

11. EASEMENT OVER RESERVE – 1001 LOWER STYX ROAD

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport & Greenspace Manager
Author:	Stuart McLeod , Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek the Boards approval to grant a right to convey electricity easement in gross in favour of Orion New Zealand Limited over the Utility reserve located at 1001 Lower Styx Road.

EXECUTIVE SUMMARY

2. As part of the upgrade of the fresh water pumping station at 1001 Lower Styx Road there is a need to increase the electrical supply to the site. Orion New Zealand Limited has done this by laying an 11KVA cable to the site and installing a new electrical kiosk. This electrical infrastructure will ensure continuity of electrical supply to the pump station and ensure that the future demand for residential electrical supply is met.
3. On 6 May 2009 the Board approved an electrical cabling and water easement over this reserve, although this easement is additional to those easements they are all part of the same project.
4. The kiosk was constructed a number of months ago and replaced overhead wires. At the time it was not realised that this particular easement would be required. The Property Consultancy Team have since been engaged to complete the necessary process.
5. The easement to be granted is a right to convey electric power in gross in favour of Orion New Zealand Limited over Section 1 Survey Office Plan 20162 shown "A" on DP 419762 (**attachment 1**).

FINANCIAL IMPLICATIONS

Do the Recommendations of this Report Align with 2009- 2019 LTCCP budgets?

6. The upgrade to the electrical supply is part of an earlier pump station upgrade project, the easement costs have been funded from the "WS New Wells for Growth" line item of the 2008/09 water supply capital works programme in the Long Term Council Community Plan (LTCCP).

LEGAL CONSIDERATIONS

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

7. The legal description of the reserve land is Lot 134 Deposited Plan 6164 and is held in Identifier CB46C/136 (**attachment 2**). Gazette Notice 23 March 2000 page 663 classifies the affected reserve as Utility Reserve and identifies the same as Section 1 Survey Office Plan 20162 (**attachment 3**).
8. The consent of the Department of Conservation must be obtained prior to granting easements over reserves. This consent will be sought once Community Board Approval is given and after the statutory advertising period has expired.
9. 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- 2019 LTCCP?

10. Yes – In alignment with page 67 of the LTCCP: increased demand for water supply.. There are no adverse effects on levels of service for parks, open space and waterways, pages 118–135 of the LTCCP.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

11. Yes – In alignment with the Water Supply Asset Management Plan.

CONSULTATION FULFILMENT

12. Under Section 48 of the Reserves Act 1977, before granting easements over a Reserve the Council is required to give public notice specifying its intentions to grant any easement. Advertising is required in this instance as a new kiosk has been installed.
13. Public notice by way of advertisement in a local newspaper will occur after Community Board approval is given to the granting of this easement.

STAFF RECOMMENDATION

It is recommended that the Board approve under Section 48 of the Reserves Act 1977 a right to convey electric power in gross in favour of Orion New Zealand Limited over Section 1 SO 20162 marked A on DP 419762 (**attached**) subject to

- (a) Public notification as required under the provisions of the Reserves Act 1977, and;
- (b) The consent of the Department of Conservation being obtained.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.