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<p>Corporate Plan Output: Surplus Property</p>	

The purpose of this report is to update the Hagley/Ferrymead Community Board and the Projects and Property Committee on progress with regard to the various land issues involved in the Ferrymead area.

BACKGROUND

Historically the Council has owned the land shown hatched on the attached plan for a number of years as these two areas formed the previous Heathcote County Council rubbish dump. No filling has occurred for some time on either of these areas with part being leased to the Ferrymead Trust.

The Community Board and Committee will likely be aware that in 1996 the Council purchased additional land in this area from the Ferrymead Trust. A total area in excess of 23 ha was purchased with approximately 8 ha of this area to be transferred back to the Trust with the balance area remaining in Council ownership. The reason for the agreement being entered into for the total area of 23 ha is that there was insufficient time between the entering into of the agreement and settlement to allow the vendor the ability to subdivide off the Trust land and for the property to be transferred to the Council. Accordingly, all of the property was transferred to the Council on the possession date. Following settlement the Trust was to attend to obtaining a subdivision consent to allow for the issue of separate titles for the Trust land.

CURRENT SITUATION

The subdivision and subsequent transfer of land back to the Trust has yet to occur. Under the terms of the agreement, the Trust was to attend to the survey of this land and some preliminary survey work was undertaken. It became apparent that the Trust was not going to be in a position financially to complete this work and it has been decided therefore in recent months that the Council should attend to the completion of the survey and subsequent transfer of land back to the Trust.

There are a number of other land issues in relation to Ferrymead that are listed below with some explanation as to the current status.

Deeds Land

It became apparent through the various survey work that has been undertaken in this area that there are a number of strips of deeds land to which the Council does not have title (please refer to attached plan). We are endeavouring through the Council’s solicitors at present to ascertain the best method of claiming ownership of this land. Early indications show that some of the deeds land should pose little problem but there is a strip adjoining land owned by a Mr. Philip Wright which Mr. Wright believes he has a rightful claim to. Further work is required in relation to this strip.

Survey

As mentioned above the Council is now to attend to the survey work. Preliminary survey work has already been undertaken and there is little involved in finalising this matter.

Under the terms of the agreement Council is to provide the tram barn and Radio Preservation Society with title to their respective parcels of land.

One issue that has arisen in recent times is in relation to the new lot that was to be created in front of the existing tram barn for the Radio Preservation Society to erect a new building (the existing Radio Preservation Society building comes into the Council's ownership in December 2001). Council officers who are now working on the Ferrymead project have held discussions with Radio Ferrymead and agreement has been reached in the last week whereby a more appropriate location has been identified for alternative premises and further work is currently being conducted in relation to formalising this matter. The Radio Preservation Society is receptive to the relocation as it will now be in a position to build single storey premises at a much lesser cost. From the Council's perspective the new location is much preferred as from an aesthetic viewpoint it is undesirable for a new building to be located in front of the tram barn adjoining Bridle Path Road.

New Entrance Road

Work is well under way on the construction of the new entrance road to the Ferrymead Historic Park from Bridle Path Road. Construction of this road is due to start in the very near future with an approximate 12 week construction time frame.

It is intended that the existing entrance will be closed in due course.

Horse Grazing

There have been a number of horses grazing on land adjoining Bridle Path Road for a number of years in an informal arrangement with the Ferrymead Trust. The area of land currently occupied will be affected by the construction of the new road. We have been in consultation with the Pony Club with a view to formalising leasing arrangements direct with the Council.

Possible Surplus Land

The Committee will be aware of the Property Decision Making Flow Chart which is the policy process to establish uses for potentially surplus Council property and disposal if productive uses cannot be identified.

The availability of the potentially surplus land at Ferrymead has been circularised within internal Council Business Units with the Parks and Water Services Units indicating interest.

Private individuals have also expressed interest in any possible surplus land at Ferrymead and preliminary meetings have been conducted with these parties outlining the process that must be adhered to in relation to possible surplus land. These parties have not been named due to reasons of commercial sensitivity. These parties have been given indications that we should be in a position in approximately June of this year to advise whether there may be surplus land available in the Ferrymead area.

In conjunction with the Property Unit's process in dealing with the land use decision making flow chart the Environmental Policy and Planning Unit of the Council is also attending to a Variation to the City Plan for the finalisation of development options in relation to the special purpose Ferrymead zone. A planning timetable has been established for dealing with this variation and the Committee will notice from the attached that the planning timetable has been set alongside the "Property Land Use Decision Making Flow Chart" with time frames attached to the various issues to be dealt with.

It is our intention to arrive at the same decision point together in relation to land use and zonings.

IMPROVEMENTS

Situated on the land purchased from the Trust is the Radio Society's transmission mast and an old signal tower which was formerly the property of the Lyttelton Harbour Board.

Within a portion of the old rubbish dump site are two railway tunnels which were constructed many years ago by workers on Labour Department schemes to provide for the operation of a miniature railway. Neither ownership nor occupancy rights for these improvements were attended to in the original Sale and Purchase Agreement. These issues, which are not straightforward, also need to be resolved through negotiation and consultation.

Submission - Roy Hughes, Manager Radio Preservation Society.

Mr Roy Hughes, the Manager of Radio 3XP (Radio Ferrymead) has been granted speaking rights at the May meeting of the Projects and Property Committee to present a submission which he has prepared in relation to various Ferrymead issues.

As members of the Board will see there are a number of issues raised by Mr Hughes in his submission in relation to historical matters associated with the Council's "buyout" of the Ferrymead Historic Park. It is not our intention to comment specifically on the various matters raised by Mr Hughes as they predominantly deal with historical matters that involved Council Officers at the time who are no longer in the Council's employ. It would be a long and arduous task to try and make specific comment in relation to all of the issues raised by Mr Hughes and in some cases it may not be possible as the information contained on files is not specific enough in many areas to comment in more detail.

Property Unit staff have held several discussions with Mr Hughes and met with him recently to discuss his concerns. We have agreement with Mr Hughes to either confirm we will have the survey work undertaken on the site we are contractually bound to provide in front of the existing tram barn or a suitable alternative in another location. We hope to resolve these options within the next month.

We do not consider it productive or efficient to invest time and money at this stage on investigating past transactions. There is a current course of action to progress issues which all parties appear happy with.

SUMMARY

Good progress is now being made with the various land issues that exist at Ferrymead with the next most important step being dealing with any possible surplus land. Once the internal interest for this land is finalised and confirmed consultation will need to occur with the Ferrymead Historic Trust, as undertakings were given to the Trust during negotiations to purchase the land that they would be consulted in relation to any possible surplus land at Ferrymead.

A report outlining and seeking resolution of land use, planning or surplus property issues will be presented at the June round of meetings.

Chairman's

Recommendation: That the information be received.