



Mt Victoria Residents Association

Achievements

Firstly, we would like to commend the Council for aspects of its management through the 1995 Town Belt Management Plan, particularly the recovery of original sections of the Town Belt, the revegetation with native trees, the removal of some surplus buildings and return of the land to open space, weed and possum controls, and improved signage.

Points of omission, correction, or clarification

Principles to guide management

We are perplexed to read in Chapter 2, part 2.2, that principles give “staff a clear understanding of the organisation’s priorities and guide them on how they should behave” when in the next paragraph it says “guiding principles are not rules or policies”. The latter suggests the principles are therefore irrelevant to the priorities for and behaviour of staff in the actual management of the Town Belt. To add to the confusion, the drafting instructions for Town Belt legislation state that the principles are to be included in the statute.

This confusion confirms the Association’s previous questioning of the need for any “guiding principles” when in fact the 1873 Town Belt Deed already states very clearly what we consider is 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 MVRA suggests the Management Plan states very clearly this overarching principle, that “overall, the Deed prevails”, and that operating guidelines for the Council’s management of the Town Belt should be driven by the words of the 1873 Deed.

“Policies”

We note that the draft Plan contains both general management objectives and policies set around key themes (landscape, ecology etc) and also policies for each of the nine management sectors. We are concerned to see (on page 63) that while the general policies should be referred to, the sector policies take precedence over the general policies. So, are the general policies like the guiding principles, irrelevant? Or does it mean that the sector policies can be contrary to the general policies? In the view of the MVRA, the general policies should have precedence, and if it is necessary for a sector policy to be contrary to them, then it should be explicitly stated why



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We do not support the development or expansion of formal recreation activities via 'recreation hubs'. These clearly require more buildings, fences, removal of bush and car parks to be built 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 that the Town Belt be public open space.

We are concerned over private sports clubs being able to develop and lease land for buildings as this provides clubs with exclusive use which is contrary to the concept of 'public Recreation ground' in the 1873 Deed and its implied principle of free public access. We recommend that leases for sports and community groups on Town Belt should not increase beyond the existing areas of 5.9 hectares and terms be no longer than 5 years as longer term leases give virtual freehold ownership rights over what is Wellington Town Belt owned by all Wellingtonians.

The MVRA suggests a management policy whereby leases are granted to recreation groups only when they are well-used, stable and provide access/benefit to the public. In our neighbourhood we are concerned over the use of the Bandoliers site and Mt Victoria Bowling Club. 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 and has had issues with drunken parties. We are dismayed it was granted a further 10-year lease. The Bowling Club has procured a legal opinion stating that they do not have to remove the TAB facility which is a condition of the 10 year lease, opening up an area of litigation which will cost the ratepayers, and infers that the Trustee is not going to be in control of the Town Belt. This cannot be in line with the current Management Plan or the 1873 Deed.

We urge that all leases and licences are publicly notified, followed by public hearings so that all views can be openly heard and discussed. WRFU wanting a longer lease than 25 years so that it's buildings can be treated as assets by their bank, infers more litigation on it's way.

We would like to see the Rules clearly state that commercial ventures on the Town Belt are banned, including specialised sport franchises. Section 9 states that Commercial activity will be allowed anywhere on the Town Belt on a permanent basis; all the officers have to do is, at their own discretion, decide that the commercial activity is recreation. I have been told this has been tested out – I do not see how it could be in advance.

Again we urge the intent of the 1873 deed prevail as regards 'public recreation'



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Given that Mt Victoria is the most intensively used forest area on the Town Belt we would like to see walkers and bikers separated on as many tracks as possible. We do not support development of more single track mountain bike tracks as this would create even more tree root exposure and damage and prevent new native vegetation growing on the forest floor. We do not see how more mountain bike tracks and encouraging more mountain bikers are compatible with the long-term environmental sustainability of the Town Belt.

Proposed Legislative Changes

The MVRA continues to oppose any legislative change because, contrary to what the consultation document states, we do not think it will strengthen protection of the Town Belt as the legislation is designed to give the Council “relatively flexible” powers to manage the Town Belt. We do not believe it is necessary to “improve and modernise” governance arrangements as the 1873 Town Belt Deed already gives the Council the legal authority as trustee to hold and manage the Town Belt in accordance with the provisions of the Deed. The Council is also able to continue to manage other parts of what it owns as if they were Town Belt lands. In addition and contrary to the statement in the draft Plan 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 recreation use by the people living in Wellington and that no buildings are erected upon it.

In addition, the current local government governance arrangements for Wellington mean that a reasonably local council acts as the trustee under the Town Belt Deed. However, local government reform may result in a much more remote and unresponsive ‘trustee’ that will have broadly flexible powers under the proposed legislation and little or no regard for the intent of the original Deed. This is of great concern to us and a strong reason for not creating legislative powers over the Town Belt.

As an alternative, we suggest that the Council explore strengthening the protection of the Town Belt under the Historic Places Act and through seeking World Heritage Site status.

The Town Belt is Wellington's crown, it's Taonga, once it is gone it is gone as has a large proportion of it has already. Wellington would not be the same without it and our children and their children will wonder where our heads were at the time of its loss.