

6. APPLICATION BY THE CITY WATER AND WASTE UNIT TO REPLACE THE EXISTING 200MM AC (ASBESTOS CEMENT) WATER SUPPLY PIPE WITH A NEW 200MM DI (DUCTILE IRON) WATER SUPPLY PIPE

General Manager responsible:	General Manager City Environment
Officer responsible:	Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is for the Board to consider an application by the Council's City Water and Waste Unit to provide a new 200 mm Ductile Iron water supply pipe across Thorrington Reserve and have it registered as an easement.

EXECUTIVE SUMMARY

2. The City Water and Waste Unit need to replace a 200 mm water supply pipe that keeps bursting in Thorrington Reserve.

FINANCIAL AND LEGAL CONSIDERATIONS

- 3.1 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 subcommittee of Council in terms of the Reserves Act 1977 requirements.
- 3.2 Thorrington Reserve is a recreational reserve subject to the Reserves Act 1977. The Council is seeking an easement over part of the reserve to allow a water main to be installed. Council officers are of the view that the proposed easement route will have little impact on the reserve.
- 3.3 Part 1 of Section 48 of the Reserves Act 1977 allows for the granting of rights of way and other easements across reserves. Part 2 of this Section requires that before granting the easement, Council publicly advertise its intention to grant the easement. Part 3 of this Section allows these advertising provisions to be dispensed with, if the proposed easement is not likely to *"materially alter or permanently damage the reserve, and the rights of the public are not likely to be permanently affected"*. It is considered that both these tests will be satisfied, because no structures will be built above the ground, and therefore the rights of the public will not be affected by the proposal. Public advertising will therefore not be required, although the consent of the Department of Conservation will be required.
- 3.4 The City Water and Waste Unit estimate the cost for the project will be approximately \$35,000.00.
- 3.5 The City Water and Waste Unit shall pay all costs associated with the establishment of the easement, which will include Council officer's time spent preparing reports, attending Council meetings, preparing legal documentation, together with the fees of outside agencies required to complete the process, which will include the Minister of Conservation's approval fee.
- 3.6 Survey plans of the easement shall be provided within three months of granting the easement, so the easement can be registered as required by the Reserves Act 1977.

STAFF RECOMMENDATIONS

That the Board **resolves** that the City Water and Waste Unit (Christchurch City Council) is granted a registered easement as provided for in Section 48(6) of the Reserves Act 1977 over approximately 230m² (the easement being approximately 2 metres wide by 115 m long), of Lot 1, DP 78225, as shown in the attachments, subject to the following conditions:

- (1) That the City Water and Waste Project Team Leader ensures that any contractors carrying out works on Council reserves carry and produce evidence of having adequate public liability insurance with a minimum of \$1,000,000 cover.
- (2) A bond of \$2,000 to be lodged by the contractor with the Policy and Leasing Officer,