

**APPROVAL FOR AN ELECTRICITY EASEMENT
THROUGH COUNCIL LAND - OUTER GREEN BELT
(CHARTWELL SUBSTATION TO ADJOINING
FARMLAND IN OHARIU VALLEY)**

1. Purpose of report

To seek the Strategy and Policy Committee approval to grant Meridian Electricity an easement in gross for an underground electricity cable over part of the Outer Green Belt from Chartwell Substation to adjoining farmland in Ohariu Valley.

2. Executive summary

Meridian is developing a new cable network in association with the Mill Creek wind farm and requires approval for an easement for an underground 33kV cable.

The easement meets the requirements for utilities outlined in the Outer Green Belt Management Plan 2004.

Key issues include:

- Resource Consent for the underground cable has been granted subject to approval of the easement.
- The easement will not materially alter reserve land and is consistent with the reserve management plan.
- The final alignment of the easement depends on further investigation and so an agreement to the easement is required.
- There will be limited impact on reserve users during the works and except for maintenance no impact after the cable is installed (required only if there is a fault).
- The easement does not need to be publically notified.
- The Historic Places Trust and Iwi are satisfied with the easement options.
- Meridian is to pay for the Easement use.

The proposed easement is shown in Appendix 1. As this easement is underground, and any installation works will be properly rehabilitated, it will not materially alter the reserve land. In accordance with Section 48(2) of the Reserves Act 1977, a request is made to waive the requirement for public notification.

3. Recommendations

Officers recommend that the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to grant an electricity easement over Outer Green Belt land to Meridian Energy.*
3. *Waive the requirement for public notification under Section 48 (2) of the Reserves Act 1977 in accordance with Section 48(3) of the Reserves Act 1977, as the Outer Green Belt is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected by the granting of the easement.*
4. *Agree that any costs associated with preparing the easement are met by Meridian Energy.*
5. *Agree that Council officers will finalise and negotiate the easement agreement details including final placement.*
6. *Note that the final easement location is yet to be determined and will be either option 1 or 2 as presented in the report. Both options meet Outer Green Belt Management Plan criteria.*

4. Background

Meridian approached Council in September 2011 for land owner approval for an easement for a 33 kV connection directly from Chartwell Substation through Outer Green Belt (Appendix 1).

The proposal has two options for the easement (Appendix 1 bounded in blue). Option 1 is approximately 1.8km and Option 2 approximately 4km. The options cannot, at this time, be defined as Meridian is waiting for feedback from other land owners in the area. The path of the cable is dependent on this negotiation but either option, in some way, crosses Outer Green Belt land.

The titles that could be involved include:

- Pt Sec 57 Makara Dist, CT22B/793
- Pt Sec 11 Kaiwharawhara Dist, CT 22B/443
- Lot 2 DP81286, CT 47C/980
- Pt Sec 128, Ohariu Dist, CT 47C/982 GNB040420.1
- Pt Sec 109 Ohariu Dist, CT 20D/1107
- Pt A2 Otari GNB728976.1

5. Discussion

In accordance with the Outer Green Belt Management Plan and Section 48 of the Reserves Act 1977 (Grants of rights of way and other easements), the Strategy and Policy Committee has delegated authority to grant landowner approval for easements through the Outer Green Belt.

The Wellington Outer Green Belt Management Plan principles recognise that the placement of utilities and building utility access roads as a key threat to protecting ridgetops and hilltop areas. The Council accepts the need for some utilities to be placed on ridgetops and hilltops but will discourage these in places of particular landscape importance or currently undeveloped areas to ensure Outer Green Belt values are given due regard.

Council officers have assessed both options against the following management plan criteria:

Management Plan Criteria	Meridian Proposal
The placing of only those utilities which are necessary to the normal function of the city.	<ul style="list-style-type: none"> The cabling is related to the Mill Creek Wind Farm development.
Cannot be reasonably located somewhere else.	<ul style="list-style-type: none"> Neither of the options can be reasonably located elsewhere. Meridian have considered various alternatives with Council officer (parks and gardens, Planning) and Historic Places Trust but were either impractical or would have caused more damage.
Utilities being placed underground except where this is not practicable.	<ul style="list-style-type: none"> Cabling on WCC land will be underground so there is no visual impact or restrictions on current use (stock grazing, recreational). The location shows consideration for protecting ridgelines and hilltops
The location of utility structures should not unduly compromise recreation uses or future facilities and landscape restoration works.	<ul style="list-style-type: none"> The cables will be buried 600 mm to 800 mm deep, well out of the way of anything but extraordinary potential conflicts. Does not unduly compromise recreation uses and enhances the recreational value of the area and improves the current track. Meridian has engaged a Council

	<p>approved heritage advisor who has worked closely with Council's Heritage team and the Historic Places Trust who carried out an assessment of the proposed easement route, there were no issues raised.</p>
<p>Reinstatement of natural ground, vegetation or infrastructure to the Council's satisfaction.</p>	<ul style="list-style-type: none"> • Terrain will be restored to as close to current topography as practicable and re-grassed for its current pastoral use or resurfaced where track. • Any maintenance works are to be strictly controlled by the wording of the easement agreement.
<p>Utility structure must be accurately mapped and documented with plans supplied to the Council.</p>	<ul style="list-style-type: none"> • The easement will be registered on the Certificate of Title and records of the cabling location provided to Council.
<p>Utility companies having structures on Wellington City Council land will need to negotiate an agreement with the Council - setting out the terms and conditions of access and maintenance, where these details are not already provided in a lease or licence document.</p>	<ul style="list-style-type: none"> • Agreement to be negotiated by Council officers. • Agreement to easement options required.
<p>All expenses related to this process are the applicants.</p>	<ul style="list-style-type: none"> • Meridian will cover all costs associated with the proposal.

5.1 Consultation and Engagement

Meridian has completed targeted consultation with Iwi, New Zealand Historic Places Trust and the Friends of Group. No objections or concerns were raised by any of the parties.

Council officers recommend that the requirement for public advertising/notification under Section 48 (2) of the Reserves Act 1977 be waived in accordance with Section 48(3) of the Reserves Act 1977. The reserve and the

reserve management plan are not materially altered or permanently damaged by allowing licensing.

5.2 Process

If the Committee agrees with the Report's recommendation the following steps will be taken:

- Meridian granted resource consent for underground cabling;
- Meridian to install the electrical cabling and rehabilitate the site to Council's satisfaction; and
- Survey and registration of the easement (at Meridian's cost).

5.3 Financial Considerations

All costs associated with the preparation and registering of this easement will be borne by Meridian. Meridian will be responsible for all costs associated with construction, landscaping, mitigation measures and heritage supervision.

Meridian will pay for the easement rights depending on the option taken. A set rate per lineal meter is to be negotiated at the same rate as affected neighbouring properties.

6. Conclusion

Council officers recommend that the Strategy and Policy Committee approves the granting of an easement to Meridian over Outer Green Belt Land. Council officers are satisfied that the Outer Green Belt Management Plan criteria for an easement have been met by both options.

Contact Officer: *Johnnie Barrie, Reserves Planning Officer*

Supporting Information

1) Strategic fit / Strategic outcome

Agreement to the easement will contribute to Council meeting the city's economic objectives.

2) Long-Term Plan/Annual Plan reference and long term financial impact

The project is fully funded by Meridian. An easement payment is to be negotiated.

3) Treaty of Waitangi considerations

None noted.

4) Decision-making

This is not a significant decision.

5) Consultation

a) General consultation

Targeted consultation with Iwi, the Friends Group and Historic Places Trust has been undertaken by Meridian.

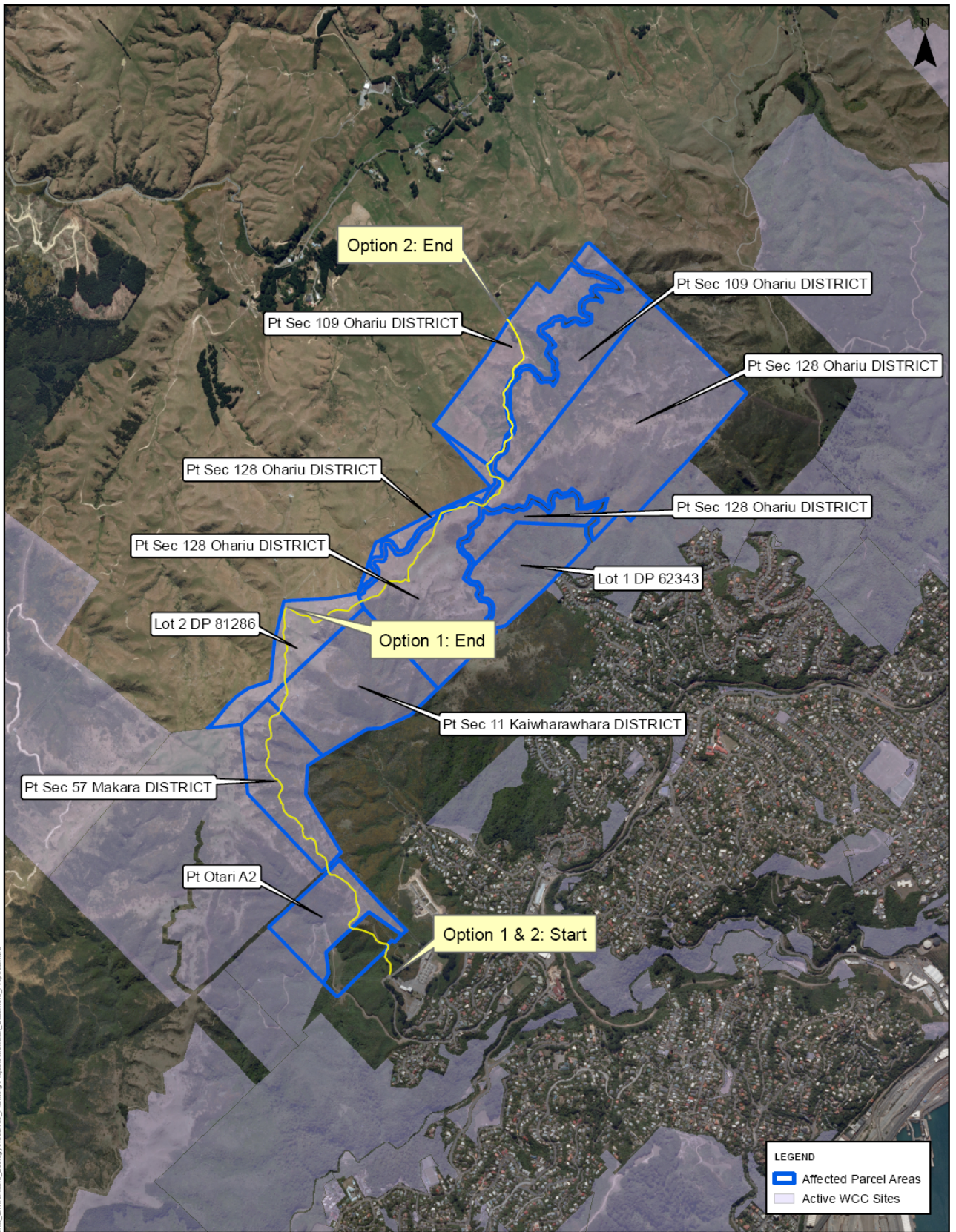
6) Legal implications

None noted.

7) Consistency with existing policy

The works proposed by Meridian are consistent with the Outer Green Belt Management Plan.

APPENDIX 1



Meridian Easement Proposal Outer Green Belt

Property boundaries, 20m Contours, road names, rail line, address & title points sourced from Land Information NZ. Crown Copyright reserved. Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas. Census data sourced from Statistics NZ. Postcodes sourced from NZ Post. Assets, contours, water and drainage information shown is approximate and must not be used for detailed engineering design. Other data has been compiled from a variety of sources and its accuracy may vary, but is generally +/- 1m.

MAP PRODUCED BY:
Wellington City Council
101 Wakefield Street
WELLINGTON, NZ

ORIGINAL MAP SIZE: A4
AUTHOR: robert2a
DATE: 23/04/2012
REFERENCE:

LEGEND
 Affected Parcel Areas
 Active WCC Sites

0 235 470 940
metres
Scale 1:23,000

Absolutely
POSITIVELY
ME HEKE KI PŌNEKE | WELLINGTON CITY COUNCIL | Wellington