

Officer responsible Parks Manager	Author Property Services Officer, Lewis Burn LO-017-001-36
Corporate Plan Output: Parks-Customer Services-Consents. 9.4.8	

The purpose of this report is to obtain the Council's approval to an easement being granted to Orion New Zealand Limited to allow the construction of underground power cables through Linwood Park. This report was referred to the Hagley/Ferrymead Community Board meeting on 6 October 1999. The Board resolved to endorse the recommendation.

BACKGROUND

Application has been made by Orion for consent to an easement to allow the installation of two 66,000 kva cables and associated control cables 1m below ground level across Linwood Park. Consent is presently being sought on the basis of an approximate alignment of the cable shown generally on the attached plan with the final route for easement purposes to be defined following the laying of the cables. In determining the final route precaution will be taken to ensure that the route is outside the sports fields area. Work on laying the cables is intended to commence late October 1999. The request for an easement is part of a project by Orion New Zealand to ensure power supply to the Christchurch central business district. This is a major project involving significant amounts of money and after preliminary discussions with Parks staff, agreement has been given in principle subject to the Council's consent for an easement 1m wide and subject further to all necessary approvals being obtained as well as the procedures under the Reserves Act being complied with.

EASEMENT

Linwood Park is held by the Council for recreation purposes under New Zealand Gazette 1979 page 1461. The park has been formally classified as a recreation reserve within the meaning of section 17 of the Reserves Act 1977. Section 48 of that Act provides that the Council with the consent of the Minister of Conservation may grant easements for electrical installation work as defined in the Electricity Act 1992. An application has been made to the Department of Conservation for the consent of the Minister on the basis that the public notification requirements be waived as it is considered the rights of the public are not likely to be permanently affected nor will the reserve be materially altered or permanently damaged. At the date of writing this report, confirmation has not been received of this consent.

CONDITIONS

The Parks Unit would like to see the following conditions as part of any consent to an easement to Orion.

1. The final cable alignment and easement route being approved by the Parks Manager.
2. That the cables be placed at a depth which allows for a minimum soil cover of 1m through the park.

3. All surplus material excavated from the trench remains the property of the Council. The contractors are to contact the Council's Parks Projects Co-ordinator to ascertain where any surplus material is to be put before commencing work through the park.
4. A bond of \$3,000 is to be paid to the Council (Area Parks Officer, Linwood Service Centre) before any work commences upon the park. The bond less any costs incurred by the Council will be refunded upon satisfactory completion of the work.
5. The park is not be used as a storage area for materials used outside the park during the undertaking of the cable laying contract.
6. Fill or excavated material is not to be stockpiled under the drip line of any trees in the park.
7. Tree trunks are not be used as a loading aid (backstop) when using loading machinery in the park.
8. All work sites and storage areas are to be fenced off so as to preclude public access.
9. At least 48 hours before commencing work upon the site, the contractors are to forward a site plan to the Council (Area Parks Officer, Linwood) showing the work site layout and safety precautions proposed.
10. That the surface area of the easement be restored to the satisfaction of the Parks Manager.
11. That appropriate Health and Safety procedures are put in place by Orion NZ Ltd in consultation and agreement with the Parks Manager.

COMPENSATION

An independent registered valuer (Ford Baker) has been requested to assess compensation payable to the Council to recognise betterment and possible limitation on the Council's ability to develop/landscape the park in the vicinity of the easement. The consent of the Council will be subject to an agreement with Orion to pay compensation to the Council based on the valuation assessment. All costs associated with consenting to and creating the easement will be with Orion New Zealand Limited.

Recommendation: That the Council, pursuant to Section 48 of the Reserves Act 1977, grant Orion New Zealand Limited an easement over Linwood Park for the purpose of laying underground power cables, subject to:

1. The consent of the Minister of Conservation.
2. Compensation being paid by Orion New Zealand Limited as negotiated by the Property Manager in consultation with the Parks Manager.
3. Conditions 1-11 in this report being complied with.
4. All costs associated with consenting to and creating the easement being met by Orion New Zealand Limited.

Chairman's Recommendation: That the above recommendation be adopted.