

22. EASEMENT OVER COUNCIL'S RESERVE AT CORSAIR DRIVE, WIGRAM

Officer responsible Legal Services Manager	Author Karilyn Shutt
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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 Lots 100 and 101 on the attached plan 301842.

The request for the creation of the easements has arisen as a consequence of Wigram Aerodrome Ltd's subdivision at Corsair Drive, Wigram.

As part of the subdivision, Lots 100 and 101 will vest in the Council as Recreation Reserves and Lot 109 will vest in the Council as Local Purpose (Utility) Reserve. Lot 109 is the site of a sewer pumping facility which will be taken over and operated by the Council once the pump is operational.

The proposed easements are shown on the attached plan 301842, they are as follows:

- (a) A right to drain sewage in gross over parcels DE and DF on plan 301842 in favour of the Christchurch City Council.
- (b) A right to drain water in gross over parcel DG on plan 301842 in favour of the Christchurch City Council.

The subdivisions unit, in consultation with the Waste Management Unit, has advised that the land to be vested in the Council provides the most appropriate/direct route for the new services.

Officers therefore recommend that easements be created over the abovementioned parcels of land on the basis that the easement documents record that all existing or new pipes must remain/be laid underground.

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 to the creation of the abovementioned easements. This will be obtained prior to the easements being registered in the Land Titles Office.

- Recommendation:**
1. That the Council consent, pursuant to Section 48 of the Reserves Act 1977, to the creation of a registered easement over Parcels DE, DF and DG on plan 301842.
 2. That the abovementioned 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 (Lots 100 and 101 on the attached plan 301842) are not likely to be materially altered or permanently damaged by the creation of the easements;
 - (b) The rights of the public in respect of the reserve are not likely to be permanently affected by the creation of the easements.

Chairman's

Recommendation: That the above recommendation be adopted.