

5. EASEMENTS OVER PROPOSED RESERVE AT LONGHURST TERRACE

Officer responsible Property Manager	Author Bill Hughes, Property Administration Officer, DDI 371-1582
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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 land that will vest in the Council as recreation reserve.

The request for the creation of the easements has arisen as a consequence of a proposed subdivision for Charles R Thomas & Associates Ltd (TA 2 Developments Ltd) at Longhurst Terrace, Christchurch. As part of that subdivision, Lot 20 (as shown on the attached plan 301576) will vest in the Christchurch City Council as recreation reserve under the Reserves Act 1977.

A natural watercourse runs through the proposed reserve.

All services including stormwater, high pressure water and sewage have already been laid underground.

To protect the various drains the Subdivisions Unit recommends that the following easements over the reserve be granted.

Right to drain sewage marked 'B' on LT Plan 301576.

Right to convey water in gross marked 'B' 'AJ' & 'AK' on LT Plan 301576.

Right to drain sewage in gross marked 'AL' & 'AP' on LT Plan 301576.

Right to drain water in gross marked 'AL' 'AM' 'AP' & 'AR' on LT Plan 301576.

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 over the recreation reserve. 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 1977, to the creation of easements described above.
 2. That the easement document records that all pipes are laid underground.
 3. That the Council resolve not to publicly notify the creation of the easements as:
 - (a) The reserve (Lot 20 on attached plan) 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 recreation reserve are not likely to be permanently affected by the creation of the easements.