

Late Report

Strategy & Policy Committee Meeting **12 September 2013**

Urgent Business:

**Agenda Item 5.5 Rooding Report – Request for further funding for
additional professional services costs for works carried
out on Tekoa Road**

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HURUNUI DISTRICT COUNCIL MEETING REPORT



To: Strategy and Policy Committee

Date: 12 September 2013

Significant Decision: No

Roading Update Report – Request to use unsubsidised road funding: to cover Professional Services costs for proposed works to be carried out on Tekoa Road

Recommendation THAT THE COMMITTEE APPROVE \$40,000 FROM THE UNSUBSIDISED ROADING BUDGET TO COVER THE ADDITIONAL PROFESSIONAL SERVICES COSTS INCURRED TO CARRY OUT THE PREVIOUSLY AGREED WORKS ON TEKOA ROAD.

Executive Summary This report details an agreement between an adjacent landowner and Council to change a legal road re-alignment, re-construct and transfer land in order to reduce the high incidence of farm animals being struck by motorists on Tekoa Road. It also details additional legal costs that were incurred during the transfer process and why the Roothing Department is seeking additional funding from the Unallocated Unsubsidised Roothing Budget (UURB) to complete the process.

Summary of Contents

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Background Two years ago, a request from B McRae of the Glens of Tekoa Station was received to divert Tekoa Road around his woolshed and away from his yards, where he had had animals hit.

At a meeting with Council Officers, namely B Yates, J Whyte, affected land owner B McRae and Contractor T Baker, it was agreed that B McRae would construct the new road to full Council standard specifications at no cost to Council and that Council would cover the costs to legalise the new road reserve. The balance of land would effectively be swapped at no additional cost to either party.

The road has been completed and Council is working to complete the legalisation of the new road reserve (A & B on the Map – see Appendix attached).

Discussion

Aurecon Ltd (Consultancy) was asked to produce an estimate to do the legal survey, plans and to lodge them with Land Information New Zealand (LINZ). This was estimated to be approximately \$17,000.

Subsequent to the initial scoping of works, Aurecon discovered other sections (C & D on Map) of Tekoa Road that were on private land between Island Hills Bridge and Mandamus Bridge and provided an amended proposal – see Appendix attached. It was decided that these sections also be transferred at the same time to reduce costs and an amended proposal from Aurecon was requested by Council.

The amended proposal's estimate was between \$24,500 and \$31,000. The cost is higher than normal because of the new road reserves proximity to the river boundary.

It was highlighted that, as part of this legalisation survey, we would need to confirm (survey) the definition of the river boundary, immediately to the west of the road. Any areas of identified erosion along this boundary would become excluded from the underlying title area.

There will also be further legal costs with the road stopping process and new titles changing hands. It is more cost-effective to complete all the legalisation at once. The expected final cost to carry out the proposed survey, road stopping, legalisation and land transfer, that the Professional Services fee is expected to be in the order of \$35,000 - \$40,000.

For this to happen, more budget is required, as the current maintenance network management budget is insufficient to cover this additional cost commitment.

Recommendation

That the Committee approve \$40,000 from the Unsubsidised Roding Budget (URB) to cover the additional Professional Services costs incurred to carry out the PREVIOUSLY agreed works on Tekoa Road.

Consultation

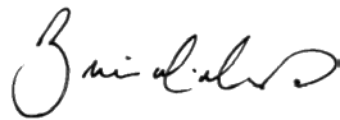
The following have been consulted in the preparation of this report

- Aurecon
 - Manager Amenities and Special Projects
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Report Prepared by:

Author's Name: John Whyte
Author's Designation: Roding Department- Asset Engineer



Report Reviewed by:

Authoriser's Name: Brian McManus
Authoriser's Designation: Roding Team Leader

Officer in Attendance:

The Roding Department Asset Engineer and the Roding Team Leader will be in attendance to speak to the report.

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29 August 2013

John Whyte
 Asset Engineer Roading
 Hurunui District Council
 PO Box 13
 Amberley 7441

Dear John

Amended Scope for Road Legalisation Survey – Tekoa Road, Culverden

Further to our conversation regarding the initial scope for the legalisation survey work for this road, we are happy to now provide the following revised scope and cost estimate that includes additional road identified as existing outside the current road reserve boundaries.

This scope now extends from the bridge about 1.6km south of the yards to the bridge 750m to the north, across the Mandamus River. We highlight we have not visited this site and therefore are not able to completely ascertain the overall scope. For this reason we propose undertaking this commission on a time and expense basis with the provision of an expected cost range based around the following unknown factors;

- Ability to re-establish boundary definition from underlying survey plan (circa 1921) and locating old survey marks in the area.
- Ability to traverse along the existing road using GPS technology without obstruction from overhead trees and vegetation.
- Ability to access and survey fix the eastern bank of river. Likely to be dependant on water flow and vegetation cover.

Scope of Work (amended)

Based on aerial photography we identify that the following would be required as part of the legalisation process:

Road stopping (approx. 1.4km)

Road creation (approx. 1.4km)

Esplanade Reserve (approx. 220m)

Please refer to the attached sketch to see the areas involved.

We would look to undertake this work in a similar manner as outlined in our initial proposal, dated 19 August 2013. We do highlight, however, the possible need to create an area of Esplanade Reserve where the road to be stopped abuts an existing river boundary. This becomes a requirement under s 345(3) of the Local Government Act 1974 but may not apply if exempted by the District Plan, through s

77(3) of the Resource Management Act 1991. We will seek Councils clarification as to whether this exclusion applies or not in this case.

With respect to the river boundary, we highlight that as part of this legalisation survey we would need to confirm the definition of the river boundary, immediately to the west of the road. Any areas of identified erosion along this boundary would become excluded from the underlying title area. Conversely, areas of accretion could be claimed; however establishing this would require the surveying of both sides of the river and given that ownership is the same on either side we suggest that this exercise may be somewhat cumbersome and not cost effective, given that areas of erosion and accretion are likely to balance out. We would be happy to discuss this further with Council and the land owner.

Please note that our scope does not include for any actions required beyond the approval of the SO Plan by LINZ, which may be part of the road legalisation process.

Deliverables

We will undertake the necessary fieldwork, office calculations, drafting and documentation to enable lodgement of the CSD with LINZ for approval. The SO Plan will define parcels of land with tabulated areas of road to be stopped or road to be legalised. We will liaise with Council and their nominated legal counsel, as required, during this process to ensure the plan produced provides adequately for the road legalisation process.

Resourcing and Programme

We confirm we have adequate resources available to allow this work to commence within 5 working days from acceptance of this proposal. We will have completed the fieldwork and have a draft plan to Council for their review within 20 working of commencement, and would look to lodge immediately following your approval of this plan. Once lodged, we expect it would be a further 10 working days to receive approval as to survey from LINZ.

In summary, we envisage an LINZ approved plan would be available within 25 - 30 working days from the date of Council's acceptance of this proposal.

James Lynch (Licensed Cadastral Surveyor) will be the point of contact for this project.

Fee Proposal

Aurecon proposes to undertake this work on a Time and Expense basis with an expected cost range of \$ 24,500 and \$ 31,000 (excl GST and LINZ fees).

We estimate LINZ lodgement fees will be \$1000.00. These are to be reimbursed by Council following payment at lodgement by Aurecon.

The following hourly rates excluding GST shall apply.

Technical Director:	\$210/hr
Licensed Cadastral Surveyor:	\$160/hr
Technical Surveyor:	\$110/hr

Field Team: \$190/hr

Terms of Engagement

This commission would be accepted under the terms of the IPENZ/ACENZ Short Form Agreement for Consultant Engagement. This document was attached with our initial proposal dated 19th August 2013.

We request that you sign in the appropriate lower left panel and return the original to us. We are unable to undertake work on this Commission until we have received your signed copy of acceptance. We ask you to note the conditions of Consultant Engagement which are listed on the reverse side of the Short Form which amongst other things refers to our limitation of liability.

We will invoice at the end of the month following completion of the plan, with payment due 30 days following the date of the invoice.

The aforementioned proposal is valid for three (3) months from the date of this letter and anticipates that the survey will be carried out in a timely manner consistent with our envisaged program.

This confirms our understanding of the scope of work for this survey. Please contact the undersigned if you wish to discuss or clarify this proposal further.

Yours sincerely

AURECON

A handwritten signature in blue ink, appearing to read "James Lynch".

JAMES LYNCH

Licensed Surveyor

Email: james.lynch@aurecongroup.com

492

Island Hills Bridge

(A)

Lot 1
DP 6081

Physical Road
(Tekoa Rd)

Glens of Tekoa

545

Lot 1
DP 6081

(B)

Mandamus River

Tekoa Rd Legalisation



Area of Road to take



Area of Road to Stop



Area of Road to be stopped adjacent to river body

(C)

Area of Road abutting river

(D)

593

Lot 1
DP 6081

Mandamus Bridge

