

# Tabled Information - Reference 170/13P(a)

Town Belt Legislative and Policy Framework.

Strategy and Policy Committee Thurs. 20 June 2013.

Comments – from Joan Quinn.

Thank you for the opportunity to submit suggestions at each stage of the review.

I appreciate how many comments have been incorporated into the documents.

The sub-committee have addressed difficult questions and together with Council Officers have shown an understanding of the special status of the Wellington Town Belt.

I endorse most of the major decisions – but still have a few questions and comments on apparent inconsistencies.

Today I wish to stress how vital it is that the instructions for the draft legislation progress to the next stage.

I believe the instructions will strengthen the 1873 Deed. The Deed refers to the area being forever a recreation ground. Adding the concepts from the 1839 instructions – an area for “the enjoyment of the public and not to be built upon” gives guidance for the future – an emphasis on outdoor recreation, enjoyment of nature, and the green backdrop to our city. These concepts are also in the 2011/2013 guiding principles and in the suggested definitions of “recreation ground” -- with which I agree. Obviously there are sports buildings and some vital public infrastructure on the Town Belt but I am pleased that the leased area should be limited to 8 hectares and maximum period for the lease 20 years (including right of renewal). The sub-committee wrestled with how to restrain commercialization and “for profit activities” creeping onto the Town Belt and have included many safeguards – some mentioned in the legislation, eg de minimis effect, need to be carried through to the Management Plan. It is still however this aspect that must be monitored over the coming decades. The documents also show some inconsistency with regard to negotiations under the Public Works Act. I believe the Council should not be able to negotiate or offer to exchange land prior to it being taken by the Government This could be abused in the future.

Legislation is also vitally urgent because there is some 130 hectares scheduled to be added to the Legal Town Belt. Most of these areas on Mt. Victoria & Oriental Bay (former Signal Station, former Chest Hospital land (figures need to be checked), part of Vice-Regal land and land on Te Ahumairangi were lost from the Original Town Belt prior to 1873. These with other new adjacent areas cannot be protected and added to the Legal Town Belt without the legislation being enabled. They are vulnerable.

The mechanism for future areas to be added gives the opportunity for areas behind the Colleges and areas such as Clifton Terrace and Abel Smith Street/Te Aro School ( now both high priority) to be returned without waiting another 50 years. It is clearly stated that in future land cannot be removed without further legislation. Minor adjustments – small areas can be removed at the time of this legislation. Is there a schedule of these areas?

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Agenda – SPC. Thurs. 20 June 2013.

All page numbers used are taken from this agenda.

Questions/comments -- from Joan Quinn.

(1) P 30. Negotiations under Public Works Act.

Instructions appear inconsistent. Should it be changed to ...”that there be no voluntary agreement” rather than add to 2.6.3.

P 34 – should it be replaced with “no voluntary agreements” not added to.

P 59/60 – Is it “to pursue” after “compulsorily taken” .... not before?

(2) P 302. Re “for profit/commercial use” has two parts a) and b).

19.4 (re de-minimis effect) Should part b) also be mentioned on P 30

(commercial activity), P 107 Recreation chapter OR P 235 9.5.5

(3) Botanic Garden. P 300 11. Statement re “if no longer required ..... revert to Legal Town Belt”. Could this also be added on P 48 – history section?

(4) P 57. “governed in trust by the Council ... on behalf of the citizens of Wellington”. This is not the same as “held in trust by the Council and Citizens of Wellington”. (As in 12 Legal Status P 300 ie refers to 1873 Deed.)

(5) Check size of Chest Hospital Land. P 112. 7.4 -- former Chest Hospital land given back 2.4 hectares. This is only the open space Lot 3. Area with Chest Hospital building Lot 4 0.89 hectares given back. Total approx. 3.2 ha.

(6) Canal Reserve. P 43 referred to as part of the Town Belt Deed. This seems better than P 299 8.2 where Canal is referred to as Legal Town Belt.

(7) P 240 uses term historic. (I think this is correct.) P 50 1.4 uses historical.

(8) Management Plan Review. P 35 refers to “10 years”. P 304 27.3 “No more than 15..”

(9) Cross-reference to other policies eg P 52. Big space links ... refers to Town Belt “providing additional amenities” – very wide. P 50 District Plan -- use of term “Inner Town Belt”.

(10) P 299 Drafting Instructions 9.3 Minor adjustments – small areas to be removed. Is there a schedule for these areas – like Schedules 1 & 2 P 246-249?