

5. TURNERS AND GROWERS INVESTIGATIONS INTO A POSSIBLE VARIATION

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The purpose of this report is to alert the Committee to the possible need for a variation to the proposed City Plan. The variation would, if approved, alter the zoning of the Turners and Growers site from Business 3 to a zone which would accommodate a significant residential development and a range of other ancillary uses.

BACKGROUND

The Turners and Growers property comprises 1.7546 hectares in the block bounded by Madras, Tuam, Barbadoes and Lichfield Streets (refer to attached map). The property contains a number of buildings of an industrial warehouse nature, with a combined floor area of approximately 10,000m². The site was acquired to meet the objectives outlined in the Central City revitalisation strategy adopted by the Council in February 2001.

The land has been purchased by the Council and processes are underway to establish some form of relationship with the private sector that will lead to redeveloping this site in accordance with the revitalisation objectives of the Central City Mayoral Forum.

A full account of these processes were presented to the Strategy and Finance Committee at its meeting on 16 September 2002.

RESOURCE MANAGEMENT ISSUES

The site is currently zoned Business 3 which provides mainly for light industrial uses and warehousing. Activities such as retailing, offices and residential development are restricted. Therefore, a major residential development can only proceed by way of a resource consent application or a variation to the plan. A variation is the preferred path because:

- (a) A resource consent would require a detailed proposal to be submitted, but such details are not likely to be finalised in the near future because of the processes required to be undertaken in order to engage the private sector for the development of the site;
- (b) A variation provides more flexibility to accommodate a different range of uses, and to make any minor amendments to policies including their explanation and reasons that may be necessary to support the development;
- (c) There would be significant risks as to whether or not a resource consent would succeed in terms of Section 104 and 105 of the RMA because of the obvious conflict with policies for the Business 3 Zone.

For these reasons, the Council resolved to approve the commencement of investigations into the rezoning of this site and adjoining blocks to the south and north.

PRESENT SITUATION

Because of the Council's considerable involvement in the proposed development, a planning consultant has been engaged to undertake the investigations pursuant to Section 32 of the Act. Without attempting to pre-judge the outcome, it is anticipated that this report may confirm that a variation is the most efficient and effective way of promoting the purpose of the RMA, and will come to a view on matters such as whether the variation should cover just the Turners and Growers site or be extended to one or more neighbouring blocks.

It will be the role of this Committee to consider the Section 32 report and determine whether or not a variation should be publicly notified. This is likely to be at its April or May meeting next year.

One of the considerations for the Committee will be the implications of notifying a variation for progressing the City Plan to an operative stage. Provided the variation can be notified as programmed around May 2003, it should not impede the progress of the City Plan becoming operative, as it is likely to catch up with other complex issues such as retail distribution and the airport references. Even in the situation where the process was to become drawn out, this site(s) could be excluded from the operative plan until proceedings have been completed, while other parts of the Plan are made operative in part. There are likely to be a number of sites/topics where this technique could be adopted.

As with Clearwater, this proposal has special circumstances, which are unlikely to be replicated. The issue is of metropolitan significance and generally of wider public interest in terms of potential economic, social and environmental benefits to the City as a whole. Therefore, it should not be seen as setting a precedent for promoting other variations.

A consultation programme has been established and is currently underway. The programme is likely to be almost complete by Christmas with some further consultation work being undertaken in February 2003. The main purpose of this consultation is to obtain the views of immediate parties affected by the concepts being promoted in the variation and ascertain new issues or effects that need to be taken into account.

Chairman's

Recommendation: That the information be received.