

Within Central Otago there are numerous instances where the formed roads lie outside the legal road reserve and encroach onto private property.

Traditionally this has not really been an issue for property owners, and there has been an acceptance of this situation.

This situation is a historic one, and for the last 10 years surveys have been undertaken to ensure that new roads have been constructed in the correct location.

What to do if this a problem for you

Council has a set annual budget for purchasing land where formed roads are not located within their legal alignment.

Actioning of encroachments is prioritised based on:

- ◆ The extent of the encroachment
- ◆ The proportion of the property affected
- ◆ The effect of the encroachment on the property owners ability to use the land
- ◆ The length of time since Council was advised of the encroachment

What happens if a gravel road is on my property?

If you think a gravel road is located within your property boundary, and this is a problem for you then you should contact us.

We will look at the location on our GIS plans, and if the road is clearly on your property, and the road can be moved back onto its legal alignment easily, then we will shift the road next time we are re-gravelling.

What happens if a sealed road is on my property, or the gravel road cannot be shifted?

You will need to arrange for a legal survey to be undertaken to show that there is an actual encroachment.

If the survey shows that there is an encroachment then Council will refund the property owner the cost of reasonable survey expenses. These costs will be refunded when our annual budget provisions allow.

How is compensation calculated?

If land is purchased as a result of the road not being in the correct location, then compensation will be paid as required under the Public Works Act.



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So you think a road is
within your property
boundary?

