

Key Points Regarding Higham paper Road Closure

By the South Head Action Group

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Note: All the information presented in the Key Points is taken from, or summarises Rodney District Council documents and process.

1. **The Higham paper road closure piggybacks onto the South Head Walkway Plan 2007-2008.**
 - A. People were asked to submit to the Draft South Head Walkway Plan of March 2007, which reads that the Rodney District Council will “investigate land swap options”; and provides a map of a proposed walkway through the Higham property along the low tide mark and back through other properties to the South. There is NO mention of a road closure at this point.
 - B. This was a walkway strategy and concerns were voiced in a number of submissions including ARC, DOC, Nga Rima o Kaipara and Federated Farmers that the scope of the plan was too wide, including roading and other related public access issues.
 - C. Page 35. of the draft plan also reads:
“A suggested alternative is to investigate options around possible land swaps with the adjacent landowner. Rodney District Council would however only consider going ahead with this or any other proposal if there was significant public benefit to the proposal.”
 - D. The public meeting regarding the Walkway strategy, held in November 2007, did not directly refer to the landswap proposal at all.
2. **Submissions to the South Head Walkway Plan**
 - A. There were a limited number of submissions on the Highams Rd part of the plan; 21 in all. 14 supported the land swap proposal, 5 opposed any access to Higham Beach altogether; 2 opposed it.
 - B. One submission which is counted as supporting the road closure in fact reads:
“support the idea of a landswap investigation going ahead....as long as (all people concerned)... are consulted on the details as well as the landowner. The same would apply to any other ‘landswap’ of paper roads/public land.”
3. **November 2008, Final Report of SH Walkway plan reads “that the proposal to swap the paper road for Highams private land be investigated further and reported back to a future meeting of the council”**
 - A. This report was made public for people to uplift in November 2008.
 - B. No options have been put to the community to consider.
4. **Rodney District Council had already voted to close the road on 14 August 2008.**

5. Council Policy about road closure is clear

A. "Uses of Council Unformed Roads: Guidelines for potential users

Stopping of roads

The essential precondition of any road stopping procedure is that the council must be satisfied that the road will never be needed for roading purposes in the future nor for access to coastal marine areas. "

B. Stopping of Unformed Roads

Following agreement from the directly affected landowner that the road stopping action may be requested, the matter is referred to the Council's Engineering and Planning staff who will assess whether or not there is likely to be a future need for this road to be formed.

Of necessity this assessment will be very conservative and in the event of any doubt as to the further requirements, the request will be rejected."

6. The decision went against RDC Staff advice.

- A. The report presented to Councillors by Property Manager Mark Johanssen, advises against the proposal. It reports that the DOC advised the proposal is contrary to the NZ Coastal Policy and Regional Coastal Plan. It recommends:

Recommendation:

- (a) **That the committee declines the proposal to complete an exchange of Council's paper road that runs at right angles from the formation end of Higham Rd, through the Higham farm (between Lot 3 DP 26061 and Lot 4 DP 24701) to the Kaipara Harbour (Higham Beach) with Higham farm land adjacent to the southern boundary of Lot 3 DP 26061.**
- (b) **That the committee recommends to the Strategy and Community Committee that the road exchange proposal detailed in recommendation (a) be removed from the South Head Walkway Plan.**

- B. 2.8 of the report, Pro's and Con's of proposed exchange reads:

2.8.1 Pro's list to advancing the exchange:

- Improved farm security
- Linkage with existing public lands
- Possibility of land for a car park
- Isolates camp from walkway route
- Provision of wetlands

2.8.2 Con's list to advancing the exchange

- Far inferior terrain for alignment
- Expensive option should council ever decide to form the alignment
- Wet and steep land inaccessible by 4 wheel drive without extensive earth works
- Secluded from the balance of the farm which may lead to security issues

- Inferior harbour end land that lacks real harbour access or ramp that the current paper road provides
- Walker access is already available from the end of the public lands via the inter tidal area either side of low tide to the existing paper road
- Much of the existing paper road is fenced whereas the proposed alignment is not
- It is questionable as to whether many people will actually walk this land, as it appears that the use of the current paper road by walkers is negligible.

7. This is not a Land Swap.

The decision closes the road and proposes an *Easement* for a walkway to an alternative stretch of coast; which is unsuitable to ever become a road.

An easement, such as the one that leads to Papakanui (the Lagoon) can be closed at the will of the Landowner.

8. All costs for developing the walkway will be met by the Ratepayer.

It has been costed at \$552,000 to create the track immediately at the boundary or \$212,000 if the easement goes wider.

This will be up to the incoming Auckland Council to make a decision as to whether it goes ahead.

To fence and form a track on the existing paper road would cost \$50,000

9. RDC says Highams are being charged current market value for the land.

- a. **6.518 Ha for \$101,000** (including costs of the survey etc)
- b. On average bare land of 1 Ha sells for approximately \$200,000
- c. A piece of Land approximately 2 Ha, with coastal access is currently on the market for \$1.4 million

10. There are unanswered questions about how this decision was arrived upon.

How did “investigate Land Swap options” become a road closure?

- a. What other options were considered?
- b. Why did the final report not say the decision to close the road had already been made?
- c. Rodney District Council seems confident that this HAS been well consulted: with whom?