

9. EASEMENT OVER COUNCIL RESERVE AT NORTHWOOD BOULEVARD

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Corporate Plan Output: Consents (9.4.8)	

The purpose of this report is to request the Council's consent under section 48 of the Reserves Act 1977 to the creation of easements over a reserve that will vest in the Council.

The request for the creation of the above easements has arisen as a consequence of Northwood Views Limited's subdivision along the Main North Road, Christchurch. As part of that subdivision Lot 1002 on plan 83354 will vest in the Christchurch City Council as recreation reserve under the Reserves Act 1977.

A copy of plan 83354 is attached.

The Subdivisions Unit advise that the proposed easements on plan 83354 provide the most appropriate route for services.

Officers therefore recommend that:

- (a) A right to convey electric power in gross be granted over parcel AF on plan 83354 in favour of Orion New Zealand Limited; and
- (b) A right to convey telephonic communications in gross be granted over parcel AF on plan 83354 in favour of Telecom New Zealand Limited.

The Council has previously not required compensation for easements granted over reserves when the creation of those easements is as a consequence of the land being vested in the Council as part of a subdivision. Officers consider that it would be inappropriate to require compensation on this occasion.

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

- Recommendation:**
1. That the Council consent, pursuant to section 48 of the Reserves Act 1997, to the creation of a registered:
 - (a) Right to convey electric power in gross over parcel AF on plan 83354 in favour of Orion New Zealand Limited; and
 - (b) Right to convey telephonic communications in gross over parcel AF on plan 83354 in favour of Telecom New Zealand Limited.
 2. That the easement documents for power and telephone record that all services must be laid underground.
 3. That the Council resolve not to publicly notify the creation of the easements as:
 - (a) The reserve (Lot 1002 on plan 83354) is 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.