

CONFIDENTIAL

Road Stoppings

Recommendations

That the Board approves:

- 1) the road stopping and notification to Auckland Council (AC) of 1 section of legal road for disposal to the adjoining landowner, being:
 - a. 7,195 m² of unformed road located at 566 Pakiri Road, Leigh shown as Section 1 on Survey Office Plan 489532 (**Attachment 1**).
- 2) the disposal of Auckland Transport's (AT) interest in the section of land to New Zealand Transport Agency (NZTA), being:
 - a. 110 m² of land fronting 906 State Highway 16, Waimauku, shown in blue (**Attachment 2**) subject to the final consideration being agreed and
- 3) delegates to the Chief Executive authority to approve the final terms and conditions of the disposal agreement.

Executive summary

This report seeks board approval to the road stopping (being the term given to changing land with the legal status of road to a freehold title) and subsequent disposal of 1 section of unformed legal road at 566 Pakiri Road, Leigh to the adjoining landowner. Approval is also sought to the disposal of AT's interest in a section of land at 906 State Highway 16, Waimauku to NZTA. NZTA requested the transfer pursuant to Section 50 of the Public Works Act 1981 (PWA) for an NZTA project.

Once the section of road at 566 Pakiri Road, Leigh is stopped, the land will be amalgamated into the adjoining landowner's title. The applicant is required to pay current market value for the land, fixed by a Registered Valuer. The requirements of section 345 of the Local Government Act 1974 (LGA) requires land to be valued at the highest and best use. Applicants are required to meet AT's costs, which include but are not limited to land survey, valuation, public notification costs, legal and Land Information New Zealand (LINZ) administrative costs.

The land at 906 State Highway 16, Waimauku comprises approximately 110 m² highlighted blue on the plan shown on **Attachment 2**. The land was acquired pursuant to a partial acquisition undertaken by the legacy Rodney District Council in July 2003 and was not legalised as road and still forms part of the original landowner's title.

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Strategic context

AT's departments comprising Transport Services (Development Consents), Network Operations, Road Corridor Maintenance, Road Corridor Access, Strategy and Planning and Asset Management Planning and Policy, and Maori Policy and Engagement, and Elected Member Liaison have all confirmed that there is no strategic or operational value to AT in the area of legal road to be stopped or the land to transfer to NZTA nor any current or future transport purposes.

Background

The landowner of 566 Pakiri Road, Leigh has approached AT to acquire the section of unformed legal road on their existing boundary for the purposes of improving their farm management and controlling access.

The land comprises 7,195 m² of easy to undulating contoured unformed legal road adjoining the applicant's 91.60 hectare rural property. The land is zoned East Coast Rural which has the objective of retaining the open coastal character, and high landscape and natural environmental values. Consequently, development potential is restricted. The unformed road has been valued on the basis of its additional value to the applicant's existing farm land.

SH16/Muriwai Road Intersection Upgrade Project.

With regard to the land to be transferred to NZTA, AT's interest in the land will transfer to NZTA pursuant to Section 50 of the PWA. NZTA will complete the necessary road legalisation process with the land being designated State Highway.

NZTA obtained valuation advice from Roberts McKeown (2009) Limited assessing the current market value of a portion of land at 906 State Highway 16, Waimauku. The report was provided to AT in December 2015 and valued the land [REDACTED], as at 23 September 2015. AT has instructed an independent valuer to provide an assessment of value for comparison purposes. The final consideration is to be agreed between NZTA and AT.

NZTA agrees to reimburse AT's reasonable legal and valuation costs incurred in completing the agreement.

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Address of adjoining property	Applicant	Valuation	Valuer Acting for AT	Site Plan	Additional Information
566 Pakiri Road, Leigh	[REDACTED]	[REDACTED]	Northland Valuers Buchanan Limited dated 25 February 2016.	Attachment 1	The unformed road has been valued on the basis of its additional value to the applicant's farm land.
906 SH 16, Waimauku	NZTA	[REDACTED]	Roberts McKeown (2009) Limited dated 23 September 2015 for NZTA.*	Attachment 2	The subject land comprises approximately 110m ² highlighted blue on the plan shown as Attachment 2 .
	Total	[REDACTED]			

* Awaiting independent valuation assessment for AT.

Legislation

In order to effect the disposal of the area of road it is necessary to first remove the current legal road status, so that it is no longer subject to the law relating to road including public access and create a 'fee simple' title. The "road stopping" process will be carried out under the LGA.

All road stoppings require the formal consent of AC which will be obtained following notification of board approval of the disposal recommendation. Once the road is stopped, it can be amalgamated into the adjoining landowner's title under section 345 of the LGA.

Subsequent to board approval, the 566 Pakiri Road, Leigh application will be publically notified in accordance with the LGA.

The transfer of AT's interest in 906 State Highway 16, Waimauku to NZTA will be pursuant to Section 50 of the PWA between the Crown and AC.

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Valuation/Costs

NZTA and the road stopping applicant are required to pay current market value for the land, fixed by a registered valuer. The requirements of section 345 of the LGA require land to be valued at the highest and best use. The market value of 906 State Highway 16, Waimauku is yet to be determined but will be no less than [REDACTED] indicated by the valuation assessment for NZTA.

Applicants are required to meet AT's costs, which include but are not limited to land survey valuation, public notification costs, legal and Land Information New Zealand's (LINZ) costs.

Issues and options

Other land owners

No landowners will be deprived of physical access after completion of the identified road stopping. All adjoining owners have provided their written consent to the road stopping.

Next steps

Following board approval, AT will notify AC of its decision and AT will complete the necessary road stopping and disposal actions and then AC will execute the relevant sale and purchase agreements on behalf of AT.

Attachments

Attachment Number	Description
1	GIS Map showing 566 Pakiri Road, Leigh
2	GIS Map showing 906 State Highway 16, Waimauku

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Document ownership

Submitted by	Doug Snell Property Management Manager	
	Deb Godinet Group Manager, Property and Planning	
Recommended by	Greg Edmonds Chief Infrastructure Officer	
	David Warburton Chief Executive	
Approved for submission		

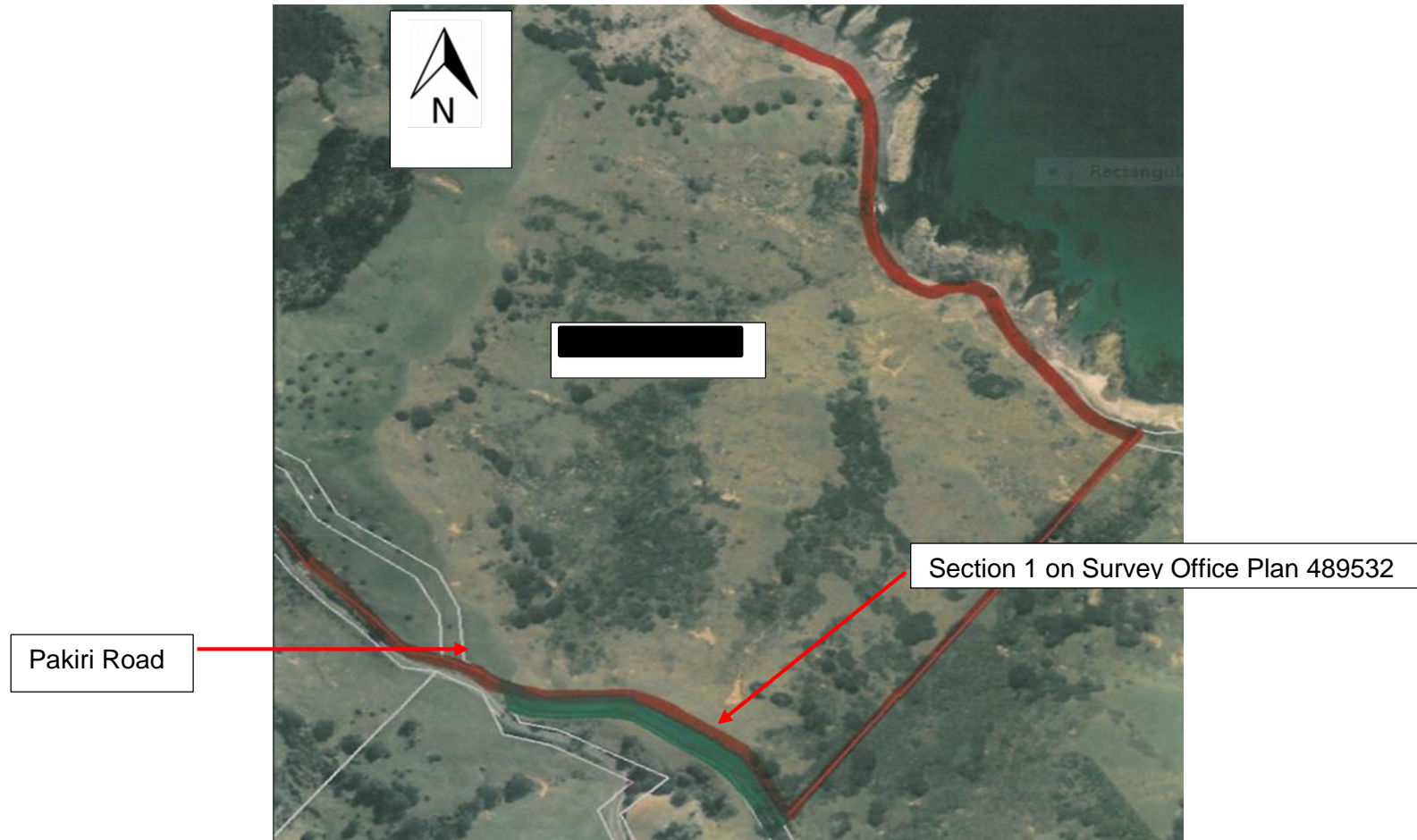
Glossary

Acronym	Description
AC	Auckland Council
AT	Auckland Transport
LINZ	Land Information New Zealand
NZTA	New Zealand Transport Agency
LGA	Local Government Act 1974
PWA	Public Works Act 1981

Attachment 1

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566 Pakiri Road, Leigh



Pakiri Road

Section 1 on Survey Office Plan 489532

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Attachment 2

906 State Highway 16, Waimauku

