

Submission 147

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 12:53 p.m.
To: Megan Dunning
Subject: Town Belt Legislative & Policy Review - Submission

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

First Name: Linnea

Last Name: Lindstroem

Street Address: 8 Harper st

Suburb:

City: Wellington

Phone:

Email: lilindstroem@gmail.com

I would like to make an oral submission in February 2013.

(Please provide your phone number for an oral submission.) Yes Your phone number: 049719563 I am giving this feedback: as an individual Organisation name:

----- Section One - Draft Town Belt Management Plan -----

Overall, do you support or oppose the general direction of management for the Town Belt?

Neither support nor oppose

Why do you say this?

The plan proposes to protect an additional 85.03 hectares under the Town Belt Deed (chapter 2 of the draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

The plan proposes criteria for assessing land to be added to the Town Belt (chapter 2 of draft plan). To what extent do you support or oppose the criteria?

Neither support nor oppose

Why do you say this?

The plan proposes to restore and enhance ecosystems and increase the indigenous vegetation cover on the Town Belt (chapter 5 of draft plan). To what

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extent do you support or oppose this?

Oppose

Why do you say this?

It would be preferable with more edible / useful plants this close to a city in view of future transportation and food production costs. I'd suggest nut trees, fruits, berries and mushrooms for wild harvest. I'm all for increasing the indigenous vegetation on areas not suited for foodproduction (i.e. steep slopes).

The plan attempts to balance retaining "natural" areas for informal recreation with the demands from organised sport (chapter 6 of draft plan). To what extent do you agree or disagree that the draft plan is achieving a balance?

Agree

Why do you say this?

The plan proposes to limit the development of sporting facilities to existing sports and recreation parks (chapter 6 of draft plan). To what extent do you support or oppose this?

Strongly support

Why do you say this?

1. Theme, sector, or policy and page number:

9.4.3

Comment

I cannot understand why education (be it with or without certifications) would not be allowed in the Town Belt! It is the perfect place for environmental education or learning to recognize native species (important for us immigrants) as well as gardening (in community gardens). All sorts of education could be part of the "managed activities", so that only educational programmes that enhance the conservation, sustainability and recreational use of the town belt are allowed. Education is such a fundamental part of recreation!

2. Theme, sector, or policy and page number:

6.4.4 Community Gardens

Comment

This is such a wonderful development, and will probably gain more momentum over the coming decade. I strongly support setting aside space for the creation of more community gardens along / within the Town Belt.

3. Theme, sector, or policy and page number:

9.5.3

Comment

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Community gardens have an important role in encouraging community access and use of the town belt for recreation, and in promoting the conservation values that underpin the town belt management. Education is a key element of their activities - particularly in terms of contributing to conservation, sustainability and recreation.

4. Theme, sector, or policy and page number:
9.6.5

Comment

"Leases and licences for non-recreational purposes are prohibited (eg for childcare, Plunket

and learning institutions, such as schools and community centres)." Courses we take in evenings or weekends, even if in "learning institutions", are an important part of our recreation. "Re-create" = start something new, a breath of new air or new ideas. Sports is also a learning process. I suggest outdoor learning activities should be part of managed activities.

5. Theme, sector, or policy and page number:
9.6.8

Comment

Replace lawnmowers and poison with appropriate livestock with an employed caretaker. The poison spread in the Town Belt makes it dangerous to gather plants or berries.

Do you have any additional comments?

----- Section Two - Proposed legislative changes -----

Do you support or oppose the overall objectives of the proposed legislative change?

Neither support nor oppose

Why do you say this?

1. Paragraph number:

Comment

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment

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Submission 126

From: Wayne Newman [wayne@cresmere.co.nz]
Sent: Monday, 10 December 2012 1:05 p.m.
To: Megan Dunning
Cc: 'John Bickerton'
Subject: Submission

Town Belt Legislative and Policy Review

Submission on Draft Town Belt Management Plan

Name and contact details:

Wayne Newman
68 Curtis Street
Northland
Wellington 6012
04 475 8439
wayne@cresmere.co.nz

I am making a submission as an individual.

I wish to make an oral submission.

Overall support for general direction

I support the general direction of management for the Town Belt, subject to the comments below, but oppose the proposed legislative changes.

Proposal to protect additional lands under the Town Belt Deed

I am confused by the approach to the Town Belt in this plan. The Town Belt to which this plan should apply is the Town Belt as it currently exists. Some of this land will have been transferred to the present management of the Council by the Trust Deed of 1873, but many reserve lands now part of the Inner Green Belt of the city were not included within that transfer.

It seems legally absurd to add land to the Trust Deed that was not included within that Deed in 1873. Land acquired for reserve purposes and having reserve status has protection under the Reserves Act 1977 regardless of how it came to be vested in the City. Adding land given under later trusts to the 1873 Trust Deed would diminish both the original and later gifts, while adding nothing to the management of these reserves.

Criteria for assessing land to be added to the Town Belt

One of the principal criteria seemingly being applied to assessing additions to the present Town Belt is whether the land was within the boundaries proposed in 1839 or 1840 (2.7(3)) or 1841 (1.3.1). None of this has any validity. The Crown had absolute discretion between 1841 and the passage of the Wellington City Reserves Act 1871 in the use and disposal of its lands. A policy of seeking to recover lost territory (Revanchism) based on historical boundaries prior to the 1873 transfer is an inappropriate criterion for assessing the suitability of any land to augment the city's present Green Belts.

Reference to "reinstatement" (2.5 and 2.9.5) should be deleted; the Plan should consider only addition or augmentation and look forwards, not backwards. Historic claims (2.6) should be abandoned as being without legal validity and whether the land may have been part of the original Town Belt in 1841 (2.9.4 (4)) should be an entirely irrelevant consideration.

Proposals to restore and enhance ecosystems

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I support the proposals to restore and enhance ecosystems within the Inner Green Belt.

Balance of informal and organised recreation

I support the attempt to balance informal and organised recreation within the Inner Green Belt.

Limit on developing new sporting facilities

I support the proposal to limit the development of sporting facilities within the Inner Green Belt to existing sports and recreation parks. I do not support limiting the development of new sporting facilities to only existing sports and recreation parks within the Inner Green Belt, however.

Specific Comments on Draft Plan

1.5 page 8: It is notable that the 1998 Capital Spaces-Open Space Strategy referred correctly to the Inner Green Belt, while the District Plan (16.5.1.2 and 16.5.1.3) refers to the “Inner Town Belt” although there is no “Outer Town Belt”. There is, however, an Outer Green Belt and it is a remarkable oversight that no reference is made in this plan to Wellington’s Outer Green Belt Management Plan May 2004. It would be alarming if an inappropriate focus on historic boundaries of one part of the city’s overall chain of reserves and public space within the Inner and Outer Green Belts caused the city to fail to develop an integrated management plan for these.

2.9.4 page 19: The criterion for ‘accessibility and provision of linkages to key community destinations’ in 2.7 has not been included in 2.9.4 and should be, whereas 2.9.4 (4) should be deleted. Where there may be land that meets the criteria in policy 2.9.4 and would fall within category 1 (page 18), but is in private ownership, the Council should have a policy to seek to include such land as part of the Inner Green Belt.

2.9.8 page 20: It is by definition not possible to remove land if the policy is only to “retain or enhance” the physical size of the Town Belt, as stated in 2.9.2.

6.2 page 42: The reliance of the 1995 Town Belt Management Plan on an 1839 instruction regarding lands that included those later transferred by the Trust Deed in 1873 was invalid. Reliance should be, and should have been, on the Reserves Act 1977, which permits provision of facilities for sporting activities, but would exclude childcare, preschool or other educational facilities from recreational reserves.

6.4 page 43: The 1840 plan or any other document prior to the Trust Deed has no relevance to the provision of current sporting infrastructure, and the Trust Deed is relevant only within the provision of the Reserves Act 1977.

7.3 page 59: The land given to the Council in trust for the James Stellin Memorial Park is not, was not and should not be a part of the Town Belt Trust Deed. It is part of an entirely separate trust. While the Council can and should manage the land so conveyed within a management plan for the whole Inner Green Belt, its right to do so does not derive from the 1873 Trust Deed nor from some historic connection of this land with the area set aside in 1840. This should be recognised. Similarly, the Former Chest Hospital (page 61) should be considered as a part of the Inner Green Belt area on its current merits, not because it was “alienated” in 1872.

8.1.2.1 page 67: The five parcels of land listed in 8.1.2 as being reserve land at present, but outside the bounds of the Town Belt, are nevertheless fully protected reserves and integral parts of the Inner Green Belt. Attempting to pretend that these lands fell within the lands conveyed by the Trust Deed would diminish the quite distinct histories of these different parts of the Inner Green Belt in this area.

Sector maps: The maps are excellent. Inclusion of references to 1841 boundaries and 1847 conveyances is of historical interest. It is misleading, however, to refer to “Land protected by Town Belt Deed” and “Land to be added to Town Belt Deed”; all of the land is Town Belt now and protected by its reserve status, with some held in trust under the 1873 deed and some held either directly or under other trusts.

Table 1: Town Belt land additions, removals and boundary rationalisation – Te Ahumairangi Hill sector, page 76, line 1: Privately owned undeveloped land below Stellin Memorial Park. The recommendation is completely at variance with all of the previously stated criteria for additions to the Town Belt. There is physical continuity and intrinsic landscape and ecological value in adding this land to the Inner Green Belt and its addition should be sought.

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8.3.2.1 page 91: The Polhill Gully Recreation Reserve should be considered on its merits, without reference to historic boundaries. The Sector 3 map (page 94), however, reinforces the absurdity of basing this plan on those boundaries, rather than on current best fit. The remnant of pre-1873 Town Belt conveyed by the Trust Deed should be included within the Outer Green Belt, with which it is contiguous, rather than the Inner Green Belt, from which it is physically isolated. The Polhill Gully Recreation Reserve should be similarly added to the Outer Green Belt, rather than the Inner.

8.4.2.1 page 102: If the land in these parcels is held as reserve, it is adequately protected without being within the land conveyed by the Trust Deed and need not be belatedly added to that Deed.

8.7.2.1 page 138: If the land in these parcels is held as reserve, it is adequately protected without being within the land conveyed by the Trust Deed and need not be belatedly added to that Deed.

8.7.3 page 138: The Former Chest Hospital is held as reserve and is a part of the Town Belt as it now exists, and is adequately protected without being within the land conveyed by the Trust Deed.

8.9.2.1 page 161: Mt Victoria Lookout and Point Jerningham have reserve status and are part of the Town Belt as it now exists, and adequately protected without being within the land conveyed by the Trust Deed. The land in the parcels on Lookout Road should be given reserve status, but it was not conveyed by the Trust Deed and it should not be pretended that it was.

8.9.2.2 page 162: It is unclear what purpose gazetting the subsoil over Mt Victoria Tunnel as road reserve would serve, but the land at issue is actually within Sector 8, not Sector 9.

9.6.8 page 179: The one word, "horses", would not normally be interpreted as an activity and this prohibition should be expanded to: "grazing, riding, leading or driving of horses". Similarly, the keeping of pets and livestock might usefully include goats and bees, and should address dogs specifically.

Thank you for the opportunity to submit on the Draft Town Belt Management Plan.

Comments on Proposed Legislative Changes

I strongly oppose the objectives and intent of the proposed legislative change.

It is legally absurd to propose to add land to the Trust Deed that was not included within that Deed in 1873 and diminishes the historic value of the original Deed. The 85.44 ha of land acquired for reserve purposes since then possibly has better protection under the Reserves Act 1977 than the land conveyed by a trust deed allowing it "to be for ever hereafter used and appropriated as a public Recreation ground for the inhabitants of the City of Wellington *in such manner as in and by rules and regulations to be from time to time made in that behalf by the [Council]*". The emphasis is mine.

The Town Belt Trust lands now form only part of the total area of Green Belts around the city. New areas of public space or recreation area added to those Green Belts will be reserves and have the legal protection of reserves. It is the Reserves Act that establishes the Trust Deed as the key document giving the Council legal authority over the Town Belt land conveyed in 1873, but other reserves within the city and within the current Inner Green Belt are no less effectively protected by that Act. Removing the Town Belt from the protection of the Reserves Act 1977 appears an unnecessary and retrograde step.

To say of the Trust Deed that it is almost 140 years old and its "age, archaic language and nature ... means it is too general to provide clear guidance and consistency for the management decisions" that are now needed is both ignorant and misguided. The language would be no more archaic than that in the documents that incorporated the Council and gave it title to significant areas of land within the inner city and waterfront. As for age, the document is 33 years younger than a document many wish to adopt as an element of our constitution and in many cases centuries younger than statutes still relied on, such as the meaning of charitable purpose in the preamble to the Charitable Uses Act 1601.

The Trust Deed should not be looked to for guidance in management decisions, beyond the very broad powers it conveyed to the Council. Clearer guidance is provided by statute in the Wellington (City) Town Belt Reserves Act 1908 (particularly with regard to leases), the Trustee Act 1956 and the Reserves Act 1977, which requires a management plan for all reserves.

Much of the difficulty in the management decisions regarding the Town Belt appears to derive directly from

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the continuing reference to 1839-40 events that have no relevance to the present situation. The repeated references to this prior period in the management plans reflect this confusion. New legislation for managing the Town Belt is not required. One that proposes to supersede the Trust Deed and all prevailing legislative controls, as this proposal does, should not be progressed further.

Thank you for the opportunity to submit on the proposed legislative changes.

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Submission 171

From: P.E & J.E Buxton (xtra) [pebuxton@xtra.co.nz]
Sent: Monday, 10 December 2012 3:50 p.m.
To: Megan Dunning
Subject: Submission on Draft Town Belt Management Plan

Submission on the Draft Town Belt Management Plan.

Submitter: - Peter Buxton.

Contact Details. pebuxton@xtra.co.nz

106 Weld Street,
 Wadestown
 Wellington 6012

Home Phone (04) 4723456. Mobile (027) 4723455

I would like to make an oral Submission to Councillors.

Introduction

I am a Wellington Citizen concerned with the preservation of Wellington's Native Bush remnants, re-vegetation with emphasis on Native Flora and also the establishment of viable populations of endangered native flora in such a way that they are accessible to the Public. Therefore I have a special interest in walking tracks and the so-called "connectivity." I think "connectivity" means something different to the writers of the Draft Town Belt Management Plan than it does to me and persons in such diverse places as Cape Town, Bendigo and Nairobi who link their attractions together in a time and cost efficient way while Wellington's compete and thwart each other.

Concerns and Expectations.

- (A) There is no timetable in the Town Belt Management Plan either for the proposals mentioned therein to be executed or for the priority in the scheme of "like to haves" the suggestions in the Draft Plan will be allocated .. For example in the previous Otari-Wiltons Bush Management Plan hardly any of the declared objectives were executed and many not even begun so the Plan is really only Guiding Principles, even wishful thinking.
- (B) No plans are put in place for monitoring progress in a way we can learn from varying results, success or relative failure.
- (C) Co-ordination between WCC Departments. There is no provision for essential services for on-going maintenance of re-vegetation. On Te Ahumairangi Hill, when a new plastic pipe was threaded through the old rusty filling main from the Historic Pump House on the Town Belt beside Wadestown Road to the New Reservoir Valve Chamber, a shut off valve at the Pumphouse end, Tap offs to watering taps in the "Project Crimson" Rata Planting area and a restricted flow by-pass valve around the New Reservoir drain valve would have enabled the new rata trees planted to be watered vastly more easily than how enthusiasts were forced to carry watering cans of water from their houses to save some of these trees. There was actually an Iconic use for the Old Pumphouse and the 'found very strong' old reservoir (only the roof needed replacing.) **The whole Council need regular involvement with the Town Belt Management.**

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- (D) Hidden reasons for changes. For example the taking of Town Belt Land on Te Ahumairangi Hill to make a legal road to existing non complying high density development and some future high density developments being considered, all on Lands whose Deposited Plans had their legal access off Cecil Road. The old Section 5 of the Local Government Act would have allowed only 6 single unit dwellings access off the existing undersized Upper Weld St. Proposals in the Town Belt Draft Management Plan may have ramifications not mentioned but strongly echo the disguised plan to change “land for recreational purposes,” to “land zoned commercial,” which was to see a “Mitre 10 Megastore” built in one of Wellington’s environmental gems the Te Mahanga/Kaiwharrawharra Valleys. More transparency is needed.

Examples.

(1A) In the Section on Te Ahumairangi Hill, it mentions twice the possibility of a *tramping* track to Link the Botanical Gardens to Otari-Wiltons Bush via Monmouth Way but at the same time the Management Plan for Tinakori (Te Ahumairangi) Hill abandons the most direct and ‘best by far’ minor tracks still just passable if you climb over 3 large fallen pine trees and around a slip. Grant Preston Thomas’s Track Volunteers even built a new Track through the Gorse to join these obstructed minor tracks. The many new Guide Posts state the way to such Tourist Highlights as Northland and Wadestown but not the National Icon Otari-Wiltons Bush. Tramping brings tens of thousands of Europeans to N.Z. and tramping tracks in the Town Belt gives Chinese and other Asians unused to tramping under forest canopies the chance to experience our City Wildernesses before they otherwise get lost and panic in the real stuff. **This requires the management of contiguous areas to the Town Belt (or once part of the Town Belt) with WCC owned underdeveloped land, reserved land to parts of outer Green Belt. Co-ordinated Planning needs to over-ride the local management plans for these areas not the other way around.**

(2B) By setting out plots of Bush (called “Quadrats” at Otari-Wiltons Bush [OWB]) now identified by GPS Co-ordinates and recording the Flora growing in these using volunteers or Botanical Students, we can monitor progress, regardless of whether these have been replanted or just left to regenerate. We have Quadrat records going back to 1932 at OWB. As well as showing what grows best under which conditions, the volunteers and paid carers can see where best to expend their limited resources. **I agree with and support nearly all of what the Wellington Botanical Society have submitted on this issue of revegetation and plant after care.** There are some areas of the Town Belt where the Plan does not tell of Pest Control, Exotic Weed Control or other weed control. The Draft Plan needs to be broadcast so the neighbours of such areas will understand what they can do to help in these areas. Current Doctorate Studies indicate that N.Z. Podocarps amongst others need specific types of fungi growing on their roots to obtain sustenance or the seedlings die. The Plan needs to co-ordinate available expertise.

(3C) German experts acknowledged to be the best in the World in variable speed electric motor/generators on fixed frequency networks are building at a cost of about 20 Million Euros a testing laboratory which Wellington Capacity once had in effect below Zelandia (but Zelandia wanted it destroyed to make parking for Tourists who never came in the numbers predicted) and Capacity sold the hardware for scrap. New Zealand Engineers who were top in the World in this field are all know by name in Germany and had been met in Germany but their N.Z. Employers were sold off to Foreign Owners. The Town Belt or contiguous land still contains facilities which might be used for developing and demonstrating “Ecotechnology” or much more efficient Technology. None of this is more than mentioned but facilities are implied about to be trashed.

(4D) I am sure there are WCC Officers other than those who put the various subtractions and additions to the Town Belt in the Draft Management Plan, who know who stand to benefit and who stand to lose from this. Should Transit N.Z. take Town Belt, the compensaton should be sufficient

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to buy the Town Belt some equivalent benefits elsewhere. I suspect there are some who if they realise a benefit could contribute to a fund which is used to defend the Town Belt against encroachments or to manage rationalisation. More Transparency needed here.

Best regards,
Peter Buxton.

Best wishes
Jeannie Buxton
Volunteer Co-Ordinator
FRIENDS OF TE PAPA
04 472 3456

Submissin 47

From: Karuna [karuna@nzsao.com]
Sent: Wednesday, 5 December 2012 2:39 p.m.
To: Megan Dunning
Subject: Town Belt submission

Attachments: Lookout Submission.pdf; karuna.vcf



Lookout
ubmission.pdf (4 ME



karuna.vcf (238 B)

To whom it may concern

Please find attached a submission regarding the Draft Town Belt management Plan. I would appreciate acknowledgement that this has been received. Noting also our request to make an oral submission

Thank you

Karuna Olatunji
021 1789 640

Submission by:

Karuna & Adejola Olatunji
49 Lookout Road
Hataitai

04 386 4474

021 1789 640

karuna@nzsao.com

We are applying on our own behalf and request the opportunity to do an oral submission in February 2013.

Introduction

The broad intent of the Draft Management plan is something we endorse as a means to protect the Town Belt, to keep it accessible to Wellingtonians, and for all to enjoy. Embedded within this proposal however, is a suggestion to include a tiny piece of land (the road side strip between 45 and 49 Lookout Road) which currently is protected by Parks and Gardens. We **strongly oppose** this and request that it be **EXCLUDED** from Town Belt (p169 table 9) on the basis that:

- This fee simple land is currently well managed and protected under Parks and Gardens
- Town Belt acquisition intent is to include land concurrent to existing town belt. This piece is separated by Road, driveways and private land so does not enhance this criteria. Its total area is tiny, approximately 2 metres wide by 20 metres in length and serves as frontage to two private property boundaries. **[photo-1]**
- The current owners purchased 36 Alexandra Rd (proposed 47 Lookout Rd) after consulting Wellington City Council Property Management who indicated that vehicular access from Lookout Road was a possibility once further legalisation of Lookout Road was in place. If this strip is transferred to Town Belt this would no longer be an option.
- That the adjacent Lookout Road properties have vehicular access which does not affect the visual 'undeveloped skyline' and making such a provision for this property would be logical, fair and reasonable. No trees would be affected. The street numbering already accounts for this possibility. If this land is included in Town Belt then access would not be possible. **[photo-2]**

Description of the Land

This is a narrow strip of land approximately 2 metres wide by 20metres in length. It is clearly defined and isolated from Town Belt by Lookout Road and two privately owned driveways coming off of the same Road. [\[photo-3\]](#)

Background information

The layout of the properties on top of Mt Victoria date to before 1950 when Alexandra Road was the only legal access and so the properties are 'stacked' when looked at from Alexandra Road but these properties which lie up long easements also have Lookout Road as a natural road boundary. [\[photo-4, map-1\]](#)

Circa 2000-1 Lookout Road was legalised and property owners were invited to purchase access to their properties which 45 and 47 Lookout Road owners accepted. The property between these, (proposed 45 Lookout Road) was then owned by an elderly, single woman who did not have the resources for this. On her passing, and well prior to purchasing, the current owners had made inquiries of the Council's property team (December 2011) regarding gaining legal access from Lookout Rd. We were informed that although there was a complicated 'betterment' process to go through, it was a distinct possibility that this right could be purchased. On this understanding we purchased the property. There were subsequent discussions via email and phone to initiate this however it was only on the eve of the release of the draft Town Belt consultation process (19 September 2012) were we informed that this strip of land was to be included in the proposal.

Summary [\[photos and map\]](#)

The land requested to be excluded from Town Belt is a very small parcel (around 40sq meters) separated from town belt by road, driveways or private property. It has been under the management of Parks and Gardens and the native flora is being preserved keeping the natural features of Mt Victoria intact. There is no sound argument why this could not continue, especially as the strip in front of 47 Lookout is also maintained by Parks and Gardens and is not earmarked for Town Belt reserve. All the other properties along this stretch of road have access off of Lookout Road and it would be logical to enable this to occur for this property also. This land is quite separate from surrounding town belt and would not meet Town Belt criteria any more than its current status. There is a natural break in the trees along the most southern Lookout Boundary point of this property that would be suitable for vehicular access with no impact on the natural tree line and little visual disturbance.

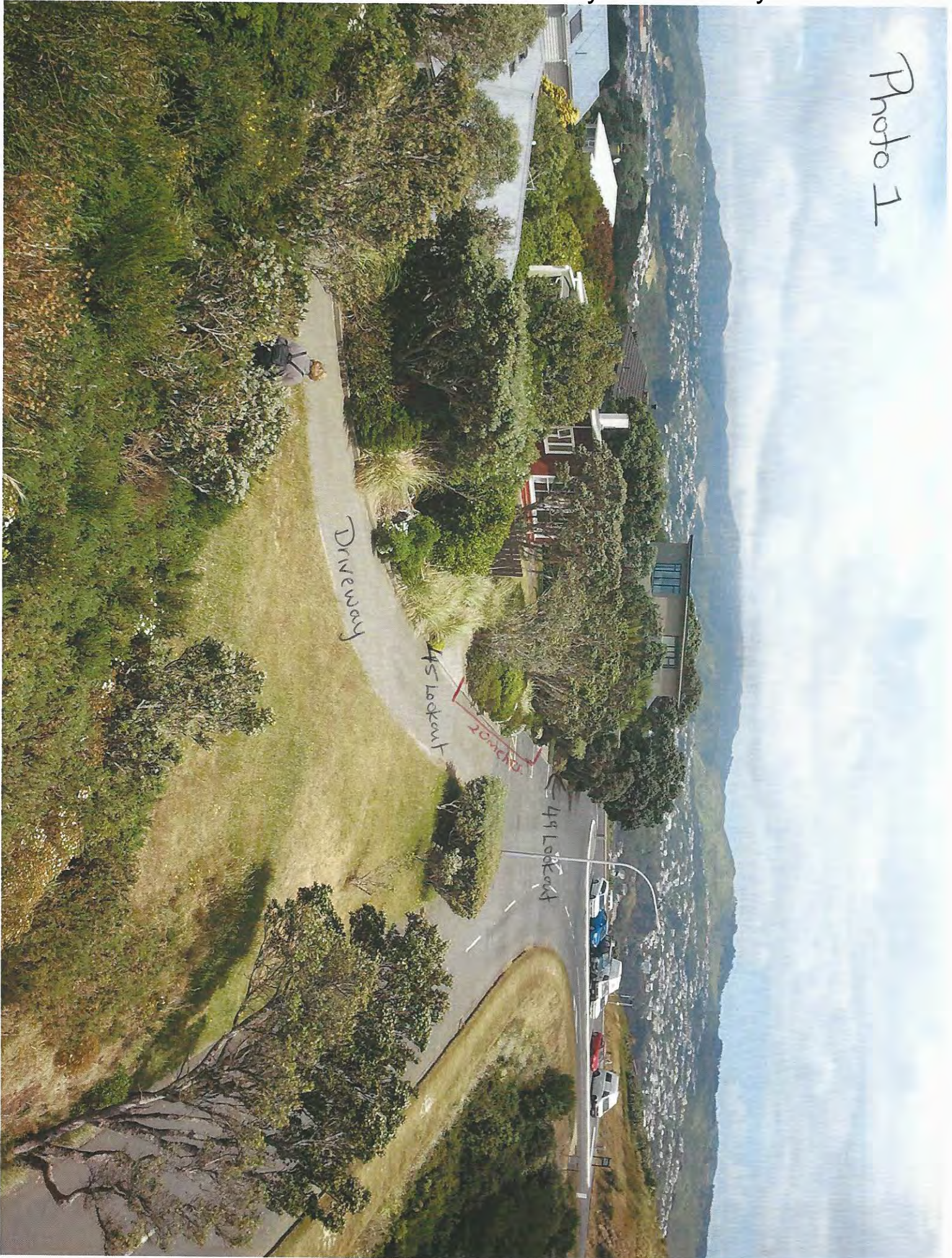


Photo 1



Photo 3

45 Lookout

Apex 20m x 2m

49 Lookout
 driveway





Important Notice

- This map does not form part of the official rating information database. Wellington City Council does not guarantee that the map accurately or completely represents the rating unit.
- The position of building tops may often seem wrong, relative to boundary lines. This is because the camera was not vertically above the building.
- Accurate information relating to legal title can be obtained from Land Information New Zealand. A surveyor can provide accurate information on the boundaries for a property.
- Any person wishing to rely on the information shown on this map must independently verify the information.
- If you think there is an error on the map, email landinfo@wcc.govt.nz

Understanding the Aerial Photo

Rate accounts are based on rating units, but this map shows surveyed property boundaries. These boundaries may include several rating units, such as when several separate units are included within the same surveyed parcel.

Data Statement

- Parcel Boundaries Land Information NZ Licence WN 0853547/2 Crown Copyright Reserved
- Accuracy in urban areas: generally +/- 1 m
- Accuracy in rural areas: generally +/- 30 m
- Colour Orthophotography 1:500 flown in February 2002 owned by Terralink International Ltd and used under licence by Wellington City Council.
- Other imagery is Wellington City Council Copyright Reserved.

Close Print

Photo 4.

36 Alexandra
proposed 47 Lookay



36 Alexandra Rd
access.

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TOWN BELT LEGISLATIVE AND POLICY REVIEW

SUBMISSION FORM

Help us protect the Town Belt by commenting on:

- the draft Town Belt Management Plan
- some proposed legislative changes to strengthen its governance.

You can have your say:

- By making a submission on this form or in writing and send it to us by Monday 10 December 2012.
 - Post: Freepost, Parks and Gardens (REPL01), Wellington City Council, PO Box 2199, Wellington 6140
 - Fax: 801 3155
- By making a submission online at Wellington.govt.nz
- By sending an email to: townbelt@wcc.govt.nz
- You may also make an oral submission to Councillors. To do this, tick the box below and provide your contact details.

Please phone 499 4444 for more information.

ENTER YOUR NAME AND CONTACT DETAILS	
* Mandatory fields	
<input checked="" type="radio"/> Mr / <input type="radio"/> Mrs / <input type="radio"/> Ms / <input type="radio"/> Miss / <input type="radio"/> Dr (Please circle which applies)	
First name* <i>Gary</i>	Last name* <i>Tonks</i>
Street address* <i>20/389 Adelaide Road</i>	
Suburb <i>Berhampore</i>	City <i>Wellington</i>
Phone/mobile <i>3896191</i>	Email

MAKING A SUBMISSION	
I am making a submission	<input type="checkbox"/> As an individual <input checked="" type="checkbox"/> On behalf of an organisation
Name of organisation <i>Tonks families of Wellington</i>	
I would like to make an oral submission to the City Councillors.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide a phone number above so that a submission time can be arranged.	

SUBMISSIONS CLOSE 5PM ON MONDAY 10 DECEMBER 2012.

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 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.

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TOWN BELT LEGISLATIVE AND POLICY REVIEW

Overall, do you support or oppose the general direction of management for the Town Belt? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose 4 Support 5 Strongly support

Why do you say this?

Positive Responsibility of Belt by WCC

SECTION ONE – DRAFT TOWN BELT MANAGEMENT PLAN

The plan proposes to protect an additional 85.44 hectares under the Town Belt Deed (chapter 2 of the draft plan). To what extent do you support or oppose this? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose 4 Support 5 Strongly support

Why do you say this?

to help make up previous lost land

The plan proposes criteria for assessing land to be added to the Town Belt (chapter 2 of draft plan). To what extent do you support or oppose the criteria? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose 4 Support 5 Strongly support

Why do you say this?

as above answer

The plan proposes to restore and enhance ecosystems and increase the indigenous vegetation cover on the Town Belt (chapter 5 of draft plan). To what extent do you support or oppose this? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose 4 Support 5 Strongly support

Why do you say this?

Best out come is native vegetation

The plan attempts to balance retaining 'natural' areas for informal recreation with the demands from organised sport (chapter 6 of draft plan). To what extent do you agree or disagree that the draft plan is achieving a balance? (please circle)

1 Strongly disagree 2 Disagree 3 Neither agree nor disagree 4 Agree 5 Strongly agree

Why do you say this?

objectives good but caution that organised sport is able to over-ride rules for their ambitions

The plan proposes to limit the development of sporting facilities to existing sports and recreation parks (chapter 6 of draft plan). To what extent do you support or oppose this? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose 4 Support 5 Strongly support

Why do you say this?

as above

Submitters - Monday 18 February 2013

DO YOU HAVE ANY COMMENTS ON WHAT THE DRAFT PLAN PROPOSES?

If you have read the draft plan, please provide the policy number and page number too.

Theme, sector or policy and page number	Comment

DO YOU HAVE ANY ADDITIONAL COMMENTS?

For example, is there anything you feel has not been adequately covered by the draft plan. (Please attach any additional pages.)

Culture + history of T/B; theme G sources of historical research need accurate recording; to date no evidence of such

SECTION TWO – PROPOSED LEGISLATIVE CHANGES

Do you support or oppose the overall objectives of the proposed legislative change? (please circle)

1 Strongly oppose 2 Oppose 3 Neither support nor oppose **4 Support** 5 Strongly support

Why do you say this?

DO YOU HAVE ANY COMMENTS ON THE PROPOSED LEGISLATIVE CHANGES?

For example, tell us what you think about the statutory principles and the Council's powers, such as the maximum term for a lease. If you have read the full drafting instructions please provide the paragraph number too.

Number	Comment
	<i>Revertive into environment Court over rule re T/B complete fast. Sports groups should not be able act as did the Badminton Club</i>

Submitters - Monday 18 February 2013

DO YOU HAVE ANY COMMENTS ON THE PROPOSED LEGISLATIVE CHANGES?

Continued from previous page

Number	Comment

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Thank you for your submission.

PLEASE RETURN THIS SUBMISSION FORM BY 5PM ON MONDAY 10 DECEMBER 2012.

2nd fold here

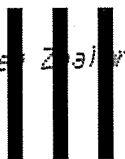
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From the Middle of Middle Earth - New Zealand



Freepost WCC
Parks and Gardens (REPL01)
Wellington City Council
PO Box 2199
Wellington 6140

Town Belt Legislative and Policy Review Submission Form

8.2.2 Land addition and boundary rationalization

The Clifton Terrace Land

Submission on the 2012 Town Belt Legislative and Policy Review

from P. J. David and J. A. McSoriley

2/1 San Sebastian Road, Kelburn, Wellington 6012

Phone 472 8626

etham@xtra.co.nz

We would like to make an oral submission

Submission on the 2012 Town Belt Legislative and Policy Review

Recommendation

It is recommended that the draft Town Belt Management Plan be amended to express the high natural values of the Clifton Terrace Land, to recognize the public interest in its retention as a public reserve, and to recognize the high desirability of the City of Wellington obtaining the land for the citizens of Wellington to be added to the Wellington Town Belt. We also recommend that the Wellington City Council take all necessary actions to achieve this.

History and status

The Clifton Terrace land was part of the Wellington Town Belt from the beginning of European settlement in 1840. Later in the Nineteenth century it became the second site of Wellington College (1869-1874). It was part of the site of a large house, Te Kiteroa, the home of the Blundell family, founders and owners of the Evening Post newspaper. Later, it is believed, a school called the Terrace School, existed on the site and until the 1970s the New Zealand Correspondence School was located there.

Since that time the land has not been formally occupied except for the tidying up activities of enthusiastic local residents and the activities of other users referred to below.

The Crown has attempted on at least one occasion to sell the land. In 1994-1995 a large "for auction" sign appeared on the land and was highly visible from the nearby motorway. This caused much consternation amongst local residents. A very well-reported public protest on the site by local residents and other interested persons was soon followed by the withdrawal of the sale plans. At that protest a Puriri tree was planted as a symbolic gesture of the connection of the local people to the land. That tree is now approaching significant dimensions.

The land is "Right of First Refusal Land" under the Port Nicholson Block (Taranaki Whānui Ki Te Upoko O Te Ika) Claims Settlement Act 2009. However the right of first refusal will not apply where the Crown transfers the land to the Wellington City Council as a reserve.

Natural values

The land is on two levels and is very easily accessed by a small road. There is a pleasant mixture of exotic and indigenous vegetation. Over the years local residents have systematically controlled and/or removed pest species such as Old Man's Beard, Gorse, Broom, English Ivy, Australian Wattle and Ornamental Cherry. Many indigenous species are present on the land. This was noticed by Margaret Wassilief in her indigenous species inventory prepared in 1994 for the land. The indigenous species present on the site include Punga, Puriri, Cabbage trees, Toitoi, Kowhai, Pittosporums (of many types), Pohutokawa (some very large specimens), and Karaka (also some large ones). Exotic trees included Eucalypts, Pines and Oaks. There are many native bird species seen on the land. The most common ones observed are Tui, Fantails, Grey Warblers, and Kingfishers. Kaka have also been seen.

The land forms part of a continuous swathe of largely indigenous vegetation extending from Aurora Terrace across San Sebastian Road and Clifton Terrace to the Motorway. This swathe then continues north to Bolton St and beyond to the Cemetery and the Botanical Gardens. The vegetated area extends south from the land to Everton Terrace and beyond to Kelburn Park. The land directly borders a very fine wooded reserve on the south corner of San Sebastian Road and Clifton Terrace. Please see the photographs of the land and surroundings attached to this submission.

Public use

The land has high public use. The lower part is used as a car-park by the Clifton terrace Model School and it is hard to imagine the school being able to operate without it. The upper-most level of the land is not now used for car-parking. Residents of Talavera Terrace and San Sebastian Road, and other streets nearby, cross the land for access to and from the city. These residents include students who reside in Everton Hall and Weir House. People occasionally exercise their dogs there. The upper level is the only substantial area of flat land in the surrounding North Kelburn area. The land is highly visible from The Terrace and office workers access the land during their lunchtimes. Local residents have been intensively involved for many years in keeping the land clear and maintaining it (as described above). Mr. Alan Reid, an urban forester, has prepared concept drawings as to how a park preserving these areas and uses may be set out on the land. His work is attached to this submission.

Summary

We urge the Council to redraft the relevant parts of the draft Town Belt Management Plan to recognize the land's high natural values, the important public interest in the preservation of those natural values and also the important cultural value of the land for Wellington. We also urge the Council to recognize that it is imperative that the Clifton Land should be returned to the Wellington Town Belt and preserved for all future generations.

See also attached:

Margaret Wassilieff's Report

Alan Reid's Report

P. J. David's two sets of photographs.

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VEGETATION REPORT OF SECTION, 1 TALAVERA TERRACE, WELLINGTON

INTRODUCTION

The condition and ecological value of the vegetation at 1 Talavera Terrace are described. The area is a 4996 sq m section that has recently been placed up for auction by Landcorp. I visited the site on the 11 June 1994 accompanied by J. Perham, 3 Talavera Tce and P. David, 1 San Sebastian Rd. A brief tour of the site was undertaken and a list of common vascular plants was compiled.

SITE DESCRIPTION

The area comprises a forest and shrub-covered section which is bisected by an asphalt walking path which swings from Talavera Tce around to Clifton Tce on the south-east side. Solid concrete retaining walls and crib walls align the path. Between No 3 Talavera Tce and the walking path is a terrace of asphalt which is becoming colonised by a dense scrub cover of Scotch broom.

The land falls steeply away from the flat area at the south of the section down to San Sebastian Rd and Clifton Tce. From Talavera Tce it is not possible to see the walking path or San Sebastian Rd and there appears to be continuous evergreen, broadleaved forest down to Aurora Terrace.

THE VEGETATION

The vegetation is a mixture of ages and originates from deliberate plantings and opportunistic spread of species. On the western and northern side of the section mature trees dominate. Tall gums are conspicuous and rise emergent above a canopy some 8-10m tall of pohutukawa, brush wattle, bay, Ralph's karo and taupata. The understorey is dominated by adventive climbing species such as ivy, nasturtium and wandering willy. Some native shrubs and ferns are beginning to establish under the mature trees and included here are shining spleenwort, kawakawa, rangiora, karaka, karamu, mamaku and mahoe.

The eastern side of the section contains a flat asphalt terrace and grassy banks above Clifton Tce. This side has a sunny aspect and where vegetated carries a low shrub cover. Scotch broom has started colonising the edges of the asphalt terrace and is about 1.6m tall. Old man's beard straggles through this shrub growth.

A number of native and exotic species have been planted on the eastern side by Clifton Terrace School children (J. Perham, pers. comm.). The planted specimens are 1- 1.5m tall and are just beginning to emerge through the rank grass and weed cover. All plantings appear healthy and have come through the long dry summer of 1993-94 in good condition. Planted species include akeake, karamu, *Olearia albida*, manuka, kanuka, kapuka, ngaio and *Grevillea* sp.

Thirty native species were recorded on the site, although only 19 are truly indigenous to the Wellington area. Species like karo, Ralph's karo, akeake and pohutukawa have either been planted on the site or have been wind or bird dispersed here from plantings elsewhere around the city. 55 adventive species were recorded; this is an underestimation of the true total as little time was spent trying to locate uncommon plants and no attempt was made to identify most of the grasses which were not flowering in June.

With the exception of a climbing plant which I can't identify at present (appears to be an *Ipomaea* species which has not previously been reported in New Zealand's adventive flora), there were no real surprises in the botanical composition of the section. It is fairly representative of wild areas around Kelburn.

CONDITION OF THE VEGETATION

The canopy trees are in good condition. Tall leader branches of one gum have died but vigorous regrowth is appearing lower down on the tree. This tree has recently been cleared of choking ivy growth and this factor probably accounts for the improvement in its condition. To some extent vigorous understorey regeneration of native species has been hindered by the weed growth on the ground floor, but lack of seed sources is another reason for the under representation of shrub species beneath the trees.

Native shrub regeneration can be expected on the slopes above Clifton Terrace where the school plantings are concentrated. The climbing plants ivy, old man's beard, and cape ivy present the real threats to the vegetation if they are left to spread unchecked. They have the capacity to choke out established plants and could overwhelm young plantings. At present some control over these weeds is being exercised by neighbours.

VALUE OF THE VEGETATION

Although there are no botanical specimens of note at this site, the area has ecological importance because of its location to neighbouring areas of vegetation. The section is in the centre of a forested gully which runs up from Aurora Terrace to Talavera Terrace. It is a significant area of vegetation which is linked via the vegetated slopes above the Motorway to Kelburn Park in the south and Bolton Street Memorial Park in the north, and via private gardens to the Botanic Gardens. As such, it is a valuable area of green forest in Kelburn. J. Perham reports that silvereyes, fantails and tui are regular visitors to the site, with tui feeding in the gums during summer and fantails being abundant in the brush wattles. These

three species are present in the Botanic Gardens and this site provides an extension to their range. As tui are now fairly uncommon in Wellington, it is imperative that suitable habitat and feeding sites are maintained in the city. The large gums on this site are obviously the key factor in bringing the tui on to this site. The flowering flaxes and tall kowhai will also be of value to tui as food sources.

The area would appear to be good lizard habitat, especially the sunny grassy slopes above Clifton Terrace. It is interesting to note that 5 species of lizard including 2 protected species of skink are known from Bolton Street Memorial Park, some 300 m to the north.

With the close proximity of Clifton Terrace School to the site, it has value as an educational resource whereby city children can discover some of the ecological processes involved with plant succession and forest development. The children have been successful in attempting to introduce a wider diversity of species onto the site and this work could be continued.

A large number of native and exotic plant species could be planted on this site, thus enhancing its value as bird habitat and enriching the diversity of the vegetation. The suggested plant species list compiled by the author and appended to the Wellington Town Belt Management Plan includes a number of species which could be easily established on this site.

RECOMMENDATIONS

The section contains forest and shrubland which is an integral component of the Kelburn area and should be given some form of reserve status. It would make a welcome addition back to the Town Belt.

Weed control of smothering climbers should be undertaken if the section is reserved.

Extended plantings of desired species should continue. In this regard, it would probably be sensible to break up the area of flat asphalt where Scotch broom is colonising and undertake close planting of fast-growing native species here.

The walking path could be maintained to permit public access into the area.

VASCULAR PLANT SPECIES LIST

Native Ferns

- Asplenium oblongifolium*, shining spleenwort, common in forest understorey
Cyathea medullaris, mamaku - black treefern, establishing above crib wall, mature specimens reach the canopy on adjoining properties
Pteridium esculentum, bracken, occasional on slopes above San Sebastian Rd
Pteris tremula, present on road reserve between Talavera Tce & San Sebastian Rd

Introduced Fern

- Pteris cretica*, present on road reserve

Introduced Gymnosperm Trees

- Chamaecyparis* sp., planted
Cryptomeria japonica, planted
Pinus radiata, radiata pine, planted and seeding into site

Native Monocot Trees

- Cordyline australis*, cabbage tree, large specimen at start of walking track

Native Dicot Trees and Shrubs

- Brachyglottis repanda*, rangiora, regenerating under established trees
Cassinia leptophylla, tauhinu, growing on grassy bank
Coprosma propinqua, growing on crib wall
Coprosma repens, taupata, common
Coprosma robusta, karamu, regenerating under forest
Corynocarpus laevigatus, karaka, seedlings common near track, some dissemination occurring by neighbours
Dodonaea viscosa, akeake, a number of different sized specimens are present
Griselinia littoralis, kapuka, recently planted
Hebe stricta var. *atkinsonii*, regenerating on grassy banks and on edge of asphalt terrace
Kunzea ericoides, kanuka, one specimen, probably planted near Clifton Terrace
Leptospermum scoparium, manuka, some small plants have been recently planted, one bush possibly of natural origin
Macropiper excelsum, kawakawa, regenerating under forest canopy
Melicactus ramiflorus, mahoe, regenerating under forest
Metrosideros excelsa, pohutukawa, some large trees and many seedlings
Myoporum laetum, ngaio, some regeneration and some planted specimens are present
Olearia albida, planted near Clifton Tce
Pittosporum crassifolium, karo, some natural spread into the site

Pittosporum eugenioides, lemonwood, a few trees have been planted along northern boundary
Pittosporum ralphii, Ralph's karo, common canopy tree
Pittosporum tenuifolium, kohuhu, a few planted specimens
Pseudopanax hybrids, a couple of saplings here, probably of local origin
Sophora microphylla, kowhai, mature planted specimen

Introduced Dicot Trees and Shrubs

Acer pseudoplatanus, sycamore, a few canopy plants
Buddleja davidii, buddleia, one specimen near walking path
Cotoneaster lacteus, a couple of specimens
Cytisus scoparius, Scotch broom, abundant on eastern side, provides a sheltered nursery for the establishment of other trees and shrubs
Eucalyptus sp., gum, mature specimens, summer-flowering
Euonymus japonica, uncommon under canopy
Fuchsia magellanica cv., a couple of shrubs above crib wall
Grevillea sp., planted above Clifton Tce
Ilex aquifolium, holly, uncommon
Laurus nobilis, bay tree, common in canopy
Paraserianthes lophantha, brush wattle, common in canopy
Quercus robur, oak, 1 large planted specimen near 3 Talavera Tce
Teline monspessulana, Montpellier broom, 1 seedling noticed
Ulex europaeus, gorse, a few shrubs on crib wall

Introduced Climbers and Scramblers

Clematis vitalba, old man's beard, common throughout
Hedera helix, ivy, common in forest
Ipomaea sp., unidentified specimen: hairy, 3-lobed leaves, light magenta flower, corolla 3cm long, found climbing over Scotch broom shrubs
Rubus fruticosus, blackberry, growing with Scotch broom on asphalt terrace
Rumex sagittatus, climbing dock, on bank above San Sebastian Rd
Senecio angulatus, Cape ivy, at edge of forest
Tropaeolum majus, nasturtium, common on forest floor

Native Grasses and Herbs

Cortaderia toetoe, toitoi, planted on bank above Clifton Tce
Haloragis erecta, growing in rank grassland
Phormium tenax, flax, planted

Introduced Grasses and Herbs

Aeonium haworthii, growing on crib wall
Agapanthus orientalis, agapanthus, planted on banks above San Sebastian Rd
Agrostis capillaris, browntop, in grassy areas
Allium triquetrum, onion weed, common under canopy trees

Centranthus ruber, spur valerian, common on banks
Crassula multicava, growing on crib wall
Crepis capillaris, common in grassy areas
Crocoshia xrocoshiiiflora, montbretia, on banks
Dactylis glomerata, cocksfoot, dominant in grassy areas
Ehrharta erecta, veld grass, common under canopy trees
Foeniculum vulgare, fennel, alongside walking path
Galium aparine, cleavers, uncommon
Geranium robertianum, herb robert, uncommon
Hedychium gardnerianum, Kahli ginger, small patch near Talavera Tce
Linaria purpurea, common on banks
Oxalis sp., common under canopy trees
Pelargonium xhortorum, geranium, one patch on bank above San Sebastian Rd
Plantago lanceolatum, plantain, common in grassy areas
Poa pratensis, common in grassy areas
Ranunculus repens, creeping buttercup, common in grassy areas
Sedum praealtum, on crib wall
Senecio glastifolius, holly-leaved senecio, a few plants on edge of shrubland
Solanum nigrum, nightshade, occasional
Sonchus oleraceus, sowthistle, occasional in grassy areas
Taraxacum officinale, dandelion, occasional in grassy areas
Tradescantia fluminensis, wandering willy, common under canopy trees
Trifolium pratense, red clover, common in grassy areas
Trifolium repens, white clover, occasional
Vicia sativa, vetch, occasional
Zantedaschia aethiopica, arum lily, a few plants on the site

P J David
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Landscape Concepts

for

Clifton Terrace Site

Alan Reid

Scope

Landscape concepts for a site adjoining Clifton Terrace in Wellington are presented. They are a preliminary set of sketches and ideas for the future use of the site based on a brief reconnaissance of the area and discussions with Mr John McSoriley and M. Pierre David who are residents in the adjacent San Sebastian Rd. They have requested an assessment of the site for its potential as an open greenscape.

These notes are not based on any site measurement or material or labour costings

The concepts should be viewed as a set of broad ideas for the site based on its current attributes and possible potential reflecting the client view and a basis for discussion pending a full site evaluation.

.Site

The site occupies a block of land approximately 0.3 hectares in extent with an East North East aspect. It is immediately west of Clifton Terrace and abuts a small existing reserve adjacent to San Sebastian Road on its north side. On the west and south sides it abuts residential property with right-of-way access to Talevera Terrace. The Clifton Terrace School is across the road from the site

The site was previously occupied by the New Zealand Correspondence Schools but unoccupied since about the late 1970's. It was originally part of the Wellington City town belt system.

The site is steep and comprises two terrace areas separated by substantial concrete walls and connected by a sloping driveway. Much of the upper flat area is tarsealed as is the driveway. The slopes and some of the flat land within the site is vegetated with a mixture of grasses, shrubs, lianes and emergent tree species. A plant list has been prepared. The vegetation in general reflects the progress of volunteer growth following abandonment of the site. The inspection suggests that the soils of the site are thin with accumulation at toes of slopes. Existing vegetation has undoubtedly minimised the loss of soil from the site.

Site Attributes

Viewed as a greenspace the site has some important attributes. Aside from its historic role as part of the old town belt the site is now very close to down-town Wellington. East of Clifton Terrace is the Wellington Urban Motorway and beyond that Wellington Terrace now dominated by high rise building development. The proximity to the city and the boundary with residential areas and the San Sebastian Road reserve suggests that the site occupies a buffer zone between the city/motorway and the quieter areas.

Given this possible primary greenspace role the site has other potential roles. Its connection to the San Sebastian reserve is an important consideration. This reserve occupies the crescent of land at the junction of San Sebastian Road and Clifton Terrace. It carries some large trees and an understorey of native hardwoods. Part of the reserve extends up the slope to the south merging with the site under consideration. If the latter were set aside as reserve there would be clear connections to the existing reserve along the slope; with the possibility of managing an extended and integrated area of reserve. The frontage along Clifton Terrace and most of the site below the sloping driveway would form this enlarged contiguous reserve area.

The site provides an access to Talevera Terrace above from Clifton Terrace adjacent to the school. The existing sloping drive provides this route.

The site has a strong vertical dimension. The substantial concrete walls, a legacy of the previous building development dominate the lower spaces and accentuate the division

Alan Reid

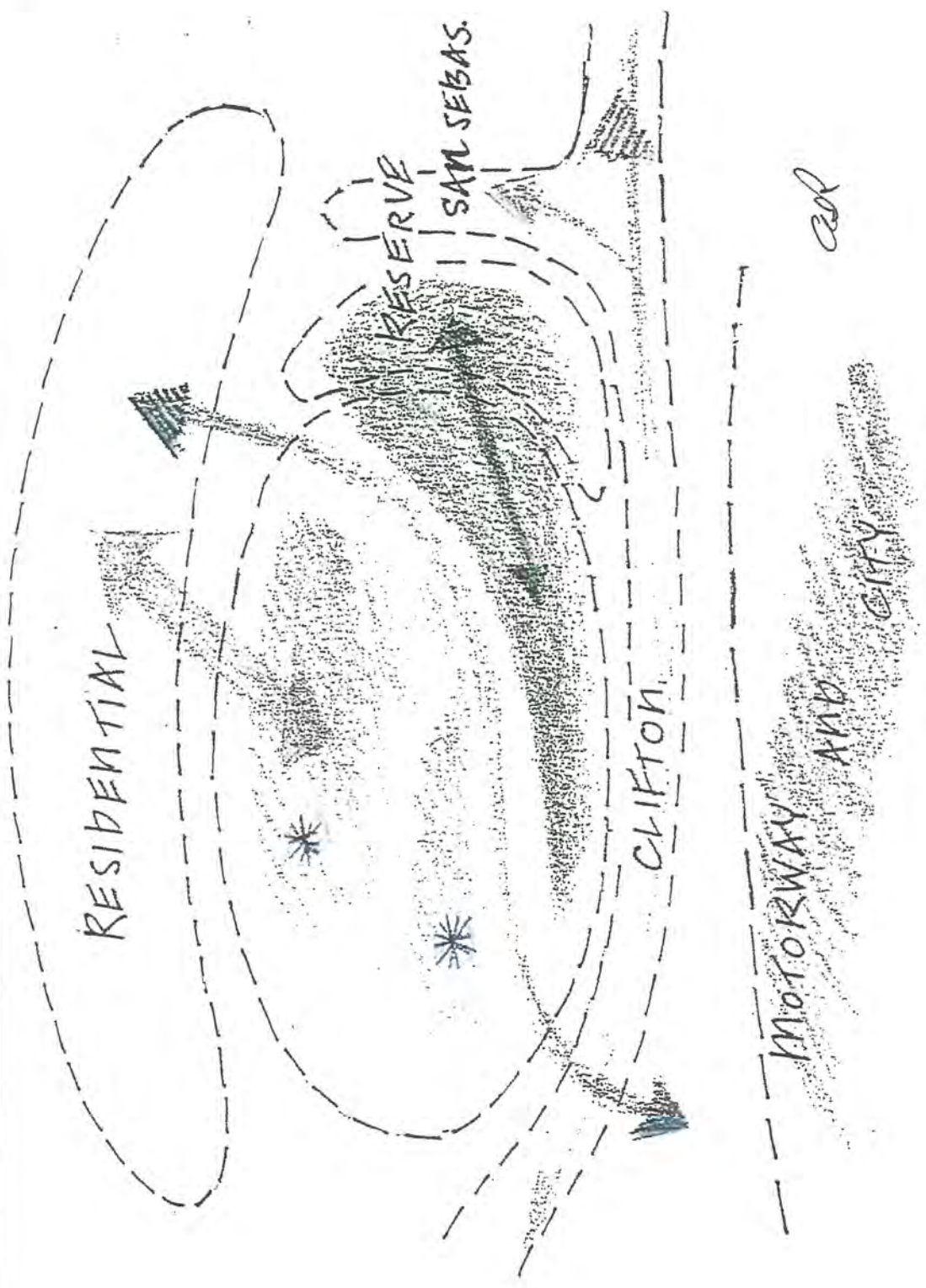
Qualifications:

Bachelor of Science in Botany (Victoria University).

Bachelor of Forestry Science (Canberra, Aust)

Master of Science in Forestry and Landscape Architecture (North
Carolina State University)

Certified Arborist (International Society of Arboriculture)



Connections and Spaces for the Clifton Terrace Site



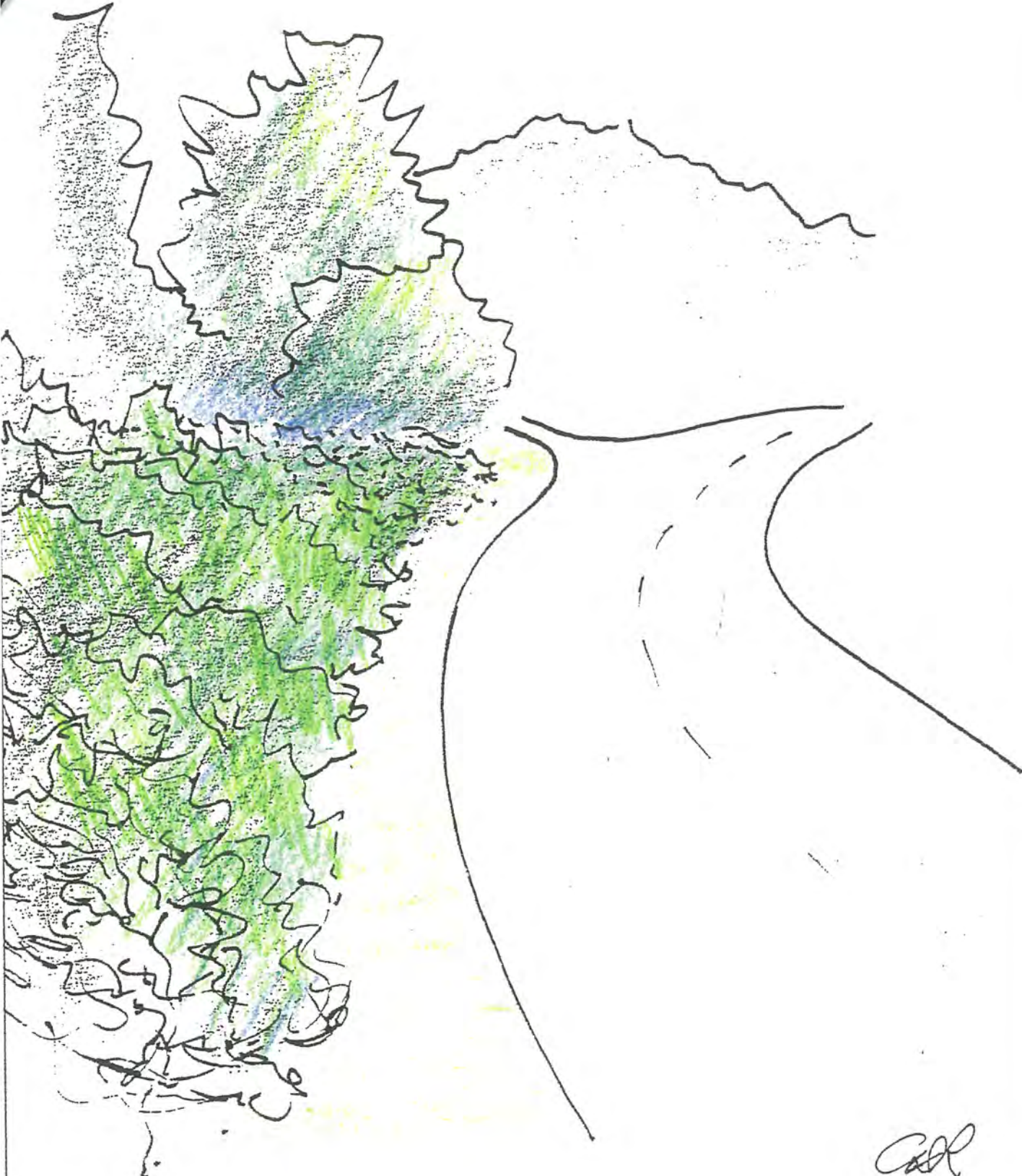
ad

Residential Areas Overlook the Site



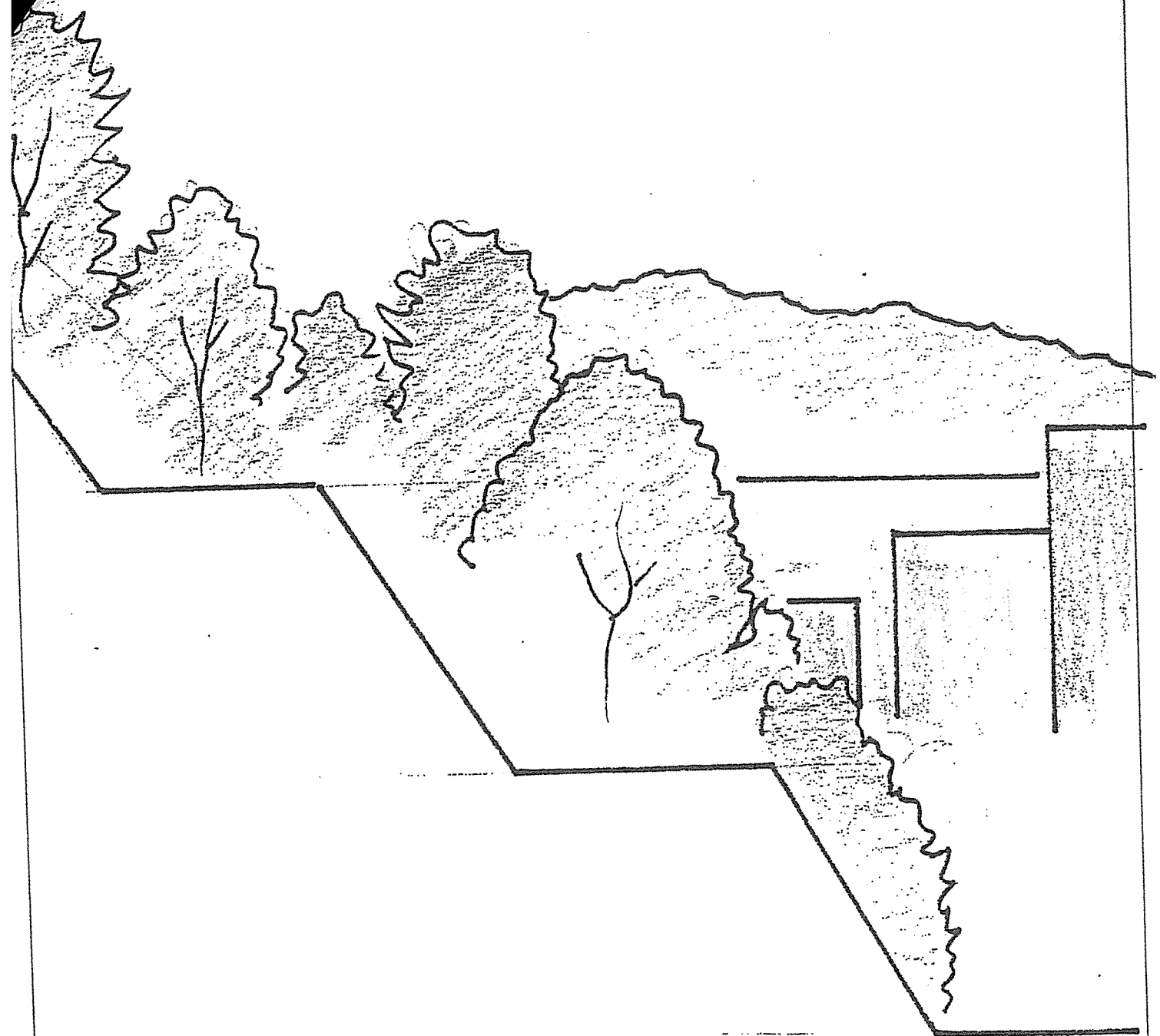
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The Talavera Terrace Walkway



CR

*Plantings along Clifton Terrace Connect the Site
and Existing Reserve*

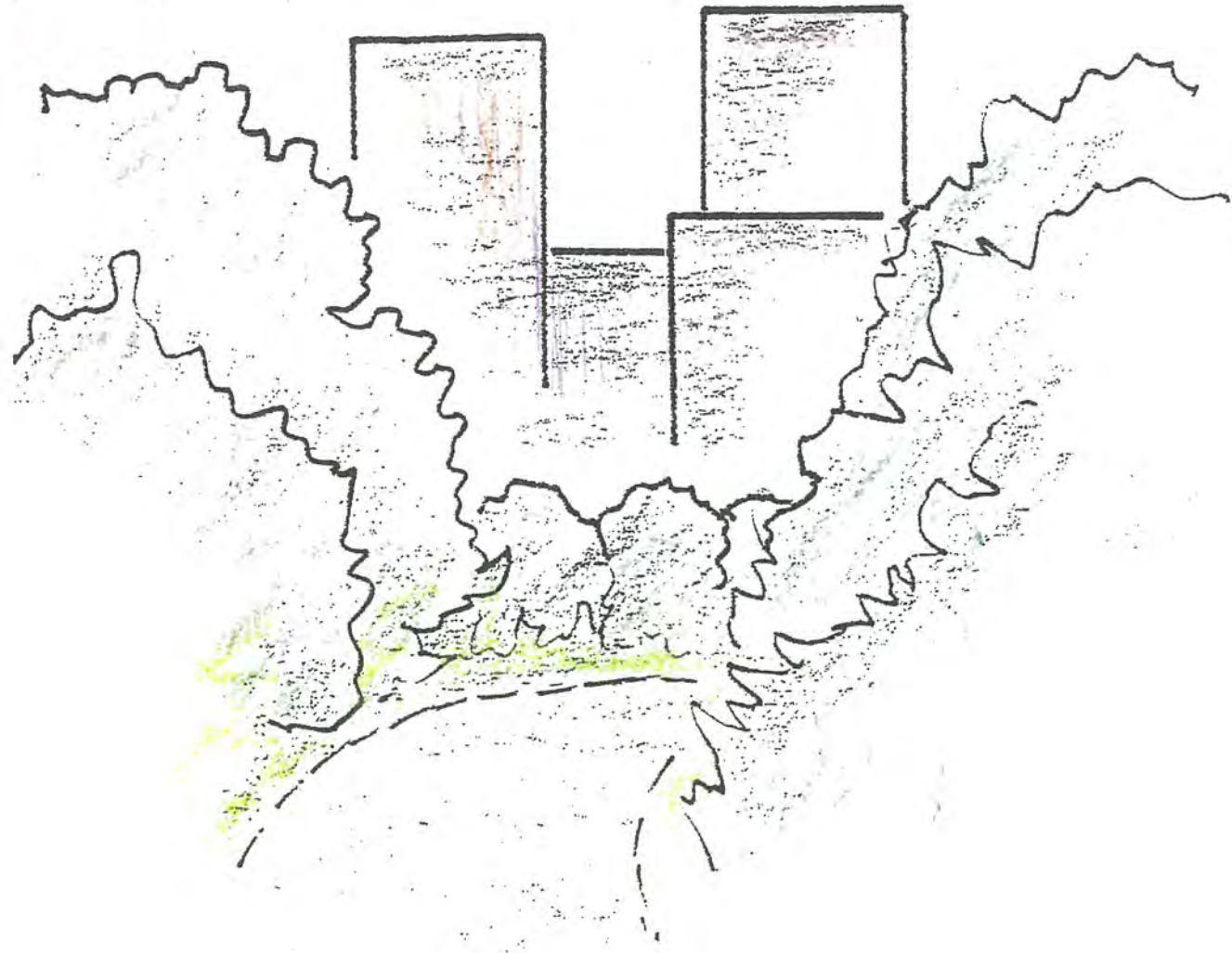


AR

A Strong Vertical Dimension Accentuated by the
Structures on the Site



Plantings in the Site Could Make Use of the
Feature of the Walls



A Glimpse of the City Along the Walkway

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Old Correspondence School site
(in the report called the Clifton Terrace site)

Eight photographs by P. J. David

*These photographs were taken along the path crossing the site
between Clifton Terrace and Talavera Terrace.*









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Entrance
to San Sebastian Road
(off Clifton Terrace)



Little walkway
between Clifton Tce
& San Sebastian Rd



Steps leading to Talavera Tee from top of San Sebastian Rd

Submission 73

From: Charles Mabbett [charlesmabbett@gmail.com]
Sent: Friday, 7 December 2012 4:12 p.m.
To: Megan Dunning
Subject: Town Belt Legislative & Policy Review

Attachments: Additional Submission on the Town Belt Draft Management Plan.docx



Additional
ubmission on the T.

To whom it may concern,

I have provided an online submission to the Town Belt Legislative & Policy Review.

I would like to include the attached document as an additional submission to the process.

Yours sincerely,

--

Charles Mabbett
0220 965 019

Submission 73

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Friday, 7 December 2012 2:13 p.m.
To: Megan Dunning
Subject: Town Belt Legislative & Policy Review - Submission

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

First Name: Charles
Last Name: Mabbett
Street Address: 23 Devon St
Suburb: Aro Valley
City: Wellington
Phone: 049767957
Email: charlesmabbett@gmail.com

I would like to make an oral submission in February 2013.
(Please provide your phone number for an oral submission.) Yes Your phone number: 0220965019 I am giving this feedback: as an individual Organisation name:

----- Section One - Draft Town Belt Management Plan -----

Overall, do you support or oppose the general direction of management for the Town Belt?

Strongly support

Why do you say this?

I think the Town Belt is an extremely important asset to the people of Wellington for recreational, historical, cultural and ecological reasons. I support the general thrust of the draft management plan.

The plan proposes to protect an additional 85.03 hectares under the Town Belt Deed (chapter 2 of the draft plan). To what extent do you support or oppose this?

Strongly support

Why do you say this?

The Town Belt area should not be reduced. Any increase in area is very positive for the city. Green spaces are important for regenerating native flora and fauna and for the scenic beauty of the city.

The plan proposes criteria for assessing land to be added to the Town Belt (chapter 2 of draft plan). To what extent do you support or oppose the criteria?
Support

Why do you say this?

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The principles which protect the Town Belt are fair and balanced.

The plan proposes to restore and enhance ecosystems and increase the indigenous vegetation cover on the Town Belt (chapter 5 of draft plan). To what extent do you support or oppose this?

Strongly support

Why do you say this?

Green spaces are important for regenerating native flora and fauna and for the scenic beauty of the city. The Town Belt is important to partially restoring the natural pre-colonial ecology of the region.

The plan attempts to balance retaining "natural" areas for informal recreation with the demands from organised sport (chapter 6 of draft plan). To what extent do you agree or disagree that the draft plan is achieving a balance?

Agree

Why do you say this?

A balance between informal recreation and organised sport is sensible. It is not a zero sum game. Town Belt land should be able to provide for both.

The plan proposes to limit the development of sporting facilities to existing sports and recreation parks (chapter 6 of draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

Organised sport - apart from mountain biking , walking and running - tend to be limited to flat land areas and there's plenty of hillside for informal recreation.

1. Theme, sector, or policy and page number:

8.3 Sector 3 Section 8.3.2

Comment

I strongly oppose designation of Part of Te Aro School - Abel Smith St/Devon St area as a low priority for inclusion in the Town Belt. It should be designated a high priority and every effort should be made to include it in the Town Belt. The green space has important scenic, ecological and access benefits for the immediate community. Among other benefits, the tree cover provides an important habitat for morepork, kaka, tui and the occasional kingfisher or kotare. The undeveloped nature of the land provides glimpses of the harbour and pathways are frequently used for access to the school and The Terrace.

2. Theme, sector, or policy and page number:

8.3 Sector 3 Section 8.2.2

Comment

I am opposed to the proposal to formally remove from the Town Belt the land at Boyd Wilson Strip. This is an important access way for pedestrians and the

Submitters - Monday 18 February 2013

trees provide a habitat for native birds including morepork, kaka, tui and the occasional kingfisher. This strip of green also borders the central city and is important as the last section of vegetation for pedestrians and residents near the motorway bypass.

3. Theme, sector, or policy and page number:

Comment

4. Theme, sector, or policy and page number:

Comment

5. Theme, sector, or policy and page number:

Comment

Do you have any additional comments?

----- Section Two - Proposed legislative changes -----

Do you support or oppose the overall objectives of the proposed legislative change?

Strongly support

Why do you say this?

I believe the legislative framework is necessary to give legal status to protecting the Town Belt.

1. Paragraph number:

Comment

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment

Additional Submission on the Town Belt Draft Management Plan

Concerning 8.3 Sector 3 Section 8.3.2 - Aro Valley/Polhill Gully

This submission is specific to the Ministry of Education land, Abel Smith Street

Description, location, current use (from the draft plan):

This land is owned by the Crown and used by the Ministry of Education. It is included in the Port Nicholson Block Claims Settlement Act 2009 and the Trust has the first right of refusal if the land is declared surplus. It is situated at the top of Abel Smith Street. Te Aro School uses about one third of the land. The rest of the land is made up of a 6000sq m steep gully bounded on the east by Te Aro School and on the west by the rear of properties on Devon Street. There is a track linking the school, Boyd Wilson Field and Devon St. The vegetation is mixed exotic trees, including sycamore and large pines, with an understory of natives and exotic shrubs.

Discussion, criteria assessment (from the draft plan):

This land is very isolated from any existing Town Belt lands. Its small scale, location, and aspect add little value in strengthening the Town Belt's continuity and horseshoe shape. It does provide some local landscape value to Aro Street. It has low recreational and ecological values. It was included in the Town Belt Deed 1873 but taken out by the Crown in 1931 for educational purposes.

The case for reprioritising the Ministry of Education land, Abel Smith St and Devon St Gully area:

- 1. Historical:** As explained in a recent article (link below) in The Wellingtonian community newspaper, the landscape and character of Devon St has not changed since the late 19th Century. The only big change has been the construction of Victoria University's Te Puni Village student hostel complex. The contours of Devon St Gully which although now wooded are effectively the same as they were one hundred years ago. It is a significantly unchanged section of the Wellington city scape and should be included for protection as part of the historical Aro Valley precinct.

<http://www.stuff.co.nz/dominion-post/news/local-papers/the-wellingtonian/8042811/Ups-and-downs-long-debated>

- 2. Scenic:** The Devon St Gully and ridge around it are part of the city skyline as seen by anyone travelling up or down Devon Street and by residents on lower Devon St and efforts should be made to protect what is in effect a green cul de sac that permits views and glimpses of the Wellington harbour for many residents on the street.

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It is also an attractive and compact green space that adds to the historical and scenic qualities of the area, not just for the residents of Devon St and surrounding streets but for the many pedestrians (students and commuters) who use the street as a thoroughfare.

- 3. Ecological:** In the past five years, the area has witnessed a marked increase in the population of native bird life. The neighbourhood is now home to numbers of morepork, kaka, tui and the occasional kingfisher or kotare. This can be attributed to the breeding programmes at Zealandia which has helped regenerate the area's native birds. But these birds would not have moved into the Devon St and lower Aro St area if it wasn't for wooded spaces like the Devon Street Gully.

Although the gully and the boundary of Te Aro School on The Terrace side are populated by mainly exotic trees such as oak, sycamore and pine, it is an important habitat for morepork, tui and kaka. The green area is significant as a wooded area that borders the inner city and it is remarkable that native birds choose to inhabit an area so close to the city.

Native birds like morepork and kaka also appear to make no distinctions between native and exotic trees in the gully and around the school. There is a good case to be made to replant the gully with natives to ensure that native birds continue to proliferate and inhabit the locality and contribute to the regeneration of native flora and fauna in the Wellington environs. But for the time being, the birds appear to thrive in the canopy of the existing, mainly exotic flora.

Here are a number of videos I have taken over the past 12 months of kaka and tui from our home at 23 Devon St which overlooks the Devon St gully. The kaka have only been in the neighbourhood for the last 18 months. The videos are an indication of the value of the green space below Te Aro School on the Devon St side as a habitat for the growing native bird population. The school and the gully form can be seen in the background of these videos.

<http://youtu.be/l24muClafkM>

<http://youtu.be/D3xWDoby1ig>

<http://youtu.be/mY0B1zBBMBY>

<http://youtu.be/JbWKI-YIHr0>

In conclusion:

I submit that the council's conclusion that the Devon St gully/Abel Smith parcels of land add little value in strengthening the Town Belt's continuity and horseshoe shape is mistaken and should be re-evaluated. The land provides more than 'some local landscape value' to Aro Street. It does so for all Devon Street residents as well as those above Devon St in Fairlie Terrace and others living nearby in Abel Smith St. It is a significant habitat to native birds that is right on the boundary of the central city and motorway. While it could be argued that the wooded hillsides have low recreational value, its ecological value to the area is important and considerable.

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I encourage the council to reconsider its assessment that the land has a low priority status and urge that it be re-assessed as a high priority area for inclusion in the Town Belt. I would be very pleased to give an oral submission to this effect if required.

Submitter:

Charles Mabbett
23 Devon St
WELLINGTON 6021
04 976 7957
0220 965 019

Submission 193

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 4:53 p.m.
To: Megan Dunning
Subject: Town Belt Legislative & Policy Review - Submission

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

First Name: Carolyn
Last Name: O'Fallon
Street Address: 80 Mairangi Road
Suburb: Wadestown
City: Wellington
Phone: 0272404196

Email: carolyn@pinnacleresearch.co.nz

I would like to make an oral submission in February 2013.

(Please provide your phone number for an oral submission.) Yes Your phone number: 0272404196 I am giving this feedback: as an individual Organisation name:

----- Section One - Draft Town Belt Management Plan -----

Overall, do you support or oppose the general direction of management for the Town Belt?

Support

Why do you say this?

I am happy with the emphasis on maintaining and enhancing the existing vegetaion; limiting the building of physical structures in the Town Belt; and the guiding principles.

The plan proposes to protect an additional 85.03 hectares under the Town Belt Deed (chapter 2 of the draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

I support this as long as the proposed criteria in s 2.7 are implemented.

The plan proposes criteria for assessing land to be added to the Town Belt (chapter 2 of draft plan). To what extent do you support or oppose the criteria?

Support

Why do you say this?

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The plan proposes to restore and enhance ecosystems and increase the indigenous vegetation cover on the Town Belt (chapter 5 of draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

As long as it is done sensitively, sensibly and cost-effectively. I don't want a repeat of the situation encountered in August 2012 in the Ataturk Reserve where non-local native plants were taken out, including some commemorative trees.

The plan attempts to balance retaining "natural" areas for informal recreation with the demands from organised sport (chapter 6 of draft plan). To what extent do you agree or disagree that the draft plan is achieving a balance?

Agree

Why do you say this?

As long as organised sport is contained within existing areas.

Some further thought needs to go into the use of walking tracks by mountain bikes, particularly following wet (often winter) weather, as a significant amount of damage can be done to the track. This has been the case on Te Ahumairangi Hill.

I support the expansion of dog off-leash areas, to include some of the minor tracks in Otari bush and more of the Northern Walkway.

The plan proposes to limit the development of sporting facilities to existing sports and recreation parks (chapter 6 of draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

1. Theme, sector, or policy and page number:

5 Ecology

Comment

Indigenous and other vegetation plantings should specifically take into account the need for pollen and nectar for bees. Bees and other pollinators are under threat in New Zealand, and anything that the community can do to support them is welcome (and necessary).

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I commend the information from the Federated Farmers' Trees for Bees programme to the Council. Bee-friendly planting is no more costly than bee-thoughtless planting!

2. Theme, sector, or policy and page number:
3 partnership & community participation

Comment

Lots of feeling good words here, lack of clarity as to how it will be implemented.

3. Theme, sector, or policy and page number:

Comment

4. Theme, sector, or policy and page number:

Comment

5. Theme, sector, or policy and page number:

Comment

Do you have any additional comments?

----- Section Two - Proposed legislative changes -----

Do you support or oppose the overall objectives of the proposed legislative change?

Oppose

Why do you say this?

Unclear as to what benefit, if any, there is to removing the Town Belt outside of the Reserves Act 1977, which appears to provide an extra safety net for Wellingtonians wanting to preserve the Town Belt.

On the other hand, I think it is good to have the Council's activities constrained through a management plan that has been publicly consulted on. Also, it is good to consolidate some of the old Council statutes.

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1. Paragraph number:

Comment

Apologies, but I haven't had the opportunity to do this, but will provide some comment when I make a presentation in February.

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment

Submitters - Monday 18 February 2013

Submission 13

From: Peter & Julie [30uptontce@clear.net.nz]
Sent: Thursday, 6 December 2012 8:25 p.m.
To: Megan Dunning; Michael Oates
Subject: Further submission on Draft Town Belt Management Plan and proposed changes to unformed part of Grant Road
Attachments: 6DEC.JPG

To whom it may concern and Mike Oates,

We refer to our submission of 31 October 2012 (copied below), and subsequent emails received from you (also copied below) as well as a telephone conversation with Mr John Vriens on 23 November 2012. We understand that Mr Vriens sent his email in response to an earlier discussion with Raewyn Picken and was unaware that we had subsequently put in a submission on the proposed changes to the town belt and the stopping of Grant Road. However, he has confirmed that the council would not agree to stop Grant Road due to its proximity to the town-belt and you have advised that our application to acquire has been put on hold. We would therefore like to submit that the area remain an unformed legal road. This would allow us to continue to look after the area, pay the encroachment and ensures the protection of the very old gazebo (photo attached) which we believe has a heritage value. If at any point, the opportunity to purchase the land (either all of it or the lower level up to the gazebo) we remain very keen to buy it. Thank you for considering our submissions and we look forward to hearing from you.

Yours sincerely

Peter and Julie Johnston

Dear Julie

Further to our discussions and on site meeting some weeks ago and your subsequent submission on the Town Belt Management Plan.

I note that today John Vriens from Property sent you an email regarding the potential acquisition of the land in question. He noted that in discussion with other business units we would be declining your request.

John was not aware of our previous discussions and the email should not have been sent. I apologise for that.

We agreed that the final decision on whether the land should be future Town Belt or not will be taken once submissions have been received and analysed and a final decision made by the Council. In the meantime your application for acquisition will be put on hold.

Regards

Mike Oates

Mgr Open Space & Rec Planning | Parks & Gardens | Wellington City Council

P 04 803 8289 | M 021 227 8289 | F 04 801 3155

E michael.oates@wcc.govt.nz | W Wellington.govt.nz |

<https://www.facebook.com/wellingtoncitycouncil><https://www.facebook.com/wellingtoncitycouncil>

<http://twitter.com/wgtnc><http://twitter.com/wgtnc>

Dear Julie

In relation to your request to Raewyn Picken as to whether or not you could acquire part of your encroachment licence area, situated on the unformed Grant Road, at the rear of your property.

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I have consulted with Council internal business units and they would not support the “road stopping process” of the unformed legal road due to its close proximity to Tinakori Hill and the proposed Town Belt.

Kind Regards

John Vriens | Senior Property Advisor | Property Services
Wellington City Council | Council Offices, 101 Wakefield Street, PO Box 2199 Wellington, NZ
 DDI +64 4 801 3246 | Mobile +64 021 227 3246 | Email john.vriens@wcc.govt.nz | Website www.Wellington.govt.nz

----- Original Message -----

From: [Peter & Julie](#)

To: townbelt@wcc.govt.nz ; michael.oates@wcc.govt.nz

Cc: [Peter Johnston](#) ; [Peter & Julie](#)

Sent: Wednesday, October 31, 2012 1:00 PM

Subject: Fw: Submission on Draft Town Belt Management Plan and proposed changes to unformed part of Grant Road

This submission is made by Peter and Julie Johnston on behalf of the Johnston Family Trust, the owners of 30 Upton Terrace, Thorndon, Wellington. We would like to appear before the council to speak to this submission.

On 15 October 2012, we received a letter from Mike Oates, Manager, Open Space and Recreation Planning outlining the proposed changes to the unformed part of Grant Road between Harriett Street and St Marys Street. The proposed changes would mean the current legal road would become part of the Town Belt. These changes are referred to in Sector 8.1: Te Ahumairangi, policy 8.1.2.1 page 67 and Table One- Town Belt Land additions, removals and boundary rationalisation- Te Ahumairangi Hill sector page 78. We phoned Mike to discuss this letter, he came to look at our property on Friday 19 October 2012 and suggested that we make a submission.

We currently hold a road encroachment licence/lease (Customer number 65175-140) for part of the legal road that the Council proposes becomes part of the Town Belt. The size of the encroachment is 180 square metres and we have paid an annual encroachment fee each year since we purchased the property in 2007. Image 2499 attached shows the boundary marker for our property (the post with the basketball net on). Image 2495 show our lawn and a gazebo which is on the encroachment and which we believe was built at the same time as the house in 1908. Image 2498 shows how our property backs directly on to the encroachment and the extent to which we would be impacted by the proposed changes. You can also see from the photos that there are steps up to the upper level of the lawn which is the other part of the encroachment and backs directly on to the town belt. There is also concrete and wooden retaining walls on both levels and a concrete pad on the upper level. We do not know when these were built but they appear to have been there for some time.

We are concerned at the implications of the proposal to convert the land from Legal Road to Town Belt as we believe it would mean far less secure tenure for us particularly for that part of the Legal Road on the lower level. Would we still be able to use the land the way we use it now and what would it mean for all existing structures such as the gazebo and retaining walls? Would we still have to pay encroachment fees and if so, what would change from the current arrangement in terms of our use of the land? You can see from the photos that the encroachment is a significant and important part of our back garden. In addition, we can not see how it is of value to the Town Belt, being grassed areas, a concrete pad, retaining walls and a gazebo.

We would be very keen to buy the land that is currently an encroachment. and we believe that this would have no effect on the current town belt and access to it. We do not believe that any other party would be adversely affected if we were to own this section of the legal road but we could be very negatively affected if it was unclear as to our rights in relation to it. We had already discussed the possibility of stopping the legal road and purchasing the part of it that borders our property with Council staffer, Raewyn (not sure of surname), prior to receiving Mike's letter. She advised that there was a process to go through and that she would commence that process but we understand that this may have been put on hold due to the proposed changes to the management of the Town Belt.

If we can't buy it we would like to see it remain a legal road with us retaining the current encroachment. However, we would express concern about the proposed changes to the transferral of encroachments that border town belts as this has implications should we ever need to sell the property.

We have three young sons and the use of this space is integral to our day to day living. We love the Town Belt and use it every day. We support the Council's objectives in increasing public use and enjoyment of the Town Belt. However we do not think that adding the legal road that borders our property would particularly

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support this objective and the personal cost to us in terms of less secure tenure would be very significant.

Thank you for considering this submission. We would be very happy for you to view the property and we would like to make an oral submission as well.

Yours sincerely

Peter and Julie Johnston on behalf of the Johnston Family Trust

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20/10/2012



20/10/2012



20/10/2012



Submission 182

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 4:20 p.m.
To: Megan Dunning
Subject: Town Belt Legislative & Policy Review - Submission

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

First Name: Mattie
Last Name: Timmer
Street Address: 182 Aro Street
Suburb: Aro Valley
City: Wellington
Phone: 0275636529
Email: mattie.timmer@vuw.ac.nz

I would like to make an oral submission in February 2013.
(Please provide your phone number for an oral submission.) Yes Your phone number: 0275636529 I am giving this feedback: as an individual Organisation name:

----- Section One - Draft Town Belt Management Plan -----

Overall, do you support or oppose the general direction of management for the Town Belt?

Strongly support

Why do you say this?

Town belt is valuable space for recreation and ecology and should be protected against city development

The plan proposes to protect an additional 85.03 hectares under the Town Belt Deed (chapter 2 of the draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

Protect as much as possible. Various additional reserves and plots of land could be included in the Town belt

The plan proposes criteria for assessing land to be added to the Town Belt (chapter 2 of draft plan). To what extent do you support or oppose the criteria?

Support

Why do you say this?

Widen the 'recreation' criteria to include indirect enjoyment of the town belt, e.g. afternoon stroll along Town belt, or walking to work through/along Town belt

also has recreational value, and pieces of land excluded from the town belt can be included for exactly that value.

The plan proposes to restore and enhance ecosystems and increase the indigenous vegetation cover on the Town Belt (chapter 5 of draft plan). To what extent do you support or oppose this?

Support

Why do you say this?

increase native vegetation, and where realistic and desirable, revert exotic to native

The plan attempts to balance retaining "natural" areas for informal recreation with the demands from organised sport (chapter 6 of draft plan). To what extent do you agree or disagree that the draft plan is achieving a balance?

Agree

Why do you say this?

Keep town belt accessible for all. No leases should be given out for town belt usage for selected people only.

The plan proposes to limit the development of sporting facilities to existing sports and recreation parks (chapter 6 of draft plan). To what extent do you support or oppose this?

Strongly support

Why do you say this?

Keep town belt accessible for all. No leases should be given out for town belt usage for selected people only.

1. Theme, sector, or policy and page number:

Comment

I submit that the Devon Street Gully [encompassing 46 Devon Street and Abel Smith Street Land] should form part of the Town belt, as this land serves the recreational needs of the community, has significant flora and fauna, does much to retain the original contiguous horse-shoe shape of the town belt, and has stellar collection of circa 1900 houses and a historic connection to the old Terrace Goal site. Taken as a whole, this makes Devon Street Gully a rare asset within the community and it should therefore be protected and included as part of the Wellington Town Belt. This land was also part of the 1873 Town Belt Deed and provision should be made to ensure that the rights of the public, as first identified in that deed, are met.

Many people use this land for informal recreation, be it evening strolls, walking to work or playing in the bush.

2. Theme, sector, or policy and page number:

Sector 3 - Aro Valley

Comment

I submit that Raroa Reserve (Between Norway Street and Raroa Rd, along and below the east side of Raroa Road) should be included in the town belt. This section of land has been cleared of noxious plants and replanted with native bush by community volunteers. The regenerated bush provides an important ecological system for native flora and fauna. Those who enjoy the peaceful nature of this bush, which flanks the lower section of Norway Street, also gain recreational value from this area. Many walk through Norway Street as this street is connected to Kelburn via two walkways (to upper and lower Plunket Street). The land also forms part of the 'ecological connectivity' passageway (see map pg 94, Sector 3, Aro Valley/Polhill Gully) between Zealandia and existing Town Belt. The 'horseshoe' shape of the Town belt is interrupted in this place, and inclusion of Raroa Reserve would connect with and extend the Sector 3 Town belt to the north.

Walks through Aro Valley, with its historic setting and green Town belt backdrop have tremendous recreational value very close to the inner CBD.

3. Theme, sector, or policy and page number:

Sector 3 - Aro Valley

Comment

I submit that the reserve Polhill Gully 2A and 2B (GAZ 57-1704 SUBS 1-5 OF SECS 6 2A 2B POLHILL GULLY), and upper slopes of privately owned land at 146J, 146H, 142-144 and 132-140 Aro Street have significant ecological and recreational value and that they should be added to the Town Belt in order to re-establish the horseshoe at the point closest to the Zealandia mainland island, and provide a connection to the Devon Street Gully area (Abel Smith Street Land).

4. Theme, sector, or policy and page number:

Sector 3 - Aro Valley

Comment

I submit that the additions mentioned in Paragraph 8.3.2.1 a, b and c will form valuable Additions to the Town belt.

5. Theme, sector, or policy and page number:

Comment

Do you have any additional comments?

----- Section Two - Proposed legislative changes -----

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Do you support or oppose the overall objectives of the proposed legislative change?

Support

Why do you say this?

1. Paragraph number:

Comment

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment

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Submission 113

From: Dean Ingoe [Dean.Ingoe@nzta.govt.nz]
Sent: Monday, 10 December 2012 8:37 a.m.
To: Megan Dunning
Cc: Selwyn Blackmore; 'Andrew Cameron'; Frances Wedde
Subject: NZTA submission on the Submission on Town Belt Legislative and Policy Review
Attachments: NZTA Submission on Town Belt Legislative and Policy Review.pdf

Attached is the NZTA's submission on the Town Belt Legislative and Policy Review. Could you please confirm you have received this.

Regards

Dean

Dean Ingoe

Senior Resource Planner (RoNS)
T 04 931 8918
M 021 226 9279
E dean.ingoe@nzta.govt.nz

NZ Transport Agency

Level 8, PSIS House
20 Ballance Street
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Find the latest transport news, information, and advice on our website:

www.nzta.govt.nz

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Monday 10 December 2012

Parks and Gardens (REPL01)

Wellington City Council

PO Box 2199

Wellington 6140

By email: townbelt@wcc.govt.nz

To Whom It May Concern:

Town Belt Legislative and Policy Review

Please find attached the New Zealand Transport Agency's submission on the Town Belt Legislative and Policy Review, and in particular, the proposed drafting instructions for new Town Belt Local Legislation, and draft Town Belt Management Plan.

If you have any questions regarding our submission, please contact Dean Ingoe, Senior Resource Planner, on (04) 931-8918 or dean.ingoe@nzta.govt.nz

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Ingoe', is written over a light blue horizontal line.

Dean Ingoe

Senior RoNS Planner

Encl.

Submission on Town Belt Legislative and Policy Review

To: Chief Executive
Wellington City Council
PO Box 2199
Wellington

From: NZ Transport Agency
PO Box 5084
WELLINGTON 6145

Submission on Town Belt Legislative and Policy Review

1 Introduction

- 1.1 The New Zealand Transport Agency (**NZTA**) generally supports the Wellington City Council's (**Council**) proposals for the Town Belt Legislative and Policy Review as set out in the following documents:
- a Town Belt Guiding Principles as approved by Council in 2011 (**Guiding Principles**)
 - b Draft Town Belt Management Plan (October 2012) (**Draft Plan**)
 - c Drafting instructions for new Town Belt Local Legislation (**Drafting Instructions**).
- 1.2 However, the NZTA comments and suggests amendments as set out in our submission below.
- 1.3 The NZTA **does** wish to be heard in support of this submission.

2 Summary of submission

- 2.1 The NZTA generally supports the Council's proposals for the Town Belt Legislative and Policy Review as set out in the Guiding Principles, Draft Plan, and Drafting Instructions.
- 2.2 In particular, the NZTA supports the Council's intention to clarify the legal arrangements for the Town Belt by way of legislation. The 1873 Town Belt Deed is now over 139 years old, and its terms are sometimes unclear. The relationship between the Town Belt Deed and legislation such as the Wellington City Reserves Act 1871, and Reserves Act 1977 can also cause confusion.
- 2.3 However, we comment and suggest amendments on the following issues:
- a **Hataitai Park** – The Hataitai Park sector has implications for the Wellington Northern Corridor Road of National Significance (in particular, the Airport to Mt Victoria Tunnel project). The NZTA generally supports the Council's approach to this project as set out in section 8 of the Draft Plan, but requests some amendments as set out below.
 - b **Clarifying relationship with the Public Works Act 1981 (PWA)** – Aspects of the Drafting Instructions could be misleading as they do not refer to powers to acquire land for public works under the PWA. We request that the Drafting Instructions make clear that the new local legislation is subject to the existing provisions of the PWA.
 - c **Ensuring policy 2.9.3 of the Draft Plan is workable (replacement of land)** – We support the general intention of policy 2.9.3 of the Draft Plan, which is as follows: 'If the Crown proposes to take Town Belt land for a public work then the Council will pursue its replacement with Crown land of equal or greater landscape, ecological, and or recreational value for Town Belt purposes.' However, we request amendments to the Drafting Instructions to ensure that the Council can more readily achieve this policy when faced with acquisition of land under the PWA.
 - d **Minor boundary adjustments (paragraph 9 of the Drafting Instructions)** – The NZTA supports the suggestion that there should be an easy mechanism for addressing minor boundary adjustments to the Town Belt. However, where those adjustments may impact on the State highway, the NZTA requests that our agreement is obtained beforehand.
 - e **Canal Reserve** – We suggest that the inclusion of the Canal Reserve in the current Town Belt is anomalous and the land should now be formally excluded from the Town Belt. It may be that this is Council's intention, as the Canal Reserve is not covered by the Draft Plan. However, if this is not the Council's intention, the Draft Plan will need to be amended to provide for existing and future roading and infrastructure requirements where reasonably necessary for achieving the roading and infrastructure outcomes of the Council or any requiring authority.
 - f **Managed activities** – We request amendment to three categories of managed activities provided for by section 9.4 of the Draft Plan: temporary vehicle access,

storage of materials and car parks. We also request identification of public vehicle access as a managed activity.

3 Background

The New Zealand Transport Agency

- 3.1 The NZTA is a Crown entity and its functions include:
- a promoting an affordable, integrated, safe, responsive and sustainable land transport system; and
 - b managing the State highway system in accordance with the Land Transport Management Act 2003 and the Government Rounding Powers Act 1989.
- 3.2 The NZTA's statutory objective is to undertake its functions in a way that *contributes to an affordable, integrated, safe, responsive and sustainable land transport system*.
- 3.3 When undertaking its functions, the NZTA must, among other things:
- a exhibit a sense of social and environmental responsibility;
 - b give effect to the Government Policy Statement on Land Transport Funding (**GPS**) when performing its functions in respect of land transport planning and funding under the Land Transport Management Act 2003;
 - c ensure that it takes into account any relevant regional land transport strategies.

Role of SH1 in Wellington City

- 3.4 The Town Belt is adjacent to the section of State highway 1 (**SH1**) that runs along Patterson Street, Mt Victoria Tunnel, Taurima Street, Ruahine Street, and Wellington Road.
- 3.5 SH1 plays an important role within the Wellington City roading hierarchy.
- 3.6 SH1 is the main connecting artery throughout Wellington, from the northern suburbs such as Tawa (and beyond) to the eastern suburbs such as Kilbirnie, and the nationally and regionally significant Wellington International Airport.
- 3.7 SH1 provides important connections for the central city, and resilience for the city roading network by concentrating traffic and relieving pressure from local roads.
- 3.8 In the location of the Town Belt, SH1 provides access to significant formal recreation areas such as the Wellington Badminton Association hall, the Wellington velodrome, softball diamond and soccer field, the Marist St Patricks clubrooms, as well as general access to the wider Town Belt for informal recreation.

Wellington Northern Corridor Road of National Significance – Airport to Mt Victoria Tunnel Transport Improvements

- 3.9 The Government has identified seven essential State highways that are linked to New Zealand's economic prosperity. Called the roads of national significance, or RoNS for

short, the NZTA is charged with delivering these highway projects within the next 10 years.

- 3.10 As noted above, the Town Belt is adjacent to the section of State highway 1 (**SH1**) that runs along Patterson Street, Mt Victoria Tunnel, Taurima Street, Ruahine Street, and Wellington Road. This part of SH1 forms part of the 'Wellington Northern Corridor', which has been identified as a RoNS in the GPS.
- 3.11 With a total length of approximately 110km, the Wellington Northern Corridor RoNS has been identified as having a key role to play in supporting economic transformation by improving the connections that enable the flow of people, goods and services throughout New Zealand.
- 3.12 Completing the Wellington Northern Corridor will unlock economic growth potential regionally and nationally, and deliver a range of benefits including:
 - a support for a growing population: the regional population is expected to increase by 65,000 over the next 20 years, mainly in Wellington City and Kapiti;
 - b support for increasing freight volumes in the region: there will be a 50% increase between 2007 and 2017, with the vast majority of movements by truck;
 - c improved access to Wellington's port, CBD, airport and hospital;
 - d relief from severe congestion on the State highways and local road networks;
 - e improved safety; and
 - f improved journey time reliability.
- 3.13 The Wellington Northern Corridor RoNS improvements are being progressed in eight separate projects as shown in the map attached as **Attachment 1**.
- 3.14 The project relevant to this section of SH1 is the Airport to Mt Victoria Tunnel project. This project includes a second Mt Victoria Tunnel and the widening of Ruahine Street and Wellington Road. This project will make the State highway easier and safer for motorists, public transport users, pedestrians, cyclists and other transport users to get around Wellington.

Town Belt Guiding Principles

- 3.15 The NZTA provided a submission on the draft Town Belt guiding principles in 2011.
- 3.16 In summary, the NZTA supported the general intent of the draft guiding principles, but suggested some amendments to the explanatory text to clarify the scope of each principle.
- 3.17 We confirm that the NZTA still supports the general intent of the Guiding Principles, as confirmed by Council in 2011.
- 3.18 The intent of the Guiding Principles has now been elaborated further in the Draft Plan and Drafting Instructions. We seek some amendments to those two documents, as detailed further in our submission below.

- 3.19 In particular, in terms of principle 1, which provides that *'the Wellington Town Belt will be protected and enhanced by the Council for future generations'*, we consider that it is critical to ensure that the powers under the PWA to acquire land are clearly articulated within this policy and legislative review. We make further specific submissions below.

4 Sector 8 – Hataitai Park

- 4.1 Duplication of the Mt Victoria tunnel, and widening of Taurima and Ruahine Streets are key components of the NZTA's proposed works in the Airport to Mt Victoria project. This project has implications for proposed sector 8 of the Town Belt (Hataitai Park), which is dealt with in chapter 8.8 of the Draft Plan.
- 4.2 We make specific comments and submissions below.

Land additions and boundary rationalisation – SH 1 improvements

- 4.3 Section 8.8.2 of the Draft Plan sets out the Council's position in regard to the Airport to Mt Victoria improvements.
- 4.4 In particular, at page 150, the Council states:

It supports the alignment of the Mt Victoria tunnel to the north of the existing tunnel.

While it has various impacts that need to be considered, the option of widening Ruahine Street to the west (requiring compulsory acquisition of Town Belt land) is preferable to widening into the residential area to the east.

It will seek to minimise the widening of the street on to the Town Belt.

If the second Mt Victoria Tunnel and widening of Ruahine Street goes ahead, the NZTA will need to acquire part of the Town Belt, which is held in trust by the Council. During that process the Council will need to make decisions on its role as trustee under the Town Belt Deed 1873.

- 4.5 Policy 8.8.2.1 further provides:

The Council will continue working with NZTA to identify options for reducing or mitigating the impacts of State Highway 1 on the Town Belt and in particular Hataitai Park.

- 4.6 We generally support this section of the Draft Plan. In particular, we appreciate the Council's recognition that widening Ruahine Street to the west into the Town Belt is preferable to widening into the residential area to the east.
- 4.7 The NZTA is committed to working with the Council regarding the Airport to Mt Victoria improvements. These improvements may require some acquisition of Town Belt land. We therefore suggest two minor amendments to clarify the intent of policy 8.8.2.1, and the role of the Council in any acquisition of Town Belt land under the PWA.

- 4.8 First, we request amending policy 8.8.2.1 as follows:

The Council will continue working with NZTA to identify options for reducing or mitigating the impacts of State Highway 1 on the Town Belt and in particular Hataitai Park **to the greatest extent possible, while still ensuring that the expected transportation improvements can be delivered.**

- 4.9 We understand that the Council supports the proposed Airport to Mt Victoria improvements. Therefore, it must be accepted that the parties will aim to reduce the impact on the Town Belt to the greatest extent possible while still ensuring that the transportation improvements of the project can be delivered. As noted above, the improvements to this sector of SH1 are expected to have significant local, regional and national benefits.

- 4.10 Second, we request amendment of the explanatory text on page 150 as follows:

If the second Mt Victoria Tunnel and widening of Ruahine Street goes ahead, the NZTA will need to acquire part of the Town Belt, which is held in trust by the Council. During that process the Council will need to make decisions in its role as trustee under the Town Belt Deed 1873 **having regard to the provisions of the PWA.**

- 4.11 Where acquisition of Town Belt is necessary for the improvements, the NZTA intends to acquire this land under the PWA. We consider it prudent to explicitly recognise that the role the Council can play in this discussion is defined and limited to the processes provided for by the PWA.

Land additions and boundary rationalisation – Ruahine Street rationalisation

- 4.12 Policy 2.9.7 of the Draft Plan provides:

To adjust the legal boundary of the Town Belt so it conforms with the physical boundary where appropriate. These areas are identified in the sector plans.

- 4.13 Pursuant to this policy, section 8.8.2 of the Draft Plan notes that the following two parcels of Hataitai Sector Town Belt have never been removed from the Town Belt and declared legal road:

- a Pohutukawa strip next to Ruahine Street (contained in CT 48B/341).
- b Ruahine Street (area marked green on DP 81724, being part of the land in CT 48B/341).

- 4.14 The inclusion of these two parcels in Town Belt is anomalous. In particular, Ruahine Street has existed in its current alignment for many years, and was declared State highway in 1997. Therefore, the NZTA has the power to control, maintain and upgrade Ruahine Street as State highway, regardless of the ownership of the underlying land.

- 4.15 The NZTA agrees with Council that these two parcels should be excluded from the Town Belt.

Recreation – Hataitai Park

4.16 Section 8.8.4 of the Draft Plan sets out the Council's position on issues relevant to Hataitai Park.

4.17 On page 152 of the Draft Plan, the Council refers to a 2007 report, which identified some of the transportation issues surrounding Hataitai Park:

A 2007 report identified several issues with Hataitai Park:

- The number and configuration of buildings on the park does not meet the needs of the various organisations using or leasing facilities on the park.
- There is only one vehicle entrance off Ruahine Street (which is part of State Highway 1). Some sports activities create high volume of vehicles wishing to enter and leave the park; particularly netball.
- There are insufficient car parks to cope with the large number of users at peak times.

4.18 The NZTA notes that access to Hataitai Park causes significant issues for SH1 along Ruahine Street, including queues during the weekend and game days, which compromise this section of State highway, and can cause safety hazards. In the long run, if further development and intensification of Hataitai Park is contemplated, the NZTA believes that an alternative access point to the park may need to be considered.

4.19 Policy 8.8.4.1 provides that the Council will establish a Hataitai Park Advisory Group to develop a long-term master plan for the park and that part of this plan will include:

- working with [the] NZTA regarding potential changes to access and parking as a result of the state highway development; and
- working with Wellington Badminton and [the] NZTA to look for suitable alternative locations for Badminton Hall if it is confirmed that the hall will be affected by the state highway development.

4.20 The NZTA is committed to working with the Council to work through implications of the Airport to Mt Victoria improvements on Hataitai Park.

4.21 In order to ensure that the State highway is protected from further impact from Hataitai Park, we suggest the following addition to policy 8.8.4.1:

- working with the NZTA to identify future access and parking needs at the Park, and where those needs may have adverse effects on the State highway, the investigation of alternative access points to Hataitai Park.

5 Clarifying the relationship with the Public Works Act 1981

5.1 While we appreciate that the Drafting Instructions are high-level and do not cover every detail, we consider that they may be misleading in that they omit to deal with the PWA and powers under the PWA, to acquire land for public works.

- 5.2 For example, paragraph 10 of the Drafting Instructions provides:

The Bill will include a mechanism that enables Council to add new land... to the Legal Town Belt... Save for any minor boundary adjustments ..., the Bill will not include a mechanism that allows Council to remove land from the Legal Town Belt. Removing any land from the Legal Town Belt would require a subsequent Act of Parliament.

- 5.3 Paragraph 17.1 of the Drafting Instructions provides:

Council will have no power to:

17.1 Voluntarily sell, exchange or use as security any part of the Legal Town Belt.

- 5.4 These paragraphs could be read as suggesting that there would be no way of removing land from the Town Belt except through special legislation.

- 5.5 We assume that the Council was not intending to exclude powers under the PWA; any such attempt would be unprecedented as far as we are aware.

- 5.6 We also note that excluding the PWA may indeed be inconsistent with the original purpose of the Town Belt. For example, the Wellington City Reserves Act 1871, envisaged that parts of the Town Belt may be required for public works and utilities, including roading. For example, section 4 of that Act provides (emphasis added):

Superintendent to convey to Board

The Superintendent of the said Province of Wellington shall convey the whole of the land comprised in Schedule 1 hereunto annexed to the Mayor Councillors and Burgesses for the time being of the City of Wellington to hold the same to the said Mayor Councillors and Burgesses and their successors upon such trusts and for such purposes of public utility to the City of Wellington and its inhabitants as shall in and by the deed or deeds of conveyance thereof be expressed and declared

Provided that one half of the moneys derived from such lands shall be devoted to the ornamentation and utilization of the lands referred to in the Schedules to this Act and no other purposes **provided also that the other half of such moneys shall be devoted to the construction and maintenance of roads upon the Town Belt described in Schedule 1 to this Act connecting the streets of the said city with the country roads and to no other purpose.**

- 5.7 We therefore suggest that the Drafting Instructions clarify that it is not intended that the new local legislation override the normal provisions of the PWA which govern the acquisition of land for public works, and that the provisions of that Act apply as appropriate in all circumstances.

- 5.8 We provide further comment on PWA provisions below.

6 Ensuring policy 2.9.3 of the Draft Plan is workable (replacement of land)

6.1 Policy 2.9.3 of the Draft Plan provides:

If the Crown proposes to take Town Belt land for a public work then the Council will pursue its replacement with Crown land of equal or greater landscape, ecological, and or recreational value for Town Belt purposes.

6.2 The NZTA supports the general intent of this policy. In a dynamic and growing city such as Wellington, it is inevitable that from time to time land may need to be acquired for public works to support the city's growth. It is better to acknowledge that fact and consider what can practically be done in such circumstances.

6.3 To make the Council's role as trustee clear, we request that the policy be amended as follows:

If the Crown proposes to take Town Belt land for a public work then the Council **in its role as trustee** will pursue its replacement with Crown land of equal or greater landscape, ecological, and or recreational value for Town Belt purposes.

6.4 We request two further amendments, to ensure that this policy can be implemented by Council on a practical level.

6.5 First, we suggest that there may be cases where the optimal replacement land is held by non-core Crown agencies, or private landowners. We therefore request replacing 'Crown land' with 'land' in policy 2.9.3.

6.6 Secondly, we suggest that paragraphs 10 and 17.1 of the Drafting Instructions should be amended to provide that where Council receives notice under s18 of the PWA that land is intended to be taken for a public work, Council has the power to enter into an agreement under s17 of the PWA to sell that land provided that:

- a as a first priority, suitable replacement Crown land has been identified; or
- b where suitable replacement land cannot be identified, adequate financial compensation has been agreed.

6.7 Where financial compensation has been agreed, the Council may be able to acquire replacement land from private landowners.

6.8 We consider that where it is more than likely that Town Belt land will be acquired under the PWA, it is in the public interest for Council to be able to enter into negotiations with the acquiring body, and if successful to enter into a voluntary arrangement under s17 of the PWA. This would enable the Council to negotiate an outcome that, in the circumstances, appropriately protects the Town Belt for the future.

6.9 The Drafting Instructions could specify that any agreement entered into by the Council under s17 of the PWA must record as a condition to that agreement, that the Council may not waive their rights under s40 to re-acquire the land should it become surplus in the future.

- 6.10 We consider that amending the Drafting Instructions as set out above, would better enable the Council to achieve the intention of policy 2.9.3 in the Draft Plan on a practical level.

7 Minor boundary adjustments

- 7.1 Paragraph 9 of the Drafting Instructions proposes that the Bill 'provide an appropriate mechanism enabling minor boundary adjustments to be made so that the status of land within and adjacent to the Legal Town Belt matches the facts on the ground.' The NZTA supports this proposal.
- 7.2 Paragraph 9.1 provides that the mechanism provided by the Bill should 'override the usual legislative requirements for stopping and creating legal road'.
- 7.3 We request that where the boundary adjustment would impact on a State highway, the NZTA's agreement to the boundary adjustment should be obtained first.

8 Canal Reserve

- 8.1 The Drafting Instructions note that those parts of the Canal Reserve which have not become legal road are Legal Town Belt (paragraph 8.2). This is because the 1873 Trust Deed originally included the Town Belt, and the Basin and Canal Reserves. The Basin Reserve is now held under a separate Trust Deed (the 1884 Trust Deed) but the Canal Reserve remains part of the Legal Town Belt.
- 8.2 We suggest that the inclusion of the Canal Reserve in the Town Belt is now an historical anomaly, and that the land should be formally excluded from the Town Belt.
- 8.3 The Canal Reserve was originally intended to run from the waterfront to the 'Basin Lake' at the end of Kent Terrace and to enable barges to deliver goods to Newtown warehouses. However, 'Wellington's miniature Venice' vanished when the 1855 earthquake struck, raising the land in this area.
- 8.4 Since that time, the Canal Reserve has evolved considerably so that today it contains a series of landscaped traffic islands, and sections of road reserve.
- 8.5 This area has none of the special characteristics of the Town Belt, and does not require the same governance or management regime.
- 8.6 We note that the Draft Plan does not deal with the Canal Reserve and it may be Council's intention to remove this reserve from the Town Belt. The NZTA can certainly appreciate reasons for doing so.
- 8.7 However, if this is not Council's intention, provision needs to be made within the Management Plan to specifically allow for existing and future roading and infrastructure requirements where reasonably necessary for achieving roading and infrastructure outcomes of the Council or any requiring authority.

9 Managed activities

- 9.1 Section 9.4 of the Draft Plan defines activities within the Town Belt that will be dealt with as 'managed activities'; that is, those activities which are not specifically allowed or prohibited, and which will be considered on a case by case basis. We note that any

authorisation of activities under the Town Belt Management Plan, will be in addition to any further authorisation that may be required under the Resource Management Act 1991 (such as resource consent).

9.2 Section 9.4.3 lists the following activities as managed activities:

- temporary access (except for park management, emergency access and as identified in the sector plans), e.g. infrastructure upgrades, art installations, vehicle access, construction access.
- storage of materials (such as gravel in parking areas for infrastructure projects).
- car parks and hard surfaces (includes artificial turf).

Storage of materials

9.3 The NZTA agrees that it is appropriate to deal with storage of materials as a managed activity.

9.4 In the course of the Airport to Mt Victoria works, it may be necessary to use areas of the Town Belt for construction lay-down sites. We request that this category of activity is expanded to include this kind of activity.

9.5 We suggest the following amendment to the 11th bullet point in section 9.4.3:

- storage of materials (such as gravel in parking areas, **or construction lay-down sites** for infrastructure projects).

Car parks and temporary access

9.6 The NZTA agrees that car parks, and temporary access should be managed activities and assessed on a case by case basis.

9.7 However, where the development of car parks or temporary access may impact on the State highway, the NZTA considers that its agreement should be obtained to the activity before approval is granted under the Management Plan.

9.8 We request that section 9.5, which sets out the decision-making guidelines for managed activities is amended by including the following addition:

- I. in respect of car parks and temporary access, where the activity may impact on the State highway, whether the NZTA has approved the activity.

Permanent public vehicle access

9.9 We also note that the Draft Plan does not deal with permanent public vehicle access. Access for park management is an allowed activity under section 9.3.2; temporary access is a managed activity under section 9.4.3; and permanent private vehicle access is a prohibited activity under section 9.6.8. However, permanent public vehicle access is not provided for.

9.10 We request that permanent public vehicle access is provided for as a managed activity by the Plan. We further request that where such access may impact on the



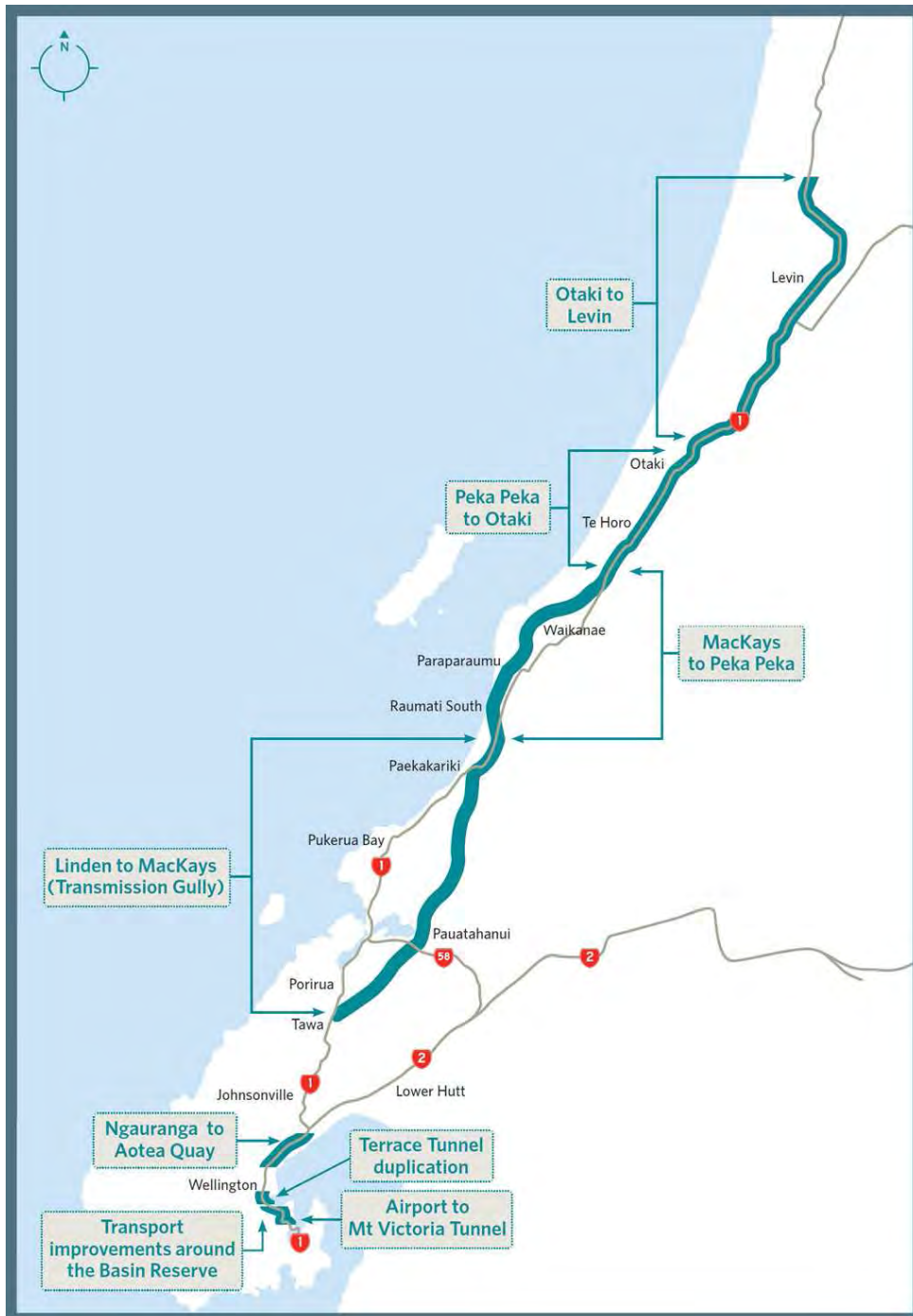
State highway, NZTA agreement is obtained prior to approval being granted under the Management Plan.

9.11 In particular, if permanent public vehicle access is added to the list of managed activities, we request a further amendment to section 9.5, which sets out the decision-making guidelines for managed activities, as follows:

- I. in respect of car parks, temporary access **and permanent public access**, where the activity may impact on the State highway, whether the NZTA has approved the proposed car park(s), **temporary access or permanent public access.**



Attachment 1 - map showing Wellington Northern Corridor RoNS





A handwritten signature in black ink that reads "Selwyn Blackmore".

Selwyn Blackmore

Principal Project Manager RoNS Development

Pursuant to a delegation from the Chief Executive of the NZ Transport Agency.

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 WELLINGTON 6145

Telephone Number: (04) 931-8918
E-mail: dean.ingoe@nzta.govt.nz

Submission 87

From: solas@paradise.net.nz
Sent: Monday, 10 December 2012 8:10 a.m.
To: Megan Dunning
Subject: Town belt Submission

Attachments: The Town Belta.doc



The Town Belta.doc
(44 KB)

Good morning

Please find attached a submission on the Town Belt Management Plan from the Wellington Strategic Network.

Thank you.

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Submission on the Draft Town Belt Management Plan from the Wellington Strategic Network - 10 December 2012

Wellington Strategic Network

The Wellington Strategic Network is a recently established group of professional people with many years of experience and expertise in strategy development, resource management and communications relevant to asset management by local government.

General Comments:

In general, the Town Belt Management Plan is a good approach and the Council's Parks and Garden staff are to be lauded for their efforts to implement a fair and consistent management regime. There are, however, three fundamental strategic and policy flaws that, if not properly addressed, will significantly hinder effective management of this important resource. The Wellington Strategic Network strongly advises the Council to address these as a matter of urgency.

Flaw One: Lack of clarity around the status of the Town Belt with respect to the Open Space Strategy

The Town Belt is just one of a number of open areas managed by the Wellington City Council. At present WCC's approach to open space is outlined in the very dated 'Open Space Strategy' which is, we understand, currently under review.

The Town Belt Management Plan, however, contains a significant number of policies that need to align with the higher level Open Space Strategy or there is a risk of conflict between the two documents. This is of particular importance with respect to policies relating to the acquisition/disposal of land, interaction with mana whenua etc. Non-alignment with the Open Space Strategy could result in Council being accused of lack of transparency and the regular relitigation of policies.

What needs to be done:

As a point of clarity, the Town Belt Management Plan should state exactly where the Town Belt fits in the overall strategy for Wellington's open spaces. If there are differences in terms of policy (in terms of criteria for addition of land etc.) this should be clearly identified where relevant throughout the document.

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What needs to be done:

As a point of clarity, the Town Belt Management Plan should state exactly where the Town Belt fits in the overall strategy for Wellington's open spaces. If there are differences in terms of policy (in terms of criteria for addition of land etc.) this should be clearly identified where relevant throughout the document.

The Wellington Strategic Network recommends that completion of the Town Belt Management Plan is delayed until key issues in the overall strategic approach are completed and clearly articulated.

Flaw Two: Absence of a clear and consistent strategic approach with Iwi

At present Wellington City Council's relationship with iwi is managed through Memorandums of Understanding (MoUs). MoUs are agreements for outlining cooperation and exchange of information between parties, particularly in terms of process and behaviour. These documents, however, are limited in that they provide no guidance on how relationships between the parties should work in the longer term.

The absence of any high level strategic plan for Council's interaction with iwi is a very significant limitation for the city's future. Taranaki Whānui iwi and the trusts that represent iwi interests are one of the biggest land holders in the Wellington city district and their land holding is only likely to increase over the coming decades.

Recent completion of negotiations between Ngāti Toa and the Crown and their subsequent settlement of historical grievances mean that they too will be a significant stakeholder in the Wellington region.

Many other New Zealand territorial agencies have already foreseen the advantages of working in partnership with mana whenua and iwi (Auckland Council, Waikato District Council, Gisborne City Council etc.). Wellington City Council's ability to establish meaningful, mutually beneficial relationships with mana whenua and other iwi is critical to ensuring the longevity of the city and ensure its national competitiveness with other regions.

The absence of a clear relationship strategy means that any interaction with iwi will be carried out in a piecemeal and incoherent manner. Poor judgement is already evident in the current draft of the Town Belt Management Plan, particularly with respect to Council's proposed interaction with mana whenua. The key aspect of the relationship is outlined in Principle 3 which states:

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 our current relationship.

This particular example is striking in the lack of clarification provided with respect to what this 'partnership' means in practice. Given that - in the current relationship - mana whenua

have little to no input to the management of the Town Belt, this principle appears to serve as little more than lip service by the Council. Additional absence of good faith by Council is evidenced in Section 2.6 (The Port Nicholson Block) where Council's single stated priority with respect to Taranaki Whanui with respect to the Town Belt land is to:

"identify the land it wants returned to the Town Belt by following the Town belt assessment criteria"

The network respectfully suggests that this is a somewhat unusual interpretation of the word "partnership". In addition, the Council's intent to obtain the land for which mana whenua have right of first refusal, differs little from that of the original 'land grab' objectives of the early New Zealand Company on their arrival in Wellington. Such an approach does not bode well for future relationships with mana whenua. Given that at least half of the submissions received by Council on earlier Town Belt consultations were supportive of partnership with mana whenua (despite a major programme of disinformation and lobbying by certain local interest groups), this does not bode well for Council's relationship with the citizens of Wellington either.

What needs to be done:

There are three significant issues that need to be addressed.

(a) Council must clearly articulate its strategic intent with respect to Taranaki Whanui and Ngati Toa.

Although Council has a responsibility to clarify its strategic intent in a transparent manner, the Town Belt Management Plan is not an appropriate mechanism for outlining this. For that reason, the Wellington Strategic Network recommend that completion of the Town belt Management Plan be put on hold until such time as this action is completed. Interactions of such a nature are best outlined in strategic documents (the updated Open Space Strategy) rather than a management plan which is predominantly for operational guidance.

(b) Council needs to clarify for itself what it means by 'partnership with mana whenua' with respect to the Town Belt

Council needs to clarify for itself what it means by 'partnership with mana whenua' with respect to the Town Belt. The current approach being proposed is underhand and hypocritical. Council needs to decide whether it wishes to work in good faith and develop a meaningful relationship with potential partners for the future benefit of the city or simply attempt a short-sighted land grab.

(c) Councillors need to become better informed on recent developments with iwi in the Wellington region and receive strategic advice on how to manage future relationships.

The Wellington Strategic Network does not believe that Wellington City Council currently has the in-house experience, expertise or competence to advise Councillors on such issues. The deferring of such critical relationships to a management plan indicates a disturbing incomprehension of strategy and extremely poor advice on Maori issues from Council staff. It is recommended that Council seek advice from external experts on other examples of effective strategic relationships between territorial agencies and iwi and adapt a model as appropriate.

Flaw Three: Lack of transparency on proposed addition of land to the Town Belt

The current draft of the Town Belt Management Plan outlines its approach to the addition of the land to the town belt in section 2.7. The use of three categories and criteria to evaluate for addition of land to the Town Belt is a sensible one, however, there is one serious omission; the absence of any criterion on the cost/benefit to the ratepayer.

The current list of criteria appears to be based on the assumption that the acquisition of land for the Town Belt is a foregone conclusion. It is disturbing, however, that no consideration is proposed for the financial assessment of the cost of such acquisitions. The absence of such a criterion and the absence of a transparent process for making such decision is almost guaranteed to ensure that decisions to acquire land for the Town Belt will lack transparency and consistency.

The Wellington Strategic Network respectfully suggests that a decision to reacquire land for the Town Belt is one that should be made transparent for citizens, particularly given the significant costs of inner city land and regularly increasing rates. Such decisions will also be of relevance to those citizens of Wellington who will never benefit directly from the use of Town Belt lands acquired in their name.

Thank you for the opportunity to comment on the current draft of the Town Belt Management Plan. We would like to make an oral submission to Councillors on these issues.

Yours sincerely

Brian O'Sullivan

Wellington Strategic Network

