

## Legacy Bylaw Provisions on Construction in the Road Corridor and Other Public Places

Confirmed 29 October 2015

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## Auckland City Council Bylaws: Bylaw No.6 - Construction 2008, full bylaw

### **Bylaw No. 6 - Construction 2008**

#### **Explanatory note**

*The Building Act 2004 and the Building Regulations 2004 are the principal building control documents and these documents establish minimum building standards for most activities. This bylaw addresses building and construction related issues not addressed by the Building Act or Building Regulations or other legislation.*

*This bylaw establishes the placement and minimum height requirements for verandahs, balconies and awnings extending over public places and allows council to remove such structures if they do not comply with this bylaw. Provisions also allow the council to request building owners to temporarily remove verandahs, balconies and awnings to enable construction work to occur beneath or near to them.*

*On rare occasions, council is asked to approve projections over public places, such as architectural features and opening windows that are less than 2.5 metres above a public place. This bylaw allows an authorised officer to consider such requests, and approve them if they are considered reasonable.*

*This bylaw also defines the responsibility of owners regarding drains serving private properties and addresses other issues relating to drainage such as the sharing of common drains and the construction of drains intended to become public drains. The bylaw requires construction sites to be provided with sanitary facilities (e.g. portaloos), requires provisions to be implemented to prevent surface runoff containing silt entering onto other land, drains or bodies of water and from debris being deposited on the road from vehicles leaving building works. Provision relating to the use of public places, construction, excavation and demolition activities seek to protect public safety .*

*Sanitary drainage in the Isthmus and Central Area of Auckland City is provided by Metrowater (a council-controlled organisation) on its terms and conditions. Please refer to Metrowater for further information.*

*Street damage deposit charges and the alteration, construction, repair and removal of vehicle crossings are addressed by the bylaw.*

*Notes in italics are not parts of this bylaw, but are intended to explain the contents of the bylaw or give further information on matters within the bylaw.*

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## **6.1 Interpretation and Definitions**

### **6.1.1 In this bylaw unless the context requires otherwise:**

Authorised Officer means any officer of the Auckland City Council or (where relevant) of any council controlled organisation, authorised to carry out or exercise the duties of an officer under this bylaw.

Applicant in relation to any street damage deposit means any person who pays a street damage deposit.

Architectural Feature means any part of a building or any attachment to a building extending out from the external building line over land owned, under the control or managed by the council.

Awning means a lightweight structure with either a permanent covering material or a moveable canvas, plastic or similar material that may be erected in situations where district plan rules do not require verandahs.

Balcony means a platform enclosed by a railing or balustrade projecting from or recessed into the face of a wall of a building or structure and constructed to take all loads imposed upon it.

Building work means the same as in section 7 of the Building Act 2004.

CCO means a council-controlled organisation as defined in Part 6 of the Local Government Act 2002 in which the council has control (by itself or jointly with other local authorities). As at the date this bylaw comes into force, it includes Metrowater and any CCO that replaces Metrowater.

Public place -

- a. means a place-
  - i. that is under the control of the council; and
  - ii. that is open to, or being used by, the public, whether or not there is a charge for admission; and
- b. includes-
  - i. a road, whether or not the road is under the control of the council; and
  - ii. any part of a public place.

Vehicle crossing means a formed access for vehicles to enter or leave private land from or to a road.

Verandah includes a porch, portico, shade, or covering (but does not include an awning) over any public place for the purpose of shade or shelter, together with any supports therefore.

### **6.1.2 Reference in this bylaw to the council drainage system, or to public drainage or a public sewer, or drainage operated or owned by the council shall include drainage systems provided, operated, managed, controlled or owned by a CCO (for example, Metrowater)**

## 6.2 Verandahs, Balconies and Awnings

### *Permission from an authorised officer*

- 6.2.1 No person shall erect, cause to be erected or altered, any verandah, balcony or awning over any public place except with the permission of an authorised officer. An authorised officer may impose conditions relating to the materials to be used in construction and design of the structure to ensure the public place is protected and that maintenance and cleaning operations in the public place are not hindered.

- 6.2.2 The junctions between a new verandah and any adjoining existing verandah shall be made waterproof.

*District plan requirements may require building owners to build verandahs over the footpath in various parts of the city. A resource consent as well as a building consent may be required for any verandah, balcony or awning attached to a building especially if this protrudes over a public place.*

- 6.2.3 The council may require an airspace lease in respect of any verandah, balcony or awning that protrudes over a public space.

### *Minimum height*

- 6.2.4 The minimum height of any part of the underside of a verandah, balcony, or awning shall be three metres above the finished surface level of the public place beneath it.

*District plan requirements may also set a maximum height for the verandah.*

### *Width*

- 6.2.5 Every verandah, balcony or awning extending over a public place shall be of the suspended type. A verandah, balcony or awning over a footpath shall not be closer to the kerb line than 500 millimetres, measured as a vertical line drawn from the face of the kerb, unless an authorised officer specifically approves its design.

### *Standing on verandahs*

- 6.2.6 No person shall stand on any verandah erected over a public place except for the purpose of inspection, maintenance or egress in the case of fire.

### *Lamps*

- 6.2.7 No person shall erect or suspend from any verandah, balcony or from the face of any building any lamp or gas appliance over or across any public place except with the permission of an authorised officer. The height of any such lamp or gas appliance shall be not less than 3 metres above the public place below.

### *Maintenance of verandah, balcony or awning*

- 6.2.8 Any verandah, balcony or awning over a public place shall be maintained in a clean and waterproof condition and a state of good repair by the owner of the building.

### *Removal of non-complying structures*

- 6.2.9 Where any verandah, balcony or awning does not comply with the provisions of this bylaw the council may serve a notice in writing requiring the owner of the building to which the verandah, balcony or awning is attached to clean, repair, pull down, alter or remove the verandah, balcony or awning so that it complies with this bylaw and/or the relevant requirements of any applicable district plan rule.

- 6.2.10 Where any person fails to comply with any notice under clause 6.2.9 within the time specified in the notice an authorised officer may have the verandah, balcony or awning cleaned, repaired, pulled down, altered or removed, as the case may be. The cost incurred in doing so shall be recoverable by the council as a debt from the owner.

- 6.2.11 Any verandah, balcony or awning removed by the council shall be released to the owner upon payment of the costs incurred in its removal, transport and storage.
- 6.2.12 An authorised officer may, by written notice to the owner of a building with a verandah, balcony or awning over a public place, require the temporary removal of that verandah, balcony or awning, to enable construction work to take place near to or beneath that structure.
- 6.2.13. The removal and reinstatement of the verandah, balcony or awning and the building consent for such work shall be at the cost of the person or organisation responsible for the work requiring such removal and reinstatement.
- 6.2.14. Where written notice is given to an owner under clause 6.2.12 above the owner must apply for any building consent necessary under the Building Act 2004 for the building work involved in removing and reinstating the verandah, balcony or awning. Such an application must be made within one month of receiving notice under clause 6.2.12 above, and is to be made in accordance with specifications for that building and as contained in the notice to the owner.
- 6.2.15. The council may reduce the width of any verandah or awning before its reinstatement, if any activities within the public place necessitate such a reduction or to comply with the council's district planning or bylaw requirements.

### **6.3 Projections from Buildings**

#### *Projection - architectural features*

- 6.3.1 Architectural features at a height of not less than 3 metres above the level of a formed footpath, or 4.5 metres above ground level where no footpath has been formed, may project over a public place with the approval of an authorised officer.

#### *Air space lease*

- 6.3.2 The council may require an airspace licence in respect of any architectural feature to which clause 6.3.1 applies.

#### *Hoisting materials*

- 6.3.3 Nothing may be fitted to any building for the hoisting of materials of any nature over a public place except with the permission of an authorised officer.
- 6.3.4 No foundations relating to the temporary support for any crane are to be constructed in, on or under a public place.
- 6.3.5 Except with the prior approval of an authorised officer no ground anchors for any crane are to be constructed in, on or under a public place without prior approval of an authorised officer. The council may require a lease to be entered in respect of any ground anchors for any crane that are to be constructed in, on or under a public place.

#### *Windows over public places*

- 6.3.6 No opening portion of a window, which opens out over a public place, shall be less than 2.5 metres above the public place except with the permission of an authorised officer.

#### *Foundation projections*

- 6.3.7 No foundation shall project beyond the boundary or building line under a public place provided that an authorised officer may, if it is considered that the projection will not injuriously prejudice the installation of underground services of any nature, permit a projection not exceeding 200 millimetres, where the depth below ground level to the top of the projection exceeds 2 metres.

## **6.4 Drainage**

### *Legislation*

- 6.4.1 This bylaw shall be read subject to the provisions of Part 26 of the Local Government Act 1974.

*Provisions relating to stormwater are also covered in council's Stormwater Management bylaw 2008.*

### *Private drains*

- 6.4.2 The owner of a building or premises shall be responsible for any private drains serving his/her property up to and including the connection to the public sewer irrespective of whether that connection is on his or her property or not.

### *Work on private connections*

- 6.4.3 A private connection to a public sewer may only be constructed, repaired or renewed with a building consent where this is required or with the consent of an authorised officer in any other case.

### *Abandoning connections*

- 6.4.4 The owner of any drain connected to a public sewer shall advise the council before abandoning that connection to the public sewer and shall comply with any conditions required by an authorised officer for that abandoning.

### *No sharing of private drainage*

- 6.4.5 Notwithstanding section 459(2)(a) of the Local Government Act 1974, no lot shall share a private drain with another lot unless approved by an authorised officer, and in granting such approval an authorised officer may set such conditions as he or she considers appropriate.
- 6.4.6 No person shall, without prior written permission from an authorised officer, cause or allow any wastewater from any well or hydraulic appliance, or any subsoil or surface drainage, roof water or condensing water to enter any foul water sewer or any drain connected to such sewer.

## **6.5 Public Sewers and Drains**

### *Materials and standards*

- 6.5.1 All foul water and stormwater drains and drainage which are intended to become public drains (pursuant to section 462 of the Local Government Act 1974 or as a condition of a subdivision consent or otherwise) shall comply strictly with standards of work issued by the council or the CCO. Such standards may include, but need not be limited to, requirements and specifications for materials, design capacity, construction techniques, the testing and certification of work, the provision of "as built" plans, and minimum diameters of pipe work, manholes and other parts of the works.
- 6.5.2 Approval of the CCO shall be obtained prior to any work commencing on drainage that is to become public drainage. This is in addition to obtaining any necessary building consent.
- 6.5.3 No person shall connect any private drainage to any public drainage system until the public drainage system has passed adequate testing to the satisfaction of the CCO.

## **6.6 Construction Sites**

### *Sanitary conveniences to be provided*

- 6.6.1 Every person undertaking building work shall provide adequate readily accessible sanitary conveniences for all persons engaged on that work.
- 6.6.2 Every sanitary convenience provided in accordance with [clause 6.6.1](#) shall be sited in such a position as not to create a nuisance or cause offence to persons, either in a public place or to persons residing or working in any premises adjacent to or near the site where building work is being undertaken.
- 6.6.3 Every sanitary convenience provided in accordance with [clause 6.6.1](#) shall be maintained in a clean condition at all times.

### *Surface water run-off*

- 6.6.4 Every person undertaking building work shall at all times, from the commencement of construction or commencement of site works until building work is completed, ensure that adequate provision to the satisfaction of the council is made for the protection of other land (including streams, roads, and drains) from surface water run-off.

### *Clean road*

- 6.6.5 A person in charge of a construction or demolition site or conducting construction or demolition works on a site shall, if required by an authorised officer, ensure that mud and dirt and other debris is removed from vehicles prior to their departure from the site if there is a likelihood of that debris being deposited in any public place.

## **6.7 Public Safety**

### *Permit*

- 6.7.1 No person shall, for the purpose of carrying out any excavations, demolition, construction, building or building maintenance work, obstruct, operate on, over, or under, or deposit material on any footpath, carriageway or other public place except pursuant to a permit issued by an authorised officer.

*See also similar provisions in the Public Places Bylaw 2008*

### *Permit conditions*

- 6.7.2 Any permit issued in accordance with clause 6.7.1 including any permit for a safety fence, hoarding, gantry, scaffolding or other safety issues shall be issued subject to any conditions, restrictions and limitations as an authorised officer considers necessary or desirable to ensure the safety and convenience of the public and the protection of any public place.

## **6.8 Demolition**

- 6.8.1 Every person carrying out the demolition or removal of a building or part thereof above a plane of 45 degrees from the boundary of a public place shall comply with the following requirements:
- One storey only at a time shall be demolished or removed commencing from the uppermost level,
  - No material shall be stored or stacked upon any floor of the building,
  - All material shall be lowered to the ground as soon it has been displaced,



- d. No external wall or part thereof abutting on any street or public place shall be demolished or removed except at such time and under such conditions as an authorised officer may approve,
- e. No material shall be thrown onto any street or public place,

*Dust removal*

- f. Water shall be sprayed upon all displaced materials for the purpose of preventing or lessening the diffusion of dust arising from any demolition activity,
- g. A ball and crane or other mechanically-assisted demolition methods shall not be used on any building closer than the height of the building from the street frontage or within 12 metres of the street boundary (whichever is the greater) unless approval has been obtained from an authorised officer to close the public place adjacent to the work. The authorised officer may specify the amount of public place to be closed off to allow the work to be carried out without endangering public safety. Where an authorised officer so approves the contractor shall pay supervisory costs incurred by the council to maintain public safety,
- h. No portion of a building closer than its height from the public place shall be left standing when it is no longer stable unless arrangements have been made to the satisfaction of an authorised officer for the protection of the public in such circumstances,
- i. Where required by an authorised officer, demolition work shall be carried out under the supervision and control of a Registered Engineer and the confirmation of an Engineer's appointment shall be submitted by the applicant prior to the issue of a demolition permit,

*Footpath protection*

- j. A hoarding or gantry shall be erected to the requirements of Clause F5 of the New Zealand Building Code where in the opinion of an authorised officer there is a need to safeguard people or other property from demolition activities occurring on any land,

*Further requirements*

- k. The owner of any site shall comply with any requirements of an authorised officer during the progress of demolition or removal work, in connection with:
  - i. the safety and convenience of the public
  - ii. the protection of adjacent buildings, and
  - iii. the protection of the surface of the street and any other public place.

*Dispensations*

- 6.8.2 An authorised officer may in an appropriate case dispense with compliance with any of the requirements of clause 6.8.1.

## **6.9 Protection of Public during Building Operations or Building Maintenance**

- 6.9.1 No person shall erect any building or undertake maintenance on any part of a building adjacent to any public place if there is a likelihood of objects falling onto the public place until there has been erected a fence or hoarding or gantry or barrier so as to shut off and render safe the pedestrian and vehicular traffic using or which may use the adjacent parts of the public place. No such fence, hoarding, gantry or barrier shall be erected without first having obtained a building consent.

*Site fences, hoardings and gantries erected pursuant to clause 6.9.1 above shall comply with the requirements of Clause F5 of the New Zealand Building Code. Acceptable Solution F5/AS1 provides one acceptable solution to the requirements of F5.*

- 6.9.2 Where permission has been given for construction or maintenance of a verandah or other structure to be erected over a public place the necessary work shall be carried out at such times and in such a manner as an authorised officer shall approve having regard to the conditions of pedestrian and vehicular traffic. Where an authorised officer does not authorise the complete closure of the footpath affected then operations shall proceed over half of the footpath width at a time, with the remainder of the footpath being protected with an adequate hoarding, to the satisfaction of an authorised officer.

## **6.10 Lifting Material and Equipment over Public Places**

### *Hoisting materials*

- 6.10.1 The design of new buildings and their method of construction shall be carried out so far as is practicable to provide for the unloading and hoisting of materials and equipment on and over the building site itself and clear of any public place.

### *Permission to hoist*

- 6.10.2 No person shall undertake the mechanical hoisting of building materials or equipment from or over any public place without a permit from an authorised officer. Permission may be refused if an authorised officer is of the opinion that it is unnecessary for the air space above the public place to be used because building materials and equipment can reasonably be unloaded on or over the site from vehicles driven onto the building site and clear of the street, or that the building can reasonably be designed or redesigned so as to provide for off-street unloading operations during its construction.

### *Conditions*

- 6.10.3 An authorised officer in granting a permit pursuant to clause 6.10.2 may impose such conditions as are necessary to ensure the safety of the public, including persons on the public place who are engaged in the hoisting operations. The following conditions shall apply to every consent:

- a. Areas over which or from which hoisting is to be carried out must be coned, roped, fenced or barricaded off as directed by an authorised officer,

### *Gantry*

- b. A clearly defined and fully protected gantry type throughway or bypass, substantially constructed, must be provided for pedestrian use, over any footpath alongside any public place from which materials and equipment are to be hoisted. This protected throughway shall be to the approval of an authorised officer, and it shall extend along the full length of the frontage of the site. Where it is required by an authorised officer the protected throughway shall extend beyond the frontage of the building to provide radial protection to the footpath,
- c. Crane jibs may swing over unprotected public roadways and footpaths but not the loads hanging from them. The load must be luffed back over footpath gantries as soon as practicable and before slewing the jib so that loads are not at any time suspended over unprotected areas. No vehicle which is being unloaded from a coned off area shall move away until its last load has been hoisted clear of the roadway,
- d. The lifting or lowering of materials or equipment on trays without sides is prohibited. The tray must be enclosed on all sides to a height not less than the height of the load.

### *Insurance*

- 6.10.4 Insurance cover shall be taken out by the consent applicant for any construction work that may affect public safety indemnifying the council for a minimum amount of \$1,000,000 or as determined by an authorised officer, in respect of any claims for injury or damage to persons or property, such cover to be with a registered insurance office and in a form satisfactory to an authorised officer. An authorised officer may reduce or waive this requirement in the case of minor works when the risk is considered minimal.

## **6.11 Excavation**

### *Underpinning and Lateral Support*

- 6.11.1 Where any person proposes to carry out excavation at or steeper than a slope of 1 vertical to 2 horizontal from the ground level at an adjacent property boundary, or from any building foundations on any site, that person must provide information showing the measures to be taken to protect any existing buildings on that site from such excavation.
- 6.11.2. No excavation work shall be carried out until such time as sufficient information has been supplied to satisfy an authorised officer that the proposed work is satisfactorily designed to maintain the stability of the building(s), and the programme for excavation and underpinning is clearly laid out on the plans so that the building's stability is ensured during the operations.
- 6.11.3 Where excavation is to be carried out below this slope of 1 vertical to 2 horizontal satisfactory evidence must be produced to the council that the applicant has notified the adjoining owner/s of the proposed work. Copies of such notification shall be provided to an authorised officer.

*Where underpinning is proposed on the site of an existing building, a building consent must be obtained for that site and the authorisation of the owners of the building must be obtained. No building consent will be issued until an authorised officer has approved any underpinning measures considered necessary for the protection of the building.*

## **6.12 Street Damage**

### *Building work requires street damage deposit charge*

- 6.12.1 No person shall undertake any building work, which is building work included in the first schedule to this bylaw without having first paid to the council:
- a street damage deposit charge; and
  - a pre-works inspection fee (unless that person agrees that the condition of the road reserve is at least as good as that which exists on either side of the work site) and a post-works inspection fee.

For the avoidance of doubt, the person who pays the street damage deposit charge (the applicant) may be liable for inspection fees in addition to those referred to in paragraph (b) above.

### *Use of deposit*

- 6.12.2 An authorised officer may apply the street damage deposit charge payable under clause 6.12.1 towards any inspection fees charged by the council and unpaid, and towards the cost of any work or repair carried out by the council, during, or at the completion of building work, site work or excavation work to reinstate the road reserve to at least as good a state of repair as that which immediately preceded the commencement of the work.

### *Waiving of deposit*

- 6.12.3 An authorised officer may waive the requirement for the payment of a street damage deposit charge in whole or in part, where he or she determines that the building work, site work or excavation work proposed is unlikely to cause damage to the road reserve.

### *Refunding deposit*

- 6.12.4 At the completion of building work and after the issue of the code compliance certificate for the building work undertaken, the council shall refund any street damage deposit charge paid, less any deductions for inspection fees incurred and unpaid and any costs incurred by the council, including any reasonable administrative costs, to repair any damage to the road reserve arising from any building work, or site work.

- 6.12.5 If a street damage deposit charge is not sufficient to cover the inspection fees charged and the cost of any work undertaken by the council, including any reasonable administrative costs, to repair any damage to the road reserve arising from any building work or site work, the applicant will be liable for the balance.

*Warranty Period*

- 6.12.6 If the council identifies any defects within the warranty period in the repairs to the road reserve undertaken by the applicant as stated in the Street Compliance Report, the council may repair the defect and recover the costs incurred, including any reasonable administration costs, from the applicant.

*Recovery of Debt*

- 6.12.7 Any amount owing by the applicant to the council may be recovered by the council from that person or entity as a debt due in any court of competent jurisdiction.

## **6.13 Vehicle crossings**

- 6.13.1 No person shall construct, repair, remove or widen any vehicle crossing without a permit from council.
- 6.13.2 Any permit for works in relation to a vehicle crossing shall be subject to such conditions concerning thickness, dimensions, reinforcement and materials as the council or an authorised officer considers reasonably necessary to:
- a. protect the road, including any footpath or berm, adjacent to the vehicular crossing;
  - b. ensure the vehicle crossing can withstand the weight of vehicles likely to use it;
  - c. ensure safe and convenient use of the road by pedestrians and vehicles.
- 6.13.3 Every owner of land to which a vehicle crossing provides access, shall maintain the vehicle crossing in order to meet the requirements of clause 6.13.2. If in the opinion of an authorised officer, any crossing is in a bad or unsafe state of repair, or fails to meet the requirements of clause 6.13.2, the authorised officer may by notice in writing, require the owner of the land to which the crossing provides access, to repair, reconstruct, or renew such crossing to the satisfaction of the council. Every owner who fails to comply with such a notice within the period specified commits an offence against this bylaw.
- 6.13.4 If any owner of land is in default in carrying out works as required under clause 6.13.3, the council may carry out those works itself and recover from the owner the cost of doing so, together with reasonable administrative and supervision charges.

## **6.14 Setting of fees and charges**

- 6.14.1 The council may prescribe fees and charges for authorities, approvals, permits and consents under this bylaw in accordance with section 150 of the Local Government Act 2002.

*Fees, including the street damage deposit charge, lease fees and licence and permit fees, may be set as part of the council's long-term plan or annual plan.*

## First schedule

### Building work requiring a street damage deposit charge

Building work requiring a street damage deposit charge
Residential swimming pools and associated fences
Residential alterations and additions
New, single unit, single storey dwellings
Multi unit and multi storey dwellings
Commercial building work
Building work CBD area
All other building work requiring a building consent
Demolition and removal works
Pre-work, WIP and post work inspection fee

## **11. Vehicular Crossings**

- (1) Any person wishing to construct, repair, remove or widen any vehicular crossing shall first obtain a permit from Council. A fee will be applicable for the processing of applications for permits under this clause of the Bylaw. The amount of the fee will be set by the Franklin District Council from time to time, pursuant to section 150 of the Local Government Act 2002.
- (2) A permit issued by Council under sub-clause (1) may be subject to such conditions concerning dimensions and materials as the Council may consider reasonably necessary to protect the road (including any footpath or berm) adjacent to the vehicular crossing, and to ensure safe and convenient use of the road by pedestrians and vehicles.
- (3) No person shall drive, ride, propel, or wheel any motor vehicle across any footpath or water channel in any public place otherwise than upon a crossing properly constructed under the provisions of this Bylaw.
- (4) If, in the opinion of Council, any crossing is in a bad or unsafe state of repair, Council may by notice in writing, require the owner of the land which the crossing provides access to, to repair, reconstruct, or renew such crossing to the satisfaction of Council. Every such owner or occupier who fails to comply with such notice within the period specified shall commit an offence against this Bylaw.

Manukau City Consolidated Bylaw 2008: Chapter 5 - Construction, Development, Street Damage and Vehicle Crossings, full bylaw

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**EXPLANATORY NOTE:**

<i>Bylaw made using powers of</i>	<i>Local Government Act 1974 Local Government Act 2002</i>		
<b>Description</b>	<b>Date Made</b>	<b>Council Minute</b>	<b>Commencement</b>
<i>Bylaw first adopted by Council</i>	<i>26 Jun 2008</i>	<i>CL/JUN/737/08 CL/JUN/738/08 CL/JUN/745/08</i>	<i>01 Oct 2008</i>

*The purpose of this Chapter of this Bylaw is to:*

- (a) *provide for the control of public places and reserves in Manukau City, to enable people to use and undertake activities within these places, while ensuring public health and safety is maintained, obstructions are managed, inappropriate behaviour is avoided, and damage and mis-use of Council controlled land, structures and infrastructure is prevented.*
- (b) *effectively manage the installation of vehicle crossings on the city's roads in order to:*
  - (i) *Provide appropriate vehicular access to properties;*
  - (ii) *Minimise street damage associated with building and development activity.*

*This Chapter of the Bylaw –*

- (a) *controls fencing of boundaries and projections into public places;*
- (b) *controls construction activity in public places.*
- (c) *gives the Council the ability to adopt standards and specifications regarding the construction and location of vehicle crossings*
- (d) *requires property owners to install vehicle crossings to all properties prior to undertaking building or development work.*
- (e) *requires that vehicle crossings and temporary vehicle crossings be installed in compliance with permits and Council standards and specifications.*
- (f) *makes property owners responsible for repairing damage to roads, berms, footpaths and associated Council property which arises during building or development work on adjacent property, or responsible for paying the costs of having the Council repair the damage.*
- (g) *gives the Council the ability to set and charge inspection fees, and to take deposits against street damage.*

*This Chapter of the Bylaw should be read in conjunction with the entire Manukau City Consolidated Bylaw 2008 and other regulations affecting public places, parks, reserves, and the management of vehicle crossings and street damage that are not necessarily repeated within this Bylaw, including (but not limited to) the Resource Management Act 1991, the Building Act 2004, the Reserves Act 1977, District Plan, Regional Plans including the Auckland Regional Plan: Coastal, the Local Government Act 2002 and the Local Government Act 1974. This Explanatory Note is for information purposes only and does not form part of this Bylaw. Council resolutions made for this bylaw are attached also for information only and do not form part of this Bylaw.*

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## **1 Interpretation**

1.1 In this chapter, unless inconsistent with the context:

**BUSINESS ZONE** means any area for the time being zoned for business purposes in the District Plan.

**PUBLIC PLACE** means a place that is owned by or under the control of the Manukau City Council and that is open to, or being used by, the public. It includes Council controlled reserves, parks, civic areas, beaches and roads (including footpaths and carriageways).

**RESERVE** means:

- (a) land vested in or administered by the Council under the provisions of the Reserves Act 1977; or
- (b) Any park, domain or recreational area under the control or ownership of the Council.

**RURAL ZONE** means any area for the time being zoned for rural purposes in the District Plan and for the avoidance of doubt includes any area in the Special Rural 1 Zone, Puhinui Rural Zone, Mangere Puhinui Heritage Zone, or any Future Development zone.

**STREET DAMAGE** means damage to any road carriageway, planted or sealed berm, cyclepath, footpath, lighting standards, or other Council property sustained during building or land development operations and includes the undermining of any road due to excavation on adjacent property and collapse of any adjacent property onto a road.

**TEMPORARY VEHICLE CROSSING** means a temporary form of vehicle crossing designed to protect the road berm, footpath, and entrance to the road carriageway from damage associated with building or land development operations prior to the installation of a vehicle crossing.

**VEHICLE CROSSING** means a vehicular entrance providing access between any premises and the carriageway of the road fronting those premises, constructed over a footpath, kerb, berm, water channel or drain.

## **2. Exemptions**

2.1 Nothing in this bylaw limits the Council, its authorised officers or agents from undertaking works and services in public places, or restricts work authorised by the Council in public places.

## **3. Fencing of Boundaries and Projections into any Public Place**

3.1 No person may:

- (a) erect a fence which could cause injury to persons in a public place, except that electric fences and barbed wire fences are permitted for stock control purposes in a rural zone;
- (b) attach to any building or property any object or material which could cause injury to persons in a public place;
- (c) cause or permit drippings from the eaves or other projections of any premises or structure to fall upon a public place.



#### **4. Construction Activity in any Public Place**

4.1 No person may, unless they hold a permit issued by the Council:

- (a) place or leave, or cause or permit to be placed or left in, on or under a public place any building material, rubbish, debris, soil or other thing associated with or arising from any building activity;
- (b) make or dig, or cause or permit to be made or dug, in a public place any hole or excavation; or
- (c) blast any rock, stone, earth, timber, or other such material in, on, or near a public place.

#### **5. Vehicle Crossings**

5.1 Every owner or occupier of any premises that does not have a vehicle crossing that complies with the Council's standards regarding the construction and location of vehicle crossings and who:

- (a) applies for a building consent with respect to those premises; or
- (b) wishes to provide vehicular access to those premises;

must install a vehicle crossing that complies with the Council's standards regarding the construction and location of vehicle crossings.

5.2 Every person who installs a vehicle crossing or alters an existing vehicle crossing must:

- (a) first obtain a vehicle crossing permit from the Council; and
- (b) pay the prescribed fees and charges for the permit and for any vehicle crossing inspection; and
- (c) install or alter it in compliance with the requirements of the vehicle crossing permit.

5.3 Every person who undertakes building or development work on any premises for which a vehicle crossing that complies with the Council's standards regarding the construction and location of vehicle crossings has not yet been installed must:

- (a) obtain a permit for a temporary vehicle crossing; and
- (b) pay the prescribed fees and charges for the permit and any vehicle crossing inspection; and
- (c) install it in compliance with the requirements of the permit; and
- (d) remove it or replace it with a complying vehicle crossing prior to the passage of 6 months from the date of its installation.

5.4 If in the opinion of the Council any vehicle crossing is unsafe or in a poor state of repair, the Council may:

- (a) require the vehicle crossing to be removed; or
- (b) require that the owner or occupier of the premises to which the vehicle crossing provides access, repair the vehicle crossing to the standard prescribed by the Council's standards for vehicle crossings; or
- (c) require the repair or reinstatement of the vehicle crossing to the standard prescribed by the Council's standards, and require the owner, or occupier to pay to the Council such sum of money as shall be necessary for such work.

## **6. Street Damage Associated with Building or Development Work**

- 6.1 The Council may require the owners or occupiers of any premises (or their agents) to pay a street damage deposit and a street damage inspection fee prior to undertaking building or development work on any premises.
- 6.2 In every case where a road or other Council property has been damaged in association with building or development work on any premises:
- (a) the owner must repair the damage and reinstate the asset in accordance with the Council's standards; or
  - (b) when the owner fails to complete such a repair within the timeframe specified by the Council, then the Council may undertake such repair and the owner will be liable to meet the cost, less the value of any street damage deposit held by the Council in respect of those premises.
- 6.3 Every street damage deposit will be repaid by the Council on application, after:
- (a) works have been completed and, as appropriate, the Code Compliance Certificate for building work has been issued; and after
  - (b) Council inspection has verified that no damage has occurred or that all damage has been repaired and reinstatement completed in accordance with the Council's standards.

## **7 Powers of the Council**

- 7.1 The Council may from time to time by resolution make the following:
- (a) standards regarding the construction and location of vehicle crossings and temporary vehicle crossings;
  - (b) requirements for applications for a permit on the matters stated in clause 4.1;
  - (c) matters to be considered when deciding whether to grant a permit required by this bylaw;
  - (d) any conditions that may be imposed in any permit.
- 7.2 The Council may from time to time by resolution determine fees and charges:
- (a) for vehicle crossing permits and temporary vehicle crossing permits;
  - (b) as a deposit against street damage;
  - (c) for inspections of vehicle crossings;
  - (d) for inspections of street damage; and
  - (e) for any permit application for occupation of a public place and for the on-going monitoring and administration of a permit concerning the matters stated in clause 4.1.

# **ATTACHMENTS TO CHAPTER 5 CONSTRUCTION, DEVELOPMENT, STREET DAMAGE AND VEHICLE CROSSINGS**

## **OF THE MANUKAU CITY CONSOLIDATED BYLAW 2008**

### **FOR INFORMATION PURPOSES ONLY**

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#### **HISTORY OF THE ATTACHMENT**

<b>Description</b>	<b>Date Made</b>	<b>Council Minute</b>	<b>Commencement</b>
Attachment first adopted under 2008 consolidated bylaw	25 Sep 2008	CL/SEP/1083/08	01 Oct 2008

#### **INTRODUCTION**

Clause 7.1 of Chapter 5 Construction, Development, Street Damage and Vehicle Crossings of the Manukau City Consolidated Bylaw 2008 provides that the Council may by resolution adopt specifications for the construction of vehicle crossings.

Chapter 1 General Administration of the Manukau City Consolidated Bylaw 2008 contains provisions in relation to permits. This document consolidates, for information purposes only, the resolutions of the Council associated with Chapter 5 Construction, Development, Street Damage and Vehicle Crossings of the Manukau City Consolidated Bylaw 2008.

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#### **CONTENTS**

##### **Attachment A**

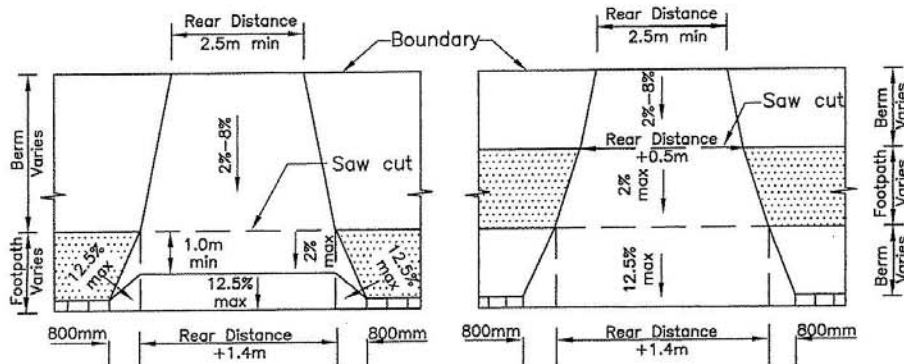
1. Standards for Residential, Commercial, Rural and Temporary Vehicle Crossings ..... 20

**ATTACHMENT A:**  
**STANDARDS FOR RESIDENTIAL, COMMERCIAL, RURAL AND TEMPORARY**  
**VEHICLE CROSSINGS**

1. In accordance with clause 7.1 of Chapter 5 Construction, Development, Street Damage and Vehicle Crossings of the Manukau City Consolidated Bylaw 2008, the Council by resolution has adopted the following standards for residential, commercial, rural and temporary vehicle crossings:
  - (i) *That the standards for residential, commercial, rural and temporary vehicle crossings shall be those contained in the Manukau City Council Engineering Quality Standards as at 30 May 2008, and any amendments thereto.*

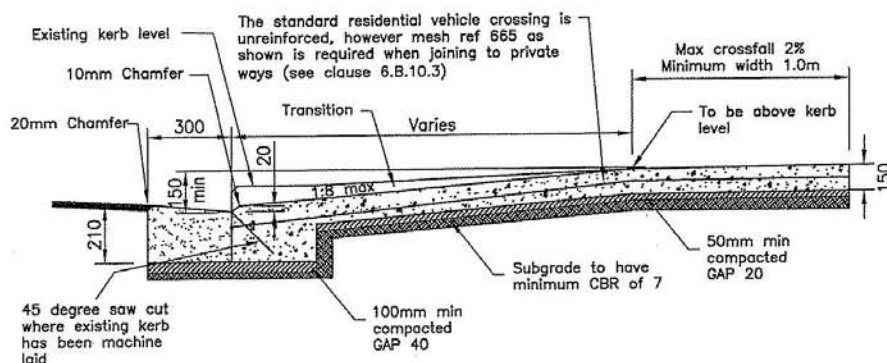
The standards for residential, commercial, rural and temporary vehicle crossings contained in the Manukau City Council Engineering Quality Standards as at 30 May 2008 are shown below for information purposes only.

## SECTION 6



VEHICLE CROSSING  
FOOTPATH ADJACENT TO KERB

VEHICLE CROSSING-FOOTPATH  
SEPARATED FROM KERB



### Notes:

- 1 All concrete to be 20 Mpa and constructed in accordance with NZS 3109 with a broom finish.
- 2 Saw cut expansion joints at 4m centres.
- 3 Mountable kerbs to be cut out before concrete placement.
- 4 Vehicle Crossings shall be designed to enable the 90 percentile car to use them without the grounding of any part of the vehicle.
- 5 The preferred footpath location is separated from the kerb and channel. In special circumstances footpaths may be constructed adjacent to the kerb with Engineer approval.



DETAIL:

RESIDENTIAL VEHICLE CROSSING

MANUKAU CITY COUNCIL

Engineering  
Quality  
Standards

DETAIL No:  
R9

UPDATED:  
MAR 2008

**SPECIFICATION****Domestic Vehicle Crossings****1. General:**

This specification sets the minimum standards required for the construction of domestic vehicle crossings for roads formed with concrete kerb and channel, dish channel or an edging strip. Depending on the nature of the site the Vehicle Crossing Officer may require additional work which will be identified at the time of the initial inspection.

Applicants should note that Council will not accept responsibility for, nor maintain vehicle crossings which have not been inspected by the Vehicle Crossing Officer.

**2. Type of Crossing:**

See attached drawing of standard crossing.

Applicants should note that the use of textured or coloured concrete from the back of the footpath to the street channel is not approved. If, in the future, the crossing needs to be repaired or replaced for any reason, plain white concrete will be laid to the boundary.

Cobblestones shall not be used under any circumstances.

**3. Vehicle Crossing Design:**

- (i) Vehicle crossings shall intersect with the carriageway at an angle between 45° and 90°.
- (ii) Vehicle crossings shall comply with the following minimum and maximum widths. This rule also applies to vehicle crossings shared by more than one property.

Vehicle Crossing Design	Minimum Width of Crossing <sup>A</sup>	Maximum Width of Crossing <sup>B</sup>	Total Width of Crossing at Kerb
Residential Vehicle Crossing serving one unit	2.5m	4.8m	Width at boundary plus 3m
Residential Vehicle Crossing serving 2-4 units	2.7m	4.5m	Width at boundary plus 3m
Residential Vehicle Crossing serving 5-15 units	4.5m	6.0m	Width at boundary plus 3m
Rural Vehicle Crossing Refer EQS drawing R23	3.0m	6.0m <sup>C</sup> 9.0m	



DETAIL:

**RESIDENTIAL VEHICLE CROSSING  
SPECIFICATION**

Engineering  
Quality  
Standards

DETAIL No:  
**R9A-1**

**MANUKAU CITY COUNCIL**

UPDATED:  
**MAY 2008**

Notes:

- A As measured at the boundary. Minimum widths may be increased as a condition of resource consent.
- B The maximum width measured at rear of footpath or at the boundary in absence of a footpath.
- C The maximum width may be increased to 9m where the crossing is required to be used to accommodate the tracking path of large heavy vehicles and to ensure compliance.
- D Ensure vehicle clearances comply as per EQS drawing R9C

4. Vehicle and Pedestrian Safety:

To ensure the safety of the public, barricades are to be erected and maintained (clear of the carriageway) at all times, with adequate warning lights in operation during the hours of darkness.

5. Inspection:

The applicant is required to arrange with the Vehicle Crossing Officer for the following three inspections:

(i) Before Construction Commences

For approval of the siting and for determination as to whether the existing concrete footpath will:

- (a) remain and become part of the vehicle crossing; or
  - (b) be broken out and removed;
- and that the crossing will be in a safe and practical location.

(ii) Before Placing of Concrete

For approval of excavation, boxing and concrete dimensions, gradient, etc.

(iii) On Completion

For approval of concrete placing, surface finish, removal of debris, restoration, etc.

For any of the above inspections, notice must be given 8 working hours prior to the required inspections. Please telephone (09) 262 8900 extension 8111. Vehicle Crossing Administration Officer, giving your name, telephone number and the location of the proposed crossing.



DETAIL:

RESIDENTIAL VEHICLE CROSSING  
SPECIFICATION

MANUKAU CITY COUNCIL

Engineering  
Quality  
StandardsDETAIL No:  
R9A-2UPDATED:  
MAY 2008

6. Excavation:

The crossing is to be excavated to the dimensions indicated on the accompanying drawings, with reference to the particular type being installed. Depth of excavation must allow for minimum of 25mm consolidated depth of 20mm all-in scoria or equivalent to be laid under 150mm depth of concrete. The surface of the excavation prior to the placing of scoria shall be firm, any soft ground shall be taken out and replaced with compacted hardfill.

Where the kerb and channel is cast in situ (continuous slip formed) the kerb shall be removed by saw cutting at the base of the kerb and at an angle not exceeding 45° from the vertical. The saw cut shall be minimum of 150mm deep.

7. Removal of Soil:

All excavated material including broken concrete and kerb blocks, is to be removed from the site and disposed of. No materials or equipment are to be left on the footpath or the carriageway at any stage.

8. Radius Blocks:

If radius blocks are required for the crossing, they can be purchased from and precast concrete products supplier at the owners expense.

9. Concrete:

Only factory made ready-mix concrete, delivered in mobile mixers, may be used. When the order is placed the following specifications must be stated:

High grade Concrete  
Minimum strength at 28days – 20Mps (2,500 p.s.i)  
Maximum slump – 100mm  
Minimum cement content – 280 kg/m<sup>3</sup>  
Maximum water/cement ratio – 0.66 by weight

At the time of final approval inspection, the Vehicle Crossing Officer may require to see the supply documents of delivery of the concrete stating that the above details have been complied with and the quantity of concrete delivered.



DETAIL:

RESIDENTIAL VEHICLE CROSSING  
SPECIFICATION

MANUKAU CITY COUNCIL

Engineering  
Quality  
StandardsDETAIL No:  
R9A-3UPDATED:  
MAY 2008



10. Surface Finish:

This shall comprise of the following three consecutive steps:

## (A) Screed Finish

The finishing operations shall consist of levelling and screeding the concrete to produce a uniform density and a plain surface, surplus concrete being struck off with a straight edge immediately after compaction followed by

## (B) Hand Trowelled Finish

Trowelling shall be done with a smooth steel trowel and shall not commence until the moisture film has disappeared and the concrete has hardened sufficiently to prevent excess laitance forming on the surface, followed by

## (C) Broomed Finish

The finished surface shall be given a light brooming to produce a uniform non-slip to match the adjoining path.

11. Protection and Curing:

Steps must be taken to protect the new surface from the effects of heavy rain, pedestrian and other traffic. During hot weather, and other times at the discretion of the Vehicle Crossing Officer, curing of the concrete is to be affected by means of covering with damp hessian, sand, curing membrane or other means for a period of not less than three days.

12. Time of Completion:

After excavation has commenced the concrete must be completely poured within eight calendar days. Any extensions of this time will be at the Vehicle Crossing Officer's discretion.

13. Final Approval:

Should the crossings so constructed not meet with the requirements it will not be registered and, at the discretion of the Vehicle Crossing Officer it may be demolished and reconstructed at the applicant's and/or owner in the event of repair being required in the future.



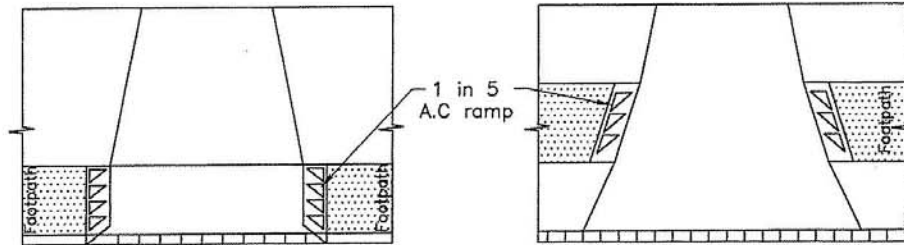
DETAIL:

RESIDENTIAL VEHICLE CROSSING  
SPECIFICATION

MANUKAU CITY COUNCIL

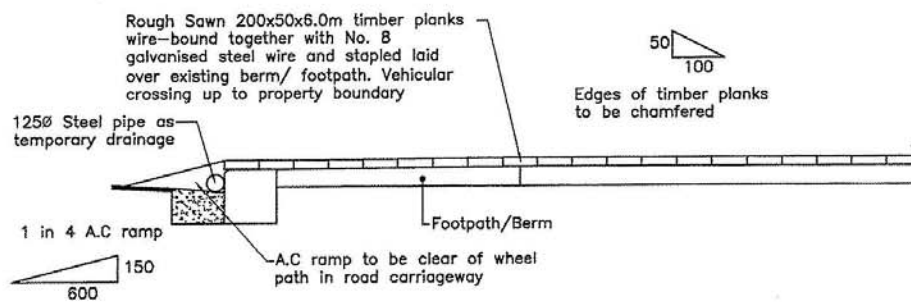
Engineering  
Quality  
StandardsDETAIL No:  
R9A-4UPDATED:  
MAY 2008

## SECTION 6



VEHICLE CROSSING  
FOOTPATH ADJACENT TO KERB

VEHICLE CROSSING-FOOTPATH  
SEPARATED FROM KERB



Asphaltic Concrete should be Mix 10 in accordance with Transit NZ Specification



DETAIL:

TEMPORARY VEHICLE CROSSING INTO  
RESIDENTIAL PROPERTIES TO PROTECT  
EXISTING FOOTPATH AND UTILITIES

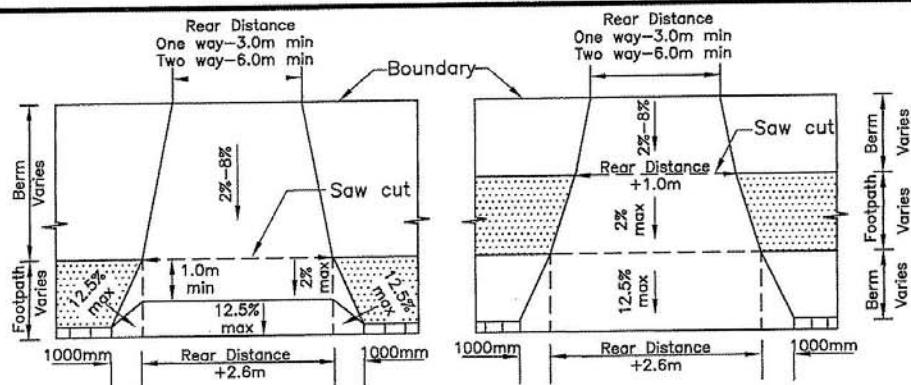
**MANUKAU CITY COUNCIL**

Engineering  
Quality  
Standards

DETAIL No:  
**R9B**

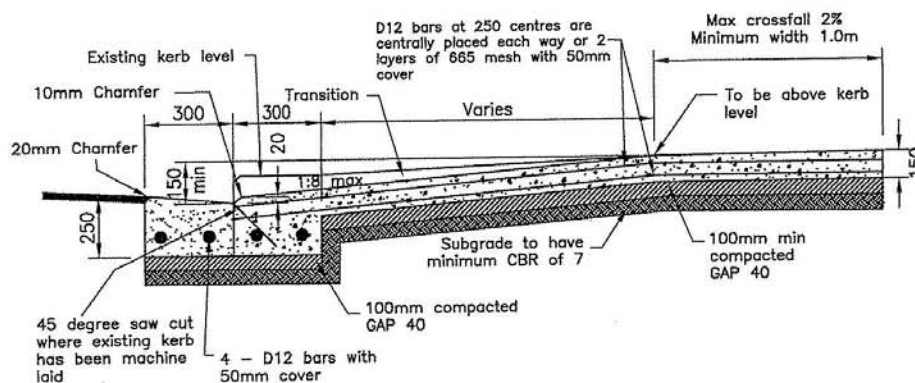
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**APR 2008**

## SECTION 6



VEHICLE CROSSING  
FOOTPATH ADJACENT TO KERB

VEHICLE CROSSING  
FOOTPATH SEPARATED FROM KERB



### NOTES:

- 1 All concrete to be 20 Mpa and constructed in accordance with NZS 3109 with a broom finish.
- 2 Saw cut expansion joints at 4m centres.
- 3 Mountable kerbs to be cut out before concrete placement.
- 4 Vehicle Crossings shall be designed to enable the 90 percentile car to use them without the grounding of any part of the vehicle.
- 5 The preferred footpath location is separated from the kerb and channel. In special circumstances footpaths may be constructed adjacent to the kerb with Engineer approval.



MANUKAU  
City Council

DETAIL:

NON-RESIDENTIAL/BUSINESS VEHICLE  
CROSSING

MANUKAU CITY COUNCIL

Engineering  
Quality  
Standards

DETAIL No:  
R10

UPDATED:  
MAR 2008

SPECIFICATIONCommercial Vehicle Crossings1. General:

This specification sets the minimum standards required for the construction of domestic vehicle crossings for roads formed with concrete kerb and channel, dish channel or an edging strip. Depending on the nature of the site the Vehicle Crossing Officer may require additional work which will be identified at the time of the initial inspection.

Applicants should note that Council will not accept responsibility for, nor maintain vehicle crossings which have not been inspected by the Vehicle Crossing Officer.

2. Type of Crossing:

See attached drawing of standard crossing.

Applicants should note that the use of textured or coloured concrete from the back of the footpath to the street channel is not approved. If, in the future, the crossing needs to be repaired or replaced for any reason, plain white concrete will be laid to the boundary.

Cobblestones shall not be used under any circumstances.

3. Vehicle Crossing Design:

- (i) Vehicle crossings shall intersect with the carriageway at an angle between 45° and 90°.
- (ii) Vehicle crossings shall comply with the following minimum and maximum widths. This rule also applies to vehicle crossings shared by more than one property.
- (iii) All vehicle crossings serving non-residential activities within the primary road network, or within roads which the centreline is defined shall be designed to accommodate the swept path of the largest vehicle expected to use it. When turning left the vehicle must not be required to cross the road centreline.

Vehicle Crossing Design	Minimum Width of Crossing <sup>A</sup>	Maximum Width of Crossing <sup>B</sup>	Total Width of Crossing at Kerb
Non-Residential Activities: One Way Two Way	3.0m 6.0m	6.0m <sup>C</sup> 9.0m	Width at boundary plus 4.6m
Crossing serving rear lots Business 5 and 6 zone	6.0m	9.0m	Width at boundary plus 4.6m
Rural Vehicle Crossing Refer EQS drawing R23	3.0m	6.0m <sup>C</sup> 9.0m	



MANUKAU  
City Council

DETAIL:

NON RESIDENTIAL/BUSINESS  
VEHICLE CROSSING  
SPECIFICATIONS

MANUKAU CITY COUNCIL

Engineering  
Quality  
Standards

DETAIL No:

R10A-1

UPDATED:

MAY 2008

## SECTION 6

### Notes:

- A As measured at the boundary. Minimum widths may be increased as a condition of resource consent.
- B The maximum width measured at rear of footpath or at the boundary in absence of a footpath.
- C The maximum width may be increased to 9m where the crossing is required to be used to accommodate the tracking path of large heavy vehicles and to ensure compliance.
- D Ensure vehicle clearances comply as per EQS drawing R9C

### 4. Vehicle and Pedestrian Safety:

To ensure the safety of the public, barricades are to be erected and maintained (clear of the carriageway) at all times, with adequate warning lights in operation during the hours of darkness.

### 5. Inspection:

The applicant is required to arrange with the Vehicle Crossing Officer for the following three inspections:

#### (i) Before Construction Commences

For approval of the siting and for determination as to whether the existing concrete footpath will:

- (a) remain and become part of the vehicle crossing; or
  - (b) be broken out and removed;
- and that the crossing will be in a safe and practical location.

#### (ii) Before Placing of Concrete

For approval of excavation, boxing and concrete dimensions, gradient, etc.

#### (iii) On Completion

For approval of concrete placing, surface finish, removal of debris, restoration, etc.

For any of the above inspections, notice must be given 8 working hours prior to the required inspections. Please telephone (09) 262 8900 extension 8111. Vehicle Crossing Administration Officer, giving your name, telephone number and the location of the proposed crossing.



DETAIL:

NON RESIDENTIAL/BUSINESS  
VEHICLE CROSSING  
SPECIFICATION

Engineering  
Quality  
Standards

DETAIL No:

R10A-2

UPDATED:

MAY 2008

MANUKAU CITY COUNCIL

6. Excavation:

The crossing is to be excavated to the dimensions indicated on the accompanying drawings, with reference to the particular type being installed. Depth of excavation must allow for minimum of 25mm consolidated depth of 20mm all-in scoria or equivalent to be laid under 150mm depth of concrete. The surface of the excavation prior to the placing of scoria shall be firm, any soft ground shall be taken out and replaced with compacted hardfill.

Where the kerb and channel is cast in situ (continuous slip formed) the kerb shall be removed by saw cutting at the base of the kerb and at an angle not exceeding 45° from the vertical. The saw cut shall be minimum of 150mm deep.

7. Removal of Soil:

All excavated material including broken concrete and kerb blocks, is to be removed from the site and disposed of. No materials or equipment are to be left on the footpath or the carriageway at any stage.

8. Radius Blocks:

If radius blocks are required for the crossing, they can be purchased from and precast concrete products supplier at the owners expense.

9. Concrete:

Only factory made ready-mix concrete, delivered in mobile mixers, may be used. When the order is placed the following specifications must be stated:

High grade Concrete

Minimum strength at 28days – 20Mps (2,500 p.s.i)

Maximum slump – 100mm

Minimum cement content – 280 kg/m<sup>3</sup>

Maximum water/cement ratio – 0.66 by weight

At the time of final approval inspection, the Vehicle Crossing Officer may require to see the supply documents of delivery of the concrete stating that the above details have been complied with and the quantity of concrete delivered.



DETAIL:

NON RESIDENTIAL/BUSINESS  
VEHICLE CROSSING  
SPECIFICATION

MANUKAU CITY COUNCIL

Engineering  
Quality  
Standards

DETAIL No:  
R10A-3

UPDATED:  
MAY 2008

## SECTION 6

### 10. Surface Finish:

This shall comprise of the following three consecutive steps:

#### (A) Screed Finish

The finishing operations shall consist of levelling and screeding the concrete to produce a uniform density and a plain surface, surplus concrete being struck off with a straight edge immediately after compaction followed by

#### (B) Hand Trowelled Finish

Trowelling shall be done with a smooth steel trowel and shall not commence until the moisture film has disappeared and the concrete has hardened sufficiently to prevent excess laitance forming on the surface, followed by

#### (C) Broomed Finish

The finished surface shall be given a light brooming to produce a uniform non-slip to match the adjoining path.

### 11. Protection and Curing:

Steps must be taken to protect the new surface from the effects of heavy rain, pedestrian and other traffic. During hot weather, and other times at the discretion of the Vehicle Crossing Officer, curing of the concrete is to be affected by means of covering with damp hessian, sand, curing membrane or other means for a period of not less than three days.

### 12. Time of Completion:

After excavation has commenced the concrete must be completely poured within eight calendar days. Any extensions of this time will be at the Vehicle Crossing Officer's discretion.

### 13. Final Approval:

Should the crossings so constructed not meet with the requirements it will not be registered and, at the discretion of the Vehicle Crossing Officer it may be demolished and reconstructed at the applicant's and/or owner in the event of repair being required in the future.



DETAIL:

### NON RESIDENTIAL/BUSINESS VEHICLE CROSSING SPECIFICATION

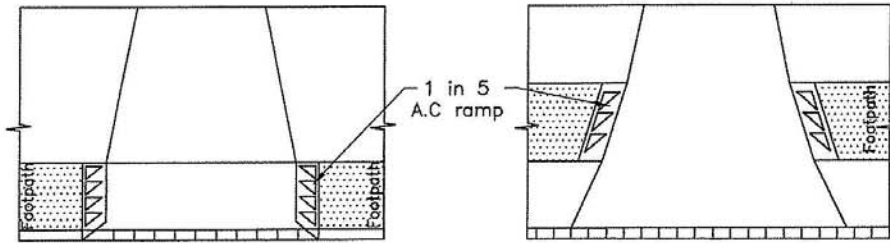
MANUKAU CITY COUNCIL

Engineering  
Quality  
Standards

DETAIL No:  
R10A-4

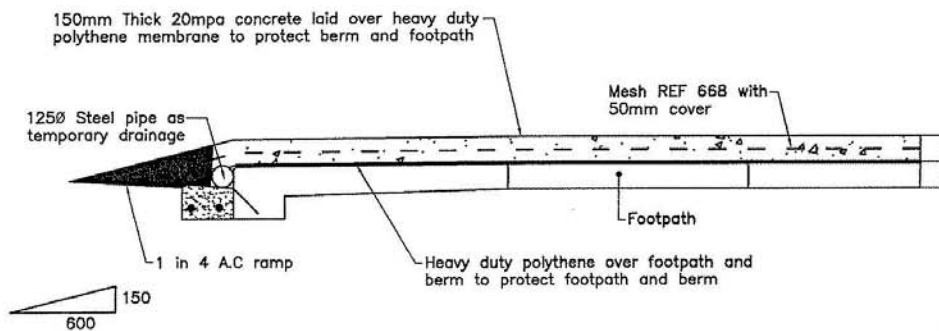
UPDATED:  
MAY 2008

## SECTION 6



VEHICLE CROSSING  
FOOTPATH ADJACENT TO KERB

VEHICLE CROSSING  
FOOTPATH SEPARATED FROM KERB



Asphaltic Concrete should be Mix 10 in accordance with Transit NZ Specification



MANUKAU  
City Council

DETAIL:

TEMPORARY VEHICULAR CROSSING INTO  
NON-RESIDENTIAL/BUSINESS PROPERTIES TO  
PROTECT EXISTING FOOTPATH AND  
UTILITIES

MANUKAU CITY COUNCIL

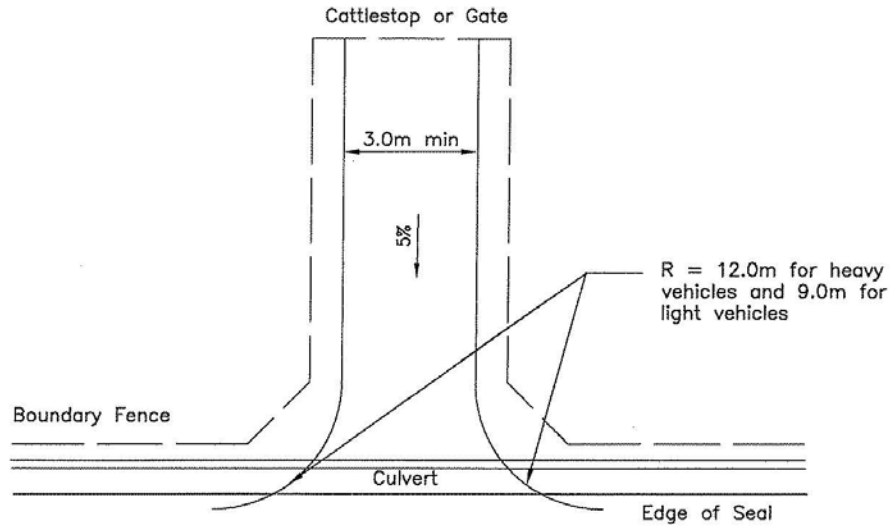
Engineering  
Quality  
Standards

DETAIL No:  
R10B

UPDATED:  
APR 2008



## SECTION 6



### Notes:

1. Road water channel culvert pipe (Class Z RCRRJ pipe), to have minimum 300mm diameter and minimum length of 4.8m.
2. 200mm minimum depth of compacted basecourse material.
3. The sides of the vehicle crossing shall be retained by concrete edge strips, 150mm wide by 150mm deep, 20MPa concrete.
4. If entrance is to be frequently used by truck and trailer combinations it should be wider by 2.0m.
5. The vehicle crossing is to be sealed with 2 coat chipseal or 30mm of Mix 10 AC surface and extend a minimum of 2m behind the edge of seal.
6. Gate to be recessed back from roadway sufficient distance to allow any vehicle using the driveway to stop clear of the roadway traffic lanes while the gate is being opened or closed.



DETAIL:

RURAL VEHICLE CROSSING

Engineering  
Quality  
Standards

DETAIL No:  
R23

MANUKAU CITY COUNCIL

UPDATED:  
FEB 2006

## North Shore City Council Bylaw 2000: Part 13 Construction and Scaffolding, full bylaw

### EXPLANATORY NOTE:

*This part of the Bylaw deals with scaffolding, gantries, hoarding or barricades on or over public places, protection for the public, repairing and removing verandas and opening up a street or footpath. There is also a section dealing with construction impact plans.*

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## 13.1 SPECIFIC DEFINITIONS

These definitions apply specifically to this part of the Bylaw, in addition to the general definitions in Part 1: General Provisions:

<b>construction impact plan</b>	a plan setting out the ways that you are to avoid, remedy or mitigate all of the adverse effects of your construction work on the construction site, the public places next to the construction site, and any other adjacent property.
<b>construction site</b>	the land where the construction work is being, or will be, undertaken.
<b>construction work</b>	any work in connection with the construction, erection, installation, repair, maintenance, cleaning, painting, renewal, alteration, dismantling, excavation or demolition of any building or structure – whether or not that work is carried out on a public place. It includes putting up scaffolding, plumbing and drainage work and work on underground utilities (including water, sewage, power and telephone).
<b>veranda</b>	an awning, porch, portico or covering intended to provide shade or shelter over a public footpath or part of a road, and any supports other than the building which it is attached to.

## 13.2 CONSTRUCTION WORK

**13.2.1** You must not, without our written consent, do any of the following things in, on or over a public place or any part of a public place:

- (a) put up a scaffold, gantry, hoarding or barricade;
- (b) place any building material or building rubbish;
- (c) excavate or disturb the surface;
- (d) prepare building materials; or
- (e) place, put up or use any stationary engine, concrete mixer, air compressor, crane, hoist or other machinery.

**13.2.2** If you wish to put up, demolish, or alter, add to, repair, plaster, paint, or clean any external part of a building next to a public place, before you begin work you must either:

- (a) put up a fence or hoarding that shuts off and keeps traffic and/or pedestrians safe while they pass along the public place; or

- (b) obtain a certificate from us dispensing with a fence or hoarding.

### **13.3 DOCUMENTS**

All drawings, calculations and other data submitted to us must be signed by the architect, engineer or person who produced them or must otherwise identify that person, or that person's firm or organisation.

### **13.4 GRANTING CONSENTS**

**13.4.1** We may grant consent under clause 13.2 subject to any conditions necessary to:

- (a) keep the public safe; and
- (b) protect the street or public property.

**13.4.2** We may require you to take out insurance under a public liability policy for:

- (a) injury to people; or
- (b) damage to property

arising out of the work involved.

**13.4.3** Any consent we grant will be for a certain period of time, specified in the consent, which we consider necessary for the work to be undertaken. If you are unable to complete the work in the time specified in the consent, you must apply to renew the consent.

**13.4.4** We may by publicly notified resolution set a fee for granting a consent under this part of the Bylaw, which you must pay to us before you collect the consent.

**13.4.5** Granting a consent under this part of the Bylaw does not relieve you from any responsibility for:

- (a) accident or injury to people or property, or from compliance with the Building Act 1991; or
- (b) providing safeguards to protect users of any public place from danger due to any excavation or obstruction in a public place.

**13.4.6** If you are doing work that requires a building consent, you must apply for consent to erect the scaffolding, gantry, hoarding or barricade at the same time as you lodge your building consent application.

### **13.5 DEPOSITS FOR DAMAGE**

**13.5.1** We may fix a sum for a deposit to be paid to us. This deposit will be held as security for fixing any damage that you may cause to the public place or any property while carrying out building work.

- 13.5.2** If you damage a road or public place, we may serve notice on you requiring you to repair the damage and specifying the work that needs to be done.
- 13.5.3** If you do not carry out the reinstatement within the time given in the notice, we may carry out the work on your behalf; and
- (a) recover the cost of doing the work from you under the Local Government Act 1974; or
  - (b) deduct the cost of the work from the sum deposited by you.
- 13.5.4** When the work has been substantially completed, you may apply to us for a refund of the deposit, and on receiving the application, we may:
- (a) keep part or all of the deposit if there has been damage to the public place during building work; or
  - (b) refund you the deposit if we are satisfied that there is no likelihood of further damage.

## **13.6 WORK TO PROTECT THE PUBLIC**

- 13.6.1** If you are doing any work on a building which is adjacent to a public place, you must take all necessary steps to ensure the safety of people using the public place.
- 13.6.2** We may serve notice on you requiring you to take action to ensure the safety of pedestrians using the public place, and specifying the work that needs to be done within a particular time.

## **13.7 SCAFFOLDING, GANTRIES AND HOARDINGS**

- 13.7.1** If you want to put up scaffolding over any road, you must advise any affected utility operators (electricity or telephone) if there is likely to be any interference or if any alteration or adjustment is required and comply with their requirements.
- 13.7.2** If any scaffolding is supported on a veranda, you must provide us with:
- (a) full details of the loading and distribution of loads; and
  - (b) all available information regarding the veranda.

We may require you to provide additional support because of the added load of the scaffolding on the veranda, to our satisfaction.

- 13.7.3** We may require you to form a gantry over a footpath before putting up any scaffolding if we think it is necessary to protect the public. The gantry must:
- (a) allow pedestrians to pass beneath it;
  - (b) be constructed to our satisfaction; and

- (c) be constructed in a manner that prevents tools, dust, rubbish, or water falling on pedestrians, vehicular traffic, and adjoining properties.
- 13.7.4** If you receive a consent from us to erect scaffolding, you must keep the road or public place underneath the scaffolding clean at all times.
- 13.7.5** If a gantry is not required over the footpath, the lower stage of the scaffolding must be close-boarded, extending to a line with the outside edge of the kerb.
- 13.7.6** You must not deposit any material under any scaffolding on any part of a road.
- 13.7.7** We may require you to construct a boarded platform outside the scaffold, gantry or hoarding. The boarded platform must:
  - (a) be at least 1 metre wide; and
  - (b) have stout post rails and wheel kerbs on the outside of it; and
  - (c) be constructed outside the scaffold or enclosure.
- 13.7.8** If stormwater channels are covered over, you must make sure they are not obstructed.
- 13.7.9** The following further requirements apply to any hoarding, scaffolding or railing which you put up:
  - (a) if it encroaches onto any road you must paint, mark or illuminate it so that it is clearly visible at all times;
  - (b) you must not enclose fire hydrants in a way that would prevent them being easily accessible for use at all times;
  - (c) you must provide access to all underground services within the enclosed road area at all times;
  - (d) you must not enclose street lamps without our permission, and if we give permission, you must put up a temporary lamp or lamps outside the scaffold so that the public way is properly lighted;
  - (e) you must not transfer a consent to another person without our written consent; and
  - (f) you must not display any advertising matter of any description on any scaffolding, gantry or hoarding unless we have granted a licence for that material. However, you may erect a signboard of an approved size displaying information relevant to the building and the names of people or organisations connected with the design or construction of the building.

## **13.8 REPAIR AND REMOVAL OF VERANDAS**

- 13.8.1** If you own a building which has a veranda, you must maintain the veranda and keep it in good repair to our satisfaction.

- 13.8.2** You must not repair any veranda or other projection over a public place unless you have provided:
- (a) scaffolding; or
  - (b) any other safeguards required to prevent any tools or materials from falling on the public place.
- 13.8.3** We may pass a resolution revoking a consent to build a veranda if we consider that the safety or interests of the public require the removal of the veranda.
- 13.8.4** We may serve notice on you requiring you to remove the veranda from the building within a time specified in the notice. If you do not remove the veranda within that time, we may:
- (a) carry out the work at your expense and enter the building to remove the veranda; and
  - (b) recover the cost of doing the work from you under the Local Government Act 1974.
- 13.8.5** If you do not comply with our notice and we remove the veranda, we will not be liable:
- (a) for any work needed after the removal of the veranda;
  - (b) for any damage caused by the removal; or
  - (c) to pay any compensation for revoking the consent or removing the veranda.

## **13.9 OPENING UP A ROAD**

- 13.9.1** You may not open up any road unless you have first obtained consent from us.
- 13.9.2** Before opening up the road, you must check whether there are any services located under the road and, if so, their likely location.
- 13.9.3** When opening up a road, you must take all necessary steps to avoid damage to any services.
- 13.9.4** When you have finished the work under the road, you must reinstate the road to the condition it was in before the work started.

## **CONSTRUCTION IMPACT PLANS**

### **13.10 SUBMITTING A CONSTRUCTION IMPACT PLAN**

- 13.10.1** You must submit a construction impact plan to the Council if:
- (a) you wish to undertake any construction work; and
  - (b) the value of the construction work exceeds the level set out in appendix A.
- 13.10.2** You must not begin construction work until we have approved your

construction impact plan.

- 13.10.3** If you want to amend a construction impact plan, you must apply to an authorised officer. The officer will process the requested amendment as if the application was for a new construction impact plan.

## **13.11 APPROVAL OF A CONSTRUCTION IMPACT PLAN**

- 13.11.1** We will not approve a construction impact plan unless:

- (a) we are satisfied that the matters listed in Table 1, and any other adverse effects of the construction work, have been adequately addressed to our satisfaction, having particular regard to the assessment criteria in Table 1;
- (b) you have paid all fees, charges, deposits, and bonds for:
  - (i) the approval of the construction impact plan;
  - (ii) the estimated cost of monitoring compliance with the construction impact plan and any other part of the Bylaw;
  - (iii) the use of any public place in the course of construction work;
  - (iv) the alteration and reinstatement of road markings, traffic signs and parking restrictions; and
  - (v) the removal and/or replacement of any street furniture, utility services and trees on any public place.
- (c) the construction impact plan is consistent with the conditions of any resource consent we granted for the use of the property.

- 13.11.2** Subject to clause 13.11.3 below, we must approve or decline your construction impact plan within 10 working days from the time that we receive it.

- 13.11.3** We may advise you in writing that we have put the processing of the construction impact plan on hold until:

- (a) we receive adequate information necessary to address all of the relevant matters in Table 1; or
- (b) we receive further information to show how any adverse effects of the construction work will be avoided or mitigated.

## **13.12 COMPLIANCE WITH A CONSTRUCTION IMPACT PLAN**

- 13.12.1** You must carry out all of the work detailed in the approved construction impact plan.

- 13.12.2** The owner of a construction site is responsible for complying with the terms and conditions of the approved construction impact plan.

- 13.12.3** If you do not comply with the requirements of a construction impact



plan we may:

- (a) serve you with a notice requiring you to repair any damage to a public place and specifying the work that needs to be done. If you do not repair the damage or remove the obstruction within the time given in the notice, we may carry out the work on your behalf, and recover the cost of doing the work from you under the Local Government Act 1974; and/or
- (b) cancel any approval or consent given by us allowing you to use the public place to erect scaffolding or store materials or otherwise use it while undertaking construction work.

**13.12.4** If you do not comply with the construction impact plan, you must pay any additional monitoring and administration costs incurred by us.

**TABLE 1: CONSTRUCTION IMPACT PLAN**

<b>ACTIVITY</b>	<b>ASSESSMENT CRITERIA</b>
1. Service connections	Clearly located on plans; time when connections made; precautions for public safety; restoration details.
2. Pedestrian management & safety	How will pedestrians be protected if footpath used by development; provisions for pedestrian access, lighting of pedestrian accessways.
3. Vehicle access/egress	Identified on plan; methods to control effects on road users (traffic management, vehicle turning, etc.); prevention of damage to footpaths (eg heavy duty crossings), pedestrian safety at vehicle access points.
4. Silt, surface water and dust control	Methods identified including surface water discharge, treatment and disposal; methods to suppress airborne dust from site and/or crushing equipment, methods to keep public places clean and dry.
5. Loading/unloading of materials	Delivery timing; areas where activity will occur; precautions to protect public.
6. Material storage	Where; if on public place how long for; safety precautions.
7. Premix concrete handling	Truck and equipment location; duration of handling (hours, days, weeks); wash down facilities; delivery schedules.
8. Temporary structures in public places	Location; type of hoardings, shed, gantries etc; duration of placements.
9. Rubbish removal from site	Location of jumbo bins, rubbish containers; methods for removal, methods to keep public places and site clean, times of approval.
10. Lifting over public places	Location of lifting equipment and type; duration; timing; precautions to protect public safety.
11. Traffic management	Routes to and from site; vehicle parking and waiting areas; vehicle turning areas; signs to control traffic movement; estimated number and time of movements, hours of peak movements.
12. Noise management	Start times, finish times, duration; location of noisy equipment (eg crushing equipment); type of equipment to be used; noise reduction methods.

## **APPENDIX A: VALUES OF WORK FOR WHICH CONSTRUCTION IMPACT PLANS WILL BE REQUIRED**

- Any service connection work on a public place which is associated with construction work.
- Any demolition, construction, or excavation work of a value greater than \$20,000.
- Any construction work other than demolition or excavation with a value greater than \$500,000.
- Any construction work where the owner intends to use or has sought approval to use any public place outside the construction site.

## **2.11 Vehicle Crossings**

- 2.11.1 You must first get our written permission before you construct, repair, remove or widen a vehicle crossing.
- 2.11.2 You must not drive a vehicle across a footpath or water channel in a public place unless you use a properly constructed vehicle crossing.
- 2.11.3 If we believe that a vehicle crossing is in a bad or unsafe state of repair, we may require you, as the owner or occupier of the land to which it provides access, to repair, reconstruct or renew the vehicle crossing to council design standards at your cost and within a specified time.
- 2.11.4 We may require removal of redundant or unused vehicle crossings.

**9. Vehicular Crossings**

- 9.1 Any person wishing to construct, repair, remove or widen any vehicular crossing must first obtain a permit from the Council before undertaking any works.
- 9.2 A permit issued by the Council under clause 9.1 may be subject to such conditions concerning dimensions and materials as the Council may consider reasonably necessary to protect the road adjacent to the vehicular crossing, and to ensure safe and convenient use of the road by pedestrians and vehicles.
- 9.3 No person shall drive, ride, propel, or wheel any motor vehicle across any footpath or water channel in any public place otherwise than upon a crossing properly constructed under the provisions of this bylaw.
- 9.4 If in the opinion of the Council any crossing is in a bad or unsafe state of repair, Council may by notice in writing, require the owner of the land which the crossing provides access to, to repair, reconstruct, or renew such crossing to the satisfaction of Council. Every such owner or occupier who fails to comply with any such notice within the period specified shall commit an offence against this bylaw.

#### **4.0 CROSSINGS IN PUBLIC PLACES**

- 4.1 No person shall construct any crossing across any footway or water channel or repair, reconstruct, renew, or do any work whatsoever in connection with any existing crossing without the prior written consent of the Council or an authorised officer.
- 4.2 Any person proposing to construct, repair, reconstruct or renew any crossing shall make application in writing to the Council or any Authorised Officer who may:
  - (a) require payment to the Council of such sum of money as may be determined by the Council as necessary for the work and upon receipt of such sum carry out and execute such work itself as soon as practicable; or
  - (b) subject to the payment of a deposit and inspection fee determined by the Council or any authorised officer, permit the applicant to carry out the work to such standard as the Council or any authorised officer may specify, provided that the deposit shall be refunded if the work is completed to the satisfaction of the Council or any authorised officer; or
  - (c) refuse to carry out such work or to permit such work to be carried out if in its opinion the existence of any such crossing causes or may be likely to cause any danger or obstruction in any public place.

#### **5.0 TEMPORARY CROSSINGS IN PUBLIC PLACES**

- 5.1 No person shall take or drive a vehicle or permit the same to be taken or driven across any footway or water channel in the course of construction or other work on the adjoining property or to deliver or collect building or other materials used in connection therewith except with the prior written consent of the Council or any authorised officer.
- 5.2 Except with the permission of the Council or an authorised officer, all crossings constructed under this clause shall be lighted between sunset of one day and sunrise of the next day, and the street channels shall be left clear from obstacles.

#### **6.0 REINFORCING OF FOOTWAYS IN PUBLIC PLACES**

- 6.1 Where any land or premises is at any time or from time to time so occupied or used that, in the usual course of the business carried on at such land or premises, any materials, goods, merchandise, articles, or things whatsoever are, or are likely to be, dropped or deposited upon or conveyed across any footway, water channel or crossing in such a manner as to be likely to damage such footway, water channel or crossing the Council or any authorised officer may from time to time, by

notice in writing, require the owner or occupier of such land or premises to provide adequate reinforcement to such footway, channel, or crossing.