

POLICY: Nine Metre Easement Policy
BOARD APPROVED: 9th June 2021
REVIEWED BY: E.M. Johnson
POSITION: Chief Engineer
DATE REVIEWED: 1st April 2024
NEXT REVIEW DATE: 1st April 2027



1. Introduction

The following defines the Board's policy in relation to activities within the nine metre byelaw easement of a Board designated watercourse, the policy clearly defines what will and will not be considered for relaxation of byelaw consent.

All points detailed below will require consent from the Board and activities undertaken without the consent of the Board may result in enforcement or legal action being taken by the Board.

2. Board's Policy

2.1 Fencing

Fencing no higher than 1.2m between 0.5m and 1.0m from the edge of a watercourse will be considered for consent, however, should the fence restrict the access of maintenance plant, they will not be consented. Fencing higher than 1.2m will be consented no closer than 6m from the top edge of a watercourse. Posts should be temporary and not concreted in. Where Board's access is required for maintenance equipment 4m gates must be provided and where locked, the Board provided with a key. Consents will include a condition regarding removal of the fence if required by the Board.

2.2 Roadways and Paths

Gravel or chipping roadways are permitted no closer than 1m from the top edge of a watercourse. Permanent surfaces such as tarmac or concrete are not permitted within 9m of the top edge of a watercourse.

2.3 Proximity of Permanent Structures to a Watercourse, Open or Piped

No permanent structures i.e. **with** poured concrete foundations e.g. houses, garages, walls, extensions beyond the existing building line or other like structures such as earth bunds will be consented within the 9m byelaw easement. i.e. no closer than 9m to the top edge of a watercourse or centreline of the pipe. Extensions within the existing building line and already closer than 9m to a watercourse, will be considered for consent.

2.4 Proximity of Temporary Structures to a Watercourse, Open or Piped

Temporary structures i.e. **without** poured concrete foundations e.g. garden sheds or other like structures. In certain circumstances the Board will consider an application to reduce the byelaw easement from 9m to 6m from the top edge of a watercourse or centreline of the pipe. In certain circumstances where the proposed works are not detrimental to securing the efficient working of the drainage system, the Board may consider reducing the easement further upon application.

2.5 Trees

All trees are to be planted 9m away from Board maintained watercourses, no relaxation in Byelaw distance for trees unless approved by a meeting of the Board.

2.6 Hedges

Where the Board already has no machine access e.g. domestic gardens, hedges adjacent to watercourses will be consented, but remain the responsibility of the property owner. The owner should maintain sufficient space between the hedge and the edge of the watercourse to safely carry out maintenance. The Board reserves the right to ask for the hedge removal for maintenance purposes, this work will be at the owner's cost.

For new development and sites where the Board has machine access, hedges will not be consented closer than 9m from the top edge of the watercourse.