

## 9. FORMER CARETAKER'S RESIDENCE AND GROUNDS, ABBERLEY PARK

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The purpose of this report is for the Board to consider the future of the former caretaker's house and outbuildings within Abberley Park.

### BACKGROUND AND CONTEXT

The former caretaker's house is situated in a fenced off area in the northwest corner of Abberley Park, having access from Kinley's Lane and Abberley Crescent. The location of the property is 57 Abberley Crescent (see attached). Abberley Park and the fenced off area located at 57 Abberley Crescent are held in the same certificate of title being Part Rural Section 148, Part Rural Section 206 and Part Rural Section 311 CT CB91/186. This land is vested in the Council as a public reserve being held under the Reserves Act 1977. Abberley Park is zoned Conservation 2 in the City Plan and the zoning designation includes landscape areas which provide the city with areas of unique significance especially when related to colonial heritage values.

The house had a resident caretaker up until the early 1990s after which a change in management policy saw the discontinuation of this service. The house was then tenanted to staff who assumed a care taking role on an informal basis pending a decision on the future of the property. In 1995 a landscape plan was commissioned to upgrade the park in a manner sympathetic to the original character and included the redevelopment of the former caretaker's house area as part of the park landscape. Following a consultation process the plan was supported by the local community and, at the time, the Community Board flagged the need to examine potential community use of the house. In the ensuing period the Community Board, in conjunction with the Papanui Advocacy Team, have pursued a number of options for tenanting this property. It has been offered to the St Albans Community Crèche but was deemed unsuitable for their needs.

Latterly, the Council has used the property for short-term rental accommodation, which does not conform to the requirements of Section 44(1) of the Reserves Act 1977. It has now been vacant for some time, with anecdotal reports from neighbours indicating there may have been unauthorised tenants in residence at times. This is not the case at present.

The condition of the house and outbuildings, both externally and internally, is one of disrepair. The perimeter fence is also unsafe and the gardens need major restoration.

The other building in the park, Abberley Park Hall, is in a good state of repair, and is well used by the community. This is administered by the staff at the Papanui Service Centre.

The Community Board's recommendation on this matter will be referred to the Parks, Gardens and Waterways Committee for a decision. Costs associated with a decision to remove the house and redevelop the site can be accommodated within current Parks and Waterways operating and capital budgets. Any costs associated with a third party utilising the building would need to be met by that third party.

### EXECUTIVE SUMMARY

The former caretaker's house at Abberley Park is in poor condition, currently unoccupied and continues to deteriorate. An urgent decision is required to determine the future of this building. A number of options have been identified and those considered as part of this report are summarised as follows:

1. Demolish and remove the existing buildings and integrate the area (approximately 900m<sup>2</sup>) into the existing park. This option has significant community and environmental benefits in that it provides additional open space in an area that has increasing population density and is adjacent to localities identified as being low in open space provision. This option also enables opportunities for extending the park's colonial heritage garden theme and providing a further public access point.

The financial implications of this option include building write off costs (\$8,136), redevelopment of the site (\$6,500) and ongoing maintenance costs of \$1,386 per annum.

2. Further investigate community use potential for the building through a 'Request For Proposals' process. All proposals will need to be evaluated in accordance with the requirements of Section 77 of the Local Government Act 2002. The proposal that is chosen should contribute towards the realisation of the Council's outputs. This option has potential community benefits depending on whether a suitable use can be found. It would require a lease to be entered into and the proposed use would need to conform with what is permitted under the Reserves Act 1977. It is likely that building and resource consents would also be required. This option would require substantial capital input from the third party to bring the building and associated facilities up to community use standards.

#### **RELEVANT POLICY**

The Local Parks Acquisition Policy 1997 adopted by Council states that: *"The location, role and function of existing parks that may be able to be adapted to serve local needs and open space that may be potentially available through redevelopment should be investigated....."* Abberley Park is in relatively close proximity to areas previously identified as deficient in open space provision and any extension would contribute to serving local needs.

#### **DESCRIPTION OF OPTIONS**

Options for the future of the caretaker's house at Abberley Park are confined to complete removal of the building and redeveloping the site as park, or retaining the building for an appropriate community use.

#### **Options that are not being considered are:**

1. Do nothing – This would be an inappropriate course of action contrary to responsible public assets management. It would lead to complete deterioration of the asset and encourage activities that would be unacceptable to the local community.
2. Sell the property – The site is not on a separate title to Abberley Park and is held as reserve under the Reserves Act 1977. The disposal of the property would involve creating a separate title and revoking the reservation which requires public notification and the Minister of Conservation's approval. In a locality that has increasing population density and is already low in reserve provision this would be an inadvisable path to follow.
3. Public rental of the property – This option does not comply with the requirements of Section 44(1) of the Reserves Act 1977.
4. Upgrade the property to enable it to be re-utilised for staff rental accommodation - This option has minimal community benefit apart from providing limited on-site surveillance of the park. It is now not the management practice or stated objectives of the Greenspace Unit to provide on-site accommodation for staff unless there is a specific requirement to do so. Furthermore this option would incur costs of around \$15,000 to bring the building up to a reasonable standard and its age and condition necessitate ongoing maintenance and administration costs of up to \$2,500 per year.

#### **Options for consideration are:**

##### **1. Return the Area to Public Park**

This would require the removal and/or demolition of the house, garage, sheds and fences around 57 Abberley Crescent, returning the area to the park for the general public to enjoy as informal green space and would increase the open space amenity in the area.

The area surrounding Abberley Park is zoned Living 2 (L2) under the operative City Plan, which provides principally for low-medium level density, permanent residential housing. This categorisation provides for an element of in-fill housing, aided by traditionally larger sections available for sub-division. With this in mind, the open green space amenity value provided by Abberley Park and the possible addition to the park of the fenced off area in which the house is situated (57 Abberley Crescent) becomes an important factor in any evaluation.

Abberley Park also fulfils an area need for passive recreation space. Although it is not located in an area of green space deficiency, the park borders two priority 1 areas – St Albans and Merivale, as detailed in the Council's 'Local Parks Acquisition Policy' (1997). This Policy document notes that the role and function of existing parks may be adapted to fit local needs and open space requirements, through redevelopment, and that this should be investigated before new purchases are undertaken.

The addition of 57 Abberley Crescent to the park area would provide another entrance to the park from Kinley's Lane, thus allowing for public access from the northwest as well as from Abberley Crescent. As well as increasing the opportunities for park access by 'inviting' the public to walk through this area, an advantage is also seen in opening up sightlines from adjacent housing in Kinley's Lane for casual park surveillance. Therefore the return of this part of the park to provide improved access conforms with the Council's 'Local Parks Acquisition Policy' (1997).

From a heritage perspective Abberley Park is situated on land originally owned by Thomas Maling who built a house there in the 1860s. The gardens were laid out at the time and added to by subsequent owners. The current layout is much as it was when the last private owner was there and the area now occupied by the caretaker's house was originally an extensive caged cherry orchard. It would be desirable to re-integrate this area back into the park to reflect the original garden's entirety.

The landscape plan prepared in 1995 would need to be updated to reflect appropriate landscape treatment of the site. Consultation on this plan would be undertaken with the local community if this option proceeds.

#### *Legal Considerations*

There are no legal impediments to this option. The section that the house is sited on is not a listed heritage item and no resource consent for demolition or redevelopment is required.

#### *Financial Considerations*

The former caretaker's house is clad with weatherboard, and roofed with corrugated iron. It has three bedrooms and is of original design internally, having a kitchen/dining room and separate lounge. It is typical of dwellings built at that time. There is also a separate garage and shed situated upon the site.

On the basis of replacement cost, less depreciation and obsolescence, the Christchurch City Council's current book value of the house is \$ 8,136. This book value is based on the building not presently being used, and as such is not contributing towards the realisation of the Council's stated outputs. The garage, shed and fences are in a poor state of repair and are at the end of their life, and therefore considered to have no value.

It is estimated that the redevelopment of the site including path formation, planting and fencing would be \$6,500 with ongoing maintenance costs of \$1,386 per annum. The write off and maintenance costs can be accommodated in the Parks and Waterways operating budget for 2003/04 with site clearance and basic landscape costs provided from the 2003/04 capital budget. Expenditure on further landscape enhancement work can be covered in the 2004/05 capital budget.

## **2. Seek Potential Community Uses Through a Requests for Proposals Process**

This process would involve advertising for requests for proposals to use the former park caretaker's house, and/or the current property grounds for an appropriate community use. There will be a need to evaluate any proposal that is received as a result of a 'Registration of Proposals' process in accordance with the requirements of Section 77 of the Local Government Act 2002. The evaluation will need to include an assessment of the following points:

- (a) Is the proposal allowed on a Local Purpose Reserve, under the leasing provisions in Section 61 of the Reserves Act 1977?
- (b) Is the proposal able to be accommodated elsewhere in the community?
- (c) Is the realisation of the proposal upon the park more important than returning the area to public open space?
- (d) Does the proposal contribute towards the realisation of the Council's objectives?

This analysis would need to include an investigation into the possibility of housing any future proposed activity or group in an existing facility already in the community. It is likely that an organisation proposing to lease the former park caretaker's house will be a community-based organisation, and therefore unlikely that the organisation could afford or be expected to pay market rent for the premises as well as ongoing costs of running and maintaining the building. In these cases, it would be necessary to undertake an assessment of the value of the activities the organisation provides to the community as a whole, and how these activities contribute to the attainment of the Council's outputs, to enable the Council to formally approve the organisation concerned paying a rent less than market value. It should be noted that the provision of buildings for community use on Council-owned or controlled parks and reserves is not one of the Parks and Waterways stated outputs.

If a suitable community use for this building is found it could have positive community benefits. Any community use proposals would be subject to a consultation process with the local community.

#### *Legal Issues*

Abberley Park is an unclassified reserve vested in the Council. The reason that the reserve has not been classified is because this is one of the oldest Christchurch City reserves, being vested in the Council over 120 years ago on the 10 May 1883. The Council could classify this reserve under the appropriate section of the Reserves Act 1977. A Local Purpose or Recreation Classification could be appropriate and this will be the subject of a further report.

Local Purpose Reserves allow the Council to lease parts of a reserve for wider community type uses than other categories of classification allow. Therefore with this option a Local Purpose Classification would be the most appropriate. Any leases granted to third parties to use part of the reserve would need to be for the purposes set out in Section 61 of the Reserves Act 1977. A copy of this section is attached.

Given the Conservation 2 zone in the City Plan for this site, a resource consent may be required depending on the proposal considered.

#### *Financial Issues*

Prudent financial management of Council assets require that a return of approximately 10% per annum should be expected from this type of asset, the percentage return being dependent upon whether sub-optimal or full use of the asset is being made, and that this use is contributing to the Council's stated outputs. This percentage return will be based upon the present value of the building, which will include the cost of improvements to bring it up to standard, which will be significant. This percentage return reflects the risks involved and the true cost of the capital investment. Costs incurred in operating the building are on top of this 10% figure, for example, electricity, water, telephone, and building maintenance. The risk factors are as follows:

- (a) The asset cannot be sold on site at normal market rates because of the limited uses the building can be put to under the Reserves Act.
- (b) The above-mentioned constraints mean that it is most likely the market rent will need to be considerably discounted to reflect the non-profit nature of the occupiers.
- (c) The building is more than halfway through its life cycle, and because of the high obsolescence factor with this type of building, if it is going to be used for a community use, the risks borne by the property owner are higher.

It will be necessary for the Board, when evaluating whether to proceed with this option, to consider the following issues:

Will the proposed future use of the building require alterations to be made to the building that will require a building permit? If this is the case, will the building be classed as a public building necessitating the provision of a disabled toilet and wheelchair ramps into the building? Alteration requirements like this could cost many of thousands of dollars, which will need to be weighed up against the value of the building.

Can the 'community need' be accommodated within an existing building elsewhere in the community, which will not require the same level of Council financial support? It is unlikely that a community group will be able to service the level of return the Council should expect from the former caretaker's house, once it is brought up to standard.

Is the proposed use of the building going to contribute towards the Council's stated outputs? If this is the case, then what level of discount of rent should the Council approve from the amount that should normally be expected for this type of asset, to reflect the users' contribution towards attaining the Council's stated outputs?

Information is not presently available on the structural condition of the building, or the cost needed to renovate the building for any community use. Board members were given an opportunity to view the house and grounds last year.

## **CONCLUSION**

The areas of green public open space in urban areas are an essential component of a healthy and attractive city for its residents. This public open space enhances the amenity values in the community, and contributes towards meeting both the recreational and social needs of the community. Abberley Park's public open space function will become even more important in the future than at the present because of its proximity to public open space deficient areas, and the further infill housing that will be constructed in the Living 2 zone that surrounds the park. This being the case there are compelling reasons from a community, environmental and heritage perspective for recommending the option to clear the caretaker's house site and return it to public park. The cost of achieving this option is relatively minor in consideration of the potential benefits.

It is against this background that the Board needs to consider if it wishes to proceed with a 'Request For Proposals' process to use the former caretaker's residence for a community type purpose. When making this decision, Board members need to be aware that substantial capital investment will probably be required to bring the building up to standard, and there will probably be a need for ongoing Council support to the successful community organisation who leases the building. There will be the ongoing cost to the Council to be considered.

It should be noted that there have been previous attempts to find an appropriate community use for this building and to date there have been no suitable uses identified. There is also an existing hall on Abberley Park that already provides a venue for community use.

## **Staff**

**Recommendation:** That the Board recommend to the Parks Gardens and Waterways Committee:

1. That the house and associated structures be removed from the site returning the area to park with appropriate landscape treatment.
2. That the landscape plan for the site is updated in consultation with the local community.

## **Chairperson's**

**Recommendation:** That the staff recommendations be adopted.