

6. SPECIAL PURPOSE (FERRYMEAD) ZONE UPDATE

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The purpose of this report is to provide an update on the assessment of the issues and land use options for the Special Purpose (Ferrymead) Zone. The reason for this is that the Council has indicated in the Plan that a review of the present zone is needed and that the Special Purpose (Ferrymead) Zone is an interim measure. The timing of any future zone change has not been established.

DESCRIPTION

The Special Purpose (Ferrymead) Zone (SPFZ) relates to approximately 194 hectares of flat land bounded by the Lyttelton railway line, Heathcote River, Bridle Path Road and Heathcote Village and incorporates the Ferrymead Historic Park. This land is to the southeast of the Central City and forms a 'green wedge' at the bottom of the Heathcote Valley and western end of the Avon Heathcote Estuary. It also provides a break in relief between the hill suburbs of St Andrews and Mt Pleasant to the east and Hillsborough to the west. A map attached to this report as Appendix 1 shows the location and extent of the SPFZ.

The SPFZ contains a range of natural and physical features which influence the activities occurring within it. The land within the Zone forms part of the lower catchment of the Avoca and Heathcote Valleys and is predominantly flat and low-lying and therefore prone to flooding in most areas. Ecologically important wetland areas have been identified along the margins of the Heathcote River which runs along the northern side of the Zone.

Land use at present is dominated by low intensity rural activities (grazing), with the central part of the Zone occupied by the Ferrymead Heritage Park (FHP). Important networks run through the Zone, including the Lyttelton railway line, Tunnel Road (part of State Highway 74 - major arterial and limited access road), pylons carrying 66kV lines and the Banks Peninsula District Council has a designation for a water supply pumping station on a part of the Zone. The Zone also acts as a stormwater drainage and collection area with a network of drains feeding into and running through the area. This network is going to be extensively modified to provide for better flood detention and water quality, as well as to provide greater areas of wetlands and natural waterways.

The stormwater improvements to the area will also provide opportunities for a greater range of land uses to establish. The Council has acquired much land in the Zone and is seeking to promote this land as a park for the area. The park is subject to a Development Proposal which is shown on the plan attached as Appendix 2. This provides an overview of the potential land uses on Council owned land and includes significant tourism and recreation facilities, such as the Tamaki Maori Village, golf course and driving range, sports fields and hot pools. This plan also shows the stormwater improvement works discussed above. These activities are subject to resource consent, with consents lodged to date for earthworks associated with the stormwater improvements. It is understood that resource consent applications may be lodged in the next few months for the Tamaki Maori Village and golf driving range.

To date all of the above land uses are subject to the SPFZ provisions, which generally rely of the provisions of the Rural 2, Conservation 1 and 2 Zones. Exceptions are made for the FHP, which is subject to special provisions of the SPFZ.

BACKGROUND

A variation to deal with the zoning of this large area was anticipated when the Proposed Plan was notified in 1995. The Plan zoned the whole area SPFZ, indicating that this was an interim measure and that further investigations would be undertaken. The SPFZ attracted 52 submissions which were considered as part of Variation 37, discussed below.

Since the Plan was notified in 1995, the then Environmental Policy and Planning Unit (EPPU) undertook various investigations and consultation, both externally and internally. Variation 37 was publicly notified in July 1999 and proposed the replacement of the SPFZ with a range of zones used elsewhere in the Proposed Plan. The variation attracted 20 submissions and was heard by Mr David Collins, a Commissioner appointed to hear these and to make recommendations to the Council.

The Council, at its August 2000 meeting, decided to withdraw Variation 37 because the Living 3 Zoning proposed for some of the land within the variation was inappropriate and incompatible with the Council's objectives and policies for residential development. As a consequence Variation 37 was withdrawn on 26 September 2000.

In October 2000 the Lyttelton Port Company commenced judicial review proceedings in the High Court against the Council, challenging the Council's legal ability to withdraw Variation 37. Since these proceedings the Council negotiated with the Lyttelton Port Company to purchase their land and the proceedings were dropped.

DISCUSSION

At present the land subject to the SPFZ sits in limbo as no definitive zoning has been promoted by way of a variation. In the meantime, developments are pending and the Council, as a significant landowner, is committed to carrying out significant earthworks for stormwater control and waterway enhancement purposes.

It is fair to say that a potential variation lost momentum whilst the negotiations for the Lyttelton Port Company land took place through to completion in late 2001. During 2002, the City Plan Team experienced pressure on resources because of staff changes and, furthermore, the time spent on references had to increase as an additional judge was assigned to attend to the backlog of references.

Consideration of any future variation has to be given in terms of not only staff resources, but the focus of getting the Plan operative by mid 2004. Any larger variation such as this will inevitably attract submissions and any decision may also attract appeals to the Environment Court. Other variations, such as Wigram/Awatea, retail and Halswell residential zoning will also be drawing in resources of the Council and it may not be possible to entertain another significant variation in the short term.

Notwithstanding, there is a plethora of information available from the previous variation that could be carried over for the purposes of exploring land use options and this information may only need to be revisited and updated. This would save valuable staff time in 'reinventing the wheel' and avoid repetition.

It may well transpire that the Council could undertake a review of the previous material for Variation 37 and provide possible land use options for the SPFZ land. Some of the land uses are likely to fall into place in the near future, particularly on the Council owned land, therefore making a zoning option easier. This raises the issue of whether the Council looks at more discrete parts of the SPFZ and promote zone changes to these areas, leaving the more complex or undecided areas for later.

At this point in time, it is not known what type of reaction a variation may attract from land owners given that they have already been through the process recently without a result. Any future land use options will need to be discussed from the outset and mutual agreement reached as to what are the likely outcomes in terms of zonings. It would be counterproductive to promote a variation with zonings that landowners do not support. At present there is no pressure from private land owners to promote a change to the SPFZ.

Given the above factors, it may be useful to undertake a round of initial consultation with landowners in the SPFZ and other affected parties to gauge their level of support for possible land use options. It would also be useful to revisit the previous material that was compiled for Variation 37 and to update this where necessary. This would provide the Council with a feel for where the SPFZ may be heading in terms of future zonings.

Staff

Recommendation: That staff report back to the Committee by the end of April 2003 with an update of land use options and consultation with landowners and other affected parties.

Chairman's

Recommendation: That the recommendation above be adopted.