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## **1. Purpose of Paper**

The purpose of the paper is to specify criteria for the installation of road mirrors. The procedure will relate to existing private vehicle crossings. It is not for use on public roads.

## **2. Executive Summary**

Historically it has been the Council's policy not to use road mirrors. It is now considered that the use of road mirrors may be acceptable in some circumstances to enhance road safety however, they should be subject to specific criteria.

It should be noted that these devices are to be used as a last resort and must not replace good planning or design. Accordingly, the approval of a road mirror is expected to be the exception rather than the norm. It is also noted that mirrors are not always the most appropriate solution.

Mirrors should only be used in last resort situations due to the problems associated with them, such as limited visibility when raining or at dawn or dusk, difficulty for non-regular users and slight distortions of image.

## **3. Definitions**

In terms of this Policy, the following definitions apply:

### **Access ways**

Access ways include driveways that cross legal roads and paths, cable cars or steps that provide access to private property.

### **Legal road**

Legal road is a road as defined by the Local Government Act and generally this means any land owned by the Council:

- (a) that is laid out or constructed as a road or street or public highway that is intended for the use of the public generally; or
- (b) that is vested in the Council for the purpose of a road as shown on a deposited survey plan or any other enactment; and
- (c) includes land from the centreline to the private property boundary and includes kerbs, footpaths, berms and any green unoccupied space not formed as a road or footpath and airspace above legal road.

### **Road Mirror**

A convex mirror installed for the purposes of aiding access to and from a site.

## **Encroachment Licence**

A licence is required to install a road mirror within legal road. This licence provides the licence holder with permission to erect and use a road mirror to aid with access to and from their site only. It does not create any legal interest in the land.

## **Road opening notice**

A road opening notice is required for any activity that will alter or cause to be altered the surface of any part of the road reserve, including but not limited to excavating, drilling, resurfacing, the placement of any pipe, duct, pole, cabinet or other structure below, on or above the road reserve.

## **Site**

A site means any area of land comprised wholly in one Certificate of Title or any allotments as defined by the Act, or any allotments linked pursuant to the provisions of section 37 of the Building Act 1991.

# **4 Discussion**

## ***4.1 Policy***

An encroachment licence is required if a road mirror is to be installed within the boundaries of legal road. The licence must be sought and gained prior to installation of the mirror. The provision of a road mirror will normally be used to mitigate the inadequate sight distances associated with an existing private driveway.

Road mirrors are not considered safe for public use due to distortion which may encourage unfamiliar users to make bad decisions.

If considered necessary council officers retain the right to require a traffic report from a reputable traffic engineer at the applicant's expense.

## ***4.2 When a licence is needed***

Any person seeking to erect or install a road mirror within the legal road must obtain an encroachment licence.

If the road mirror requires a new pole to be erected a road opening notice will be necessary. Inspections may be made to ensure the road has been returned to an appropriate standard.

Mirrors should only be used in last resort situations due to the problems associated with them, such as limited visibility when raining or at dawn or dusk, difficulty for non-regular users and slight distortions of image. Nevertheless the provision of these devices at locations where other factors make it difficult to achieve the necessary sight distance may be considered an effective mitigation measure provided the following requirements are met.

To ensure achievement of the above, the following five criteria must be satisfied to obtain the licence. A short explanation of the philosophy behind each criterion is provided underneath each criterion.

**Criteria 1 - The safety and efficiency of the road network will not be unduly compromised.**

In order to obtain the right to install a road mirror the applicant must satisfy the Council that the road mirror will not unduly compromise the safety and efficiency of the road network. This is consistent with policies for Resource Management purposes and the duties of Council under the Local Government Act.

**Criteria 2 - Mirrors will only be installed in areas with a 50km/hr speed limit or less.**

The speed environment is the most important requirement for determining the appropriateness and safety of a mirror. This is because it relates directly to the stopping distance and consequently to the severity of an accident if one was to occur.

**Criteria 3 - A mirror will only be approved if it is impossible to improve sight distances by some other, practical means.**

Other means of providing sight distance should be explored in the first instance to remove the risks of incorrect use of mirrors, bad visibility and inadequate stopping distances.

Other options that should be explored include removal of vegetation, trimming of a bank, realignment or removal of a structure such as a fence and relocation or realignment of a driveway. An alternative, less convenient option would involve carrying out the unsafe manoeuvre at another safer location. For example, if sight distances to the right are inadequate to make a right turn, but a safe left turn can be achieved, then all exits from the drive should be in a left direction with a right turn undertaken in a safer location elsewhere.

**Criteria 4 - A mirror is used only where the benefits of providing off-street parking will make the route safer for existing road users.**

Mirrors are often requested in areas where the roads are narrow and winding with steep topography, which creates difficulties in achieving off street parking for residents. Typically these areas have high on street parking demands, which in turn creates congestion and safety issues for other road users on the road network. It is seen as appropriate to encourage off street parking in these areas to improve the deficiencies of the road network. This can sometimes only be achieved by the construction of a driveway with substandard sight distances relying on the installation of a mirror.

In areas where parking on street does not create a congestion or safety issue and there is ample parking available, the application will be refused as the hazards associated with the driveway, even including the mitigation provided by a mirror, outweigh the adverse effects of the cars continuing to be parked on the street.

**Criteria 5 - Mirrors must be erected at such a height so as not to compromise pedestrian or vehicular safety, typically 2.5 metres above any ground to which pedestrians have access.**

Mirrors should be erected so they do not or unable to come in contact by pedestrians or any part of a vehicle structure. Experience has shown that the greater the height from the road or footpath surface the greater the benefit to motorists and the less likely a mirror is likely to be vandalised.

### ***4.3 Building and works on legal road***

Prior to installing any mirror on legal road, whether it is attached to an existing structure or has its own supports the following is required:

1. An **encroachment licence**, obtained from the Council; and
2. Any necessary **Resource or Building Consents**, obtained from Council's necessary departments (Urban Strategy, Building Consents and Licensing Services);
3. Any necessary **road works notice** for new poles erected;
4. Any necessary approvals from **utility network operators** – e.g. if the mirror is to be attached to a power pole or other utility pole.

### ***4.4 Approval***

The application for an encroachment licence should include details on how the application meets each of the five criteria. A diagram providing details of the driveway, proposed location of the mirror, and any other relevant information, including details of other structures intended to be built within the legal road.

The application will be assessed by a Transport Planning Engineer based on the criteria of this paper and any safety issues relating to the proposed site.

### ***4.5 Fees***

The encroachment licence fee is \$450.00 incl. GST which will include the road mirror assessment by a Transport Planning Engineer. The encroachment licence has a minimum annual rental of \$90.00 + GST. If the road mirror requires a new pole a road opening notice administration fee of \$55.00 and an inspection fee of \$75.00 per inspection will apply.

### ***4.6 Maintenance***

It is the applicant's full responsibility to ensure that the mirror is operational. At times when the mirror is not operational the access may not be used. Sites where mirrors are awaiting maintenance cannot be used. This will require residents and their visitors to park on the street until the maintenance has been performed, or a replacement installed.

#### **4.7 Liability**

The Wellington City Council will accept no liability or responsibility for matters relating to the road mirror. Any issue regarding the road mirror is fully the applicant's responsibility.

#### **4.8 Removal**

The Wellington City Council will retain the right to remove any mirror that fails to comply with the criteria of this licence that will include failure to maintain in usable condition, failure to adjust or relocate the mirror as required by permanent roadworks or future building developments or changes to the roads layout or any situation that compromises public safety on the road, footpath or Council Road Reserve.

#### **4.9 Devices**

Heavy duty mirrors are designed to withstand vandalism and extreme weather; light mirrors have greater clarity and a variety of shapes and sizes. For Wellington City it is recommended that the minimum mirror size is 800mm in diameter and the design is always convex. Details of the proposed mirror should be included in any application.

#### **4.10 Installation**

Suppliers generally have their own fitting devices, it is recommended that the mirror supplier also supplies the fitting device (and pole if needed).

Mirrors should be positioned to allow the driver, who is to give way, sight of the conflicting vehicle in the centre of the mirror.

As in criteria 5, mirrors must be erected at such a height so as not to compromise pedestrian or vehicular safety, typically 2.5 metres above any ground to which pedestrians have access.

Other factors to take into account;

- Visibility of the mirror from the main flow of traffic, which should be minimised
- Glare and reflections from vehicle headlights and sunlight
- Vegetation cover and shade from other objects.