

7. EASEMENT OVER URUMAU RESERVE

General Manager responsible:	General Manager City Environment Group, DDI 941-8656
Officer responsible:	Unit Manager City Water & Waste Unit,
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PURPOSE OF REPORT

1. The purpose of this report is to seek Board approval to the granting of an easement for the right to convey water in gross over Urumau Reserve.

EXECUTIVE SUMMARY

2. As part of the Water Supply Reticulation Program a new water main is proposed to be constructed to connect the two existing water mains at Reserve Terrace and Foster Terrace.
3. The easement is proposed to be some 2.0m in width and follow the alignment of the new pipe as indicated on the aerial photo (**Attachment 1**).
4. Delegation is sought to enable the Corporate Support Manager to finalise and conclude the granting by the Council of an easement.

FINANCIAL IMPLICATIONS

5. The land is held by the Council as a recreation reserve under the Reserves Act 1977. There would therefore be no compensation payment due to the Council granting an easement to itself.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Yes, Page 250 of 2009/19 LTCCP.

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

7. Procedurally an easement is required to create proper and accurate land title records and legally protect the infrastructure.
8. Provision exists under Section 48 of the Reserves Act 1977, to grant such easements where the reserve will not be materially altered or permanently damaged. The application falls into this category and, as such, approval has been recommended subject to appropriate conditions. Public notification is not required. The Council's Legal Services Unit will be involved in the final documentation of the easement.
9. The Council's standard easement instrument will be completed and registered at Land Information New Zealand (LINZ) once the Council consent is given.
10. Community Boards have the delegated authority to grant easements over reserves.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

11. Yes - Page 60 of 2009/19 LTCCP and 12.0.1 of Activity Management Plan - Supply continuous potable water to all customers & 12.0.2 - Risk to potable water supply is managed.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

12. Yes – In alignment with the Water Supply Asset Management Plan.