adjoining the road land to be stopped and there are either no other adjoining owners, or adjoining owner consent has been obtained in writing. Due to this, it is recommended that the PWA process be used to stop the sections of road at Beach Road, Rothesay Bay, Saunders Road, Dome Valley and Cowan Bay Road, Pohuehue.
9. The market value of the road land for each road stopping application will be determined by an AT appointed valuer, as required under the road stopping process. The value of the road land, along with the approval for satisfaction of AT requirements to utilise the PWA process can be approved by the Group Manager, Property and Planning as per the board's delegated authority provided in April 2018.
10. The road stopping applications include:
 - a. **Road land adjoining 631 Beach Road, Rothesay Bay**

Approximately 70 square metres of legal road adjoining 631 Beach Road, Rothesay Bay proposed to be stopped is required to remedy a long-standing anomaly and have the property align with the historical fence line.
 - b. **Road land adjoining Part Saunders Road, Dome Valley**

Approximately 5800 square metres of legal road at Part Saunders Road, Dome Valley proposed to be stopped is required to improve and legalise the current access to the farm and enable the property's title boundary to align with the existing stock proof fence.
 - c. **Road land adjoining 43 Cowan Bay Road, Pohuehue**

Approximately 700 square metres (subject to survey) of legal road adjoining 43 Cowan Bay Road, Pohuehue to be stopped is required to rectify the construction of existing structures historically located within the road corridor.

Ngā tūraru matua / Key risks and mitigations

Key risk	Mitigation
Mana whenua consultation may identify issues with stopping the roads.	There are no currently identified cultural or Māori Land issues related to the road stopping applications. A kanohi ki te kanohi meeting with mana whenua will be facilitated through AT Māori Engagement Team to discuss any issues which may arise through consultation.

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Ngā ritenga-ā-pūtea me ngā rauemi / Financial and resource impacts

11. All costs involved to stop the sections of road are the responsibility of the respective applicants and will be recovered on settlement.
12. The road stopped land will be sold to the adjoining owners for market value.

Ngā whaiwhakaaro ō te taiao me te panonitanga o te āhuarangi / Environment and climate change considerations

13. There are no environmental or climate change considerations with this paper.

Ngā reo o mana whenua rātou ko ngā mema pooti, ko ngā roopu kei raro i te maru o te Kaunihera, ko ngā hāpori katoa / Voice of mana whenua, elected members, Council Controlled Organisations, customer and community

14. Direct consultation with mana whenua is currently in progress with assistance from AT Māori Engagement team.
15. The AT Elected Member Relationship team (who advise Local Boards) and AC have been advised of the road stopping applications. No objections or comments were received.
16. Other than the application for 43 Cowan Bay Road, Pohuehue internal consultation has been completed any comments received from AT technical staff have been addressed. There are no outstanding issues with the sections of road being stopped and sold to the adjoining owners. Internal consultation is in progress for 43 Cowan Bay Road, Pohuehue and any comments received from AT technical staff about the stopping of Cowan Bay Road will be addressed prior to the road stopping proceeding further or brought back to the board if significant.

Ngā whaiwhakaaro haumaruru me ngā whaiwhakaaro hauora / Health, safety and wellbeing considerations

17. These are statutory road stoppings. There are no health, safety or wellbeing considerations.

Ā muri ake nei / Next steps

18. In accordance with the statutory process under the PWA for road stoppings, the next steps include:

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- Complete internal consultation for 43 Cowan Bay Road, Pohuehue.
- Complete mana whenua consultation for all road stoppings.
- Obtain Survey Office Plan for all road stoppings.
- Obtain a valuation report for the land for all road stoppings.
- Apply to the Minister for Land Information to stop the relevant section or sections of road.

19. Following board approval and the above steps, AT will advise AC of the outcomes of the road stopping applications and will request AC to execute the relevant sale and purchase agreement.

Ngā whakapiringa / Attachments

Attachment number	Description
1	Part Beach Road, Rothesay Bay – Land Information New Zealand Spatial Mao and GeoMaps aerial image – road stopping area approximately 70 square metres (subject to survey)
2	Part Saunders Road, Dome Valley – Scheme Plan and GeoMaps aerial image - road stopping area approximately 5800 square metres (subject to survey)
3	Part Cowan Bay Road, Pohuehue - Scheme Plan and GeoMaps aerial image– road stopping area approximately 700 square metres (subject to survey)

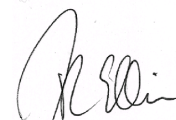
Te pou whenua tuhinga / Document ownership

Submitted by	Jane Small Group Manager Property and Planning	
Recommended by	Mark Lambert Executive General Manager Integrated Networks	

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Approved for submission

Shane Ellison
Chief Executive



Glossary

Acronym	Description
AC	Auckland Council
AT	Auckland Transport
LGA	Local Government Act 1974
PWA	Public Works Act 1981