

**BURWOOD/PEGASUS COMMUNITY BOARD
AGENDA**

MONDAY 15 AUGUST 2011

AT 4PM

**IN THE BOARD ROOM,
CORNER BERESFORD AND UNION STREETS,
NEW BRIGHTON**

Community Board: Linda Stewart (Chairperson), Tim Baker, David East, Julie Gorman, Glenn Livingstone, Tim Sintes and Chrissie Williams.

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- PART A - MATTERS REQUIRING A COUNCIL DECISION**
- PART B - REPORTS FOR INFORMATION**
- PART C - DELEGATED DECISIONS**

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1. **APOLOGIES**

2. **CONFIRMATION OF MEETING MINUTES – 1 AUGUST 2011**

The minutes of the Board's ordinary meeting of 1 August 2011, are **attached**.

3. **DEPUTATIONS BY APPOINTMENT**

4. **PRESENTATION OF PETITIONS**

5. **NOTICES OF MOTION**

6. **CORRESPONDENCE**

7. **BRIEFINGS**

8. WAITIKIRI SUBDIVISION STAGE THREE - PROPOSED ROAD NAMINGS

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8549
Officer responsible:	Unit Manager Environment Policy & Approvals
Author:	Bob Pritchard, Subdivisions Officer

PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board's approval to three new road names.

EXECUTIVE SUMMARY

2. The approval of proposed new road names is delegated to Community Boards.
3. The Subdivision Officer has checked the proposed names against the Council's road name database to ensure they will not be confused with names currently in use.

Waitikiri Stage 3 (Lake Stage) Subdivision

This stage of the subdivision will create a further 58 allotments, further water features, and reserves. Access will be provided with extensions to Bluestone Drive and Timberlands Terrace, and three new roads. The names proposed by the Development Company are in keeping with the existing theme, of water, and water features, and are considered appropriate for the locality. The new cul de sac running east off Bluestone Drive is proposed as Bridgewater Place, the smaller cul de sac running west off Bluestone Drive is proposed as Greenbank Place, while the new loop road in the western part of the subdivision is proposed to be named Waterstock Way. The **attached** plan refers.

FINANCIAL IMPLICATIONS

4. There is no financial cost to the Council. The administration fee for road naming is included as part of the subdivision consent application fee, and the cost of name plate manufacture is charged direct to the developer.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

5. Not applicable.

LEGAL CONSIDERATIONS

6. The Council has a statutory obligation to approve road names.

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

7. Yes. There are no legal implications.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Not applicable.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

9. Not applicable.

ALIGNMENT WITH STRATEGIES

10. Not applicable.

Do the recommendations align with the Council's strategies?

11. Not applicable.

8. Cont'd

CONSULTATION FULFILMENT

12. Where proposed road names have a possibility of being confused with names already in use, consultation is held with Land Information New Zealand and New Zealand Post. The Subdivision Officer – Road Naming does not believe any of the names submitted will cause confusion, therefore Land Information New Zealand and New Zealand Post have not been consulted in this instance.

STAFF RECOMMENDATION

It is recommended that the Board consider and approve the proposed road names in the Waitikiri Subdivision Stage 3, of Bridgewater Place, Greenbank Place and Waterstock Way .

8. Cont'd

BACKGROUND (THE ISSUES)

13. There are no issues

THE OBJECTIVES

14. Approval by the Community Board of the road names proposed in this report

THE OPTIONS

15. Decline the proposed names and require alternative names to be supplied.

THE PREFERRED OPTION

16. Approve the name names as submitted by the applicant.

9. BURWOOD/PEGASUS COMMUNITY BOARD STRENGTHENING COMMUNITIES FUNDING 2011/12 - ALLOCATIONS

General Manager responsible:	General Manager Community Services, DDI 941-8607
Officer responsible:	Community Support Unit Manager
Author:	Nicola Martin, Funding Advisor

PURPOSE OF REPORT

1. The purpose of this report is for the Burwood/Pegasus Community Board to allocate the Burwood/Pegasus Strengthening Communities Fund for 2011/12.

EXECUTIVE SUMMARY

2. This report provides information to the Board on the applications received for the Strengthening Communities Fund.
3. The total pool available for allocation in 2011/12, as outlined in the LTCCP, is \$238,918. Applications totalling \$451,772 were received. Current staff recommendations total \$238,918.
4. **Attached** (as Attachment 1) is a decision matrix, which outlines the projects that funding is being sought for. Following staff collaboration meetings, staff have ranked all projects as either Priority 1, 2, 3 or 4 and have made recommendations as to funding.
5. The Burwood/Pegasus Community Board has put forward two projects as Key Local Projects in 2011/12. These projects are not included on the decision matrix but are included on the Metropolitan Funding matrix. If approved, they will be funded from the Metropolitan funding pool.

FINANCIAL IMPLICATIONS

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Yes, see LTCCP pages 176 and 177 regarding community grants schemes including Board funding.

LEGAL CONSIDERATIONS

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

7. Yes, Community Board funding decisions are made under delegated authority from the Council.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

8. Yes, Strengthening Communities Funding and Community Board Funding, see LTCCP pages 176 and 177 regarding community grants schemes, including Board funding.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

9. The funding allocation process carried out by Christchurch community boards is covered in the Council's Strengthening Communities Strategy.

CONSULTATION FULFILMENT

10. Not applicable.

9. Cont'd

STAFF RECOMMENDATION

It is recommended that the Board give consideration to the projects detailed in the **attached** decision matrix and approve allocations from the Burwood/Pegasus Community Board Strengthening Communities Funding for 2011/12.

9. Cont'd

BACKGROUND

Strengthening Communities Strategy

11. The Council adopted the Strengthening Communities Strategy on 12 July 2007. The Strengthening Communities Grants Funding programme comprises four funding schemes:
 - (a) Strengthening Communities Fund
 - (b) Small Grants Fund
 - (c) Discretionary Response Fund
 - (d) Community Organisations Loan Scheme
12. For detailed information on the Strengthening Communities Strategy's Outcomes and Priorities please see **Attachment 2**. The specific criteria for the Strengthening Communities Fund is also attached, as **Attachment 3**.

The Decision Matrix

13. Information on the projects is presented in a Decision Matrix, attached as Attachment 1. To ensure consistency, the same Decision Matrix format and presentation has been provided to the Metropolitan Funding Committee and all Community Boards.
14. Applications are project-based; information is provided that relates specifically to the project for which funding is being sought, not the wider organisation.
15. All applications appearing on the Decision Matrix have been assigned a Priority Rating. The Priority Ratings are:
 - Priority 1** Meets all eligibility criteria and contributes significantly to Funding Outcomes and Priorities. Highly recommended for funding.
 - Priority 2** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities. Recommended for funding.
 - Priority 3** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities but to a lesser extent than Priority 2 applications. Not recommended for funding.
 - Priority 4** Meets all eligibility criteria and has minimum contribution to Funding Outcomes and Priorities; or Insufficient information provided by applicant (in application and after request from Advisor); or Other funding sources more appropriate. Not recommended for funding.
16. Staff have used the following criteria to determine whether an application is a Priority One:
 - Impact the project has on the city
 - Reach of the project
 - Depth of the project
 - Value for Money
 - Best Practice
 - Innovation
 - Strong alignment to Council Outcomes and Priorities
 - Noteworthy leverage or partnership/match funding from other organisations or government departments.

Key Local Projects

17. Each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.

9. Cont'd

18. The Burwood/Pegasus Community Board has put forward two projects as Key Local Projects in 2011/12. The Council made its KLP decisions on Friday 29 July 2011.
19. These two projects are:

Name of Group	Name of Project	Amount Funded
ACTIS	Community Co-ordinator wages and 10AFFIRM Festival	\$40,000
PEEEPS	Staff wages	\$35,000

Ineligible Applications

20. No ineligible applications were received.

Timeline and Process

21. Community Boards have delegated authority from the Council to make final decisions on the Strengthening Communities Funding for their respective wards. The Board's decisions will be actioned immediately following the decision meeting. All groups will then be informed of the decisions and funding agreements will be negotiated where relevant. All funding approved is for the period of September to August each year, therefore grants will be paid out in early September 2011.

10. LOCAL GOVERNMENT “KNOW HOW” TRAINING WORKSHOPS – MEDIA, DECISION MAKING AND PUBLIC CONSULTATION

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Peter Dow, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to seek the Burwood/Pegasus Community Board’s approval for interested members to attend Local Government New Zealand “Know How” Training Workshops – How to Present the Right Image to the Media, Decision Making and a Practical Guide to Public Consultation, to be held at the Selwyn District Council on Tuesday 30 August, Tuesday 20 September and Tuesday 18 October 2011 respectively.

EXECUTIVE SUMMARY

2. These workshops are all one day events. The How to Present the Right Image to the Media course is designed for elected members to develop a strong relationship with the media. The Decision Making – How it Really Works course provides an interactive workshop which references the Local Government Act, the Council’s Long Term Plan and other relevant legislation to give a complete framework for decision making. The Practical Guide to Public Consultation workshop focuses on how consultation works in the local government context.

Further information on each workshop is **attached**.

FINANCIAL IMPLICATIONS

3. The cost of these Local Government workshops are:

How to Present the Right Image to the Media	\$795 per person plus GST
Decision Making – How it Really Works	\$495 per person plus GST
Practical Guide to Public Consultation	\$795 per person plus GST

The Board’s 2011/12 training and travel budgets currently have an unallocated balance available of \$4,550.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

4. Yes, provision for elected member training is made in the LTCCP, specifically under the Elected Member Representation activity.

LEGAL CONSIDERATIONS

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

5. Yes, there are no legal implications.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

6. Not applicable.

10. Cont'd

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

7. Not applicable.

CONSULTATION FULFILMENT

8. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Burwood/Pegasus Community Board give consideration to approving the attendance by interested members at the Local Government New Zealand "Know How" Training Workshops – How to Present the Right Image to the Media, Decision Making and a Practical Guide to Public Consultation, to be held at the Selwyn District Council on Tuesday 30 August, Tuesday 20 September and Tuesday 18 October 2011 respectively.

11. COMMUNITY BOARD ADVISER'S UPDATE

11.1 UPCOMING BOARD ACTIVITIES

12. BOARD MEMBERS' QUESTIONS

**BURWOOD/PEGASUS COMMUNITY BOARD
SUPPLEMENTARY AGENDA**

MONDAY 15 AUGUST 2011

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**IN THE BOARD ROOM,
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PART A 14 RAWHITI DOMAIN - PROPOSED WATER SUPPLY WELLS AND PUMPING STATION

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13. RESOLUTION TO BE PASSED – SUPPLEMENTARY REPORT

Approval is sought to submit the following report to the meeting of the Burwood/Pegasus Community Board on Monday 15 August 2011:

- RAWHITI DOMAIN - PROPOSED WATER SUPPLY WELLS AND PUMPING STATION

The reason, in terms of section 46(vii) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda, is that it was not available at the time the agenda was prepared and it cannot wait for the next meeting of the Board.

STAFF RECOMMENDATION

That the report be received and considered at the ordinary meeting of the Burwood/Pegasus Community Board on 15 August 2011.

14. RAWHITI DOMAIN - PROPOSED WATER SUPPLY WELLS AND PUMPING STATION

General Manager responsible:	General Manager City Environment Group, DDI 941-7305
Officer responsible:	Manager Asset & Network Planning
Authors:	John Allen, Policy and Leasing Administrator Eric Banks, Parks & Waterways Planner

PURPOSE OF REPORT

1. To obtain the approval of the Council under the Canterbury Earthquake (Reserves Legislation) Order 2011 ("the Order") for the drilling of wells and the installation of a water supply pumping station in Rawhiti Domain. This work is required to be completed urgently to strengthen the water supply to the New Brighton area and reduce/minimise the severity of water restrictions required over the height of the 2011/12 summer because of earthquake damaged water infrastructure.
2. Subsequent to obtaining the approval outlined in paragraph one above, to obtain Council approval to the granting of easements over Rawhiti Domain for the proposed new infrastructure under sections 48(1)(d) and (f) of the Reserves Act 1977 pursuant to the requirements of section 48(6) of the said Act.

EXECUTIVE SUMMARY

3. Christchurch City's water supply infrastructure network includes 65 primary pumping stations, with one or more wells associated with each pumping station. There are 177 wells supplying the Council's water supply. The September and February earthquakes have resulted in the permanent loss of approximately 25 wells, damage occurring to a further 108 wells most of which will be able to be repaired, leaving only 44 wells that were not damaged in some way by the earthquakes. More than half of these wells are located in the eastern suburbs (including the Palmers Road site) and as a result, have a significant impact on the Council's ability to meet the peak summer water demands for the City. The Palmers Road pumping station on the corner of Palmers and New Brighton Roads was totally destroyed during the earthquakes, this being the main pumping station for the New Brighton area.
4. Hydraulic modelling work has been undertaken to investigate alternative ways of supplying summer time demand through reconfiguration of the supply zones, installation of additional surface pumps at stations where there is an excess of well capacity and the installation of new wells at key locations in the network. The modelling also looked at improving the robustness of the pumping station network.
5. This modelling work identified that a new well in the vicinity of Rawhiti Domain is critical to maintaining the water supply to the eastern suburbs through the peak summer demand period and that a pumping station in the same area would improve the robustness of the system, in particular a pump station in this general area would provide support in the event of a failure of the Bexley pumping station, the wells of which have been damaged.
6. A review of the general area for suitable sites was undertaken. Suitable sites had to be at least 2000 square metres in area, quickly available for the sinking of wells and construction of a pumping station, (the wells needing to be connected to the reticulation system before the height of the summer), located reasonably close to existing trunk (300 millimetres or more in diameter), reticulation pipes, and on a site where there is the ability to discharge approximately 300 cubic metres of water per hour through the storm water system, this being generated during well development.

14. Cont'd

7. Sites at Queen Elizabeth II Park, Beresford Street, and Rawhiti Domain were considered as possible permanent sites for the replacement of the Palmers Road pumping station. The benefits and disbenefits of these sites including the preferred option are given in the following table. The letters in bold and contained in brackets indicate the general locations as shown on the location map in **Attachment A**.

Location	Benefits	Disbenefits
(A) Beresford Street car parks	<ul style="list-style-type: none"> • Not a park. • Easy access for construction and maintenance. 	<ul style="list-style-type: none"> • Proximity to neighbours. (well development & diesel generator operations) • Site size is too small for well development and construction to occur concurrently. • Generally the further north the pumping station is located the better the underground aquifer water yields are expected to be. • No potential for further well development (in the event of failure of any of the three proposed wells). • Distance to the required larger (300 mm) water main which is at the Pages/New Brighton Roads intersection.
(B) QEII Park between Travis Road and gymnasium	<ul style="list-style-type: none"> • No specific current use. • Proximity to large trunk water main size (300 mm) in Travis Rd. 	<ul style="list-style-type: none"> • Geotechnical reports show seismic stability of land not stable enough for the sinking of wells and the construction of such important Council infrastructure. • Lower aquifer capacity. • Area of lower demand than the Rawhiti site, which is more central to the area being reticulated.
(C) Rawhiti Domain behind the Keyes Road Grey Water Pumping Station	<ul style="list-style-type: none"> • Room to develop the "well farm" and construct the pumping station infrastructure. • Central to area being reticulated. • Proximity to 11 Kva substation. • Geotechnical reports show the land is seismically stable. • Hydrological advice indicates that this site can be expected to yield more water than the Beresford Street, and QEII sites 	<ul style="list-style-type: none"> • Station and associated infrastructure would be located on a public recreation reserve. • Temporary disruption to formal park users during construction. • Proposed occupation not in alignment with the management plans policies and objectives. • A main trunk water main of 300 mm will need to be laid to the site from New Brighton Road.

14. Cont'd

8. Potential locations between 341 and 383 Keyes Road were reviewed, the selected location being between the existing utilities (waste water pumping station and Orion substation) located on the park and the car park adjacent to the athletics track, because of its minimal impact on the amenity value and sight lines into the park. It is understood that the pumping station will consist of a large tank partly built below ground level, into which artesian water will flow from the wells, a pump house, in which there will be two pumps to pump water from the tank into the mains system, and a standby generator building to house a one megawatt generator. These above ground structures and surrounding sealed area will occupy approximately 1,000 square metres of park space, (40 x 25 metres). The pump house will be approximately 4.8 metres in height at the generator end, and 3.2 metres at the suction tank end. The generator exhaust and radio aerial will protrude. The square well heads will be located out in the park measuring 2 x 3 metres, being raised out of the ground approximately 300 millimetres to ensure surface water does not enter the wellhead, and accompanying water sampling cabinets. These well heads may need to be situated 100 metres apart if drawing water from the same aquifer, to ensure that the well 'draw down' does not affect the water levels in the other wells. **Attachment E** shows views of the site with the entrance to a waste water biofilter on the left and a small Orion substation in the foreground.
9. Some of the pipes and accompanying electrical cables to the well head control gear, and maybe pumps, if the well is required to be pumped this will need to be laid within the drip lines of trees in the park. The City Arborist will require any trenches to be hand dug within the drip lines of the trees or thrust at a depth of approximately 1.5 metres under the ground beneath the trees drip line, to ensure that the root systems are not damaged.
10. There may be a requirement to undertake appropriate landscaping around the structures/buildings to better integrate them into the park environment as has been done for the 66Kva substation in the park. The photo in **Attachment D** illustrates a recently completed well head installation (the two metre diameter circular structure in this instance being the well head). The latest well head structures have been modified, from the circular structures to rectangular ones that are seismically stronger.
11. Construction of the pumping station will take up to two years to complete and commence approximately one month after the well is drilled, but the immediate imperative is to commission a well with submersible pump prior to December in order to help meet the water demand in the eastern suburbs over the summer period. In order to complete the well prior to December, drilling work must begin without delay. Even utilising the Canterbury Earthquake (Reserves Legislation) Order 2011, gaining approval to drill the well within the reserve via a report to Council would normally take, at best, six weeks. Such a timeframe will not allow the well to be completed in time to be available for the peak summer pumping period, which commences at the start of December. The management approvals process for this report have therefore been expedited, and it has been placed before the Executive Team for a decision, the Chief Executive Officer of the Council having authority under the Order to approve the use of the reserve for this purpose, (section 4 Interpretation: Council (b) (ii)).
12. Rawhiti Domain is a long established recreation reserve in the City, being just over sixty three hectares in area. It is utilised by a number of sporting codes including cricket, athletics, hockey, tennis, archery, softball and rugby and a golf course. Under the Council's park classification system, Rawhiti Domain is a sports park.
13. Officers consider the proposed installation of new wells, pumping station and associated underground piping and cabling in Rawhiti Domain will have a small impact on the park environment and its use, this impact being greatest during the temporary construction period. The effects are listed in the following table, with comment on how each of these may be mitigated in italics.

14. Cont'd

Temporary Effects (How these can be mitigated)	Permanent Effects (How these can be mitigated)
<p>Closing off with temporary fencing a small part of the park and the car park by the Athletics Club to public access and use during the construction period, this may be for a period of up to two years. The effect will be to make vehicle access to the club and track more difficult for that period of time. Will have a minor visual impact.</p> <p><i>If significant athletic and construction events coincide, temporary access to the club and track can be gained via an internal road off Shaw Avenue. Alternatively, temporary closer road access could be gained from Keyes Road 50 metres closer to Lonsdale St if necessary.</i></p>	<p>There will be a pumping station and at least one well head located in the corner of the park that is not required for formal (sports field) recreational use. The proposed infrastructure will provide no direct benefit to recreational users of the park.</p> <p><i>(Although not a recreational facility the wells and pumping station will provide a wider community benefit in contributing to ensuring an adequate water supply to the community, as well as for the irrigation systems on the park. The wells are proposed to be located on the park at sites that will have the least impact on the park environment and its use.)</i></p>
<p>Excavation of trenches for the underground pipes and cables to the well sites may be required through areas of the park covered in trees.</p> <p><i>Where possible trench alignments outside of the drip lines of trees will be preferred and investigated. Trench lines within the drip line of trees are to be 'hand' dug or thrust beneath the trees so as to avoid damaging the root systems. This work is to be undertaken in accordance with the requirements of the City Arborist or his designates.</i></p>	<p>Being raised from the ground surface, the fence, pumping station building, generator exhaust, radio aerial, well head and switch gear structures will present obvious profiles, which will have an impact on the visual/landscape values of this part of the park.</p> <p><i>This impact can be lessened in a variety of ways, including landscaping, structures materials and colour, and planting, or by utilising the low structures, e.g. well heads, the top of which are raised approximately 300 mm above the ground for park structures such as a movable table or seat. By locating the station in this area, all the above ground Council owned utility structures within the park will be located in one area of the park, thereby limiting the impact of these utilities upon the park. The view from the road into the park will not change significantly the pump station structure being located behind the existing Orion substation and vegetation, thereby complying with "Safer City Design Principals".</i></p>
<p>Heavy machinery and vehicle access on to the park will be required during the construction phase.</p> <p><i>Access to the construction sites will be from the internal park driveway off Keyes Road, which leads to the car park by the New Brighton Athletics Club facilities. A short sealed driveway will be formed from this driveway into the pumping station complex. Access to the well sites will be over grassed areas which will be reinstated upon completion of the works.</i></p>	<p>Heavy machinery and vehicle access on to the park to the well sites will be required on a periodic basis for maintenance purposes.</p> <p><i>Park access will be via the existing driveway into the park from Keyes Road, which is located in the southwest corner of the park. Access is expected to be infrequent – probably no more than once a year therefore not requiring a formed driveway</i></p>

14. Cont'd

	<p>Likely that cabling and pipe-work will cross over services to the Athletics club building. Also, power and telephone to clubhouse are overhead with a pole in the way.</p> <p><i>Likely CWW will have these existing services undergrounded to remove an overhead hazard. New services will be at a different depth where they cross over.</i></p>
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14. Non recreational infrastructure, such as water pumping stations and wells, have previously been sited on recreation reserves (for example Burnside Park) but only where this has been shown to be absolutely necessary, in the wider public benefit, and any effects on the reserve have been minimal or mitigated. In general though, non recreational facilities on recreation reserves have not been supported.
15. Rawhiti Domain is a classified recreation reserve pursuant to section 17 of the Reserves Act 1977, made up of Part Rural Section 1579 (35.9107 ha), [the proposed infrastructure will be built on this area of the reserve], PT RS 1616 (27.2309 ha), Reserve 4467 DP 3213 (0.2507 ha), Lots 2 & 3 DP 3276 (0.0622 ha), and Lot 9 DP 5123 (0.1085 ha).

FINANCIAL IMPLICATIONS

16. The cost of the proposed developments, including the reinstatement of the park surface and required landscaping and amenity enhancements to mitigate park impacts will be met through the Local Authority Protection Programme Disaster Fund (LAPP) or other insurance.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

17. No, see above.

LEGAL CONSIDERATIONS

18. In ordinary circumstances the proposal to drill wells and to install a water pumping station on Rawhiti Domain would be dealt with by way of a grant of an easement under section 48 of the Reserves Act 1977 and/or by reclassifying that part of the reserve affected by the proposed works as a local purpose reserve for that purpose. Both procedures ordinarily require public consultation.
19. In response to the circumstances arising from the 22 February 2011 earthquake, the Government made the Canterbury Earthquake (Reserves Legislation) Order to enable reserves to be used for certain purposes that would not ordinarily be permissible under the Reserves Act 1977 and to avoid unnecessary delay in responding to circumstances arising from the earthquake.
20. The Order is available to provide temporary solutions. Whilst the Order currently expires on 31 March 2012, the Department of Building and Housing and the Department of Conservation have recommended to the Government that the Order be extended to 18 April 2016 (which is the expiry date of the empowering legislation under which the Order has been made). It is expected that extension will be made in September 2011. The Order does not permit use for reserves for earthquake related purposes after its expiry date.
21. Clause 5(b)(vii) of the Order provides that the Council, or any person authorised in writing by the Council, or the Council's Chief Executive, may use a reserve or erect a structure on a reserve for works associated with the repair and renewal of council infrastructure.

14. Cont'd

22. The Order provides that when the Council authorises any use of a reserve, or the erection of any structure on a reserve, that it does not need to comply with any relevant management plan or the usual Reserves Act processes. However, the Council is required to take all reasonable steps to protect the integrity of the reserve and to ensure that the reserve is reinstated at the end of the use or when the structure is removed.
23. In addition to Council authorisation under the Order, the Council will also need to obtain all necessary resource and building consents required (if any) under the Building Act 2004 and the Resource Management Act 1991 for the proposed use. Approval under the Order will not constitute consent under those Acts.
24. Subsequent to approval being given under the Order for the temporary use of Rawhiti Domain, the Council will need to consider a permanent solution to formalise the permanent components of the occupation of the reserve.
25. As the construction of the proposed pumping station and associated infrastructure in Rawhiti Domain is contrary to the objectives and policies contained in the current Rawhiti Domain Management Plan, it will be necessary to change the classification of that part of the Domain on which the pumping station is to be built from recreation reserve to local purpose (utilities) reserve. Once this has occurred it will then be necessary for an easement to be granted to the Council. However, the 'business as usual' processes provided for in the Reserves Act 1977 are deficient as both of these processes involve public consultative processes and Ministerial approval. Given that by the time these processes are employed, the works will have been completed, it is not considered appropriate to embark on an approval process the outcome of which could be contrary to the physical reality on the ground.
26. Identical circumstances have arisen with the respect to the use of a 3,000square metre part of Rawhiti Domain for the construction of a 66Kva electricity substation by Orion Limited and an Order-in-Council is currently in the process of being made by the Government to amend that Reserves Act 'business as usual' processes by reclassifying the part of the reserve affected by the substation and allowing the Council to grant the required easement without public consultation being required. Officers suggest that it will be necessary for a similar Order-in-Council to be made to provide a permanent legal solution for the proposed pumping station and associated works.

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

27. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

28. Yes – earthquake recovery.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

29. As above.

ALIGNMENT WITH STRATEGIES

30. Not applicable.

Do the recommendations align with the Council's strategies?

31. Not applicable.

14. Cont'd

CONSULTATION FULFILMENT

32. Clause 6 of the Order expressly provides that the Council may act under the Order without complying with the Reserves Act 1977 (including any provision relating to public notification or the hearing of objections).
33. Clause 7 of the Order requires the Council to give notification to parties who have an easement, lease, licence, covenant or other legal right over the area of reserve to be temporarily occupied under the Order. Discussions will be held with the New Brighton Athletics Club over the use of the park road leading to the club's facilities in relation to any disruption that this will cause to the clubs' activities.
34. In addition, the Canterbury Earthquake (Local Government Act 2002) Order 2010 exempts the Council from compliance with some of the decision-making processes set out in the Local Government Act 2002. These include the requirement that the Council considers community views and preferences.
35. The exemptions can be relied upon in this case because it is necessary for the purpose of ensuring that Christchurch, the Council, and its communities respond to and recover from the impacts of the Canterbury Earthquakes.

STAFF RECOMMENDATION

It is recommended that pursuant to clause 5(c) of the Canterbury Earthquake (Reserves Legislation) Order 2011, the Burwood/Pegasus Community Board recommend to the Council that it:

- (a) Authorises the use by the Christchurch City Council of that part of the recreation reserve known as Rawhiti Domain as is approximately shown on the plans attached to this report (being **Attachments B and C**) for the purpose of the drilling of three wells and the installation and operation of a pumping station and associated infrastructure; and
- (b) Agrees that the period for which the authority referred to in paragraph (a) of this recommendation shall apply is that period commencing on the date of this authority until the date on which the Canterbury Earthquake (Reserves Legislation) Order 2011 shall expire (including any amended expiry date).