

3. OLD STONE HOUSE EASEMENT – SHALAMAR DRIVE

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	City Water & Waste Manager
Author:	David Rowland, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval for the granting of an easement in gross along the southern boundary of land associated with the Old Stone House in Shalamar Drive Cashmere, permitting the installation of sewer, electrical and telephone services (refer to **attached** plan). The land is held under the Reserves Act 1977.

EXECUTIVE SUMMARY

2. The owners of 41 Shalamar Drive propose subdividing their 2.3260 ha site into 15 lots. Sewage disposal is not available in Shalamar Drive adjoining their property, and the only practical option is across both private and Council land, heading out to the Council's gravity sewer in Holmcroft Court.
3. The Management Committee of the Old Stone House has been consulted regarding this proposed easement.

FINANCIAL IMPLICATIONS

4. Standard Council advice to all easement requests includes a written statement that the Council may charge a one-off compensatory sum for the granting of the easements. This has been given to the applicants. Valuations assessing the amount of compensation have not yet been requested, however, based on our knowledge and the low impact of such a grant, it is considered that the dollar valuation assessment will be relatively low.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

5. Not applicable.

Have you considered the legal implications of the issue under consideration?

6. It is considered that as the reserve will not be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected, public notice is not required to be undertaken.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

7. Not applicable.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

8. Not applicable.

ALIGNMENT WITH STRATEGIES

9. Not applicable.

Do the recommendations align with the Council's strategies?

10. Not applicable.

CONSULTATION FULFILMENT AND HISTORY

11. The owners of 41 Shalamar Drive propose subdividing their 2.3260 ha site into 15 lots and have made extensive enquiries regarding the provision of services to their land. The major issue is sewage outfall. The Council has declined alternative routes for technical reasons, and does not want a series of small pump sites for sewer.
12. The favoured infrastructure option for the Council and the developer is along the route sought, which is over Council land held as reserve under the Reserves Act 1977. Part is also proposed over adjoining private land; this minimises any impact on the grounds of the Old Stone House. The route is shown on Drawing No 8848-50A prepared by Glasson Potts Fowler.
13. Test bores have been undertaken and it has been made clear to the applicant and advisers that any approval would only be considered if directional drilling was undertaken. The traditional open trench is not an option for these services.
14. The grounds to the Old Stone House are immaculate and are used regularly as a setting for weddings and function photos. In our consultative discussions with the Management Committee, assurances have been given that should the easement be granted, physical works will be managed so as to have little or no impact on their activities and lettings. They have suggested a mid-winter period that would be convenient as it is their quiet period. There should be very minimal physical impact affecting the site.
15. All costs associated with the installation of the necessary pipes etc will be borne by the applicant.
16. There are no alternative practical options to consider with regards to this application, as the applicant has undertaken full investigations into an alternative route with no success.

STAFF RECOMMENDATION

That the Board approves an Easement in Gross to convey sewer, electric power and telephonic communications over Lot 12 DP 29333 forming part of The Old Stone House in Shalamar Drive shown on Drawing No 8848-50A prepared by Glasson Potts Fowler, and subject to:

- (a) The applicant being responsible for all costs associated with the installation of the services including all Council related costs.
- (b) The applicant indemnifying the Council for a period of twelve months from the completion of all work and replace any trees or shrubs that may be lost due to the work.
- (c) The consent of the Department of Conservation being sought.
- (d) The Unit Manager Corporate Support being authorised to finalise and conclude any compensation transaction.

CHAIRPERSON'S RECOMMENDATION

For discussion.