

6. MALVERN PARK TOILET REPLACEMENT

General Manager responsible:	General Manager City Environment
Officer responsible:	Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval to the proposed upgrade of the Malvern Park Pavilion by the Canterbury Rugby Football Union ("CRFU"); and replacement of the existing Malvern Park public toilet.

EXECUTIVE SUMMARY

2. Malvern Park is a recreational reserve that is subject to the requirements of the Reserves Act 1977. It is located on the southern side of Innes Road, between Rutland Street and Cranford Street, St Albans. The existing toilet block is attached to the pavilion, which is located at the western corner of the park, adjacent to Rugby Park.

Proposed Upgrade to the Pavilion by CRFU (refer attachment 1)

3. The CRFU proposes to redevelop the existing pavilion. Canterbury Cricket plans to schedule cricket's usage elsewhere and to sell Malvern Park Pavilion to the CRFU, which will use it as a year round rugby coaching venue. As part of this arrangement, the CRFU will install permanent cricket pitches at Our Lady of Fatima and Heaton Intermediate School. The redeveloped pavilion will be used as a meeting room for rugby coaching seminars and to host senior club rugby games, including representative and skill development sessions for all age groups. This has required that the changing rooms and ablutions be upgraded.
4. The Greenspace Unit has been in discussions with CRFU about its proposal and it is planned to undertake relocation of the public toilet in tandem with the pavilion upgrade in order to minimise disruption to park users.

Proposed Relocation of the Public Toilet by Christchurch City Council (refer attachment 2)

5. The existing Malvern Park toilet has a history of anti-social behaviour, which has required Police and Council intervention in recent times. The existing toilet block does not conform to Council's Safer Parks Policy due to its location and design and it is not convenient for users of the playground located in Malvern Park.
6. The objectives for the Malvern Park toilet replacement proposal were to:
 - Make the public toilets safer and more accessible
 - Make the public toilets more available to the playground on Malvern Park.
7. The Project Team developed a concept plan to meet these objectives. Key features of the proposed plan include:
 - New toilet facilities located at the southern end of the pavilion, which confirm to Council's Safer Parks Policy
 - Removal of the existing public toilet
 - Some minor landscape enhancement in the vicinity of the demolished old toilet block
 - New store room
 - Extended pathway network leading to playground from the pavilion and connecting to the existing path that extends to Innes Road.
8. In April 2006 a publicity pamphlet was distributed to approximately 300 residences, businesses and key stakeholders. This pamphlet included a summary of the toilet replacement project, an initial concept plan (refer attachment 1), and a feedback form. This pamphlet was also displayed on a signboard in the park. The consultation received a 7% response rate (22 responses). Community feedback was positive and there were no opponents to the proposal.

9. The consultation outcome and project team responses are summarised in attachment 3. The key issues identified relate to:
 - Ongoing maintenance and security of the facility
 - Access to the toilets from the play area
 - Lack of safety with the existing toilets
 - Safety and access to the new toilets
 - Extension of the building footprint
 - Use of the park's open space.
10. The initial concept has been amended in response to community feedback and the preferred option is attached as attachment 4. This option best satisfies the aims and objectives of the project and has community support. Construction is scheduled to begin in July 2006.

FINANCIAL AND LEGAL CONSIDERATIONS

11. The proposed toilet for Malvern Park is programmed in the Greenspace Unit's capital budget for construction over the 2006/2007 financial year; specifically, \$70,000.
12. The Shirley/Papanui Community Board has delegated authority to approve (or otherwise) a new lease for the existing pavilion at Malvern Park.
13. The redevelopment of the Women's Cricket Pavilion has required public notification under requirements of the Reserves Act 1977, and compliance with the City Plan as required by the Resource Management Act 1991. Malvern Park is held as a recreational reserve under the Reserves Act, and any works undertaken at the park will require the approval of the Minister of Conservation. The report authors will seek this approval on the applicant's behalf.
14. The Canterbury Cricket Association Incorporated currently holds an assigned non registered lease for the pavilion and grounds with the Christchurch City Council, the original lease document being signed by the Canterbury Women's Cricket Association Incorporated and the Christchurch City Council in August 1986 for a period of 21 years, expiring on 6 August 2007, with a conditional right of renewal for a further 21 years.
15. The Canterbury Cricket Association will need to provide a written statement to the Christchurch City Council that it is surrendering its lease.
16. A new lease will need to be negotiated by the Canterbury Rugby Football Union with the Christchurch City Council to take account of the relocated toilet and building alterations within the existing lease area.
17. It is recommended the following provisions are carried over from the surrendered lease and included in to the new lease:
 - The Lessee at its expense, maintaining the Malvern Park pavilion in a neat and tidy condition.
 - No buildings or other structures (including fencing) shall be erected, nor shall alterations or additions be made without the prior consent of the said Director, ("*Greenspace Unit Manager*").
 - That nothing herein contained or implied shall be deemed to confer on the Lessee, the right to acquire the fee simple of the said land or to call upon the Lessor to enter in to a lease in a registered form.
18. It is recommended that the Christchurch City Council grant a new non registered lease for 11 years, with rights of renewals for two further periods of 11 years running consecutively, subject to the terms and conditions of the lease being complied with.

STAFF RECOMMENDATIONS

It is recommended that the Board:

- (a) Approves the plan in attachment 4 in order to proceed to detailed design and construction of the new public toilet at Malvern Park,
- (b) Approves the plan in attachment 1 in order to proceed to detailed design and construction of the Malvern Park Pavilion (by CRFU).

Subject to the following conditions:

1. That the Canterbury Cricket Association Incorporated surrenders its lease for the pavilion and grounds at Malvern Park.
2. That the Canterbury Rugby Football Union Incorporated negotiates a new lease with the Christchurch City Council to include the existing pavilion and intended public toilet.
3. That the lease period be broken into three (3) eleven (11) year periods with a right of renewal at the end of the first two (2) periods, subject to the Canterbury Rugby Union Incorporated having a history of paying all dues owed by it to the Christchurch City Council; that the Council is satisfied that the terms and conditions of the lease have been complied with; that there is sufficient need for the recreational activity specified in the lease, and that in the Council's opinion and public interest some other sport, game or recreational activity should have not priority for the pavilion.
4. That any necessary building and resource consents are obtained.
5. That the approval of the Minister of Conservation is obtained.
6. Before any work commences on the site the applicant is to be responsible for locating all the existing services that are located within Malvern Park, and ensuring they are not damaged by any contractors.
7. The construction area being maintained by the applicant and/or their contractors in a safe and tidy condition at all times.
8. Before any tenders are let or work commences on the site, discussions are to be held with Brent Smith, Capital Projects Team Manager. This will include the applicant signing a contract agreeing to ordered construction and alterations at Malvern Park.
9. A bond of \$2,000 is to be paid by the applicant to the Christchurch City Council via Brent Smith, Capital Projects Team Manager, before work commences upon the site. This bond, less any expenses occurred by the Council, is to be refunded to the payee upon the completion of the work and lodgement of the survey plan as built with Brent Smith.
10. The Canterbury Rugby Football Union is to pay the Council and Department of Conservation costs, as detailed in the signed quotation form completed by the Canterbury Rugby Football Union.
11. That any use of Malvern Park associated with activities organised by the Canterbury Rugby Football Union at the pavilion is undertaken by way of bookings through the sports field allocation process administered by the Council's Recreation and Sports Unit. The public shall have full entitlement to use the park in compliance with any Christchurch City Council bylaws outside the Canterbury Rugby Football Union Incorporated activities of coaching, rugby practice and games.

CHAIRPERSON'S RECOMMENDATION

That the officer's recommendations be adopted.

BACKGROUND ON MALVERN PARK TOILET REPLACEMENT

19. Malvern Park, Lot 1 DP 9421, a recreational reserve, is subject to the requirements of the Reserves Act 1977. It is located on the southern side of Innes Road, between Rutland Street and Cranford Street, St Albans. The existing toilet block is attached to the pavilion (formerly Canterbury Woman's Cricket Association Inc pavilion), which is located at the western corner of the park, adjacent to Rugby Park.

Proposed Upgrade to the Pavilion by CRFU (refer attachment 1)

20. The CRFU propose to redevelop the existing Women's Cricket Pavilion, (assigned to Canterbury Cricket). Canterbury Cricket has agreed to schedule cricket's usage elsewhere and to sell Malvern Park pavilion to the CRFU so that they can use it as a year round rugby venue. This arrangement will not result in exclusive use of Malvern Park for the CRFU, which will have formal access the Park by using Council's booking system. The park will be available for use by other users casually, when not booked out by other users. The rugby union have indicated that its use of Malvern Park will be as follows:

April to August:

- One senior game each Saturday afternoon and a junior game occasionally in the morning. Coaching clinics and skills sessions (1 per week)

September to October:

- Representative team trainings during the week (2-4 evenings) and representative fixtures on Saturdays (one each Saturday). Coaching clinics and skills sessions (1 per week)

November to March:

- Ad hoc trainings, coaching clinics and skills sessions (up to 4 per week)

21. As part of this arrangement, the rugby union will install a permanent cricket pitch at Our Lady of Fatima and Heaton Intermediate School as part of the redevelopment of Malvern Park. These schools are close to Malvern Park and the wickets will be available for junior club cricket and school cricket.
22. The rugby union's proposal to redevelop the pavilion includes the extension of the building and the redevelopment of part of the existing public toilets as part of a proposed office area (refer attachment 1). The pavilion will be used as a meeting room for coaching seminars and to host senior and junior club rugby games, representative training and skill development sessions for all age groups. This has required that the changing rooms and ablutions are upgraded.
23. The proposed redevelopment of the pavilion has been publicly notified under the Reserves Act 1977. No submissions were received. The CRFU have applied for resource consent for the proposed renovations to the pavilion building (including the new public toilets and store). This application is has been approved by the Council's Environmental Services Unit. The rugby union will seek a lease for the operation of the pavilion, prior to construction.
24. The Greenspace Unit have been in discussions with CRFU about its proposal and it is planned to undertake the relocation of the public toilet in tandem with the pavilion upgrade. This should minimise disruption to park users.

Proposed Relocation of the Public Toilet by Christchurch City Council (refer attachment 2)

25. The existing Malvern Park toilet has a history of anti-social behaviour, which has required Police and Council intervention in recent times. Currently the toilet block is not readily visible from inside the park due to its location at the northern end of the pavilion, where it is set back in the corner of the park. The design of the toilet block includes a convoluted access to the toilet cubicle that is not considered to be safe for users and also provides a semi-private area where people have been loitering. It is anticipated that this issue will be addressed by the current proposal to upgrade the public toilet. The current location of the toilet is not convenient for users of the playground located in Malvern Park.

26. The objectives for the Malvern Park toilet replacement proposal were to:
- Make the public toilets safer and more accessible
 - Make the public toilets more available to the playground on Malvern Park.
27. The Project Team developed a concept plan to meet these objectives. Key features of the proposed plan include:
- New toilet facilities located at the southern end of the pavilion, which confirm to Council's Safer Parks Policy
 - Removal of the existing public toilet
 - Some minor landscape enhancement in the vicinity of the demolished old toilet block
 - New store room
 - Extended pathway network leading to playground from the pavilion and connecting to the existing path that extends to Innes Road.
28. A *Crime Prevention through Environmental Design* (CPTED) safety audit was carried out in March 2006 for the planned extension and alteration of the existing toilets and changing room facilities in Malvern Park. It found that, in general, the proposed design offers a moderately high degree of public/personal safety if the following suggestions are followed through:
- Proposed toilet cubicles should be locked during the evening to prevent illegal/anti-social activities occurring at those times.
 - Sensor lighting should be installed into the proposed veranda to discourage illegitimate park-users from congregating in the vicinity of the toilets after-hours.
29. In April 2006 a publicity pamphlet was distributed to approximately 300 residences, businesses and key stakeholders. This pamphlet included a summary of the toilet replacement project, an initial concept plan (refer attachment 1), and a feedback form. This pamphlet was also displayed on a signboard in the park. The consultation received a 7% response rate (22 responses).
30. The consultation outcome and project team responses are summarised in attachment 3 (Malvern Park Toilet - Consultation Summary - May 2006). The key issues identified relate to:
- Ongoing maintenance and security of the facility
 - Access to the toilets from the play area
 - Lack of safety with the existing toilets
 - Safety and access to the new toilets
 - Extension of the building footprint
 - Use of the park's open space.
31. The project team considered the feedback from this consultation and revised the concept plan in the following way:
- Vandal resistant sensor lighting will be installed on the veranda.
 - The store's external doors and locks will be constructed to discouraged vandalism.
 - The new footpath from the proposed new toilets to the play ground will be extended across the front of the play area all the way to Malvern Street.
 - From Malvern Street to the toilet cubicles the footpath will be constructed in asphalt to ensure easy manoeuvrability for wheelchair users. The footpath from Innes Road to the toilet is currently cobblestones and, as these are not due for replacement, they will remain, at this stage.
 - A sign will be installed on the Innes Road boundary to advise drivers that there is a public toilet in Malvern Park.
 - One toilet will be labelled female/disabled and the other will be labelled unisex/disabled.
32. In terms of the concerns raised with regard to the use of the park, the CRFU will not have exclusive use of this open space, which will still be able to be used by local residents casually. The use of the space will be managed using Council's park booking system, which is available to the whole community. In terms of use of the park for cricket, Canterbury Cricket have agreed that CRFU will to install a permanent cricket pitch at Our Lady of Fatima and Heaton Intermediate School as part of this proposal. These schools are close to Malvern Park and the wickets will be available for junior club cricket and school cricket.

OPTIONS

33. There were two options considered for a public toilet at Malvern Park:
- (a) Relocation of the toilet facilities on Malvern Park to the southern end of the pavilion (and demolition of existing public toilet). The new facility would integrate into the park setting well and result in similar building footprint to existing facility. This would be a convenient location for those at the play area. Clear sightlines from Innes Road and the park allow passive surveillance. Improved access through the park from Malvern Street to Innes Road.
 - (b) Status quo. No change to the existing toilet facilities on Malvern Park. This option would not be acceptable to the community and does not address the illegal and antisocial activities that are occurring in these toilets.

PREFERRED OPTION

34. The preferred option, (a), is included as attachment 4. This option best satisfies the aims and objectives of the project and has a good degree of community support.
35. Construction is scheduled to begin in June/July 2006.