

Date: 20<sup>th</sup> October 2016

File ref:

To: **Justin Lester, Mayor Elect**

**Kevin Lavery, Chief Executive Officer**

From: **Mike Oates**

**Manager Open Space and Recreation Planning**

Cc: **Paul Andrews, Manager Parks Sport and Recreation**

Subject: **Reserves Act 1977: Approval of Stormwater easement over Silverstream  
Road Reserve**

## **Purpose**

1. To obtain Committee approval for a stormwater easement through land held under the Reserves Act 1977 at 64 Silverstream Road (Huntleigh Park Reserve).

## **Summary**

2. The developers of the subdivision, Parklane Infrastruct LTD intend to develop the land at 131 Silverstream Road for residential purposes. The property is close to and downstream from Huntleigh Park Reserve (the Reserve).
3. It was always anticipated that the stormwater from the residential developments would be carried via a pipe and into the Silverstream, a tributary of the Kaiwharawhara stream. Originally it was proposed to run the stormwater through an adjacent property directly into the stream. This has not proved possible so now it is proposed that the stormwater pipe be routed via Silverstream Road and then under the lawn area on the reserve and into the Silverstream within the reserve.
4. Upon completion of the proposed work, the area will be restored, either being re-grassed or with the streambank planted in species suitable to the location. The stormwater pipe will be vested in Wellington Water as part of its infrastructure. There will be a material change to the reserve as a result of the storm water pipe and associated riprap that will be installed within the streambed.
5. The proposed easement will be dealt with under section 48 of the Reserves Act 1977 and will require public consultation.

## **Recommendations**

That the CEO and Mayor elect:

1. Receives the information.

2. Agrees to grant a stormwater easement in perpetuity over reserve land at 64 Silverstream Road [being *held in Gazette B 040427.1 as Scenic Reserve*] pursuant to section 48 of the Reserves Act 1977.
3. Notes that any approval to grant the easement (referred to above) is conditional on:
  - a. appropriate iwi consultation
  - b. public consultation under s119 and s120 of the Reserves Act 1977
  - c. no sustained objections resulting from the above consultation and notification
  - d. all related costs being met by Parklane Infrastruct Ltd
4. Notes that a further report will be submitted to summarise submissions and decide whether to uphold objections, if necessary.
5. Notes that the work within the easement area will be subject to the relevant bylaw, building and/or resource consent requirements.
6. Notes that the works will proceed in accordance with final Parks, Sport and Recreation agreement to all replanting mitigation plans, track reinstatement and park management / work access plans.
7. Delegates to the Chief Executive Officer the power to carry out all steps to effect the easement.

## Background

6. Parklane Infrastructure Ltd has been developing a residential subdivision at 131 Silverstream Road.
7. It was always anticipated that the stormwater from the residential development would be carried via a pipe and into the Silverstream, a tributary of the Kaiwharawhara stream. Originally it was proposed to run the stormwater through an adjacent property directly into the stream. This has not proved possible so now it is proposed that the stormwater pipe be routed via the legal road and then under the lawn area on the reserve and into the Silverstream within the reserve.

## Discussion

8. The effects of this stormwater discharge into the stream will be minimised through design of a system that controls maximum flow with stormwater exiting onto an energy dissipation bed.
9. The stormwater will drain into the Silverstream that flows down to the Kaiwharawhara Stream.
10. Section 48(1)(f) of the Act provide for this type of easement in reserves. The reserve is the best location for the stormwater pipe, given the proximity to the point of discharge and the natural catchment area.
11. Public notification is required under the Act and will be undertaken as the stormwater discharge structure is considered to materially alter the Reserve.
12. The applicant has consulted with the Council's Parks, Sport and Recreation Team who have provided a landowner approval for the work, subject to conditions. As part of this work the applicant will remove the old stormwater pipe as well as redundant infrastructure upstream from the proposed outlet.
13. The Reserve area will be restored after the completion of the work, and the rights of the public with respect to the Reserve will not be altered as a result of the work.

Signed

Justin Lester, Mayor Elect ..... 

Kevin Lavery ..... 

