

Road Stopping Application Form



Once you have completed the application form, please save it to your computer for your records, then email a copy of the saved document to nicole.chauval@marlborough.govt.nz . Applications can also be sent/delivered to: Committee Secretary, Marlborough District Council, PO Box 443, (15 Seymour Street), Blenheim 7240.

For queries regarding the application please contact Nicole Chauval (03) 520 7400.

We encourage you to use our online form at <https://www.marlborough.govt.nz/services/roads-and-transport/roading-forms>

Notes for the Applicant:

Landowners with a legal unformed road adjoining or within their property may apply to have the road stopped.

Council will only agree to process a road stopping application if it is satisfied the road is no longer needed, including for public walking.

Should the paper road provide access to any other property; including rivers, lakes, seashore, reserves, etc, the road stopping proposal will not be considered unless the applicant can provide an appropriate alternate solution.

The applicant is responsible for all costs involved in stopping the road and for the purchase of the road from Council at a price to be determined by a registered valuer who is appointed by Council; the cost of which is payable by the applicant.

(Council will obtain the valuation when the road stopping has been finalised).

Once this application is lodged with Council it becomes public information. If there is sensitive information in the proposal please let us know.

1(a) Applicant Details:

First Name: _____

Postal Address: _____

_____ Postcode: _____

Phone: Business _____ Home: _____ Mobile: _____

Email: _____

1(b) Property Owner Details (if different from above):

Name of property owners: _____

Contact Person: _____

Postal Address: _____

_____ Postcode: _____

Phone: Business _____ Home: _____ Mobile: _____

Email: _____

2. Application Property Details:

Land Use:
*(ie, District Plan zoning,
eg: commercial,
residential, rural, etc)*

Legal Description:
*(eg, Lot 1 DP 12345
Certificate of Title 333989)*

3. Description of Project:

Name of road to be stopped: _____

Reason for stopping: _____

Services (Easements):

NB: Should stopping the road affect power/telephone services the applicant is responsible for providing an easement in favour of the relevant parties. This also applies to Council services, eg, sewer, stormwater, water. **The applicant is required to check, and if applicable, obtain consent from Chorus (telecommunications infrastructure) and Marlborough Lines.**

Contact details:

Chorus is care of siteacquisition@chorus.co.nz

Marlborough Lines is care of the Easement Coordinator (5777007), 1 Alfred Street, Blenheim or info@mll.co.nz

Recreation

The applicant needs to, particularly where the legal road proposed for stopping might be adjacent to a reserve or lead to a reserve or is adjacent to or leads to a waterway, contact the New Zealand Walking Access Commission for their input.

Contact details:

Ange van der Laan
Kaitohuotohu ā-Rohe | Regional Field Officer
Herenga ā Nuku Aotearoa | Ara Hīkoi Aotearoa

Phone: (04) 815 8502
Mobile: (027) 484 4677
Email: ange.vanderlaan@herengaanuku.govt.nz

Go to the Herenga ā Nuku Aotearoa website (<https://www.herengaanuku.govt.nz/>)

Attachments:

Aerial view of the property showing the area proposed to be stopped clearly marked (Council's Customer Service Office can provide a map, or check on our website www.marlborough.govt.nzAttached

Service authority consents (ie, Chorus/Marlborough Lines).....Attached

Adjoining landowner consent/sAttached

Applicant Acknowledgement:

- I We understand that the road stopping must be done in compliance with the Local Government Act 1974 and the Local Government Act 2002.
- I We understand the decision as to whether to commence the road stopping process sought in this application remains at the discretion of the Marlborough District Council.
- I We understand the Marlborough District Council cannot guarantee the application will be successful given the submission rights under the Local Government Act 1974.
- I We understand that any service easements required under Sections 4 & 5 above shall be granted in conjunction with the transfer of ownership from Council to the applicant, the costs of any such easements to be payable by the applicant.

Signature(s) of all property owners:

Signature: _____ Date: _____ Signature: _____ Date: _____

Signature: _____ Date: _____ Signature: _____ Date: _____

Signature: _____ Date: _____ Signature: _____ Date: _____

Signature: _____ Date: _____ Signature: _____ Date: _____

The Council may, in the manner provided in the Tenth Schedule to the Local Government Act 1974 stop any road or part thereof in the district provided that the Council shall not proceed to stop any road or part thereof in a rural area unless the prior consent of the Minister of Lands has been obtained.

Tenth Schedule

Survey plan is to be prepared and lodged at Land Information New Zealand (LINZ).

The Council shall, at least twice, give public notice of the road stopping proposals and of the place where the plan may be inspected and shall in the notice call upon persons objecting to the proposals to lodge their objections in writing to Council (forty days' notice given).

After the first publication a notice is served in the same form on the owners/occupiers of all land adjoining the road proposed to be stopped.

A notice of the proposed stoppage shall during the period between the first publication of the notice and the expiration of the last day for lodging objections be kept fixed in a conspicuous place at each end of the road proposed to be stopped.

If no objections are received the Council may, by public notice, declare that the road is stopped.

If objections are received, the Council shall, unless it upholds the objection, send the objection/s to the Environment Court (at the applicant's expense).

Following public notification that the road has been stopped, the change of appellation is registered at LINZ.