

Pencarrow Coast Road Policy for Vehicle Use 2012-2017

Division	Parks and Gardens
Date Created	May 2012
Publication Date	May 2012
Review Period	May 2017
Owner	Administration Officer, Parks & Gardens
Approved By	Divisional Manager, Parks & Gardens
Document Identifier	PG-POL-009-Pencarrow Coast Road Policy for Vehicle Use

Version	Author	Date	Description
V 1.0	Wendy Moore	2 May 2012	This policy shall cover all vehicle use of the Pencarrow Coast Road owned by HCC from Burdans Gate No. 2 to Lake Kohangapiripiri

1 INTRODUCTION:.....2

2 OBJECTIVE:.....2

3 CATEGORIES OF VEHICLE USE:2

 3.1 Category A - Frequent users and emergency services:.....3

 3.2 Category B - Commercial Users.....3

 3.3 Category C - Limited trip users4

 3.4 Category D - Pencarrow Lodge4

 3.5 Special Events:4

4 DAILY QUOTA OF VEHICLE MOVEMENTS:4

5 CONDITIONS OF USE:.....5

6. DEFINITIONS5

1 INTRODUCTION:

This policy shall cover all vehicle use of the Pencarrow Coast Road owned by Hutt City Council (HCC) in fee simple from Burdans Gate No. 2 to Lake Kohangapiripiri.

The Pencarrow Coast Road is owned by HCC for the primary purpose of maintaining the main outfall sewer. It forms an integral part of HCC’s Wastewater infrastructure and it is expected that the area will be used for this purpose in the future. The road is also the major access route to parts of the East Harbour Regional Park.

Those using the road in accordance with this policy will still need to obtain and comply with resource consent(s) from the appropriate authority where resource consent is required.

2 OBJECTIVES:

To manage vehicle use of the road to:

- Protect HCC’s assets in the area which include the main outfall sewer.
- Sustainably manage commercial use of the road to minimise as far as possible any impact on the safety of all users, the environment, archaeological sites and recreational users.

CATEGORIES OF VEHICLE USE:

There are four categories of vehicle users. All vehicle owners and operators granted permission to use the road will comply with:

- the conditions of use set out below
- any other conditions which may apply under any individual agreement with HCC and
- the conditions of any applicable resource consent.

The final decision to grant or refuse permission for vehicles to use the road under any of the following categories is at the discretion of HCC. The responsibility for making decisions under this policy rests with the General Manager, City Infrastructure or that person’s delegated representative.

2.1 Frequent users and emergency services – Category A:

HCC has identified these users as using the road on a daily/regular basis and/or those who require access for maintenance of assets or in the case of emergency which requires them to permanently hold a key to Burdan's gate. This category will be restricted to the groups and individuals noted below for the specific purposes outlined:

- Authorised agents of HCC for the purposes of monitoring and maintaining the main sewer outfall and for the purposes of undertaking any activities authorised by statute.
- Land owners and leaseholders with land adjoining the road or along the coast to the Wainuiomata River for the purposes of farming¹. This provision applies only to the existing five land titles in the area
- "Taranaki Whanui as land owners for land management purposes regarding Lakes Kohangapiripiri and Kohangatera and their respective esplanade strips, and for cultural and customary use purposes such as the collection of kaimoana for hui."
- Emergency services including the Police, Fire Service, and Wellington Free Ambulance for emergency and monitoring purposes.
- Horokiwi Quarries Limited for the purpose of transporting sand and shingle extracted from Fitzroy Bay in accordance with the resource consent granted in 1992 by HCC and its agreement with HCC for use and maintenance of the road.
- Wellington Electricity for the purposes of care and maintenance of its existing assets in the area
- The Greater Wellington Regional Council, and its appointed agents, for the purposes of monitoring the sewer outfall and access to its property and assets in the area
- The New Zealand Historic Places Trust, and its appointed agents, for the purposes of upkeep of the lighthouse.
- The Department of Conservation, and its authorised agents, for the purposes of management of the Pencarrow Recreation Reserve and the Lakes Kohangapiripiri and Kohangatera Wildlife Reserves and any other management responsibilities the Department has in the area.
- The Ministry of Fisheries for the purpose of enforcing the Fisheries Act.

The conditions of use outlined below apply to this group of vehicle users in addition to any individual agreements which are negotiated between HCC and each party. They will not however be subject to the daily quota of vehicles permitted to use the road.

2.2 Commercial Users – Category B

This category includes those individuals and groups who wish to use the road on a regular but not daily basis for commercial purposes. Applicants must be bona fide commercial operators taking groups for sightseeing and tourism purposes in buses, vans or four-wheel drive vehicles. Applications for use will be considered on the condition that all other necessary consents, such as resource consents, have been granted by the appropriate authority, including permission to access other neighbouring property as may be required from time to time.

HCC will consider the specific purpose of the proposed use and its timing and frequency.

Successful applicants will be required to enter into an agreement with HCC and comply with the conditions of use outlined in this policy. A licence fee will be charged on application and the applicant issued with a key and permit, valid for 12 months.

¹ Farming purposes is defined on page 5

2.3 Limited trip users – Category C

This category includes those groups or individuals who wish to use the road for a stated purpose over a specified period of time for a specified number of trips in and out of the area using the gate. This will include groups such as the army for training exercises, scouts/guides for field trips and environmental/university groups for research. Outdoor sporting groups such as recreational fishing organisations and duck shooters will also be considered under this category.

HCC will consider applications in light of the purpose of the trip and the number of vehicle movements proposed. Applications for use will only be considered on the condition that all other necessary consents, such as resource consents, have been granted by the appropriate authority. Each application will be considered as part of the daily quota of vehicle movements. A bond of \$100.00 will be paid to HCC on the uplifting of the key. The bond will be refunded on the return of the key provided that HCC is satisfied that the applicant has complied with all the conditions for use.

HCC will issue successful applicants with a permit on signing of the agreement to comply with the conditions of use. The registration numbers of all vehicles using the road under each agreement will be provided to HCC at the time of application.

2.4 Pencarrow Lodge – Category D

This category is specific to Pencarrow Lodge (the Lodge). The Lodge will be able to make up to ten vehicle movements per day, seven days per week for its business purposes on the condition that all other necessary consents, such as resource consents, have been granted by the appropriate authority. All movements under this category must be registered with HCC prior to the day of use, upon which HCC will issue a permit.

2.5 Special Events:

HCC will consider applications for vehicles to use the road in excess of the quota outlined below when associated with special one-off events planned in the area. This includes such events as fun runs, cycle races and vintage car rallies. HCC will decide:

- whether permission will be granted; and if granted
- the number of vehicles allowed in association with the event.

Applications should be made to HCC at least 6 weeks prior to the event. If permission is granted, the applicant will be required to place public notices advising the public of the event on site and in local papers at their own expense. A bond of \$100.00 will be paid to HCC on the uplifting of the key. HCC will refund the bond when the applicant returns the key provided that HCC is satisfied that the applicant has complied with all the conditions for use.

3 DAILY QUOTA OF VEHICLE MOVEMENTS:

For Categories B and C users combined, a maximum number of ten vehicle movements per day, seven days per week will apply at all times. Category D will have a separate maximum number of ten movements per day, seven days per week.

Rolling Average

HCC may apply a rolling average to the number of vehicle movements permitted under Category D each week. This means that if the full number of vehicle movements has not been used in any week then a user could exceed the daily quota as long as the total number of movements per week did not exceed the weekly quota. Any decision made under this part of

the policy will only be made where HCC is satisfied that granting permission to use the road will comply with the overall objectives of the policy.

Any such decision will be at the complete discretion of HCC.

4 CONDITIONS OF USE:

All vehicle users of the Pencarrow Coast Road must comply with the following conditions of use at all times:

1. HCC reserves the right to close the road and/or restrict access at any time for the purposes of maintaining the main outfall sewer line or maintaining the road.
2. The road shall be used only for the purposes for which permission was granted, as described in the agreement with HCC.
3. Under no circumstances shall the key be used by any party other than the authorised user.
4. The maximum speed limit shall be 30km/hour at all times.
5. The authorised user shall ensure the gate is locked immediately following the vehicle's entry to, or exit from, the Pencarrow Coast Road.
6. The authorised user shall not allow access for any other vehicles.
7. In the event of loss of the key the authorised user shall immediately notify HCC and shall reimburse HCC for the full cost of replacement of the key.
8. Vehicles shall remain on the road at all times and shall not deviate from the road.
9. The uplifting of the key shall only be made after adequate personal and business identification.
10. Every care shall be taken of other road users e.g. recreational walkers, cyclists, other vehicles and livestock.
11. Authorised users should be aware of the fragile nature of the environment and are required to take every care necessary to avoid any damage to the environment.
12. HCC reserves the right to exclude the use of any particular type of vehicle on the road.
13. The authorised user agrees to indemnify HCC from and against all costs, expenses, actions, claims or demands of whatever nature arising out of the authorised users' use of the road under this agreement.
14. The authorised user shall use the road entirely at their own risk in every respect. HCC shall have no liability for any damage or loss whether to the authorised user, their goods or otherwise, suffered by the authorised users or any other persons in respect of the road and its use.
15. Prior to use commencing all authorised users shall supply HCC with the registration number/s of any vehicles which will be using the road under the agreement reached with HCC.
16. Category B, C & D users will be issued with a permit that must be clearly displayed at all times when the vehicle is on the road.
17. The key must be returned no later than 9am on the Monday after any weekend access.
18. If any one of these conditions is breached the HCC reserves the right to immediately cancel any existing agreement without notice and to refuse future applications.
19. All Category B authorised users will pay a set licence fee.

20. A bond of \$100.00 will be paid by each Category C authorised user when the key is uplifted. The bond is refundable on the return of the key. HCC will retain this bond if any of the conditions of use are breached.
21. HCC reserves the right to claim compensation for any damage caused by authorised users under any category of user.

DEFINITIONS

Farming purposes

Anything related to or supporting the activity of farming which would normally include a tract of land, usually with a house, barn, silo and so on, on which crops and/or livestock are raised for livelihood.

Traffic Movement

One traffic movement is equal to one return trip.