

## 17. PROPOSAL BY COLCANNON LIMITED TO CREATE AN EASEMENT ACROSS COUNCIL RESERVE

The Board considered a report seeking its approval of a right to convey stormwater and the installation of a 375mm diameter stormwater discharge pipe, swale, and bridge on the Heathcote River Reserve, to enable treated stormwater to be drained from the proposed industrial estate through the Council reserve to the Heathcote River. The proposal is necessary to enable the applicant to complete an application to Environment Canterbury for discharge consent to discharge stormwater to the Heathcote River.

The Board **resolved** to grant an easement to Colcannon Limited, as provided for in Section 48(f) of the Reserves Act 1977, over approximately 40m<sup>2</sup> (the easement being approximately 2 metres wide by 20 metres long), of Section 1 Survey Plan 19891, an esplanade reserve, as shown in the attachment subject to the following conditions:

1. That the applicant lodges a survey plan of the proposed easement with Land Information New Zealand within three months of the granting of the easement.
2. The approval of the Minister of Conservation being obtained for the granting of the easement.
3. That the applicant obtains all resource and building consents before work commences on the site.
4. That the applicant negotiates a suitable compensation package with the Council, which is subject to an independent valuation, the cost to be borne by the applicant, for the privilege of utilising the Council land as an easement.
5. That before work commences on the site the applicant is responsible for locating any existing services in the reserve, if any, ensuring that they are not damaged by contractors during construction.
6. The easement construction area being maintained by the applicant and their contractors in a safe and tidy condition at all times.
7. A bond of \$2,000 is to be paid by the applicant to the Christchurch City Council via the Parks and Waterways Advocate, Linwood Service Centre, before work commences on the site. This bond, less any expenses incurred by the Council, is to be refunded to the payee upon the completion of the work, and lodgement of the survey plan as built with the Greenspace Unit Policy and Leasing Administrator.
8. The applicant is responsible for maintaining and replacement as necessary the stormwater drain and bridge.