

### 3. BURNSIDE PARK – APPLICATION TO LEASE FORMER NURSERY BUILDING

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Corporate Plan Output: Consents – Leases (9.4.8)	

The purpose of this report is to submit an application made by the Waimairi Lions Club (Inc) to lease the former nursery building in Burnside Park from the Council. The club wishes to refurbish the building to bring it up to a standard suitable for community use.

#### THE APPLICATION

The club in its application has indicated that it will accept the responsibility for upgrading the building, both internally and externally, to a standard suitable for community use. The club estimates that the total cost of the upgrade would be approximately \$73,000. The club suggest that they be charged a nominal annual rental of \$520 per annum to lease the building, in recognition of the substantial financial outlay the club will make to refurbish the building to bring it up to the necessary standard.

#### HISTORY AND LOCATION

The building was purpose-built by the former Waimairi District Council, as the potting shed/administration building for the former nursery in Burnside Park. Nursery operations were rationalised following local body amalgamation and the building has not been used for nursery purposes since the early 1990s. Since then the building has been vandalised. However, it has now been secured to prevent unauthorised access.

The building itself is structurally sound, having a painted brick exterior, aluminium windows and a coloursteel roof. The interior timber framing is sound. This building has a current asset net book value of \$74,250, and the Council would have to find this money should it decide to write off the building and remove it from the site. The building cannot be shifted because of the type of construction, being built on a concrete floor.

The building is situated south-east of the former caretaker's residence in Burnside Park. It is single storied and concrete ramps are already in place to at least two of the doors to the building, providing easy access for the disabled and infirm.

On the east side of the site there are 33 sealed car parks which, depending upon other resource consents issued upon the park, may be available to fulfil the upgraded building car parking requirement. The children's play area is located in the sheltered southern corner of the site together with seats and picnic tables, which the Lions Club see as complementing the proposed community use of the building.

#### COMMUNITY FACILITIES IN BURNSIDE AREA

The following is a list of community facilities in the Burnside area in proximity to Burnside Park:

- Avice Hill Art and Craft Centre in Memorial Avenue (CCC)
- Roydvale School in Roydvale Avenue
- Kendal School in Kendal Avenue
- Burnside High School in Greers Road
- Westburn School in Grahams Road
- Merrin School in Merrin Street
- St Christopher's Church in Avonhead Road
- Elim Church in Grahams Road
- Russley Golf Course in Memorial Avenue

In addition, there are four sports club buildings in Burnside Park accommodating six sports clubs - Burnside Rugby and Squash, Fendalton Tennis, Burnside Soccer and Cricket, and Burnside Bowling Clubs. These buildings are all two-storied and apart from the bowling club have their entertainment facilities on the first floor. The bowling club has an indoor bowling rink and a committee room on the ground floor, which the club makes available for community hire.

These facilities have been noted in the Council's recently conducted city-wide review of community facilities.

It is not yet known if the above listed facilities are in fact available for hire to the community, or if there is time available to cater for more use by the community. The need for further facilities in the community has also yet to be identified.

St Christopher's Church in Avonhead Road has written in support of the application by Waimairi Lions to convert the old nursery building in Burnside Park to a community facility. They indicate in their letter that they foresee a demand for the Burnside Park facility arising from:

- Many requests from various groups/organisations for meeting space, which they are currently unable to accommodate.
- Their own music and play group referred to in the letter is planning to expand their operations to five mornings per week. They would look at utilizing a facility such as is being planned at Burnside Park because of the park/ playground environment, plus ease of parking which would give them additional facilities not currently available to the same degree at St Christopher's.
- Senior citizen and disabled groups seeking a user-friendly environment, e.g. vehicle and wheelchair access in a park like setting.
- Private functions e.g. small wedding receptions etc.
- Regular meeting rooms for community groups, for example they recently declined a request from a garden club for monthly meeting accommodation.

Based upon the church's experience there would seem to be a need for further community facilities in the Avonhead/Burnside area.

Waimairi Lions have had informal discussions with other service clubs, some of which have indicated that they would be interested in using such a facility if it were available.

The Community Advocate, Fendalton, comments:

"This local initiative has been discussed with representatives of the Lions on a number of occasions over the past few months and there is no doubt as to the enthusiasm shown to create a suitable outlet for community use.

Inherent in early discussions with the Lions was the uncertainty as to "needs" in this particular part of the community. The Lions have, however, as a result of their research, identified a number of uses for such a facility. While the report above states that there is uncertainty as to whether adjacent facilities (listed) can provide an opportunity for the uses now identified, the reality is that the availability of school and church halls does not provide the suitable space areas, or the flexibility of use, required by the Lions customers."

#### **FUNDING AND PREVIOUS COMMUNITY WORK UNDERTAKEN FOR THE COUNCIL**

The club has estimated that it will cost approximately \$73,000 to undertake the redevelopment of the building. Recently the club made application to the Fendalton/Waimairi Community Board for a grant of \$28,000 towards the refurbishment work. The Board has conditionally set aside \$10,000 from its 2001/02 project funds for refurbishment of the building to bring it up to community use standard, subject to any other funding and leasing approvals and compliance with Council management guidelines for community facilities.

The club recently successfully completed the purchase and construction of the footbridge over the Styx Mill River in Styx Mill Reserve for the Council.

#### **LEGAL ISSUES**

The area of park on which the nursery building is situated is Lot 232 DP 17066 of 2.4028 hectares. The park is vested in the Council and is classified as a Recreational Reserve.

The Council is unable to lease land classified as recreational reserve for the purposes requested and therefore it will be necessary to change the classification of this part of Burnside Park to Local Purpose (Community Buildings) Reserve.

The area that the change of classification would apply to is approximately 7,000m<sup>2</sup> of the park, which contains the playground, picnic tables, the old nursery building and the car parks which would service the building. It will be necessary to advertise the Council's intention to change the classification of this part of the park (prior to the Council resolving in this direction), because the intended use of the building for community purposes is different from its former use as a nursery building.

## LEASE ISSUES

The club has been advised that, if at some time in the future it decides not to continue with the lease of the site, then the building would revert to the Council's ownership, at no cost to the Council.

## CONCLUSION

The Club has indicated that it is prepared to undertake the refurbishment of the building, at an estimated cost of \$72,000, and to accept the responsibility for its on-going future maintenance. While there are other community type buildings in the area, three of the four clubrooms on the park have their function rooms, etc on the second floor. Confirmation has been received that at times there is a shortage of community type facilities in the Avonhead/Burnside area.

If the Council decided to remove the building from the site it would have to find \$74,250 before it would be able to write off the net book value of the building.

Officers are of the view that the Council should lease the former Burnside Park nursery building to the Waimairi Lions Club for conversion into a community facility.

The above report was before the Fendalton/Waimairi Community Board at its meeting on 1 May 2001. The Board endorsed the above proposal.

**Recommendation:** That, pursuant to Section 61(2) of the Reserves Act 1977, the Council lease the former Nursery building on Burnside Park to the Waimairi Lions Club Inc, for a period of ten years, with the right of renewal for a further period of one day less than ten years, subject to the following conditions:

1. The Waimairi Lions Club obtaining all necessary Resource and Building Consents before any development commences upon the site.
2. The lease terms being negotiated by the Property Manager in consultation with the Parks and Waterways Policy and Leasing Administrator. These negotiations are to take into account the community nature of the applicants' proposal, and the significant financial outlay required to bring the building up to community use standard.
3. The leased/construction area being maintained by the Waimairi Lions Club in a safe and tidy condition at all times.
4. All costs associated with the development, and subsequent maintenance of the associated buildings and structures on the site being paid for by the Waimairi Lions Club.
5. The Waimairi Lions Club showing proof of having obtained \$1,000,000 public liability insurance to the Parks and Waterways Policy and Leasing Administrator before commencing work on the site.
6. The Waimairi Lions Club showing proof to the Parks and Waterways Policy and Leasing Administrator of having an Occupational Safety and Health Hazard Plan in place, before commencing operations upon the site.
7. Before any tenders being let or work commencing on the site, discussions being held with the Parks Manager's designate, the Parks and Waterways Area Advocate, to ascertain the Council's requirement through the development phase of the construction of the facility.
8. The successful outcome of the change of classification of approximately 7,000 square metres of Burnside Park from Recreational Reserve to Local Purpose (Community Buildings) Reserve.
9. In the event of the Waimairi Lions Club surrendering its lease, the building to revert to Council ownership at no cost to the Council.