

10. PROPOSAL FOR THE COUNCIL TO SUPPORT THE LODGEMENT OF A SURVEY PLAN TO CREATE A RIGHT OF WAY AND ACCESS FOR SERVICES OVER COUNCIL RESERVE LOT 14 DP 30194

The Board considered an application by Davie Lovell Smith on behalf of Landau Estate Limited for a right of way and associated service easements over Recreation Reserve at Lot 14 DP 301914 to provide physical access through a right of way to an intended adjoining subdivision. The Board's support of the proposal for access is necessary to enable the separate application for subdivision lodged by the applicant with the Council's Environmental Services Unit to proceed.

The Board **resolved** that Landau Estate Limited be granted an easement for a right of way and associated service easements in accordance with Section 48 (1) (a) of the Reserves Act 1977 over approximately 100m² (the easement strip being approximately 10 wide by 10 m long), of Lot 14 Deposited Plan 301914 as shown in attachment 1 to the report, subject to the following conditions:

1. That the applicant provides a compensatory payment to the Council, decided by an independent valuation, for the privilege of creating a right of way and easement to accommodate services.
2. 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.
3. That the applicant registers the easement as required by the Reserves Act 1977.
4. That the Council is not responsible for the maintenance of the right of way across the reserve or the maintenance and replacement of services in the right of way.
5. That the applicant provides and implements a landscaping plan of the reserve strip in conjunction with the landscaping requirements of the Greenspace Unit.
6. That the applicant pays all the Council's costs incurred in processing this application.
7. That the approval of the Minister of Conservation is obtained.