

**21. EASEMENT – LAYING OF 200 MM WATER MAIN IN SIOUX RESERVE
AWATEA GARDENS – STAGE ONE – ENTERPRISE HOMES LIMITED DEVELOPMENT**

The Parks and Waterways Manager sought the Board's approval to grant an easement, in favour of the Council, over part of Lot 103 DP 304554, known as Sioux Reserve, which is 488 square metres in area, in which to lay a 200 millimetre diameter water main, which is required by City Water & Waste to strengthen the high pressure water supply in the area.

The Board has delegated authority from Council (8 November 2001) to make the decision on behalf of Council whether to grant the easement or not. This decision can be made by a sub-committee of the Council in terms of the Reserves Act 1977 requirements.

The easement is required to enable the developer to lay a 200-millimetre water main across the reserve to connect an existing water main in stage one of the Awatea Gardens subdivision to another existing water main in Sioux Avenue. There is a 2 metre wide easement through the reserve in which a sewer rising main is laid.

The applicant, as part of the reserve contribution process vested the reserve in the Council at the time of constructing stage one of the subdivision. The Council is requiring the linking water main be installed as part of the future stages of the subdivision, and therefore Council officers consider that the Council should not seek compensation for the small strip of land sought. Officers are of the view that the proposed easement route will have little impact on the reserve.

The water main will revert to Council ownership once it is in service, after the initial maintenance period has expired. The applicant will be required to pay all costs associated with the establishment of the easement.

Officers of the Parks & Waterways Unit are comfortable with the application, and therefore recommend that it be approved subject to the applicant complying with conditions 1 to 8 outlined below.

1. The approval of the Minister of Conservation first being obtained.
2. The easement terms being negotiated by the Property Manager, in consultation with the Parks and Waterways Policy and Leasing Administrator.
3. Before work commences on the site, the applicant is to be responsible for locating all the existing services that are located within the park, and ensure they are not damaged by the contractor(s) .
4. The easement construction area being maintained by the applicant an/or their contractors in a safe and tidy condition at all times.
5. Before any tenders are let or work commences on the site, discussions are to be held with the Parks and Waterways Area Advocate, Sockburn Service Centre, to ascertain the Council's requirements through the construction phase of laying the pipe.
6. A bond of \$2000 is to be paid by the applicant, to the Christchurch City Council via the Parks and Waterways Area Advocate, Sockburn Service Centre, before work commences on the site. This bond, less any expenses incurred by the Council, is to be refunded to the payee upon the completion of the work, and lodgement of the survey plan as built with the Parks & Waterways Policy & Leasing Administrator.
7. The applicant providing the Council (Parks & Waterways Policy & Leasing Administrator), within three months of completion of the work, a surveyed easement plan upon which the easement and high-pressure water main's location within the easement as built within the reserve is shown.
8. The applicant agreeing to pay all the Council, and other necessary agent's costs, enabling the easement to be put in place.

The Board **resolved** to grant an registered easement unto itself, as provided for in Section 48 (6) of the Reserves Act 1977 over approximately 35m² (the easement being approximately 1m wide by 35.m long), of Lot 1 DP 304554, known as Sioux Reserve as shown upon plan 207187 prepared by Eliot Sinclair & Partners on behalf of Enterprise Homes Limited (the applicant), subject to conditions, 1 to 8 outlined above being complied with.