

CONFIDENTIAL

Road Stopping

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 being received, notification to Auckland Council (AC) of the following sections of legal road for disposal:
 - i. part Ostend Road, Waiheke Island adjoining 102 Ostend Road, Waiheke Island (Ostend Road) being an area of approximately 434 square metres (subject to survey) as shown on the Land Information New Zealand and GeoMaps plan outlined and shaded in red (Attachment 1).
 - ii. part Hobsonville Road, Hobsonville adjoining 30 Clark Road, Hobsonville (Hobsonville Road) being an area of approximately 14 square metres (subject to survey) as shown on the Land Information New Zealand and GeoMaps plan outlined and shaded in red (Attachment 2).

Te whakarāpopototanga matua / Executive summary

1. This report seeks board approval to commence road stopping procedures for two road stoppings under the PWA and the subsequent disposal of the stopped road land by AC to the adjoining owner.
2. Ostend Road:
 - a. The section of unformed legal road adjoining Ostend Road to be stopped is required as an offset for an area of land historically used by Auckland Transport (AT) for a public bus stop and associated infrastructure within the owner's land.
 - b. The land shaded in red on the GeoMaps aerial image will be amalgamated with the adjoining property owned by the applicants, Anthony Ray Pope and Sandra Pope.

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3. Hobsonville Road:

- a. The section of legal road adjoining Hobsonville Road to be stopped is required to enable the owner of the adjoining land (Kāinga Ora – Homes and Communities (KO)) to maximise the development of the adjoining site. The stopped road will be acquired by KO and incorporated into a development for new housing.
- b. The land shaded in red on the GeoMaps aerial image will be amalgamated with the adjoining property owned by the applicant, KO.

Ngā tuhinga ō mua / Previous deliberations

4. 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

5. 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 Local Government Act (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).
6. The road stopping application for Ostend Road has been progressed on the basis that AT has agreed to an exchange with the adjoining owners. AC has agreed to the stopped road land being transferred to the adjoining owner at 102 Ostend Road

Ngā matapakinga me ngā tātaritanga / Discussion and analysis

7. The road stoppings at Ostend Road and Hobsonville Road were requested by the owners immediately adjoining the road land to be stopped. There are no other adjoining owners. Due to this, it is recommended that the PWA process be used to stop the sections of road at Ostend Road and Hobsonville Road.
8. Internal consultation is currently in progress with AT technical staff. No objections have been received to date and any comments received from AT technical staff about the stopping will be addressed prior to the road stopping proceeding further.
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 legislation. The value of the road land (including any exchange arrangements) can be approved by the Group Manager, Property and Planning as per the board's delegated authority provided in April 2018.

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102 Ostend Road

10. The privately-owned commercial use land at 102 Ostend Road, Waiheke Island has been used historically to locate a public bus stop and associated infrastructure. AT recently upgraded the public transport facilities to make traffic movements through this commercial development safer. No formal agreement to use the private land had been entered into with the property owner prior to construction of the facilities. As part of ongoing negotiations regarding a formal occupation agreement, the owner expressed interest in acquiring a section of the road corridor adjoining their property in exchange for a perpetually renewable lease at nil rental for the bus infrastructure to occupy part of 102 Ostend Road, Waiheke Island.
11. The option to shift the bus stop off 102 Ostend Road was explored but this was not operationally feasible. The area of road to be stopped is not currently in use as road and is not required for any future transport projects. When an estimate of land value was undertaken, it was determined that it was more cost effective to stop the area of road and transfer it to the adjoining owner as requested, rather than continue to pay commercial rent to the owner for occupation of their land for the public transport facilities.

Ngā tūraru matua / Key risks and mitigations

Key risk	Mitigation
Mana whenua consultation may identify issues with stopping the road.	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 Policy and Engagement team to discuss any issues which may arise through consultation.

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

12. All costs involved to stop the section of Ostend Road including the market value of the road land and the use of the private land the bus stop occupies will be reconciled during settlement of the transaction. Transferring the stopped road land to the adjoining owner is more cost effective than an ongoing rental liability for occupation of the land.
13. All costs involved to stop the section of Hobsonville Road including the market value of the road land are the responsibility of the applicant, KO and will be recovered on settlement of the transaction.

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

14. There are no environmental or climate change considerations identified.

Ngā whakaaweawe me ngā whakaaro / Impacts and perspectives

Mana whenua

15. Direct consultation with mana whenua is currently in progress with assistance from the AT Māori Policy and Engagement team.

Ngā mema pōti / Elected members

16. The AT Elected Member Relationship team and AC have been advised of the road stopping applications. Consultation is still in progress. Any comments received about the stopping will be addressed.

Ngā rōpū kei raro i te Kaunihera / Council Controlled Organisations

17. Engagement with Council Controlled Organisations is not required in relation to the road stopping applications.

Ngā kiritaki / Customers

18. No impact on customer experience has been identified. The road stopping applications are progressed under the PWA and public consultation is not a statutory requirement.

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

19. This is a statutory road stopping. There are no health, safety or wellbeing considerations.

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Ā muri ake nei / Next steps

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



- complete internal and mana whenua consultation;
- obtain Survey Office Plans for all road stoppings;
- obtain valuation reports for the land; and
- apply to the Minister for Land Information to stop the relevant sections of road.

21. Following board approval and completion of the above steps, AT will advise AC of the outcomes and request execution of the relevant sale and purchase agreements.

Ngā whakapiringa / Attachments

Attachment number	Description
1	Part Ostend Road adjoining 102 Ostend Road, Waiheke Island – Land Information New Zealand Spatial Map and GeoMaps aerial image – road stopping area approximately 434 square metres (subject to survey)
2	Part Hobsonville Road adjoining 30 Clark Road, Hobsonville – Land Information New Zealand Spatial Map and GeoMaps aerial image – road stopping area approximately 14 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	
Approved for submission	Shane Ellison Chief Executive	