

Submission from Y Weeber and K Stephens dated 14 July 2011

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14 July 2011

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

We wish to object to the proposed declaration of Wellington City Council (WCC) 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

We are long term residents of the Lyall Bay area. We have played an active role in a number of conservation projects and local groups in the area. These include involvement in the Lyall Bay Coast Care and the Te Te Raekaihau Coast Care groups. We have been involved in making a number of submissions on proposed projects in and around Lyall Bay.

The main issues

The main issues we oppose the proposal are:

1. This proposal perpetuates the failures by the developer to submit accurate application plans and the WCC to check them.
2. The recreation reserve and road reserve adjoining the Motel already appears to be private property and not public land.
3. Wellington City Council (WCC) needs a long term vision for the Lyall Parade that recognises the impact of Climate Change and severe storm events.
4. The precedent of vesting recreation reserve land into road reserve along the coast.

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

Failures of the Motel developer and WCC

The Motel access off Lyall Parade has occurred due to the failure of the developer to submit accurate application plans and WCC to check them back in 1998. WCC has decided to compound this failure by granting a 5 year easement over the recreation reserve. Prior to construction WCC should have stopped the development and asked the developer to submit alternative plans that did not involve access off Lyall Parade. At the time this was possible as the adjoining land was owned by the Motel developer.

WCC proposal now to vest a part of the recreation reserve as road reserve just further compounds a failure of decision making processes in favour of the Motel. If a long term solution needs to be found it would be better to provide the Motel with a easement over the recreation reserve for a limited duration. This would mean the recreation reserve strip would stay in place and a long term planning solution for this area could be developed.

Reduce of amenity values of recreation reserve through Motel use

The Motel is built right up to its boundary of the narrow recreation reserve strip. The Motel has converted this recreation reserve and the adjoining road reserve to look like private land. This visual privatisation is reinforced by the paved access road off Lyall Parade and the use of on ground lighting on either side of the driveway.

The amenity values of the dune land between Lyall Parade and the Motel are reduced. The untamed character of the dune is cut into allowing unrestricted views onto a mustard coloured concrete tilt slab Motel. The public amenity of the land is substantially reduced due to the Motel landscaping of the recreation reserve. All these features make it appear that the Motel owns this land when it is 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. The access has reduced the amenity values of the area as the dune no longer visually screens the industrial area and Motel from Lyall Parade. In addition the access off Lyall Parade reduces the amount of parking for recreation users of Lyall Bay.

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

Lack of a long term planning for the Open Space of Lyall Parade that takes into consideration climate change

WCC needs to undertake long term planning for Lyall Parade and the adjoining open space, be it road reserve or recreation reserve. The local residents have advocated over many years for positive improvements to this environment. Lyall Parade has a very high recreation use and needs to be designed and maintained in an appropriate manner.

Consideration should include low impact stormwater solutions and moving the road directly next to the buildings to allow the existing road to be transformed into a foredune. This would form 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 plan WCC can only undertake unplanned 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 unplanned decision making.

When this recreation reserve was planned there was a clear agenda 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, now a heavily used recreation area.

Any proposal that relates this closely to the coastal environment of Lyall Bay has to consider climate change. 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. And scientists are predicting seas will rise somewhere between 0.18m and 1.2m by the end of the century.

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. From this report a 1m sea level rise and a storm surge of up to 1 metre in Lyall Bay will cause serious inundation and likely over topping of Lyall Bay Parade. In addition there will be limited 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. This corner site of the road and recreation reserve could be used for future stormwater ponding/collection in a totally planned public space area.

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. Wellington City Council should be considering this area for a total planned development incorporating climate change considerations such as sea level rise.

Precedent Effect

No recreation reserve land should be changed to road reserve without an appropriate reason. With no long term planning for this area this proposal to vest land from recreation reserve to road reserve creates a precedent effect for further unplanned changes to the recreation reserve. 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. We are concerned that WCC could remove all the recreation reserve land in front of the industrial land on Lyall Parade.

Conclusion

We 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. The WCC Officers report does not provide adequate reason to change the status of the land from recreation reserve to road reserve. Long term planning of this area is required before any change is made to this or any other land in the area.

We wish to make an oral submission.

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