

STAFF REPORT

TO: Chairman and Members, Engineering Services Committee

FROM: Roger Ashworth, Transportation Manager

REFERENCE: RD1143

DATE: 21 April 2008

SUBJECT: **GILLOOLY'S SERVICE STATION, TASMAN STREET,
COLLINGWOOD**

1 PURPOSE

To gain Council's approval to continue "existing rights" of location of petrol pumps within Tasman Street road reserve in Collingwood.

2 BACKGROUND

Mr Gillooly of Collingwood Safari Tours Limited operates a service station located at 6 Tasman Street, Collingwood. He uses Council's road reserve area within this vicinity as the forecourt. Attached is a photo taken in 2001.

Tasman Street, Collingwood was formerly part of State Highway 60 and revoked in 2000. The pumps and forecourt area have always been located within the road reserve formerly owned by Transit NZ and once revoked it was then vested with Tasman District Council.

As Mr Gillooly had existing use rights, the Engineering Department had allowed Mr Gillooly continued use of the road reserve. He had permission to set up a fuel store containment system by installing a sump and grate in Council's road reserve taking the discharge through to a multi-staged separator on his land and discharging treated water into a stormwater drain at the rear of his property.

Council's Environment & Planning department compliance group sent a letter to Mr Gillooly requesting a resource consent application for this hazardous facility and building consent application by 31 October 2007. The request was attempting to gain the best environmental outcome from a compromise situation where Mr Gillooly has permission to leave the pumps in the road reserve.

Following further correspondence from the compliance group a meeting was held amongst Council staff to discuss the situation. It was deemed that the appropriate action would be to seek Council's guidance on future use of the road reserve – hence this report.

3 COMMENT

In order for Mr Gillooly to continue the use of the Tasman Street road reserve it would be appropriate for Council to insist on a Licence-to-Occupy agreement which he has verbally

agreed to. He is aware that the costs associated with drafting the agreement legally and otherwise would need to be met by him. Engineering was requested to review the current situation in light of the compliance issues raised and this has been undertaken. I believe there is little risk to Council in continuing the existing situation provided an appropriate Licence-to-Occupy is in place. Collingwood Safari Tours Ltd activities will, of course, be subject to the appropriate resource and building consent requirements and procedures as advised by the Environment & Planning department.

4 RECOMMENDATION

THAT Council gives the Engineering Manager delegated authority to enter into a Licence-to-Occupy agreement, subject to appropriate conditions, with Mr Gillooly of Collingwood Safari Tours Limited that allows for continued use of the Tasman Street road reserve in Collingwood for the siting of petrol pumps and forecourt area.

A handwritten signature in black ink, appearing to read 'R Ashworth', with a horizontal line extending to the right.

Roger Ashworth
Transportation Manager