

## 6. FOOTPATH RESURFACING AND MOTOR VEHICLE ACCESSWAY MAINTENANCE

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| Corporate Plan Output: Footpath Resurfacing        |  |

The purpose of this report is to advise the Council on the present practice regarding the footpath resurfacing programme and the likely financial implications if the Council were to extend this to include all vehicle crossings on legal roads. This report is provided as requested following a presentation by Mr Ross, of the Mt Pleasant Residents' Association, to the City Services Committee in March 2001 on maintenance of vehicle entrances on streets without footpaths.

### VEHICLE CROSSINGS AND THEIR MAINTENANCE

The Local Government Act and the Council's Public Places and Signs Bylaw 1992 require property owners to provide vehicle crossings across any footpath on any road, or any water channel on or adjoining any road by means of a crossing properly constructed. Vehicle crossing also includes crossings to all private right-of-ways or private roads. The issue of maintaining that part of the vehicle crossing on legal road has frequently arisen and legal opinion has indicated that "the Council has no legal obligation to maintain the surface of the access track any more than it has an obligation to maintain any other part of the public highway". The opinion was obtained in 1975 to assist the Council to make decisions not to maintain accessways to properties at the foot of St Andrews Hill Road and Rapaki Road (opposite Montgomery Terrace). These two accessways are substantially on legal roads. As recent as 1998 the residents using these accessways raised the maintenance issue with the Council again and these complaints were also subjected to investigation by the Ombudsman. The Ombudsman in both cases did not find any deficiencies or weaknesses in the Council's decisions in 1975.

In difficult hillside developments the construction of vehicle crossings often requires the construction of retaining walls on legal roads and permission is usually granted with owners entering into a Deed of Licence with the Council. One of the standard conditions is to identify that the owner "is responsible for the maintenance of retaining walls, vehicle crossings and any associated structures installed on legal road". The condition is consistent with the Council's maintenance on road. The Council's policy does permit property owners some flexibility in the installation of pavement materials on vehicle crossings where there is no formal footpath. There are also occasions where residents request the Council to maintain bridges or culverts over waterways on legal roads. These requests are declined for the reason that they don't serve the general public.

### CURRENT PRACTICE FOR FOOTPATH RESURFACING

The current practice for footpath resurfacing is to resurface the footpath and area adjacent to the infrastructure which includes vehicle crossings. This practice is to enable a consistent level of service for users of footpaths and recognises that adjacent vehicle crossings are an integral part of the footpath system. The existence of vehicle crossings also provide the users with convenient access and exit to destinations. The table below provides the level of expenditure in recent years.

|         | <i>Expenditure</i> | <i>Length Sealed</i> | <i>Unit Rate/km</i> |
|---------|--------------------|----------------------|---------------------|
| 1998/99 | \$1.762 m          | 94.4 km              | \$18,670            |
| 1999/00 | \$2.043 m          | 92.5 km              | \$22,090*           |
| 2000/01 | \$2.450 m          | 93.7 km              | \$26,147*           |

\*Note the cost increase is due to historical low cost in tendering; increase costs of bitumen and labour; and installation of additional timber battens.

The upgrading cost of vehicle crossings adjacent to footpath amount to 18% of the total cost of the resurfacing programme.

### ROADS WITH ONE SIDE FOOTPATH

The City Plan requires subdividers to provide footpath facilities and also linkage to existing or future pedestrian infrastructure. In new subdivisions only one footpath is required for roads in the Living Hill zone or for roads that serve less than 25 dwelling lots. In Living Zones this requirement is consistent with the Council's past practices and also implies that the majority of the existing hillside roads do have only one footpath. The Council has some single footpath roads that serve more than 25 dwelling lots and the Unit has occasional requests to construct additional footpath facilities. The funding for this additional footpath is mostly obtained from Boards' discretionary funding. It is estimated that 100 km of the urban network has one footpath only.

## **FUNDING IMPLICATIONS**

For the Council to extend its service level to include resurfacing vehicle entrances on roads without a footpath it would need to increase the funding for the footpath resurfacing programme by \$220,000. In addition footpath maintenance expenditure would need to be increased by \$50,000 p.a. In summary \$270,000 is required to increase the level of service.

**Recommendation:** That the current Council footpath maintenance and resurfacing practice be retained.