

**12. PROPOSAL BY LAKE BRYNDWR DEVELOPMENTS LIMITED FOR A WATER SUPPLY EASEMENT ACROSS LOCAL PURPOSE UTILITY RESERVE LOT 15 DP 305999, BEING PART OF NEPAL RESERVE**

The Board's approval was sought of an application made by Lake Bryndwr Developments Limited, to enable the Council to convey water in gross in a 200 millimetre uPVC pipe across Nepal Reserve to serve an intended subdivision development by Lake Bryndwr Developments Limited at 435 Wairakei Road.

The Board **resolved** that the Council grant unto itself a registered easement as provided for under Section 48(6) of the Reserves Act 1977, over approximately 52 metres, (the easement being 2 metres wide by approximately 52 metres long), of Section 1 Survey Plan 19891, as shown in the attachment subject to the following conditions:

1. The applicant, Lake Bryndwr Developments, submitting a survey plan of the proposed easement to the Council's Corporate Support Unit within three months of the granting of the easement.
2. The consent of the Minister of Conservation being obtained by the Council on the applicant's behalf.
3. Any work that is undertaken being in compliance with the subdivision consent which has been granted by the Council to Clark Land Surveyors Limited.
4. The applicant assuming responsibility for locating any existing services in the reserve, if applicable, and ensuring that are not damaged by contractors, prior to work commencing on the site.
5. The easement construction area being maintained by the applicant and their contractors in a safe and tidy condition at all times.
6. A bond of \$2000 to be paid by the applicant to the Council via the Transport and Greenspace Unit Contract Manager located at the Fendalton 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 completion of the work and lodgement of the survey plan as built with the Corporate Support Unit Policy and Leasing Officer.
7. The applicant paying compensation for the benefit and property rights resulting from this easement, with the amount of compensation to be assessed by an independent registered valuer appointed by the Council.