

Comprehensive Report

Sherriff Block Concept Plan Consultation

1 Background

The Sherriff Block land was purchased by Council in 2000 from the Sherriff Family. The purpose stated in the sale and purchase agreement was threefold: to provide reserve land for a multi sports field, to provide for an extension to the wastewater treatment and disposal plant and as a possible extension to the Whitianga airfield. The District Plan zoning of the land provides for active recreation and airfield uses.

Since purchasing the land some of the original intended purposes have varied. As a result the Community Board has worked with the community and identified a number of potential future users for the land. These include the Mercury Bay Speedway, two equestrian groups, the Mercury Bay Motocross and concert events.

The land has been leased for grazing purposes since its purchase.

The Council has made a commitment in respect of the provision of a venue for the Whitianga Summer Concert for a period of ten years commencing from the January 2023 event.

In an effort to consider the community needs that have been expressed the Community Board developed a Concept Plan for the future development of the site for the purpose of consulting with the community. The concept plan is **Attachment B**.

The consultation was also on the basis of a number of principles established in the development of the concept plan. These are included in **Attachment C**.

The consultation was on the basis of sending letters to all property owners in the immediate area of the Sherriff Block. This was an area bounded by Moewai Road, State Highway 25 and Racecourse Road. It was also posted to the organisations who had previously expressed an interest in utilising the site for their activities and on the Council web site. A total of 116 letters were sent out. The consultation responses have now been received.

The purpose of this report is for the matter to be formally reported back to the Community Board for full consideration and decisions on the final concept plan.

2 Discussion

In considering the matter the following additional background needs to be borne in mind.

Expressions of Interest

There has been a number of approaches from Community Groups seeking the opportunity to conduct their activities from the land. These are:

- **Mercury Bay Speedway Club.** The speedway group previously operated on a track located on airfield land. This use has ended with the Mercury Bay Aero Club now using the land for the development of new hangers for airfield users. The speedway club have expressed a strong desire to use part of the land for the development of a new track and associated facilities. In developing the concept the area identified where this could be accommodated is on the Infrastructure land currently identified for waste disposal in the event of malfunction at the waste treatment facility. The Speedway Club is anxious to progress the finalisation of an area, completion of a lease and development of a facility. This activity has been considered previously and the Community Board in November 2015 approved in principle the speedway occupying part of the land.
- **Mercury Bay Moto Cross Club.** The Moto Cross Club has approached Council seeking the use of part of the land for a Moto Cross Track. The club does not have a facility and is seeking a base from which to operate a controlled activity to meet an existing need and promote the sport.
- **Equestrian Interests.** Two separate equestrian organisations have expressed an interest in using the site for their activities. These are the Mercury Bay Pony Club and the Mercury Bay Equestrian Academy. Both are seeking an opportunity to hold equestrian events and also to provide a base for their activities and grazing land.

Whitianga Summer Concert

A Licence to Occupy has been entered into by Council with Greenstone Entertainment Ltd to provide a venue on the Sherriff Block land for the Whitianga Summer Concert held annually on Auckland Anniversary weekend, for a period of ten years commencing in January 2023.

Land Use

The purchase agreement for the land provided that it would be used to provide reserve land for a multi sports field, an extension to the wastewater treatment and disposal plant and as a possible extension to the Whitianga airfield. The agreement is subject to the “offer back” provisions of the Public Works Act. Advice has been obtained on this matter which indicates that the act contemplates for public works land to be used for secondary uses without interfering with the public works for which it is held.

The District Plan zoning for 90 Moewai and the adjoining Waste Water disposal area is Airfield, Industrial and Active Recreation. All of these zonings would have an expectation of activities that would generate more noise than a residential area. The surrounding area already has airfield and industrial uses and the noise they generate. The Moewai Road hillside properties are in a rural zone, again a zone that could have the expectation of more noise than residential. It is worth noting that the Airfield subdivision had to build to an acoustic standard due to airfield/state highway noise.

The initial concept plan provided activities that largely fit with the use for which it is was purchased. The use is virtually fully committing the land to active recreation. This may not fully fit with the definition of “reserve land for a multi sports field”. However, it would fit with an active recreation use as provided in the District Plan and it would fit as a “secondary use”.

It should also be noted that to date parts of the land have been committed to uses for the Rescue Helicopter, Scouts, the airfield cross runway and the Whitianga Summer Concert.

Discussions have been held with the Sherriff family and they were agreeable to the uses proposed in the concept plan.

3 Submissions

The report deals with the submissions received in the consultation process.

1) Submissions Received

A total of 56 submissions were received. 21 were from nearby property owners, 10 from the potential user groups (the Aero Club, Scouts and Rescue Helicopter Trust are included in these) and 25 from other interested residents or parties. In percentage terms 26% of the those sent letters directly responded.

These covered a wide range of issues with a significant number of other suggestions also raised. **Attachment D** is an analysis of the submissions received showing the various matters commented on, the numbers supporting or opposing these and the pros and cons submitted for each issue set out under the "Reasons" column. The following is a detailed analysis of the submissions.

The following sections relate to activities that were included as part of the concept plan put out for consultation.

a) General Options

- A. Leave as proposed in the concept.
- B. Leave the site as it is and lease out for farming purposes.
- C. Modify the concept to incorporate some / all of the general suggestions received.

Analysis

15% of the total submission received and 71% of those who made general comments support the concept plan, some with qualifications.

11% of the total received and 29% of those who made general comments were opposed to the concept plan.

A number of those opposed were actually seeking more detailed information, which is not available at this concept plan stage of the process. Concerns were raised such ensuring the users of the site, when developed, will not try to curtail existing uses on surrounding properties, such as the operations of the adjacent airfield.

In assessing options the following sections of this report set out a detailed analysis of the issues / activities that have been commented on separately. Modification to the concept plan may arise in relation to these specific issues but they are not ones that would lead to an abandonment of the whole plan for the future development of the site.

As a result Option C is likely to be implemented from the decisions arising from consideration of the issues raised in the submissions as addressed below.

b) Not A Priority for Funding Options

- A. Leave as proposed in the concept.
- B. Leave the site as it is and lease out for farming purposes.
- C. Modify the concept to incorporate some / all of the general suggestions received.

Analysis

9% of the total submissions received and 100% of those that submitted comment on funding priorities suggest the development of the site is not a priority for Council funding. A total of 5 submissions were received on this.

Suggestions were that improving water supply and other infrastructure, reducing debt, and a covered swimming pool are higher priorities. These suggestions would need to be assessed in conjunction with the following sections of this report, which set out a detailed analysis of the issues / activities that have been commented on separately.

c) Protect Airfield Future

Options

- A. Leave concept plan as is.
- B. Amend the concept to reflect the issues raised that could negatively impact the operation of the airfield.

Analysis

14 submissions supported the concept of ensuring the development of the Sherriff Block does not have any negative affect on the operation of the airfield. There were no submission opposing this view. One of the submissions promoted leaving the land as it is so it could be utilised in the long term future for the expansion and development of the airfield.

Most of the concerns raised to protect the airfield relate to the other issues raised that are dealt with in the following section of this report and have been analysed separately.

As a result Option B is likely to be implemented from the decisions arising from consideration of the issues raised and addressed below.

d) Wetland / Watersports

Options

Three options have been identified for this proposal.

- A. Leave as proposed in the concept.
- B. Remove the wetland / watersports from the concept plan.
- C. Modify the concept to provide for wetland only without the watersports activity and with measures that will minimise the open water component and design the development of the area to reduce birdlife.

Analysis

9% of the total submissions received and 26% of those that submitted comment on the Wetland / Watersports support the proposals in the concept plan.

25% of the total received and 74% of those that submitted comments were opposed to the wetland / Watersports proposals for the land.

It needs to be noted that of the opposing submissions 11 were on the basis that the wetlands would create a safety issue for the airfield operations and 3 were on the basis that a jet sprint activity would create an unacceptable level of noise to nearby residences.

In considering the options, based on the submissions received the issue relating to airfield safety needs to be taken notice of. This is particularly so with the opposition coming from the Aero Club and private submissions from people affiliated with the Aero Club / airfield operation. This means that because option A includes a significant open water area that it would not be appropriate.

Removing the wetland completely is also not an acceptable option because the wetland area exists already and is an essential part of the drainage of the site and also upstream properties.

This leads to the conclusion that option C is the most appropriate and that the concept should be changed to remove the open water sports component and provide for an appropriate area of wetland with measures that will be developed in a way that minimises the attraction of birdlife to the area that may cause a problem to airfield users.

e) Motocross Options

Three options have been identified for this activity;

- A. Proceed with the inclusion of a motocross area in the location shown on the concept plan.
- B. Relocate the motocross facility to the same area as the speedway facility.
- C. Remove the motocross facility from the plan.
- D. Proceed with the inclusion of the Motocross area in the location shown on the concept plan on the following basis:
 - That it operate for a maximum of four hours on only one day (Saturday or Sunday) per weekend year round except.
 - That it be permitted to operate for eight hours on one day (Saturday or Sunday) per month for the months of October through to April.

Analysis

11% of the total supported the motocross and 19% of those who raised this issue supported it. In addition 9% of the total submissions and 16% of those that submitted on the motocross issue proposed that it be located on the same site as the speedway rather than the area shown on the proposed concept plan.

38% of the total submissions received and 65% of those that submitted on the motocross issue oppose the motocross being permitted on the area.

Various reasons for the opposition and support have been put forward.

There is strong opposition from the owners and residents of properties located in the areas closest to the land for a significant variety of reasons. This is expressed strongly in the submissions to the extent that it is likely there would be further action taken by the opponents if the proposal were progressed in the current location. Also, the Aero Club, and a number of private submissions indicating an affiliation with the aero club, have expressed concern that the activity would impinge on the safe operation of the airfield because of the dust, proximity to the cross runway landing and take of path and the potential distraction it would cause for pilots.

There is also strong support for the motocross with an expectation that the motocross activity will be included in the uses permitted on the area.

There is also the suggestion from a number of submitters that the activity would be better placed in the same area proposed for the speedway facility. This suggestion is not supported by a number of submitters with residences fronting on to Moewai Road.

A number of submitters suggest the activity should be located in a rural area well away from residential properties, but the Motocross Group have previously indicated that they have explored this option and not been able to locate a suitable property. There is no Council land that would fit this criteria.

It is clear that there is a demand for the motocross activity and that there is a very motivated group that would develop and operate a high quality and very successful venue at this site. However, it is also clear that it is considered by many submitters to be an activity that would generate unacceptable and persistent levels of noise over weekend and evening periods on a year round basis and that this would be intolerable to the quiet enjoyment of the nearby residential properties. There does not appear to be any viable mitigation options to protect residences from the noise factor that would satisfy the property owners / residents.

It is worth noting that the District Plan zoning for 90 Moewai and the adjoining Waste Water disposal area is Airfield, Industrial and Active Recreation. These zonings would have an expectation of activities that would generate more noise than a residential area. The surrounding area already has airfield and industrial uses and the noise they generate. The Moewai Road hillside properties are in a rural zone which could have the expectation of more noise than residential. It is also worth noting that the Airfield subdivision had to build to an acoustic standard due to airfield/state highway noise.

The only possible compromise that has been identified is to allow limited operation on the basis that it operate for a maximum of four hours on only one day (Saturday or Sunday) per weekend for practices and eight hours on one day (Saturday or Sunday) per month for the months of October through to April for club events. Also using only electric bikes is a possibility that could develop in the future, but this is not considered to be an immediate mitigating factor, though it could become viable in the future.

f) Speedway Options

- A. Proceed with the inclusion of a speedway area in the location shown on the concept plan.
- B. Proceed with the inclusion of a speedway area in the location shown on the concept plan on the basis that it operate only on a small number of weekends annually during daylight hours in the same manner as it has historically.
- C. Retain the speedway in the location shown on the concept plan and relocate the motocross facility to the same area.
- D. Remove the speedway facility from the plan.

Analysis

13% of the total submissions received and 39% of those that submitted comment on the Speedway support the proposals in the concept plan.

20% of the total received and 61% of those that submitted comments were opposed to the speedway proposals for the land.

It also needs to be noted that in respect to the motocross proposals 9% of the total submissions and 16% of those that submitted on the motocross issue proposed that it be located on the same site as the speedway rather than the area shown on the proposed concept plan.

There is significant opposition to the provision of a speedway facility on the land. However, this is not as marked as for the motocross. 11 opposing submissions were received compared to 21 for the motocross. The submitters with the greatest concern are two residences on Moewai Road which would be closest to the proposed location of the speedway. There are also others in the proximity of the site who are concerned with the noise and dust.

There is also support for the speedway some of which is qualified with suggestions that the events per annum be capped, be held only on weekends during daylight hours and that adequate parking and traffic management be provided.

The history of the speedway facility having been on airfield land immediately adjacent to the Sherriff Block land is also a factor to consider.

Given that the speedway has been an established use in the general area in the past and historically has operated on a small number of weekends during daylight hours, it may be tenable for it to continue to be included in the concept plan on the basis that its operations would continue in the same manner as it has historically. This commitment is in line with the submission made by the Speedway Association as part of this consultation.

g) Equestrian Options

- A. Provide for equestrian activities as a general use for events and one off activities without dedicated space or facilities.
- B. Provide a dedicated space for permanent equestrian facilities
- C. Provide for equestrian activities as a general use for events and one off activities without dedicated space or facilities, but with bridle trails running parallel to the walkways proposed and appropriate parking space.

Analysis

16% of the total submissions received and 53% of those that submitted comment on the Equestrian activity support the proposals in the concept plan.

14% of the total received and 47% of those that submitted comments were opposed to the Equestrian activity for the land.

There are two organised equestrian groups active in the area. One of these is seeking a permanent dedicated area to operate from while the other (which currently has a dedicated facility elsewhere) is seeking use of the space for events and organised activities only.

The main issue with those opposing the activity related to noise from airfield operations and motocross and speedway events upsetting the horses. These submissions have emanated principally from those seeking to protect the operation of the airfield. Those supporting the inclusion of equestrian activities have come principally from those involved in the activity with the knowledge that the concept has the noisy activities identified. From this it is assumed that they do not see the surrounding noise as an issue for the activity.

One of the aims of the concept was for the bulk of the land to be utilised as a large multi purpose area with two distinctive parts. One part being a flat land area for events and activities and the other part being a larger area with an amphitheatre area where events and activities could provide an elevated view for attendees. It was not intended that these areas be dedicated to any one particular activity. If this principle is to be retained it is difficult to see how a dedicated area could be provided for equestrian activities.

One of the suggestions that has arisen is the provision of a bridle trail around the perimeter of the site alongside the walkways proposed. This could have merit and be worth investigating for inclusion in an updated concept.

Overall taking all factors into account Option C is the one that is most likely achievable given the submissions received and the overall objectives of the previous Community Board direction on the future development of the site.

h) Concert Options

- A. Continue with the existing commitment to provide a concert venue for the annual Whitianga Summer concert only.
- B. Continue with the existing commitment to provide a concert venue for the annual Whitianga Summer concert and allow others within the parameters of the contractual agreement with the summer concert promoter.

Analysis

13% of the total submissions received and 78% of those that submitted comment on the Concert activity support the proposals in the concept plan.

4% of the total received and 22% of those that submitted comments were opposed to the Concert activity for the land.

A legally binding agreement is in place with the promoter of the Annual Whitianga Summer concert which must be complied with. This relates to a specific part of the site, which is the Stage 1 Multi Purpose Area.

There is provision for other events to be held, including some music events, which could be curtailed if it was considered the site should not be used for further music events.

Given the low level of opposition to the use of the site for concert events it is likely that Option B would be an acceptable solution.

i) Walkways Options

- A. Retain the proposed walkways in the concept plan.
- B. Remove the walkways from the concept plan.

Analysis

9% of the total submissions received and 100% of those that submitted comment on the provision of walkways support the proposals in the concept plan. There were no submissions opposing the walkways.

This activity attracted a very low response. It could be assumed from this and the fact that all of those who did respond were in favour of the walkways that they should be retained in accord with the concept plan and as per Option A.

The following sections relate to activities that were not included as part of the concept plan put out for consultation.

j) Bike Facilities Options

- A. Provide for bike facilities on the site.
- B. Not provide for bike facilities on the site.
- C. Not provide for bike facilities on the site, but include the use of the walkways as cycleways with a link to the Moewai Road bike park.

Analysis

7% of the total submissions received and 100% of those that submitted comment on the provision of bike facilities support the addition of them to the concept plan. A total of only 4 submissions were received on the subject. Three of these promoted a link from the site to the existing bike park on the other side of Moewai Road. The other proposed the establishment of a BMX track on the site. With a substantial bike park facility already in existence providing for the need it is not considered appropriate for a further facility to be provided for the same demand and which could have the outcome of undermining the existing facility. The possibility of the proposed walkways on the Sherriff Block site doubling as cycleways and linking to the existing bike park could be further investigated when the detail of the development is considered.

k) Parking

Options

- A. Provide parking space for the regular users of the site.
- B. Not provide parking for the regular users of the site

Analysis

5% of the total submissions received and 100% of those that submitted comment on the provision of parking facilities support the addition of them to the concept plan. A total of only 3 submission were received on the subject.

The submissions raise a valid point in that the concept plan does not show permanent parking provision for the regular users of the site. Parking space is shown for the speedway facility proposed. This area plus a more significant area around it could be provided for car parking, which would have access from the end of the road shown in the concept plan.

Provision of car parking for larger irregular events e.g. the summer concert, would not be practical to provide within the land area. Instead this would need to be provided off site by the organisers of such events.

l) Dog Exercise Area

Options

- A. Include an off lead dog exercise area.
- B. Include a dedicated dog exercise, agility event area.
- C. Not make any specific provision for dog exercise.
- D. Include an off lead dog exercise area and space for the installation of a limited number of publicly available dog exercise / agility equipment.

Analysis

13% of the total submissions received and 100% of those that submitted comment on the provision of dog exercise / agility area support the proposals. A total of 7 submissions were received.

4 of the submissions suggested an off lead area only while 3 suggested a fenced off dog exercise and agility area with equipment for activities and events.

As with the equestrian proposal one of the aims of the concept was for the bulk of the land to be utilised as a large multi purpose area with two distinctive parts. One part being a flat land area for events and activities and the other part being a larger area with an amphitheatre area where events and activities could provide an elevated view for attendees. It was not intended that these areas be dedicated to any one particular activity. If this principle is to be retained it is difficult to see how a dedicated area could be provided for a dog exercise area.

However, the provision of an off lead area, which could be of a significant size, along with a limited range of dog exercise / agility equipment on part of the site, would most likely be feasible. This would align with Option D above. There would also be the opportunity for dogs to be exercised on the walkways proposed.

m) Build Road at the North End of the Site

Options

- A. Work with the adjoining property owner to investigate options for the building of a road on the north end of the site.
- B. Not pursue the building of a road at the north end of the site.

Analysis

2% of the total submissions received and 100% of those that submitted comment on the building of a road at the north end of the site support the addition of it to the concept plan. A total of only 2 submissions were received on the subject.

The development of a road at the north end of the site would be desirable but is not essential to the implementation of the concept. Access is proposed from Dakota Drive along the western boundary of the site and could also be achieved from Moewai Road via the area shown as speedway. The development of a road, which would potentially eventually link to Racecourse Road, would be more likely pursued when the adjoining land is ready for development. The adjoining land owner has indicated a willingness to enter into discussion on this. This is something that should be kept in mind but is not necessary for inclusion as part of the concept plan for the site.

n) Stormwater Drain

Options

- A. Retain the stormwater drain in the location shown on the concept plan.
- B. Relocate the stormwater drain to the western side of the site.

Analysis

Only 1 submission has proposed the relocation of the stormwater drain to the other side of the site from that shown on the concept plan. The location shown has been identified by the engineers who have assisted with the preparation of the concept as the most appropriate location for the capture and disposal of stormwater from the site. When detailed planning and design is undertaken this would no doubt be addressed at that time to ensure it is appropriate. It is not proposed that the concept be changed at this stage of the process.

o) Name

Options

- A. Name the area after the original owner of the land Kara Sherriff
- B. Consider other names for the area.

Analysis

In the preparation of the concept plan for consultation discussions were held with the Sherriff family on the long term use of the site. As part of these discussions the name of the area was discussed and it was agreed informally that naming after Mrs Kara Sherriff would be very appropriate for the site. This will have to be decided formally at a later stage of the development.

The following sets out the conclusions reached from the submissions received and the analysis of them with the final recommendations proposed for the Sherriff Block Concept Plan.

1. **General** - Modify the concept to incorporate some / all of the general suggestions received as set out in the following sections of this report.
2. **Not A Priority for Funding** - Modify the concept to incorporate some / all of the general suggestions received as set out in the following sections of this report.
3. **Protect Airfield Future** - Amend the concept to reflect the issues raised that could negatively impact the operation of the airfield.
4. **Wetland / Watersports** - Modify the concept to provide for wetland only without the watersports activity and with measures that will minimise the open water component and design the development of the area to reduce birdlife.
5. **Motocross** – Proceed with the inclusion of the Motocross area in the location shown on the concept plan on the following basis:
 - That it operate for a maximum of four hours on only one day (Saturday or Sunday) per weekend year round, except;
 - That it be permitted to operate for eight hours on one day (Saturday or Sunday) per month for the months of October through to April.
6. **Speedway** - Proceed with the inclusion of a speedway area in the location shown on the concept plan on the basis that it operate only on a small number of weekends annually during daylight hours in the same manner as it has historically.
7. **Equestrian** - Provide for equestrian activities as a general use for events and one off activities without dedicated space or facilities, but with bridle trails running parallel to the walkways proposed and appropriate parking space.
8. **Concert** - Continue with the existing commitment to provide a concert venue for the annual Whitianga Summer concert and allow others within the parameters of the contractual agreement with the summer concert promoter.
9. **Walkways** - Retain the proposed walkways in the concept plan.
10. **Bike Facilities** - Not provide for bike facilities on the site, but include the use of the walkways as cycleways with a link to the Moewai Road bike park.
11. **Parking** - Provide parking space for the regular users of the site.
12. **Dog Exercise Area** - Include an off lead dog exercise area and space for the installation of a limited number of publicly available dog exercise / agility equipment.
13. **Build Road at the North End of the Site** - Not pursue the building of a road at the north end of the site.
14. **Stormwater Drain** - Retain the stormwater drain in the location shown on the concept plan.
15. **Name** - Name the area after the original owner of the land Kara Sherriff.