

9. EASEMENT OVER FERRYMEAD RESERVE

General Manager responsible:	General Manager, City Environment DDI 941 8608
Officer responsible:	City Water and Waste Unit Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's approval to the granting of an easement for the right to convey water in gross over part of Ferrymead Reserve.

EXECUTIVE SUMMARY

2. As part of the Water Supply Reticulation Program a new water main is proposed to be constructed to connect the existing water mains in Ferry Road to the new Ferrymead Park Pumping Station. The Ferrymead Park Pump Station being an alternate water supply line for Lyttelton.
3. The option to construct all the water mains (665 meters) under the road has been considered but due to existing services there would be considerable additional costs associated with this option. The easiest and most economical solution is to partially align the pipe (around 160 metres) through Ferrymead Reserve which runs adjacent to the road as indicated as option 1 (refer **Attachment 1**).
4. Delegation is sought to enable the Corporate Support Manager to finalise and conclude the granting by the Council of an easement.

FINANCIAL IMPLICATIONS

5. The land is held by the Council as a recreation reserve under the Reserves Act. There would therefore be no compensation payment due to the Council granting an easement to itself.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Yes, Page 250 of the 2009-19 LTCCP.

LEGAL CONSIDERATIONS

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

7. Procedurally an easement is required to create proper and accurate land title records and legally protect the infrastructure.
8. Provision exists under Section 48 of the Reserves Act 1977, to grant such easements where the reserve will not be materially altered or permanently damaged. This application falls into this category and as such approval has been recommended subject to appropriate conditions. Public notification is not required. Legal services will be involved in the final documentation of the easement.
9. The Council's standard easement instrument will be completed and registered at Land Information New Zealand once Council consent is given.
10. Community Boards have the delegated authority to grant easements over reserves.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

11. Yes, Page 60 of 2009/19 LTCCP and 12.0.1 of Activity Management Plan - Supply continuous potable water to all customers and 12.0.2 - Risk to potable water supply is managed.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

12. Yes, in alignment with the Water Supply Asset Management Plan.

CONSULTATION FULFILMENT

13. 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. There is no consultative requirement associated with the granting of this easement.

STAFF RECOMMENDATION

It is recommended that the Hagley/Ferrymead Community Board approve an Easement (shown as option 1 in **Attachment 1**) in Gross to convey water over Lot 3 DP 21139, Rural Section 38196 and Rural Section 871, also known as Ferrymead Reserve, subject to the following conditions:

- (a) The consent of the Department of Conservation being sought.
- (b) The restoration of the Reserve to the condition it is in prior to the commencement of the works.
- (c) The Unit Manager Corporate Support being authorised to finalise and conclude the granting of the easement

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.