

**From:** [Kylie Hook](#)  
**To:** [REDACTED]  
**Cc:** [Don Mudalige](#)  
**Subject:** RE: Kio Crescent asphalt repair  
**Date:** Wednesday, 29 April 2015 12:11:06 PM  
**Attachments:** [PrivateRoadsDrivewaysRoadSlips.pdf](#)  
[19960417PolicyOnDrivewayWithPublicPath.pdf](#)

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Hello [REDACTED],

Thank you for your enquiry, but unfortunately Kio Crescent is a private street and would be the property owners who reside in the street to maintain.

A half cost scenario would only apply to footpaths which are formed and are adjacent to the driveway access.

Council responsibility of maintenance stops at the edge of Kio Road as the entrance is deemed as private access on road reserve.

I have included below the relevant policy's regarding this discussions made by Council.

**WCC Driveway Policy:**

On 6 September 1995 Council reaffirmed that it would not provide assistance for the construction and maintenance of driveways except where specifically approved by Council (Unique circumstances must exist)

Following that 1995 decision there was some debate about what "except where specifically approved by Council (Unique circumstances must exist)" means so by Council resolution on 14 April 1996 it meant that "except where the driveway involved is also acknowledged by Council as a public footpath to the extent that it is a public footpath".

A copy of the 1995 and 1996 Reports and Council decision are attached:

**WCC Access Paths to Private Property on Road Resrve policy:**

Committee report recommendation to Council which was adopted: [Link to Policy on WCC website](#)

Report presented to Committed by Council Officers: [Report to Strategy and Policy committee](#)

Kind regards,

Kylie Hook

Area Roading Engineer | | Wellington City Council

P 04 803 8048 | M 021 227 8048 | F

E [.@..](#) | W [Wellington.govt.nz](#) |

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**From:** [REDACTED]  
**Sent:** Wednesday, 29 April 2015 7:50 a.m.  
**To:** Kylie Hook; Don Mudalige  
**Subject:** Fwd: Kio Crescent asphalt repair

Yesterday I sent an email (below), and talked to Kylie regarding the repairs to the Kio Crescent asphalt, I am asking Council to consider funding part of the repairs.

I understand the top part of Kio Crescent is on road reserve. I also think the very bottom part may also be on road reserve. I understand knowing this may make a difference in Council deciding to fund some of the repairs. I hope so !

As mentioned yesterday, we have quotes from a contractor (Baldwin Asphalts) to make repairs to the street. They are doing this at the same time as they undertake repairs on my driveway. As a result they have given the street a good price for the other repairs in the street, as they already have equipment and men on site. They are looking at starting the work late this week, or early next week (weather depending !).

Ideally we'd like Council to consider funding half of the cost of the street repairs (\$9,282,34). However any consideration to funding even a smaller amount of the repairs would be appreciated (e.g. to the amount in Leighton's quote for job number 2343798).

Your support in considering this request is much appreciated

Best regards

[REDACTED]  
Homeowner - [REDACTED]

Phone: [REDACTED]

Begin forwarded message:

**From:** [REDACTED]  
**Subject:** Kio Crescent asphalt repair  
**Date:** 28 April 2015 9:17:33 am NZST  
**To:** [xxxxx.xxxx@xxx.xxxx.xx](mailto:xxxxx.xxxx@xxx.xxxx.xx), [xxx.xxxxxxxxx@xxx.xxxx.xx](mailto:xxx.xxxxxxxxx@xxx.xxxx.xx)

Hi Kylie & Don,

Kio Crescent, Hataitai is in need of some repairs. The Council has scheduled Leighton Contracting to do some of the work (job num 2343798). However Kio Crescent is a Private Road. The 14 homeowners who use Kio Crescent have independently obtained quotes for undertaking repairs (these are attached). This work was going to take place this week in conjunction with asphalt work

being undertaken for 6 Kio Crescent, hence there are cost savings for the street repairs as the contractor already has equipment on site.

We understand that, at its discretion, Council will contribute towards half the cost of the repairs of Private roads. In this instance that would be \$9,282.34. We ask that Council please consider contributing in this instance. This road is used by 14 homeowners. The proposed repairs should provide a long lasting solution, negating the need for further repairs for some years to come.

Baldwin Asphalts, will be onsite this week, undertaking work at 6 Kio Crescent. Therefore we ask for a quick decision on whether Council can and will contribute towards this work.

Details of the proposed work are below, with quotes from the contractor attached.

If you have any questions please don't hesitate to call me. [REDACTED]

Best regards  
[REDACTED]

Homeowner - [REDACTED]

Phone: [REDACTED]

**From:** [REDACTED]

**Subject: Re: Kio Crescent asphalt repair**

**Date:** 21 April 2015 7:41:12 am NZST

**To:** [REDACTED]

**Cc:** [REDACTED]

Dear Kio Crescent Homeowners,

I now have formal quotes for the remedial asphalt work on Kio Crescent, and the drive way down 106 & 108 Te Anau Road.(attached). Total cost is **\$18,564.68**. This equates to a cost of \$1326.05 per household (including GST).

Baldwin Asphalts plan to start work next week. The work will take 3-4 days. They ask that you have your cars out of Kio Crescent by 8 am each morning. You will be able to bring your vehicles back in at 5 pm each night. I will let you know which day they are starting.

Four areas will be resealed	Sq Metres
1. Bottom section of Kio Crescent	145
2. Middle part of Kio Crescent	40
3. Top section of Kio Crescent	21
4. Driveway to 106 & 108 Te Anau Rd	10

As noted above total cost is \$18,564.68. Could you each please put \$1326.05 into the following account at Kiwibank:

[REDACTED]

Please put your address as a reference, when paying. It'll help me reconcile the payments - thanks

If you have any further questions or concerns, please call [REDACTED] or email me.

Best regards

[REDACTED]

**From:** [REDACTED]  
**Subject:** Kio Crescent asphalt repair  
**Date:** 18 April 2015 3:40:20 pm NZST  
**To:** [REDACTED]

[REDACTED]

**Cc:** [REDACTED]

[REDACTED]

Dear Kio Crescent homeowners,

Since 2013 we have been discussing repairs to Kio Crescent asphalt. Each month the cracks and holes get worse and worse, with the cost of doing the necessary repairs continually going up as a result. Next week we have a company coming to re-lay the asphalt outside our garage. So there is an opportunity to get the holes and cracks in the rest of the Crescent, repaired at the same time. This is a good option, as the asphalt company will give us a good price for fixing all the other holes in Kio Crescent, as they already have equipment onsite, to do our work. For example you would be avoiding a \$875 cost of getting the equipment to/from Kio Crescent.

I walked the length Kio Crescent with Troy Baldwin, of Baldwin Asphalts Friday morning. We identified four areas that need remediation.

1. The bottom end of Kio Crescent (outside 8 & 9 Kio Crescent, and 12 Kio Road)
2. The middle of Kio crescent (outside [REDACTED] (3 Kio Crescent),

and [REDACTED] (2 Kio Crescent))

3. The top of Kio Crescent (outside [REDACTED])
4. The top of road to 106 & 108 Te Anau Rd (outside [REDACTED])

#### Recommendation

We re-lay each of the above mentioned areas. While we could patch bits here and there in each of these areas, it would not last, and need further repairs relatively quickly. My strong recommendation is we address the repairs as follows:

1. **Bottom end of Kio Crescent** - re-lay asphalt from [REDACTED] garage to the end of Kio Crescent (145 sq metres)
  - the far end is basically at end of life and needs to be totally replaced
  - there are large cracks on both sides of the road next to [REDACTED] car port.
2. **Middle of Kio Crescent** - replace a 10 metres long section, across the full road width (40 Sq metres )
  - multiple small holes and cracks in this section
  - fixing these broken areas one by one would compromise the integrity of the surrounding asphalt, and it will be difficult to seal, and keep water out, so multiple, small, repairs would break down quickly
  - we will get a much higher quality outcome and longer lasting result by replacing the full 10 metre section.
3. **Top end of Kio Crescent** - replace a 16 metre section , 1.5 metres wide (24 sq metres)
  - section along the right hand side of the road, next to [REDACTED] fences is cracked
  - as above replacing the whole section will give a higher quality result.
4. **Top end of drive to 106 & 108 Te Anau Rd** - replace a 10 metre section, 1. metre wide (10 sq metres)
  - section along the right hand side of the road, next to [REDACTED] fence is cracked
  - as above replacing the whole section will give a higher quality result.

I'm still waiting for a formal quote from Baldwins (which I expect by Monday), however going by the price quoted by them for the work they are doing for us (and from quotes from two other asphalt companies), I think the cost will be between \$1200- \$1500 per household, if we split this by the 14 homeowners in Kio Crescent.

The cost is likely higher than you were expecting. However the longer we leave this, the cost will only increase as the road deteriorates and more needs repair. We have an opportunity, while Baldwin Asphalts are in the Crescent to get a quality job at a discounted price, because the equipment is on site.

Given the asphalt company is coming to do our work next week, we need to make a decision quickly. Please let me know if you have any objections to the above proposal and/or cost. If I don't hear from you by Monday night I'll take it everyone is in agreement and will ask Baldwin Asphalts to go ahead with the work.

If you want to discuss this further please call [REDACTED] or

email [REDACTED] me.

Best Regards

[REDACTED]



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WELLINGTON CITY COUNCIL  
Te Kaunihera ō Pōneke



Tūmeke Pōneke  
Wellington City Council

## ACTION SHEET

### CITYWORKS COMMITTEE

#### DECISION OF COUNCIL 6 SEPTEMBER 1995 - C145/95

The following decisions have been made by Council and are to be implemented by the officers as directed.

1215/17/CS

ITEM	ACTION REQUIRED	BY
W89/95	<b>ROADING OPERATIONAL POLICY REVIEW - PRIVATE ROADS - PRIVATE DRIVEWAYS - SLIPS</b>	
	Continue to implement the current policy for the upgrading and maintenance of private roads.	Roading Manager
	Continue to implement the current policy for the construction and maintenance of private driveways.	Roading Manager
	Implement the policy, for the clearance and reinstatement of slips on legal road, contained in the report of the Acting Roothing Manager that went to the 24 August 1995 Cityworks Committee meeting.	Roading Manager
	Produce and publicise information sheets which clearly explains the policy.	Roading Manager
	Identify all of the service policy inconsistencies created by the merger of Wellington and Tawa and that ongoing discussion with the Tawa Community Board on the delivery of services in their area take place.	Roading Manager

ITEM	ACTION REQUIRED	BY
W97/95	<b>80 KM/H SPEED LIMIT NGAURANGA GORGE</b>	Transportation & Traffic Manager
	Inform Transit New Zealand that Wellington City Council supports the proposal by Transit New Zealand to reduce the speed limit on Ngauranga Gorge to 80km/h.	
	Request that Transit New Zealand look at other methods to reduce speed on Ngauranga Gorge including illuminated signs.	Transportation & Traffic Manager
W98/95	<b>1996 STATEMENT HIGHWAY REVIEW</b>	Transportation & Traffic Manager
	Notify Transit New Zealand that the proposals for future State Highways in Wellington City, contained in the report of the Transportation & Traffic Manager dated 2 August 1995, are approved by Wellington City Council.	
W99/95	<b>REVIEW OF WELLINGTON CITY SPEED RESTRICTIONS</b>	Transportation & Traffic Manager
	Request that the Land Transport Safety Authority produce a single gazette notice for Wellington City using the speed limits proposed in the report of the Transportation & Traffic Manager dated 15 August 1995.	
W111/95	<b>FACILITIES MANAGEMENT CONTRACT FOR WATER SYSTEMS OPERATION</b>	Drainage & Water Supply Manager
	Write to the Wellington Regional Council (WRC) advising that, subject to the WRC Confirming that the action described below constitutes notice as required under clause A1.3 of the Facilities Management Contract (FMC) agreement with the WRC, the Council gives notice of its intention to consider tendering the FMC with a consequence that the contract could end at 28 February 1997.	

Sean Maxwell  
Committee Secretary  
8 September 1995



WELLINGTON CITY COUNCIL  
EXTRACT OF MINUTES  
Meeting of Wednesday 6 September 1995



Tūmēke Pōneke  
Wellington City Council

C145/95 CITYWORKS COMMITTEE  
Meeting of 24 August 1995  
(1215/17/CS & 1215/11/CS)

(REPORT 4)

**RESOLVED:**

Moved Councillor Foster, seconded Mayor Wilde;

*THAT the following recommendation be adopted:*

*Clause 1. ITEM W89/95 ROADING OPERATIONAL POLICY REVIEW  
- PRIVATE ROADS - PRIVATE DRIVEWAYS - SLIPS  
(1215/17/CS)(REPORT 4)*

- (a) *THAT the current policy for the upgrading and maintenance of private roads be reconfirmed:*
- (i) *No Council assistance.*
  - (ii) *Council will accept as public those private road which have been upgraded to public Roading standards and the land transferred to Council as legal road.*
- (b) *THAT the current policy for the construction and maintenance of private driveways be reconfirmed. No assistance except where specifically approved by Council on individual merit (unique circumstances must exist).*
- (c) *THAT the following policy be adopted for the clearance and reinstatement of slips on legal road;*
- (i) *Council will clear, stabilise and reinstate slips to fulfil its legal obligations to protect public property and support private property at the property boundary.*
  - (ii) *Council will not assist with the reinstatement of private access, except where the slip is the result of Council works subsequent to the construction of that access.*
- (d) *THAT information sheets for Public Education be produced and publicised which clearly explains the policy,*

**FILE**

*its justification, property owners responsibility advise can be obtained.*

- (e) *THAT all service policy inconsistencies created by the merger of Wellington and Tawa be identified, and become part of on-going discussion with the Tawa Community Board on the delivery of services in their area.*

The motion was put and CARRIED.

**NOTED:**

Councillor Hutchings and Lysaght requested that their votes be recorded against Sub-clause (b).

**RESOLVED:**

Moved Councillor Foster, seconded Mayor Wilde;

*THAT the following recommendation be adopted:*

*Clause 2. ITEM W97/95 80 KM/H SPEED LIMIT NGAURANGA GORGE (1215/17/CS)(REPORT 5)*

*THAT the Council supports the proposal by Transit New Zealand to reduce the speed limit on Ngauranga Gorge to 80km/h.*

Councillor Nicholls moved, seconded Councillor Prendergast, the following amendment;

*THAT the resolution be amended so that it refers to "the speed limit on the southbound portion of Ngauranga Gorge to 80km/h".*

Councillor Prendergast moved, seconded Councillor Hutchings the following amendment;

*THAT the following be added to the resolution "And that Transit New Zealand be asked to look at other methods to reduce speed on Ngauranga Gorge including illuminated lights."*

Councillor Prendergast's amendment was put and CARRIED.

Councillor Nicholls' amendment was put and a **SHOW OF HANDS CALLED**.

Majority decision 9:12

Councillor Nicholls' amendment was declared LOST.

Moved Councillor Foster, seconded Councillor Prendergast;

*THAT the following recommendation be adopted:*

*Clause 3. ITEM W98/95 1996 STATE HIGHWAY REVIEW  
(1215/17/ICS)(REPORT 6)*

*THAT the proposals for future State Highways in Wellington City, contained in the report of the Manager Transportation and Traffic dated 2 August 1995, are approved and that Transit New Zealand be notified of the Council's wishes.*

*Clause 4. ITEM W99/95 REVIEW OF WELLINGTON CITY SPEED  
RESTRICTIONS  
(1215/17/ICS)(REPORT 7)*


*THAT the Land Transport Safety Authority be requested to produce a single gazette notice for Wellington City using the speed limits proposed in the report of the Manager Transportation and Traffic dated 15 August 1995.*

*Clause 5. ITEM W111/95 FACILITIES MANAGEMENT CONTRACT  
FOR WATER SYSTEMS OPERATION  
(1215/17/ICS)(REPORT 10)*

*THAT the Chief Executive be instructed to write to the Wellington Regional Council (WRC) advising that, subject to the WRC confirming that the action described below constitutes notice as required under clause A1.3 of the Facilities Management Contract (FMC) agreement with the WRC, the Council gives notice of its intention to consider tendering the FMC with a consequence that the contract could end at 28 February 1997. It is proposed that a final decision on tendering will be made by Council in July 1996.*

The motion was put and CARRIED.

NOTED:

 Councillor Kedgley requested that her vote be recorded against Clause 3.

Lloyd Pallesen  
Committees Unit Co-ordinator

12 September 1995

## CITYWORKS COMMITTEE

### EXTRACT OF MINUTES

Meeting of 24 August 1995

W89/95    **ROADING OPERATIONAL POLICY REVIEW - PRIVATE ROADS -  
PRIVATE DRIVEWAYS - SLIPS**  
Report of the Acting Manager Roading  
(1215/17/CS) (REPORT 4)

#### RESOLVED AND RECOMMENDED TO COUNCIL:

- (a) *THAT the current policy for the upgrading and maintenance of private roads be reconfirmed.*
- (i) *No Council assistance.*
  - (ii) *Council will accept as public those private road which have been upgraded to public Roading standards and the land transferred to Council as legal road.*
- (b) *THAT the current policy for the construction and maintenance of private driveways be reconfirmed. No assistance except where specifically approved by Council on individual merit (unique circumstances must exist).*
- (c) *THAT the following policy be adopted for the clearance and reinstatement of slips on legal road;*
- (i) *Council will clear, stabilise and reinstate slips to fulfil its legal obligations to protect public property and support private property at the property boundary.*
  - (ii) *Council will not assist with the reinstatement of private access, except where the slip is the result of Council works subsequent to the construction of that access.*
- (d) *THAT information sheets for Public Education be produced and publicised which clearly explains the policy, its justification, property owners responsibilities and where advise can be obtained.*



Tumeke Pōneke  
Wellington City Council

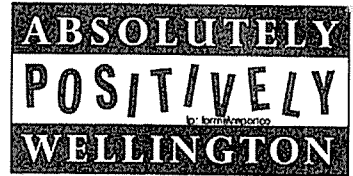
- (e) *THAT all service policy inconsistencies created by the merger of Wellington and Tawa be identified, and become part of on-going discussion with the Tawa Community Board on the delivery of services in their area.*

**NOTED:**

Officers will investigate the possibility of incorporating Wellington City Council's maintenance policy for private roads in the title of relevant properties.

Sean Maxwell  
Committee Secretary  
5 September 1995

EXTRACT



Tumeke Pōneke  
Wellington City Council

G Hughson Ext 3652

Enquiries to:

File Reference:

1215/17/CS

**REPORT FOR:** Cityworks Committee

**REPORT 4**

Mayor Wilde

Crs	Baber	Bonner
	Boyden	Foster
	Kedgley	Wade-Brown
	Watt	Weyburne

**FROM:** Acting Manager, Roading

**SUBJECT:** ROADING OPERATIONAL POLICY REVIEW  
PRIVATE ROADS - PRIVATE DRIVEWAYS - SLIPS

### 1.1 Purpose Of The Report

This report is to review the following roading operational policy areas;

- Maintenance of private roads (roads and rights of way on private property).
- Maintenance of private driveways on legal road.
- Reinstatement of slips on legal road.

The background and relevant issues are discussed and options evaluated for each policy area in Sections 2, 3 and 4 of the report. Although the issues relating to private roads and private driveways are similar they are considered separately in this report for clarity and completeness.

### 1.2 Background

Roading staff implement a wide range of formal and informal operational policies and procedures which define the level of roading services delivered, some of which have a significant impact on individual property owners. Many formal policies have not been reviewed for decades and others have developed in an ad-hoc manner and are not documented. Roading policies are generally not widely known or understood.

The Roading Department has a goal to formally record all roading policies and procedures in a Manual of Operational Guidelines to assist staff to carry out their work in an efficient, consistent and equitable manner in line with Council policy. The Guidelines will also provide a basis for demonstrating transparency to the public and Councillors in decisions made.

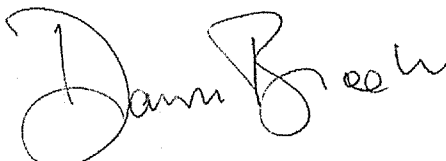
As the guidelines are developed it is intended to present a series of policy review papers for the consideration of Committee. The three policy areas covered by this report have been reviewed first because of current disputes involving the private road at Knoll Street, a shared private driveway in Cheshire Street, and a large slip in Mairangi Road.

The full range of roading policies and procedures which will be covered by Operation Guidelines are:

• <b>Construction &amp; Maintenance</b>	Carriageways	Kerbs & Channels	Sumps/ sump leads
	Footpaths	Bridges	Retaining walls
	Tunnels	Street berms	Bank stability (slips)
	Vehicle kerb crossings	Handrails/ fences	Pedestrian ramps
	Control of trenching		
• <b>Street Cleaning &amp; Growth Control</b>	Kerb/channel cleaning	Litter bins	Graffiti
	Sump cleaning	Posters	Growth cutting
	Cut growth removal	Weed spraying	Noxious plants
• <b>Private Facilities/ Development</b>	Utility use of roads	Driveways	Access paths
	Special f/path surfaces	Private roads	Encroachments
	Subdivisional devlpmt.	Vehicle crossings	House #'s on kerbs
	Beautification of roads		

### 1.3 Recommendations

1. Private Roads: That the current policy for the upgrading and maintenance of private roads be reconfirmed.
  - a) No Council assistance.
  - b) Council will accept as public those private roads which have been upgraded to public roading standards and the land transferred to Council as legal road.
2. Private Driveways: That the current policy for the construction and maintenance of private driveways be reconfirmed. No assistance except where specifically approved by Council on individual merit (unique circumstances must exist).
3. Slips: That the following policy be adopted for the clearance and reinstatement of slips on legal road;
  - a) Council will clear, stabilise and reinstate slips to fulfil its legal obligations to protect public property and support private property at the property boundary.
  - b) Council will not assist with the reinstatement of private access, except where the slip is the result of Council works subsequent to the construction of that access.
4. Public Education: That information sheets be produced and publicised which clearly explains the policy, its justification, property owner's responsibilities and where advice can be obtained.
5. Tawa Policies: That all service policy inconsistencies created by the merger of Wellington and Tawa be identified, and become part of on-going discussion with the Tawa Community Board on the delivery of services in there area.



Dawn Brook  
Group Leader  
**COMMISSIONING**



Graeme Hughson  
Acting Manager  
**ROADING COMMISSIONING UNIT**

## **2. POLICY - MAINTENANCE OF PRIVATE ROADS**

### **2.1 Background**

Private roads are built on private property to a lower standard than that specified for public streets in Council's 'Code for Urban Land Development', and their maintenance is the responsibility of property owners. They are created with land sub-subdivision to establish residential properties at the cost of the developer. The decision to create private roads is made by the developer to optimise the use of land and minimise development costs.

A survey identified 221 named private roads with a combined total length of 23 kilometres. The number of rights of way has not been assessed, but would probably exceed the length of private roads. There is a wide variation in the condition of private roads; typically maintenance is neglected and many are in very poor condition. The survey did not cover unnamed rights of way; although the number of these is not known it is likely that there are as many rights of way serving three or more properties as there are named private roads.

Work on private roads does not attract Transit NZ subsidy, qualification for which requires construction to public road standards, Council ownership of the land and a minimum of three properties served.

The equity of Council's 'no assistance' policy is questioned from time to time, and a request is currently being dealt with for assistance in upgrading a private road in Knoll Street.

Examples of private roads and rights of ways are shown in Appendix A

### **2.2 Current Policy**

The current policy is that Council offers no assistance for the maintenance and upgrading of private roads. The property owners are responsible for maintaining all features on the private road; carriageway, footpath, stormwater channels and sumps, berms, vegetation, retaining walls, handrails/ barriers and lighting (there are a small number of historical inconsistencies with the latter).

Council will accept as public road those private roads which have been upgraded to public road standards and the land transferred to Council for vesting as public road.

### **2.3 Discussion of Key Issues**

The table below outlines the main factors which need to be considered in reviewing the policy for the maintenance of private roads. These factors relate to Council's Operating Principles and strategies, legal obligations, public acceptance and transparency of its implementation.

Level of Acceptance	<p>The current level probably has a high level of acceptance by the general public; lower acceptance level by individual property owners affected.</p> <p>Reasons given for dissatisfaction include:</p> <ul style="list-style-type: none"> <li>• Individual financial burden and, in some instances, an inability to pay.</li> <li>• Wear and tear of private street by service vehicles (refuse trucks, etc.).</li> <li>• A lack of expertise to manage the asset.</li> <li>• Difficulties in getting collective agreement to undertake work and get payment from all.</li> <li>• Private streets have similar function to public ones; Council should fund.</li> </ul>
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Private/Public Benefit Assessment	<p>The benefit is mainly private.</p> <ul style="list-style-type: none"> <li>• Private streets primarily serve the needs of the owners.</li> <li>• Private streets are built because of economic benefits to the Developer (maximise land use and return on investments).</li> <li>• The general public are, or can be, excluded from using private streets.</li> </ul>
Equity of Current Policy	<p>There are no significant inequities in the current policy which would justify greater public expenditure.</p> <ul style="list-style-type: none"> <li>• <u>Benchmarks</u>: the policy is consistent with almost all NZ Local Authorities (Tawa is an exception; street surface maintenance is funded by Council).</li> <li>• <u>Level of Service</u>: Service level is lower, but this is reflected by lower purchase price and lower rateable value of property.</li> <li>• <u>Level of Choice</u>: Property owners have a choice whether to purchase a property served by a private street, and have the choice whether to upgrade to the standard acceptable for a public street.</li> <li>• <u>Consistency with other policies</u>: Consistent with private policy; inconsistent with half-cost footpath policy, although argument that Council should assist to provide a basic level of access to all properties is valid.</li> <li>• <u>Consistency of Application</u>: The policy has been applied consistently, but the merger with Tawa now creates an inconsistency.</li> </ul>
Core Business of Council?	<p>Maintaining and upgrading private roads serving small groups of properties is not a core business of Council.</p> <ul style="list-style-type: none"> <li>• Roading is provided and maintained primarily as a service for the public good, use and enjoyment.</li> </ul>
Legal Implications	<p>There are no legal implications requiring a policy change.</p> <ul style="list-style-type: none"> <li>• The Local Government Act 1974 gives Council power to construct, alter, upgrade, divert and repair all roads vested in Council, but does not compel.</li> <li>• The Council has no legal obligations unless a road is public.</li> <li>• The Council has legal power to enforce the maintenance of private streets, although this is very rarely done.</li> </ul>
Roading Asset Management Strategy	<p>Current policy is consistent with the Roading strategy adopted by Council.</p> <ul style="list-style-type: none"> <li>• The strategy is to maintain roading services at the current level, which is accepted as being lower than the average for New Zealand cities.</li> </ul>
Funding/ Financial Responsibility	<p>The efficient use of financial resources and the environment of reducing expenditure to core services suggest that policy changes here are not justified.</p> <ul style="list-style-type: none"> <li>• The work will not attract roading subsidy. The Transit NZ definition of private / public good is consistent with current Council policy.</li> <li>• The current roading budget is for maintenance of the existing level of service only. A policy change will require increased funding by Council.</li> </ul>
Public Safety	<p>Public safety isn't compromised by the current policy.</p> <ul style="list-style-type: none"> <li>• Safety aspects of private streets are the responsibility of the property owners concerned.</li> <li>• Council has no obligations except where the condition of private streets impacts on public safety; this is done by setting and monitoring standards and taking controlling action when necessary (closure, clearance of slips, notices to upgrade, etc.).</li> </ul>

## 2. Options

The options for enhancing the service discussed below relate to the level of Council contribution to the funding of maintenance and upgrading work, the extent of work covered and ownership.

### a) **Current Policy - No Assistance**

The existing policy is at the base level.

#### *Advantages*

High acceptance by general public  
 Lowest cost option  
 Consistent with intent of District Plan  
 Consistent with other related policies  
 Consistent with Council strategy  
 Least administrative cost

#### *Disadvantages*

Low acceptance by ratepayers affected  
 Lower standard of private road.  
 Inconsistent with Tawa private road policy

### b) **Cost Sharing For Maintenance**

Options relate to the:-

Type of Work Funded: The options and associated costs for maintenance are as follows.

- Maintain stormwater sumps	\$10,000 per annum
- Maintain lighting only	\$50,000 per annum
- Maintain carriageway only	\$110,000 per annum
- Full maintenance,	\$600,000 per annum

Level of contribution: Although the level of contribution could be set at any level, there is some rational in choosing from the values below.

- 10% Assigned public benefit where benefit is mainly private ('Mayoral Task Force' report).
- 50% Contribution for footpath cost share policy (paths servicing 3 or more properties).
- 57% Council share for subsidised works (i.e. private contribution set at the level of Transit NZ subsidy which can't be claimed on private roads).

#### *Advantages*

High acceptance by property owners affected  
 Encourages higher standard of private road  
 Higher level of roading service  
 Consistent with Tawa private road policy

#### *Disadvantages*

New funding requirement  
 Inconsistent with other related policies- will create greater demands (eg right of ways)  
 Compromises District Plan standards  
 High administrative costs

### c) **Upgrade & Maintain as Public Road**

Council meets the full cost of upgrading and maintenance, including costs associated with the transfer of land to legal road status. If this option is selected, it is important to achieve the same standard applicable for public roads; the cost of such a policy change is prohibitive.

#### *Advantages*

High acceptance by property owners affected  
 Very high level of service

#### *Disadvantages*

Low acceptance by general public  
 Inconsistent with other related policies- will create high service expectations.  
 Inconsistent with Corporate strategies  
 Prohibitive financial burden  
 Very high administration/ enforcement cost

The retention of the current policy is recommended. Given the strategic direction of Council and considering the policy issues discussed in Section 2.4 above a change to a higher level of service is not justified. Several points warrant further discussion.

- It has been suggested that Council maintain private sumps, particularly where a sump takes significant stormwater flows off a public road. There is associated risk (liability for failure to maintain and damage caused by service vehicles), and Roading staff prefer to install a public sump where problems exist rather than maintain generally substandard private sumps.
- Policy inconsistencies impacting on roading and other services have resulted from the merger with Tawa. There are pluses and minuses in the levels of each service, and the issues are best addressed together.
- No estimates of the cost to upgrade private road to a uniform acceptable standard have been calculated, and it is difficult to do so. Needless to say the cost would be extremely high, and it is strongly recommended that if Council is to consider maintaining private roading assets, the principle of requiring owners to first upgrade those assets to a suitable standard be adopted. The standards required may not necessarily be those applicable to new public streets; dispensations can be given in situations such as Glenbervie Terrace, where the layout precludes full compliance.

## 2.5 Recommendations

1. That the current policy for the upgrading and maintenance of private roads be reconfirmed.
  - a) No Council assistance.
  - b) Council will accept as public those private roads which have been upgraded to public roading standards and the land transferred to Council as legal road.
2. That information sheets be produced and publicised which clearly explains the policy, its justification, property owner's responsibilities and where advice can be obtained.
3. That all service policy inconsistencies created by the merger of Wellington and Tawa be identified, and become part of on-going discussion with the Tawa Community Board on the delivery of services in their area.

### **3. POLICY - MAINTENANCE OF PRIVATE DRIVEWAYS CONSTRUCTED ON LEGAL ROAD**

#### **3.1 Background**

Wellington's hilly topography often precludes easy drive-on access, and many individuals and groups of property owners have constructed private driveways requiring large investments in capital cost and on-going maintenance. The current policy is for Council to offer no assistance towards maintenance costs except in a few specific situations. The equity of this policy has been questioned frequently, and a recent requests for assistance has been considered for a shared driveway at 37- 47 Cheshire Street.

Three properties served is considered the minimum number at which some public benefit exists in other policy research papers, and by Transit NZ funding policy. A survey of 81 (5% sample) randomly selected urban streets has been undertaken to assess the number and condition of private driveways on legal road servicing three or more properties. Statistically a sample of this size should provide an accuracy of plus or minus 33% with a probability of 65%.

Two basic types of urban driveways on legal road were identified (see Appendix B for examples):

1. Private driveways constructed by property owners on legal road.
2. Private driveways constructed by Council on legal road. These are typically formed when public roads are realigned, and the maintenance responsibility is transferred to adjoining property owners.

Nine examples were identified serving up to 7 properties, indicating a city wide number in the range 120 to 240. The opinion of experienced Roding staff is that the actual number is high in this range, and the sample should be extended to get more accurate information if a change in policy is to be seriously considered. Using the median figure there are an estimated 12 kilometres of driveways meeting the definition above.

As expected there were large variations in the construction, standard and condition of the driveways surveyed. Approximately half require strengthening and resurfacing now and generally they lack adequate kerbing and stormwater control. Three had retaining walls, with one partially collapsed.

No examples of type 2 access were found in the sample, although a number were noted on other streets during the survey. In the examples seen the condition was typically poor, and it is clear the maintenance responsibility is either not accepted or not understood by property owners.

#### **3.2 Current Policy**

Council's long-standing 'no assistance' Policy on the provision and maintenance of driveways over legal road to private property was reconfirmed by the Works Committee in September 1960 (Note: Half cost assistance is given for resurfacing of footpaths serving three or more properties). The policy does allow individual cases to be considered on individual merit, examples of which are:

- Through vehicle accessways where public road construction has created a grade separation which precludes direct drive-on access to properties (e.g. Standen Street, Hansen Street, Tinakori Road).
- The 50% cost sharing arrangement adopted by Council for the rural section of Glanmire Road.

Road surfaces are maintained to the kerb line or to the edge of the normal carriageway where there is no kerb.

#### **3.3 Discussion Of Key Issues**

The table below outlines for discussion the main factors which need to be considered in determining a policy for the maintenance of private driveways. These factors relate to Council's Operating Principles, legal obligations, property owner's ability to pay, the Roding Strategy, public acceptance of the policy and the transparency of it's implementation.

Level of Acceptance	<p>The current policy probably has a very high level of acceptance by the general public, but low acceptance by a relatively small number of individual property owners. Reasons given for dissatisfaction include:</p> <ul style="list-style-type: none"> <li>• Severe individual financial burden and, in sometimes, an inability to pay.</li> <li>• Wear &amp; tear by service vehicle use (particularly refuse trucks).</li> <li>• A lack of expertise to manage the asset.</li> <li>• Hard to get collective agreement for work &amp; to get payment from all.</li> <li>• These driveways are on legal road- they should be maintained by Council.</li> </ul>
Private/ Public Benefit Assessment	<p>The benefit of is mainly private.</p> <ul style="list-style-type: none"> <li>• Private driveways primarily serve the needs of individual property owners.</li> <li>• Private driveways are built because of the convenience, economic benefits to the owners/ developers involved.</li> <li>• Property owner(s) have the choice of access type and standard.</li> <li>• The general public are, or can be, excluded from using private driveways.</li> </ul> <p>Public benefit is minimal, relating to;</p> <ul style="list-style-type: none"> <li>• Improved safety for road users with increase in off-street parking.</li> <li>• Increased rateable value of properties with vehicle access.</li> <li>• Access, in a few instances, for service vehicles such as refuse collection (Note- few are designed for heavy vehicles, &amp; this use should be avoided).</li> </ul>
Equity of Current Policy	<p>There are inequities in the current policy and it's implementation; however they are not unreasonable and don't demand a change in policy.</p> <ul style="list-style-type: none"> <li>• <u>Benchmarks</u>; the policy is consistent with the majority of Local Authorities (Tawa is an exception; driveways serving 3 or more properties are sealed by Council once brought up to a good standard).</li> <li>• <u>Consistency of service</u>; the City's hilly topography precludes a uniform level of service for drive-on access. However there is a balancing effect with other services, an example being the lower level of flood protection in the valleys.</li> <li>• <u>Consistency with other policies</u>: Consistent with private street policy. Inconsistent with half cost footpath policy (the footpath policy relates to the provision of basic access; driveway construction is not essential and is the choice of the property owner). Inconsistency with policy in Tawa.</li> <li>• <u>Consistency of application</u>; not always achieved, and the policy recognises that individual situations can be considered on merit. Implementation of the policy in rural situations has been difficult due to the lengths involved.</li> <li>• There is inequity where property owners inherit additional lengths of driveway when the public road is shifted; most owners find this transfer of responsibility difficult to accept, &amp; consultation in this area has been poor.</li> <li>• <u>Level of choice</u>; property owners have a choice when purchasing a property with difficult access, and whether to upgrade the access. The purchase price will reflect the type of access. Shared driveways usually offer financial advantages to property owners; the cost of construction and maintenance per property for shared driveways seems generally comparable with individual drives (plus and minuses on both sides).</li> </ul>

Legal Implications	<p>There are no legal implications requiring a policy change.</p> <ul style="list-style-type: none"> <li>•The Local Government Act 1974 gives Council power to construct, alter, upgrade, divert and repair all roads vested in Council, but does not compel.</li> <li>•The Council has no legal obligations unless a road is public.</li> <li>•Legislation sets out for public roads minimum standards for safety, fencing on walls and bridges, control of stormwater.</li> <li>•Bylaws require Council to ensure all potholes, obstructions and disrepair on public roads are repaired within a reasonable time of occurrence.</li> </ul>
Core Business of Council?	<p>The provision of driveways to individual or groups of properties is not a core business of Council.</p> <ul style="list-style-type: none"> <li>•Roading is provided and maintained primarily as a service for the public good, use and enjoyment.</li> <li>•However Council does have a policy of encouraging off-street parking and requires it's provision with new development; contributions to funding shared private driveways could be considered in this light.</li> </ul>
Roading Asset Management Strategy	<p>Current policy is consistent with the Roading strategy adopted by Council.</p> <ul style="list-style-type: none"> <li>•The strategy is to maintain roading services at the current level, which is accepted as being lower than the average for New Zealand cities.</li> </ul>
Funding/ Financial Responsibility	<p>The efficient use of financial resources and the environment of reducing expenditure to core services suggest that policy changes here are not justified.</p> <ul style="list-style-type: none"> <li>•The work will not attract roading subsidy. The Transit NZ definition of private / public good is generally consistent with current Council policy.</li> <li>•The current roading budget is for maintenance of the existing level of service only. A policy change will require increased funding by Council.</li> </ul>
Public Safety	<p>Public safety isn't compromised by the current policy.</p> <ul style="list-style-type: none"> <li>•Safety aspects of private driveways are the responsibility of the property owners concerned.</li> <li>•Council has no obligations except where the condition of private driveways impacts on public safety; this is done by setting and monitoring standards and taking controlling action when necessary (closure, clearance of slips, notices to upgrade, etc.).</li> </ul>

### 3.4 Options

The existing policy is at the base level. The broad options for enhancing the service discussed below relate to the level of Council contribution to the funding of upgrading and maintenance work, the extent of work covered, and ownership. The cost estimates for maintenance work are based on a small sample of private accessways and are very approximate. The cost of upgrading to Council standards applicable to either private or public roading have not been assessed at this stage; they will be very large.

The benchmark of three properties served is assumed to be minimum criteria in considering options for Council involvement in funding work on private accessways.

### Current Policy - No Assistance

Dispensations can be approved by Committee on the individual merit of each case. In practice this has rarely been done.

#### *Advantages*

Lowest cost option  
Consistent with Corporate strategy  
Least administrative costs  
Consistent with roading priorities

#### *Disadvantages*

Low acceptance by ratepayers affected  
Inequitable in a few situations  
Disincentive to providing off-street parking  
Lower overall standard of driveways.

### b) Cost Sharing For Maintenance - Private Ownership Retained

This option places the onus on the property owner to initiate and contribute to the cost of work except in situations where public safety is compromised. Options relate to the;

Definition of work funded:- The full range of features includes the carriageway surface, stormwater control, kerbing, handrails/ barriers, retaining walls, weed control, growth cutting, signage and enforcement. The estimated annual funding implications, excluding upgrading, are;

- Maintain carriageway surface only, total length \$72,000 (Tawa Policy)
- Full maintenance, total length \$180,000
- Maintain to point past which less than 3 properties are served 50% of above figures

Level of contribution to funding:- Contributions can clearly be set at any level. However there is some rationale for choosing from the three below.

- 10% Assigned public benefit where benefit is mainly private (from 'Mayoral Task Force' report).
- 50% Contribution applicable for footpath cost share policy.
- 57% Contribution paid for maintenance of public roads (i.e. private contribution equals Transit NZ subsidy which cannot be claimed on private accessways).

#### *Advantages*

High acceptance by individual ratepayers affected  
Encourages higher standards of vehicle accessway  
Encourages the provision of off-street parking  
Ratepayer input dampens demands for upgrading  
Higher level of roading service

#### *Disadvantages*

New funding requirement  
Creates new inequities in this policy area  
Creates even higher service expectations  
High administrative costs  
Risk exposure to high cost failures (e.g. slips)  
Low priority for improving roading service

### c) Adopt As Public Road

Council takes ownership of shared private driveways and meets full cost of upgrading and maintenance. It is important to maintain the quality of service if the coverage is extended and the financial consequences of such a change in policy are prohibitive.

#### *Advantages*

High acceptance by property owners affected  
Very high level of service

#### *Disadvantages*

Large new funding requirement  
Creates serious inequities  
Create very high service expectations  
Extensive safety improvements required  
Very high administration/enforcement cost  
Council will be responsible for high cost failures (slips, wall collapses, etc)

The retention of the current policy is recommended. Given the strategic direction of Council and considering the policy issues discussed in Section 4 above a change to a higher level of service is not justified. The provision for Council to approve dispensations where justified on individual merit can be used to address inequities, such as the situations identified in this report where public road relocation have placed additional responsibility of property owners and in the rural situation.

### **3.5 Recommendations**

1. That the current policy for the construction and maintenance of private driveways be reconfirmed. No assistance except where specifically approved by Council on individual merit (unique circumstance must exist).
2. That information sheets be produced and publicised which clearly explains the policy, its justification, property owner's responsibilities and where advice can be obtained.
3. That all service policy inconsistencies created by the merger of Wellington and Tawa be identified, and become part of on-going discussion with the Tawa Community Board on the delivery of services in their area.



## 4. ) POLICY - REINSTATEMENT OF SLIPS

### 4.1 Background

An inevitable consequence of urban development on the steep terrain which gives Wellington much of its natural character is the high incidence of man-made slopes. Just as inevitable is the periodic failure of these slopes, and Wellington does experience high numbers of slips during storms, particularly after prolonged wet weather or abnormally dry spells.

The geology of Wellington's hills is uniform resulting in a relatively high number of shallow slips dispersed around the city, and we don't have the high impact problems experienced in some other cities such as Dunedin and Christchurch's Port Hills. The November 1994 storm resulted in approximately 100 slips on legal road and costs of \$400,000 for slip clearance and repair.

Almost all slips on legal road are on man-made slopes formed to allow construction of roads and private driveways. Few result from the failure of retaining walls or unconsolidated fill. These slopes are inherently stable and have typically stood for a long time. Those initially cut in an unstable position fall down within a few years. Two basic factors influence the long term stability of a slope;

- the long term natural weakening of the bedrock rock by progressive weathering.
- subtle localised changes in the drainage and vegetation around a slope coupled with variations in climatic conditions. The typical scenarios are the direction of stormwater runoff onto a slope by poorly maintained footpaths, drives, house guttering, and drains, or the presence of large trees growing on or near to slope face. The failure of the city's main sewer in Kilbirnie last November was due to a slip triggered by the presence of a tree coupled with a severe storm.

It is the latter factors which are the primary causes of slips in Wellington, and it is important to note that the maintenance of vegetation, drains, driveways and paths in these situations is almost always the responsibility of the adjoining property owner.

Typically slips are shallow and have minimal impact. However approximately 15- 25% do damage private property or accessways, and Council's base level policy for reinstatement of slips has a low level of acceptance by the individual property owners affected. While the Earthquake Commission covers losses with land movement on private property, insurance cover for private accessway on legal road is uncommon and probably unobtainable.

Some typical examples of slips are shown in Appendix C.

### 4.2 Current Policy

There is no known formal written Council policy for reinstating slips on legal road. Staff act in accordance with Council's legal obligations, although the tendency is to favour the property owner where the issues are unclear. Council must ensure public safety when maintaining roads and, under common law, must avoid any nuisance to the adjoining property owner's land (within their boundaries) by slip or other failure of formed road batters or earth retaining structures built for roading purposes. Property owners can be held responsible for slippage caused by their actions and negligence, but action is only taken on rare occasions when the situation is very clear cut.

The response procedures to land slips on legal road followed by Roading staff are;

- Immediate response to clear the road & undertake any measures required to ensure public safety.
- Stabilisation of the slip face, where necessary, by controlling stormwater run-off, removing unstable material, re-establishing vegetation.
- Construct retaining walls to support private property. Private accessways are only supported when a slope has been cut below by Council after the construction of the drive. Approximately one in ten slips require retaining structures.

#### 4. Discussion Of Key Issues

The table below outlines for discussion the main issues relevant to the policy on slip reinstatement. The issues are linked to Council's operating principles, legal obligations and strategies. The discussion points are focused on the argument for extending the policy to cover reinstatement of slips affecting property access.

Level of acceptance	<p>The current policy probably has a high level of acceptance by the general public, but is not accepted by individual property owners adversely affected. Reasons given include;</p> <ul style="list-style-type: none"> <li>• Severe individual financial burden and, sometimes, an inability to pay.</li> <li>• Council should remedy loss of enjoyment of frontage and access because the cause is on legal road.</li> <li>• Lack of knowledge of the personal risk and liability.</li> </ul>
Private/ Public Benefit Assessment	<p>The benefit is private; the public is not disadvantaged by the loss of access or enjoyment of frontage experienced by an individual property owner.</p> <p>A small degree of public benefit occurs where private roads and accessways serving more than 3 properties are damaged.</p>
Funding/ Financial Responsibility	<p>The efficient use of financial resources &amp; the current environment of reducing expenditure to core services suggest that policy changes here are not justified.</p> <ul style="list-style-type: none"> <li>• The current roading budget is for maintenance of the existing level of service only. A policy change will require increased funding by Council.</li> </ul>
Core Business of Council?	<p>The reinstatement of slips on legal road to remedy private losses is not a core business except where Council has legal obligations.</p> <ul style="list-style-type: none"> <li>• The primary purpose of legal road is for the provision of public roading services for the public good, use and enjoyment.</li> </ul>
Equity of Current Policy	<p>There are no significant inequities inherent in the current policy which would justify greater public expenditure.</p> <ul style="list-style-type: none"> <li>• <u>Benchmarks</u>; the policy is consistent with that of other Local Authorities.</li> <li>• <u>Level of service</u>; land stability places additional liabilities on a relatively small cross-section of the community. The impact is balanced, at least in part, by variations in the level other services across the city (e.g. flood protection, property access, refuse collection).</li> <li>• <u>Causation</u>; the usual cause of land slip in Wellington is the failure to control vegetation and stormwater runoff. These responsibilities lie with the property owners in most situations.</li> <li>• <u>Level of choice</u>; property owners have a choice whether to purchase a property with a risk of land instability, and choose to construct driveways above man-made slopes. Property owners require Council consent to construct driveways on legal road- it is inequitable that the general public should incur additional liability because the consent is given. The consent clearly states the property owners responsibility for land stability, although this hasn't always been the case.</li> </ul>
Legal Implications	None. The current policy fulfils Council's legal obligations.
Road Asset Mgmt. Strategy	<p>Current policy is consistent with the Roothing strategy adopted by Council.</p> <ul style="list-style-type: none"> <li>• The strategy is to maintain roading services at the current level.</li> </ul>
Public Safety	The current procedures for slip management fully meet Council's public safety obligations.

#### 4.4 Options

The existing policy is at the base level, meeting Council's legal obligations. Options available for improving the policy relate to Council funding input and mitigation.

##### a) **WCC Contribution to costs:**

Council could decide to contribute towards land stabilisation and restoration works for which it does not have a legal obligation. The total cost of such work is estimated to be \$100,000 per annum. Work is required to develop a rationale for selecting the level of contribution (with 50% probably being the upper level) if a policy change is to be further considered.

The discussion points in section 4.3 above do not support a policy change. Contributing to costs with slips will raise expectations and increase the number requests for assistance and create a new range of inequities in comparison with other services. It would also increase the cost of constructing driveways in some situations where Council would require a retaining wall to mitigate its liabilities.

##### b) **Mitigation:**

Hazard assessments to identify slip prone slopes are not practical on a broad scale. It is difficult to make predictions and Council could not be confident that all potential landslides were identified. The problems are city-wide and the resource required would be large for small benefit, and the cost of stabilisation to reduce risk of failure to a low level would be prohibitive.

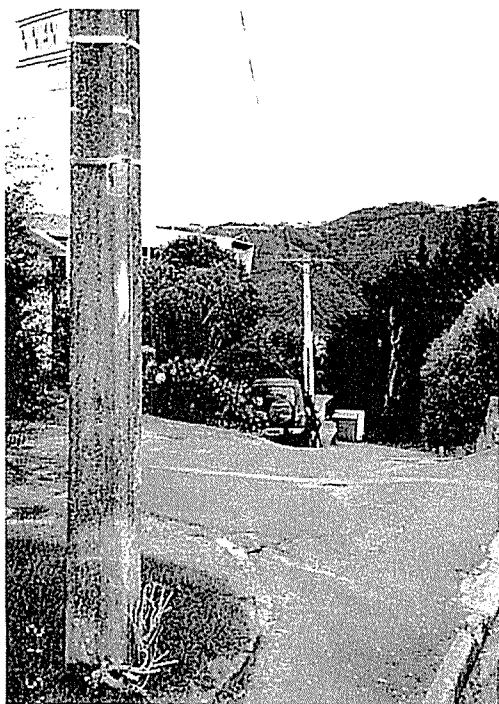
However it is worth pursuing a number of initiatives to mitigate the risk of slippage and educate property owners.

- Write into growth control contracts a reporting requirement for any significant stormwater or growth control inadequacies noticed which have the potential to trigger a slip.
- Inform property owners of their responsibilities for remedying slips on adjoining legal road, and educate on the maintenance precautions that should be taken.
- Be proactive in giving guidance when slips occur by providing information sheets and technical advice when the initial inspection is made.

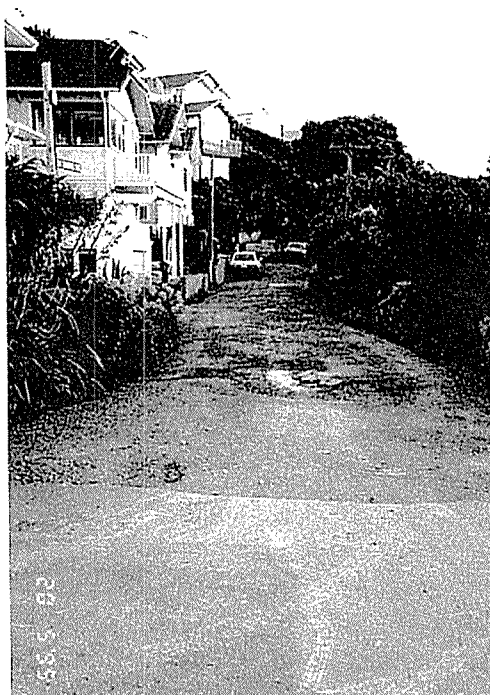
#### 4.5 Recommendations

1. That the following policy be adopted for the clearance and reinstatement of slips on legal road;
  - a) Council will clear, stabilise and reinstate slips to fulfil its legal obligations to protect public property and support private property at the property boundary.
  - b) Council will not assist with the reinstatement of private access, except where the slip is the result of Council works subsequent to the construction of that access.
2. That information sheets be produced and publicised which clearly explains the policy, its justification, property owner's responsibilities and where advice can be obtained.

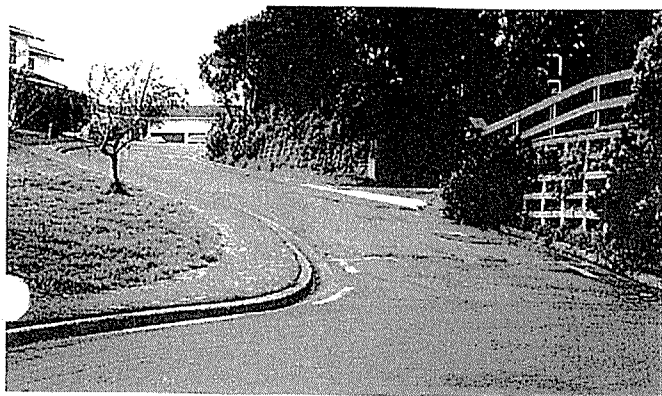
**APPENDIX A : PRIVATE ROADS - TYPICAL EXAMPLES**



Ninian Street (Highbury)- 4 properties served



Knoll Street 'Lane' (Island Bay)- 7+ properties served



37 to 42 Raumati Street - 4 properties served.



15 to 19 Duthie Street - 5 properties served.

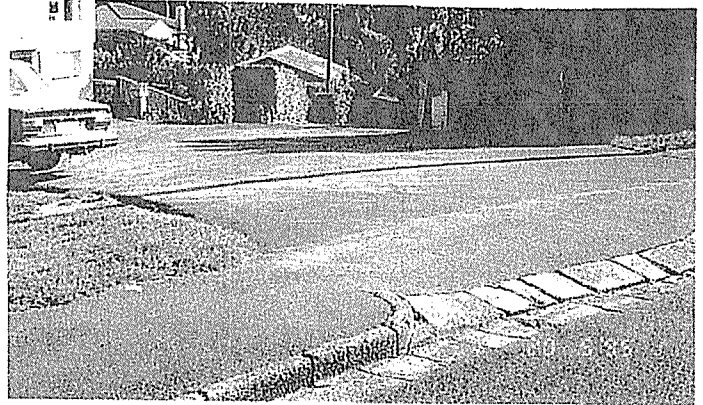
APPENDIX B

PRIVATE VEHICLE ACCESSWAYS - TYPICAL EXAMPLES

A) Private Access On Legal Road Constructed By Property Owners  
Policy : No Assistance



A.1 37 to 47 Cheshire Street - 5 properties



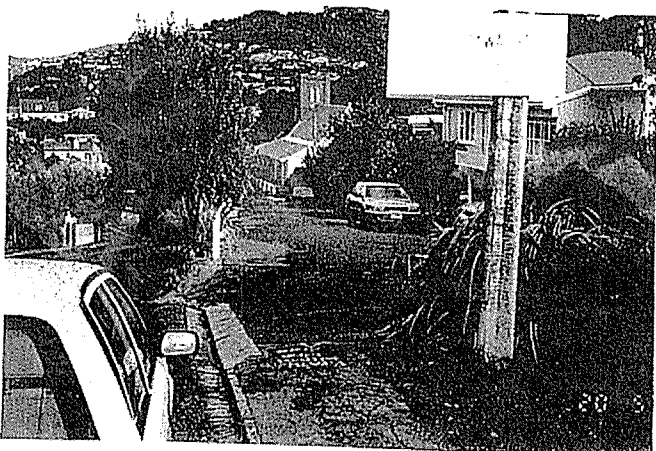
A.2 26 to 34 Iazard Street - 6 properties



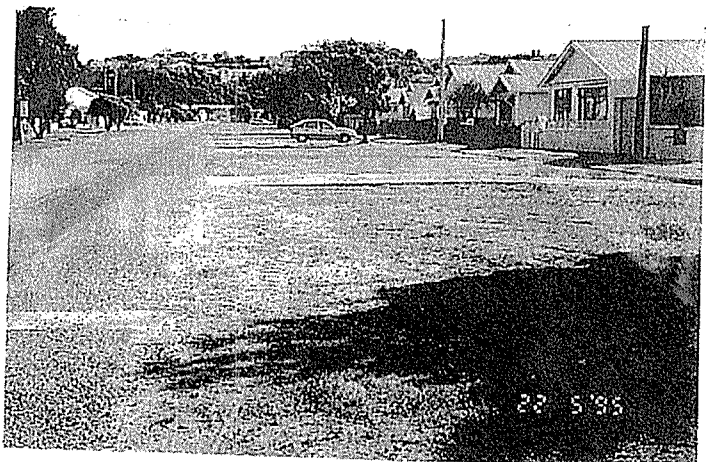
A.3 43 to 47 Awarua Street - 3 properties



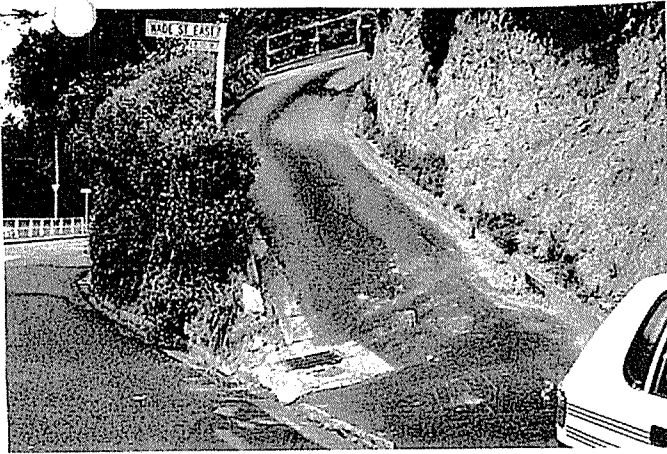
A.4 55 to 61 Bedford Street - 4 properties



A.5 9 to 17A Abbott Street - Church plus 6 properties



A.6 Brussels Street - Extended drives to carriageway



A.7 8 to 18 Wade St. East - 9 properties  
Note- First part of access over private property.

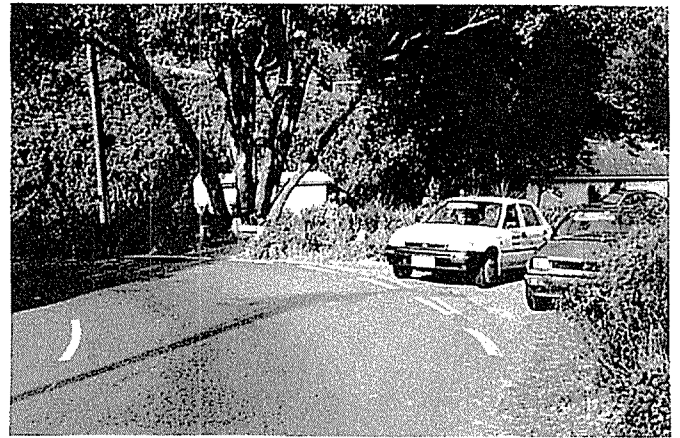


A.8 Lambeth Road - 3 properties

**B). Private Access On Legal Road Constructed By Council  
(Access Created By Road Improvements) Policy : No Assistance**

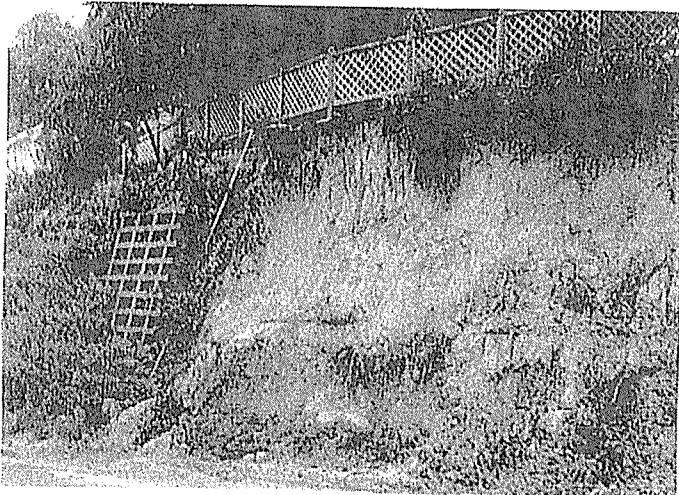


B.1 45 to 53 Balfour Street - 5 properties

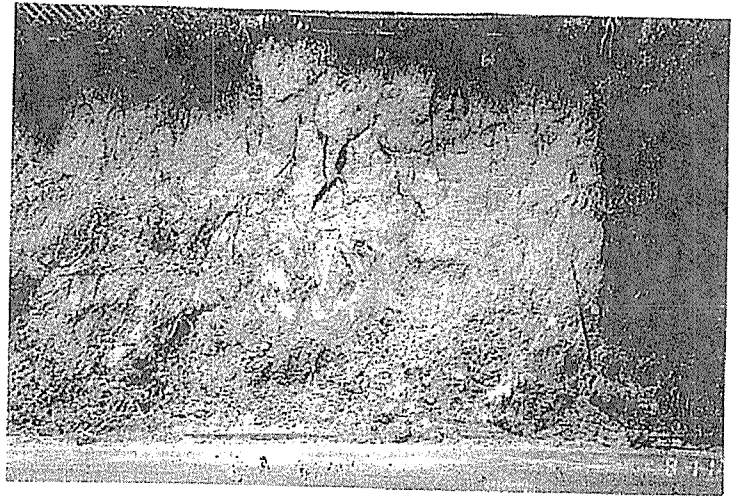


B.2 62 to 70 Raroa Road - 5 properties

**APPENDIX C : CURRENT EXAMPLES OF SLIPS**

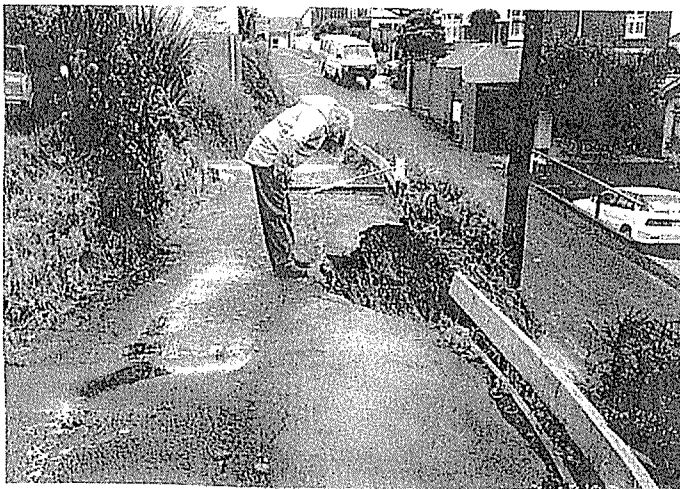


31 Mairangi Road - Slip on legal road, top within 2 m of private property. Private footpath undermined.



Estimated repair cost

No assistance



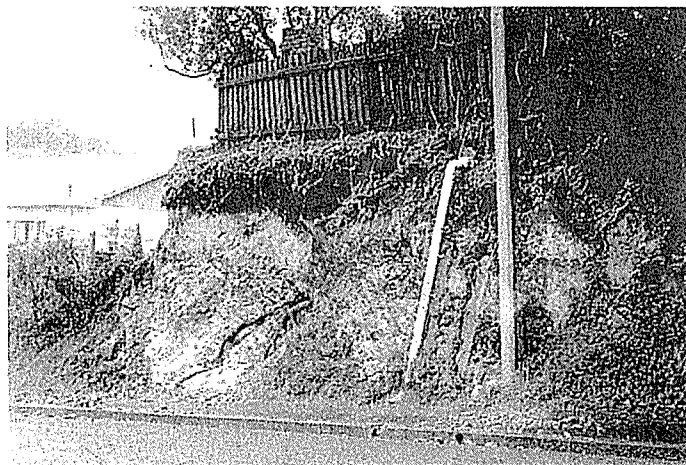
16 Fortunatus Street - Slip on legal road, private driveway undermined.

Estimated repair cost \$9,000 No assistance



6A Kilsyth Street - Slip on private property, private pathway and house foundation undermined.

Estimated repair cost \$20,000 Liability to be decided.



59 Eden Street - Slip on legal road extending right to boundary.

Estimated repair cost \$6,000 Council funding 100%



45 Kainui Road - Slip on legal road extending on to private property.

Estimated repair cost \$20,000 Council funding 100%

REPORT 2

1215/12/CS.



Tumeke Pōneke  
Wellington City Council

## WORKS & ENVIRONMENT COMMITTEE

### EXTRACT OF MINUTES

Meeting of 17 April 1996

96/050P **ORDER OF BUSINESS**  
(1215/26/CS)

**RESOLVED:**

*THAT item 14 be taken next.*

96/051P **PRIVATE DRIVEWAYS AND PUBLIC FOOTPATHS**  
Report from the Manager Roading dated 29 March 1996  
(1215/26/CS) (REPORT 14)

(Councillor Kedgley returned to the meeting at 10.47 am.)

**RESOLVED AND RECOMMENDED TO THE TAWA COMMUNITY BOARD:**

- (a) *THAT the Tawa Community Board be requested to comment on the proposed change in policy prior to its confirmation by Council.*

**Private Driveways**

- (b) *That the policy for the construction and maintenance of private driveways be confirmed as follows: No Council assistance except where the driveway involved is also acknowledged by Council as a public footpath to the extent that it is a public footpath.*

**Tawa policy on maintenance of vehicular access**

- (c) *THAT the policy regarding private streets and driveways in Wellington City be reviewed with respect to Tawa as follows:*
- (i) *Private Roads: That the current policy for the upgrading and maintenance of private roads in Wellington City be extended to Tawa as follows:*

Sean Maxwell  
Committee Adviser  
26 April 1996

FILE



## WORKS & ENVIRONMENT COMMITTEE

### EXTRACT OF MINUTES

Meeting of 17 April 1996

- *No Council assistance.*
  - *Council will accept as public those private roads which have been upgraded to public roading standards and the land transferred to Council as legal road.*
- (ii) *Private Driveways: that the current policy for the construction and maintenance of private driveways in Wellington City be extended to Tawa as follows: No Council assistance.*

#### NOTED:

1. Councillor Siers requested that her dissenting vote be recorded with respect to sub-clause (b).
2. The resolution differs substantively from the one contained in the report in that 'except where the driveway involved is also acknowledged by Council as a public footpath to the extent that it is a public footpath' has been added to sub-clause (a).

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**Report for :** Works and Environment Committee  
**From :** Manager - Roading  
**Date:** 29 March 1996  
**Subject:** Private driveways and public footpaths.

---

1215/26/CS.

### 1.1 Purpose of the Report

This report is to review the roading operational policy with regard to the following :

- 1.1.1 Private driveways which are used for public pedestrian access and to define the unique circumstances where Council would make a contribution to their maintenance and upgrading, especially support required as a result of slips.
- 1.1.2 The policy of the Tawa Borough Council in maintaining driveways and rights of way serving 3 or more properties.

### 1.2 Recommendation

- 1.2.1 *Private Driveways:* That the policy for the construction and maintenance of private driveways be confirmed as follows;  
No Council assistance
- 1.2.2 *Tawa policy on maintenance of vehicular access:* That the policy regarding private streets and driveways in Wellington City be extended to Tawa as follows;
  - 1.2.2.1 Private Roads: That the current policy for the upgrading and maintenance of private roads in Wellington City be extended to Tawa as follows;
    - 1.2.2.1.1 No Council assistance.
    - 1.2.2.1.2 Council will accept as public those private roads which have been upgraded to public roading standards and the land transferred to Council as legal road.

- 1.2.2.2 Private Driveways: That the current policy for the construction and maintenance of private driveways in Wellington City be extended to Tawa as follows;

No Council assistance.

- 1.2.2.3 That the Tawa Community Board is asked to comment on this change in policy.

### **1.3 Background - General**

Following the report in August 1995 to Cityworks Committee on the Roding Operational policy review, a number of instances concerning private driveways and slips have come to light where unique circumstances have been cited.

The Roding Department has been under considerable pressure to interpret unique circumstances favourably, in particular when the driveways are located on public street and partially or completely replace a publicly funded footpath. Section 2 of this report discusses this matter.

The asset management of the roads in Tawa was taken over by the Roding Department as at July 1995. As a result of this amalgamation, some differences in policy have arisen between the Tawa area and the rest of Wellington City. Section 3 of this report discusses the policy in Tawa of maintaining driveways and rights of ways serving 3 or more properties. We do not have accurate numbers of the properties affected in Tawa by this policy. These driveways are generally the responsibility of the users in the rest of Wellington.

## **2.0 Policy- Maintenance of Private Driveways**

### **2.1 Background**

In the development of private driveways to gain drive on access to property , a partially or fully funded footpath may be removed. When Council permission for this is sought the applicant is given the following options:

- Replace the footpath with a footpath separated from the driveway by kerb and channel and Council will continue to maintain the footpath. In Rodrigo Road, Roding did contribute to the sealing of the replacement footpath as this was scheduled for reconstruction under our maintenance programme.
- If the footpath is not replaced make the driveway at least 3.5m wide and any maintenance is the responsibility of the property owners served by the driveway.
- If it is too expensive to construct a separate footpath and the other users of the path agree, we would allow the driveway with no separate footpath.

Roding has had a particular request to contribute to retaining the bank below the driveway serving 13 - 17 Kenya St. This driveway was developed by the property owners in the late 1940's as a vehicle access to their properties. At that time, the Roding department stopped maintaining the path as it had become a driveway. However, members of the public have continued to use the path as a pedestrian access.

In November 1994 , a slip occurred below the driveway onto Kenya St. The residents who use the driveway are anxious to build a retaining wall to support this area and have asked for Roding to assist them, citing unique circumstances as pedestrians use this drive as a thoroughfare.

If we had agreed to maintain a path along this driveway, as a public footpath, we would not be walling this area at the present time as it would be above our current level of service for public roading facilities.

The Roding Department do not believe there is any danger to the public using the driveway as a path nor is the stability of the bank threatened. There are no cracks on the driveway at the top of the bank and this area of bank may stay in its present state for many years. If public safety was threatened, we would barricade this area off. We have arranged for the slip area to be hyroseeded and there has been a good take of grass.

Roding believes that the pedestrian use of this driveway is not unique, especially when a driveway has been developed originally from a footpath.

Appendix A contains a table of some of the driveways with similar pedestrian access.

## 2.2 Current Policy

The current policy was confirmed in August 1995 as follows:

- 2.2.1 *Private Driveways*: That the current policy for the construction and maintenance of private driveways be reconfirmed. No assistance except where specifically approved by Council on individual merit (unique circumstances must exist).
- 2.2.2 *Slips*: That the following policy be adopted for the clearance and reinstatement of slips on legal road;
- 2.2.2.1 Council will clear, stabilise and reinstate slips to fulfil its legal obligations to protect public property and support private property at the property boundary.
- 2.2.2.2 Council will not assist with the reinstatement of private access, except where the slip is the result of Council works subsequent to the construction of that access.

## 2.3 Discussion of Key Issues

<b>Level of Acceptance</b>	The current policy could be expected to have a high level of acceptance by the general public with a lower level of acceptance from the individual property owners affected Reasons given for dissatisfaction include: Individual financial burden Public use of driveways causing wear and tear Lack of expertise to manage asset
<b>Public/Private Benefit assessment</b>	The benefit is mainly private. The public are not generally disadvantaged by the loss of access experienced by an individual property owner. Private driveways primarily serve the needs of the Individual property owners
<b>Legal Implications</b>	There are no legal implications requiring a policy change.

<b>Equity of Current Policy</b>	<p><u>Benchmarks</u> The policy is consistent with the majority of Local Authorities(Tawa is an exception)</p> <p><u>Level of service</u> The development of drive on access from a public or partially public funded path can lead to a drop in the level of service for some residents who use the driveway for pedestrian access as council does not contribute to the driveway maintenance.</p> <p><u>Consistency with other policies</u> Consistent with private street policy Inconsistent with half cost footpath policy</p> <p><u>Consistency of application</u> This policy has been applied consistently.</p>
<b>Core Business of Council?</b>	The maintenance of driveways serving individuals or groups of properties is not a core business of Council
<b>Roading Asset Management strategy</b>	Current policy is consistent with the Roothing Strategy adopted by Council The strategy is to maintain roading services at the current level.
<b>Funding/Financial Responsibility</b>	The efficient use of financial resources and the environment of reducing expenditure to core services suggest that policy changes here are not justified.
<b>Public Safety</b>	Public safety is compromised by the development of what were originally pedestrian only paths to serve as vehicular access when a separate path is not provided as there is possible pedestrian conflict with vehicles. The safety aspects of private driveways are the responsibility of the property owners concerned. Council has an obligation to ensure that the pedestrian issues are addressed and this is usually done when approval is given to construct the driveway

## 2.4 Options

The existing policy is at the base level. The options for enhancing the service discussed below relate to the level of Council contribution to the funding of maintenance and upgrading work. The costs mentioned in this section of the report are estimated only due to the lack of data regarding the number of driveways within Wellington

### 2.4.1 Current policy- No Assistance

The existing policy is at the base level.

#### Advantages

High acceptance by general public  
Lowest cost option  
Consistent with roading priorities

#### Disadvantages

Low acceptance by ratepayers affected

### 2.4.2 Cost Sharing for Maintenance - Private Ownership Retained

With driveways with no separate footpath and that are used for pedestrian access, Roading could contribute a proportion of the maintenance costs based on the cost that would be incurred in maintaining a footpath in this area.

This is likely to include a 1m wide strip of sealed driveway equivalent to a pedestrian path and contribution to retaining walls, handrails/barriers and stormwater control.

The estimated annual funding implications are for 3 levels of cost sharing are;

- |    |   |             |
|----|---|-------------|
| a) | Maintain footpath width of driveway                                       | \$ 5000.00  |
| b) | Maintain footpath width of driveway<br>and 10% contribution to other work | \$ 8000.00  |
| c) | Maintain footpath width of driveway<br>and 50% contribution to other work | \$20,000.00 |

Contributions can be set at any level however the above were chosen for the following reasons

- 10% Assigned public benefit where benefit is mainly private(from 'Mayoral Task Force' report).
- 50% Contribution applicable for footpath cost share policy

These funds would have to be unsubsidised road maintenance totally funded by Council as Transit NZ do not subsidise this work.

Advantages

High acceptance by individual ratepayers affected  
Higher level of roading service

Disadvantages

New funding requirement  
Risk exposure to high cost failure (e.g.slips)

**2.5 Recommendations**

2.5.1 *Private Driveways*: That the policy for the construction and maintenance of private driveways be confirmed as follows;  
No Council assistance.



### **3.0 Maintenance of vehicular accesses in Tawa**

#### **3.1 Background**

In March 1964 the Tawa Borough Council adopted a policy of maintaining high or low level roadways . Since this time many of these accesses have been maintained by the Borough Council and more recently the Wellington City Council Roading has carried out minimal maintenance where required. We have very little documentation regarding the number of rights of way and driveways maintained under this policy.

The policy of Wellington City Council with regard to these types of accesses in Wellington is that it is the responsibility of the users to maintain their vehicular access and this was confirmed in August 1995 with confirmation of the private driveway and private road policies.

#### **3.2 Current Policy**

In 1964 the following policy was approved by the Tawa Borough Council.

That the Council will maintain the accesses surface of accesses serving 3 or more properties under the following conditions:

- That the existing users contribute to the cost of any necessary reformation, drainage or additional metalling required to bring the accesses up to a standard suitable for sealing .
- Unanimous agreement must be reached between the residents to upgrade the access before Council would consider taking it over.
- Council will seal the surface of such roadways after they have been accepted in accordance with the above conditions and at a suitable time with other works programme for the Borough.

In 1985 it was further recommended that the Council accept future responsibility for maintenance cost for rights-of-way serving 3 or more properties provided that:-

3.2.1 The right of way is in an acceptable condition before Council accepts maintenance responsibility.

3.2.2 All owners, in respect of each right of way, give Council written approval to effect such policy.

### 3.3 Discussion of Key Issues

<b>Level of Acceptance</b>	The current policy has a high level of acceptance for those covered by it, however other ratepayers may consider it inequitable that the policy is not extended to all access.
<b>Public/Private Benefit Assessment</b>	The benefit is mainly private as these accesses primarily serve the needs of individual property owners.
<b>Equity of Current Policy</b>	<p><u>Benchmarks</u> This policy is inconsistent with the majority of Local authorities and the rest of the Wellington.</p> <p><u>Level of Service</u> This level of service is greater than that generally provided by the Roding Department in the rest of Wellington.</p> <p><u>Consistency with other policies</u> The policy currently implemented in Tawa is consistent with our half cost path policy but inconsistent with the private street and private driveway policy in the rest of Wellington.</p> <p><u>Consistency of application</u> This policy has been applied in Tawa.</p>
<b>Core business of Council?</b>	The maintenance of accesses serving individuals or groups of properties is not a core business of Council.
<b>Legal Implications</b>	There are no legal implications if there is a policy change however there is a moral obligation to inform the property owners affected of this policy change.
<b>Roding Asset Management Strategy</b>	Current policy in Tawa is inconsistent with the Roding Strategy adopted by Council as it provides a higher level of roading service to the properties affected. The strategy is to maintain roading services at the current level.

<b>Funding/financial Responsibility</b>	The work undertaken on these private accesses does not attract a roading subsidy from Transit NZ. Therefore if the current policy in Tawa was to continue any work would be fully funded by Council. The current roading budget is for maintenance of the existing level of service in the rest Wellington
<b>Public Safety</b>	Public safety is not compromised by a change in the current policy in Tawa.

### 3.4 Options

The existing policy in Tawa is above the level of service given in the rest of Wellington. Options for changing this are outlined below.

#### Current policy

The existing policy in Tawa means that Council maintains the surface of accesses to private property and sometimes on private property with Council funds. Funding for this work was never identified separately in the Tawa budget. However in the future these funds will have to be identified separately from both road and footpath resurfacing as an unsubsidised maintenance item.

The Roding Department did not receive any additional unsubsidised funding when the Tawa Roding functions were taken over. We have undertaken minimal maintenance on these areas since 1 July 1995, however if this policy is to continue it is likely to require an estimated annual funding of \$5000.00. The Roding department would require additional funding to continue to provide this service.

#### Extending the current policy in Wellington to Tawa

If the present policy in the rest of Wellington city was extended to Tawa, no additional funding would be required to maintain these areas.

It is proposed that if the present policy in Wellington is extended to Tawa, it would be implemented as follows:

1. Identify the driveways and rights-of ways which have been taken over and maintained by Council .
2. Write to property owners affected regarding the Councils change of policy for Tawa area and notifying them of this.

3. Any future maintenance liabilities would be the property owner's responsibility.

**3.5 Recommendation**

3.5.1 *Tawa policy on maintenance of vehicular access:* That the policy regarding private streets and driveways in Wellington City be extended to Tawa as follows;

3.5.1.1 - Private Roads: That the current policy for the upgrading and maintenance of private roads in Wellington City be extended to Tawa as follows;

3.5.1.1.1 No Council assistance.

3.5.1.1.2 Council will accept as public those private roads which have been upgraded to public roading standards and the land transferred to Council as legal road.

3.5.1.2 Private Driveways: That the current policy for the construction and maintenance of private driveways in Wellington City be extended to Tawa as follows;  
No Council assistance.

**KALYAN K. MONDAL  
MANAGER - ROADING**

  
**DAWN BROOK  
GROUP LEADER-COMMISSIONING**

**BALDWIN ASPHALTS LTD**  
SPECIALISTS IN ASPHALT & CONCRETE

Address: PO Box 31006  
Lower Hutt 5040  
Phone: 04 910 8080  
Mobile: 027 618 1212  
Email: troy@baldwinasphalts.co.nz  
Website: www.baldwinasphalts.co.nz

[REDACTED]  
Hataitai  
WELLINGTON 6021

20<sup>th</sup> April 2015

REFERENCE: 15126b

Dear [REDACTED]

**RE: Asphalt repair to entrance of Kio Crescent to left side of common driveway as entering the street at Kio Crescent, Hataitai, Wellington.**

We are pleased to forward our quotation for the following works. Area 24m<sup>2</sup> approximately.

- Saw cut current edge of failed seal being approximately 16 lineal metres in length by approximately 1.2 lineal metres in width to no greater than 1.5 lineal metres to area of common driveway against boundary of walls / fence as entering Kio Crescent where crazy cracking / depressions has occurred to allow for clean straight edge of proposed works.
- Excavate and remove all failed seal / top section of possible failed sub base to a depth no greater than 100mm if required.
- Place and compact 65mm sub base as required to possible areas excavated over 80mm in depth.
- Place and compact standard 40mm base course as required completing reshaping of the area establishing correct heights and falls back to existing gradients to 30-40mm below finish levels.
- Seal and reinstate the area with mix 10 asphaltic concrete 30-40mm nominal thickness.

SUBTOTAL: \$1,871.00  
GST: \$280.65  
TOTAL: \$2,151.65

**Payment Terms: 50% DEPOSIT WHEN WORKS COMMENCE + PAYMENT IN FULL WITHIN 7 DAYS FOLLOWING COMPLETION OF WORKS**

Should you wish to undertake this project, could you please complete and sign the attached quotation acceptance form. We would like to thank you for allowing us to quote for this work and I would be happy to discuss any aspect of this with you.

Yours faithfully  
**Baldwin Asphalts Ltd**

*[Signature]*

[REDACTED]  
Manager

**BALDWIN ASPHALTS LIMITED**  
**Terms and Conditions of Quotation**

*In offering to carry out your work we undertake to exercise all care in minimising any possible damage to your property or to the surrounding property. Unless specifically stated our offer is subject to the following conditions:*

1. A written signed acceptance is returned to us within 30 days of the date of offer.
2. The account will be paid as per the payment terms set out in the quotation.
3. Baldwin Asphalts reserve the right to seek security for the cost of work prior to commencement thereof. If payment is not received we may cancel or withhold the service.
4. Progressive payments will be required on larger contracts.
5. The client agrees to penalty interest which may be charged on any amount owing after the due date as per the payment terms set out in the quotation at the rate of 3% per month or part month.
6. Reimbursement of all expenses and collection agency costs, including legal costs incurred by Baldwin Asphalts Ltd in recovering or attempting to recover payment as a result of amounts overdue shall be paid by the client.
7. We accept no responsibility for any ponding of water that may occur where falls are less than 1 in 100.
8. The price quoted is subject to fluctuations in prices of material, labour awards, plant hire and truck rates.
9. Unless otherwise specified, no provision has been made for excavating or backfilling unsuitable (soft) foundation material, or stormwater drainage or supply/placing of topsoil.
10. No provision has been made for relocation or repair of underground services, which may be encountered during excavation unless details were submitted in writing prior to work commencing.
11. Unless otherwise stated we have assumed that the area concerned will be able to support the loads due to the weight of the plant and equipment we propose to employ.
12. Where weed killing is required, we regret we cannot be responsible for its effectiveness.
13. Clients are warned that asphaltic concrete surfaces may show indentation under excessive point loads.
14. Standing time at the request of the client will be charged separately.
15. In the event that works are stopped or altered due to matters outside of the job specification which cause either a stand down period or a return to the job at a later stage then additional charges may be incurred.
16. Should any additional establishment/s be required as per request by the client or outside of the quotation specifications then additional charges may be incurred for covering the transporting of machinery including plant and transport required.
17. These conditions are additional to those described under the 'please notes' on the front of the quotation.

---

Please detach and return to:-

REFERENCE: 15126b

We **ACCEPT/DECLINE** the attached quotation for the value of **\$2,151.65** for the **SUPPLY** of Goods & services. We agreed to the above "Terms and Conditions of Quotation".

Signed: \_\_\_\_\_

Full Name: \_\_\_\_\_

Date: \_\_\_\_\_

**BALDWIN ASPHALTS LTD**  
SPECIALISTS IN ASPHALT & CONCRETE

Address: PO Box 31006  
Lower Hutt 5040  
Phone: 04 910 8080  
Mobile: 027 618 1212  
Email: troy@baldwinasphalts.co.nz  
Website: www.baldwinasphalts.co.nz

[REDACTED]  
Hataitai  
WELLINGTON 6021

20<sup>th</sup> April 2015

REFERENCE: 15126a

Dear [REDACTED]

**RE: Reconstruct northern eastern private driveway located off Kio Crescent, Hataitai, Wellington.**

We are pleased to forward our quotation for the following works. Area 145m<sup>2</sup> approximately.

- Excavate and remove the current sealed surface from in front of the newly laid asphaltic concrete surface finishing where the existing trench line is located. This being on the boundary of the turn off from Kio Crescent as the existing surface has badly broken in located areas due to the age and general wear and tear, with areas developing pot holes with a number of areas being affected by depressions in turn causing areas of crazy cracking which is due to water penetrating through allowing the bond between the current sub base and existing seal to break the two surfaces bond which is a direct result of the larger areas of failure as water is laying between the two surfaces. All excavation to be no less than 50mm in depth to ensure all seal is removed as depths are inconsistent.
- Trim and regrade the entire area of the private driveway with all concrete surfaces to remain and complete proof roll.
- Place and compact standard 40mm base course as required reshaping all areas where excavation is greater than 50mm.
- Re-dress the area with standard top course to sealing standard establishing final heights and falls on new proposed gradients on sloping falls leading towards existing kerbs.
- Apply full waterproof coat with Cat 60 emulsion and grade 6 chip.
- Seal the area with mix 10 asphaltic concrete 40mm nominal thickness matching to existing edges / proposed saw cut line of common driveway.

SUBTOTAL: \$10,316.00  
GST: \$1,547.40  
TOTAL: \$11,863.40


**Payment Terms: 50% DEPOSIT WHEN WORKS COMMENCE + PAYMENT IN FULL WITHIN 7 DAYS FOLLOWING COMPLETION OF WORKS**

Should you wish to undertake this project, could you please complete and sign the attached quotation acceptance form.

We would like to thank you for allowing us to quote for this work and I would be happy to discuss any aspect of this with you.

Yours faithfully  
**Baldwin Asphalts Ltd**

*Pi Smeen*

  
Manager



**BALDWIN ASPHALTS LIMITED**  
**Terms and Conditions of Quotation**

*In offering to carry out your work we undertake to exercise all care in minimising any possible damage to your property or to the surrounding property. Unless specifically stated our offer is subject to the following conditions:*

1. A written signed acceptance is returned to us within 30 days of the date of offer.
2. The account will be paid as per the payment terms set out in the quotation.
3. Baldwin Asphalts reserve the right to seek security for the cost of work prior to commencement thereof. If payment is not received we may cancel or withhold the service.
4. Progressive payments will be required on larger contracts.
5. The client agrees to penalty interest which may be charged on any amount owing after the due date as per the payment terms set out in the quotation at the rate of 3% per month or part month.
6. Reimbursement of all expenses and collection agency costs, including legal costs incurred by Baldwin Asphalts Ltd in recovering or attempting to recover payment as a result of amounts overdue shall be paid by the client.
7. We accept no responsibility for any ponding of water that may occur where falls are less than 1 in 100.
8. The price quoted is subject to fluctuations in prices of material, labour awards, plant hire and truck rates.
9. Unless otherwise specified, no provision has been made for excavating or backfilling unsuitable (soft) foundation material, or stormwater drainage or supply/placing of topsoil.
10. No provision has been made for relocation or repair of underground services, which may be encountered during excavation unless details were submitted in writing prior to work commencing.
11. Unless otherwise stated we have assumed that the area concerned will be able to support the loads due to the weight of the plant and equipment we propose to employ.
12. Where weed killing is required, we regret we cannot be responsible for its effectiveness.
13. Clients are warned that asphaltic concrete surfaces may show indentation under excessive point loads.
14. Standing time at the request of the client will be charged separately.
15. In the event that works are stopped or altered due to matters outside of the job specification which cause either a stand down period or a return to the job at a later stage then additional charges may be incurred.
16. Should any additional establishment/s be required as per request by the client or outside of the quotation specifications then additional charges may be incurred for covering the transporting of machinery including plant and transport required.
17. These conditions are additional to those described under the 'please notes' on the front of the quotation.

---

Please detach and return to:-

REFERENCE: 15126a

We **ACCEPT/DECLINE** the attached quotation for the value of **\$11,863.40** for the **SUPPLY** of Goods & services. We agreed to the above "Terms and Conditions of Quotation".

Signed: \_\_\_\_\_

Full Name: \_\_\_\_\_

Date: \_\_\_\_\_

# **BALDWIN ASPHALTS LTD**

**SPECIALISTS IN ASPHALT & CONCRETE**

Address: PO Box 31006  
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Website: [www.baldwinasphalts.co.nz](http://www.baldwinasphalts.co.nz)

At **BALDWIN ASPHALTS LTD** we specialise in all forms of asphalt and concrete construction, asphalt and concrete repairs and maintenance. To provide the perfect finish to your project we also install a variety of edging and border solutions including brick paver, timber and concrete (exposed, coloured or plain).

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Website: www.baldwinasphalts.co.nz

[REDACTED]  
Hataitai  
WELLINGTON 6021

20<sup>th</sup> April 2015

**REFERENCE: 15126**

Dear [REDACTED]

**RE: Asphalt repair to common driveway where four small areas have failed in Kio Crescent, Hataitai, Wellington.**

We are pleased to forward our quotation for the following works. Area 40m<sup>2</sup> approximately.

- Saw cut current edges of proposed work to middle section of the common driveway of Kio Crescent where areas of white road marking paint have been sprayed with area being approximately 10 lineal metres in length by an average of 4 lineal metres in width.
- Excavate and remove all seal to this area to a depth no greater than 150mm as areas within the 40m<sup>2</sup> have been affected by depressions which could be the result of failed sub base.
- Trim and regrade the area and complete proof roll.
- Place and compact 65mm hard fill if required to areas if excavated over 100mm in depth.
- Place and compact standard 40mm base course as required completing reshaping of the area establishing correct heights and falls to 40mm below finish levels.
- Seal and reinstate the area with mix 10 asphaltic concrete 40mm nominal thickness matching to existing sealed edges / kerbing.

**SUBTOTAL: \$3,165.00**

**GST: \$474.75**

**TOTAL: \$3,639.75**

**Payment Terms: 50% DEPOSIT WHEN WORKS COMMENCE + PAYMENT IN FULL  
WITHIN 7 DAYS FOLLOWING COMPLETION OF WORKS**


Please note to complete the additional area at the top of the Crescent of approximately 10m<sup>2</sup> as per email received on the 19th April 2015 would be at the rate of \$79.12 per m<sup>2</sup> + GST subject to the above quotation being accepted.

Should you wish to undertake this project, could you please complete and sign the attached quotation acceptance form.

We would like to thank you for allowing us to quote for this work and I would be happy to discuss any aspect of this with you.

Yours faithfully  
**Baldwin Asphalts Ltd**

PP *Ames*

  
Manager

**BALDWIN ASPHALTS LIMITED**  
**Terms and Conditions of Quotation**

*In offering to carry out your work we undertake to exercise all care in minimising any possible damage to your property or to the surrounding property. Unless specifically stated our offer is subject to the following conditions:*

1. A written signed acceptance is returned to us within 30 days of the date of offer.
2. The account will be paid as per the payment terms set out in the quotation.
3. Baldwin Asphalts reserve the right to seek security for the cost of work prior to commencement thereof. If payment is not received we may cancel or withhold the service.
4. Progressive payments will be required on larger contracts.
5. The client agrees to penalty interest which may be charged on any amount owing after the due date as per the payment terms set out in the quotation at the rate of 3% per month or part month.
6. Reimbursement of all expenses and collection agency costs, including legal costs incurred by Baldwin Asphalts Ltd in recovering or attempting to recover payment as a result of amounts overdue shall be paid by the client.
7. We accept no responsibility for any ponding of water that may occur where falls are less than 1 in 100.
8. The price quoted is subject to fluctuations in prices of material, labour awards, plant hire and truck rates.
9. Unless otherwise specified, no provision has been made for excavating or backfilling unsuitable (soft) foundation material, or stormwater drainage or supply/placing of topsoil.
10. No provision has been made for relocation or repair of underground services, which may be encountered during excavation unless details were submitted in writing prior to work commencing.
11. Unless otherwise stated we have assumed that the area concerned will be able to support the loads due to the weight of the plant and equipment we propose to employ.
12. Where weed killing is required, we regret we cannot be responsible for its effectiveness.
13. Clients are warned that asphaltic concrete surfaces may show indentation under excessive point loads.
14. Standing time at the request of the client will be charged separately.
15. In the event that works are stopped or altered due to matters outside of the job specification which cause either a stand down period or a return to the job at a later stage then additional charges may be incurred.
16. Should any additional establishment/s be required as per request by the client or outside of the quotation specifications then additional charges may be incurred for covering the transporting of machinery including plant and transport required.
17. These conditions are additional to those described under the 'please notes' on the front of the quotation.

---

Please detach and return to:-

REFERENCE: 15126

We **ACCEPT/DECLINE** the attached quotation for the value of **\$3,639.75** for the **SUPPLY** of Goods & services. We agreed to the above "Terms and Conditions of Quotation".

Additional Works: \_\_\_\_\_

Signed: \_\_\_\_\_

Full Name: \_\_\_\_\_

Date: \_\_\_\_\_