

Submission from M Weeber dated 12 July 2011

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Submission objecting to the proposal to declare the Council-owned reserve land on Lyall Parade between Tirangi Road and Kingsford Smith Street to be legal road

I strongly object to the proposed declaration of Wellington City Council to vest land¹ held in recreation reserve situated between 142 Tirangi Road, Lyall Bay and Lyall Parade, as legal road under section 114 of the Public Works Act.

History

I have a long term commitment to Lyall Bay and the Rongotai area. I am a past President of the Kilbirnie, Lyall Bay, Rongotai Progressive Association and a resident of Rongotai for just on fifty years. In these roles I advocated to Wellington City Council, on a number of occasions the need beautify the Lyall Bay foreshore and area of land off Lyall Parade that adjoined the Rongotai industrial area. I made a number of requests to the Wellington City Council to have the Lyall Parade land adjoining the Rongotai industrial area land improved and to stop it being used as a dumping area or place to park Vehicles.

¹ An area of 7sq m, currently held in Computer Freehold Register WN 58B/395, legal description Lot 62 DP 21360.

I made a 3 page submission opposing the easement proposal for the Motel to gain access off Lyall Parade. I also made it clear in a letter on the 2 June 2010 that the present recreation reserve status of the land in front of the Motel should not be made into to legal road. This submission is once again objecting to the proposal to vest the recreation reserve into legal road.

Summary of issues

The main issues I see with this proposal are:

1. This proposal perpetuates the developers failure to adequately submit accurate application plans and the WCC to check them.
2. The access into the Motel has reduced the qualities of the recreation reserve as it appears that this is their land, is the Motels property, and no longer public land.
3. Wellington City Council (WCC) has no long term vision for the Lyall Parade open space between the road and the Rongotai industrial buildings.
4. The precedent of vesting recreation reserve land into road reserve along the coast.
5. The lack of recognition of Climate Change impacts and considerations of this proposal.
6. It is not the size of the recreational strip that is the important, but what it stands for that is important.

Failures of the Motel developer and WCC

The Motel has access from Tirangi Road and I believe owns adjoining properties (or did when the easement was granted). The reason for the access off Lyall Parade has occurred due to the double failure of the developer to adequately submit accurate application plans and WCC to check them back in 1998. This situation was not rectified by declining access off Lyall Bay when the mistakes of both parties were acknowledged. Instead WCC granted a 5 year easement over the recreation reserve. To further the failure on both parties WCC is now proposing to vest a part of the recreation reserve as road reserve.

I do not concur with WCC that a long-term arrangement needs to be agreed to, as this will just perpetuate the failures of the past and continue to reduce the amenity of this area.

Reduce of amenity values of recreation reserve through Motel use

It was very enlightening to have the site visit with Wellington City Council in May 2010. It made me once again aware that the Motel is actually built right up to its boundary with the buildings adjoining the narrow recreation strip and remainder of the land being road reserve. The Motel has transformed the amenity values of dune

by Lyall Parade in such a way that it would appear now to be their private property. The dune has been cut back and round boulders have been placed on the recreation reserve and road reserve. This is in addition to the sealed road (with boulders and Motel lighting) that crosses from Lyall Parade, across the footpath and road reserve. All these features make it appear that the Motel owns this land when it is fact public land (either road reserve or recreation reserve). This reduces the public access and amenity in this area.

There is no information in the WCC officers report on the amenity values of the site and how the sealed road, boulders and lighting were approved. The present design and materials of the accessway and boulders in front of the Motel are intrusive and out of character for this area. This access has reduced the amenity values of the area as the dune no longer screens the industrial area and Motel from Lyall Parade. The dune environment has been opened up with views towards the rather ugly concrete tilt slab yellow painted Motel. It also reduces parking on Lyall parade during peak recreation use.

This reserve land though small was created to stop the Rongotai industrial area leaking (both visually and physically) onto Lyall Parade. This access point has created a visual break in the sand dune and opened the industrial land and Motel visually onto Lyall Parade.

Lack of a long term vision for the Open Space of Lyall Parade

It is clear that WCC has no long term vision for Lyall Parade and open space, be it road reserve or recreation reserve that adjoins it. The local residents have advocated over many years for positive beautification of this area with a number of positive proposals put forward in the past. The proposals have included forward thinking concepts such as the use of low impact stormwater solutions and moving the road directly next to the buildings and allowing the road to be transformed into a foredune to provide a proper buffer for sea level rise due to climate change. This type of proposal should be seriously considered due to sea level rise and stormwater issues caused by climate change.

Without a clear vision WCC can only undertake adhoc decisions making in Lyall Bay. The proposal of vesting of recreation reserve to road reserve in front of the Motel can only be seen as adhoc decision making. When this recreation reserve was surveyed off there was a clear vision not to have access from and to Lyall Parade from the industrial area. This would have been done for a number of reasons not least would be WCC trying to reduce the visual impact of a industrial area on Lyall Parade which is now a heavily used recreation area.

Precedent Effect

With no long term vision for this area this proposal to vest land from recreation reserve to road reserve creates a precedent effect for further ad hoc recreation

reserve decisions. No recreation reserve land should be changed to road reserve without an appropriate reason. Two failures by Motel developer and WCC to adequately submit accurate application plans and WCC to check them back in 1998 do not provide an appropriate reason to change of a recreation reserve anywhere in Wellington to road reserve. I can see a number of developers in future using the ploy of inaccurate plans to open up recreation reserve land for their exclusive use in future.

Climate change considerations

Any proposal that relates this closely to the coastal environment of Lyall Bay has climate change considerations that need to be considered in this proposal. At present scientists predict that seas will rise somewhere between 0.18m and 1.2m by the end of the century. The Ministry for the Environment advises local bodies to plan for a rise in sea level of at least 0.8m by the year 2090.

The Wellington City Council September 2009 Kilbirnie Town Centre Plan Working Paper on *Assessing the implications of sea level rise on Kilbirnie town Centre* maps out the resilience of the Kilbirnie and Lyall Bay area to sea level rise. It is clear from this report that with a 1m sea level rise and a storm surge of up to 1 metre in Lyall Bay that there will be serious inundation and likely overtopping of Lyall Bay Parade. The real issue is not only the rise in sea level but that fact that there will be no capacity to move stormwater. Already in heavy southerlies sand builds up in stormwater drains and parts of the Lyall Parade and Tirangi Road face flooding.

The sand dunes in front of the Motel should be seen as a positive benefit as they provide additional height and should not be underestimated in sea level rise and storm surge events in the future. However more importantly Wellington City Council should be considering this area for a total planned development incorporating climate change considerations such as sea level rise.

Size is not the issue

WCC appears to believe that because the size of the area is only 7sq m there are no issues to vesting this piece of recreation reserve to road reserve. Size is not the issue. The recreation reserve strip runs from Kingsford Smith Street to Tairangi Road. The 7sq m section will break the recreation strip into two sections therefore further reducing its value. A total vision for this area is required rather than adhoc decision making that breaks up recreation reserves.

Conclusion

I strongly object to the proposed declaration of Wellington City Council to vest land held in recreation reserve situated between 142 Tirangi Road, Lyall Bay and Lyall Parade, as legal road under section 114 of the Public Works Act. There is no clear reason for this to happen. The WCC Officers report does not adequately consider

the amenity values, climate change and the precedent effect of this proposal. The area needs a long term plan and not ad hoc decision making such as this proposal.

I wish to make an oral submission.

Signed

MB Weeber (Betty)

A handwritten signature in cursive script, appearing to read "M B Weeber". The signature is written in black ink and is positioned below the typed name.