

Help us develop Town Belt guidelines

Wellington City Council is looking for your help to develop some guiding principles for the Town Belt. Guiding principles are a way to make sure community aspirations and values are reflected in the day-to-day management of reserves.

The development of guiding principles is part of the Council's review of the Town Belt Legislative and Policy Framework. The Council will use the principles to guide its review of policies within the Town Belt Management Plan and/or any future legislative changes that might be required.

How were the draft principles developed?

A series of draft principles for the management of the Town Belt are proposed in this discussion document. The Council developed them from market research carried out in 2009 and from the findings of workshops and hui with community groups and others with an interest in the Town Belt, held in May 2011.

How is the Town Belt managed?

The Town Belt is held by Wellington City Council, which is trustee under the Town Belt Deed. In addition, the Town Belt is a reserve under the Reserves Act 1977 and managed by the Council as a recreation reserve.

The Council became trustee of the Town Belt in 1873, when the then Superintendent of the Province of Wellington (acting under the Wellington City Reserves Acts 1871) vested the land to "the Mayor, Councillors and Citizens of Wellington" by executing the Town Belt Deed. The deed is the key document giving the Council legal authority over the Town Belt and provides the primary powers to make rules and regulations to govern the use of the Town Belt.

Over time various statutes (such as the Wellington [City] Town Belt Reserves Act 1908) have provided the Council with additional powers, sitting alongside those already exercised by the Council as trustee of the land.

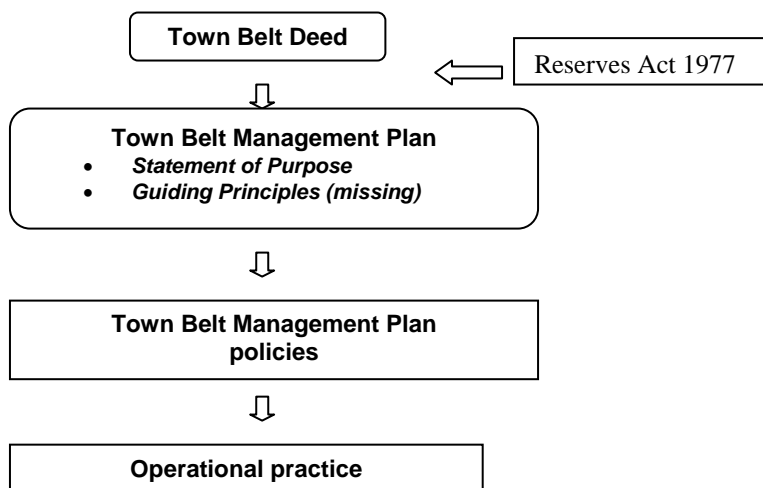
The Town Belt is classified as a reserve, and the Reserves Act 1977 applies subject to any specific local legislation and, importantly, the provisions of the Town Belt Deed itself. In other words, the Reserves Act 1977 applies only where its provisions are consistent with the Town Belt Deed. Overall, the deed prevails.

Using the Town Belt Deed

Despite the fact that it is the Town Belt's key governance document, the age, archaic language and nature of the Town Belt Deed means that it is too general to provide clear guidance for the complex management decisions that need to be made on a regular basis (a copy of the deed is provided on the Council's website Wellington.govt.nz. Nevertheless,

legal interpretation of the intent of the deed is that the Town Belt is to be used as a public recreation ground for the people of Wellington.

To improve the management of the Town Belt (and to follow best management practice), Wellington City Council adopted the current Town Belt Management Plan in 1995. This attempted to translate the intent of the deed into a set of operational practices through the use of two statements of purpose and a number of clear policies on how different aspects of the Town Belt should be managed. The sequence of management, therefore, flows as follows



Protecting the Town Belt

The existence of the Town Belt Deed has been useful in protecting the land against the pressures for development in a constantly expanding city in that any amendments to the Town Belt (or clarification of the deed itself) requires legislative change. The deed, however, does not provide total protection as it can always be changed through legislation.

The vast majority of Town Belt land lost since 1873 has been as a result of legislation introduced by central government to acquire land for community purposes. This included the Wellington City Reserve Act Amendment Act, the Native Reserves Titles Grants Empowering Act, the Wellington Asylum, Home, Hospital and Orphanage Reserves Act, the Botanic Garden Vesting Act. Wellington City Council has very limited ability to protect the Town Belt where central government has decided to acquire part of this land for community or public works.

What is the Town Belt?

During the early 19th century, overcrowding and poor living conditions in England's industrial cities prompted social reformers to call for green and open spaces as a means of improving the health and well-being of citizens. This open space was called the 'lungs' of a city.

When the plans for Wellington City were originally being developed, the New Zealand Company, a private land-settlement company, wanted to avoid similar problems here by consciously providing public green space. Public good was not the only motivation, however. The New Zealand Company also wanted to keep land prices high in the 'town acres' of the new settlement. In this way, it could ensure good returns for its investors and preserve a social hierarchy – those who could not afford to buy high-priced land would form a lower class labour force. The Town Belt, with the added provision that 'it was not to be built upon', would achieve these purposes by distancing the cheaper 'country' sections and maintaining demand for the 'town acres'.

The Town Belt was originally set aside from land included in the Port Nicholson Deed of Purchase. Despite questions about the legality of purchase, Governor Hobson proclaimed the Town Belt a Crown reserve in 1841 and directed that a notice be published in the *New Zealand Gazette* requiring "all persons occupying public or native reserves to vacate those sites". He also declared that "all persons are warned not to clear, fence, cultivate or build in or upon any portion of the belt of reserved land surrounding the town."

The Crown held the land from 1841 to 1871 when it was transferred to the then Superintendent of the Province of Wellington by the Wellington City Reserves Act 1871. The Superintendent was instructed to, in turn, convey the land "upon such trusts and for such purposes of public utility to the City of Wellington and its inhabitants" as the Superintendent wished. The Superintendent acted on this instruction in 1873 by executing a deed of trust now usually referred to as the Town Belt Deed. (Other land forming the Basin Reserve and the 'Canal Reserve' (Kent and Cambridge terraces) was ultimately put into trust under a separate deed.)

The Town Belt Deed set out how the city was to manage the land and it remains the most important document for the Town Belt today.

Since 1841, the growth of Wellington City has meant that over a third of the land originally designated for Town Belt has been taken for community purposes. Significant portions of the Town Belt were lost for predominantly Crown uses. These included land for Wellington College, the Governor General's Residence, Victoria University, Wellington Hospital, and various roads linking the inner city with the suburbs.

Today, the Town Belt is a significant natural feature that provides a scenic backdrop to the inner city and offers many recreational opportunities to residents and visitors. The Town Belt is managed as a reserve through the Town Belt Management Plan 1995.

History of the Town Belt

Before the arrival of European colonists, the Town Belt land was under the kaitiakitanga (guardianship) of the resident iwi/hapu. The earliest documented description and pictures

of the Town Belt have the land covered in forest with the slopes of Mount Victoria/Tangi te keo covered in kanuka shrubland.

August 1839: The New Zealand Company instructed William Mein Smith, its surveyor, that “the whole of the town inland should be separated by a broad belt of land ... to be public property on condition that no buildings be ever erected on it”.

September 1839: The New Zealand Company sought to purchase land in and around Wellington Harbour. Its representatives negotiated the Port Nicholson Deed under which they claimed to have ‘bought’ the harbour Whanganui-a-Tara and surrounding hills from the Māori of Pito-one and Nga-ū-ranga.

The deed, however, was drafted only in English and although it included a description of the boundaries of the purchased land, it did not include a map. The deed also provided that a tenth portion of the land conveyed by the New Zealand Company would be reserved for local Māori, although this was never effectively implemented.

1840: The New Zealand Company settlement was established in an area around the mouth of the Hutt River. After three months, however, the settlement site at Petone was declared “quite unfit for a town” and there was increased interest in moving the settlement to its present location.

The first record of the Town Belt was a plan of Wellington (finalised by Mein Smith in August 1840). This marked the Town Belt as “land ... reserved for the enjoyment of the public and not to be built upon”.

1841: Although the land had not been validly obtained from Māori, the Crown assumed ownership of the Town Belt area (approximately 625 hectares) and proclaimed the land a public reserve without compensation.

Governor Hobson directed that a notice be published in the New Zealand Gazette requiring anyone occupying public or native reserves to vacate those sites, and declaring that “all persons are warned not to clear, fence, cultivate or build in or upon any portion of the belt of reserved land surrounding the town”.

Although the Māori communities of Te Aro, Kumototo and Pipitea had not been party to the earlier land purchases, the settlers moved in and effectively forced the displacement of those people.

1852–1873: Over this period, one-third of the Town Belt was lost to community and social welfare needs, housing, roads and public works. Some of the land set aside as hospital and orphanage reserve was later sold as residential sections or claimed for road works.

1873: The remaining Town Belt was transferred from the Crown to the City of Wellington under the Wellington City Reserves Act 1871 and the then Superintendent of the Province of Wellington. The 1873 Town Belt Deed set out the terms and conditions under which the City was to administer the land. The Council, as Trustee, holds the Town Belt for the charitable objectives set out in that deed. In particular, it was “to be forever hereafter used

and appropriated as a public recreation ground for the inhabitants of the City of Wellington”.

1873–1959: As the City grew, roads were developed across Town Belt land and certain areas were leased for use by sports clubs. Management of the Town Belt was generally ad hoc until the first land management plan in 1981.

1908: The Wellington (City) Town Belt Reserves Act was passed, which provided the Council with certain statutory powers to lease parts of the Town Belt. These powers were in addition to the Council’s existing powers under the Town Belt Deed. By 1910, Newtown Park, Nairn Street Park, Kelburn Park, and Wakefield Park had all been constructed.

1959: The Wellington City Exhibition Grounds Act authorised the Council to grant a 21-year lease with perpetual right of renewal to the Wellington Show Association, over 5.6 hectares of the Town Belt, as an exhibition site.

1994: The Council approved the current Town Belt Management Plan. The plan provides a policy framework for managing and developing the Town Belt.

1998: The Town Belt Reinstatement Policy was approved by the Council. This outlined the Council’s approach to the recovery of land that had been in the original Town Belt and its reinstatement in the Town Belt. See insert on page 7.

1998–2008: During this time some of the original sections of the Town Belt were recovered: Telecom land, Te Ahumairangi Hill (formerly called Tinakori Hill) – 18.63 hectares and Chest Hospital – 2.4 hectares.

2009: The Port Nicholson Block (Taranaki Whānui ki Te Upoko o Te Ika) Claims Settlement Act 2009 came into force on 2 September, signed by the Crown and the Port Nicholson Block Settlement Trust (representing descendants of tupuna of Te Ātiawa, Taranaki, Ngāti Ruanui and Ngāti Tama and holding a kaitiaki role for Ngāti Mutunga).

The impact of the Town Belt Management Plan

The Town Belt Management Plan is believed to have been a success for a number of reasons:

- (1) There has been no further loss of Town Belt land, and encroachments on the Town Belt have been more effectively identified and monitored. Some major encroachments have been resolved, such as the Presbyterian Support Services easement in Berhampore.
- (2) Increased recreational use of the Town Belt has been possible while protecting the land from any further development.

Improved access and events for recreational enjoyment include:

- City to Sea walkway
- Mt Victoria track upgrades and mountain bike circuit
- International mountain bike championships
- World running championships.

Improvements to visitor and sporting facilities include:

- Mt Victoria lookout
- Te Ahumairangi Hill (Tinakori Hill) landscape plan
- Central Park redevelopment
- Newtown Park
- Rugby League Park
- National Hockey Stadium parking
- Development of two artificial sports fields at Wakefield Park.

- (3) The managed vegetation on the Town Belt has flourished, largely as a result of protection by the Council, weed and possum-control programmes and the great work of volunteer groups.

- A possum control programme covers the entire Town Belt.
- A weed-control programme for the Town Belt targets, in particular, old man's beard, banana passion fruit and climbing asparagus.

- (4) The managed vegetation on the Town Belt has, over time, been gradually changing from pine trees to native forest. Over 26 hectares of exotic trees (mainly pines) have been removed and replanted with native species in accordance with the Town Belt Management Plan.

Places where exotic trees have been replaced include:

- Te Ahumairangi Hill
- Telford Terrace (above Oriental Bay)
- Finnimore Terrace (in Vogeltown)
- Owen Street (in Newtown).

The issues – guiding principles for the Town Belt

For more than 100 years, the Town Belt has been a regular destination for many individuals and families living in Wellington. Many people, however, have different views on how the Town Belt should be managed and what this land should be used for.

Describing the Town Belt

When we talk about the Town Belt, it is important to be clear about what land it actually includes. The Town Belt comprises 420 hectares, including 387 hectares covered by the Town Belt Deed, 25 hectares of botanic gardens and various other small areas. Over the years, however, there have been different interpretations of what land the Town Belt should include. The three main interpretations are:

- (1) **The current Town Belt** – this is the Town Belt as it stands today and that most Wellingtonians are familiar with.
- (2) **The pre-Deed or original Town Belt** – this incorporates the original 625 hectares outlined in the 1840 town plan. Under this interpretation, land identified in the original 1840 plan would be returned and reinstated if and when it became available from the Crown or private owners. The Town Belt Reinstatement Policy identifies several pieces of original Town Belt, including part of Wellington College and Wellington East Girls College land.

The Town Belt Reinstatement Policy

In 1998, the Council instigated a policy to obtain specific sections of land that had previously been in the Town Belt and reinstate them. Some of the identified sections were purchased by the Council. However, these have not yet been legally reinstated into the Town Belt because reinstatement requires legislative change through Parliament.

When considering future reinstatement the Council needs to take account of:

- the significant cost to the ratepayer of acquiring the land, particularly when sites are close to the city centre
- the 2009 claims settlement of Taranaki Whanui ki te Upoko o te Ika giving them right of first refusal for some of the remaining identified sections of ex-Town Belt land still held by the Crown.

These things mean the current policy needs to be reconsidered.

- (3) **An extended Town Belt** – this interpretation incorporates the current Town Belt but also other sections of land (some of which were in the original 1840 town plan and some which were not, but can be seen as adding value, such as the green belts running between the Town Belt and the south coast). This interpretation would need to be considered on the basis of whether these areas are already covered by other management plans and what would be gained by making them Town Belt land.

Recreation on the Town Belt

Use of the Town Belt is guided by the 1873 Town Belt Deed. Because of its age and archaic legal language, this deed can be a difficult document to interpret. However, there is a clear intent for the land to be “forever hereafter used and appropriated as a public recreation ground”.

Although the intent of ‘recreational purpose’ is clear in the deed, attempting to decide what is (and what is not) a ‘recreational activity’ and whether it should be permitted on the Town Belt is not so straightforward. Definitions of ‘recreation’ change over time and, in 1873, were likely to have meant something different to present-day interpretations. Many modern recreational activities (such as nordic walking, mountain biking and others) were not even conceived of at that time and it is also unclear whether leisure activities such as gardening would be classed as recreation.

The lack of guidance in the deed on recreational activities means that it is up to the Council to try to work out what is – and what is not – permissible. In an attempt to clarify some of the recreational activities permitted, the Town Belt Management Plan defined two different types of recreation:

- **Formal:** These are activities that generally involve groups of people in events which require prior organisation and frequently make use of specially designated facilities such as playing surfaces or sports buildings (eg structured football, netball, rugby, bowling games etc).
- **Informal:** These are activities which can be spontaneous and do not require specialised sports facilities (eg walking, running, unplanned kick around/soccer etc).

Formal recreational activities are more associated with regular exercise while informal recreational activities are more associated with closeness to/enjoyment of the natural environment.

The Town Belt Management Plan interprets the Town Belt Deed to mean that activities on the Town Belt should focus on outdoor informal recreation. It recognises, however, that many clubs carry out formal (indoor and outdoor) recreational activities on the land.

The problem of defining what is and isn't recreation has led to some conflict at times over the type of recreation activity permitted – as the Bandoliers Building demonstrated.

The Bandoliers Building, Mt Victoria

The Bandoliers Building, located on at the top of Majoribanks Street, next to the Mt Victoria Bowling Club, used to be leased by the Bandoliers Marching Team. When the team disbanded, freeing up the building, the Council advertised its availability to the community and was approached by the Innermost Garden Group to use it as a community garden and the Crossways Crèche Committee to use it as a crèche.

Another interest group argued that the building should be removed in accordance with the 1995 Town Belt Management Plan and that a crèche was not allowed as it was not a recreational activity. There was also support within the community for the crèche option, particularly with the loss of another similar facility in that area. This created a lot of public debate but, following legal advice, the Council decided that a crèche was not a recreational activity.

The grounds surrounding the Bandoliers Building are now used by the community garden group and the building can be booked for casual use.

This problem with defining what recreational activities are permitted on the Town Belt becomes more complex when evaluating indoor activities. The 1840 plan of Wellington clearly states that land was to be “reserved for the enjoyment of the public and not to be built upon”. However, while it was the original intention of the New Zealand Company Secretary that there should be no building on the Town Belt, this stipulation was not included in the 1873 Town Belt Deed and the intention was not complied with over subsequent years. Between 1873 and 1995, a large number of recreational clubs leased land and/or buildings on Town Belt land.

Leased land on the Town Belt

There are about 40 formal recreational clubs located on the Town Belt. These range from Scout clubs and gun clubs to various sports clubs (eg the National Hockley Stadium – Mount Albert Park Hockey Club, Berhampore Bowling Club, athletics, tennis clubs). Most of these clubs have leases for buildings and/or areas of land that are not generally accessible by the public (although members of the public are permitted to join the club). Many of these clubs also hire out their facilities on a casual basis.

Under the Town Belt Management Plan, leases can be provided for up to 10 years with 10-year rights of renewal.

However, since the introduction of the Town Belt Management Plan in 1995, the policies on ‘Structure and Furniture’ have been more closely aligned with the original 1840 intention. This policy states that “the necessity for all buildings and structures will be progressively reassessed” and “structures, buildings and furniture which are no longer required shall be removed as soon as practicable”. The recreation policy states “no additional land area developed for organised sports facilities”.

This means that those recreational clubs that currently lease land/buildings on the Town Belt may find it hard to expand their facilities and development of indoor facilities will be difficult even if there is increased demand from the community.

Mana whenua and the Town Belt

From 1840, when the first New Zealand Company ships began to arrive at Port Nicholson (Wellington), conflict quickly escalated between local Māori (mana whenua) and new

settlers. Land inhabited by mana whenua was invalidly ‘purchased’ by the New Zealand Company and sold to settlers. As settler numbers increased, mana whenua were forcibly displaced and their lands taken – including that area of land now known as the Town Belt.

Few Wellingtonians walking on the Town Belt today are aware that the land was taken by the Crown without compensation. Following their initial displacement and the subsequent loss of almost all their land, mana whenua struggled repeatedly to obtain the return of their lands through legal means without success.

For more than 150 years following their initial displacement, little progress was made to resolve the grievances of mana whenua in Wellington and address the historical deprivation they had experienced. The first meaningful Crown reparation process for them occurred in 2003, following the release of the Waitangi Tribunal report *Te Whanganui a Tara me ona Takiwa* on the Wellington District. In this report, the Tribunal concluded that serious breaches of the Treaty of Waitangi by the Crown occurred in the Port Nicholson block, and in particular:

“The Tribunal finds that the Crown, in taking most of the Town Belt land from Māori without their consent or any consultation, and without making any payment, acted in breach of article 2 of the Treaty and failed to respect the rangatiratanga of Māori in and over their land.”

The Tribunal recommended that representatives of these groups enter into negotiation with the Crown to settle these grievances.

Following the publication of the 2003 report, the Crown entered into negotiations with the claimants representing the descendants of tupuna of Te Ātiawa, Taranaki, Ngāti Ruanui and Ngāti Tama. The Crown mandated claimant collective was named Taranaki Whānui ki te Upoko o te Ika. After six years of negotiation, the Port Nicholson Block (Taranaki Whānui ki te Upoko o te Ika) Claims Settlement Act 2009 came into force on 2 September 2009 following a signing between the Crown and representatives of Taranaki Whānui ki te Upoko o te Ika.

However, under the Crown’s Treaty Claims process (in which the conditions for negotiation are dictated by the Crown), negotiations for the return of land are restricted to Crown-owned land (ie not private or local government-owned land). For this reason, the Town Belt (and other lands on sold or transferred by the Crown) were excluded from negotiations and the subsequent settlement discussions.

At present, Wellington City Council’s relationship with mana whenua is managed through a Memorandum of Understanding. Mana whenua have indicated that they wish to be more involved in the future management of the Town Belt. This may require governance arrangements to be agreed between them and the Council.

Draft Town Belt management principles

These principles must be interpreted as a whole and not used as isolated statements.

1. There will always be a Town Belt in Wellington

This reflects the Council's commitment to ensuring that there will always be a Town Belt in Wellington for Wellingtonians to enjoy.

The physical size and continuity of the Town Belt will be retained where possible.

The Town Belt will continue to be managed in trust by the Council.

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

This recognises that mana whenua will have an ongoing role in the management of the Town Belt, consistent with the principles of the Treaty of Waitangi.

3. The Town Belt's natural character will be protected.

The landscape and ecology of the Town Belt has changed and has been modified since humans first interacted with it. This outlines the Council's intention to maintain the landscape and ecological values of the Town Belt into the future.

4. The Town Belt is for all to enjoy

This concerns equity of access and use of the Town Belt. The Council believes that the Town Belt should be available for Wellingtonians to enjoy.

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

The Town Belt should cater for a wide range of formal and informal recreation activities provided they don't conflict with, or compromise, other users or values. Co-location and intensification of formal sports facilities is supported where appropriate.

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

The Town Belt has a rich and diverse history and the Council recognises that the historical link of mana whenua to the land has not been well acknowledged in the past. The Council intends to take significant historical and cultural values into account when making decisions about the Town Belt.

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

This reflects the Council's commitment to ensuring that there will always be a Town Belt in Wellington for Wellingtonians to enjoy.

The physical size and continuity of the Town Belt will be retained where possible.

The Town Belt will continue to be managed in trust by the Council.

What do we mean?

The existing land commonly regarded as the Town Belt consists of approximately 420 hectares, including 387 hectares covered by the Town Belt Deed, 25 hectares of Botanic Garden and various other small areas.

The original Town Belt (pre-1873 deed) outlined in the 1840 town plan covered 625 hectares of continuous open space land set in a crescent shape that encircled the central city. Over the past 170 years, approximately one-third of this has been lost to support the needs of the growing city and subsequently used for public roads, education, health, housing etc.

As trustee, it is the Council's responsibility to ensure the protection of the remaining Town Belt by managing it in accordance with the 1873 deed. The Council also has an obligation to recognise the Town Belt's reserve status under the Reserves Act 1977.

It is the Council's intention to continue a robust policy of discouraging and, if possible, avoiding any further alienation of Town Belt land. In situations where removal of land is driven by powers outside of the Council's control (eg by central government through legislation), the Council will pursue the replacement of any alienated land with open space land of equal value or character to be returned to the Town Belt. It is proposed to reflect this position in the upcoming review of the Town Belt Management Plan policies.

The Council also recognises that legislation is required to regularise the land status of certain minor sections of the Town Belt.

The Council will also consider the practical benefits of extending the Town Belt boundary to include the green belt running between the Town Belt and the South Coast and the area between Karori Sanctuary and the Town Belt.

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

This recognises that mana whenua will have an ongoing role in the management of the Town Belt, consistent with the principles of the Treaty of Waitangi.

What do we mean?

The Treaty principles of partnership, protection and participation will be enshrined in the policies of the revised Town Belt Management Plan. This will increase recognition and acknowledgement of Māori history, cultural values and practices.

Mana whenua will be involved with and consulted on the revision of the Town Belt Management Plan and policies in the plan will be developed to ensure they have an ongoing involvement in future management.

Mana whenua will have opportunity to be more involved in activities on the Town Belt and to use/lease land for Māori cultural and recreational activities such as gardening, growing harakeke for weaving and so on.

The 2009 Treaty Settlement of Taranaki Whanui ki te Upoko o te Ika gave mana whenua right of first refusal (RFR) for some sections of ex-Town Belt land still held by the Crown (including part of Wellington College and Wellington East Girls College). Policies in the revised Town Belt Management Plan will reflect this changed relationship.

Principle 3. The Town Belt's natural character will be protected

The landscape and ecology of the Town Belt has changed and has been modified since humans first interacted with it. This outlines the Council's intention to maintain the landscape and ecological values of the Town Belt into the future.

What do we mean?

Many elements of the Town Belt's natural character (its context, horseshoe configuration, topography, urban forest cover and content) contribute to the identity of Wellington and to people's quality of life. It provides a green space in contrast to the more built-up and developed areas of the city. The Town Belt's uninterrupted green skyline also provides a pleasant visual backdrop in close proximity to the central business district. It contains and balances the city's built environment.

It is the Council's responsibility to protect this natural character and retain the associated benefits it provides for the people of Wellington.

In this respect, the Council is committed to enhancing the natural qualities of the Town Belt such as the vegetation, streams and wildlife habitats. The urban forest management, native revegetation and restoration programmes will continue, along with stream protection. This includes the gradual removal of exotic conifers and replanting with native species.

Although it is impossible to state, categorically, that no future construction will take place on the Town Belt, it is the Council's intention to ensure the Town Belt's overall natural character is protected. This will be through preserving its open-space status, minimising any building or physical construction and continuing to enhance its natural qualities and resources.

We will develop policies in the forthcoming Town Belt Management Plan to clarify how we can ensure that any development (such as critical utilities for water) on the Town Belt does not compromise its natural values.

Principle 4. The Town Belt is for all to enjoy

This concerns equity of access and use of the Town Belt. The Council believes that the Town Belt should be available for all Wellingtonians to enjoy.

What do we mean?

Wellington City Council believes that the Town Belt should be available for everyone to enjoy and that, as a City resource, all Wellingtonians should have the ability to participate in activities on the Town Belt land. Certain situations can arise, however, where public access may be restricted. This usually occurs for the following reasons:

- **Leasing to community groups:** The Council has the power to lease Town Belt land providing the lease is consistent with the intention of the deed (ie to promote the use of the Town Belt as a public recreation ground). The extent which any leasing is detrimental to other values of the Town Belt is also taken into account.

The review of the Town Belt Management Plan will look at the balance between total public access versus recreational benefit to the community. It is also intended to clarify the policy and associated conditions to ensure that leases can only be provided to recreation groups and clubs that are viable, well used and provide optimal access/benefit to the public.

- **Events and concessions:** This is where commercial, short-term events or activities take place on the Town Belt, temporarily restricting public access (such as the recent World Mountain Running Championships).
- **Utility (including easements):** This is where land is provided for essential city infrastructure such as reservoirs, pipes and cables. Some utilities can reduce public access to the Town Belt. The future review of the Town Belt Management Plan, will give clear terms and conditions for such utilities. This will ensure that they are only allowed on Town Belt land where all other reasonably feasible options have been discounted.
- **Encroachments:** This is where a private property owner adjacent to the Town Belt illegally expands an activity onto the Town Belt land, thereby reducing public access to that piece of land.

The Council will continue to address the problem of encroachments by regaining lost land and preventing any new encroachments from occurring. Processes for encroachment resolution will be included in the updated Town Belt Management Plan.

The Council's Recreation Strategy is clear that recreation should be available to all Wellingtonians, regardless of age, ability, discretionary income, ethnicity, gender and physical location. The Council is committed to continuing public use of the Town Belt and broadening recreational participation on it. This will be examined further in the proposed update for the Town Belt Management Plan.

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

The Town Belt should cater for a wide range of formal and informal recreation activities provided that they don't conflict with, or compromise, other users or values. Co-location and intensification of formal sports facilities is supported where appropriate.

What do we mean?

The Council is committed to public recreation on the Town Belt by encouraging people to become more active and increasing recreational participation. In this respect, the Council recognises the need to retain existing informal (see definition on page 8) recreational activities that occur on the Town Belt by protecting areas such as:

- Tourist destinations (for example Mt Victoria Lookout and the Wellington Zoo).
- Community and local parks (for example Central Park and Charles Plimmer Park). These usually have a playground, open flat grass area for events and are associated with a local community.
- Reserve areas such as Te Ahumairangi (Tinakori Hill) and Mt Victoria. Reserve areas contain large areas of urban forest incorporating the track network used for informal types of recreation such as mountain biking, walking, running, orienteering.

The Council also recognises the significant contribution that sports, recreation clubs and organisations play in facilitating public use of the Town Belt. The Council recognises the need for facilities and areas such as (for example only) sports fields, tennis courts and bowling greens, to allow these activities to continue.

Formal and informal recreation activities carried out by some members of the community should not compromise the activities of other members of the community. To manage this and to protect the green character of the Town Belt (principle 4), the Council proposes to continue facilitating formal recreational activities, but to restrict the development and/or expansion of these activities to a series of recreational hubs (for example Hataitai Park and Newtown Park). To further reduce any expansion, it is proposed to encourage co-location of clubs and sporting codes and increase the use of existing formal recreational activities within these hubs (for example the artificial turf redevelopment at Wakefield Park will permit increased use of this facility and the development of new facilities at Newtown Park).

The process for identifying such areas, and the policies around their development, will be part of the ongoing review of the Town Belt Management Plan.

Recreation activities and trends change over time. The Council will continue to assess, plan and manage new recreation activities. Such activities should add to the enjoyment of the Town Belt and not compromise the Town Belt values.

Principle 6. Management of the Town Belt will acknowledge historical and cultural links to the land

The Town Belt has a rich and diverse history and the Council recognises the fact that mana whenua's historical link to the land has not been well acknowledged in the past. The Council intends to take significant historical and cultural values into account when making decisions about the Town Belt.

What do we mean?

Until recently, the story of the Town Belt has been dominated by Eurocentric history and recognition of historical Māori interaction with the Town Belt land has been significantly under-represented. This situation has been rectified to some extent with the publication of the 2003 Waitangi Tribunal report Te Whanganui a Tara me ona Takiwa, however, much of the private and public documentation on the Town Belt (including the Council's documentation) does not yet rectify this omission.

Policies in the revised Town Belt Management Plan will focus on how the history of both cultures can be fairly interpreted so that areas of interest can be celebrated and the history of the land retained and displayed for future generations.

Any development on Town Belt land will recognise sites of cultural significance and the Town Belt Management Plan policies will outline or refer to protocols that should be followed with respect to archaeological surveys or cultural impact reports.

SUBMISSION FORM AND QUESTIONS TO BE INSERTED