

#### 4. SANITARY SEWER EASEMENT - HALSWELL DOMAIN

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| <b>Officer responsible</b><br>Parks & Waterways Manager | <b>Author</b><br>John Allen (Team Leader Consents - Parks), DDI 371-1699 |
| Corporate Plan Output: Consents (9.4.8)                 |  |

The purpose of this report is to request the Council's consent, under section 48 of the Reserves Act 1977, to the creation of an easement over part of Halswell Domain, in which to lay a 225mm sanitary sewer pipe (see tabled plan).

The part of Halswell Domain over which the easement will be created is a recreation reserve held under the Reserves Act, being RS40337 of 8.5212 hectares on SO plan 13119, certificate of title 646/79.

The registered easement will be four metres in width by approximately 29.3 metres in length, a total of approximately 118 square metres. The land surrounding Halswell Domain is currently being subdivided, which will attract a significant reserve contribution from the subdivider, part of which will be added to the domain. As part of this process, some rationalisation of the present reserve area will occur. The reservation over part of the eastern "point" of the domain will be revoked. This land will then be exchanged for an equivalent area of land in the subdivision at a suitable location on the boundary of the domain. The easement is being requested because this main sanitary sewer is required to service stage one of the subdivision to the south of the domain before titles to the sections can be granted. A compensation fee is not being requested for this easement because in the rationalisation of the domain boundaries, it is intended this area of land will become legal road.

Neil Construction Limited has agreed to pay all legal and reasonable incidental costs associated with creating the easement. Once built, the sewer will be handed over to the Council which will be responsible for its future operation and maintenance.

**Recommendation:** That, pursuant to section 48 of the Reserves Act 1977, the Council grant a registered easement over approximately 118 square metres of Halswell Domain in favour of the Christchurch City Council, in which to lay a 225 mm sanitary sewer subject to the following conditions:

1. Approval by the Minister of Conservation.
2. The area covered by the easement being available for public use at all times.
3. The easement terms being negotiated by the Property Manager in consultation with the Area Parks Officer (Consents).
4. The easement construction area being maintained by Neil Construction Limited in a safe and tidy condition at all times.
5. All costs associated with the development and subsequent initial maintenance of any structures before handing over to the Council, being paid for by Neil Construction Ltd.
6. Before any tenders are let or work commences on the site, discussions being held with the Parks Manager's designate, the Area Parks Officer - Sockburn Service Centre to ascertain the Council's requirements through the development phase of the construction of the facility.
7. A bond of \$2,000 being paid by Neil Construction Ltd or successful principal contractor to the Christchurch City Council/Area Parks Officer - Sockburn Service Centre before work commences on the site. The bond less any expenses incurred by the Council will be refunded to the payee upon the completion of the work.
8. The applicant providing the Council with a plan on which the location of the sanitary sewer under the reserve is shown.