Waikato District Council

Road Stopping Process Map

Email: strategic.property@waidc.govt.nz or info@waidc.govt.nz for more information or phone: 0800 492 452

1

Local Government Act 1974

Road Stopping Process

A notified road stopping process for requests with public interest

2

Pre-Application Advice

Before submitting your request, contact a Council Property Advisor to discuss your proposal.

3

Submit your road stopping request for review

Lodge your request by email, post or in person. Council teams will review your request for any immediate concerns and further information may be requested. A request may be declined at this stage if it is clearly contrary to the current or future use of the road.

4

Council Committee Resolution

A Council report will be submitted to the Infrastructure Committee for a resolution. If the resolution is successful, the request will continue.

5

Agreement

You will be required to enter into an agreement which sets out the obligations and requirements for each party for the remaining process.

6

Land is valued, surveyed and submitted for LINZ approval

The market value of the land will be assessed by a registered valuer and the land surveyed by a registered surveyor and submitted for LINZ approval. LINZ must also approve the stopping of a road in a rural area/zone.

7

Public Notification

The Council is required to notify a stopping for at least 40 days. The public may submit an objection at any point during these 40 days. The Council may facilitate a meeting between the Requestor and Objectors to try and resolve their concerns.

8a

No Objections

If no objections were received the process continues, move to step 9a.

8b

Objections received

If an objection cannot be resolved and the Objector does not wish to withdraw their objection the Council will need to decide how to proceed, see step 9b.

9a

LINZ legalise title

Council applies to LINZ to stop the road and issue a new land title for the stopped road.

9b

Council Committee to decide

The Council Committee will review objections and decide whether to uphold the objection or not. If the objection is upheld the road stopping application must be declined. However, if the Council does not uphold the objection, the road stopping decision is deferred to the Environment Court, see step 10b.

10a

Title is issued

Sale and purchase agreement is finalised to transfer the land. Amalgamation of the land titles will be subject to payment of land market value and payment of road stopping process fees.

10b

Environment Court Decision

The Environment Court will rule on the objection's validity. If the Environment Court decides in favour of the objector, the road stopping process ends (declined). However, if the Environment Court decides in favour of the Requestor, the road stopping process continues normally, move to step 9a.