

Council

Meeting of 19 August 2026

Business Unit: Corporate
Date Created: 01 July 2026

Adoption of the Road Stopping Policy

Purpose Te Aronga o te Pūrongo

To seek Council's adoption of the proposed Road Stopping Policy, attached as Annex A.

Recommendations Ngā Tūtohunga

1. That the Council adopts the Road Stopping Policy, attached as Annex A, with effect from 19 August 2026.
2. That the Council delegates authority to the Chief Executive to make minor editorial amendments to the Road Stopping Policy prior to publication, provided those amendments do not alter the policy's intent.

OR

3. That the Council does not adopt the Road Stopping Policy and continues to process road stopping applications through the use of internal procedures.

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1 Background Ngā Kōrero o Muri

- 1.1 Council is responsible for considering proposals to stop formed and unformed legal roads within the Manawātū District.
- 1.2 Road stopping is the legal process used to remove the status of “road” from land. Once stopped, the land may be retained, transferred, sold, vested, amalgamated or used for another lawful purpose.
- 1.3 Council currently has no formal governance policy for road stopping. Applications have been assessed under the applicable legislation and existing operational practice.
- 1.4 The increasing complexity of road stopping matters, particularly those involving unformed legal roads, public access, infrastructure, historic land acquisition, offer-back obligations and mana whenua interests, has highlighted the need for clearer governance direction.
- 1.5 The proposed framework addresses this by separating the governance principles and decision-making requirements contained in the Road Stopping Policy from the detailed administrative processes contained in supporting Road Stopping Guidelines.
- 1.6 During the development of the draft policy, officers identified a need for a framework that provides clear governance direction while retaining sufficient flexibility to manage the operational and statutory requirements of individual road stopping proposals.
- 1.7 The proposed framework therefore separates:
 - a Road Stopping Policy; and
 - separate Road Stopping Guidelines, templates, checklists and process flowcharts.
- 1.8 Under this approach, the policy provides the overarching governance framework, purpose, principles and decision-making expectations. It includes:
 - the scope of the policy;
 - the matters Council will consider when assessing proposals;
 - the basis for selecting the statutory pathway;
 - decision-making and delegation requirements;
 - legal and disposal requirements;
 - record-keeping expectations; and
 - confirmation that Council retains discretion whether to proceed.
- 1.9 The Road Stopping Guidelines will contain the operational detail required to administer applications, including:
 - application requirements;
 - assessment criteria;
 - land status and acquisition history checks;

- internal consultation and engagement requirements;
- process steps under the Local Government Act 1974 and Public Works Act 1981;
- valuation, legal, survey and cost-recovery requirements;
- templates, checklists and flowcharts; and
- reporting and record-keeping processes.

1.10 Separating governance policy from operational guidance provides a clearer distinction between Council's decision-making role and staff administration. It also allows operational processes to be updated as legislation, legal advice or practice changes without requiring frequent formal amendment of the policy.

1.11 The draft policy was introduced to Council at a workshop on 5 August. Elected Members discussed the need for a consistent framework, particularly in relation to paper roads, public versus private benefit, public access, future infrastructure needs and Council discretion.

1.12 The draft policy has been informed by external legal advice. The legal feedback considered the statutory pathways, land disposal and offer-back obligations, compensation considerations and the overall legal robustness of the framework.

2 Strategic Fit Te Tautika ki te Rautaki

2.1 The proposed policy supports Council's strategic priority, *A future planned together*, by ensuring that decisions about public road land take account of current and future community access, connectivity and land-use needs.

2.2 The policy supports *Infrastructure fit for future* by requiring consideration of whether road land may be needed for future transport connections, public access, infrastructure or utility services.

2.3 The policy contributes to *Value for money* and excellence in local government by establishing a transparent and consistent decision-making framework, clarifying roles and responsibilities, and reducing the risk of avoidable legal or procedural error.

2.4 The policy also supports *An environment to be proud of* by requiring consideration of environmental, heritage and planning matters before road land is stopped or disposed of.

3 Discussion and Options Considered Ngā Matapakinga me ngā Kōwhiringa i Wānangahia

3.1 Council currently does not have a formal governance policy for road stopping. Road stopping proposals have therefore been assessed under the relevant legislation and existing operational practice on a case-by-case basis.

3.2 The absence of a consistent policy framework for road stopping is particularly relevant to unformed legal roads, commonly referred to as paper roads. Although these roads may never have been physically formed, they remain legal roads unless formally stopped and may retain public access, connectivity, infrastructure, environmental or future strategic value.

3.3 A road that appears unused or forms part of a paddock may still provide access to adjoining land, rivers, reserves or other public areas, or may be required for a future transport or utility

connection. This means that road stopping proposals cannot be assessed solely on the basis of the road's current physical use.

3.4 Two options have been considered.

Option 1 – Adopt the proposed Road Stopping Policy

3.5 Under this option, Council would adopt the proposed policy and support it with operational guidelines, templates, checklists and process flowcharts.

3.6 This option would:

- provide a consistent and transparent governance framework;
- improve the distinction between governance and operational responsibilities;
- reduce the risk of inconsistent decision-making;
- strengthen consideration of public access and future strategic value;
- improve legal and procedural robustness; and
- retain Council's discretion to assess each proposal on its merits.

Option 2 – Retain the current approach

3.7 Under this option, Council would continue to assess road stopping proposals under the relevant legislation and existing operational practice without adopting a formal policy.

3.8 This option would avoid introducing a new policy but would retain the existing risk of:

- inconsistent assessment of similar proposals;
- limited transparency for applicants and the public;
- insufficient distinction between road stopping and land disposal;
- inadequate consideration of the public value of paper roads; and
- greater reliance on case-specific legal and operational interpretation.

Preferred Option

3.9 Officers recommend Option 1. The proposed policy provides a proportionate governance framework while retaining flexibility through separate operational guidelines and case-by-case assessment.

3.10 Adoption of the policy will not create an entitlement for an applicant to have a road stopped. Council will retain discretion whether to initiate, continue, discontinue or complete a proposal, even where statutory and procedural requirements can be satisfied.

3.11 The expected outcome is a clearer, more consistent and legally robust approach for Council, applicants and the community.

3.12 The decision before Council is therefore whether to establish a formal governance framework for road stopping. Adoption of the policy will not determine the outcome of any individual road stopping proposal, which will continue to be assessed on its merits and in accordance with the applicable statutory process.

4 Risk Assessment Te Arotake Tūraru

- 4.1 The proposed Road Stopping Policy introduces a clearer and more transparent framework for considering road stopping proposals.
- 4.2 A key risk under the current approach is that applications may be assessed inconsistently or without fully considering the current and future public value of the road land.
- 4.3 This risk is particularly relevant to paper roads, which may appear unused but may still provide public access, connectivity, infrastructure corridors or future strategic value.
- 4.4 There remains a risk that individual applicants or affected parties may disagree with Council's decision. This risk cannot be removed entirely, but it can be mitigated through transparent assessment, compliance with statutory processes and clear reasons for decisions.
- 4.5 The proposed framework is intended to support consistent, transparent and legally robust decision-making and is consistent with Council's averse-to-minimalist appetite for legal compliance risk.

5 Engagement Te Whakapānga

Significance of Decision

- 5.1 The Council's Significance and Engagement Policy is not triggered by matters discussed in this report. No stakeholder engagement is required.
- 5.2 The proposed policy establishes a governance framework for future decisions. It does not itself stop any road, dispose of any land, remove public access or determine the outcome of any individual proposal.
- 5.3 The policy has been informed by operational experience with road stopping matters, identified legal and procedural risks, examples of policies used by other local authorities, Elected Member workshop feedback and external legal review.

Māori and Cultural Engagement

- 5.4 The adoption of the policy does not itself affect any particular area of land or identified mana whenua interest. Accordingly, specific engagement with mana whenua has not been undertaken as part of the adoption of the policy.
- 5.5 The policy recognises that mana whenua interests and engagement requirements may arise in individual proposals. Engagement will be considered on a case-by-case basis where a proposal may affect mana whenua interests, values, Treaty settlement obligations or land of cultural significance.

Community Engagement

- 5.6 No formal community engagement has been undertaken as part of the development of the policy.
- 5.7 Individual road stopping proposals will continue to be subject to the notification, consultation, objection and decision-making requirements of the applicable legislation.

6 Operational Implications Ngā Pānga Whakahaere

- 6.1 The proposed policy is not expected to create significant additional operational impacts for Council.
- 6.2 Council already considers and administers road stopping proposals as part of normal business activity. The proposed framework formalises and clarifies existing responsibilities.
- 6.3 The revised structure is expected to improve operational efficiency by:
- providing clearer guidance for staff and applicants;
 - reducing uncertainty around assessment requirements;
 - supporting more consistent internal consultation; and
 - clarifying when legal, valuation or specialist advice is required.

7 Financial Implications Ngā Pānga Ahumoni

- 7.1 There are no financial implications with this report.
- 7.2 Applicants for third-party road stopping proposals will generally be responsible for the costs associated with the process, including legal, survey, valuation, advertising, LINZ and staff costs, in accordance with Council's Fees and Charges and operational guidelines.
- 7.3 The clearer framework may reduce the risk of avoidable costs arising from procedural error, incomplete assessment or inappropriate selection of statutory process.

8 Statutory Requirements Ngā Here ā-Ture

- 8.1 There are no statutory requirements for this report.

9 Next Steps Te Kokenga

- 9.1 Subject to Council adopting the Road Stopping Policy, staff will:
- complete any minor editorial amendments authorised by Council;
 - finalise the supporting Road Stopping Guidelines, templates, checklists and process flowcharts;
 - publish the policy on Council's website and policy register;
 - update relevant application forms and public information;
 - apply the policy to road stopping proposals received after its operative date.

10 Attachments Ngā Āpitihanga

- Annex A: Road Stopping Policy