

BULLER DISTRICT COUNCIL

FOR THE MEETING OF 30 JUNE 2010

Report for Agenda Item No

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Use of Westport's Carnegie Library Building

Purpose of Report

For Council to consider the future use of the Carnegie Library building in Lyndhurst Street, Westport.

Background

Council staff have been approached by parties interested in leasing the Carnegie Library building to use as a commercial premises.

The site of the Carnegie building was classified as a Local Purpose Athenaeum Reserve (public reading room and library) and was vested in the Council in 1886. This reserve status continues today. The building was built in 1904 with funding from American philanthropist Andrew Carnegie, on the site of the previous library which had been destroyed by fire in 1903.

The significance of this building is recognised both through its classification as historic in the Buller District Plan and its Category II registration with the New Zealand Historic Places Trust.

The building is in the area currently being developed as the cultural hub. Currently, the building has simply been signalled as 'community space' in the cultural hub master plan, with no specific use indicated at this time.

While the Long Term Council Community Plan (LTCCP) signals that Council will consider relocating Westport's library to the cultural hub, the Carnegie building has not been singled out for this at present. During the first three years of the LTCCP, Council is to investigate opportunities to incorporate the library into the cultural hub, with any relocation dependant on the outcome of this investigation and not scheduled to take place until at least years 4-10.

The site is zoned commercial under the District Plan. A commercial use would be a permitted activity under the Plan however resource consent is likely to be required for any work on the building, due to its historic status.

The building was leased to the Buller Historical Society Incorporated (the Society) on 8 September 1998 for a term of 21 years with a right of renewal for an additional 21 years. The Society's initial objective was to save the building from demolition and this has been achieved. Their objective now is to see the building used and to this end they have expressed a wish to end their lease early.

During their lease the Society carried out extensive renovations to the building including some structural work and the reinstallation of some of the building's original features. The room referred to as the 'Chess-room' has been completely restored. Much of this work was done by volunteers and with donations of goods and services.

Despite the reserve status, Council is able to lease the building to a commercial lessee as long as it is satisfied that the reserve is not required for the purpose it was set aside for, at least in the short term, and that this use of the reserve is acceptable to the community.

If the building is leased the Reserves Act 1977 requires that income from the lease be spent on reserves in the district. The income can be spent on any of the district's reserves that are managed by Council, not just on the reserve it derives from.

Should Council decide in future that the building is required for its reserve purpose, or any other reserve purpose, this would take priority over any commercial activity and any lease would have to provide for this.

Options

First, Council must decide whether or not the building is required for the purpose it was set aside for or for any other reserve purpose.

Council may decide that in the short term the building is not required and that it is willing to offer a lease on the building until such time as it is required for a community purpose. This is the most favourable option should Council wish to allow a lease of the building. Ten years may be considered an appropriate term.

If Council is prepared to lease the building, it must decide on how to choose a lessee. The most favoured option is for Council to ask for expressions of interest from the public. It is suggested that Council advertise for expressions of interest and that these be considered by Council at its August meeting.

Selling the building is not considered to be an option. For the building to be sold, the following process must be carried out:

- Council would have to resolve that it is no longer required for reserve purposes.
- Council would then have to inform the Department of Conservation (DoC) that it no longer wishes to manage the reserve.
- DoC would then determine if the reserve is required for any other reserve purpose. This includes a public notification process run by Council and consultation with iwi.
- If it is decided that the reserve is no longer required the reserve status is revoked and the site becomes Crown Land managed by Land Information New Zealand (LINZ).
- LINZ can then offer the land for sale, usually on the open market or through a public tender process.

The proceeds from the sale would go to DoC's Land Acquisition Fund. There may be some compensation for the value of the building to Council as the building's owner, but this decision is made by DoC's National Office and compensation is not guaranteed.

If Council is interested in one day returning Westport's library to the Carnegie building or using it for some other community purpose, it may wish to consider requesting a designation over the site under the Resource Management Act. This would signal that the site is earmarked for future use as a library/community building, would prevent any use or development of the site that would be inconsistent with this use without the express permission of Council, and would make it easier for Council to make use of this building in the future should it wish to do so. A designation would not impact on the ability of a commercial lessee to use the site in the meantime. If Council does wish to request a designation for this site, the process could be carried out alongside the District Plan changes which will be considered at the July meeting for public consultation throughout August and September.

Community Outcomes

This matter relates to the community outcome of Identity.

Identification of Relevant Legislation, Council Policy and Plans

The Reserves Act 1977 and the operative Buller District Plan contain provisions that must be complied with.

Assessment of Significance

This matter is not deemed significant under the Council's Significance Policy.

Consultation

Council must be satisfied that the community accepts the use of the reserve for a commercial purpose. This consultation could be carried out at the same time as expressions of interest are being called for from the public. Alternatively, Council could carry out a separate consultation process to gauge the community's reaction to a commercial use of this building.

Any work on the building is likely to require resource consent and this process may provide additional opportunities for consultation.

Conclusion

The Carnegie Library building is an iconic Westport building with strong historic significance, in the middle of the area currently being developed as the town's cultural hub.

At present the building is barely used. The Buller Historical Society has done a lot of work to save the building from demolition, but there is still much work to be done on the building to restore it to its former glory and to a standard where it can be used by the public.

Council has been approached by parties willing to do this work in return for a commercial lease on the building. If Council does not have an immediate use for the building, leasing it would help ensure that the work done by the Society is preserved, that the building does not deteriorate, that restoration work is carried out and that this building in the cultural hub area will be used.

The continuing reserve status of the site will ensure that should Council have a need to use the building in future for a community purpose, that use would take priority over any lease. A designation of the site as a library, community facility or the like would provide further protection for any future plans Council may have for the site.

If Council is prepared to lease the building, it is considered that expressions of interest should be called for from the public. Through this process Council can also satisfy itself that leasing the building is acceptable to the community.

Recommendation

That Council resolves to:

- 1. Make Westport's Carnegie Library building available for lease; and**
- 2. Seek expressions of interest from the public to lease the Carnegie Library building.**