

# Tabled Information - Reference 004/13PT(e)

Sub 78.

Thank you for the opportunity to appear before you in support of our submission opposing the conversion of the unformed part of Grant Road into Town Belt.

We currently hold a licence agreement to use an area of 180 square metres of an unformed part of Grant Road that borders our property. **(show photos)** Our current annual fee for this use is \$1800 per annum. Permitted use is retaining, fencing and beautification. The land consists of two flat lawn areas with retaining walls and brick steps. Also on the land is a gazebo which we believe was built at the same time as the house in 1908.

As you can see from the photos **(show photos and show the boundary marker)** the land in question is very close to our house- should this land become Town Belt and therefore public property it would have a significant impact on our privacy and security.

Page 78 of the Draft Town Belt Management Plan describes the unformed part of Grant Road as steep and covered in vegetation and large pine trees. It also states that this land has consistent landscape values with the adjacent Town Belt **(show the photos of the back strip of lawn and the distinction with the bordering town belt)**.

However this is clearly not the case here. Whilst this land borders the Town Belt it is not steep, it is not covered in vegetation and large pine trees. It doesn't have the same landscape at all. It is simply two strips of lawn. We can't see how adding this land to the Town Belt would be of any recreational or visual benefit to the Town Belt. There is already public access to that part of the Town Belt adjacent to the unformed road and so adding this part would not increase public access.

We are also concerned about the possible implications for the historic gazebo that sits on this land. We believe it has a heritage value. If this land became Town Belt could we potentially be required to remove it? The existing retaining walls stabilize the land. Would they be permitted if this land became Town Belt?

We are concerned about the Council's proposal to convert this land into Town Belt because it is unclear as to what it would mean for us if this land did change to Town Belt. Would we be granted an encroachment over it with the same terms and conditions as we have now? Would the retaining walls, fencing and gazebo all be permitted? Would we still have exclusive use of this land? Section 9.6.9 of the Draft Plan states that encroachments are a prohibited activity and the Council will protect the Town Belt from new encroachments. Could you explain what will change for us if this land changes from legal road to Town Belt?

Currently we pay for the use of the land and we maintain it in exchange for exclusive use of it. The annual encroachment fee has increased by over 30% since we purchased the property in 2007 and is set to increase significantly in the future. We are happy to pay to use this land and we would also be happy to buy it. We submit that there is no public benefit in adding this land to the Town Belt because the existing Town Belt that borders the land is already able to be accessed by the public and because the land in question is not of any recreational or visual benefit to the Town Belt. But if it became public

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property there would be a significant impact on our privacy and security and potentially significant impact in terms of uncertainty over the status of current retaining walls, the gazebo and fencing.

We submit that the land should remain a legal road with those that use it continuing to pay for that use or alternatively making it available for sale.

## **Questions**

**Could you tell us what it will mean for us if this land changes from Legal Road to Town Belt?**

**What will happen to our encroachment? Will we have exclusive use of the land? What are the implications for the gazebo, retaining walls and fencing?**