


Thames-Coromandel District Council  
Consolidated Bylaw 2004  
Part 24 Vehicle Crossings 2004

 <b>Bylaw</b>	Title	Thames-Coromandel District Council Consolidated Bylaw 2004 Part 24 Vehicle Crossings 2004
	Date Made	Operative Date
	25 August 2004	8 September 2004
	Proposed Review Date	Latest Review Date
	Within 5 years of adoption	Within 5 years of adoption

**2401 SCOPE**

This Bylaw applies to all roads within the Thames-Coromandel District and to all crossings whether permanent or temporary from a public road to a property bounding such road.

**2402 DEFINITIONS**

BERM means that portion of land within the road reserve between the kerb, channel or road edge and the legal boundary which separates the road reserve from a private property.

**2403 GENERAL**

**2403.1**

Except with the prior permission of Council no person shall drive, ride, propel, or wheel any motor vehicle or lead any stock across any berm, footway or water channel in any public place for the purpose of gaining access to a property or permit such act otherwise than upon and by means of a crossing properly constructed under the provisions of this Bylaw or heretofore constructed in accordance with all bylaws of the local authority in force at the time of such construction.

**2403.2**

Except with the prior permission of the Council no person shall after the coming into force of this Bylaw construct any crossing across any berm footway or water channel or repair, reconstruct, renew, or do any work whatsoever in connection with any existing crossing.

**2403.3**

Any person proposing the construction, repair, reconstruction, or renewal of any crossing shall make application in writing to the Council for a crossing to be constructed by a suitably experienced contractor or person approved by Council and the Council may:

- (a) At its discretion and subject to the payment of such inspection fee as Council requires, permit the applicant to carry out the work to such standards as the Council may determine, provided that such work is carried out by the nominated contractor or person.
- (b) Refuse to permit such work to be carried out if in Council's opinion the existence of any such crossing causes or may be likely to cause any danger or obstruction in any public place, or is in violation of any act, regulation, bylaw or rule of Council.

#### **2404 EXISTING CROSSINGS**

Council may in writing require the owner of an existing crossing which is inadequately constructed or unsealed to construct the entrance to an approved standard:

- (a) If loose road metal from the entrance migrates on to the road or into any edge drain, culvert or stormwater system.
- (b) If vehicle tracking is likely to damage underground services.
- (c) If vehicles entering a section damage a public footpath or berm.
- (d) As a condition for a building consent.
- (e) As a condition for a subdivision/land use consent.
- (f) If deterioration of the formed road edge is occurring.
- (g) If it is necessary for the control of stormwater.

On receipt of such notice the owner shall file, within the time specified by Council in its notice, an application for Council's consent pursuant to paragraph 2403.3 of this Bylaw and the provisions of that paragraph shall apply to the application.

Any person failing to comply with such notice within such reasonable time as the Council may specify shall be guilty of an offence against this Bylaw.

#### **2405 TEMPORARY CROSSINGS**

In respect to clause 2403.1 of this bylaw the Council may on approval of a Building Consent for a construction on land adjacent to a road contemporaneously issue a permit for a temporary crossing subject to such conditions as the Council may from time to time determine by resolution.

#### **2406 EXEMPTIONS**

##### **2406.1**

The Council or an authorised officer may grant exemptions to this Part on such terms and conditions are deemed by the grantor to be fit.

##### **2406.2**

Exemptions are granted in any community in which an approved roading design feature or policy does not require vehicle crossings.

##### **2406.3**

The exemption provided in clause 2406.2 will be removed in every instance where persistent regular access damages berms, footpaths or any other public infrastructure.

#### **2407 EFFECTIVE DATE**

##### **2407.1**

This bylaw will come into effect on 8 September 2004.

The COMMON SEAL of the )  
THAMES-COROMANDEL )  
DISTRICT COUNCIL was hereto )  
affixed in the presence of: )

\_\_\_\_\_ Mayor

\_\_\_\_\_ Chief Executive

**Table of Amendments**

**This table does not form part of the Bylaw**

<b>Number</b>	<b>Description of Amendment</b>	<b>Date of Council Resolution</b>	<b>Effective Date</b>