

9. SANITARY SEWER EASEMENT - HALSWELL DOMAIN

Officer responsible Parks Manager	Author John Allen, Team Leader Consents - Parks DDI 3711 699
Corporate Plan Output: Consents (9.4.8)	

The purpose of this report is to enable the Riccarton/Wigram Community Board to recommend to Council that they grant an easement over part of Halswell Domain in favour of the Christchurch City Council, in which to lay a 225 mm sanitary sewer pipe (see attached plan). The part of Halswell Domain that the easement is requested over is a recreation reserve (Gazette reference 1985 page 3939), being RS40337 of 8.5212 hectares on SO plan 13119, certificate of title 646/79, under the Reserves Act.

The registered easement will be four metres in width, by approximately 29.3 metres in length, a total of approximately 118 square metres. The land surrounding Halswell Domain is presently being subdivided, which will result in a significant reserve contribution, payable by the subdivider, part of which will be added to the Domain. As part of this process, some rationalisation of the present reserve area will occur. Part of the eastern "point" of the present domain will be revoked becoming road and part of the residential area. The same area of land will be taken from the subdivision and added to the domain in a more suitable location to benefit the domain as part of the process of rationalisation of the park boundaries. The easement being requested for the sanitary sewer, once the reserve boundary rationalisation process is completed will be located beneath the road. The reason for the easement being requested is that this main sanitary sewer is required to service stage one of the subdivision to the south of the Domain before titles to the sections can be granted. A compensation fee is not being requested for this easement because in the rationalisation process of the Domain boundaries, it is intended that this area of land become legal road.

Neil Construction Limited agrees to pay all legal and reasonable incidental costs associated with establishing the easement. Once built, the sewer will be handed over to the Council who will be responsible for its future operation and maintenance.

Recommendation: That the Board recommend to Council that they grant a registered easement over approximately 118 square metres (the easement being 4 metres in width by approximately 29.3 metres wide) of Halswell Domain in favour of the Christchurch City Council in which to lay a 225 mm sanitary sewer in accordance with section 48 of the Reserves Act 1977 subject to the following conditions: -

1. Approval by the Minister of Conservation.
2. The area covered by the easement, to be available for public use at all times.
3. The easement terms being negotiated by the Property Manager in consultation with the Area Parks Officer (Consents).
4. The easement construction area being maintained by Neil Construction Limited in a safe and tidy condition at all times.
5. All costs associated with the development and subsequent initial maintenance of any structures before handing over to the Council, being paid for by Neil Construction Ltd.
6. Before any tenders are let or work commences upon the site, discussions are to be held with the Parks Manager's designate, the Area Parks Officer - Sockburn Service Centre to ascertain the Council's requirements through the development phase of the construction of the facility.
7. A bond of \$2,000 is to be paid by Neil Construction Ltd or successful principal contractor to the Christchurch City Council / Area Parks Officer - Sockburn Service Centre before work commences upon the site. The bond less any expenses incurred by the Council will be refunded to the payee upon the completion of the work.

8. That the applicant provide the Council with a plan on which the location of the sanitary sewer under the reserve is shown.

**Chairman's
Recommendation:**

For discussion.