


15. 47 DUBLIN STREET, LYTTTELTON – ADDITIONAL INFORMATION REPORT  
ACQUISITION FOR RECREATION RESERVE

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Unit Manager. Asset and Network Planning
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**PURPOSE OF REPORT**

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1. The purpose of this report is to:
    - (a) Provide the Board with additional information relating to the proposed purchase of 47 Dublin Street, Lyttelton, that was not included in the previous report of 13 July 2010, and;
    - (b) Seek a reconfirmation of the recommendations from the Board to the Council made at the Board meeting on 13 July 2010, namely that the Council purchase 47 Dublin Street, Lyttelton subject to certain conditions, and that the Council resolve to classify the land as a recreation reserve, and;
    - (c) For the Board to note that development of the land as a neighbourhood park would include the removal of the buildings, and will be funded from the Neighbourhood Reserves Capital Purchase Fund.

**EXECUTIVE SUMMARY**

2. On 13 July 2010 the Board adopted the staff recommendation to recommend to Council that the property at 47 Dublin Street be purchased for use as a neighbourhood park and the land be classified as Recreation Reserve.
3. Council was advised verbally that its tender for the property had been successful. A sale and purchase agreement has been entered into conditional on Council approval to the purchase and the terms and conditions. New information on the suitability of acquiring the property has come to light hence the matter is again before the Board.
4. Strategy and Planning have provided advice on the heritage significance of the property and the dwelling. Initial research indicates that this is an early 1860's to 1870's colonial weatherboard cottage and part of a precinct of colonial dwellings that characterise the early housing stock of Lyttelton.
5. Lyttelton is a registered Historic Area under the Historic Places Act 1993 and although there is no short or long-term obligations on property owners that arise from registration it is an advocacy means of identifying important heritage in a locality.
6. The building is not listed in the Banks Peninsula District Plan however the site is considered to be an archaeological site under the Historic Places Act. The Historic Places Trust would need to advise on the authority required for demolition of the building and creation of the park. The Historic Places Trust may also advocate for retention of the cottage.
7. The heritage significance of the dwelling has only been assessed from the exterior due to the very poor condition of the building and safety of the site. A draft Heritage Assessment has been prepared (see **Attachment**). A full inspection of the property and further background research is likely to result in the assessment being revised. It is evident that the cottage does have some heritage significance to the City, and despite its poor condition a significant amount of heritage fabric remains, although it is not known what fabric remains internally. The social significance as the home of Captain Samuel Keeble will be recognised by the community.
8. Other issues raised by Strategy and Planning regarding the suitability of the site for a neighbourhood park are in relation to consideration of urban design principles and connectivity to the community along with safety and site stability. City Environment staff have considered these issues and do not believe that the additional information materially alters the recommendation to acquire the site for a park, however there are community implications of the Council purchasing land then removing a colonial cottage.

9. The decision to continue with the purchase of the property to create a neighbourhood park after considering the additional information will need to be made by the Board. The community perception regarding the purchase of the site and demolition of the heritage building by Council will need to be considered. The good work that the Council has undertaken on the restoration of Grubb Cottage could potentially be undermined by Council removing another colonial cottage to make way for a new reserve. If Council is to acquire the land for a neighbourhood park the near derelict cottage must be removed, establishment of a park and retention of the cottage are not compatible. If the Council does decide to proceed with purchase and creation of the park there is potential for the heritage of the site to be recorded and commemorated by the community through interpretation or artwork as part of the neighbourhood park.

#### **FINANCIAL IMPLICATIONS**

10. Costs estimated to be in the order of \$25,000 will be incurred in demolition of the derelict house, tidying and grassing the site, these costs to be capitalised against the capital purchase programme.
11. Estimated maintenance costs are \$1800 per year as contained within the Transport and Greenspace Operations programme.

#### **Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

12. The purchase is to be funded from the Neighbourhood Parks Land Purchase, in the Greenspace Capital Programme for 2010/2011

#### **LEGAL CONSIDERATIONS**

13. The Board does not have the delegated authority of Council to approve this purchase which is a Council decision. The Board does however have recommendatory powers.
14. The Council has until 30 September 2010 to confirm or otherwise with the vendor the purchase on terms and conditions that is fully acceptable to the Council and in making such decision shall not be under any obligation whatsoever to provide the vendor with reasons for the decision that is made.

#### **Have you considered the legal implications of the issue under consideration?**

15. Yes as above.

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

16. Yes. Parks, open spaces and waterways, Neighbourhood Parks (2009-19 LTCCP-Page 122). Provide a network of safe, accessible and attractive neighbourhood parks. This is important to provide a network of neighbourhood parks and provide necessary connections and access points
  - (a) To encourage community interaction.
  - (b) Provide places for recreation and children's play.
  - (c) Maintain and manage neighbourhood parks.

#### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

17. Yes. Page 138 2009-19 LTCCP. The Council's plans for key assets relating to parks, open spaces and waterways include: Land for new neighbourhood parks will be purchased, planted and provided with playground and other equipment

## **ALIGNMENT WITH STRATEGIES**

### **Do the recommendations align with the Council's strategies?**

18. Yes.

- (a) Physical Recreation and Sport Strategy- Objective 1.2: There are a range of locations at which people can take part in unstructured, casual recreation activities within easy reach of Christchurch.
- (b) Active Living Strategy: This aims to support Christchurch people so that they can enjoy regular physical activity as part of their every day lives and improve their health and wellbeing.
- (c) The draft Open Space Strategy as discussed in this report.

## **CONSULTATION FULFILMENT**

19. There is no requirement for statutory consultation to be carried out. General consultation has been carried out through the draft Open Space Strategy and engagement with families in the area.

## **STAFF RECOMMENDATION**

It is recommended that the Lyttelton/Mt Herbert Community Board consider the additional information relating to the proposed purchase of 47 Dublin Street, Lyttelton, and;

- (a) Reconfirm the following recommendations to the Council made at the Lyttelton/Mt.Herbert Community Board meeting on 13 July 2010:
  - (i) That the Lyttelton/Mt Herbert Community Board recommend to Council, the purchase of 47 Dublin Street, Lyttelton (on the terms and conditions recommended in the public excluded section of the 13 July 2010 report) as a recreation reserve under the Reserves Act 1977, to be developed and used as a neighbourhood park.
  - (ii) Further that, subject to the first recommendation, and the Council resolving to purchase the property, the Board recommend to Council that it pass the following resolution:

That pursuant to Section 16 (2A) of the Reserves Act 1977 the Christchurch City Council classifies the land in the schedule as recreation reserve within the meaning of Section 17 of the said Act.

- (b) That the Board note that development of the land as a neighbourhood park would include the removal of the buildings, and the purchase of the land will be funded from the Neighbourhood Reserves Capital Purchase Fund.

## **BACKGROUND (THE ADDITIONAL ISSUES)**

20. On purchase of this property a priority will be to demolish the cottage and make the site tidy in anticipation of its development as a park and playground.

21. The property is wholly contained within Computer Freehold Register CB11A/1326 legally described as Part Lot 3 DP 8473 comprising 959 m2. The site is presently covered in scrub, long grass and vines; and has no boundary fencing. A retaining wall is constructed along the site's southern boundary protecting the neighbouring property. The property when occupied would have been accessed by foot from the staircase within the road carriageway on the Dublin Street boundary. Vehicle access if created would only be possible from Jackson's Road or Keebles lane. Suitability for inclusion in the Council's property portfolio) and the terms and conditions of this agreement are fully acceptable to the Christchurch City Council. The Christchurch City Council may take into account any matters it considers appropriate ( in its sole and absolute discretion) in making such decision and shall not be under any obligation whatsoever to provide the vendor with reasons for its decision under this clause." The site is zoned "Residential" under the Banks Peninsula District Plan.
22. Staff have investigated whether the site may be contaminated with household waste. No evidence has come to hand of site contamination apart from what appears to be the storage of newspapers in plastic bags beside the house. Property Consultancy has further researched the records available with one of our data analysts, talked to the contamination officer at Environment Canterbury, and perused the property file held at Lyttelton Service Centre. No evidence has come to light indicating the property is contaminated. It is unlikely there would be any recorded contamination over the time the property has been used for residential purposes. It is unknown if any ground contamination has arisen from the domestic rubbish left on the property since it was vacated 8 to 10 years ago. It is interesting to note that before the current owner William Thomas estate, this property was Christ College leasehold.
23. Consideration has been given as to whether a Crime Prevention through Environmental Design (CPTED) audit was necessary for the site. A full audit has not been undertaken at this time but with three street frontages on the sides of the property and views into the site from surrounding higher streets plus natural surveillance from dwellings overlooking the proposed park, staff are confident the park will be safe as viewed from the street. There are currently wild plants such as Ivy growing along the Keebles Lane frontage and other scrub and long grass that will need to be removed. Once the buildings are removed from the site no views into the park will be blocked. It is proposed that visually permeable fences will be installed on the street frontages and the steps on Dublin Street will provide pedestrian movement around the proposed park. Any paths or future play facilities will have clear sight lines from within and outside the site. A well maintained park will be a key factor once the site is developed. There are therefore no issues that cause staff concern regarding CPTED.
24. Urban design principles were considered in terms of good connections to enhance choice, support social cohesion, make places lively and safe, and facilitate contact among people with the addition of the park. This proposed neighbourhood park links the streetscape plantings on Dublin Street to the south and Jacksons Road to the north. These existing areas of greenspace increase the park size to around 1600m2. In terms of character, quality urban design reflects and enhances the distinctive character and culture of the Lyttelton urban environment, and recognises that character is dynamic and evolving. This will be an objective of the landscape plan developed for the park. The development of a neighbourhood park in this area of Lyttelton improves the quality, quantity and distribution of local open space over the long term.
25. Site stability has also been considered. It will be difficult to establish the soil stability risk without having a full Geotechnical survey carried out. The web map data shows approximately half the site in the slight to moderate erosion zone. Locally a full Geotechnical survey was carried out in 2008 for a garage/carport on the property above at 1 Keebles Lane which concluded that the ground characteristics have a very high bearing capacity and exceed the required allowable bearing values for light timber buildings. The Senior Planner at Lyttelton Service Centre has reported that the web map data is quite generic and the development constraints would probably only have any bearing if a subdivision/building consent was being applied for. Records would not go back any further than the 1950's. He mentioned that there was a brick barrel drain in the western corner that takes up about a 1/10 of the property. This barrel drain is likely to be an area of archaeological interest.

26. The request for the reserve came from the community. Alternatives are limited in this area of Lyttelton and the opportunity to purchase this land and develop a neighbourhood park has therefore been progressed in light of the objectives in the Open Space Strategy. Although the south facing sloped land is not totally ideal as a park site it is an opportunity to acquire land without much in the way of capital or building improvement costs. The community views on this purchase may however be divided between the desire to provide community open space and concerns regarding retention of local heritage.