

26. HEAPHY PLACE – ORNAMENTAL STREAM

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Corporate Plan Output: Capital	

The purpose of this report is to advise the Board of the meeting with residents of Heaphy Place concerned about the Ornamental Stream through their properties.

BACKGROUND

This matter first came to the attention of staff when one of the residents asked if the Council would pay half share of the cost of fencing along the Ornamental stream through their property. This waterway is not part of the stormwater system and is a private stream intended at the time of subdivision to beautify the sections and increase their value. The Council operates the pumping station and pays for the cost of pumping the water.

EXISTING SITUATION

After some research it became clear that most residents did not understand the nature of the private agreement protecting the stream for its ornamental purpose and requiring them to maintain it. The agreement has been set up so that No 37 Cavendish Rd is intended to police the agreement, which places a burden on the owners of No 37, in that they would need to take civil court action to enforce the condition of the easement. This is unlikely and gives the Ornamental Stream little protection.

An investigation was undertaken to assess the current values of the ornamental stream. The investigation suggests that the majority of residents do not value the stream in the way it was intended at the original subdivision stage. Half of the properties have fenced the stream at the edge with high fences and two properties have piped the stream.

PUBLIC MEETING

Staff arranged a meeting of residents, attended by the Shirley/Papanui Community Board Chairperson and about 25 residents, which was held at the local park in Heaphy Place, on Thursday, 23 March 2000. The purpose of the meeting was to inform the residents of the conditions of the easement, their maintenance obligations, and inform them of the options available to those who wished to pipe the waterway.

One of the owners of No 37, Mr Bremner, spoke about the difficulties of keeping the outfall from the stream clear of blockage. Both he and his elderly neighbour have had to enter water waist deep in order to clear the outfall, which is a small diameter pipe. He asked if the Council would enlarge the outfall pipe as this would reduce the burden of maintenance done by him and his neighbours. The meeting strongly supported him in his request. The piping involved is 11m in length, 10m of which is in road reserve, from the end of the ornamental stream to the piped outfall under the kerb.

COST

It would be possible to renew the existing pipe with a larger 225mm at a cost of \$2661, excluding of GST

Recommendation: That the Board approve the renewal of the existing pipe with a larger pipe that is less likely to cause blockages.

Not seen by Chairperson