

## 8. WARREN PARK - PROPOSED WELL AND PIPELINE EASEMENTS FOR WILMERS ROAD WATER SUPPLY PUMP STATION

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| <b>General Manager responsible:</b> | General Manager, City Environment Group, DDI 941-8608           |
| <b>Officer responsible:</b>         | Unit Manager, Asset and Network Planning                        |
| <b>Author:</b>                      | Joanne Walton, Consultation Leader, Capital Investigations Unit |

### PURPOSE OF REPORT

1. The purpose of this report is to obtain the approval of the Riccarton/Wigram Community Board under delegated authority from the Council to the granting of easements to the Council, (unto itself), as required by section 48(6) of the Reserves Act 1977 (the Act), over parts of Warren Park, to enable the installation of wells within the park to supply the proposed Wilmers Road water supply pump station.

### EXECUTIVE SUMMARY

2. The Wilmers Road water supply pump station is to be constructed to provide the additional water supply needed to support planned residential and industrial growth generated by the Christchurch South-West Area Plan. The project has now been given urgent priority following the earthquake of 22 February 2011.
3. The proposed pump station, including a six metre high suction tank and a number of wells, will be situated on a stand-alone site at 4 Wilmers Road. It is also proposed to drill two additional wells within the nearby Warren Park to supply the proposed pump station. An easement over part of Warren Park is required under section 48(6) of the Reserves Act 1977 for these additional wells and associated structures. Refer to **Attachment One** for a plan of the wells and easements within the park.
4. The proposed infrastructure within Warren Park will comprise two wells with associated well-heads, two flow-meter chambers, and associated water supply pipelines and electrical cables. It is proposed that the wells will be located approximately 13 metres into the park from the Wilmers Road boundary. The well-heads and flow-meter chambers are above-ground structures, with the well-heads measuring approximately three metres by two metres, and projecting 200 millimetres above ground, and the flow-meter chambers measuring approximately 1.2 metres by 1.2 metres, and projecting 100 millimetres above ground. The underground services will be placed a minimum of one metre beneath the surface of the ground to ensure they do not present an issue for the future use or development of the park.
5. The granting of the easements and the installation of the infrastructure may require the removal of one small tree in the hedge along the south-east boundary of the park which will have no significant effect on the hedge's performance. There will be no other effects on the existing landscaping, recreational facilities, or layout of the sports fields within the park.
6. Public advertising of the above ground elements of the proposed infrastructure within the park was undertaken in the public notices column of the Press newspaper on Wednesday 16 November 2011 for one calendar month closing 5pm Monday 19 December 2011 as required by section 119 of the Reserves Act 1977. Letters were also sent to the local residents association, and the four sports clubs utilising the park. One submission was received by letter from Halswell United AFC, and another by email from Canterbury Cricket, indicating that neither organisation had any issues with the proposed easements. No other submissions or objections were received.
7. Officers are recommending that the Board under delegated authority from the Council approve the granting of the proposed easements unto itself.

### FINANCIAL IMPLICATIONS

8. The City Water and Waste Capital Works Programme has funding for this project, including design, construction, and all costs of the proposed easement, under "Water Supply New Assets" in the 2009-19 LTP, as follows:

2010/11: \$20,930  
2011/12: \$1,981,784  
2012/13: \$2,041,584

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

9. Yes. As above.

**LEGAL CONSIDERATIONS**

10. Warren Park is a recreation reserve of approximately 15.8713 hectares vested in the Christchurch City Council under the Reserves Act 1977 (the Act). Warren Park is made up of four parcels of land. The proposed easements will be over Lot 1 DP 81227 which is approximately 15.2847 hectares in area contained in certificate of title CB48C/141.
11. The proposed easements will be approximately 358 square metres in area, of which approximately 15 square metres will be for the well heads and flow meter chambers which are above-ground structures, the rest being below ground level. The proposed easements will cover:
  - (a) Incoming services (pipelines and cabling) – 2.8 metres wide – 16.8 square metres area.
  - (b) Two well-heads, two flow-meter chambers, and connecting services – 340.8 square metres area.
12. The Council is required to grant unto itself an easement before building infrastructure on a park held under the Reserves Act to service properties outside the park (section 48(6) of the Act).
13. Section 48(3) of the Act requires the Council to publicly advertise its intention to grant an easement over a park, except where the park is vested in the Council, and is not likely to be materially altered or damaged, and the rights of the public are not likely to be permanently affected (section 48(3) of the Act).
14. Section 48(3) of the Act is not able to be satisfied in this case because of the requirement for above ground structures, and therefore the proposed easement was publicly advertised in the public notices column of the Press newspaper on Wednesday 16 November 2011 for one calendar month closing at 5pm Monday 19 December 2011 as required by section 119 of the Act.
15. The Board has delegated authority from the Council to grant easements across parks and reserves pursuant to section 48 of the Reserves Act 1977 as listed in the Register of Delegations dated 24 November 2011.

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

16. Yes. As above.

**ALIGNMENT WITH LTP AND ACTIVITY MANAGEMENT PLANS**

17. The project aligns with the "Water Supply New Assets" line item under the City Water and Waste Capital Works Programme in the 2009-19 LTP. The approval of the easements is required to facilitate the implementation of the project under the 2009-19 LTP.

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

18. Yes. As above.

**ALIGNMENT WITH STRATEGIES**

19. This project aligns with supporting the planned residential and industrial growth generated by the Christchurch South-West Area Plan. This project caters to the growth in the West Zone area to continue to meet the required levels of service in the development of the Masham Block and the proposed development of Wigram Aerodrome and the Awatea Block.

**Do the recommendations align with the Council's strategies?**

20. Yes. As above.

**CONSULTATION FULFILMENT**

21. Consultation has been undertaken in excess of the requirements of the Reserves Act 1977 (refer to paragraphs 6, 13 and 14 above). A letter was sent to the local residents' association and the four sports clubs utilising the park, this notification being in addition to the public advertising in a newspaper circulating in the area that is required under the Act. One submission was received by letter from Halswell United AFC, and another by email from Canterbury Cricket, indicating that neither organisation had any issues with the proposed easements. An email enquiry was received from the Awatea Residents' Association indicating support for the proposal but no submission was received. No other submissions or objections were received.
22. During an earlier stage of the Wilmers Road water supply pump station project, in February and March 2011, an information letter was distributed to residential households in the area advising of the upcoming project including well drilling in Warren Park, and construction of the pump station and tank in Wilmers Road. No responses or enquiries were received during this process.

**STAFF RECOMMENDATION**

It is recommended that the Riccarton/Wigram Community Board under delegated authority from Council grant the proposed easements pursuant to section 48(1)(d) and (f) of the Reserves Act 1977 over approximately 358 square metres subject to survey of Lot 1 DP 81227 a recreation reserve of approximately 15.2847 hectares vested in the Christchurch City Council under the Reserves Act 1977, contained in Certificate of Title CB48C/141, in which to build wells, well heads, flow meter chambers and associated services to and from these structures, subject to the following conditions:

- (a) That the consent of the Minister of Conservation being obtained;
- (b) That the terms of the easement being negotiated by the Corporate Support Manager or his nominee;
- (c) That the easement construction area being maintained by the contractors in a safe and tidy condition;
- (d) That one tree in the hedge along the south-east boundary of the park may be removed if required to install services;
- (e) That all services required to be laid under the drip line of any other trees are to be laid by tunnelling under the trees or in hand dug trenches to ensure that damage does not occur to the trees' root systems. The successful contractor is to meet with the Arborist – Park Tree Capital Programme (Transport and Greenspace Unit) to arrange supervision of this aspect of the work before any construction work commences on the site;
- (f) That the easements are to be surveyed "as built" and registered on the title for the park;
- (g) That the contract that is drawn up to undertake the work is to include a minimum of a \$2000 bond payable to the Council before commencing work on the site;
- (h) That the successful contractor is to meet with the Area Contract Manager (Transport and Greenspace Unit) at Beckenham Service Centre to sign a temporary access licence before any construction work commences on the site;
- (i) That the bond, less any expenses incurred by the Council including reinstatement of the park, will be refunded to the payee upon completion of the development to a standard acceptable to the Unit Manager Transport and Greenspace or his nominee.