

keeping
public access
available and safe

Interpretations

- (1) "berm" means, the area between the property boundary and the kerb and channel.
- (2) "vehicle crossing" means, the area between the edge of seal and the property boundary set aside for permanent access
- (3) "road" means, the total area from property boundary on one side to the opposite property boundary.
- (4) "public space" means, any area set aside for general public use
- (5) "parking bylaw" means, the Hamilton City Council Parking Bylaw 2004
- (6) "amenity" means, facilities provided for the general public.
- (7) "work site" means the area on which physical works are being carried out.

Further information

Roads and Traffic Unit
Hamilton City Council
Garden Place
Private Bag 3010
Hamilton
Phone 838 6868



KEEPING

FOOTPATHS SAFE

FOR PEDESTRIANS



keeping public access available and safe

Hamilton City Council is committed to ensuring a safe environment for the general public and also promoting safe site work practises. This commitment is reliant on cooperation from all those involved in building, development and minor works.

As a builder, developer or contractor, what are my obligations in providing a safe footpath outside my work area?

The footpath and berm⁽¹⁾ adjacent to the site is not part of the Construction/Work site⁽⁷⁾. As part of your construction or minor works process you must,

- Ensure that the footpath is safe and usable by pedestrians, particularly for pushchairs, wheelchairs and mobility scooters.
- Ensure that vehicles do not use the footpath or berm to park.
- If vehicles need to cross the footpath and berm to access the site make sure they do not damage anything or create a health and safety issue.
- Sand pads used to 'protect' the footpath can cause problems eg; blocking catchpits, they are also difficult for the public to cross over. If the final location of the vehicle crossing⁽²⁾ is known, one option is to use that for site access.
- Other ways of protecting the kerb and footpath are preferable.
- You will be required to maintain safe access for the public along the footpath at all times.

What if I need to encroach into the public space?⁽⁴⁾

If you have considered all other options and feel it is necessary for you to encroach onto the footpath or berm area please discuss this with the Roads and Traffic Road Corridor Co-ordinator **before doing so**. They will advise Council requirements. For further enquiries phone 838 6868.

Legislation

It is an offence under Section 357 of the Local Government Act 1974 to obstruct or place material on the "road⁽³⁾". Council will require persons to remove such obstructions or recover costs incurred in having such obstructions moved. It is also an offence to park on the footpath and berm under the Parking Bylaw⁽⁵⁾, and you will be issued with an infringement notice.

How do I comply?

- Apply for "Temporary use of the Road Corridor" [Public space]⁽⁴⁾. These forms are available from Roads and Traffic Unit by phoning 838 6868 or download from our website: www.hamilton.co.nz keyword: Road corridor.
- There may be some costs dependant on the site location, size and conditions set by the Roads and Traffic Unit, these conditions will be primarily based on safety and amenity⁽⁶⁾.