

9. CHANGE OF USE OF PROPERTY AT 322 ARMAGH STREET AND REVOCATION OF RESERVE STATUS

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The purpose of this report is to request that the Board recommend to the Council that it give its approval to consult with residents about a change to the 1995 Latimer neighbourhood improvement plan (*NIP*), a Council approved plan. The change concerns the revocation of the reserve status over the property at 322 Armagh Street. Further building undertaken on an adjoining site has negated the original reason why the property was purchased. Following a change to the NIP, the land will then go through the disposal of surplus property process.

BACKGROUND

The NIP identified the need for more open space within the study area to provide for recreation use, linkages with community facilities, accessibility for the neighbourhood and landscape amenity values. The central area of open space in the area is East Christchurch School, and therefore it was decided to purchase three properties on Armagh Street adjoining the school property. A local open space deficiency was identified in the Local Parks Acquisition Strategy 1996, for the whole inner city east area. These properties were chosen, because their location allowed the school and park spaces to interrelate as the school contains several trees registered as notable under the Proposed City Plan. Therefore in 1996 the Council gave approval for the purchase of land at 322 Armagh Street, which subsequently was classified as recreation reserve under Gazette Notice 1996, P 2192 the land being 578m² in area. An aerial photograph of the property is included in the report below.

Regretfully in January 1997 the school constructed a new hall and smaller building along the property boundary with the proposed park thereby negating any possibility of a good visual link to the school grounds.

The existing house on the lot was tenanted for several years until the concept plan was prepared for the site in 2000.

When the concept proposal to develop the land at 322 Armagh St for a reserve and remove the existing two-storied weatherboard dwelling was circulated to local residents as part of the normal consultation process there was opposition to the park. This was based on a perceived security risk especially at night given the high number of tenanted properties in the locality and the transient population.

The whole purchase and development proposal has since been in limbo, a recent report on the condition of the house raises concerns about the decayed weatherboards, window frames, and the internal dampness including a falling ceiling. Costs to repair the house could be in the vicinity of \$10,000 to \$20,000. This cost does not include any exterior or interior decoration required to bring the house up to standard.

STRATEGY

The Local Parks Acquisition Strategy 1996 identified the need to acquire additional local park space in the central city inner east area between Latimer Square and Fitzgerald Avenue. The NIP also identified the need for an increase in open space in this area of the city. This was due to the reasonably high number of children in the area and the average open space provision of 0.92 ha per 1000 head of population within the study area. Three properties fronting Armagh Street with shared boundaries with Christchurch East School were identified as the proposed reserve.

RESERVES ACT PROVISIONS

Under Gazette Notice 1996, P 2192 the 578m² of land at 322 Armagh St was classified as recreation reserve under the Reserves Act 1977.

Section 24 of the Act sets out the provisions for changing the classification, or purpose, or revocation of reserves. The process is as follows:

1. The full Council as the administering body must resolve to revoke the reserves reservation over the reserve.
2. The Council after consulting with the Commissioner of the Department of Conservation publicly advertises the Council's proposal to revoke the reservation over the land for one calendar month, in which is specified the reasons for seeking the revocation. The advertisement invites any person who deems that they are affected by the proposed revocation, to give written notice of their objection, and the reasons why to the Council.
3. The Council after considering the objections decides whether to confirm it's original resolution or not.
4. The report, resolution of Council, objections received, together with other supporting information is then sent to the Minister of Conservation to enable them to decide upon the application, which is approved by placing a notice in the New Zealand Gazette.

The basis of this application is that the reserve is no longer suitable for the purpose of a reserve.

FUTURE PROPERTY OPTIONS

Following revocation of the reserve status it is proposed to use the disposal of surplus property process to internally advertise the land as surplus to requirements. The property was originally purchased from funds from the cash in lieu of reserves development contribution fund.

If the property was disposed of or used for a purpose other than reserve the proceeds from the sale or transfer will be returned to the cash in lieu of reserves development contribution fund. There is a need for Council officers to work with residents to try and identify other land within the NIP area, for possible purchase as public open space, so as to address the open space deficiency in the whole inner city east area, as identified in the Local Parks Acquisition Strategy 1996. When the concept proposal to develop the land at 322 Armagh St for a reserve and remove the existing two-storied weatherboard dwelling was circulated to local residents as part of the normal consultation process there was opposition to the park. This was based on a perceived security risk especially at night given the high number of tenanted properties in the locality and the transient population. Therefore any future open space purchase will need to be well thought through and assessed prior to purchase. According to the Parks and Waterways Area Advocate the school also opposed the park beside the school grounds when it was circulated for comment.



Plan of East Christchurch School and Property at 322 Armagh Street.

Staff

Recommendation: That the Board recommend to the Council:

1. That the Council consult with residents about changing the 1995 Latimer Neighbourhood Improvement Plan, a Council approved plan, to reflect the change that has occurred to the possible linkage between East Christchurch School and Armagh Street via the proposed park.
2. That subject to the successful outcome of one above, the Council resolve to revoke the reserve designation, in accordance with the requirements of section 24 of the Reserves Act 1977, over the land in the following schedule.

Schedule

All that land contained in Part Town Reserve 77 City of Christchurch contained in CB372/63 a classified recreation reserve of 579 square metres in area.

3. That the internal property disposal process be used to declare the land surplus and funding from this process be returned to the cash in lieu of reserves contribution fund.
4. That Council officers work with residents to investigate other possibilities to acquire land within the Latimer Neighbourhood Improvement Plan Area, to address the open space deficiency identified in the Local Parks Acquisition Strategy 1996,

Chairperson's

Recommendation: That the recommendations be adopted.