

24 March 2022

[REDACTED]

Dear [REDACTED]

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Request: 2022-15

Thank you for your email of 14 March 2022 to the Carterton District Council requesting the following information:

1. *"What is the process for gaining permission to dig up footpaths within Carterton? (eg for laying cables).*
2. *Does this process include the ability for CDC to put conditions on permissions? (eg "work to be done between 9am&3pm")*
3. *Do all non-urgent works that require the footpath to be dug up need to apply for this permission? (excluding emergency works such as repairs to a burst water main for example)*
4. *Also, I understand there was suggestion some years ago that a services duct be placed under the footpath while it was being renewed (when the tiles were laid), to 'future proof' the street and prevent further major excavations from being necessary - why was this idea rejected?"*

Your request has been considered under the Local Government Official Information and Meeting Act 1987 (the Act).

The response to your request is provided in the number order below:

1. *"What is the process for gaining permission to dig up footpaths within Carterton? (eg for laying cables).*

Applicants must apply for a Corridor Access Request (CAR) in order to obtain a Work Access Permit (WAP). Part of the application requires the applicant to submit detail of the works and Temporary Traffic Management Plan (TTMP) for the planned works. The Council will review and approve/reject the CAR application. The below legislation also gives the Utility Operator the right to access road corridor:

- Electricity Act 1992 Section 25 Notice to be given before works undertaken allows electricity providers to request laying in the road
- Telecommunications Act Clause 135 Construction or repair of lines or wireless works on the roads

2. Does this process include the ability for CDC to put conditions on permissions? (eg "work to be done between 9am&3pm")

Following consideration of the Corridor Access request the Council will issue a Works access Permit (WAP) with reasonable conditions. The requirement of reasonable conditions is also a requirement under:

- Electricity Act 1992 section 24A allows to set reasonable conditions
- Telecommunications Act 2001 section 136 Notice requirement

3. Do all non-urgent works that require the footpath to be dug up need to apply for this permission? (excluding emergency works such as repairs to a burst water main for example)

Yes, refer to point 1 above, also emergency works also require a retrospective CAR to be requested.

4. Also, I understand there was suggestion some years ago that a services duct be placed under the footpath while it was being renewed (when the tiles were laid), to 'future proof' the street and prevent further major excavations from being necessary - why was this idea rejected?

We are not aware of such any suggestion.

Please note, the Council now proactively publishes LGOIMA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Geoff Hamilton
Chief Executive
Carterton District Council