

Occupation of the Road Reserve

Information Guide

Version: 2
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Who is this information for?

The information contained in this guide is intended to assist Timaru District residents with applying for permission to occupy the road reserve. This includes applying for grazing leases, permission to plant trees, construct fences, and permission to install private services in the road reserve.

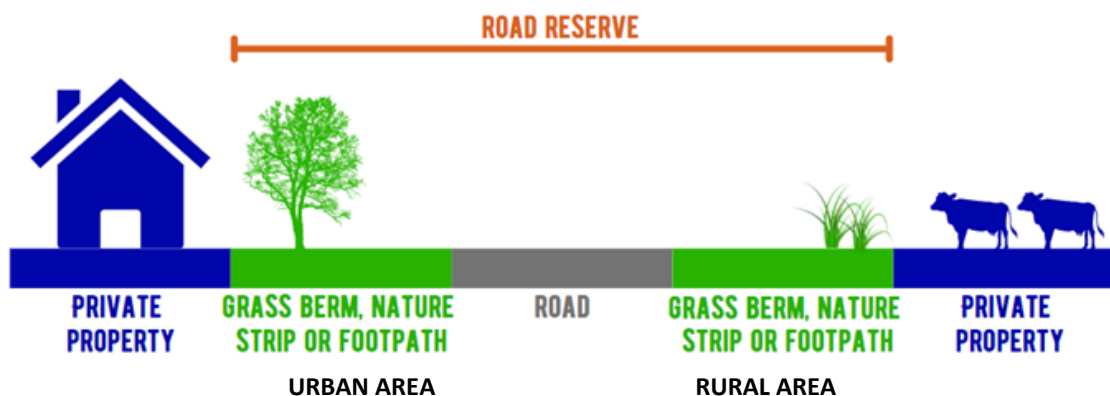
Before you apply

Before you start your application, you will need:

- The Property Valuation Number/Legal Description of the land
- Detailed plans of your proposal
- Building Consent or Resource Consent Number if applicable
- Written approval from other organisations if applicable

What is the Road Reserve?

The road reserve is the area of land (including the road) between property boundaries:



On behalf of ratepayers, Timaru District Council owns, operates and maintains all road reserves in the Timaru District, except for State Highways (these are owned by the Crown and managed by New Zealand Transport Agency/Waka Kotahi). Just like our parks, footpaths and water treatment systems, road reserves are a public asset.

What occupation types are permitted in the road reserve?

Road reserves are public places and are in close proximity to fast moving vehicle traffic. It's in the interest of public safety and amenity that the road reserve is kept clear of hazards, and that any changes made to the road reserve are appropriate to the environment and are conducted safely. Activities in or changes made to the road reserve are monitored by Council and are often related to the provision of a public service (e. g. road maintenance, planting of street trees). Council does permit property owners to occupy the road reserve for certain purposes, provided that an application is made and is accepted prior.

Examples of the types of occupation permitted by Council include, but are not limited to:

- Installation of **private*** below ground utility services (such as ducts, irrigation pipelines, effluent pipelines, telecommunication/electrical cables not maintained by utility providers)
- Installation of stock underpasses
- Installation of access/entranceway culverts greater than 1.0m in diameter
- Installation of fences, gates or stock crossings in the road reserve
- Installation of structures, and or signs
- Planting of trees and shrubs

Other applications to occupy are assessed on a case-by-case basis.

***Private** services are services that are wholly owned and maintained by a private party (usually the property owner). This does not include standard property connections to public infrastructure, such as water, sewer, power or fibre connections which are managed through different consent processes. Any occupation approved by Council, unless otherwise stated in the approval, is the responsibility of the agreement holder to maintain on an on-going basis.

How do I apply for permission to occupy the road reserve?

You need to complete an application form requesting permission to occupy the road reserve, and have this approved by Council.

Occupations fall into three categories, for which different types of permissions are granted:

Category	Examples	Permission Type
Installing or constructing easily removed items / services	- Rural encroachment fence/gates - Signs - Planting of trees and shrubs	Agreement of Licence (AOL) Non-transferable (<i>if property changes ownership this must be transferred to new owner</i>).
Installing or constructing items / services that are not easy to remove	- Stock underpasses - Pipelines across and/or along the road reserve	Licence to Occupy (LtO) Registered against property title and requires both current and future landowners to comply with conditions.
Seeking permission to graze stock on an unformed legal road (paper road)		Grazing Lease Non-transferable (<i>if property changes ownership, any existing grazing lease must be transferred to the new owner</i>).

If you are unsure about what category/permission type to apply for, please contact the Infrastructure Consents Team on (03) 687 7200 to discuss before submitting your application.

Your application must be approved by Council before occupation takes place. Council will impose conditions on your approval and monitor compliance with these.

Please note that the approval of a Resource Consent, Building Consent and/or Services Consent does not imply approval of an application to occupy the road reserve, or vice versa.

Safety and Visibility

Safety and clear site distance visibility are paramount in the siting and installation of all private services within the road reserve. Should you require technical advice regarding the positioning of private services please refer to Council's Land Transport Unit on (03) 687 7200.

General

- Our target is for applications to take less than 20 working days to process after receipt of application. Some more complex applications may take longer.
- All costs involved in the installation of private services are the responsibility of the landowner or their agent.
- The Application to Occupy Road Reserve Form and Information Guide are both available at www.timaru.govt.nz/occupying-road. Please fill in every field on the application form to avoid delays in processing your application.

Application Fees

In accordance with Council's 2026/27 Fees and Charges Publication, an application fee of **\$750.00** (including GST) is payable with each application.

Other Fees	(including GST)
Amendment Fee	\$500.00
Private Bridge / Stock Underpass Structural Inspection Fee	Actual Cost
Road Occupation Inspection Fee	\$410.00
Re-inspection Fee (<i>when completed works require remedial work and re-inspection because the standard of work does not meet Council Specifications</i>)	\$410.00
Excavation in carriageway - additional fees may apply when Corridor Access Request (CAR) issued -	up to \$2,500.00
Details of Fees and Charges for CARs can be found on Council's website: www.timaru.govt.nz/land-transport-fees	

Infrastructure Approved Contractors

Council does not carry out any physical works or arrange contractors to carry out private services occupation work. Once approval to occupy is granted, the applicant is required to arrange their own contractor, noting that any excavation in the road must be completed by an Infrastructure Approved Contractor for that work type.

All work on Council infrastructure (including excavation / reinstatement of the roading network) must be carried out by an Infrastructure Approved Contractor. The current list of Council Infrastructure Approved Contractors is available on the Council's website: www.timaru.govt.nz/approvedcontractor

Work Undertaken within a State Highway

When connections to Council Infrastructure are located on a State Highway, additional approval to undertake the work must be obtained from New Zealand Transport Agency/Waka Kotahi (NZTA). A vehicle access located on a State Highway must be installed to NZTA's standards and constructed by an NZTA Approved Contractor. It is the responsibility of the landowner or their agent to obtain these approvals prior to commencing work.

New Zealand Transport Agency's local representative is: Isaac Group, 45 Leckie Street, Redruth, Timaru (0800 472 222)

Work Undertaken within the Road Corridor

A Corridor Access Request (CAR) is required for **all** work undertaken within the road corridor. This is required to be obtained through the MyWorksites website www.myworksites.co.nz by the appropriate Council Infrastructure Approved Contractor (or the landowner/agent), with a Council approved Work Access Permit (WAP) being given prior to commencing works.

All work carried out within the road/footpath is to be carried out in accordance with the *National Code of Practice for Utility Operators' Access to Transport Corridors*. Please note this includes a 24-month maintenance and warranty period that is the responsibility of the landowner or their agent. This includes reinstatement of sealed surfaces.

When submitting a CAR, a Traffic Management Plan (TMP) is required and is to be prepared by a qualified TTM Planner prior to commencing work within the road reserve. Any questions regarding Traffic Management requirements should be directed to:

Local Roads:

Timaru District Council's Land Transport Unit car@timdc.govt.nz or 021 226 9280

State Highways:

New Zealand Transport Agency / Waka Kotahi 0800 44 44 49 (0800 4 HIGHWAYS)

- NZTA / Waka Kotahi - Senior Network Manager jojo.thomas@nzta.govt.nz or 021 226 9280
- Access off a State Highway – Nina Chen canterburyaccess@nzta.govt.nz or 021 240 1693
- CARs / Traffic Management / Utilities RTTMC@nzta.govt.nz or 0800 788 628 (0800 RTTMCT)

CARs are subject to additional fees and charges. Details of Fees and Charges for CARs can be found on Council's website: www.timaru.govt.nz/land-transport-fees

Work Undertaken within Natural Waterways

When work requires disturbance of a natural waterway or creek bed, it should be noted that this work will require approval from the Regional Council (ECAN) and may require Resource Consents in addition to any Council approval. It is the landowner's responsibility to obtain any Resource Consent prior to commencing work.

Contact details are shown below:

- Environment Canterbury, PO Box 345, Christchurch 8140 Phone 03 687 7800

Other Organisations' Approval

In some instances, written approval must be obtained from all existing affected road users stating that they have no objection to the installation of the private service proposed. This written approval is to be supplied with the application. Contact details of the various authorities are shown below:

- Opuha Water Ltd, 875 Arowhenua Road, RD 4, Timaru 7974 Phone 03 614 7801
(Required when proposal involves crossing a Levels Plain Irrigation channel)
- Rangitata Water Ltd, C/- Brophy Knight Ltd, 144 Tancred Street, Ashburton 7700 Phone 03 307 9051
(Required when proposal involves crossing a Rangitata-Orari Water Race or Rangitata South Irrigation channel)

If this is the case, we will advise you as part of the application and approval process.

Rural Vehicle Crossing with Large Culverts/Bridge

In addition to rural vehicle crossings requiring a Services Consent, some vehicle crossings will require installation of a culvert/bridge within the road reserve greater than 1.0m in diameter and therefore require Council approval.

It should be noted that under the Building Act, any culvert/bridge with fall greater than 1.0m from the top of the structure to the ground level (i.e. the base of the drain / stream bed) may require a Building Consent. Regardless of whether a Building Consent is required, all work is to comply with the Building Code. Please contact Council's Building Advisory Services Unit Duty Building Advisor on (03) 687 7236 for further information. It is the landowner's responsibility to obtain this consent.

If a Building Consent is required and the public will use or pass over the structure, a 'Producer Statement – PS4 – Construction Review' is required to be obtained to allow public use or access before the Code Compliance Certificate is issued.

If the crossing crosses a privately owned irrigation scheme, proof of approval to perform works within the irrigation scheme will need to be obtained from the relevant Irrigation Scheme. If the irrigation race is within the road reserve, this approval is required to be supplied with the application.

Planting of Trees and Shrubs

Shelter belt planting is not permitted on the road reserve.

Council does not actively encourage planting of trees and shrubs on the road reserve as often they cause safety and visibility issues, or may trigger clearance distances to overhead reticulation services once fully matured, however the following types of trees and shrubs are potentially suitable for roadside planting.

Species Name	Common Name
Sophora microphylla or prostrata	Small leafed Kowhai
Dodonea viscosa purpurea	Purple Akeake (less frost tender than the green)
Plagianthus regius	Ribbonwood
Pseudopanax ferox or P. crassifolia	Lancewood (Horoeka)
Hoheria populnea	Lace bark
Olearia hectorii or O. fragrantissima	Hectors tree daisy
Fraxinus ornus	Mana ash
Acer rubrum 'Walter Columnar'	Maple
Quercus robur 'fasitagata'	Columnar oak

Other species may be acceptable and will be determined on a case-by-case basis. Planting should be a mix of deciduous and evergreen. Taller species should be narrow growers. Plantings should not cast heavy shade or seed/sucker freely.

Council reserves the right to require a qualified arborist report on the structure and condition of the plants at the cost of the applicant and may request future removal.

Public Liability Insurance

It is highly recommended that public liability insurance is held by any individual or group conducting activity on the road reserve, regardless of whether licence or approval has been provided by Council.

Relevant Legislation

Installation of private services within the road reserve is required in accordance Timaru District Consolidated Bylaw 2018, specifically, but not limited to:

- Chapter 2 – Public Places www.timaru.govt.nz/bylaw/chapter-2
- Chapter 10 – Traffic www.timaru.govt.nz/bylaw/chapter-10

Other legislation that empowers council to grant approvals are:

- Local Government Act 1974 and 2002
- Land Transport Act 1998

Installation of private services without approval will be assessed for removal and enforcement action.