

Auckland Transport processes required to install a memorial seat on the street berm outside Opaheke School in Short Street

1. To install a memorial seat on a street berm requires the following process:
 - i) Apply for an Auckland Transport Encroachment Licence
 - ii) Acquire a Memorandum of Encumbrance from Auckland Transport
 - iii) Apply for a Corridor Access Request.

Auckland Transport Encroachment Licence

2. If the memorial seat is to be erected on Auckland Transport land, an encroachment licence will be required. See attachment A for a copy of an application form. There is a non-refundable cost of \$1,000.
3. A road encroachment licence authorises a right to occupy an area of legal road, but does not give the licence-holder exclusive possession in the way a lease does.

Applying for an Encroachment Licence

4. The Auckland Transport website advises the following process for applying for an encroachment licence.
5. Property owners or developers must submit an application to Auckland Transport and receive approval before placing any encroaching object on, under or above a legal road.
6. Auckland Transport reserves the right to exercise its discretion not to proceed with the licence or encumbrance at any point during the application process.

Who can apply

7. Usually only the owners of land immediately adjoining the legal road can apply for a licence. Any other applicant is likely to have their application declined unless they get prior written consent from adjoining landowners (and service/utility authorities if any of their utilities are affected).
8. Only those properties immediately next to the land in question are adjoining owners. This does not include neighbours who are one or more properties removed.

Application process

9. The application process is as follows:

No.	Task	Action
1.	Initial enquiry	Make an initial enquiry to Auckland Transport to see if they will consider the encroachment licence.
2.	Formal application	<p>If the initial enquiry is confirmed by Auckland Transport, a formal application can then be submitted.</p> <p>Also required with the application:</p> <ul style="list-style-type: none"> • Written consent from adjoining landowners. • Signed consents from service authorities (if any of their utilities are affected), copies of plans, aerials (if applicable), cross sections etc. • Non-refundable deposit of \$1,000 (incl. GST).

Memorandum of Encumbrance

10. Consent to a licence by Auckland Transport does not constitute regulatory approval to placement of encroachments within the road corridor. In cases where the encroachment may be permanent, a memorandum of encumbrance will be required to be entered into and registered against the adjoining properties' land title at no cost to Auckland Transport.
11. There is further information regarding the encroachment licence and the process within the following link:
<https://at.govt.nz/about-us/working-on-the-road/road-processes-for-property-owners/road-encroachment-licences-or-leases/>.

Corridor Access Request (CAR)

12. If the applicant is digging within the road corridor, they may also need to lodge a Corridor Access Request (CAR) separate from any licence.
13. However, if single excavations are only in the grass berm and are less than 3m² or less than 6 linear metres, a CAR is not required, unless the work site or equipment encroaches onto the road corridor.
14. See attachment B for details about the information required for applying for a Corridor Access Request.
15. See attachment C for the fee schedule relating to CAR applications.
16. Detailed information regarding how to apply for a Corridor Access Request can be found at the following website: <https://at.govt.nz/about-us/working-on-the-road/corridor-access-requests/>.