Joanna and Geoff

From: "Michael Oates" <Michael.Oates@wcc.govt.nz>
To: "Joanna Gillanders" <Joanna.Gillanders@wcc.govt.nz>; "'Joanna and Geoff'" <greenfieldsfarm@xtra.co.nz>
Sent: Friday, 9 September 2011 8:12 a.m.
Subject: FW: Town Belt Legislative & Policy Review

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

-----Original Message-----
From: paul.blaschke@xtra.co.nz [mailto:paul.blaschke@xtra.co.nz]
Sent: Friday, 9 September 2011 7:46 a.m.
To: Michael Oates
Subject: Town Belt Legislative & Policy Review

The following details have been submitted from the Town Belt Legislative & Policy Review form on the www.Wellington.govt.nz website:

First Name: Paul

Last Name: Blaschke

Street Address: 34 Pearce St

Suburb: Vogeltown

City: Wellington

Phone: 027 246 2848/3898545

Email: paul.blaschke@xtra.co.nz

I would like to make an oral submission: Yes

I am making this submission: as an individual

Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt

into the future: Unsure

Comments: The principles are good but I feel there is one element missing as discussed below.

If not, how would you change these principles? Why would this be better: I suggest making more explicit recognition of the complementary nature of the Town Belt's values and the need to manage these in complementary ways.
Reason: As stated in the discussion paper, in the past there were many encroachments and management decisions made which we now consider ill-advised. Probably, the most common reason that these decisions were made is that one principle or value was considered to over-ride others. To guard against this happening in the future, the need for complementarity should be high up in management principles.
The draft principles mention and provide for various values, e.g. cultural, natural character, recreation, etc. These are all fine, but they are only considered singly. The principles should recognise the need to look across all principles and manage them in complementary ways.
Two examples:
1. Many people use the Town Belt for getting around on foot or by bike - not just for recreation, but also for commuting and getting from suburb to suburb. So the many paths have a vital transport function. In turn, the "active transport" and recreation functions are very important for the health and well-being of Wellington's population.
2. "Natural character" does not adequately encompass the full range of environmental and ecological values of the Town Belt. Apart from biodiversity and landscape values, these include many other ecosystem services, e.g. the potential for carbon storage in the permanent bush areas, the importance of these areas for local climate regulation, mitigation of stormwater runoff, land stability, and as places of shelter and congregation in times of natural disaster.

Do you think there are any other guiding principles we could include: I would encompass my comment in the following additional principle:
"The Town Belt's multiple values will be recognised and managed in complementary ways"
"Perception of the Town Belt's many values changes over time. This principle recognises that all these values need to be taken into account and recognised when management decisions are made."

(H16)

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Wellington City Council

Town Belt Legislative and Policy Review

We are keen to get your thoughts on the guiding principles for the management of the Town Belt. The principles in this document have been developed from feedback from many different individuals and community groups who have an interest in the Town Belt. They are intended to ensure that the Council's day-to-day management of the Town Belt reflects the values of the general community.

You can have your say:

- by making a submission on this form and sending it to us by:
  - Post: Freepost, Town Belt Draft Guiding Principles (REPL01), Parks and Gardens, Wellington City Council, PO Box 2199, Wellington 6140
  - Fax: (04) 801 3155
- by making a submission online at Wellington.govt.nz
- by sending an email to: townbelt@wcc.govt.nz

Please phone Wellington City Council on 499 4444 for more information.

Submissions close 5pm on Friday 9 September 2011.

Your details

** Mandatory fields*

Mr / ~~Mrs / Ms / Miss / Dr (circle one)~~

First name/last name* BERNARD O'SHAUGHNESSY

Street address* 13 a Daniell St Newtown

Phone/mobile

Email Bernardboss@yahoo.co.uk (Note UK!)

I am making a submission

☐ As an individual ☑ On behalf on an organisation Name of organisation CAT

I would like to make an oral submission to the City Councillors. ☑ Yes ☐ No

If yes, provide a phone number above so that a submission time can be arranged.

Privacy statement

Submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.

Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt into the future?

☐ Yes ☑ No ☐ Unsure

If not, how would you change these principles? Why would this be better?

No commercial or business access to town belts.

No cafe's with booze licences

Do you think there are any other guiding principles we could include (ie not rules or policies)?

Yes - Town belts are all GREEN & stay that way.

Do you have any other comments? Please attach additional pages if you need to.

Yes Councillors Morrison / McKinnon should resign!

Fold here

Thank you for your submission.

Please return this submission form by 5pm, Friday 9 September 2011.

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Freepost Authority Number 2199

Absolutely POSITIVELY Wellington
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Wellington City Council

Free
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24 AUG 11 610-13 020370

Johnnie Barnie

Town Belt Draft Guiding Principles (REPL01)

Parks and Gardens

Wellington City Council

PO Box 2199

Wellington 6140

Tape or staple here

Absolutely POSITIVELY Wellington
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Wellington City Council

(H18)

Town Belt Legislative and Policy Review

We are keen to get your thoughts on the guiding principles for the management of the Town Belt. The principles in this document have been developed from feedback from many different individuals and community groups who have an interest in the Town Belt. They are intended to ensure that the Council's day-to-day management of the Town Belt reflects the values of the general community.

You can have your say:

- by making a submission on this form and sending it to us by:
  - Post: Freepost, Town Belt Draft Guiding Principles (REPL01), Parks and Gardens, Wellington City Council, PO Box 2199, Wellington 6140
  - Fax: (04) 801 3155
- by making a submission online at Wellington.govt.nz
- by sending an email to: townbelt@wcc.govt.nz

Please phone Wellington City Council on 499 4444 for more information.

Submissions close 5pm on Friday 9 September 2011.

Your details

** Mandatory fields*

Mr / Mrs / Ms / Miss / Dr *(circle one)*

First name/last name* SONIA CALVERT C/O CENTRAL ALLBREEDS DOG TRAINING SCH.

Street address* 1 HOLLOWAY ROAD, TE ARO

Phone/mobile 021 460 260

Email centralallbreeds@hotmail.com sonj_77@yahoo.com

I am making a submission

☐ As an individual ☑ On behalf on an organisation Name of organisation CADTS

I would like to make an oral submission to the City Councillors. ☑ Yes ☐ No

If yes, provide a phone number above so that a submission time can be arranged.

Privacy statement

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Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt into the future?

☑ Yes ☐ No ☐ Unsure

If not, how would you change these principles? Why would this be better?

Please see attached

Do you think there are any other guiding principles we could include (ie not rules or policies)?

Do you have any other comments? Please attach additional pages if you need to.

Fold here

Thank you for your submission.

Please return this submission form by 5pm, Friday 9 September 2011.

Fold here 2nd

Freepost Authority Number 2199

Absolutely POSITIVELY Wellington

Me Heke ki Pōneke
Wellington City Council

Free
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Mike Oates

Town Belt Draft Guiding Principles (REPL01)

Parks and Gardens

Wellington City Council

PO Box 2199

Wellington 6140

Tape or staple here

Central Allbreeds Dog Training School (CADTS) is a not-for-profit volunteer run organisation. We have served the dog owning community for almost 50 years on the old Mitchelltown School site, situated within the Wellington City Greenbelt. We provide vital ongoing education to the dog-owning public and are accredited with Animal Control for the promotion of responsible dog ownership. We advocate the NZKC Canine Good Citizen Scheme and with this are strongly committed to responsible dog ownership. Our instructors are encouraged to continue to gain knowledge from seminars and many attended this year's Association of Pet Dog Trainers National Conference. We have a strong historical relationship with Wellington Council, running information classes for Animal Control Services and continuing to provide dog owners with modern scientifically based advice on how and where to train. Central Allbreeds Dog Training School will celebrate it's 50th anniversary in 2012 and wishes to be given the opportunity to continue to educate people about dog welfare and behaviour for many more years to come in our current grounds.

During our 50 years we have been committed to using a Town belt space for public good. The club's recent and significant financial investment into the grounds through the installation of astro-turf and fencing has greatly enhanced the venue and provides a unique safe and non-boggy space for all dog owners to use when exercising their pets. Not only are the grounds used by CADTS members in 'formal' recreational activities (i.e. training classes and dog sports) but also by pet owning families, (now able to play ball games in a safe area), and canine social groups (sibling dogs and owners have been known to meet up for birthday parties each year).

Many of these uses would not be practical without also having access to a secure building and open deck area, which make up the main clubroom s on the site.

We support the importance of the Town Belt for a wide range of recreational usages and approve the intention expressed in the draft proposal to retain large areas for people's enjoyment! We support the retaining of natural features. We value the site we have leased for several decades and to this end have worked hard to maintain and improve the surroundings including taking advantage of the council's native plants scheme to re-establish natives and eliminating weeds wherever practical. A personal commitment to a specific area in this way greatly enhances it for all users without requiring the same level of financial or physical input from the council.

We believe that we are enhancing the recreational opportunities of our area of the town belt and that the land would lose many aspects of it's appeal in our absence, not to mention all the work we continue to strive towards in creating a safer Wellington in regards to Canine Good Citizens and dog training education. Therefore while we support in principle the desire to retain areas of the town belt for wide recreational use We are opposed to the suggestion that land may be taken back or buildings removed at the expiry of a lease when the original intentions and purpose of that leashold is still active. There needs to be parameters for exemptions and we strongly believe that Central Allbreeds Dog Training School should be identified amongst those exemptions.

Thank you for the opportunity to provide feedback on the Town Belt draft principles as outlined in Town Belt Legislative and Policy Review. We look forward to the opportunity to clarify these points with you at an oral submission stage.

Signed

President

H20

Joanna Gillanders

From: Michael Oates
Sent: Friday, 26 August 2011 3:52 p.m.
To: Joanna Gillanders
Subject: FW: TBP Submission

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: Rosamund Averton [mailto:rosaverton@hotmail.com]
Sent: Friday, 26 August 2011 3:37 p.m.
To: Michael Oates
Subject: TBP Submission

Town Belt Principles Submission due 9th September 2011

Rosamund Averton
12/17 Brougham Street,
Mount Victoria,
Wellington 6011

Mike Oates: Manager of Open Spaces and Recreation Planning,
Wellington City Council,
P.O Box 2199,
Wellington 6011.

[Mike.Oates@wcc.govt.nz]

I make this submission as an individual do wish to be heard.

Introduction:

I understand that this review has been heralded for some years but remain unconvinced that it is actually needed when the suite of plans associated with the original Town Belt Management Plan have only been selectively implemented regardless of intent.

The "Principles" as presented do seem to reflect earlier discussions but lay emphasis in a different direction to that of the original deed as far as one can interpret.

Having re-read the various documents including primary sources I feel that the status quo with some minor modifications would suffice.

Submission:

Draft Town Belt Principles:

Principle 1: Town Belt deed

I support the intention of this proposal with a single caveat, that our Town Belt should not be privatised, commercialise or colonised to the financial benefit of any group or organisation nor should the Town Belt land ever be transferred to a third party in a way that allow them to profit, however tangentially, from such an assignment of public land. Current leases should be allowed to stand until they naturally expire but no land transfers to other leaseholders, however worthy, should be allowed.

Principle 2: Partnership

This principle should be reworded to say that Council will continue to work with all residents of Wellington to manage and monitor the Town Belt. The place of the Treaty of Waitangi should be acknowledged and the tangata, mana whenua would of course be part of this principle.

Principle 3: Natural Character

The modifications to both landscape and ecology of the Town Belt should be treated as an intrinsic part of the history of the site. Maori settlers cleared sites by burning all existing vegetation to allow cultivation. Re-growth on Orangi Kaupapa – Mt. Etako – Tinakori Hill was clear felled at least twice post 1840. Sites like Mount Victoria facing west were hostile to self seeded vegetation until the pines and eucalypts were planted to provide shelter and land stability. In recent years many trees have been felled to satisfy the fashion for arboreal purity linked to a mythical past. The actual vegetation extant in earlier time is well documented by early settlers; their reflections should be our model not some aspiration for regional purity.

The landscape and ecology of the Town Belt must be retained to ensure the enjoyment of residents and visitors to Wellington is preserved and that any vegetation that survives should be nurtured to ensure the entire Town Belt is densely covered in a cloak of mixed vegetation.

Principle 4: Enjoyment

It is important that should the Council decide to persist with this "principle" that the re-draft specifically included reference to access to the Town Belt without any direct charges. Naturally costs associated with the upkeep of the Town Belt par se are met from our rates; however all residents and visitors must have guaranteed, without hindrance access to all part of the Town Belt.

The areas colonised by leaseholders must not be allowed to restrict access to undeveloped land. Leased buildings (eg: Scout building, Pottery building etc) allow members/subscribers to enter their premises but restrict access to the public. WCC should, one leases expire, be cleared of buildings and the town belt land allowed to revert to green space. I exclude the "Waterworks Building" opposite Newman Terrace from this stricture; it could be converted into an "Industrial History" museum that commemorates Wellingtons early industries (eg: quarries, brickworks, tree felling and milling etc).

Principle 5: Recreation activities

I recognise that there is a confusion in relations to what is or is not "recreation". I believe that the term should be used for all of any activity that people engage in for enjoyment including children playing in a crèche or adults making pots as well as "directed" (organised sporting activities eg: team sports, Tai Chi) and or "un-directed" (generally spontaneous activities like walking, bird-watching, photographing etc).

Directed activities might also include tending allotments, re-vegetating sites and organised cycling events.

Principle 6: Historical and Cultural links

Local legislation is required that preserves in perpetuity the Town Belt as recognised in the 1873 deed and that allows for the inclusion of the Outer Town Belt and the Miramar Peninsula.

Conclusion:

Whilst proffering some acceptable changes to the principles my essential position remains that the present suite of Town Belt documents have with certain reservation served their 1989/95 intention. The only glaring omission could be remedied by the introduction of local legislation that specifically makes provision for a mechanism by which new sites (eg: Outer Town Belt, South Coast (presently covered by the non statutory South Coast Management Plan)) come under that same protective jurisdiction that allows sites to be included and removed subject to public consultation. The resolution would be found in the drafting of the local legislation.

Thank you for this opportunity,

Rosamund.

Rosamund Averton
12/17 Brougham Street,
Mount Victoria,
Wellington 6011.

[3851 495]

H30

Absolutely POSITIVELY Wellington
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Wellington City Council

Town Belt Legislative and Policy Review

We are keen to get your thoughts on the guiding principles for the management of the Town Belt. The principles in this document have been developed from feedback from many different individuals and community groups who have an interest in the Town Belt. They are intended to ensure that the Council's day-to-day management of the Town Belt reflects the values of the general community.

You can have your say:

- by making a submission on this form and sending it to us by:
  - Post: Freepost, Town Belt Draft Guiding Principles (REPL01), Parks and Gardens, Wellington City Council, PO Box 2199, Wellington 6140
  - Fax: (04) 801 3155
- by making a submission online at Wellington.govt.nz
- by sending an email to: townbelt@wcc.govt.nz

Please phone Wellington City Council on 499 4444 for more information.

Submissions close 5pm on Friday 9 September 2011.

Your details

** Mandatory fields*

Mr / Mrs / Ms / Miss / Dr *(circle one)*

First name/last name* Michael McKee

Street address* 31 Hector St Seatoun Wellington

Phone/mobile 021 107 1120 - 970 8002

Email mckee-family@paradise.net.nz

I am making a submission

☐ As an individual ☑ On behalf on an organisation Name of organisation Clan McKee NZ

I would like to make an oral submission to the City Councillors. ☑ Yes ☐ No

If yes, provide a phone number above so that a submission time can be arranged.

Privacy statement

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Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt into the future?

☐ Yes ☑ No ☐ Unsure

If not, how would you change these principles? Why would this be better?

Delete Principle 2. - This is a democratic, multicultural Community - all are equal and this principal give Maori a higher value than other citizens. It is racist and must be stopped

alternative change. - All citizens of Wellington will have an equal and equally me in the management of the town belt.

Do you think there are any other guiding principles we could include (ie not rules or policies)?

- No Motorised Sport - of any kind in the town belt
- No rental of the town belt rather sell edge pieces to those people who have rented till now.

Do you have any other comments? Please attach additional pages if you need to.

Stop Manipulation of Wellington and properly accrediting all New Zealanders equally.

Fold here

Thank you for your submission.

Please return this submission form by 5pm, Friday 9 September 2011.

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Town Belt Draft Guiding Principles (REPL01)

Parks and Gardens

Wellington City Council

PO Box 2199

Wellington 6140

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(1132)

Joanna Gillanders

From: Michael Oates
Sent: Tuesday, 6 September 2011 4:55 p.m.
To: 'alan smith'
Cc: Joanna Gillanders
Subject: RE: Submission on Guiding principles, closing 9/9/11

Received Alan.

Many thanks

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: alan smith [mailto:alanesmith@xtra.co.nz]
Sent: Tuesday, 6 September 2011 4:51 p.m.
To: Michael Oates
Subject: Submission on Guiding principles, closing 9/9/11

Dear WCC people,

Here is our submission. Please confirm you've received it, and note we would like to speak to it in any orals process.

Regards, Alan

Alan Smith
Chairman
The Wellington Civic Trust Incorporated
e: secretary@wellingtoncivictrust.org
w: www.wellingtoncivictrust.org
p: P.O. Box 10183 WELLINGTON
t: 04-566-3034
m: 027-285-6304

Wellington Civic Trust

P O Box 10183

Wellington

www.wellingtoncivictrust.org

Wellington City Council
Town Belt Guiding Principles : public consultation closing 9/9/11
townbelt@wcc.govt.nz

This is our submission on the *Town Belt Guiding Principles*. It is on enduring interest to us, and we wish to be heard in any oral submissions process on this consultation.

Overriding paramount principles

1. Firstly, the Wellington Civic Trust (the Trust) recommends to Council that there be overriding paramount principles. The foremost of these would be that the Town Belt is to be accorded a mana and a sanctity that place it supremely above all other public reserve and recreation areas. The other overriding principle would be that each generation of Wellington Councillors and citizens honour the responsibility of protecting and enhancing the Town Belt as open recreational space for future generations in perpetuity. This is not just another park.

Legislative review

2. Curiously, the explanatory booklet lacks any context or commentary for the legislative part of the proposed review.

3. The Trust believes that it would be more enlightening for the public of Wellington to have from Council an outline of the legislative changes that will be sought. Preferably timing for such disclosure would be before the guiding principles are adopted and before the review of the management plan. This will enable all participants to comprehend the end game before detailed consultations commence.

4. Of primary importance is for the amending legislation to establish a legal process for returning original Town Belt land back to Town Belt status enjoying statutory protection as well as the protections bestowed by the 1873 Trust Deed. Rather than requiring amending legislation as at present, provision could be made for returning land to be mandated by an Order in Council on the joint recommendation of the Mayor and City Councillors as Trustees and of the Minister of Conservation. Removal of Town Belt land on the other hand should require amending legislation.

5. The broad intent of the 1873 Trust Deed needs to be upheld: that it is a public recreation ground available as open space to all, at all times, in perpetuity. The legislation should make reference to the original ideals enunciated when the Town Belt was established in 1839.

6. The temptation to expand the definition of "recreation" needs to be resisted. Instead, consideration could be given to spelling out those activities that are not compatible with the ideal of universal accessibility. For example, these could include educational institutions, commercial ventures, and allotment gardens. It is the Trust's view that any widening of the interpretation of "recreation" has the potential to seriously and perhaps permanently undermine the integrity of the Town Belt.

7. Another feature that the Trust would like to see in the amending legislation is formal status being accorded to the position of Town Belt Curator. The statute could require the Mayor and Councillors as Trustees to appoint a senior officer with experience in the management of parks and reserves. This would help ensure that the Town Belt is perceived by Council officers and by the public as having a status unique from other reserve lands. It would also assist in establishing clear lines of responsibility.

8. Submissions for improvements to the wording of the proposed Principles, plus some explanatory comment, follow.

Principle 1

Proposed wording in Council's brochure

There will always be a Town Belt in Wellington

Suggested changes

The Trust recommends that the wording of this guiding principle be changed to read as follows: There will always be the Town Belt in Wellington, held in trust for the citizens of Wellington in perpetuity.

It needs to be emphasised that there will always be the Town Belt, not "a Town Belt" and that the boundaries be defined as those established in 1840 by William Mein-Smith. Confining the term "Town Belt" to the original intention gives that part of the city an historic and legal identity that sets it apart from all else and gives it a unique status. It also acknowledges that over time areas have been alienated and that every opportunity should be taken to restore those areas to the Town Belt.

Principle 2

Proposed wording in Council's brochure

The Council will work in partnership with mana whenua to manage the Town Belt
Suggested changes

The Trust recommends that the following wording be adopted for this principle: The Council will work in partnership with mana whenua and will acknowledge the value of the Town Belt to Wellington by actively consulting with other guardian groups in the community that have maintained a long-lasting commitment to protecting and managing the Town Belt.

Principle 3

Proposed wording in Council's brochure

The Town Belt's natural character will be protected and enhanced

Suggested changes

We suggest that the wording be changed to read: The Town Belt's natural character of open space and visual beauty will be protected and enhanced.

Principle 4

Proposed wording in Council's brochure

The Town Belt is for all to enjoy

Suggested changes

The Trust suggests that this principle be more comprehensively defined, and read as follows: The Town Belt is for all to enjoy and is to be freely accessible at all times. To this end buildings and carparks will be kept to a minimum and over time be Council owned and operated as multi-purpose facilities available to a wide variety of recreational groups.

The Civic Trust favours a gradual change in the ownership and control of buildings on the Town Belt. Exclusive use by individual clubs should over time be set aside and succeeded by multipurpose facilities that can be pre-booked by a wide variety of recreational groups. The Council would then have more freedom to influence higher standards of building design and of maintenance.

Principle 5

Proposed wording in Council's brochure

The Town Belt will be used for a wide range of recreational activities

Suggested changes
It is suggested that this principle be changed to read as follows: The Town Belt will be primarily used for casual and organised outdoor recreation activities, without compromising its natural character.

The definition of "recreation activities" is the linchpin to this whole exercise. It is recommended that a very constrictive approach be taken to defining what constitutes recreation.

Definitely to be excluded are any educational facilities. These invariably involve either Government funding or commercial interests, and would inevitably lead to Town Belt land being sequestered by specific interests.

Another concern is the idea of creating recreational hubs. There is the risk of these being regarded as areas for more buildings with sporting codes pressing for exclusive use.

Principle 6:

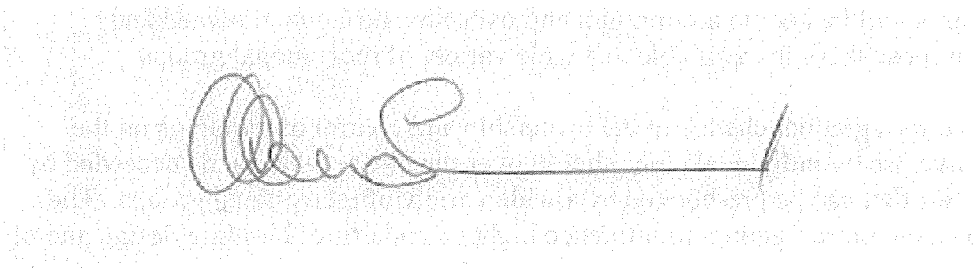
Proposed wording in Council's brochure

Management of the Town Belt will acknowledge historical and cultural links to the land

Suggested changes

We suggest the wording be as follows: The Town Belt is to be celebrated for its longstanding historical cultural importance to Maori and to Pakeha alike.

The Civic Trust is wholly supportive of greater emphasis being given to pre- and post-European history and settlement and is keen to see greater balance in relating the history of both cultures.



Alan Smith
Chairman
The Wellington Civic Trust Incorporated
e: secretary@wellingtoncivictrust.org
w: www.wellingtoncivictrust.org
p: P.O. Box 10183 WELLINGTON
t: 04-566-3034
m: 027-285-6304

140

Joanna Gillanders

From: Michael Oates
Sent: Wednesday, 7 September 2011 10:43 a.m.
To: Joanna Gillanders
Subject: FW:
Attachments: WCC Town Belt principles revised 5Sept11.doc

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: Elaine Hampton [mailto:Elaine.Hampton@horizonradiology.co.nz]
Sent: Wednesday, 7 September 2011 10:26 a.m.
To: Michael Oates
Subject: FW:

Please find attached the Mt Victoria Residents Association Submission on the Town Belt Principles.

Regards

Elaine Hampton
Acting President.

Mount Victoria Residents' Association Incorporated
PO Box 19-056, Courtenay Place, Wellington

5 September 2011

Town Belt Draft Guiding Principles
Parks and Gardens
Wellington City Council
Email: townbelt@wcc.govt.nz

Submission on Town Belt Draft Guiding Principles

Contact: Elaine Hampton, Acting President
Phone: 802 4492
Email: mvra@mtvictoria.org.nz

The Mount Victoria Residents' Association has a long history of advocacy and consultation with the Wellington City Council, and appreciates the opportunity to supply its views on the Council's Town Belt Draft Guiding Principles as set out in its document *Town Belt Legislative and Policy Review.*

We wish to make an oral submission to City Councillors.

The Mount Victoria Residents' Association ('MVRA') Is seriously concerned about the proposed principles and their impact on the future integrity of the Town Belt.

The MVRA questions the need for 'guiding principles' for the management of the Town Belt when in fact the 1873 Town Belt Deed already states very clearly the overarching principle that the Town Belt is "...for ever hereafter used and appropriated as a public Recreation ground for the inhabitants of the City of Wellington...". The Deed also specifies that:

- the Council has no power to alienate or dispose of the lands
- no thoroughfare shall at any time be created across the lands
- the Council has the power to lease all or any part of the lands for any term not exceeding 42 years, at best and most improved rent.

As your consultation document states, "Overall, the Deed prevails". In our view any operating guidelines for the Council's management of the Town Belt should be driven by the words of the 1873 Deed. Surely, these words are sufficient guidance for the Council to review policies within the current Town Belt Management Plan. Contrary to the consultation document's assertion that the Deed is "...too general to provide clear guidance..." we contend that it is very clear that the primary intent is to keep the Town Belt in perpetuity for public recreational use by the people living in Wellington.

The MVRA notes that our view was also strongly supported by the people who participated in two workshops earlier this year. The report on these workshops shows strong agreement to adhering to the Town Belt Deed, and current Management Plan, by maintaining it as green public space, and ensuring free public access to its entirety,

It is of great concern to the MVRA that more than one-third of the Town Belt land has been taken from its owners, the people of Wellington, for other purposes, particularly by the Crown. In addition, the Crown has recently used former Town Belt lands as part of its settlement of the Port Nicholson Block treaty claims. This is deeply regrettable as it has placed the lands outside any possibility of their being returned to the Town Belt and negated the Council's current policy

in the Town Belt Management Plan of seeking reinstatement of all former Town Belt land. We support the Council's intent, as noted under Principle 1, to remedy removal of Town Belt land by pursuing its replacement by open space of equal value or character being returned to the Town Belt.

We are very concerned that the proposed principles, as clarified in the "what do we mean" explanations, are in many cases contrary to the provisions of the 1873 Deed and potentially give the Council broad discretionary powers over use of the Town Belt lands. The proposed principles would also enable the Council to pursue legislative changes – the Wellington Town Belt Bill, which the Council has already drafted, states that its purpose is to "...replace the various powers and limitations in the Deed..." **The MVRA opposes any such legislative change.**

We also have comments on some of the specifics regarding the proposed 'guiding principles'.

Principle 1 – There will always be a Town Belt in Wellington

This principle seems to ignore the fact that there is 'The Town Belt' and that the Council has an obligation under the 1873 Deed to manage it in accordance with the Deed. This is not a discretionary activity as the words under the heading in the consultation booklet imply. If the Council really wants guiding principles, then as noted above, the MVRA considers that there is only one overarching principle that the Town Belt must be managed in accordance with the 1873 Town Belt Deed.

Principle 2 – The Council will work in partnership with mana whenua to manage the Town Belt, and Principle 6 – Management of the Town Belt will acknowledge historical and cultural links to the land

The MVRA agrees that there should be increased recognition and acknowledgement of historical and cultural links to the Town Belt land, including Maori historical and cultural links. We believe the 1873 Deed already allows for this as the Town Belt must be managed by the Council for the public recreation of all Wellingtonians, including all Maori inhabitants.

We do not agree to one special interest group (mana whenua) co-managing the Town Belt, as is implied in Principle 2. Nor do we agree to 'enshrining' the Treaty principles of partnership, protection and participation into the revised Town Belt Management Plan. These provisions imply some residual Treaty obligation to mana whenua to redress past wrongs. There is no such obligation on the Council – the obligation lies with the Crown and it has reached a full and final settlement with mana whenua through the Port Nicholson Block treaty settlement.

We believe that the particular aim of increasing recognition and acknowledgement of Maori history, cultural values and practices can be achieved through existing protocols between the Council and Wellington Maori,

Principle 3 – The Town Belt's natural character will be protected and enhanced and Principle 4 – The Town Belt is for all to enjoy

As noted in the consultation booklet, the founders of Wellington stipulated that the Town Belt was not to be cleared, fenced, cultivated or built upon. Although these provisions were not included in the Deed, it is implied in the words "public Recreation ground". The MVRA believes that there should be no more construction of buildings or infrastructure (such as roads) on the Town Belt as these are not consistent with the Deed's "public Recreation grounds" provisions. In addition, where buildings or other non-public infrastructure is no longer used, they should be removed and the area restored to public recreation ground.

The MVRA supports a management policy whereby leases are granted to recreation groups only

when they are well-used, stable and provide option access/benefit to the public. In our neighbourhood we are concerned over the use of the Bandoliers site and Mt Victoria Bowling Club (need more here).
Under the terms of the current Management Plan the Bandoliers building would have been removed as no longer needed by the people for whom it was built, but this plan is no longer adhered to. The Mt Victoria Bowling Club has reached a stage where a decrease in membership means that the club is kept going by means of a TAB facility. This cannot be in line with the current management plan or the 1873 Deed

Principle 5 – The Town Belt will be used for a wide range of recreation activities

We note a Council background document on Town Belt management that refers to a LINZ Survey from June 1991 with some general trends in recreational patterns relevant to the Town Belt. Of interest is that the top favourite five or six leisure activities have similar characteristics – they can usually be done spontaneously, they usually require no specialised skill or high levels of physical exertion, many are not affected by seasonal changes, they have a high entertainment and social value, and they do not require an organised recreation service or programme. In the MVRA's view, these findings suggest that priority should be given to informal public recreation on the Town Belt.

We do not support the development or expansion of formal recreation activities via 'recreation hubs'. This concept implies more buildings, fences and car parks will be allowed in some parts of the Town Belt. This is completely contrary to the "public Recreation ground" provisions of the Deed and the intent of Wellington's founders.

In conclusion, we would like to strongly state that we believe that:

1. The most important and overarching principle must be that the 'Wellington Town Belt' must be managed in accordance with requirements of the 1873 Deed.

2. There is a lack of clarity regarding the proposed Principles, and the detailed description of the meaning of each one is incompatible with the statement that they must be taken as a whole.

3. Legislative review is not necessary.

The Council should be actively promoting the Town Belt as a space for public recreation and the enjoyment of all Wellingtonians so as to dispel the views of some, including central government, that it is an under-used, free, unwanted or spare space.

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Joanna Gillanders

From: Michael Oates
Sent: Thursday, 8 September 2011 4:51 p.m.
To: Joanna Gillanders
Subject: FW: Submission on the Wellington Town Belt
Importance: High
Attachments: townbelt sept 2011.docx

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: Katie [mailto:kt@danzat.co.nz]
Sent: Thursday, 8 September 2011 3:09 p.m.
To: Michael Oates
Subject: Submission on the Wellington Town Belt
Importance: High

Greetings

Please find attached my submission on the Wellington Town Belt.

Kind regards

Catharine

Kt@danzat.co.nz
04 475 9394
027 248 2061

Town Belt Guiding Principles Submission

Catharine Underwood
14 Rimu Road
Kelburn
Wellington 6012
04 475 9394

I am making a submission as an individual.
I would like to make an oral submission.

In terms of your Submission form:

Do I feel that the principles appropriately reflect the community aspirations for the Town Belt into the future?
No.

Principle 1: There will always be a Town Belt in Wellington
I do not feel that this principle is specific enough. We have a very good Town Belt in its current form which is managed according to the original deed. This principle allows the interpretation to read 'a' Town Belt not 'The Town Belt' and the principle does not relate to the existing Town Belt. The proposed principle gives a perception that bits of the Town Belt can be swapped/traded when this isn't actually the case and could allow for the principle to be fulfilled by what is called the outer green belt.

The interpretation that the physical size and continuity of the Town Belt will be retained and enhanced should be definite in that "the designated Town Belt will be retained in size and continuity as it currently exists and be increased where possible."

The councils commitment should read "this reflects the Council's commitment to ensuring that the existing Wellington Town Belt will be retained in perpetuity ..."

Principle 2: The Council will work in partnership with mana whenua to manage the Town Belt.
I strongly disagree with this principle. The Town Belt is managed in Trust for all Wellingtonians regardless and should remain in the control of the legal trustees.

The co governors are unelected and are not accountable to Wellington citizens who are the beneficial owners of the Town Belt. I am also concerned that the co governors may not be representative of all mana whenua.

Inclusion of the mana whenua in the management of the Town Belt does not take account of the interests of other early settlers and in fact excludes other groups based on ethnicity. The use the Town Belt should be for Wellingtonians not for the use of specific ethnicities. This principle also allows for the use of the Town Belt for activities which are not recreation based.

It is my understanding that the mana whenua received full compensation for all land that was claimed as improperly taken. So, there is no requirement under the Treaty

to increase the recognition and acknowledgement of Maori history, cultural values and practices. There is ample opportunity to be involved in the Town Belt through membership of the recreational groups that use the Town Belt. However increasing the recognition and acknowledgement of Maori history is not dependant on mana whenua having a co management role. See Principle 6.

The leasing of land for (undefined) cultural activities is against the provisions of the Deed which limits the use of the land for public recreation.

Principle 3: The Town Belt's natural character will be protected and enhanced
On the whole I agree with this principle in its purest form. However, on reading the interpretation, it implies that there will be new buildings and the Council will ensure that new developments do not compromise its natural values. It is of concern that any development i.e. 'critical utilities for water' is not stand alone. There is the insidious addition 'and new buildings." Remove 'new buildings' from the equation and I would be more supportive of this principle and be less suspicious of the meaning.

Principle 4: The town Belt is for all to enjoy.
I agree with this principle but again the devil is in the detail. I have no problem with short term activities like the Road Trial for cars up Alexandra road. It is one day per year. I also have no problem with Mountain Bike/Mountain Running races. These activities are only up to circa 3 days and are what I consider 'temporary'.

In the principle, the word "temporary' is not defined. Two sports grounds on the Town Belt have been excluded from public use for periods of up to two months to service the Rugby World Cup and professional sport. I strongly disagree with this type of exclusion and the use of the word 'temporary' in this case.

I do have a problem with the increased leasing to recreational groups and clubs that are 'viable, well-used and provide optimal access/benefits to the public'. What are the measurements to define viable, well-used? I have no issue with the existing recreational buildings i.e. badminton hall and the harrier club and have no issue with other clubs using them if either of the existing users leave. I do have an issue with more buildings.

I agree with the regaining of land lost through illegal encroachment. The Council needs to be an advocate for the retention of the existing Town Belt and work towards returning parcels of the Town Belt with have become alienated.

This Principle should recognise the increasing value of the Town Belt as public open space which is needed to service the growing Wellington population living in the town centre in flats and apartments within walking distance of this area of land.

Principle 5: The Town Belt will be used for a wide range of recreation activities
This principle proposed significant changes to the current management objectives of the Town Belt.
In my view the significance of these changes have not been clearly publicised to the people of Wellington. More importantly, I am not aware of the people of Wellington having called for these changes to be implemented.

The emphasis of the current management plan as outlined in the 1990 objectives is for outdoor informal public recreation and no additional land to be developed for orgnaised recreation facilities (formal recreation). The proposed Principle 5 has the effect that any area which is not already part of a local park, a tourist outlook or a special reserve may now be developed for organised recreation. The new principle allows any buildings which are considered necessary including those wanted for indoor activities. This is a major change and not consistent with the Town Belt Deed. This principle is in contradiction with the aims of Principle 3 and removes constrictions on future development.

The Wellington Town Belt is special and what makes us different as a city. It defines us as citizens. Others are envious. Once this space is lost, as evidenced by the areas already lost, there is no regaining it.

A more sympathetic wording would be "The Wellington Town Belt will be used for a wide range of informal outdoor recreation activities and existing formal activities that do not compromise the values of public open space."

Principle 6: Management of the Town Belt will acknowledge historic and cultural links to the land.
Agreed that information on the Town Belt needs to be comprehensive. It should include all the known history prior to European history and explain the historical significance of setting up what was then a new concept of protected open space being set aside for all citizens.

Principle 6 should read "Management of the Wellington Town Belt will acknowledge the historical and cultural links to the land to all Wellington citizens".

General Comments regarding the Principles and Review
I attended one of the consultation evenings which was very interesting. The view of the evening I attended was, 'why are we reviewing the principles when there are some very good enduring principles already in existence which are in accordance with the existing Trust Deed'. How ensuring can the principles be if they are renewed every 10 years?

The view of those attending the session that I was at, was that the Town Belt was for everyone. There is ample opportunity for citizens to get involved based on community involvement.

I am concerned that the Principles do not take into account the very good founding document and all Principles should be prefaced with "The Wellington Town Belt will be managed in accordance with the 1883 Trust Deed"

It is also my view that the principles should be self-explanatory and not need an interpretation. It is also apparent that some of the 'new' principles are in conflict with each other.

I am also deeply suspicious of the consultation process based on previous experience. As I mentioned when followed up by the Council after attending a consultation session, there is always a lot of consultation and then the Council usually does what it wanted to do anyway or goes and gets a survey if the consultation process does not reflect what it wants to do.

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Joanna and Geoff

From: "Michael Oates" <Michael.Oates@wcc.govt.nz>
To: "Joanna Gillanders" <Joanna.Gillanders@wcc.govt.nz>; "'Joanna and Geoff'" <greenfieldsfarm@xtra.co.nz>
Sent: Friday, 9 September 2011 8:11 a.m.
Subject: FW: submission Town Belt Principles

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: Port nicholson medical cent Port nicholson medical centre [mailto:pnmc.smith@xtra.co.nz]
Sent: Friday, 9 September 2011 8:03 a.m.
To: Michael Oates
Subject: submission Town Belt Principles

Lorraine Smith

3 Talavera Tce
Kelburn
Wellington
6012

0274300222
pnmc.smith@xtra.co.nz

I am making my submission as an individual

I wish to make an oral submission

043844315 W
0274300222 Mob

I do not agree the principles reflect the communities aspirations for the Town Belt into the future.

I have serious concerns about Wellington City Council's draft 'Guiding Principles' for the management of the Town Belt recently released for public comment in the *Town Belt legislative &*

Policy Review..
The principles pose a serious threat to the future integrity of the Town Belt.

Some of these guiding principles are contrary to the Town Belt Trust Deed. Their wording is so vague and open to wide and varying interpretation so much so an addendumadd a *"what do we mean"* explanation (one would have thought that principles should be self explanatory!). An unprecedented degree of discretion in determining what can happen on the Town Belt will be inevitable and lawyers acting for those with designs on the Town Belt will be able to obtain consents for things in resource consent hearings which the majority of Wellingtonians have made clear they do not want. These principles would have been likely to allow things applied for in the past such as private roads and driveways over the Town Belt..

Considering that the Town Belt already has several layers of protection (the Deed, a special zoning in the District Plan, the Reserves Act, and the Town Belt Management Plan) we wonder why these 'guiding principles' are needed in the first place. The council says they are to be used for reviewing the existing Town Belt Management Plan. Action for Environment has questioned why the council has adopted such a convoluted way of doing this. The principles are being put through public submission process, a report on the outcomes of which will then go to council for approval. When a revised Management Plan is drafted the whole process will have to be gone through again. The TBMP is an excellent document with clearly written aims and objectives. It was produced without such principles (and without the extra expense of producing them). Why are they needed for the proposed revision of the Plan?

Even more worrying is the revelation that these principles are "'precursors" for future legislative changes on the Town Belt. *The Wellington Town Belt Bill,* already drafted by the council, states that its purpose is to*: "replace the various powers and limitations in the Deed".* This would mean that the ownership of the Town Belt would be taken away from the people of Wellington. Under this Bill the council would also be able to undertake *"any work which is in its opinion desirable"* (this includes the construction of roads and buildings).

The Town Belt Deed gifted the land to the people Wellington. It not only prohibits encroachments and alienation by private individuals and enterprise but also by the Wellington City Council because it means the council does not have beneficial ownership of the land. One only has to consider the council's removal of the public's right to have a say about developments on the waterfront with Variation 11 (despite a former mayor's promise to the contrary), to see what can happen to public land when the council does have beneficial ownership of it. The Deed, and the trust status it confers, is the Town Belt's best protection in the face of changing policies of transitory councils. Perhaps this is why the council wants to get rid of it?

With regard to the guiding principles, we are particularly concerned about the following:

Principle 1. *There will always be **a** Town Belt in Wellington*(our emphasis)

Note it doesn't say **the** Town Belt. With principles contrary to the Deed and a council seemingly wanting to override it, one wonders just what sort of Town Belt it will end up being. We find it incredible that compliance with the Deed, the Town Belt's governing document, isn't one of the actual principles.

We recommend that this principle be replaced with one which is clearer and more definite, along the lines of the following: ***The Town Belt will be managed in accordance with the principal intention of the Deed of 1873 which is to keep the Town Belt land forever 'as a public recreation ground for the inhabitants of the City of Wellington'***

Principle 2. "*The Council will work in partnership with mana whenua to manage the Town Belt".*

We question the right of the council to allow such co-management. Under the Deed only the council has the right to manage the Town Belt. Trying to have a special interest group co-manage it would be contrary to the Deed, and in our view discriminatory. The council land does not own the Town Belt holds it in trust for all Wellingtonians. including Maori of many iwi origins.

The council also wants the undefined principles of the Treaty of Waitangi "enshrined" in the Town Belt Policies. However as Liz Mellish of the Port Nicholson Block Trust rightly told the Strategy and Policy Committee on 23 June; "The Town Belt is private land". The treaty principles therefore do not apply to it. The Port Nicholson Block Treaty Settlement gave mana whenua full and final settlement of Treaty claims. This includes granting them first right of refusal to purchase former Town Belt land behind Wellington College and Wellington East Girls College, which was taken from the people of Wellington by the Crown without compensation.

Recent council-organised workshops on the Town Belt strongly opposed co-ownership (what was the point of the council holding these workshops when it disregards their outcomes?) There was a lot of support, on the other hand, for the recognition of Maori values in the management of the Town Belt. This will be catered for in Principle 6: '*Management of the Town Belt will acknowledge historical and cultural links to the land*'.

We recommend that **principle 2 be rejected**

We support principle 3: (*The Town Belt's natural character will be protected and enhanced*), particularly the stated intention of continuing native revegetation and restoration programmes

Principle 4: "*The Town Belt is for all to enjoy*"

A statement that not many people would disagree with. Howevr the underlying explanation refers to "easements" for ultilities. Easements are property rights which the council as trustee of the Town Belt has no power to grant. If utilities are needed to be located on the Town Belt the land can be leased for the purpose.
We recommend opposition to granting property rights over the Town Belt to utility companies which are increasingly becoming foreign-owned..

Principle 5: '"*The Town Belt will be used for a wide range of recreation activities*"

Again this sounds innocuous enough until you read the explanation which refers to *"development and expansion"* of *formal recreation in recreational "hubs"*; an attempt to treat certain parts of the Town Belt differently to allow more buildings there. The explanation also refers to the need to retain existing informal activities by protecting certain areas such as Central Park, Mt Victoria and Te Ahumairangi (Tinakori). Shouldn't all of the Town Belt be protected?

The Town Belt' is indivisible The Deed prohibits the council from disposing of or alienating any of the land. The public recreation **ground** requirement in the Deed implies open space consistent with the instructions of the founders of Wellington that "no building be ever erected on the land". This 'divide and develop' principle is not only contrary to the Deed but also conflicts with the District Plan and the existing Town Belt Management Plan.

A majority of respondents in a recently released survey by the council didn't want any more facilities built in the Town Belt. This is consistent with the outcomes of the recent Town Belt workshops and previous public submissions on the TBMP.

We recommend that this principle be replaced with one along the lines of the following: ***The Town Belt will be used for a wide range as possible of appropriate and sustainable recreational activities with an emphasis on outdoor, informal, public recreation.***

With great foresight our city's founders set aside the Town Belt "to preserve the beautiful appearance of the future city" and for the "enjoyment of the public". The Town Belt is the natural inheritance of all Wellingtonians. One third of it has been lost. We have a duty to pass it on to future generations 'in trust' with it its remaining open space protected.
Lorraine Smith

Wainuioru Chairperson's Report 2011

Welcome everyone and thanks for attending.

This year has been my first year as President and a time of learning and familiarising myself with playgroup activities and administration functions.

It's been a year of change. Not only have we've seen new people step up into key positions but a significant turnover in the roll. Most of our regulars from previous years have now left and we've welcomed our new members. Our roll still remains healthy by rural playgroup standards with 14 children and 10 parents.

It's important to keep encouraging new members so if you know if anyone in the district or from town who would like to attend please bring them along. Our funding is based on numbers attending each week so we need to maintain a healthy roll.

At the end of last year we worked closely with the school to accommodate the school's library in the playgroup house. This meant losing access to the old dolls room and bathroom, but we acquired two new storage facilities, widening of the hallway and under floor insulation.

During the renovations we had to find alternative places to have playgroup such as members' homes and outings to places of interest such as Castlepoint Beach and Pukaha Mt Bruce National Wildlife Centre.

So far there hasn't been any major issues with sharing the building with the school and we hope playgroup can make use of the library room during our librarian visits if need be.

The new outdoor play equipment was installed late last year and has been a great success. We also received a Health and Safety Grant from the Ministry of Education for heating which we used to buy and install our new heat pump.

The support from REAP House and the Masterton District Library has continued throughout the year. Although there was a period where the Masterton District Council planned to stop librarian visits to rural playgroups, but luckily this doesn't have seemed to have eventuated. We look forward to working with the Masterton librarians and Jude on the forth coming year.

Last year Adie spent considerable time and effort ensuring we became a certified playgroup under the Ministry of Education. The certification remains in place until 2013 (3 years) and ensures our funding from Ministry of Education. It's important to keep our certification systems, such as first aid, toy inventory, and goals up to date and regularly maintained, so when we reapply in 2013 it's not going to be a big job.

I thoroughly enjoy taking my girls out to Wainiuoru playgroup, catching up and meeting new people in the wider district. Our playgroup has some very special qualities, and I look forward to working with you all to continue making it a fun, relaxed and safe activity we do with our young children.

Finally I'd like to express a special thanks to Adie for supporting me in this role over the last year, sharing her knowledge and ensuring a smooth hand over transition. She'll leave playgroup at the beginning of next calendar year as Ana will be starting school in March. Not only will we miss her company but her experience and knowledge of playgroup.

Thank you
Joanna Gillanders

Dr Judith Aitken
37 Putnam St

Northland

Wellington

027 769 6424

Judith.aitken@clear.net.nz

Individual submission (attached)

I would like to make an oral submission to the Councillors

Submission to Wellington City Council

re **Town Belt Legislative and Policy Review: Guiding Principles**

With the exception of their proposal re Principle 2, I strongly support the submission made to the Council by *Action for the Environment*.

In particular, I endorse *Action for the Environment's* proposal that the Council should rely on existing "protective layers" of current law (including the RMA) , the District Plan etc and not attempt to capture either the essence or the constraints of those authorities in some other largely rhetorical form.

In addition, I wish to make the following points.

General

- The principles lack rigour, hence are unlikely to assist good decision-making by the Council.
- Nor do they provide a reliable guide for the general public or particular interest groups as to when, how and what justifiable basis the Council would exercise the very substantial discretion it has retained to modify, set aside, over-rule or divert from these principles.
- In the section entitled "The issues" (pp 7-10) the document provides a relatively confusing series of statements that both ask and answer some problems found in past decision making and interpretation of the 1873 Deed and other documents. One risk arising here is that in cases of dispute, lawyers and other parties may well attempt to mine the" issues" section to support their own cases, so that the draft Principles may have to compete with and be challenged by the guidelines, definitions and decision criteria set out earlier in pp- 7-10.

1. **Re principle 2: *" The Council will work in partnership with the mana whenua to manage the Town Belt."***

- This is not a 21st century option for territorial authorities, or agents of the Crown, or any authority with a role in civic governance.
- The obligations of such statutes as the LGA and RMA are, at most, binding and, at least, strongly directive on all territorial authorities in respect to the tangata whenua.
- Furthermore, NZ history before and since the 1908's has repeatedly demonstrated that ignoring, neglecting , overlooking or failing to engage in active partnership with local hapu, iwi /or the mana whenua generate significant social, cultural, political, fiscal and reputational costs to all parties in both the short and longer term.
- To engage in alliances and partnerships with local iwi in a meaningful way, especially where land and water are entailed, is not only inevitable but a good idea in itself.
- Management of the Town Belt does not need the heroic rhetoric of this "principle", which adds nothing substantive and raises expectations that may in fact be contradicted by other "principles" in the draft list.

2. Re principle 3*: "The Town Belt's natural character will be protected and enhanced"*

Slightly alarming use of the word" enhanced" opens the door for any number of modifications to the "natural character" of the Town Belt, over and above the extensive enhancements and interventions already made in the original Belt for social, recreational and other purposes.

- the "natural character" is defined on p 13 as the "context, horseshoe configuration, topography, urban forest cover and content". The addition of "green space" and "uninterrupted green skyline" do not help understand the Council's interpretatio0n of the phrase "natural character.
- The explanatory sector for this principle also uses the terms "natural qualities" and "natural values" which somewhat muddles the dimensions of "natural character".

- Altogether the three (character, qualities and values) may be a necessary part of a reliable definition , but they are not sufficient.

This is important when one reads the possibilities suggested for intervention: buildings, physical constructions, new buildings, water supply systems and other utilities.

Future pressure on the Council is inevitable : demographics, as well as future social , cultural, recreational economic and commercial demands , will put increasing strain on politicians and their officials to relax the Town Belt rules for worthy causes.

Therefore, any principles should be crystal clear, with no chance of ambivalence. They should place the Council right at the front line as unapologetic defender of this precious green and forested space. The compromises already offered in some detail are a gift to developers and agencies seeking to use or modify any of the remaining area.

3. **Re principle 4 *: "The Town Belt is for all to enjoy"***

Patently, this is not the case at present. Competing uses, historical preferences, private rights over public spaces and so forth all contradict this "principle"

In addition, it simply reinforces the risks entailed in the preceding principle.

There is a list of 6 extensive, pre-approved categories of restraint on this principle. Assurances that the Council will "continue to address" the problems of land loss do not inspire confidence in this setting.

4. **Re principle 5: *"The Town Belt will be used for a wide range of recreation activities"***

This principle and the accompanying explanation make the Council at once inherently and explicitly an advocate for conflicting use of the Town Belt.

The range and relative significance of the actors described on p 14 reduces the value of this principle for decision making purposes: the Crown, NZTA, TAs, the Government, community park users, recreational players, tourists, formal and informal sports activitists, those concerned with reserves and heritage matters - and so forth.

Such a mix of users, regulators, investors, service suppliers and authorities confuses the value of this principle and suggests that successive Councils could readily adopt an accommodating position in respect to demands for shared usage.

Thank you.

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Joanna and Geoff

From: "Michael Oates" <Michael.Oates@wcc.govt.nz>
To: "Joanna Gillanders" <Joanna.Gillanders@wcc.govt.nz>; "'Joanna and Geoff'" <greenfieldsfarm@xtra.co.nz>
Sent: Friday, 9 September 2011 8:20 a.m.
Subject: FW: Wellington Townbelt Review

Mike Oates
Manager Open Space and Recreation Planning
City Services
Wellington City Council
Box 2199
Wellington
New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

From: Jonathan Boyes [mailto:jonboye@xtra.co.nz]
Sent: Thursday, 8 September 2011 6:03 p.m.
To: Michael Oates
Cc: jonboye@xtra.co.nz
Subject: Wellington Townbelt Review

To whom it may concern.

As rate-payers to the WCC, we have returned to live in the city of our birth; education, meeting and marrying(all after a "modest" 38 year career sojourn)
We love being part of Wellington's renowned hill- and seascape. Both are readily accessible to folk of all ages(for us three generations)

The possibility that the integrity and protection of the encircling mantle of the famous green belt might be in any way weakened or compromised is just appalling.

Please assure us that the careful planning and provision of our korowai will continue to be safeguarded in the proposed legislative review?

Jonathan and Mary-Lynn Boyes,
10 Beauchamp St,
Tawa

P.S. I'm prepared to speak to this submission

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Absolutely POSITIVELY Wellington
Me Heke ki Pōneke
Wellington City Council

Town Belt Legislative and Policy Review

We are keen to get your thoughts on the guiding principles for the management of the Town Belt. The principles in this document have been developed from feedback from many different individuals and community groups who have an interest in the Town Belt. They are intended to ensure that the Council's day-to-day management of the Town Belt reflects the values of the general community.

You can have your say:

- by making a submission on this form and sending it to us by:
  - Post: Freepost, Town Belt Draft Guiding Principles (REPL01), Parks and Gardens, Wellington City Council, PO Box 2199, Wellington 6140
  - Fax: (04) 801 3155
- by making a submission online at Wellington.govt.nz
- by sending an email to: townbelt@wcc.govt.nz

Please phone Wellington City Council on 499 4444 for more information.

Submissions close 5pm on Friday 9 September 2011.

Your details

** Mandatory fields*

Mr / Mrs / Ms / Miss / Dr *(circle one)*

First name/last name* Wayne Mulligan

Street address* 28 Calcutta street, Khandallah

Phone/mobile 04-9725838 · 0274725838

Email mully@paradise.net.nz

I am making a submission

☑ As an individual ☐ On behalf on an organisation Name of organisation _____

I would like to make an oral submission to the City Councillors. ☑ Yes ☐ No

If yes, provide a phone number above so that a submission time can be arranged.

statement

All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.

Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt into the future?

☑ Yes ☐ No ☐ Unsure

If not, how would you change these principles? Why would this be better?

Do you think there are any other guiding principles we could include (ie not rules or policies)?

Do you have any other comments? Please attach additional pages if you need to.

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Thank you for your submission

Please return this submission form by 5pm, Friday 9 September 2011.

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Freepost Authority Number 2199

Absolutely POSITIVELY Wellington
Me Heke ki Pōneke
Wellington City Council

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02 AUG 11
Free

Mike Oates
CAB 5

Town Belt Draft Guiding Principles (REPL01)
Parks and Gardens
Wellington City Council
PO Box 2199
Wellington 6140

Tape or staple here

157

Joanna and Geoff

From: "Michael Oates" <Michael.Oates@wcc.govt.nz>
To: "Joanna Gillanders" <Joanna.Gillanders@wcc.govt.nz>; "'Joanna and Geoff'" <greenfieldsfarm@xtra.co.nz>
Sent: Friday, 9 September 2011 9:19 a.m.
Attach: WTA Submission to Town Belt Review 8 September Final.doc
Subject: FW: Town Belt Legislative and Policy Review - Submission from Wellington Trails Alliance

Mike Oates
Manager Open Space and Recreation Planning City Services Wellington City Council Box 2199
Wellington New Zealand
04 803 8289
021 227 8289
michael.oates@wcc.govt.nz

-----Original Message-----
From: Nessa Lynch [mailto:Nessa.Lynch@vuw.ac.nz]
Sent: Friday, 9 September 2011 9:14 a.m.
To: Michael Oates
Subject: Town Belt Legislative and Policy Review - Submission from Wellington Trails Alliance

Dear Town Belt Review

I am submitting the attached submission on behalf of the Wellington Trails Alliance.

Please acknowledge receipt of submission.

We request the opportunity to make an oral submission. My contact numbers are 04 463 6394 (work), 021 1243823 or I may be contacted by e-mail.

Kind regards

Nessa Lynch.

Our Group

The Wellington Trails Alliance (WTA) is an umbrella advocacy group formed to:

- Bring mountain biking advocates in the Wellington Region under one group;
- Support a strategic approach to trail development in the Wellington Region;
- Form partnerships to progress objectives; and
- Educate about MTB trail management, design and construction techniques;

We comprise representatives from a range of Wellington City-based organisations such as Port Nicholson Poneke Cycling Club, Makara Peak Mountain Bike Park Supporters, Wellington Mountain Bike Club and Revolve Cycling, as well as those from across the Greater Wellington Region (such as Wainuiomata Trail Project, Kapiti MTB Club, Belmont Area MTB Association and the Hutt Valley MTB Club).

Our organisation is working to better understand and represent the thousands of mountain bikers, from international-grade athletes to beginner riders, that live and ride in Wellington City and the wider region. We appreciate the chance to be consulted on this important review and will take up the opportunity to make an oral submission.

In our submission, we draw on the results of a survey conducted by the WTA of mountain bikers in the Wellington region during August 2011.

Principle 1

The Town Belt is a significant resource for mountain bikers and our user community strongly appreciates the easy access to recreational opportunities which the Town Belt affords. We support the Council's intention to avoid further loss of Town Belt land where possible.

We note however that the NZTA proposal to widen Ruahine Street may have an impact on the Mt Victoria MTB Skills Area, the "Shuttlecock" track behind the Badminton Hall and the "Big Dip" at the southern end of Mt Victoria (which is a valued part of the Super D track). We would request that the Council work with groups such as ours and the NZTA to minimize any impact on the Town Belt and that funding is made available to restore or replace those areas if they are destroyed or their character is significantly impacted due to the proposed roading project, or any future development.

We would also like to note that we would support any moves to expand the Town Belt.

Principle 3

A significant part of what our user community enjoys about mountain biking is the ability to get into natural environments. Further, many of our user community are active in re-vegetation and re-generation projects seeking to restore areas to native forest. We strongly support the preservation and the improvement of the bio-diversity of the Town Belt.

Principle 4

We strongly support equity of access and use of the Town Belt. The WTA is appreciative of the Council's policies in regard to mountain bike access in the Town Belt and believes that it is an activity that can continue to be compatible with a wide range of other activities.

Further, we would like to draw the Council's attention to the sustained levels of volunteer effort of the mountain bike community within the Town Belt. There have been significant volunteer efforts over the past year to finish the dual use "Hataitai Zigzag" and the new track across from the Chest Hospital on Mt Victoria. These trails have been built in conjunction with support from PNP and the Wild Wellington Outdoor Participation Trust.

This track development and maintenance has benefits for all Town Belt users.

Principle 5

Few other New Zealand cities have such a diverse range of trails so close to the town centre, from trails appropriate for use by families and dog walkers to trails for high level national mountain bike and running events. Mountain bikers use the Town Belt for a wide range of formal and informal recreational activities, including: commuting, recreational riding and mountain bike events (at both a city, regional and national level).

Specific resources within the Town Belt that support both formal and informal recreational activities comprises the entire dual-use tracks network, along with specialist mountain biking facilities such as the "4X" course on Mt Albert, and the Super D course and kids' skills area on Mt Victoria.

Our recent survey of the Wellington mountain bike community singled out Mt Victoria as being a popular area for commuting. It is seen as a relatively safe commuting route, and preferable to busy roads. Similarly, the Town Belt is an important off-road corridor to link various trail areas such as Polhill to Miramar (via Mt Victoria) and onwards to Makara Peak and the Skyline. Many respondents to our survey appreciate the opportunity to ride off-road for long distances across the City for recreation and for commuting. On the basis of this popularity, we recommend that development of other off-road community routes in the Town Belt be given high priority, e.g. Berhampore Golf Course. We note that developments of this nature align closely with the Wellington 2040 proposals.

The Town Belt is also a unique venue for mountain bike racing at both a regional and national level, with events including the popular PNP Mountain Bike Series, the Mt Vic Super D and use of the Mt Albert 4X track for Club and National races (including New Zealand Championship and North Island Cup races). PNP liaise with WCC and keep Friends of the Town Belt and the Mt Victoria Residents Association advised in relation to these events. The WTA strongly supports continued access for events of this nature and believes that these can be run with minimal disruption to the wider public and significant benefits to the City as a whole.

We note however that by far the most popular use of the Town Belt by mountain bikers is for informal individual recreation and informal social rides.

It is the view of the WTA that all these activities are compatible with other users of the Town Belt. Based on our collective experience as network users, WTA also believes that any perceived

or real user conflict can be managed appropriately to the benefit of all Wellington residents, including the many that choose to enjoy their city by bike.

Signed

Dr Nessa Lynch and Dr John Randal

On Behalf Of Wellington Trails Alliance

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Absolutely POSITIVELY Wellington

Me Heke ki Pōneke
Wellington City Council

Town Belt Legislative and Policy Review

We are keen to get your thoughts on the guiding principles for the management of the Town Belt. The principles in this document have been developed from feedback from many different individuals and community groups who have an interest in the Town Belt. They are intended to ensure that the Council's day-to-day management of the Town Belt reflects the values of the general community.

You can have your say:

- by making a submission on this form and sending it to us by:
  - Post: Freepost, Town Belt Draft Guiding Principles (REPL01), Parks and Gardens, Wellington City Council, PO Box 2199, Wellington 6140
  - Fax: (04) 801 3155
- by making a submission online at Wellington.govt.nz
- by sending an email to: townbelt@wcc.govt.nz

Please phone Wellington City Council on 499 4444 for more information.

Submissions close 5pm on Friday 9 September 2011.

Your details

** Mandatory fields*

Mr / Mrs / Ms / Miss / Dr *(circle one)*

First name/last name* Michael Hartley

Street address* 52 Porritt Ave, MT Victoria, Wgtn

Phone/mobile 027 275 4279

Email michaelehartley@xtra.co.nz

I am making a submission

☑ As an individual ☐ On behalf on an organisation Name of organisation

I would like to make an oral submission to the City Councillors. ☑ Yes ☐ No

If yes, provide a phone number above so that a submission time can be arranged.

Privacy statement
All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.

Do you feel that these principles appropriately reflect the community's aspirations for the Town Belt into the future?

☐ Yes ☑ No ☐ Unsure

If not, how would you change these principles? Why would this be better?

See attached submission pages (5)

Submission on Town Belt Principles
by Michael Hartley

My comments relating to each particular Principle follow. In particular I am concerned at the lack of specific attention in bringing to the notice of the Wellington Public the changes to the Town Belt Mangement Plan that will derive from Principle 5.

Para.
0.0 The Deed

0.1 The words preceding the Principles in the Council's booklet and applying to each principle state:

"Under the Town Belt Deed of 1873"

This literally means that each principle is authorised under the Town Belt Deed. This is not correct as some principles (particularly in the desription of what they mean – see page 12 onwards in the Legislative and Policy Review Booklet) are clearly not authorised by the Deed.

The principles as written are therefore actually redefining the intent of the Deed. This is unsatisfactory as the Principles could later be used as a basis to prepare legislation and the protection that the Deed currently provides to the Town Belt could be lost.

The Legislative and Policy Review document should have recorded that the Principles are "subject" to the 1873 Deed which appeared to be the intention of Council at the S & P Committee meeting. The documentation provided to the public has not fulfilled the committee's intention.

0.2 I would adopt a new principle stating :

"The Wellington Town Belt is managed in accordance with the requirements of the 1873 Deed.

This could well be the leading Principle.

1.0 Principle No 1

There will always be a Town Belt in Wellington.

1.1 This Principle is not specific in that it only upholds "A" town belt and the Principle could even be fulfilled by what is called the outer green belt. The loose wording of the Principle could allow wheeling and dealing or disposal of Town Belt land and the Principle would still be fulfilled provided "A" Town Belt still existed.

1.2 I propose this Principle could be better defined as :

"The Wellington Town Belt will be retained in perpetuity"

2.0 Principle No 2

The Council will work in partnership with mana whenua to manage the Town Belt

2.1 The Town Belt land is held Upon Trust for the Mayor, Councillors and Citizens of Wellington. There is a clear intention that no citizen shall have a greater powers in relation to the Town Belt land than any other citizen. Although Mana Whenua and earlier settlers had historical links to the land any rights to what is now effectively private land held in trust were exchanged for assets received as full and final settlement under the Treaty negotiations.

2.2 The defining of Mana Whenua for the purposes of this principle includes a significant number of persons who are not citizens of Wellington City.

This principle therefore proposes arrangements that are beyond the powers of the Council in their role as trustees under the Deed.

2.3 Given the very general and discretionary nature of the proposed principles, co management is in all practical terms a co governance role. The transfer of governance rights to a select (unelected and unaccountable and in some circumstances – non citizens) body is an abrogation of the Councillors legal obligation as trustee for all citizens.

2.4 The Deed requires that all citizens have similar rights in their role as co trustees.

2.5 To enshrine the rights of all citizens, including pre European settlors, in the management of the Town Belt I propose this principle be :

"The Council will work in partnership with the citizens of Wellington, including Mana Whenua, in the management of The Town Belt"

3.0 Principle No 3

The Town Belt's natural character will be protected and enhanced

3.1 This is a most valuable principle given that the natural character is, and expected to remain, under continual threat.
Principals are something to aspire to so it is a pity that the "what this means" section provides for the minimisimg of building and physical construction which tends to negate the strength of the intention to protect the natural character.

3.2 I believe the aspirations of this principle could be better expressed as :

"The Town Belt's natural character of public open space will be protected and enhanced"

4.0 Principle No 4

The Town Belt is for all to enjoy

4.1 Events have shown that this principle, particularly in the area of encroachments, falls short in its actual application. Although some progress is now being made it is evident that considerable difficulty is experienced in reversing the cumulative effect of numerous minor but unlawful alienation of Town Belt land by individuals.

4.2 Commercial activity which is included in "what do we mean" by this principle should be considered undesirable.

Sport is increasingly a commercial activity with corporate backing. These investors naturally expect a commercial return and their requirements do not fit within the intent of Town Belt usage. The ruthlessness of current sponsors is adequately displayed by Rugby World Cup activities where even ambulances must be repainted

4.3 This Principle should recognise the increasing value of the Town Belt public open space to the growing Wellington population in flats and apartments within walking distance of this area of land.

4.4 I suggest this Principle be styled:

"The Town Belt is available to all citizens for their enjoyment"

5.0 Principle No 5

The Town Belt will be used for a wide range of recreation activities

5.1 This Principle proposes significant changes to the current management objectives of the Town Belt.

The significance of these changes have not been clearly publicised to the citizens of Wellington nor have the citizens called for these changes to be implemented.

5.2 The current management plan, which councillor Andy Foster helped establish in the 1990's, lists objectives as follows :

Objective 2 – Emphasis on outdoor informal public recreation.

Objective 3 – No additional land area developed for organised recreation facilities (formal recreation) on the Town Belt.

5.3 The new proposed Principle 5 (listed under what is meant) proposes changes to the effect that any area not part of a local park, a tourist lookout, or a special reserve may now be developed for organised recreation. The proposal also allows whatever buildings are considered necessary including those wanted for indoor activities.

THIS IS A MAJOR CHANGE AND NOT CONSISTENT WITH THE DEED.

5.4 This Principle removes constrictions on future development and is in contradiction to the aims of Principle 3.

Although there may certainly be no immediate intention to develop a series of additional "hubs" the Principle does allow this to happen at some future time.

5.5 The Town Belt is Wellington's Taonga. It sets us apart. This fantastic green open space, once lost, is lost forever.

5.6 I consider this Principle could be better worded as :

"The Town Belt will be used for a wide range of outdoor informal and formal recreation activities that do not compromise the values of public open space"

6.0 Principle No 6

~~Management of the Town Belt will acknowledge historical and cultural links to the land.~~

6.1 Information on the Town Belt should be comprehensive. It should :
- Include all the known history of the Town Belt prior to European arrival and subsequently
- Explain the historical significance of what was then a new concept of setting protected open space aside for all citizens.

6.3 This Principle should acknowledge the special qualities of the Town Belt to every citizen. I suggest :

"Management of the Town belt will acknowledge the historical and cultural importance of the land to all Wellington citizens"

7.0 General Comments regarding Principles

7.1 Principles should normally be self evident standards that reuire little explanatory comment. These are unusual in that they need considerable explanation called "what do we mean".
Sometimes the meaning contradicts another Principle which is usually unheard of.

7.2 It is difficult to understand what purpose the Principles are intended to serve unless it is intended that they replace the Deed which does not seem legally feasible in their present form.

7.3 The situation regarding proposed legislation is confusing. The slideshow presentation and the council officers written report to the Strategy & Policy Committee 23 June 2011 both included the words "Legislation Review". Councillor Andy Foster advised that the Principles were a precursor to the passing of Legislation at the same S & P Committee meeting. Grant Robertson, local MP was also present at a public meeting in Northland to explain the Legislation process.

However both Mike Oates and Cnr Ritchie explained at the same Northland meeting that the exercise with the Principles had no connection to the legislative Review.

7.4 **I consider that the Council should proceed with legislation to establish the legality of various pieces of land that have been returned to the Town Belt and any other pertinent matters. The Principles, if still required, could follow from the legislation.**

Further work on the Principles could be deferred in the interim