

22. TELSTRA SATURN EASEMENT - COCKAYNE RESERVE

Officer responsible Parks Manager	Author John Allen - Team Leader Consents (Parks), DDI 371-1699
Corporate Plan Output: Consents (9.4.8)	

The purpose of this report is to enable the Board to recommend to the Council that an easement be granted over part of Cockayne Reserve and the adjacent Esplanade Reserve in favour of Telstra Saturn Limited, in which to lay a fibre optic cable (see attached plan). Cockayne Reserve is a recreation reserve (Gazette reference 1969, page 1429, Certificate of Title 45A/571) under the Reserves Act 1977. The adjacent local purpose reserve Esplanade Reserve is titled as section 1 of 1.7320 hectares, Survey Office Plan 19761.

The registered easement will be 1 metre in width by 25 metres in length, a total of approximately 25 square metres. The proposed cable route is adjacent to the Wainoni Road Bridge. The cable that is to be laid within this easement is an important cable being Telstra Saturn's submarine cable link between Wellington and Christchurch. The cable will be laid between Waimairi Beach, where the submarine cable is landing, and Telstra Saturn's telecommunications centre that is currently being constructed on the corner of Cashel and Barbadoes Streets. Telstra Saturn do not wish to attach the cable to the Wainoni Road Bridge because the bridge has been identified as being at risk in the event of a severe earthquake.

It is proposed that the route will be drilled between the proposed vault positions as shown on the attached aerial photograph. The drill shot will go under the Avon River. The appropriate Environment Canterbury resource consents will be gained prior to the work commencing.

Telstra Saturn Ltd agrees to pay all legal and reasonable incidental costs associated with establishing the easement. The Company also agrees to pay an easement fee as determined by an independent valuer nominated by the Council, but reserves the right to have its own independent valuation done and for this to be used in arbitration in the event of dispute.

Recommendation: That the Board recommend to the Council that a registered easement be granted over approximately 25 square metres (the easement being approximately 1 metre in width) of Cockayne Reserve and the adjacent Esplanade Reserve in favour of Telstra Saturn Ltd in which to lay a fibre optic cable, pursuant to section 48 of the Reserves Act 1977 subject to the following conditions.

1. Approval by the Minister of Conservation.
2. The area covered by the easement is to be available for public use at all times.
3. Telstra Saturn Ltd to obtain all necessary Resource and Building Consents before any development commences upon the site.
4. The easement terms are to be negotiated by the Property Manager in consultation with the Area Parks Officer (Consents).
5. The easement/construction area is to be maintained by Telstra Saturn Ltd in a safe and tidy condition at all times.
6. Restoration of car parks or sealed areas is to be undertaken in accordance with the conditions outlined in the information sheets entitled "Trench Restoration for Paved Areas".
7. All costs associated with the development, and subsequent maintenance of any structures upon the site are to be paid for by Telstra Saturn Ltd.
8. Before any tenders are let or work commences upon the site, discussions are to be held with the Parks Manager's designate, the Area Parks Officer - Linwood Service Centre, to ascertain the Council's requirements through the development phase of the construction of the facility.

9. A bond of \$2,000 is to be paid by Telstra Saturn Ltd or successful principal contractor to the Council's Area Parks Officer - Linwood Service Centre before work commences upon the site. The bond less any expenses incurred by the Council will be refunded to the payee upon the completion of the work.
10. A compensation payment, which is decided by independent valuation, is to be made to the Council for the granting of the easement.
11. The easement document records that all cables must be laid underground.
12. The applicant is to provide the Council with the New Zealand map grid co-ordinates which fix the location of the cable under the river.

**Chairperson's
Recommendation:**

For discussion.