

### 3. PROPOSED POWER KIOSK & CABLE EASEMENT – REMUERA RESERVE

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Corporate Plan Output: Parks – Customer Services – Consents 9.4.8.	

The purpose of this report is to request the Board's recommendation to the Council for its consent under Section 48 of the Reserves Act 1977 to the creation of an electrical service easement over part of a recreation reserve adjacent to Remuera Avenue, Cashmere.

#### BACKGROUND

The proposed easement is to protect existing cables and a sub station that was installed in 1979 as part of a combined programme by the former MED and later the Council, to under-ground power reticulation in Remuera Avenue. The cables across the reserve connected the kiosk to the MED network to the east. With the recent laying of new 11KV voltage power cable to service land on the west side of Remuera Avenue (which required connection to the kiosk) it has been discovered that the existing kiosk site and cable trench across the reserve to Sloan Terrace has never been formalised by easement. The only new work is a short section of cable from Remuera Avenue to the kiosk.

#### CONDITIONS

The Parks Unit supports an easement being put in place, subject to the following conditions.

1. That the easement corridor follows the cable route shown on the attached plan.
2. That Orion meets all survey and legal fees associated with the creation of the easement. (This has been agreed by Orion.)
3. That no payment is sought for the easement right. The easement in the main is to formalise existing underground power reticulation that was part of an electrical undergrounding programme originally initiated by the former MED.

#### COMMENT

It is recommended that an easement be granted to Orion for the kiosk and cable easement over the route shown on the attached plan, on the basis that the easement not be publicly notified subject, however, to the consent of the Minister of Conservation. The easement is to be registered in the Land Transfer Office and all costs associated with survey of the easement alignment and legal expenses to create the easement are to be met by Orion.

- Recommendation:**
1. That the Council consents, pursuant to Section 48 of the Reserves Act 1977, to the creation of an easement over part of Remuera Reserve on the alignment shown on the attached plan, subject to the conditions outlined in this report.
  2. That as no new work above ground is involved the Council resolve not to publicly notify the creation of the easement as:
    - (a) The reserve is not likely to be materially altered or permanently damaged by the creation of the easement.
    - (b) The rights of the public in respect of the reserve are not likely to be permanently affected by the creation of the easement.