

8. EASEMENTS OVER RESERVES

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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 Council owned reserves. The pipes are already in the ground, but it is appropriate to formalize the position by registering easements in the Land Transfer Office.

The easements are as follows:

Parcels L and N on Deposited Plan 82069 - creating a right to drain water in favour of Lots 1, 2, 3 and 4 on Deposited Plan 82069.

Parcel E on Deposited Plan 80544 - creating a right to drain water in favour of Lot 2 on Deposited Plan 80544.

Parcel U on Deposited Plan 81858 - creating a right to drain water in favour of Lots 1 and 2 on Deposited Plan 81858.

Parcels N and P on Deposited Plan 81769 - creating a right to drain sewerage in gross in favour of the Christchurch City Council.

Parcel M on Deposited Plan 81769 - creating a right to drain sewerage in favour of Lots 1 and 2 on Deposited Plan 81769, Lot 2 on Deposited Plan 27747 and Lot 3 on Deposited Plan 19524.

A copy of Deposited Plans 82069, 80544, 81858 and 81769 is tabled.

The above easements largely relate to subdivisions where land has been vested in the Council for reserve (either in full or partial payment of the developer's reserve contribution).

The Subdivisions Unit, in consultation with the Water Services and Waste Management Units, advise that the vested land either already contained pipes or was land which gave the most appropriate/direct route for new pipes.

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) Parcels L and N on Deposited Plan 82069 - creating a right to drain water in favour of Lots 1, 2, 3 and 4 on Deposited Plan 82069
 - (b) Parcel E on Deposited Plan 80544 - creating a right to drain water in favour of Lot 2 on Deposited Plan 80544.
 - (c) Parcel U on Deposited Plan 81858 - creating a right to drain water in favour of Lots 1 and 2 on Deposited Plan 81858.
 - (d) Parcels N and P on Deposited Plan 81769 - creating a right to drain sewerage in gross in favour of the Christchurch City Council.
 - (e) Parcel M on Deposited Plan 81769 - creating a right to drain sewerage in favour of Lots 1 and 2 on Deposited Plan 81769, Lot 2 on Deposited Plan 27747 and Lot 3 on Deposited Plan 19524.
 2. That the above mentioned easement documents record that all pipes must 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 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.

Deputy Chairman's

Recommendation: That the above recommendation be adopted.