

## 12. BISHOPDALE MALL RESERVE – STORMWATER EASEMENT

The Board considered a report from the Policy and Leasing Administrator, seeking approval for the surrender of existing easements granted in the Council's favour and the granting of new stormwater easements.

The Board **resolved**:

1. That the Council surrender the stormwater easements in gross over Lot 2 DP 83749 contained in certificate of title CB48C/383 owned by the Young Men's Christian Association of Christchurch Charitable Trust, shown as G, H, I, J, K, M, on the Existing Easements Plan as shown in attachment 2 of the agenda, drawing number 260371, these easements being of approximately 250 square metres in area.
2. That the Council approve the new stormwater easements in gross over Lot 2 DP 83749 contained in certificate of title CB48C/383 owned by the Young Men's Christian Association of Christchurch Charitable Trust, shown as CP, CM, CG, CH, CK, on the Proposed Easements Plan as shown in attachment 2 of the agenda, drawing number 260371, these easements being of approximately 168 square metres in area subject to survey.
3. That the Council grant a stormwater easement in gross unto itself in accordance with the requirements of section 48(6) of the Reserves Act 1977 over the alignment of the stormwater pipe already laid through Lot 2 DP 26692, a Local Purpose (Community Buildings Reserve) vested in the Council (New Zealand Gazette 1989 page 5763), shown as CE, and CF on the Proposed Easements Plan as shown in attachment 2 of the agenda, drawing number 260371, this easement being of approximately 168 square metres in area subject to survey, subject to the following conditions:
  - (a) The consent of the Minister of Conservation being obtained in the case of 3 above.
  - (b) The easement terms being negotiated by the Corporate Support Unit Manager, in consultation with the Greenspace Policy and Leasing Administrator.
  - (c) The easement construction area being maintained by the YMCA, and their contractors in a safe and tidy condition at all times.
  - (d) All costs associated with the surrendering, survey and registration of the easements on the YMCA's, and the Council's titles, being the responsibility of the YMCA.
  - (e) The applicant is to provide the Council, within three months of completion of the work, a surveyed easement plan showing the easements as shown on drawing 260371.
4. That the Council resolve not to charge a one off compensatory payment for the privilege of having the easement encumbrance placed on the Council's title in accordance with Council policy (27/9/01), and not charge for officers' time involved in processing the application in accordance with Council policy (12/7/01), because this would defeat the purpose of the tangible support that the Council has given to this project.

(Note: Cheryl Colley declared an interest in this item and took no part in the discussion and voting thereon.)