

11. QUEENSPARK RESERVE - PEDESTRIAN EASEMENT

General Manager responsible:	General Manager City Environment
Officer responsible:	Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is to enable the Board to consider an application by Queenspark School for an easement over 75 square metres of Queenspark Reserve on which to construct and maintain a footpath, south of the proposed new school hall to be built adjacent to the reserve. The footpath is required to provide service access to the existing boiler house, which will be located behind the proposed hall, and to provide fire egress from this proposed hall.

EXECUTIVE SUMMARY

2. Officers are recommending that the easement application be granted. The cost for building and maintaining the footpath will be paid for by the school. If the easement is not granted it is likely that a track will be worn in the grass, which will in itself be undesirable, and of a lesser standard than the other facilities provided in the park.

FINANCIAL AND LEGAL CONSIDERATIONS

3. Queenspark Reserve is a recreation reserve made up of three lots vested in the Council, the lot over which the easement has been applied for is Lot 1 DP 35473, which is of an area of 2.9879 hectares.
4. The Community Board has delegated authority from Council (8 November 2001) to make the decision on behalf of Council whether to grant the easement or not. This decision can be made by a sub-committee of Council in terms of the Reserves Act 1977 requirements.
5. The costs for undertaking the processing of this easement will be paid for by the applicant. Once approved, the costs for undertaking the construction of the footpath as detailed on the attached plan, which will entail the removal of some shrubs, but no trees, and restoring the area to the satisfaction of the Council will also be the responsibility of the applicant.
6. Officers are recommending that the normal one-off compensation payment for allowing the encumbrance to be placed upon the Council's title, not be requested in this particular case because of the partnership that exists between the school and the Council in relation to the use of the school's playing field out of school hours by the community, at these times being treated as an extension of Queenspark Reserve. The schools playing field has an intermediate sized rugby field located upon it during the winter months. The agreement between the Council and the school stipulates that the playing field is able to be used by the community outside normal school hours, in return for the Council maintaining it, which included the installation of a pop-up irrigation system, the water for which is paid for by the school.

STAFF RECOMMENDATIONS

Officers recommend that the Council grant a registered easement subject to Section 48 (1)(a) of the Reserves Act 1977, in favour of the Education Department (Queenspark School) over approximately 75 square metres (the easement being approximately 1.5 metres wide by 50 metres long), to enable the construction of a footpath over Queenspark Reserve, being Lot 1 DP 35476 a recreation reserve of 2.9879 hectares, subject to the following conditions:

1. Public advertising as required by Section 48 (2) of the Reserves Act 1977.
2. The consent of the Minister of Conservation being obtained.
3. The easement terms being negotiated by the Corporate Support Unit Manager, in consultation with the Greenspace Policy and Leasing Administrator.
4. The easement construction area being maintained by Queenspark School, and their contractors in a safe and tidy condition at all times.
5. All costs associated with the development of the pathway and its subsequent maintenance being the responsibility of Queenspark School.

6. Before any tenders are let or work commences on the site, discussions are to be held with the Greenspace Northern Area Contract Manager, Fendalton Service Centre, and the Arborist, Civic Offices to ascertain the Council's requirements before on-site construction commences, especially near the notable pine tree.
7. The payment of a bond of \$2,000 by Queenspark School, to the Christchurch City Council via the Northern Area Contract Manager, Fendalton Service Centre, is to be made before work commences on the site. The bond, less any expenses incurred by the Council, is to be refunded to the payer on completion of the work.
8. The applicant is to provide the Council, within three months of completion of the work, a surveyed easement plan on which the easement over the footpath in the reserve is shown.
9. Any landscaping of the site, (if any), required by the Greenspace Manger to integrate the footpath into the site is to be undertaken by Queenspark School at their expense.

CHAIRPERSON'S RECOMMENDATION

That the abovementioned recommendations be adopted.

BACKGROUND ON QUEENSPARK RESERVE - PEDESTRIAN EASEMENT

7. Queenspark School is in the process of obtaining resource and building consent to build a new hall on their present staff car park adjacent to Queenspark Reserve, their present hall now being too small for their growing school's needs.
8. The only other site the new proposed building could be built upon is behind their present buildings on the school's playing fields, an action the school does not want to take. Officers concur with the school's wishes, the playing fields being used by the community outside school hours.
9. The staff car park is to be shifted to an area on the northern boundary of the school's property, access to the new car park being obtained off Pinaster Place. The location of the proposed car park will not affect the sports field layout on the school/park.
10. The school also allows the community to use the playground and present hall outside school hours.
11. As part of the site works required for the new hall, a fuel filling point for the boiler is being laid to the road frontage of the proposed hall site, to enable tankers to service the boilers fuel requirements, without going onto the park.
12. The proposed footpath is being built over the area in which the roots of the most notable pine tree in the area grow. It is important that minimal disturbance to these roots is caused during the construction of this footpath, and consequently a condition has been included in the recommendation ensuring on-site discussions about the footpath's construction are held prior to construction commencing to ensure that there is minimum disturbance to the tree's roots.

OPTIONS

13. There are basically two options to consider:
 - (a) Approve the application and grant the easement.
 - (b) Decline the easement application.

If the easement is refused it is likely that a footpath will be worn in the grass from people walking to gain access to the buildings including the boiler house behind the proposed hall. It is sensible therefore for Council to grant the easement, thereby ensuring the high standards of the park are maintained, this addition being at no cost to the Council. No other options have therefore been considered because of the aforementioned facts.