

## Objections summary and officers comments in response

<b>Objector #1. M Weeber</b>	
<b>Grounds for objection</b>	<b>Officers comment</b>
I have 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.	Noted but not relevant to this proposal
1. This proposal perpetuates the developers failure to adequately submit accurate application plans and the WCC to check them.	<p>The fact that the original building consent failed to note that access over a small area of reserve land was needed is acknowledged.</p> <p>The reserve land actually had been clearly shown on the original application plan, but it was either not seen, or understood, by the vehicle access officer considering the application at the time.</p> <p>The Council approved an easement (perpetual) over this land in 2004, with DOC approving a five year easement pending the outcome of the Lyall Bay Integration Project. This application is about a final resolution of this accessway.</p>
<p>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.</p> <p>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.</p>	<p>The section of recreation reserve between Tirangi Road and Kingsford Smith Street was established as an historic planning tool, to prevent access from Lyall Parade. The land between the motel and Lyall Parade is road reserve covered in sand dunes, Any encroachment onto the recreation reserve by the motel will be monitored by officers.</p> <p>The driveway conforms to the Wellington City Council Code of Practice for Land Development 1994, that standard being applicable when the vehicle access approval was granted.</p>



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<p>6. It is not the size of the recreational strip that is important, but what it stands for that is important.</p> <p>WCC believes that because the size of the area is only 7m<sup>2</sup> there are no issues to vesting it as road. The proposal breaks the recreation strip into two sections therefore further reducing its value.</p>	<p>The subject recreation reserve land is only 7m<sup>2</sup>, and its removal and change to road reserve will have minimal effect on the recreation values of the reserve.</p> <p>The remaining strip will continue to limit access from any of the other properties and Lyall Parade.</p>
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<b>Objector#2. Y Weeber &amp; K Stephens</b>	
<b>Grounds for objection</b>	<b>Officers comment</b>
<p>1. This proposal perpetuates the developers failure to adequately submit accurate application plans and the WCC to check them.</p> <p>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, meaning the recreation reserve strip would remain in place and a long term planning solution for this area could be developed.</p>	<p>The fact that the original building consent failed to note that access over a small area of reserve land was needed is acknowledged.</p> <p>The reserve land actually had been clearly shown on the original application plan, but it was either not seen, or understood, by the vehicle access officer considering the application at the time.</p> <p>The Council approved an easement (perpetual) over this land in 2004, with DOC approving a five year easement pending the outcome of the Lyall Bay Integration Project.</p> <p>A further easement could be created, but if no long term plan for Lyall Bay is decided on and progressed, this could result in the same situation as what we have now in five years time. This proposal provides a long term solution to the access way.</p>
<p>2. The recreation reserve and road reserve adjoining the motel already appears to be private property and not public land.</p>	<p>It is not uncommon for road reserve land to appear as if it was privately owned. Also it is not uncommon for access to privately owned property to be over Council land. In this circumstance most of the land in front of the motel is road reserve, with just a thin sliver of reserve land tapering off into it.</p>
<p>3. WCC needs a long term vision for the Lyall Parade that recognises the impact of climate change and severe storm events.</p>	<p>Wellington City Council's climate change advisor Chris Cameron has advised – 'that the Council is working to assess the impacts of climate change on the city, including sea level</p>

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	rise. Any issues related to sea level rise in Lyall Bay are more widespread than for any individual site, and will require an assessment for the entire area’.
4. The precedent of vesting recreation reserve land into road reserve along the coast.	The proposal doesn’t set a precedent. Any application for easements over reserve land or vesting as road are assessed on a case by case basis. Officers have assessed that vesting it as road will not impact negatively on reserve users.

<b>Objector#3. S Singh</b>	
<b>Grounds for objection</b>	<b>Officers comment</b>
1. The land in question is a recreation reserve and should not be altered or fragmented but protected in its entirety as originally conceived.	The subject recreation reserve land is of limited ecological value due to its very small size, and the separation by Lyall Parade from the foredunes. Its main values are landscape and amenity providing a backdrop to Lyall Parade.
2. The reserve has acquired further significance in recent times due to developments in the context of climate change. The rise in sea levels has begun even though it is slight at the moment. However the fact this will increase, and at a rate that we cannot predict or be complacent about, means that the reserve land is vital to hold on to in order to shift the road and beach line as needed in the future.	Wellington City Council’s climate change advisor Chris Cameron has advised – ‘that the Council is working to assess the impacts of climate change on the city, including sea level rise. Any issues related to sea level rise in Lyall Bay are more widespread than for any individual site, and will require an assessment for the entire area’.  Should it be necessary to shift the road and beach line after the 7m <sup>2</sup> area was vested as road, there would be no issue incorporating that into a larger new road to replace the existing Lyall Parade.
3. The reserve has additional merit on ecological grounds as being the last remaining strip of back dune area on this part of the south coast that has the potential to be rehabilitated. Coastal areas are the most altered part of our landscapes. All existing reserves need additional protection, not less. Council has downplayed the potential significance of this area and ignores its potential contribution to our bio-diversity.	The dune is on road reserve. The reserve itself is only a small strip adjacent to the motel with limited or no ecological value.

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<b>Additional points raised in oral submissions on 18 August 2011. These were common points raised by M Weeber, Y Weeber and K Stephens</b>	<b>Officers comment</b>
<p>1. Observed a truck parked on the driveway when understood it was only to be used for entering / exiting the motel.</p>	<p>The purpose of the driveway is for vehicles to enter and exit the motel from Lyall Parade. However like any other driveway it is not unreasonable to expect that occasionally a vehicle may be 'parked' on it for various reasons. The main consideration in this case would be 'is the vehicle blocking the footpath or Lyall Parade?'</p>
<p>2. The adjoining building used for long term parking has its own access onto Kingsford Smith Street, and that should be used instead of the motels driveway on Lyall Parade.</p>	<p>The owners of the motel also own the adjoining building (Lot 1 &amp; 2 DP 80510) that is used for car parking. Cars parked there belong to motel guests, and some long term parking. It is reasonable to expect that any motel guests should be able to use the driveway onto Lyall Parade. As far as the long term parks are concerned, given that these cars are being parked long term, their movements would be very infrequent hence they would not be considered to be a problem in regards to increasing traffic volumes feeding into Lyall Parade.</p>
<p>3. Mess and sand is being dumped by the motel on the reserve land.</p>	<p>The locality is a southerly facing beach area. It is reasonable to expect that any sand which is blown into the motel is swept up and returned to the dunes. Rubbish being blown onto the area is always going to occur, and no significant mess has been observed by officers during site visits.</p>
<p>4. Native plants should be planted on the recreation reserve land.</p>	<p>The Council has an ongoing programme to restore the dunes on the seaward side of Lyall Parade. The programme does not include the road reserve on Lyall Parade.</p>
<p>5. The motels driveway onto Lyall Parade is wider than is needed.</p>	<p>Construction of the driveway complies with WCC Code of Practice for Land Development 1994. This provides for a 6m wide heavy duty vehicle crossing. The driveway does not have straight sides, but its width is more or less 6m wide.</p>