

14. HUNTSBURY PLAYGROUND - PROPOSED REPLACEMENT PUMP STATION

General Manager responsible:	General Manager City Environment Group, DDI 941-8606
Officer responsible:	Manager Asset & Network Planning
Authors:	John Allen, Policy & Leasing Administrator, DDI 021-144-1902

PURPOSE OF REPORT

1. To obtain the approval of the full Council under the Canterbury Earthquake (Reserves Legislation) Order 2011 ("the Order") for the construction of a replacement pumping station, and associated pipe work and cabling in Huntsbury Playground, this work required to be completed urgently to ensure that there is an adequate water supply to the three reservoirs, (Huntsbury numbers two to four), above Huntsbury Reservoir number one, this being the main reservoir for the city, which was badly damaged in the 22 February 2011 earthquake.

EXECUTIVE SUMMARY

2. The earthquake badly damaged the cities main reservoir, Huntsbury number one which held approximately 37,000 cubic metres of water. The reservoir was built many years ago unbeknown at the time on a shear zone running through the site from the southeast to the northwest corner of the reservoir. Work has commenced upon replacing this reservoir with two smaller ones located on either side of the shear zone, the total capacity of these two reservoirs will be significantly less than the former reservoir, (approximately 15,000 cubic metres).
3. Attached to the side of the former reservoir was a small pumping station which pumped water from this reservoir up to three reservoirs in different locations further up the hill. This pumping station has not been operational since the 22 February earthquake. The three reservoirs further up the hill are currently being supplied by an alternative route from Major Aitken Drive; however this can only pump a limited amount of water and will not be capable of pumping sufficient water up the hill to keep the reservoirs from emptying during summer demands. If for any reason the Major Aitken Drive water main goes out of service there is no back up solution and this area of the city will be without water.
4. The pump is currently housed in a pump house on the road side of Huntsbury number one reservoir. This pumping station needs to be moved from its present site to a new location for the following reasons:
 - (a) Ideally the pumping station needs to be relocated further below the reservoir to maximise the efficiency of the pumps which need to pump against a static head of water.
 - (b) This station needs to be removed from this reservoir site to enable proper re-development of this site to occur.
 - (c) Geotech investigations have confirmed that the ground conditions under the location of the current pumping station are not suitable for it to be rebuilt on this site.
5. The new pumping station needs to be built by December 2011 to cope with summer demand, without which the network will be unable to provide a sufficient volume of water for security of supply to Huntsbury Spur. Approval is therefore required to expedite the building of the pumping station as soon as possible.

14 Contd

6. Three sites have been investigated on which to build the pumping station.

Location	Benefit	Dis-benefit
At the north-west corner of the Huntsbury Number one reservoir site.	<ul style="list-style-type: none"> • Close to the present pumping station. • Close to an alternative 150 mm water main coming up Huntsbury Avenue that could be used of if the main 200 mm reservoir supply main through Huntsbury Playground had to be shut down. • Pumping station would not be located on a park. 	<ul style="list-style-type: none"> • The new pumping station would be built on the edge of the identified shear zone. • Excavation of the bank would need to occur back towards a residential property, with the possibility of engineering retention of the bank so formed. • The pumping station is beside the main access to the Huntsbury number 1 reservoir site, resulting in conflicts with the work being undertaken to redevelop this site. • Ideally for pump efficiency reasons the new pump should be located in a position lower down the hill.
In the shrubbery in the south-west corner of Huntsbury Playground.	<ul style="list-style-type: none"> • The pumping station would have minimal impact upon the open playground area. • It would be mostly hidden from view being located within the shrubbery. • This site is very close to the 200 mm reservoir supply main. • Improvements by pump efficiency. 	<ul style="list-style-type: none"> • This site is some distance from the alternative 150 mm water main coming up Huntsbury Avenue requiring extensive water main extensions of the main to be made to connect to a pumping station in this location. • A 150 mm main would need to be laid across the reserve to the 150 mm main in Huntsbury Avenue which supplies the reservoirs further up the hill. • Construction of the pumping station would be more difficult in this site because it is at the back of the playground down the hill.
At the north end of the reserve on the downhill edge adjacent to the private driveway.	<ul style="list-style-type: none"> • This site is very close to the 200 mm reservoir supply main. • This site is also very close to the alternative 150 mm water main which comes up Huntsbury Avenue. • Easily accessed for construction and maintenance purposes. Above-ground structures are able to be accommodated on this site as part of a more utilitarian/amenity landscape. • Ideal for pump efficiency reasons. • There is a short distance across the north end of the park to lay the 150 mm water main to connect to the main which supplies the 3 reservoirs further up the hill. 	<ul style="list-style-type: none"> • This site is on the edge of the open playground area, and as such will have an environmental effect on the open play ground area, although some environmental mitigation measures can be undertaken to reduce this.

14 Contd

7. The exact site that it is proposed to build the pumping station is shown in **Attachments B and C** it being at the north end of the playground on the down hill side across the private driveway from the garage at 30B Huntsbury Avenue. **Attachment A** shows the concept plan and elevation.

Temporary Effects (How these can be mitigated)	Permanent Effects (How these can be mitigated)
<p>The north end of the playground will not be able to be used during the construction of the pumping station and connecting it to existing services.</p> <p><i>The northern end of the playground will be fenced off during construction of the pumping station, to stop people entering the construction area. The playground itself is located further up the hill and should not be affected by the pump station's construction. Although the visual impact during the proposed works will be significant, this will be much reduced upon completion of the works and reinstatement and re-contouring of the park surface has been completed.</i></p>	<p>There will be a new permanent pumping station measuring 4 X 5 metres approximately built on the edge of the park, which will be readily seen from the playground.</p> <p><i>The floor of the pump house will be built down at the private drive level, which will enable the building to be built into the hillside approximately 1 metre lower than the surrounding playground level. Being built on the edge of the reserve will also allow the existing planting on the downhill side of the playground to be extended to "wrap around the building", thereby better integrating it into the surrounding landscape, but being cognisant of safer city design principals.</i></p>
<p>Heavy machinery and vehicle access on to the playground will be required during the construction phase.</p> <p><i>Park access will be via Huntsbury Avenue and hopefully the private driveway below the playground if the Council can obtain some rights to use it.)</i></p>	<p>Heavy machinery and vehicle access on to the pump station may only be required on a very occasional basis.</p> <p><i>No formed driveway access will be required across the reserve.</i></p>

8. Non-recreational infrastructure, such as water pumping stations and wells, have previously been sited on 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.
9. Huntsbury Playground is made up of three titles they being:
- (a) Lot 1 DP 16667 of 592 square metres contained in certificate of title CB581/89,
 - (b) Lot 1 DP 10625 of 5086 square metres contained in certificate of title CB15B/1204,
 - (c) Lot 2 DP 10625 of 1199 square metres contained in certificate of title CB444/21,

The total area of the reserve is 6877 square metres; the titles making up this reserve are vested in the Council without a stated purpose, the land being held by the Council pursuant to the Local Government Act 2002. The Council is not required to grant easements unto itself under the requirements of the Local Government Act. The construction work will be undertaken on the first two lots.

FINANCIAL IMPLICATIONS

10. 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.

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

11. No - See above.

LEGAL CONSIDERATIONS

12. In ordinary circumstances the proposal to construct a pumping station and lay connecting services to the existing water main system would be dealt with under the appropriate sections of the Local Government Act 2002, this procedure ordinarily require public consultation.
13. 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 or any other enactments and to avoid unnecessary delay in responding to circumstances arising from the earthquake, for example consultation with affected parties.
14. 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.
15. 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.
16. 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. No management plan is in place for Huntsbury Playground. 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.
17. 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.
18. Subsequent to approval being given under the Order for the temporary use of Huntsbury Playground no further action will be required by the Council to formalise the permanent components of the occupation of the reserve.
19. The contractors undertaking the work will be required to make contact with the Council's appropriate Greenspace Area Contract Manager before commencing any work upon the playground to arrange an onsite meeting to discuss the Council's requirements for working on the playground, which will include the granting of a temporary access licence and the payment of a bond.

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

20. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

21. Yes – earthquake recovery.

14 Contd

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

22. As above.

ALIGNMENT WITH STRATEGIES

23. Not applicable.

Do the recommendations align with the Council's strategies?

24. Not applicable.

CONSULTATION FULFILMENT

25. Clause 6 of the Order expressly provides that the Council may act under the Order without complying with the Reserves Act 1977 or any other enactment (including any provision relating to public notification or the hearing of objections).
26. 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. No parties will be affected in this way. Discussions will be held however with owners of the adjacent downhill joint driveway to obtain an access right over it to the pump station, by way of a formal easement.
27. 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.
28. 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(b)(vii) of the Canterbury Earthquake (Reserves Legislation) Order 2011 the Council:

- (a) authorises the use by the Christchurch City Council of that part of the playground known as Huntsbury Playground as is approximately shown on the plans attached to this report (being **Attachments B & C**) for the purpose of the construction 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 authority 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).

STAFF NOTE

This report was considered by the Spreydon/Heathcote Community Board. The Board's recommendation will be forwarded to the Council.