

Port Charles Road Encroachment Proposal

TO Coromandel-Colville Community Board
FROM Matt Busch - Roading Manager
DATE 4 September 2015
SUBJECT **Port Charles Road Encroachment Proposal**

1 Purpose of Report

To seek a recommendation from the Coromandel-Colville Community Board to the Infrastructure Committee in support of the Moehau Environment Group's proposal to construct a kiwi listening platform on an unused area of Port Charles Road.

2 Background

The Moehau Environment Group has approached Council with a proposal to construct a 4m x 3m kiwi listening platform on an unused area of Port Charles Road at approximate route position (RP)11.25km and as shown on the attached site plan and *Streetview* photograph (refer attachment A). Platform design plans submitted for Council building team review are also attached for information (refer attachment B).

The Moehau Environment Group proposes to construct the platform to allow visitors to the area, to enjoy a unique experience listening to kiwi. The applicant has advised that the proposed site is the best in the area for this purpose.

Staff support the proposal, on the condition that a 'licence to occupy' agreement is prepared by Council's legal team and signed with the applicant prior to any site works being undertaken. These agreements are regularly used to formalise the legal status of existing road encroachments and documents assignment of responsibility to the Licensee with respect to proposed structure on legal road. The licence would also require the applicant to prepare and agree a management plan with staff, to ensure public safety will be managed in accordance with Health and Safety legislation.

The listening platform location is proposed adjacent to an unsealed section of Port Charles Road with low volumes of traffic (estimated at an average of 70 vehicles per day). Traffic effects are likely to be no more than minor.

3 Issue

Council's Infrastructure Committee has delegation to grant 'any rights, easements or privileges over any land building or personal property for District activities. Staff request a recommendation from the Coromandel-Colville Community Board to inform the Infrastructure Committee's decision to allow the proposed platform to be constructed on an unused portion of Port Charles Road (legal road).

4 Discussion

Budget Implications and Risk Assessment

There are no budget implications associated with this proposal, with all costs associated with preparing the management plan, licence to occupy (drafted by TCDC's legal team), boundary definition, site preparation and construction costs to be borne by the applicant.

Internal Consultation

Roading staff have worked with Council's property officer and legal team when reviewing the proposal and preparing this report. The report outline has also been discussed with the Coromandel-Colville Area Manager.

Consents

In terms of the RMA, the proposal is a permitted activity and is exempt from requiring building consent due to the height and footprint of the proposed structure. The applicant has obtained a Chartered Professional Engineer's design and a producer statement for the design (PS1).

5 Suggested Resolution(s)

That the Coromandel-Colville Community Board:

1. Receives the report.
2. Recommends that the Infrastructure Committee approves the proposed occupation of Port Charles Road (RP 11.25km) for the purpose of the Moehau Environment Group Inc. constructing a kiwi listening platform.

References-Tabled/Agenda Attachments

Attachment A Site plan and photograph

Attachment B Platform design plans

Attachment A - Site plan and photograph

Attachment B - Platform design plans