

CONFIDENTIAL

Road Stopping

For decision: For noting:

Ngā tūtohunga / Recommendations

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 Fulmen Place, Papakura adjoining 9 and 10 Fulmen Place (Fulmen Place) being an area of approximately 0.0059 ha shown as Section 7 on the attached Scheme Plan (Attachment 1).
 - ii. part Fitzgerald Road, Drury adjoining 319, 377, 395 and 411 Fitzgerald Road, Drury and 296 Quarry Road, Drury (Fitzgerald Road) being an area of approximately 1.6905 ha shown as Sections 10, 11 and 20 on Survey Office Plan 543175 (Attachment 2).
 - iii. part unnamed road, adjoining 347 Wyllie Road, Kourawhero (Wyllie Road) being an area of approximately 1.6055 ha shown as Section 1 on Survey Office Plan 517167 (Attachment 3).
 - iv. corner Coles Crescent, Papakura adjoining 35 Coles Crescent (Coles Crescent) being an area of approximately 0.0163 ha shown as Section 3 on the attached Survey Office Plan 563844 (Attachment 4).

Te whakarāpopototanga matua / Executive summary

Road Stoppings

1. This report seeks board approval to commence road stopping procedures for four road stoppings under the PWA and the subsequent disposal of the stopped road land by AC to the adjoining owner.
2. Part Fulmen Place
 - a. The section of formed legal road to be stopped forms part of a master planned superlot subdivision by the applicant, Kāinga Ora – Homes and Communities (KO). The subdivision includes land exchange and will improve connectivity of the roading network.
 - b. The land being approximately 0.0059 ha (subject to survey) shown as Section 7 on the Scheme Plan was omitted from the board report dated 29 April 2021. Section 7 will be amalgamated with adjoining properties owned by KO.

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3. Part Fitzgerald Road

- a. The section of unformed legal road to be stopped will enable the development of a new roading layout to facilitate the industrial and mixed-use development being undertaken by the applicant, Drury South Limited (DSL).
- b. Section 1 on Survey Office Plan (SO) 543175 included in the board report dated 29 October 2020 included an area of 1.6919 ha of unformed legal road adjoining a waterway. The road stopping area was resurveyed and now includes additional areas and changed references.
- c. Section 20 will be stopped and vested as Local Purpose (Esplanade) Reserve to AC. Section 11 was added to SO 543175 after the surveyor identified it had not previously been captured in historical surveys.
- d. Sections 10, 11 and 20 have Usque ad medium filum aquae rights (AMF) which apply to a section of dried up stream bed. The AMF rights (being half the stream bed adjoining Sections 10, 11 and 20) will transfer to the adjoining owners.
- e. Sections 1 and 11 will be amalgamated with the adjoining property owned by DSL.

4. Part unnamed road near Wyllie Road

- a. The section of unformed unnamed legal road which is part of a severance located within the adjoining property at 347 Wyllie Road to be stopped and amalgamated with the adjoining property owned by the applicant, Holborn Properties Limited.
- b. The land being approximately 1.6055 ha shown as Section 1 on SO 517167 will allow development of the adjoining property.

5. Corner Coles Crescent

- a. The section of formed legal road to be stopped would remedy an encroachment into the road corridor of the north western part of the AC ex-corporate accommodation building located at 35 Coles Crescent. Eke Panuku Development Auckland (Panuku) have applied to have this small section of road stopped on behalf of AC before the land and building are sold for development.
- b. The land being approximately 0.0163 ha shown as Section 3 on SO 563844 will be transferred to AC to amalgamate with 35 Coles Crescent.

Ngā tuhinga ō mua / Previous deliberations

Date	Report Title	Key Outcomes
29 October 2020	Road Stopping	The Fitzgerald Road application was included in the previous board report. Section 1 was resurveyed as Sections 10 and 20 to incorporate an esplanade reserve area. Section 11 has been added.

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Te horopaki me te tīaroaro rautaki / Context and strategic alignment

Road Stoppings

6. 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 1974 (LGA) or to recommend to the Minister of Land Information (the Minister) that the road be stopped under the PWA consultation is undertaken with AT internal technical teams. This may include 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.
7. All road stopping applications are proposed to be progressed under the provisions of the PWA as where the applicants are not the only adjoining owner, they have obtained written consent from any other adjoining owners.
8. The unnamed section of severance road at Wyllie Road has a 21-metre boundary adjoining one other property but provides no connection to the transport network. On that basis it will be progressed under the provisions of the PWA with the final decision sitting with the Minister.

Ngā matapakinga me ngā tātaritanga / Discussion and analysis

Road Stoppings

9. The road stopping applications were all requested by owners of immediately adjoining road land to be stopped or their representatives.
10. Internal consultation is currently either in progress or completed with AT technical staff for all applications. No objections have been received to date and any comments received from AT technical staff will be addressed prior to the applications proceeding further. Corner Coles Crescent has been progressed without internal consultation as the area had not functioned as road since the construction of the AC office 51 years ago.
11. The market value of the road for each application will be determined by an AT appointed valuer, as required under the legislation. The value of the road can be approved by the Group Manager, Property and Planning as per the board's delegated authority provided in April 2018.
12. Both Fulmen Place and Fitzgerald Road applications are subject to land exchange agreements between AC and the respective applicant.

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 meeting with mana whenua may be facilitated through the AT Māori Policy and 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

13. All costs involved to stop the sections of road are the responsibility of the respective applicants and will be recovered on settlement.
14. The consideration for the road land for part Fulmen Place and part Fitzgerald will be as provided in the land exchange agreements between AC and the respective applicants. Part Coles Crescent will be transferred and amalgamated with the adjoining land owned by AC.

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

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

Ngā whakaaweawe me ngā whakaaro / Impacts and perspectives

Mana whenua

16. Mana whenua engagement is undertaken for road stopping applications where required and to date no objections have been received. No applications are within areas marked as a mana whenua site of significance in the Auckland Unitary Plan (Operative in Part) overlay.
17. No engagement will be undertaken for Coles Crescent as the road to be stopped is already built over and a land status report has confirmed there are no issues with ownership.

Ngā mema pōti / Elected members

18. The AT Elected Member Relationship team and AC have been advised of the applications. Any comments received will be addressed.

Ngā rōpū kei raro i te Kaunihera / Council Controlled Organisations

19. Engagement with Council Controlled Organisations was not required for these applications.

Ngā kiritaki / Customers

20. No impact on customer experience has been identified. Public consultation is not required for applications progressed under the PWA.

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

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

Ā muri ake nei / Next steps



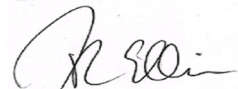
Road Stoppings

22. In accordance with the statutory process under the PWA next steps include completion of mana whenua engagement where required, review land status reports, obtain final SO Plans, obtain valuation reports and apply to the Minister to stop the sections of road. Following board approval and the above steps, AT will advise AC of the decision and request execution of any disposal agreements.

Ngā whakapiringa / Attachments

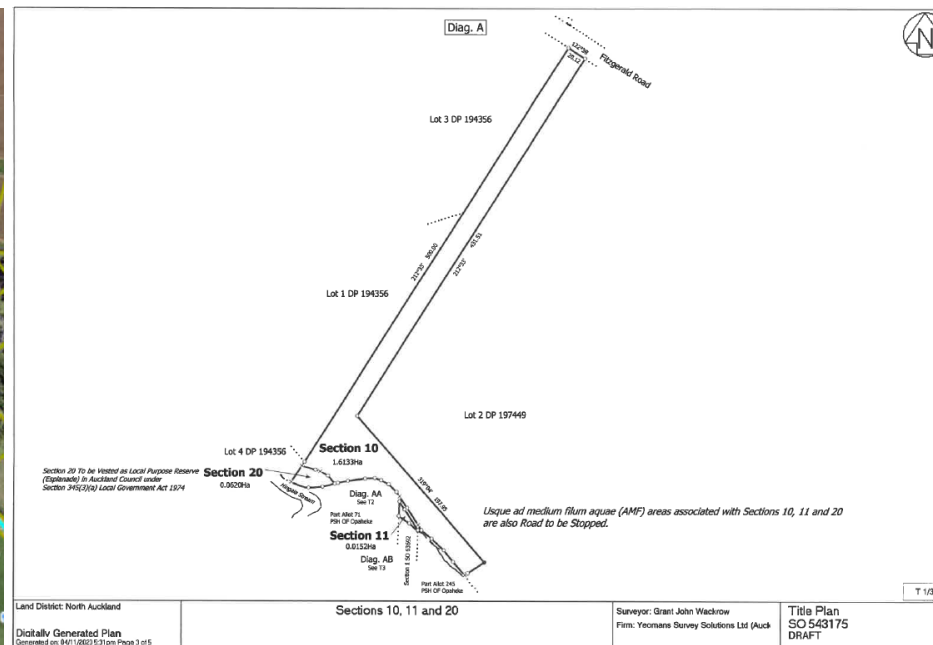
Attachment	Description
1	Part Fulmen Place, Papakura – Scheme Plan – road stopping area approximately 0.0059 ha shown as Section 7
2	Part Fitzgerald Road, Drury – Aerial and Survey Office Plan 543175 – road stopping areas approximately 1.6905 ha shown as Sections 10, 11 and 20
3	Part unnamed road, adjoining 347 Wyllie Road, Kourawhero – Aerial and Survey Office Plan 517167 – road stopping area approximately 1.6055 ha shown as Section 1
4	Corner Coles Crescent, Papakura – Aerial and Survey Office Plan 563844 - road stopping area 0.0163 ha shown as Section 3

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	

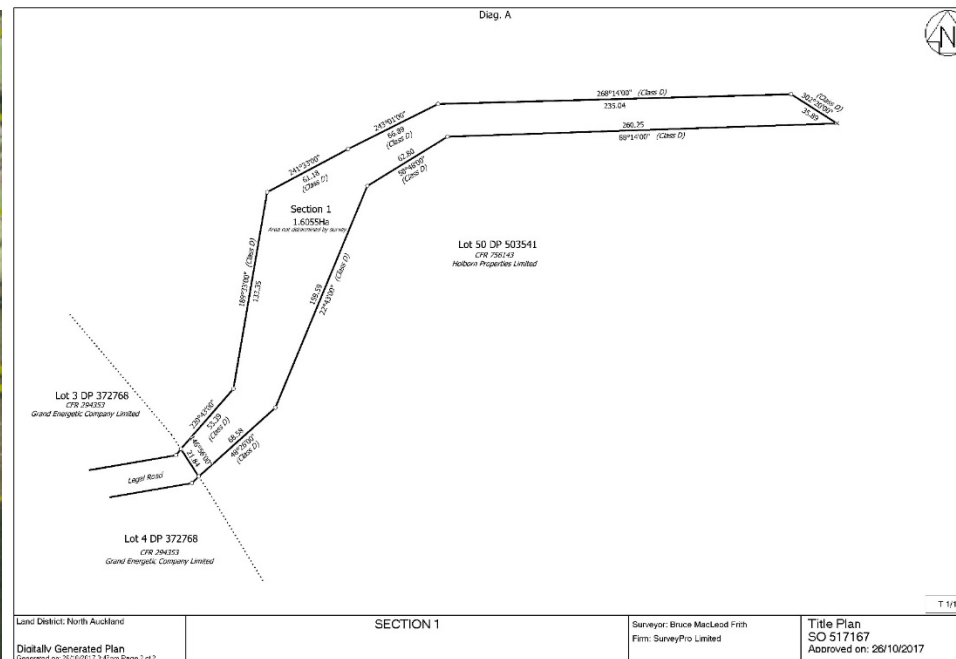
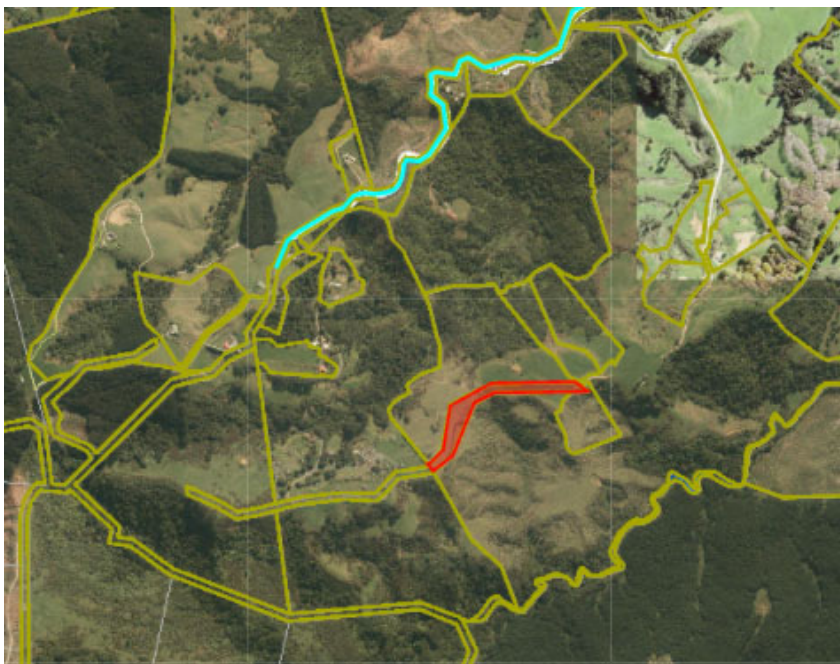
Attachment 2

Part Fitzgerald Road, Drury – Aerial and Survey Office Plan 543175 – road stopping areas approximately 1.6905 ha shown as Sections 10, 11 and 20



Attachment 3

Part unnamed road, adjoining 347 Wyllie Road, Kourawhero – Aerial and Survey Office Plan 517167 – road stopping area approximately 1.6055 ha shown as Section 1



Attachment 4

Corner Coles Crescent, Papakura – Aerial and Survey Office Plan 563844 – road stopping area 0.0163 ha shown as Section 3

