



**Christchurch City Council**

**HAGLEY/FERRYMEAD COMMUNITY BOARD  
EXTRAORDINARY AGENDA**

**WEDNESDAY 28 NOVEMBER 2007**

**AT 9.30 AM**

**IN THE BOARDROOM,  
180 SMITH STREET,  
LINWOOD**

**Community Board:** Bob Todd (Chairperson), Rod Cameron, Tim Carter, David Cox, John Freeman, Yani Johanson, Brenda Lowe-Johnson.

**Community Board Adviser**

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## 1. APOLOGIES

## 2. BARNETT PARK EASEMENT

<b>General Manager responsible:</b>	General Manager City Environment , DDI 941- 8191
<b>Officer responsible:</b>	Tom Lennon, Property Consultant
<b>Author:</b>	Tom Lennon, Property Consultant

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval to grant an easement in gross in favour of Orion New Zealand Limited in order to formalise the occupation of a portion of Barnett Park by an existing underground 11KVA cable. (the **attached** plan refers.) The land is held under the Reserves Act 1977.

**EXECUTIVE SUMMARY**

2. Barnett Park is identified as Reserve 4979 on SO Plan 9556 a classified recreation reserve of 7.2452 hectares and a classified Local Purpose Community Buildings Reserve of 365 square metres, all contained in Certificate of title 328620
3. Orion New Zealand Limited has an underground 11KVA cable which occupies a portion of Barnett Park. The cable was installed several years ago. A formal easement was never put in place.
4. As a result of the construction of the Sumner Redcliffs Crèche facility, it was identified that a section of the Orion cable was located underneath the designated playground area of the new crèche. The location of the cable was discovered after the construction of the crèche facility commenced.
5. Orion New Zealand Limited and the Council have agreed to equally fund the relocation of the section of the cable located underneath the crèche playground. The opportunity now exists to formalise the occupation of a portion of Barnett Park by Orion New Zealand Limited infrastructure by creating an easement over the affected land.
6. The creation of an easement in favour of Orion New Zealand Limited will ensure that the location of the 11KVA cable is adequately recorded and registered for future reference.
7. The two metre wide easement will be granted under Section 48(1) (d) of the Reserves Act 1977 and will cover the entire extent of the existing 11KVA cable affecting Barnett Park. The total area affected by the easement is 1,736 square metres.

**FINANCIAL IMPLICATIONS**

8. The cable is being shifted at the Council's request, therefore, the Council's policy concerning the payment of compensation and the easement holder paying for processing the easement will not apply.
9. As a result of the issue outlined above there are no financial implications by granting this easement beyond the legal costs associated with the grant.

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

10. Not applicable.

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

11. It is considered that as the reserve will not be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected, public notice is not required to be undertaken.

**2. Cont'd**

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

12. Not applicable.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

13. Not applicable.

**ALIGNMENT WITH STRATEGIES**

14. Not applicable.

**Do the recommendations align with the Council's strategies?**

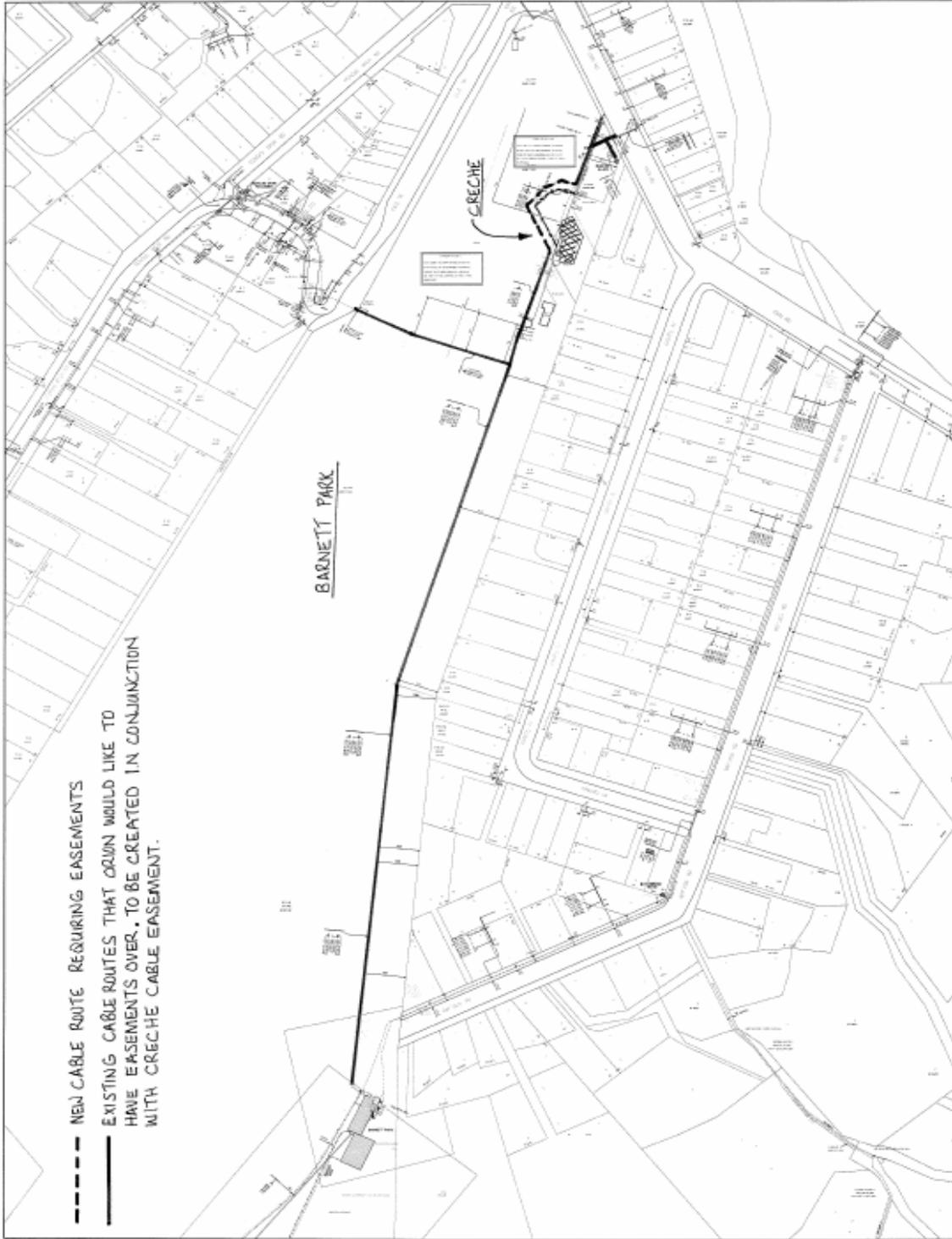
15. Not applicable.

**CONSULTATION FULFILMENT**

16. There is no consultative requirement necessary for granting this easement.

**STAFF RECOMMENDATION**

That the Board approve an Easement in Gross in favour of Orion New Zealand Limited to convey electric power over Reserve 4979 contained in Certificate of Title 328620 as shown on the attached plan forming part of Barnett Park and that the consent of the Department of Conservation be sought.



CAUTION: This Map is for DESIGN USE ONLY and must not be used for on-site Cable Location or Operational purposes. Project: Millis, Millis 27082087-1021 ST a.m. Scale: 1:2,000