
ORDINARY MEETING

OF

ENVIRONMENT COMMITTEE

LATE AGENDA

Time: 09:15 am
Date: Thursday, 1 September 2016
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

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3. Operational

DECISION ON OBJECTION TO GRANT AN ACCESS LICENCE OVER WELLINGTON TOWN BELT TO WELLINGTON EAST GIRLS COLLEGE

Purpose

1. To report to the Committee on two submissions (one in support, one opposed) regarding a proposed access licence over Wellington Town Belt (WTB) for Wellington East Girls College (WEGC).
2. To recommend that the Committee decides whether or not to uphold the objection.

Summary

3. At its meeting held 4 August 2016, Committee resolved to grant an access licence to WEGC, subject to the outcome of public consultation.
4. Since then, two written submissions were received.
5. The Mt Victoria Residents Association (MVRA) objects to the proposal but concludes that if Council decides to grant the licence then certain conditions should be met.
6. The second submission is from an Ellice Street resident supporting the WEGC application. It also suggests a number of conditions to be attached to the licence.
7. Officers recommend that the Committee does not uphold the MVRA objection. Officers further recommend that a number of the proposed conditions are incorporated in the proposed licence.

Recommendations

That the Environment Committee:

1. Receives the information.
2. Agrees not to uphold the objection from the Mt Victoria Residents Association.
3. Agrees to grant a licence to Wellington East Girls College under section 17 of the Wellington Town Belt Act 2016 for access purposes.

Background

8. On 4 August 2016 the Committee resolved to:

“Agrees to grant a new fixed term access licence to Wellington East Girls College under section 17 of the Wellington Town Belt Act 2016 (subject to the usual terms and conditions noted below).”

Notes that any approval to grant the licence (referred to above) is conditional on:

- (a) Appropriate iwi consultation*
- (b) Public notification under section 16 Wellington Town Belt Act 2016*

- (c) *No sustained objections resulting from the above consultation and notification; and*
- (d) *Legal and advertising costs being met by the respective licensee along with driveway upgrade and necessary tree pruning to make safe and signage”*

9. Subsequently, consultation has taken place. This included a public notice in the Dompost, letters to residents in upper Ellice Street and signs on site near Ellice Street Quarry.
10. Both local iwi have been consulted and they support the licence application.

Discussion

11. There were two submissions received as a result of the consultation letters (refer to the two attachments of these). A summary and response to each submission and response is shown in the table below.

Issue raised (MVRA Submission)	Response
<p>A proposal to use it for private purposes is at odds with the Wellington Town Belt Act 2016. A license for use should not be granted without public consultation, if at all.</p>	<p>Provisions of the Act The Council can grant a licence under section 17 of the Wellington Town Belt Act. Temporary access is also listed as a managed activity under 9.4.4 in the Wellington Town Belt Management Plan that requires an approval in the form of a permit and/or licence.</p> <p>Public Consultation The school hosted a public information evening that was advertised in the Mt Victoria Newsletter. In addition letters were posted to every house in upper Ellice Street. Four members of the public attended. A public notice was placed in the Dompost seeking submissions during 5th to 22nd August. Followup letters were again sent to all residents of upper Ellice Street. Signs were placed on Town Belt near the dog exercise area. The Friends of Wellington Town Belt were verbally consulted and did not oppose the application (no formal submission was received from the Friends).</p>
<p>Enabling use of the Town Belt to facilitate private car parking is not in the interests of public recreation usage and neither does it offer any significant advantages to Wellington that would justify a temporary permit.</p>	<p>The proposal will not constrain existing public usage of the areas subject to controls being put in place. Accept that it does not provide any benefits to the Town Belt.</p>
<p>MVRA does not agree that local residents including tourist visitors should face a decrease in their safety by transferring car traffic to Town Belt land.</p>	<p>The access licence will be subject to a range of conditions including speed limitations, warning signage and so on.</p>
<p>Other safety issues include the additional traffic in a dead end street that already faces</p>	<p>Ellice Street is a public road and all users must adhere to road rules.</p>

congestion at certain times of the day.	
MVRA disputes the Report reference to “no safe alternative routes”. The current driveway (internal road) through the College (described as having a hairpin bend) is already used by staff with little difficulty (from observation and talking with staff who use it).	The College driveway is temporarily being used by contractors. The proposed access licence seeks to separate conflicting users.
This report does not refer to consideration of other alternatives for the staff parking such as using the existing road through the school or assisting staff to park elsewhere like Wellington (Boys’) College or through subsidies for other parking or public transport.	Alternative parking sites on the school grounds are being used to the maximum extent possible. As the construction works roll out over the life of the building projects, various areas currently available for use as parking will be required for construction.
The operational times referred to in the application for length of use and for daily trips do not match the information that local residents were told at a meeting with officials on 27 July, nor are they a reliable guide to what is likely to be practical given local circumstances.	Usage times will be worked out with the school reflecting reasonable start and finish times during the school day. This will generally be limited to Monday - Friday during term times. The school will arrange for the gate to be locked at other times. The school has an onsite caretaker who will be responsible for this.
There are indications that WEGC is preparing not only to prune the Hector’s pine trees adjacent to the track but may also clear-fell any trees right by the track.	Any pruning of the trees will be carried out by the Council. No trees will be removed as a result of this licence.
MVRA has received differing comments from Council staff on aspects of the proposal and of management of Town Belt that appears to indicate less than ideal communication between parts of Council.	The fencing repair proposed will take place as part of the ongoing maintenance of this area. The large digger and fencing in the dog exercise area will be removed shortly and the area rehabilitated.
Under Section 24 of the Wellington Town Belt Act 2016, no part of the Town Belt is designated as road. An application to use part of the Town Belt as a road for access for private cars is not a minor issue and should not be dealt with by means of license application or non-notified amendment to the Town Belt Management Plan.	The wording in the report identifies it as a road but recognises that it is a sealed access way through Town Belt and not a legal road.
Issues raised (Tony Frost submission)	Response
Gate (at Ellice Street entrance to Town Belt) is to be locked at the end of each day and over the weekends.	The gate will be locked at the end of each day and at weekends by the College.
Reinstatement of the sump at the Ellice Street entrance to the Town.	This work will be carried out as part of ongoing maintenance of the area. The work is quite involved so may take a little time to complete. This work will be carried out and funded by the council.
Reinstatement of the paved area in the Town Belt between Ellice Street and the old Quarry site.	This will be carried out and funded by the Council at the same time as the work is carried out on the main access route.
Speed control at the Ellice St entrance to the Town Belt	All school users will be briefed on the need to drive through slowly at around 10km /hr.

Recommend a speed bump, signage, and regularly mown lawns.	There is no need for a speed bump. The lawns will be regularly mown to ensure the public can get off the road if cars are using the access way.
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12. The MVRA objects to the use of the Wellington Town Belt but concludes that if Council grants the access licence, then specific conditions should be included.
13. Officers will arrange for those conditions to be satisfied in granting the access licence as safety of all members of the public is a priority.

Options

14. To either uphold the objections or not which will then determine whether or not the licence is granted to WEGC.

Next Actions

15. Officers recommend that the fixed term access licence be granted to WEGC with conditions attached regarding public safety.

Attachments

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|---------------|--|---------|
| Attachment 1. | Submission/Objection from Mt Victoria Residents Association | Page 8 |
| Attachment 2. | Submission from T & M Frost | Page 16 |
| Attachment 3. | Aerial of the proposed access licence area over WTB driveway to WEGC | Page 19 |

Authors	John Vriens, Senior Property Advisor Amber Bill, Open Space and Spec Parks Manager Michael Oates, Open Space and Recreation Planning Manager
Authoriser	Tracy Morrah, Property Services Manager Paul Andrews, Manager Parks, Sport and Recreation Greg Orchard, Chief Operating Officer

SUPPORTING INFORMATION

Engagement and Consultation

Discussed in the report and full public consultation was undertaken between 5 and 22 August 2016.

Treaty of Waitangi considerations

There are no Treaty of Waitangi considerations.

Financial implications

The applicant is to pay legal and advertising costs and resealing required to the driveway, making safe pine trees above the drive and signage as required by PSR.

Policy and legislative implications

The requirements of of WTB Act 2016 and the Management Plan 2013 will be adhered to.

Risks / legal

The licence will be prepared by Council's solicitors and be in accordance with the WTB Act and Plan.

Climate Change impact and considerations

There are no climate change considerations.

Communications Plan

Signage on site will advise of the increased use of the driveway and the times this will occur. All users of the driveway will also be briefed on user expectations and safety.

Health and Safety Impact considered

The WTB driveway is to be resealed where required and hectors above the drive are to be pruned and tidied by arborists to make them safe. Extra signage will be installed to promote safe use of the driveway and re direction of bike/foot tracks to safer exit/entry points on the drive.

Mt Victoria Residents' Association
PO Box 19-056
Courtenay Place
WELLINGTON 6169

Contact Craig Palmer
President
Phone 04 385 0366

Email mtvicra@gmail.com

Kay Jones
Committee Member
Phone 04 385-3911

Submission to john.vriens@wcc.govt.nz

Re License Application to Wellington City Council for Access to Town Belt at Ellice Street

1 The Mt Victoria Residents' Association (MVRA) is writing in opposition to the proposal that Wellington City Council issue an access license for private car use through the Wellington Town Belt at the top of Ellice Street, Mount Victoria to Wellington East Girls' College. The Wellington Town Belt has importance as both a local and national heritage area of our capital city. A proposal to use it for private purposes is at odds with the Wellington Town Belt Act 2016. A license for use should not be granted without public consultation, if at all.

2 The Mt Victoria Residents' Association Inc. is an active advocate on behalf of the Mt Victoria community, aiming to further the interests of our neighbourhood with local and central government. The Mt Victoria part of the Town Belt is a significant asset for residents in this otherwise densely populated urban area. We value being able to easily access the park, particularly for walking, and there is a significant minority of people who enjoy walking their dogs in our park. There are also people who enjoy mountain biking here. In addition to local residents visiting the town belt, there are tourist visitors who are drawn to sites featured in the Lord of the Rings films. These locations include the Ellice Street quarry (also used as a dog exercise park) and the nearby track area above the quarry.

3 MVRA has previously submitted against use of the Town Belt as a thoroughfare as being contrary to the intent of the Town Belt Act (and previous Deed) and against its peaceful recreation uses by local residents and visitors, the majority of whom are pedestrians, including the young and old. In the MVRA submission on the Wellington Town Belt Bill, we supported preserving the Town Belt as public open recreational space and warned against measures that may risk commercial exploitation of the land. Enabling use of the Town Belt to facilitate private car parking is not in the interests of public recreation usage and neither does it offer any significant advantages to Wellington that would justify a temporary permit.

Safety Considerations

4 MVRA notes that the proposal is described as improving safety for WEGC students by reducing shared use of an internal driveway and moving the cars' access to parking off school premises. We hope that all WEGC staff drive in a safe manner so that there should be minimal risk to students. MVRA does not agree that local residents including tourist visitors should face a decrease in their safety by transferring car traffic to Town Belt land. In the controlled environment of the college's own grounds there are alternative ways to ensure safe driving.

5 There are visitors unfamiliar with the area including tour parties and guides visiting Lord of the Rings location sites the Ellice Street quarry as a Lord of the Rings film location site. The Ellice Street quarry is also an off leash dog exercise area. Mountain-bikers occasionally travel at speed down a track that cuts across the proposed access route. Council reassurances that the dog exercise area is not threatened by the proposal would be empty if dog owners cannot use the space because of risk of cars running over a dog that for example, chases after a ball. Even if there was signposting of the risk of cars this would not be sufficient warning to children, dogs, cyclists and tourists.

6 Other safety issues include the additional traffic in a dead end street that already faces congestion at certain times of the day. In addition to school buses parking in Ellice street and Austin Street, there are additional cars of parents collecting or dropping off students, trucks collecting rubbish and recycling, trucks and vans from renovation and construction projects in the street, and cars belonging to residents, with delays already occurring during the peak 8am to 9am, and 3.30pm to 4.30pm periods. In addition to delays there have been more accidents in recent times including a truck related accident putting a tradesman in hospital with serious crush injuries.

Alternatives

7 MVRA disputes the Report reference to “*no safe alternative routes*”. The current driveway (internal road) through the College (described as having a hairpin bend) is already used by staff with little difficulty (from observation and talking with staff who use it). It is more suited to car traffic than the narrower service lane on the Town Belt. The land is already owned by the College and does not have significant other uses.

8 This report does not refer to consideration of other *alternatives for the staff parking* such as using the existing road through the school or assisting staff to park elsewhere like Wellington (Boys’) College or through subsidies for other parking or public transport. College representatives have told local residents that their construction plans including building a path to make access to Wellington College has met with their approval. If such a path is constructed, then shared use of the car parks at Wellington College could also be negotiated.

9 MVRA also fails to see why the College is obliged to provide parking for able bodied staff working at a centrally located site close to public transport options. The College has said that it encourages carpooling but more active assistance to minimise car use or the need to provide car parking could also be explored. This would be healthier for the planet and for the staff and would set a better example for the students.

Time Periods Specified in the Application

10 The operational times referred to in the application for length of use and for daily trips do not match the information that local residents were told at a meeting with officials on 27 July, nor are they a reliable guide to what is likely to be practical given local circumstances.

- (a) The Applicant (Wellington East Girls College) proposes to enable approximately 30 or more privately owned cars to drive over Town Belt land each morning and afternoon of the school week for the period of school building construction period. The access sought is described as “*only during school hours*” but in practice the time would need to be earlier than school opening time, and later than school closing time. Each staff member driving away from the College would need to wait until classes had ended for the day. In addition, since the proposed access would be by a narrow one way lane with a designated speed limit (as proposed by residents at a meeting on 27 July and agreed to by the College) the progress would be slow over the course

of the Ellice Street, and further delayed by the existing congestion in Ellice Street with school buses and parents collecting students. Local residents near the College already experience delays in use of private vehicles, the addition of an estimated 30 more cars over a 30 minute period two times a day would more than a minor inconvenience. A speed limit wasn't specified in relation to the narrow access way but if permitted, could be similar to other pedestrian shared spaces where the limit is 10km per hour.

- (b) The term proposed in the license application is described as the next two years during building construction work at the College. At a public meeting on 27 July, Ministry of Education staff and project representatives agreed that the construction project is anticipated to commence in 2016 and continue through 2019 and that a final construction date cannot be confirmed. When asked if this meant the project could take four years, officials agreed that it might take that long. Any large building project may encounter delays. This anticipated period is much longer than the application description of "*approximately 2 years*" and the "*temporary license*" proposed.

Use of Access Route and Parking

11 The application specifies that this license would only be for teachers to access the 'top fields' car park where temporary classes are located, during school hours and school term. The meeting with local residents and officials on 27 July also excluded the access lane being used for trucks. Yet trucks used the access lane during December 2015 and January 2016, and again from 10th August to 16th August. The August 2016 truck trips were justified as being covered by a previous approval (council permit) for temporary truck movements.

12 MVRA is concerned that increased truck use could result from easier access, and wants greater surety that this would not happen. We would like to know if the permit used for August 2016 movements is the same permit that issued in 2014 for deconstruction work, and when the permit is due to expire.

Environment Committee Report 4 August 2016

13 The WCC Environment Committee Report of 4 August 2016 refers to deconstruction of buildings in school grounds as causing safety concerns for students and teachers. The Committee inaccurately refers to use of an "*existing driveway*" and to "*formed road*" in describing the proposed Town Belt route for cars. As is explicitly stated in the Wellington Town Belt Act 2016, the town belt (including the service lane) is not a road under the Local Government Act 1974 or the Public Works Act 1981. In the Council's capacity as administrator and trustee of Town Belt, it has the responsibility to ensure the land is managed in accordance with the Town Belt Deed and the Reserves Act 1977, (and the successor Wellington Town Belt Act 2016). That does not include private uses of the Town Belt for the convenience of one party as described in this application.

14 The Environment Committee report refers to the requirement for public consultation as required under the Wellington Town Belt Act 2016 and the Wellington Town belt Management Plan 2013. MVRA agrees with this requirement. Further since this is a significant variance from standard practice in the proposal to permit private use of the Town Belt, MVRA seeks that the public consultation be well publicised and opportunities for input and consideration given. Unlike the previous use of the Ellice Street quarry as a film location, this proposed use of the town belt to facilitate private parking offers no economic gains to Wellington.

15 MVRA notes that there are discrepancies in the Environment Committee Report which do not reflect the legal and physical situation of the Town Belt area and the WEGC area. MVRA recommends that Councillors and staff visit the area to gain a better understanding of the proposal.

Trees

16 There are indications that WEGC is preparing not only to prune the Hector's pine trees adjacent to the track but may also clear-fell any trees right by the track. Some pruning may be needed for general maintenance but any decision on clear-felling should be made in the interests of the park as green recreation space and not for private car access. The Mt Victoria Historical Society submitted in respect of the Mt Victoria/Matairangi Master Plan in support of the long-term retention of the historic pine trees behind Ellice Street. These trees were part of a group during the Depression of the 1930s on Mt Victoria and have historic significance.

Town Belt Oversight Issues

17 MVRA has received differing comments from Council staff on aspects of the proposal and of management of Town Belt that appears to indicate less than ideal communication between parts of Council. For example, at the meeting on 27 July with Council representatives and some local residents, an undertaking was made to repair damage to log fencing at the Ellice Street Quarry (dog exercise area). As at 20 August no progress on the repairs had been made. The lack of follow-up action is disappointing. There has also in the last week been a start on other maintenance work including use of a bulldozer and installation of temporary fencing at the Ellice Street quarry which was not advised to locals nor? to Town Belt oversight staff at the Council. MVRA wishes to ensure that the Town Belt management doesn't suffer from communication issues and wants to see clear adherence to requirements and follow-up on verbal assurances.

18 Under Section 24 of the Wellington Town Belt Act 2016, no part of the Town Belt is designated as road. An application to use part of the Town Belt as a road for access for private cars is not a minor issue and should not be dealt with by means of license application or non-notified amendment to the Town Belt Management Plan. The limited discussion with some local residents is not adequate consultation with the wider community on an application for private use of the Town Belt.

Inaccuracies in License Application

19 In relation to the specific license application, MVRA notes a number of inaccuracies in the license application itself, incorrect assumptions, and matters that are at odds with the relevant legislation governing use of the town belt. Relevant clauses are included in Appendix 1.

20 The proposed access to Wellington East Girls' College (WEGC) would consist of two parts of thoroughfare after leaving Ellice Street:

- (a) Part A - the service access lane immediately adjoining Ellice Street which is used by Wellington City Council vehicles on an occasional basis for gardening related activities and other maintenance tasks. The access lane is not an authorised driveway and stops near the Ellice Street quarry and dog exercise park. The access lane was tarsealed some years ago following the temporary use of the quarry area as a location for Lord of the Rings filming. Restoration and improvement of the area was a requirement of the temporary use permit. The service lane is neither a formed driveway nor a legal road;

(b) Part B - the uneven narrow track from the quarry area that runs toward the College's upper sport's field. This track would need work before it could be suitable for private car use. Trucks occasionally use it under a temporary permit.

21 Neither Part A the service lane nor Part B the track, are formed driveway nor road as described. The route described in the map through the College as an internal road, is a sealed drive that is broader and more accessible than the service lane off Ellice Street or the track to the sports field.

Conclusion

22 Mt Victoria Residents' Association believes there needs to be full public consultation on this proposal to issue an access license to Wellington East Girls' College for private parking. There are a range of practical and principled reasons why MVRA opposes the license application including safety concerns, insufficient consideration of alternatives, and legal precedent of issuing a license to use the Town Belt for private purposes.

23 If the application for a license for access proceeds, MVRA would seek to have specific conditions regarding speed, signage, gate control, system of registering and identifying users, and information for users included and would specify these.

Appendix 1 Relevant Provisions

Wellington Town Belt Act 2016

4 Principles

- (1) **In performing its role as trustee of the Wellington Town Belt, the Council must**
- (a) recognise and provide for the protection and enhancement of the Wellington Town Belt for future generations; and**
 - (b) have particular regard to the following principles:**
 - (i) the Wellington Town Belt should be managed in partnership with mana whenua;**
 - (ii) the landscape character of the Wellington Town Belt should be protected and enhanced, including by recognising that it was the New Zealand Company's intention that the original Town Belt not be built on;**
 - (iii) the Wellington Town Belt should support healthy indigenous ecosystems;**
 - (iv) the Wellington Town Belt should be accessible to all and for all to enjoy;**
 - (v) the Wellington Town Belt should be available for a wide range of recreational activities;**
 - (vi) community participation in the management of the Wellington Town Belt should be encouraged and supported;**
 - (vii) the historic and cultural heritage of the Wellington Town Belt should be recognised and protected.**

10 Public access

- (1) **Members of the public are entitled to freedom of entry and access to the Wellington Town Belt, subject to**
- (a) subsections (2) to (4); and**
 - (b) section 13(3); and**
 - (c) any temporary conditions and restrictions that the Council considers necessary for the protection of the Wellington Town Belt or the safety of the public.**
- (2) **No business activity may be undertaken on the Wellington Town Belt (irrespective of any easement, lease, or licence) unless authorised under sections 18 to 20.**
- (3) The Council may impose reasonable charges for the use of facilities on the Wellington Town Belt that are provided by the Council.
- (4) A lessee or licensee in respect of any facility, structure, site, or place on the Wellington Town Belt may, to the extent provided by the relevant lease or licence, restrict access to it and impose a reasonable charge for its use.

Note: *public services* includes electricity, telecommunications, water, wastewater, and stormwater services only.

11 Management plan

- (1) The Council must adopt a management plan for the Wellington Town Belt.
- (2) In exercising its powers with respect to the Wellington Town Belt, the Council must comply with the management plan.
- (3) The Council must review the management plan at intervals of not more than 10 years and, as appropriate, replace or amend it by passing a resolution adopting a new plan or amendments to the current plan.
- (4) Any new plan or amendments to the current plan must be prepared in draft, and the Council must
 - (a) make the draft publicly available for inspection; and
 - (b) invite the public to make submissions on the draft; and

- (c) give every submitter who asks to be heard a reasonable opportunity to appear in support of the submitter's submission; and
- (d) take into account all submissions made on the draft.
- (5) The Council may, without complying with subsection (4), amend the management plan, if it passes a resolution that
 - (a) the proposed amendments are minor or technical in nature; and
 - (b) compliance with subsection (4) is unnecessary.

14 Restrictions on Council's powers

Despite section 13, **the Council has no power to—**

- (a) sell, exchange, or use as security any part of the Wellington Town Belt; or
- (b) **grant any easement, lease, or licence in respect of the Wellington Town Belt other than in accordance with section 17, 19, or 20; or**
- (c) **authorise any business activity on the Wellington Town Belt other than in accordance with sections 18 to 20.**

18 Business activities

- (1) **The Council must not authorise a business activity (including under an easement, lease, or licence) on the Wellington Town Belt unless**
 - (a) **the activity is temporary, and any effect of the activity on the Wellington Town Belt and the public will be no more than minor; or**
- (2) **Before authorising a business activity, the Council must make information about the proposed business activity publicly available.**

24 Wellington Town Belt (is) not reserve or road

- (1) On and from the commencement of this Act, the Wellington Town Belt
 - (a) is not reserve under the Reserves Act 1977; and
 - (b) any status the Wellington Town Belt had as reserve is revoked.
- (2) On and from the commencement of this Act, the Wellington Town Belt
 - (a) is not road under the Local Government Act 1974 or the Public Works Act 1981; and
 - (b) any status the Wellington Town Belt had as road is stopped.

Reference to Wellington Town Belt Management Plan (2013)

1.3.3 Road reserve that adjoins Town Belt land managed under this management plan will be managed in a consistent manner with the objectives and policies of this plan.

The Wellington Town Belt is identified as a separate open space area 'Open Space C' (called Inner Town Belt) in the Wellington District Plan. The Inner Town Belt is valued for its historical, social and cultural importance. The District Plan's policies, objectives and rules will relate to the management plan. In particular the District Plan proposes to:

16.5.1.2 Recognise the special status of the Inner Town Belt as public recreation land held in trust by the Council under the Town Belt Deed 1873 and identify that land on the District Plan maps.

16.5.1.3 Manage the impacts of activities in the Inner Town Belt in order to protect and preserve its special qualities for the benefit of future generations. In addition to policy guidance the District Plan has rules for Town Belt land. The rules allow the Council to exercise control on the type of building and activity that occurs, and this control is exercised by way of the resource consent process.

<http://wellington.govt.nz/your-council/plans-policies-and-bylaws/policies/wellington-town-belt-management-plan>

Appendix 2 Map of area showing Ellice Street, parts of the Town Belt and Wellington East Girls' College

APPENDIX A: OVERHEAD VIEWS OF THE TRACK SHOWN IN RED



Tony Frost
104 Ellice Street
Mt Victoria
Wellington 6011

16 August 2016

John Vriens
Senior Property Adviser
Property Services
Wellington City Council

Submission on "Fixed term access licence proposal over Wellington Town Belt off end of Ellice St to Wellington East Girls College top fields"

Dear Sir (and Environment Committee)

This submission recommends conditions for the proposal as outlined in the Environment Committee report of 4 August 2016. A public meeting was held at the college where certain conditions were suggested for the work. This submission requests the Committee consider these conditions as part of the licence.

I understand the need for safer vehicle access to the top fields while work goes on at the school. Use of the Town Belt vehicle access is a good idea as long as the net amount of safety is at least maintained, or ideally improved. It is also clear that the area has been overlooked in the last few years as the state of the infrastructure is poor. My recommendations are:

1. Gate (at Ellice Street entrance to Town Belt) is to be locked at the end of each day and over the weekends. This is important as it helps prevent unauthorised access and damage to the Town Belt. This occurred recently with the gate being left open over the weekend by the drainage contractors using the old quarry park, and a vehicle tore up the grassed area. Some reinstatement attempted by contractors but skid marks still visible in this picture. This sort of access and misuse damages the Town Belt green areas and comes with safety concerns for the driver and anyone who might be nearby at the time.



2. Reinstatement of the sump at the Ellice Street entrance to the Town Belt. The existing sump is either broken or filled with rubble. Every time it rains water runs over the footpath leaving a wake of rubble until someone (has been me in the past) sweeps it up. Picture here.



3. Reinstatement of the paved area in the Town Belt between Ellice Street and the old Quarry site. The area was once sealed. It is now covered in large pot holes and strewn with rubble. The rubble gets carried down into the storm water system. Resealing the area will help

prevent ongoing problems with the sump mentioned above. The picture below shows the poor state of the seal and the long grass adjacent the vehicle access.



4. Speed control at the Ellice St entrance to the Town Belt. This is a good idea because, as the Ellice St incline increases with height, so too does the speed of motorists intending to make the climb and drive through the gate into the Town Belt. This is somewhat ameliorated at present with the poor state of the asphalt (pot holes etc). However, when the area is properly sealed there will be little apparent need for drivers to slow down.
5. There is a good reason for drivers to slow down – safety. This Ellice St entrance to the Town Belt is used extensively by cyclists, walkers, joggers, dog lovers etc. There is no sealed path for pedestrians or cyclists other than the vehicular access way. Long lawns around the entrance way also encourage pedestrian use of the vehicular driveway. Refer to the picture above (the bit of lawn beneath the shopping trolley is mown because I mowed it). The safest solution is a separate pedestrian sealed path. At the least, I recommend a speed bump, signage, and regularly mown lawns.

I support the schools extensive efforts to recreate quality college facilities. With Council support to these proposed conditions I believe the work on the school can be done without compromising safety or deterioration of the city's assets.

Yours Sincerely

Tony Frost

APPENDIX A: OVERHEAD VIEWS OF THE TRACK SHOWN IN RED

