

8. EASEMENT FOR PUMP STATION CONTROL CABINET ON MACFARLANE PARK

General Manager responsible:	General Manager, City Environment, DDI 941 8608
Officer responsible:	Unit Manager, Transport and Greenspace
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PURPOSE OF REPORT

1. The purpose of this report is to seek Community Board approval to the granting of an easement to the Council for the right to convey sewage in gross over part of Macfarlane Park, identified as Lot 1 on DP15482.

EXECUTIVE SUMMARY

2. Stronger Christchurch Infrastructure Rebuild Team (SCIRT) has identified that a new wastewater pumping station is required on Riselaw Street south of Macfarlane Park to service the surrounding Shirley catchment. The location has been determined because of its centrality to the properties it is to service. Other options considered would reduce the catchment that the pump station can serve and would mean further works and costs. Similarly, the siting of the new pump station elsewhere would likely require the purchase of privately owned property which would also incur additional costs.
3. The below ground works, including the wet well, valve and flow meter chambers, will be located in the road reserve.
4. It is proposed to locate the pump station's control cabinet and a small odour filter in Macfarlane Park which is a Council owned recreation reserve. Both structures would be positioned against a high fence in the south west corner of the Park adjacent to 16 Riselaw Street (refer **Attachment 1** and **Attachment 2**). This location is considered to be preferable to the pavement in front of the park as the visual impact will be less and there is less likelihood of the cabinet being vandalised.
5. The cabinet has been designed to meet the development standard in the City Plan for Group 1 zones – 42 decibels at night. The noise level at 1 metre from the front of the kiosk (pointing towards the park) is predicted to be 40-45 decibels, with noise at the rear of cabinet 35-40 decibels. With regard to the odour filter, the manufacturer has confirmed there will be no odour issues for adjoining owners or users of the park as they use a replaceable carbon filter.
6. Approval is therefore sought for the creation of an easement to convey sewage in gross over the above stated land for the benefit of the Council as shown edged blue on the plan at Attachment 1.

FINANCIAL IMPLICATIONS

7. The land in question is held by the Council in fee simple as a recreation reserve under the Reserves Act. No fee will therefore be payable for the benefit of the easement.

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

8. Not applicable. The works budget for the related works will form part of the Infrastructure Rebuild Programme.

LEGAL CONSIDERATIONS

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

9. Procedurally an easement is required to create proper and accurate land title records and legally protect the infrastructure.

10. Provision exists under Section 48 of the Reserves Act 1977 to grant such easements where the Reserve will not be materially altered or permanently damaged. This application falls into this category and as such approval has been recommended subject to appropriate conditions. Public notification is not required. Legal services will be involved in the final documentation of the easement.
11. The Council standard easement instrument will be completed and registered at Land Information New Zealand once Council consent is given.
12. Community Boards have the delegated authority to grant easements over reserves.

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?

13. Yes, page 70 of 2009/19 LTCCP and 11.0.1 of Activity Management Plan – wastewater collection is provided in a safe, convenient and efficient manner.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

14. Yes – in alignment with Waste Water Activity Management Plan.

CONSULTATION FULFILMENT

15. 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.
16. There is no consultative requirement associated with the granting of this easement but the owner of the property adjacent to the location of the pump station will be contacted in advance of construction to be informed of the extent and affect of the works.

STAFF RECOMMENDATION

It is recommended that the Board approve an easement shown edged blue on Attachment 1 in gross to convey sewage over the land identified as Lot 1 on DP15482, also known as the Macfarlane Park, subject to the following conditions:

- (a) The restoration of the Reserve to the condition it was in prior to the commencement of the works;
- (b) The Unit Manager Corporate Support being authorised to finalise and conclude the granting of the easement;
- (c) The consent of the Department of Conservation being sought.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.