

2. EASEMENTS OVER RESERVES IN MILNS ESTATE, HALSWELL

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| Officer responsible Legal Services Manager | Author Karilyn Shutt |
| Corporate Plan Output: Parks Administration | |

The purpose of this report is to request the Council's consent under Section 48 of the Reserves Act 1977 to the creation of various easements over land which is about to vest in the Council as recreation reserve.

The proposed easements are shown on tabled plans 83031 and 83033. They are as follows:

- (a) A right to drain sewage in gross over parcels BY on plan 83031 and AY, BT and BU on plan 83033 in favour of the Christchurch City Council.
- (b) A right to convey electric power in gross over parcels BZ, CA, CB and CC on plan 83031 and AX, AY, AZ, BV, BW and BX on plan 83033 in favour of Orion New Zealand Limited
- (c) Right to convey telephonic communications in gross over parcel CL on plan 83031 in favour of Telecom New Zealand Limited.

The Subdivisions Unit, in consultation with the Waste Management Unit, has advised that the land to be vested in the Council provides the most appropriate/direct route for the new services.

Officers therefore recommend that easements be created over the above mentioned parcels of land on the basis that the easement documents record that all existing or new pipes must remain/be laid underground.

The Minister of Conservation's consent will also be required to the creation of the above mentioned easements. This will be obtained prior to the easements being registered in the Land Transfer Office.

- Recommendation:**
1. The Council consent, pursuant to Section 48 of the Reserves Act 1977, to the creation of registered easements over:
 - (a) A right to drain sewage in gross over parcels BY on plan 83031 and AY, BT and BU on plan 83033 in favour of the Christchurch City Council.
 - (b) A right to convey electric power in gross over parcels BZ, CA, CB and CC on plan 83031 and AX, AY, AZ, BV, BW and BX on plan 83033 in favour of Orion New Zealand Limited.

- (c) Right to convey telephonic communications in gross over parcel CL on plan 83031 in favour of Telecom New Zealand Limited.
- 2. That the above mentioned easement documents record that all pipes and lines be laid underground.
- 3. That the Council resolve not to publicly notify the creation of the easements as:
 - (a) The reserves are all vested in or will all be vested in the Council and are not likely to be materially altered or permanently damaged by the creation of the easements; and
 - (b) The rights of the public in respect of the reserve are not likely to be permanently affected by the creation of the easements.