

## 12. MACFARLANE PARK PLUNKET BUILDING

<b>Officer responsible</b> Parks Manager	<b>Author</b> Rod Whearty, Area Parks Officer
Corporate Plan Output: Consents and Applications	

The purpose of this report is to advise the Board of the Plunket Society's wish to surrender their lease at MacFarlane Park and an expression of interest for use of the building from two community groups.

### **BACKGROUND**

In July 1998 the Parks Unit reported to the Board that the Plunket Society had vacated their building on MacFarlane Park. They no longer require the building and want to relinquish their lease on MacFarlane Park. This has come about due to the growing preference for new mothers to have home visits.

The Society would like to sell the building and use the funds for other resources to help maintain its service in the area.

### **CURRENT POSITION**

Representatives from MacFarlane Park Plunket recently met with the Community Advocate, Area Parks Officer, and Community Development Adviser and reconfirmed their desire to quit the building. Their preference is to sell the facility to another community group in the area. Given the needs of that area staff are keen to facilitate a process which would provide a building for some other community group and at the same time provide some recompense to Plunket and relieve them of their obligations.

### **TENURE**

The Plunket Society occupies a self-enclosed area adjacent to the kindergarten. They currently hold a lease for their occupation of MacFarlane Park. This lease originally commenced on 25 October 1962 and was renewed in 1984 for a further term, which is due to expire on 30 September 2005.

The building belongs to the Plunket Society. Under the Reserves Act there is provision in the lease for any improvements to revert to Council ownership on expiration or early termination of the lease.

The Council is under no obligation to compensate Plunket for the improvements; however Plunket has the right to remove such improvements that are removable and restore the area back to its former position.

The lease is expressly for the Plunket Society's purposes and the building may not be used for any other purposes. The current lease can not be assigned to another party.

Whilst the Council has no intention to simply walk in and take over the facility there is an opportunity to facilitate some other group(s) using the building who under normal circumstances would never be able to achieve a site of their own.

#### **FUTURE USE**

Future use of this building by another group(s) will require a new lease agreement. This will involve Council approval and public notification in accordance with the leasing provisions of the Reserves Act 1977.

#### **RESERVE CLASSIFICATION**

MacFarlane Park is classified as a Recreation Reserve. The Department of Conservation currently holds the view that community facilities such as Plunket or Playcentres etc are no longer appropriate on Recreation Reserves and therefore consent from them for a new lease agreement for a similar activity is unlikely to be obtained.

However, this issue can be addressed through a “Change in Classification” for that portion of the reserve these community buildings occupy. This would involve changing the classification from Recreation Reserve to Local Purpose Reserve (Community Buildings) and would also require public notification. Change in classification will require Council approval and there are costs involved with this work. The areas would need to have a legal survey and the various notifications undertaken if the Council resolved to take this course of action.

Alternatively any future group using the building to run recreation activities on the park would fit the criteria within the existing classification.

#### **FUTURE USERS**

There have been a number of groups in the past that have indicated an interest in utilising this building. More recently a Pacific Island Group has approached the Council expressing interest in using the building and prior to that “Kulcha Trust” has indicated an interest and is still keen to use the building.

There needs to be further work to identify possible future users in the Shirley area. It is important to note that the future users are likely to be different to the current activity. This being the case then a “Change of Use” under Section 28 of the Building Act will require the building to be upgraded with paraplegic toilets etc. The cost to upgrade the existing building has not been investigated at this point.

#### **CONCLUSION**

The Council will need to identify groups in the community who could utilise the existing building. Plunkets prime objective is to vacate the site as soon as possible, preferably with some money through its sale.

The actual value of the building will to a large extent be determined by cost of bringing the building up to a standard to comply with the “Building Act” and the ability of any potential future user to fund the necessary work.

Plunket requires formal Council approval to relinquish their lease. To avoid unnecessary delays the Board could form a committee to identify a future user group(s) and potential costs prior to the resumption of Council meetings in February 2000.

- Recommendation:**
1. That a committee be formed to identify future users of the building.
  2. That the committee call for registrations of interest in the building.
  3. That the committee liaise with Plunket and report back to the February 2000 meeting of the Board with its recommendations.

**Chairperson’s**

**Recommendation:** That the officers recommendations be adopted and the Committee comprise of the non-Councillor Board members.