

Submission 45

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Tuesday, 4 December 2012 3:14 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: Mark
Last Name: Coburn
Street Address: 1a Coromandel Steet
Suburb: Newtown
City: Wellington
Phone: 0211315384
Email: coburn_mark@hotmail.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: 0211315384 I am giving this feedback: on behalf of an organisation
Organisation name: Port Nicholson Ponake (PNP) Cycling Club - Track Subcommittee

----- 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?

We acknowledge the significance of the town belt.

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?
Support

Why do you say this?

If NZTA takes away more land near Ruahine Street then the Council could try to obtain more land from the Crown so we have a net gain on land.

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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?

Strongly support

Why do you say this?

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?

Neither agree nor disagree

Why do you say this?

We feel the plan is an attempt to balance the needs of various stakeholders, now and in the future. However we raise several points below, one being the fact that PNP Cycling Club is not mentioned once in the report yet the future of the velodrome is being considered.

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?

Neither support nor oppose

Why do you say this?

Port Nicholson Ponake (PNP) cycling club is one of the oldest in NZ starting in 1926. We have approx 300 paid members and over 2,000 people receiving our weekly newsletter. We are financially sustainable. In reality we are a combined club of the three cycling disciplines of Road, Track (only at the Hataitai velodrome) and Mountain Biking (MTB - various locations in greater Wellington including Town Belt land).

We believe that Town Belt land is precious and has a finite land area. We encourage all sports, users, Council and the community to work together.

We agree that recreation activities and trends change over time. Track cycling numbers are growing. We are about to celebrate 10 years of our re-birth at the velodrome.

Our riders have achieved medals at elite and age-group nationals. We have growing numbers. Cycling in NZ is growing. We regard the use of this area as critical to the sport (and recreational use) of cycling.

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We strongly support the forming of a Hataitai Park sports advisory group and wish to be part of it. We understand Sport Wellington is taking the lead on this with an initial meeting 26th November 2012, WCC had several staff present. With a large inner grass field we would naturally like to be part of the cooperation of clubs and sporting codes at Hataitai Park. As a matter of disclosure, the author Mark Coburn is involved with the PNP Cycling Club and works at Sport Wellington and was present at the above meeting.

The current velodrome was built in the 1960's. Our medium term vision is for the surface to be replaced / resurfaced / upgraded. We are not seeking a multi-million dollar indoor stadium. We are not seeking an expensive wooden velodrome. This would avoid any further loss of town Belt land, replacing like for like. We would welcome to be on an advisory group to assess the velodrome.

If the Hataitai velodrome is not usable then the nearest track is Levin with the nearest wooden (higher quality) track being in Wanganui.

Velodromes are important. Nelson's new Saxton velodrome is an example of how a space can be used better. New tracks are being built in New Plymouth and Cambridge, because councils know it's worth the investing in.

We received a grant from Pelorus Trust to purchase 20 track bikes in 2006. These bikes do not have hand brakes and are not designed for the road. These bikes are stored in the WCC leased lower shed at Hataitai and are hired to juniors. This has been a major influence towards the growing numbers of track cycling which also increases general cycle handling skills of riders. It's much better for a junior to learn these skills on the safe environment on the track rather than on the roads. Our coach does a huge amount of work with up-skilling young riders (road, track).

Track Cycling is a highly successful and high profile NZ Olympic medal sport, which requires a suitable facility to support rider development at all levels

Not having a velodrome in Wellington is not an option.

Mountain Bike (MTB)

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We race on several circuits around the Wellington region and Mount Victoria is round 3 of our popular spring series. We normally attract 160-180 riders per race from all age grades from under 13 to Master 50+ years.

PNP have also hosted recent National MTB Champs and North Island Cup races run on the popular Mt Victoria Town Belt trails. We were again selected to host a North Island Cup round on 18-19th February 2012.

MTB use the Velodrome as our start / finish and base. MTB riders race one circuit of the Velodrome every lap and the atmosphere this creates is terrific. Excellent crowds enjoy the easy public access at the Velodrome and the close-up viewing from Alexander Rd for spectators is exciting.

PNP donate money and volunteer labour and work very closely with WCC on trail construction and maintenance. We liaise with Friends of the Town Belt and Mt Victoria Residents Association to ensure we minimize disruption to the public.

Some options:

The velodrome area could be a centre of Wellington Cycling and include: Track Cycling, MTB annual events around Mt Victoria, Council run cycling (MTB and BMX) events • Cycle Advocates Network/BikeNZ Cycling instruction courses (kids, adults and family's) - a new thing now become NZQA approved. Road cycling practice, Coaching and development, Cycling meetings for various clubs.

We understand there are draft plans for a BMX track in Karori. Could this be located at Hataitai instead where a skills track already exists.

Cycling training could exist in the lower (ex) Netball courts now they have moved to the ASB sports centre (similar to motor cycle training, going around cones).

If Hataitai Park wasn't a future location of the velodrome, could upper Newtown Park be in option as it has a natural bowl shape.

If NZTA widens Ruahine Street, would there be merit in making a slip road from Alexandra Road to the Park to ease congestion. We are not advocating for this (yet), just adding it to the mix. This would involve some native landscaping which could enhance Hataitai Park. We do want to protect the Town Belt.

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Some additional facts / notes:

SPORT NEW ZEALAND "YOUNG PEOPLES SURVEY SERIES 2012", page 22 rated cycling / biking #3 for activities participated in for 5-10 year olds, #6 (Boys) and #7 (Girls) for 11-14 year olds and #7 (boys) #5 (girls) for 15-18 year olds.

CAPITAL TIMES READER SURVEY 2012: WELLINGTON'S BEST. People were asked what the three things they like best about Wellington are. Answer: "A lot of C words this year. Cafes, culture, coffee, compact, cool, cable car, creative, Cuba St, changeable weather, clean, cycling."

STATISTICS NZ: The 10 most popular sport and recreation activities of adults, March 2007–08 are: Walking 2,100,278, 64.1%, Gardening 1,414,633, 43.2% , Swimming 1,139,812, 34.8% , Equipment-based exercise 868,271, 26.5% and Cycling 745,183, 22.7%

The World Health Organization's Global Strategy on Diet, Physical Activity and Health (2004) recommends taking a multifaceted approach to preventive health interventions and policies. The strategy recommends that central and local government promote physical activity and design transport polices that ensure the accessibility of walking and cycling.

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

Comment

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

Comment

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?

We are very disappointed to not see PNP Cycling Club mentioned once in the entire 232 page document. We are not mentioned on page 46 as one of the sports that use Hataitai Park. Not mentioned in section 8.8.4. PNP "rents" the velodrome over summer and "rents" a storage shed on the bottom park area all year round. We have made considerable improvements to this shed (layout, posters, memorabilia, etc) and we use it as indoor training (stationary bikes) during the winter and poor summer weather. It is our club rooms. We understand from Mike Oates that only sports that had a "lease", as opposed to a rental, were included in the document.

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

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

Support

Why do you say this?

Seems like a good approach to bring the management of the town belt in to the 21st century, while respecting the past.

1. Paragraph number:

Comment

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

Submission 165

From: Bernie Harris [btharri@clear.net.nz]
Sent: Monday, 10 December 2012 3:17 p.m.
To: Megan Dunning
Cc: Jim; Tom Law
Subject: Draft Town Belt Legislative and Policy Review

My submission will be limited to the Principles of the Draft Town Belt Management. Subsequently I would like to expand upon these brief notes when oral submissions are held

1 There will always be a Town Belt in Wellington - It is noted in your briefing notes that certain imprecise terminology is used e.g. where possible, in trust, existing land approx. 420 Hectares, in accordance with 1873 Deed, avoiding any further alienation, Council will pursue. As the original Town Belt comprised 625 hectares there appears to be some grounds for a return somehow of that missing one third.

2 The Council will work in partnership with mana whenua to manage the Town Belt - From which source has mana whenua gained any identity whatsoever to justify their receiving preferential treatment regarding the Town Belt. I am tangata whenua here in Wellington and have represented Te Arawa Waka on the Executive Committee of the original Federation of Maori Economic Authorities nationally. Mana refers to human qualities, and not otherwise as I mentioned on several occasions during the preliminary forums on the Town Belt. Can anyone illustrate where mana whenua is mentioned in the Treaty of Waitangi to be consistent with the principles of that document?

3 The Town Belt's natural character will be protected - I would not dare choose to interfere with nature under any guise so what does this principle mean?

4 The Town Belt is for all to enjoy - When the introduction specifies 'all Wellingtonians' how does anyone distinguish the difference when in the following paragraph it adds the extension 'for everyone'. If rates are the financial source for administering the Town Belt Management Plan, how do non Wellingtonians contribute?

5 The Town Belt will be used for a wide rang of recreational activities - Please identify the distinction between formal and informal recreation activities when the open space zoning uses the wording 'direct and indirect' recreational activities. Multi-use facilities are far preferable to specific-use facilities for broad descriptions of recreational activities where costs can be typically divergent.

6 Management of the Town Belt will acknowledge historical and cultural links to the land - Most cultures over the centuries acknowledge the

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historical and cultural links to the land which converts the wording in this principle to Maori only!! New Zealand is no longer a bi-cultural society and the Treaty of Waitangi is not a sound reason for making this principle of any value whatsoever, except racial division. Who thought up this monstrosity which is clearly contrary to the Human Rights legislation?

In conclusion, I recently attended an evening at which Sir Kenneth Keith, the invited speaker, emphasised the importance of transparency in all central and local government activities. It was particularly noted that his priorities were purpose, principal, and process. I had the opportunity of speaking with him personally afterwards and indicated that practice on many occasions ran counter to his other three Ps, to which he just smiled. Sir Kenneth was the instigator of the Official Information Act.

sincerely

Bernie Harris

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	
Mr / Mrs / <u>Ms</u> / Miss / Dr (Please circle which applies)	
First name* <u>Amos Jennifer</u>	Last name* <u>Amos</u>
Street address* <u>165 Abel Smith St</u>	
Suburb <u>Aro Valley</u>	City
Phone/mobile <u>0278646811</u>	Email <u>craigandjennifer165@gmail.com</u>
MAKING A SUBMISSION	
I am making a submission	<input checked="" type="checkbox"/> As an individual <input type="checkbox"/> On behalf of an organisation
Name of organisation	
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.

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?

The shoe shape model doesn't acknowledge bird flight paths / food source having - outdated why?

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?

due to model of shoe shape - large pockets of land like 8.3.23 should include

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?

Should consider principle's

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?

large established eco-systems in exotic trees should be left / maintained as large trees may do ecology

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?

pockets of land should be eco-systems without recreation like to include 8.3.23

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?

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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
8.3.2.3	I know the assessment of area 8.3.2.3 is inaccurate. The area is rich in established exotic & native trees. Recent arrivals include 4 Kaka, Kerua
	The land isn't accurately shown on map, it is a steep incline providing habitat for birds, insects which reside in multiple levels of the canopy
Principle 4/5/9	I know this area should be included in the town belt as a significant established site of ecology & biodiversity. This land has essentially been left untouched since 1930's, adding to its landscape character. It provided
Theme A 8.3.2.3	land '8.3.2.3' should be sought by council for strengthening green areas - as part of its goal to pursue replacement with water land of equal or greater landscape, ecological, or recreational value for

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.)

In 1995 the area 8.3.2.3 was noted by council to be heavily vegetated & significant. This remains the same. The area still should be sought for town belt purposes.

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

town belt purposes
this remains the same
land still should be sought for town belt purposes
Sort for return to town belt state as outlined by council 15/19/11

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DO YOU HAVE ANY COMMENTS ON THE PROPOSED LEGISLATIVE CHANGES?

Continued from previous page

Number	Comment

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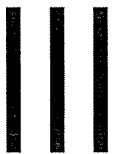
Thank you for your submission.

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

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Free Post Authority Number 2199

Absolutely
POSITIVELY
ME HEKE KI PŌNEKE
WELLINGTON CITY COUNCIL **Wellington**
PO Box 2199, Wellington, New Zealand



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

**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.

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* Mandatory fields	
Mr <u>(Mrs)</u> / Ms / Miss / Dr (Please circle which applies)	
First name* <u>TU</u>	Last name* <u>HUNTER</u>
Street address* <u>7 NAUGHTON TERRACE</u>	
Suburb <u>KILBIRNIE</u>	City <u>WELLINGTON 6022</u>
Phone/mobile <u>027 4514950</u>	Email <u>jwhunter@xtra.co.nz</u> <u>or info@badminton.net.nz</u>
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 <u>WELLINGTON BADMINTON ASSOCIATION</u>	
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.	

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WELLINGTON BADMINTON ASSOCIATION

WELLINGTON BADMINTON CENTRE

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PO Box 3759, Wellington

Phone: (04) 386 1689 Fax: (04) 386 1289

Email: info@badminton.net.nz Web: www.badminton.net.nz

10th December 2012

Parks & Gardens (REPL01)
Wellington City Council
P O Box 2199
WELLINGTON 6140

Good Morning,

Town Belt Legislative & Policy Review – Submission

Please find attached a Submission on the Town Belt Legislative & Policy Review which is submitted on behalf of the Wellington Badminton Association Inc. The Association wishes to have the opportunity to orally submit as well

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tui Hunter'.

Tui Hunter
President



Badminton Association

TOWN BELT LEGISLATIVE & POLICY REVIEW SUBMISSION

1. Introduction

- 1.1 The original Town Belt Deed of 1873 conveyed the town belt land upon trust to the City (Council) and set out the terms on which the City (Council) was to administer the town belt land. The mandate was quite clear:

“to be forever hereafter used and appropriated as a public Recreation ground for the inhabitants of the City of Wellington”

- 1.2 We are concerned that the Draft Town Belt Management Plan (TBMP) is deviating from that original intention and provide the following comment and recommendations with respect to specific aspects of the Draft plan:

A. GENERAL COMMENT

2. Guidelines

3. Special Recognition of Hataitai Park Precinct

- 3.1 The Draft TBMP quite correctly at Para. 8.8 recognises the Hataitai Park Precinct as a separate management area of the Town Belt.

- 3.2 The recognition of the Hataitai Park Precinct is consistent with the Council's appointment of Global Leisure Group in 2007 to review the Hataitai Park and Associated Facilities. Their mandate was to “undertake a review of the Hataitai Park sports fields, courts and associated facilities to ensure the appropriateness, relevance and sustainability of the sports services currently provided and options for enhancement”.

4. Governing Framework

- 4.1 Consistent with the Council's management function the TBMP needs to provide a planning framework for the sporting organizations operating within the Hataitai Park Precinct. A planning framework is necessary to assist community groups provide community facilities. It needs flexibility to recognise that the Wellington community will have changing requirements and therefore changing facility requirements over time. A clear set of guidelines is required in the TBMP to allow groups to cater to changing needs through the reduction, enhancement, and extension of both buildings and

land under lease from Council. Current Guidelines are far from clear and in the past have been interpreted incorrectly or in an arbitrary manner by a succession of Council staff.

- 4.2 Such framework would provide a transparent process and clear set of guidelines with respect to both Landowner Consent and also Resource Consent under the Resource Management Act. It will provide details on how applications are to be made and the timeframes which applications will be considered. The guidelines should take account of the needs and expectations of sporting code stakeholders in the Precinct, many of which have been clarified in recent Environment Court decisions.
- 4.3 These guidelines are necessary within the TBMP to ensure that sporting organizations currently on Town Belt land and the Council do not incur the same expense which occurred recently in *Wellington Badminton Association Inc v Wellington City Council* NZEnvC ENV-2011-WLG-000104.

5. Governing Rules

- 5.1 A body of rules would include the following

- (a) **Equal Balance of Nature and Organised Sports:** The 1873 Deed has set aside the Town Belt as a “public recreation ground”. It is agreed that the plan should balance retaining ‘natural’ areas for informal recreation with the demands of organized sports.
- (b) **Promote Sport:** The Council should set policy to promote organized sport within the Precinct and promote the development of Sports Facilities to an international standard. Such an approach is consistent with the creation of Hataitai Park for sports use between 1929 and 1936.
- (c) **International Facilities:** Providing Sports Facilities to an international standard should be an objective of the plan. It may be possible for different codes to share communal facilities, however the specific requirements (surface, lighting indoor/outdoor facilities) of individual sports should be catered to. No preference should be given to a ‘Sportsville Model’.
- (d) **Indoor/outdoor Facilities:** The Wellington climate is characterised by cool temperatures, high winds and rain which provides a challenge to outdoor recreation activities for a large part of the year. It should be open for sports organizations to develop indoor facilities and specialist surfaces.
- (e) **Extend Footprint:** It should be open to both existing Lessees and new Lessees to renovate / extend their facilities without being limited to the existing footprint and/or current leased areas and associated car parks.
- (f) **Promote Group and Sponsors:** Community Sporting Organisations need to be able to promote themselves and their sponsors. While it is appreciated that there are sensitivities on Town Belt land with respect to signage, in the absence of Council funding, a more flexible approach is required to allow sports organizations to raise money through sponsorship/signage.

6. Management

- 6.1 Management of the Hataitai Park Precinct should be conducted by the Council in accordance with the Council's obligation under the Trust Deed. The Council has a Trustee duty to manage this area and not to relinquish responsibility to a third party.
- 6.2 If the Council is to consult a third party with respect to its management responsibility, it should be with Hataitai Park Stakeholders. It is the Stakeholders who have the greatest interest in this Precinct of the Town Belt and the greatest knowledge to ensure it is appropriately managed for the citizens of Wellington.
- 6.3 Mana Whenua should not be provided with an elevated management right.

7. Hataitai Park Sports Advisory Group

- 7.1 We strongly support the forming of a Hataitai Park sports advisory group and wish to be part of it. Sport Wellington is taking the lead on this with an initial meeting having taken place on 26th November. Wellington City Council had several staff present.

B. SPECIFIC COMMENT

8. Section 3

- 8.1 We **Disagree** that Mana Whenua is to be provided with an ongoing management right with respect to the Town Belt. This is inconsistent with the Council's duty as Trustee.
- 8.2 Management of the Hataitai Park Precinct should be conducted by the Council alone. If the Council is to consult with third parties with respect to its management responsibility it should consult with Hataitai Park Stakeholders. It is the Stakeholders who have the greatest interest in this Precinct.

9. Section 6: Recreation

6.2 – What is recreation?

- 9.1 We **Disagree** that the Council should adopt the definition of recreation as set out in the Reserves Act. In particular we **Disagree** with an "*emphasis on the retention of open spaces and on outdoor recreation activities*". Such wording promotes a bias in favour of informal recreation and does not promote the balance you intend between "natural areas for informal recreation with the demands from organized sports".
- 9.2 The Council has outlined on a number of occasions that it is under-resourced for organized sports. This suggests that there is already demand for more facilities for organized sports and a correct balance has not been struck. The message would seem clear that the inhabitants of the city of Wellington desire further facilities for organized sports.
- 9.3 The Wellington climate is characterised by cool temperatures, high winds and rain which is not conducive to outdoor recreation activities for a large part of

the year. The 1873 Deed set aside the Town Belt as a “public recreation ground”. This providential document intentionally provided a wide definition and emphasized the word “Recreation”. The Council does not have a mandate to deviate from the original intention and provide a narrow interpretation. Consistent with a wide interpretation, given our climate, we should be planning to implement a range of world class facilities, including indoor and all weather surfaces for inhabitants of the City of Wellington.

- 9.4 If we are looking to attract world class talent to the Capital city we need world class facilities close to the centre of town and such facilities in the future are likely to include indoor facilities. These facilities can be in keeping with our natural environment and consistent with the great work Wellingtonians are doing at the likes of Zealandia, Otari Bush and the Botanical Gardens. We are fortunate to have the resources to have it all if we have a long term plan. We believe Zealandia has a 500 year plan.
- 9.5 The Council has recently been involved in two significant proceedings before both the Environment Court and the High Court. These Courts have provided very clear guidance on the interpretation of the Town Belt Deed and exactly what recreation activities are permissible in the Town Belt. This includes indoor recreation and also extending premises outside the existing footprint/lease area. We would recommend that the Council follow the direction of the Courts.

6.6 - Policies

- 9.6 **Clause 6.6.2 - We Disagree** that the development of an existing building by lessees who wish to renovate / extend their facility be limited to the existing footprint and/or current leased areas and associated car parks. The focus must be on providing the best facilities for the people of Wellington and there must be flexibility to develop such facilities according to the needs in the future, and not the needs of the past.
- 9.7 **Clause 6.6.3 – We Disagree** with the criteria provided, on the basis it is too restrictive, especially on existing lessees. We note that given Wellington’s hilly topography, the reality is that land suitable for developing world class recreational facilities close to town is likely to be in the Town Belt.
- 9.8 **Clause 6.6.4 –** This reference appears twice
- 9.9 **Clause 6.6.4 – We Disagree** with a preference for the ‘Sportsville’ model. While we agree with the potential benefits of sharing facilities such as carparks, changing rooms and meeting rooms, a “one size fits all” facility does not suit everyone and is not necessarily economical for everyone. All sports, especially at the elite levels, have their own specific requirements that include playing surface (type and area), lighting, wind protection, and indoor/outdoor facilities. Some sports are more flexible than others and thus shared facilities suit some more than others. All positions must be considered.

10. Section 7: Culture and History

- 10.1 **Clause 7.3 - Page 60 –** We note that the 4.05ha of Hataitai Park was created for sports use between 1929 and 1936, largely from excavation works from the construction of the tunnel. The wording “sports use” is not defined in any way and in our opinion includes ALL sporting codes – either indoor or outdoor. Indeed these activities have already been in existence for over 50

years. Given the reclaimed/artificial nature of the land we would also expect a greater level of flexibility (especially with regard to green issues) relating to land use and development.

11. Section 8 – Management sectors Section 8.8 – Hataitai Park

Council’s position with respect to NZ Transport Agency (NZTA) SH1 proposal

- 11.1 **Clause 8.8.2** – We note the Council’s acknowledgement of the proposed State Highway 1 and in particular at – 3rd bullet point – *“widening Ruahine Street and Wellington Road – in places, particularly near Badminton Hall, the encroachment into Town Belt could exceed the existing designation boundary”*. The Council states that its position - 7th bullet point – that it *“will seek to minimise the widening of the Street on to the Town Belt* and 8th Bullet point that *“the Council will need to make decisions on its role as trustee under the Town Belt Deed”* to allow NZTA to acquire part of the Town Belt.
- 11.2 We note the Councils fiduciary obligation as trustee under the Deed of Trust to ensure that *“no thoroughfare shall at any time be created across the said land”*. While we acknowledge that the Council is subordinate to National legislation one proposal is to acquire 6 hectares of the Town belt which as the Council has outlined at bullet 3 is outside the existing designation and in contravention of the Trust Deed.
- 11.3 What action has the Council taken to date pursuant to its Trustee duty to protect the Town Belt from the loss of this significant amount of land? It would be expected that the Council would have lobbied for an alternative route especially at the western end where the proposed route significantly deviates into the Town Belt.
- 11.4 It is surprising that the Council has not consulted more widely with the sporting organisations of Sector 8 – Hataitai Park - who have a combined membership of over 5000 and no doubt considerable influence over an even greater number of members in the electorate. Could you please outline how the Council proposes to exercise its Trustee duties in this respect?
- 11.5 We are also surprised at Council’s seeming indifference to the acquisition of 6 hectares of Town Belt for roading, yet Council has placed large financial impediment to a well established community group acquiring a small area of land to extend the Badminton Centre.

Displacement of recreational activities

- 11.6 **Clause 8.8.2** – The Council states at bullet 12 that the impact of the proposal will include the displacement of recreational activities, particularly badminton.
- 11.7 We strongly object to the proposed displacement of recreational activities without a solution proffered on behalf of the Council. If such displacement is to go ahead it requires a solution from the Council or NZTA in its place. Such solution would need to include equivalent facilities in an equivalent location. In the case of Badminton which now has Resource Consent to develop an International facility including an additional 5 courts, it would need to include a new site and building of equivalent utility. This is necessary to ensure the Association is able to retain and maintain its membership and service to the

community in a continuous way – without any downtime between old and new.

Council Opposition to Sporting Organisations providing facilities

- 11.8 **Clause 8.8.4** - 6th bullet point – Wellington Badminton Association (WBA) has proposed to build an extension to add FIVE courts, not 3 courts as printed. It is noteworthy to all sporting organizations in Wellington and more importantly the inhabitants of the City of Wellington that the Resource Consent has been granted following 2.5 years of drawn out litigation with both Council and single issue lobbyist group - Action for Environment. The Consent granted is very restrictive and conditional in Council's favour. This will be difficult and very expensive for the Association when it starts to initiate its consent for the extension.
- 11.9 The WBA has not yet applied for landowner approval for the extension because Council has advised that it needs to wait for NZTA to make decisions in relation to the proposed access highway through Ruahine Street. WBA is reluctant to incur further costs until its future is assured.
- 11.10 All sporting organizations should be aware of the WBA experience where it has been put through litigation and high cost to achieve Resource Consent for what should have been a minimal, regulatory process. It has been WBA's experience that the Council and other groups have tried to stymie WBA's proposal at every stage and have not taken into account the public interest in the proposal and the support it has received from all sporting codes and most of all, a large part of the community within Wellington.
- 11.11 **Clause 8.8.4.1** – It is a stated policy of the Council to work with Wellington Badminton to look for suitable alternative locations if it is confirmed that their facilities will be affected by the highway proposal. To date WBA has received no encouragement, serious / helpful consultation for our proposal from Council or NZTA. Alternatively they have bogged down an already resource stretched organization with bureaucracy and compliance as is evidenced by further surveys such as the Lumin Report. This process is unhelpful and looks to confirm information already obtained at some expense.

12. Section 9 – Rules for Development

- 12.1 **Clause 9.5. i & j** – We note that one of the decision making criteria relates to whether a proposal could be undertaken in another location. As noted above the reality is Wellington is a hilly city and all the flat land close to town is taken. If first class facilities are to be provided Town Belt Land is the obvious place to provide such facilities.
- 12.2 **Clause 9.5.2** – We **Disagree** with the current policy on signs not being allowed on the Town Belt. As the Council often points out there is little Council funding to support recreation groups. Sponsorship is the lifeblood of recreational groups and groups must be able to support their sponsors by promoting that relationship with **SIGNS**.
- 12.3 In WBA's case this policy has prevented them from obtaining sponsorship income for many, many years. This issue is particularly pertinent in today's environment, where such sponsorship can enable financial viability. Having a policy that any signs allowed must "be sited as unobtrusively as possible" is ludicrous – especially to an interested sponsor. WBA has applied in the past

for signage rights but has historically been turned down – and proposed sponsors have walked away!

- 12.4 Unless the Council is proposing to supplement income lost by recreational groups, a more flexible approach to signage is recommended.
- 12.5 **Clause 9.6** – We **Disagree** that the development of existing or new formal sport or club facilities should be prohibited outside of the existing footprint or lease areas. This approach is inconsistent with the intention of the Trust Deed and is contrary to the interests of the inhabitants of the City of Wellington. As citizens of Wellington we should be planning for world class facilities that fit the requirements of the day. There is no need to provide unnecessary restrictions and therefore it is WBA's contention that this criterion should be a "Managed Activity".

Wellington
10th December 2012

Submitters - Friday 22 February 2013

Submission 196

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 4:59 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: Anne-Margaret
Last Name: Campbell
Street Address: Mt Albert Road
Suburb: Berhampore
City: Wellington
Phone:

Email: annemargaret@wellingtonhockey.org.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: 043893337 I am giving this feedback: on behalf of an organisation

Organisation name: Wellington Hockey Association and the National Hockey Stadium Trust

----- 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?

It continues to protect and enhance the Town Belt.

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?

Support

Why do you say this?

The plan proposes to restore and enhance ecosystems and increase the

Submitters - Friday 22 February 2013

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?

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?

Neither agree nor disagree

Why do you say this?

Both agree and disagree - it is difficult to grow our sport without a further development of our facilities although the proposed development does not take away informal recreation space. it must also be noted that informal recreation activities regularly take place on facilities which are primarily used for organised sports.

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:

Comment

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

Comment

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?

Submission -

Draft Town Belt Management Plan 2012 and legislative changes

Thank you for the opportunity to respond to the draft Town Belt Management Plan and proposed legislative changes. This response is a joint submission from the National Hockey Stadium Trust and Wellington Hockey Association, as the managers and prime users of the National Hockey Stadium at Mt Albert Park.

Background information

The National Hockey Stadium comprises 2 artificial surfaces, a small practice turf, a large pavilion, a smaller administration building, four team dugouts and an electronic scoreboard as its buildings/structures along with 3 car parking areas; all of which is on the Town Belt. We have funder and sponsorship signage surrounding the playing pitches which is only visible when inside the stadium grounds and a small sign at the entranceway denoting the name of the stadium (without any reference to funders or sponsorship). We have a bar and cafe on site and previously have had a pro shop on site. Proceeds from these activities including signage sales, are invested back in to the facilities and the development of hockey itself.

Due to growth in playing numbers, the two turfs in Wellington can no longer cater for the local playing population and growth in playing numbers is impeded as a result. Further to this the lack of turfs further constrains WHA's ability to host major domestic events in the near future. The buildings also require a refresh and upgrade to better cater for the growing community.

Future Development of NHS Facilities

We therefore have a range of plans in place for the development of the National Hockey Stadium (a number of which were submitted in the LTP process). We believe these are already catered for or specifically mentioned within the proposed plans, however want to ensure that the final plan will allow for the following activities:

1. Additional artificial surface

We continue to grow in player numbers and the Facilities Strategy identifies the need for a 3rd turf in Wellington to cater for our existing population. 60% of our hockey community are based in Wellington city whereas 60% of our turfs are based out of Wellington city. We have identified the small football field below our large car park as a possible site (and as noted in our LTP submission).

We do not require any further buildings as part of this development with the exception of two team dugouts and highlight the requirement for access to toilet facilities close to that turf should this go ahead.

2. Facilities Upgrade

The existing pavilion and administration building struggle to cater for our growing playing population and do not provide a great viewing experience for spectators. We have drafted a set of plans to develop the pavilion to increase its viewing capacity and functionality as well as increase the number of meeting rooms to ensure they can be better utilised by our playing community as well as better catering for large events we regularly host.

Further to this we plan to provide a cover for the covering of the existing seating to provide sheltered viewing for spectators. In the long term, we would look to increase the amount of seated space around the number 1 turf.

The covered seating area is a new building addition; the changes to the pavilion and administration are additions to existing structures.

3. Fencing

The fencing behind the goals is inadequate and will need to increase in height to provide a safer facility (currently balls hit or deflected over the top of the fence can hit passersby, buildings, parked vehicles etc).

4. Pro Shop

In the past a Pro Shop has run from the ground floor of the Administration Building and we are currently in negotiations with a group who wish to run a pro shop (for hockey equipment) on the National Hockey Stadium site. Given the lack of space available in our existing buildings, we would like to investigate the addition of a temporary building which would most likely be placed on the top car park tucked in against the embankment (parallel to the large rubbish bin) and therefore not impacting on the skyline. This placement would ensure it is mostly out of sight of passersby. Once the alterations to the main pavilion and administration building are completed the pro shop would then move into the main buildings and the temporary structure removed.

We understand this is an area that will require some discussion given the content of the Management Plan in reference to leases and commercial use.

5. Signage

We would like to continue to be able to promote our funders and sponsors through on-field signage (none of which would be visible from the road).

6. Cafe – hours extension

The NHS Trust and Wellington Hockey Association are currently reviewing the Trust's operational model. A possible outcome from the project and subsequent changes to the funding model could see the pavilion and cafe opening hours increase to better allow for greater community use (evening functions, day time meetings etc). We may also see the catering provision contracted to an external contractor who will pay a percentage of their profits to contribute to hockey development programmes and their delivery.

7. Grassed Car Parks

The car parks on the right of the entranceway to the stadium are partially grassed over and in the winter means cars frequently get bogged down in the soft turf. The top tier of parks has had the grass removed and replaced and with pressed gravel. We would like to do the same again in the future for the remaining car parks in that area.

8. Sculpture Park and other community engagement

With a further view to bringing the community more frequently into the National Hockey Stadium space, one option was to create a sculpture park in the grounds of the stadium. Other thoughts were around a play ground or play area for the wider local community. We would also like to be able to add to the number of memorial seats at the grounds.

Hockey is proud to have its facilities as part of the Town Belt and will of course work with the Council on all or any of the above activities. We believe the above proposed changes will continue to protect the integrity of the Town Belt, but allow hockey to continue to grow its game within the city.

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

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

Submitters - Friday 22 February 2013

Submission 209

From: David Lee [davidjohnlee@hotmail.com]
Sent: Tuesday, 11 December 2012 11:08 a.m.
To: Megan Dunning
Subject: Town Belt submission (final version)
Attachments: Submission on TB policy and legislative (final version).rtf

To Park and Reserves
Wellington City Council

In the rush to meet the deadline yesterday, I sent a draft version which had a number of 'typos' in it. Would you please replace it with the final version attached herewith.

Thanks

Regards

David Lee

Action for Environment

Action for Environment Inc

P O Box 10030 Wellington

10 December 2012

Parks and Gardens
Wellington City Council
P O Box 2199
Wellington 6140

Submission on the Town Belt Legislative and Policy Review

Drafting instructions for proposed Town Belt legislation

Action for Environment (A for E) has long advocated for the return of former Town Belt land to Town Belt status, so we very much welcome and support legislation to do that. A for E has also campaigned against the sale of Crown land originally part of the Town Belt, such as the former Correspondence School site at Clifton Terrace. In 2009 representatives of A for E appeared before the Maori Affairs selected to request that former Town Belt land behind Wellington College, Wellington East Girls College, and Government House, not be included in land which being offered by the Crown as first-right-of-refusal sale to iwi as part of the Port Nicholson (Taranaki) Settlement Bill. We submitted that Crown instead should offer compensation to iwi.

What A for E has long hoped for, a simple bill to restore land taken from the Town Belt land, has morphed into something else entirely and it is of great concern to us. If the legislation follows these drafting instructions it would make the most radical changes to the control and status of the Town Belt since it was gifted to the people of Wellington. It is akin to attempting to change a will 139 years after it has been executed.

The Wellington City Council holds the Town Belt in trust for the citizens of Wellington and "their successors". The council does not have beneficial ownership of the land. This protects the Town Belt from alienation and encroachment by private parties but also by the council. As the 1873 Deed states: "*without any power of the said trustees to (alienate) or dispose of the same*". The drafting instructions however appear very much to us as a move by the council to downgrade the Deed and to take beneficial ownership of the land. It's a takeover of the commons.

A for E very much opposes giving the council "flexible powers" over the Town Belt. Along with other groups and many individual Wellingtonians, we have seen how the council has used flexible powers over land it does have beneficial ownership of on Wellington's waterfront. Decades of battle to retain public ownership and open space there is still ongoing. We do not need a similar situation with regard to the Town Belt. A for E's unsuccessful appeals to the Environment and High Courts against the extension of the Badminton Hall have shown the council already has considerable discretion over the Town Belt. Why does it want more powers? It needs to be born in mind that the impending reform of local government will mean such powers would be taken over by some sort of "super city" council. A body which is likely be more remote and even less responsive to citizens' concerns.

Our comments on the instructions' details are as follows:

Defining what land is legal Town Belt

7.2 We do not agree that council should be given the right to include "any other land" that the council "considers ought to be legal Town Belt". The adding of land to the Town Belt should only be done in compliance with the criteria in the Town Belt Management Plan (refer to the section of our submission on these).

Legal status

11.3. A for E opposes giving the council the right to interpret the Deed's term *public recreation ground* "as applying to circumstances as they arise" in legislation. This would be giving unelected council officials a legal 'blank cheque' for deciding use of the Town. Any interpretation required of this term can be done using the objectives and policies of the TBMP.

12. We oppose the abolishing of restrictions on the council pursuant to the 1873 Deed and allowing the proposed Town Belt Bill to prevail over the Deed "in the event of inconsistencies". The Deed should prevail over any legislation in the event of inconsistencies and remain the governing document of the Town Belt.

13. We oppose the instructions proposal to not make the Town Belt subject to the Reserves Act 1977. This means that another level of the Town Belt's protection will be removed and may well affect citizens' right to appeal to the Minister of Conservation if, for example, the council does something untoward with the Town Belt.

Principles

14. We do not agree with making the guiding principles statutory. There was considerable opposition to aspects of these in the 2011 Town Belt workshops and public submission. Particularly the principles on joint management with *mana whenua*, and that with 'sporting hubs'. The principles should only be included in the non-statutory TBMP.

Council's powers

16.1 We do not agree with the council being given powers to undertake work "which it considers desirable", including "construction of buildings". Again any construction in the Town belt should have to go through a publicly notified consent application.

16.2 The Council should not have the right to restrict the owners of the Town Belt, the public of Wellington, access to the Town Belt, except for reasons of safety.

Leasing

18.3 The council should not have the legal right to authorise "any use" of the Town Belt. This seems to us like another attempt to downgrade the Deed which requires the Town Belt be only used as a *public recreation ground*.

Notification and consultation

19.2 We oppose the council being given the right in legislation to authorise "for profit/commercial sub-lease, sub-licence or use of any part" of the Town Belt.

19.3 A for E opposes giving the council authority for construction of any buildings in the Town Belt without going through a publicly notified consent application. This also applies to detail number 20.

Easements and rights of Way

22. and 23.2. The council should not have the legal right to grant easements over the Town Belt. Easements are property rights granting them would in our opinion be contrary to the Deed ("*without any power of the said trustees to (alienate) or dispose of the same*").

The draft Town Belt Management Plan

Action for Environment very much agrees with the statement that the 1873 Deed "*remains the most important document for the Town Belt today*", however we don't think the drafting instructions for the proposed legislation follow it.

2.2 Town Belt Principles

We were critical of aspects of these principles in our 2011 submission and at Council meetings. We have not changed our view that joint management with mana whenua is contrary to the Deed under which only the Wellington City Council has the right to manage the Town Belt. The *intensification of sports facilities in 'hubs'* threatens the loss of more of the Town Belt's finite open space, contrary to the intentions of the donors of the land, the council's existing policy and the wishes of the people of Wellington as expressed in the 2009 public survey and workshops on the Town Belt in 2011.

Policy 2.9.1, (*To protect Town Belt land under 1873 Town Belt Deed*), we fully agree with this policy but are concerned that the drafting instructions very much contradict it

2.9.4 The criteria for Town Belt additions.

Criteria 1 Should be land that was originally part of the Town Belt.

Criteria 2. Should be land that is continuous with the Town Belt and complements its original 'horse shoe' layout..

Action for Environment only supports the addition of land that meets these criteria

Criteria 3 shouldn't be a criteria for adding land to the Town Belt. Land that may have ecological and/or cultural features that require protection can be protected by giving it reserve status.

5.1 Historic ecosystems

In our experience the statement regarding birdlife in the Town belt that "the only numerous natives are fantail, greywarbler and silvereye" may have been true when the last management plan was written. But since then Greater Wellington council's pest control programme has had a beneficial effect on the Town Belt's native birdlife.. The Town Belt in Mt Victoria for example, one can see flocks of Tui in the gums around the Charles Plimmer Park area. Kingfishers are fairly common going by their calls and are breeding on Mt Victoria (if their burrows are anything to go by). This time of the year the Town Belt is ringing with the 'pipihwareoa' calls of the shining cuckoo and on still nights on Mt Victoria one can hear the calls of ruru/morepork which would also be breeding there.

6.1 Recreation objectives

6.5 Recreation policies

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Both sections have ignored the protection of the Town Belt's open space. The majority of residents in 2009 public survey on the Town Belt opposed allowing new development anywhere in the Town Belt, this should be referred to and taken notice of in the Plan

6.5.3 We request that "open space value" also included in this objective

6.5.6 Regarding "all forms" of recreation in the Town Belt, they should not be encouraged if they compromise the Town Belt's open space.

The existing TBMP stresses that the emphasis is on passive informal recreation in the Town Belt this reflects the views of the public of Wellington as expressed in the public survey and Town Belt workshops. The following objective from the existing plan very much reflects what the people of Wellington want for the Town Belt and should be included in the new plan:

"To ensure that there will be no additional land area is developed for organised recreation facilities formal recreation in the Town Belt". Recreation policies should be consistent with that objective.

Action for Environment has concerns regarding policy 6.6.1 ensuring a "diverse range" of sporting and recreation "opportunities" that satisfies "the needs" of citizens "and visitors". We are concerned why the draft plan separates the needs of tourists and citizens. Does this imply they would differ?. What tourists may 'need' would not be always appropriate for the Town Belt. For example Cafes, restaurants, gondolas, four-wheel drive adventures. This statement contradicts the plan's earlier one about the Deed being the most important document because under the Deed the Town Belt is only required to be a public recreation ground for the inhabitants of the city of Wellington. Of course tourists and visitors are very welcome to use it but just the same way locals do. This policy should be amended accordingly.

8.1 Sector 1 Te Ahumairangi Hill

8.1.2.1 We support the additions of the areas identified to the Town Belt, especially Stellin Memorial Park.

8.2 Sector 2. Kelburn Park

8.2.2 A for E As stated earlier, A for E has campaigned against the sale of former Town Belt land at Clifton Terrace by the Crown. We request that this land should be a high priority for addition to the Town Belt. While it does not have linkages to the rest of the Town Belt it has other important values. It is one of the nearest areas of former Town Belt land to the CBD and has high visual 'use' from central city buildings. It is also important heritage value in being a living 'missing link' showing where the Town Belt once covered.

We wish to be heard in support of our submission

ACTION FOR ENVIRONMENT

D J Lee

Chairman

(davidjohnlee@hotmail.com)

Submission 136

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 11:21 a.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: Julia
Last Name: Brooke-White
Street Address: 129 Aro St
Suburb: Aro Valley
City: Wellington
Phone:
Email: jbwstace@clear.net.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: 043854606 I am giving this feedback: on behalf of an organisation
Organisation name: Aro Valley Project

----- 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?

It is intended to result in stronger protection for land designated Town Belt.

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?

Whenever possible the Town Belt should be added to, as it is only 2/3 its original size.

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?

Strongly support

Why do you say this?

Assessment criteria are broad enough to consider diverse parcels of land for addition to the Town Belt.

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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?

Strongly support

Why do you say this?

Restoration of the native flora will give Wellington City a distinctive look and will encourage the return of native fauna. It is the most appropriate vegetation for the area. Many restoration groups are working to achieve this.

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?

Areas for informal activities and organised sports must be kept in balance as demands on the use of the Town Belt change over time.

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?

No more land should be lost to building sports facilities. Bushy areas, with restoration and pest control to enhance them, are the "lungs" of the city. Walking is gaining popularity as a very important form of exercise and Wellington's network of tracks through the Town Belt bush really lends itself to this.

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

8.3.2.1

Comment

I support the addition of part of Polhill Gully Recreation Reserve, Semeloff Tce Reserve and 20 Norway St Reserve to the Town Belt.

To develop and enhance future use of walking tracks in this area it is vital to secure access from Kelburn Parade and/or Hadfield Tce to the northern end of this extensive piece of Town Belt. Between 107 & 117 Kelburn Parade is a piece of road reserve which offers this access, on paper, already. It should be opened up, so a walking track can go through the area.

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

8.3.3.1

Comment

When the opportunity arises through storm damage or whatever more of these over mature pines should be removed form the stand above Norway St and native plants, weed and pest control enhanced.

3. Theme, sector, or policy and page number:
8.3.2.3

Comment

The steep gully part of the Te Aro School land should be included in the town Belt. although not contiguous with nearby Town Belt the tall trees here are important bird roost for the increasing numbers of tui, kaka kereru that are overflowing into Wgtn city from Zealandia. Next door Te Aro School children are planting to encourage birds. The under story in the gully already contains a plentiful supply of berries from mature natives, like mahoe. it is also a rare piece of handy wilderness for children in the area to explore in safety.

4. Theme, sector, or policy and page number:
8.3.2.2

Comment

Retain in the Town Belt the Boyd Wilson strip as it is an important public through fare, part of a wide network of walking options in the area.

5. Theme, sector, or policy and page number:
8.3.4.3

Comment

Retain and restore the quaint public toilet, formerly part of Mitchelltown school.

Do you have any additional comments?

Historic trees. As the Town Belt was laid down in a horse shoe shape there is a need for more large trees in the city to be planted, and those that exist to be adequately protected, so birds can fly from one side of the town belt to the other.

----- 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?

Because the proposed changes attempt to regain the effect of the original Town Belt

1. Paragraph number:
25

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Comment

The Management Plan lacks emphasis on restoration of native forest including the vital podocarps/ forest giants, where suitable. It neglects to emphasis pest control which is essential to restoring native fauna. It allows for future benign neglect.

2. Paragraph number:

Comment

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment



Mt Victoria Residents Association

P.O Box 19056, Courtenay Place, Wellington.

9 December 2012

Town Belt Legislative and Policy Review
Parks and Gardens
Wellington City Council
Email: townbelt@wcc.govt.nz

Submission on Town Belt Legislative and Policy Review

Contact: Elaine Hampton, President
52 Porritt Ave, Mt Victoria, Wellington 6011
Phone: (04) 802 4492
Email: Elaine.hnz@xtra.co.nz

The Mount Victoria Residents' Association (MVRA) has a long history of advocacy and consultation with the Wellington City Council. The neighbourhood we represent terraces down the northwest slopes of the Mt Victoria/Matairangi section of the Town Belt. The Town Belt is therefore treasured by us as public recreation space and we are committed to ensuring that aim of our British Wellington founders is perpetuated for the enjoyment of future generations,

We appreciate the opportunity to supply our views on the Council's *Draft Town Belt Management Plan* dated October 2012, and its Town Belt Local Legislation – Drafting Instructions.

We wish to make an oral submission to City Councillors.

We commend and appreciate

Achievements

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

In the Mt Victoria/Matairangi section of the Town Belt, we appreciate:

- Mt Victoria track upgrades and improved signage
- support of local groups such as Mt Vic Revegers and the Rotary Club involved in revegetation
- provision of a dog exercise area
- provision of information at Te Akatarewa Pa and Mt Victoria lookout sites
- provision of public toilets near the Mt Victoria lookout

Mt Victoria Residents Association

Aspects of the draft Management Plan

We are pleased to see the policies:

- to retain and enhance the physical size of the Town Belt, and to pursue replacement of any Town Belt land taken by the Crown with Crown land of equal or greater landscape, ecological or recreational value
- to encourage and support community participation, including local Maori groups, in managing the Town Belt
- to protect the natural environment and landscape character of the Town Belt
- to protect the biodiversity of the Town Belt, including restoring indigenous vegetation
- regarding recognition and protection of sites of interest and historic significance.

Points of omission, correction, or clarification

Principles to guide management

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

This confusion confirms the Association’s previous questioning of the need for any “guiding principles” when in fact the 1873 Town Belt Deed already states very clearly what we consider is the overarching principle: that the Town Belt is “...for ever hereafter used and appropriated as a public Recreation ground for the inhabitants of the City of Wellington...”.

The MVRA suggests the Management Plan states very clearly this overarching principle, that “overall, the Deed prevails”, and that operating guidelines for the Council’s management of the Town Belt should be driven by the words of the 1873 Deed.

“Policies”

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

Additions and removals of land

The draft Management Plan is very explicit about areas to be added to the Town Belt, but there is little or no discussion of areas to be removed, apart from some being marked on maps for each management



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sector. Some removals are not even marked, eg. in Aro Valley - by Te Aro School, Devon St and Boyd Wilson field, and along Ruahine St in Hataitai. We urge that all removals are more explicitly discussed.

Rules for use and development

This section (Part 9) has its own objective and policies when logic suggests that the Rules should be aligned with the general management objectives and policies previously set out in the other parts of the document. In addition, the objective states that the Town Belt should be managed in a manner that reflects the principles of the Town Belt. However, the draft Plan already states that the principles are not policies (see discussion above).

In our view, the Rules section should clearly state that the Rules are based on the general management objectives and policies and should in fact be so based.

We would like to see the Rules clearly state that commercial ventures on the Town Belt are banned, including specialised sport franchises.

Promotion of the Town Belt

The Management Plan should include a policy that the Council actively promote the Town Belt as a space for public recreation and the enjoyment of all Wellingtonians so as to dispel the views of some, including central government, that it is an under-used, free, unwanted or spare space.

Points of concern and suggestions for improvement

Landscape

While we support the landscape objectives (part 4.2), we are very concerned that the landscape policies that follow (part 4.3) firstly focus on buildings, structures, carparks, lighting, and earthworks, although these are not mentioned in the objectives. We suggest an additional objective:

- as a general rule, any further developments such as buildings, structures, roads, and carparks are to be avoided. Also, any existing structures, buildings etc. that are unsafe or irreparable or of no further public recreation use, should be removed and the area restored to public open space.

This further objective reflects the wishes of Wellington's founding fathers who established the Town Belt that it was not to be built upon.

Ecology

Regarding the policies on stormwater management, we agree that stormwater management devices should be designed to minimise impact on the natural environment. In addition, as many of our residents live on the lower side of very steep slopes, we suggest the policies also include minimising any adverse effect from stormwater management on neighbouring properties. The MVRA is aware of one situation where, in heavy rain, large quantities of water flow through a property and across the road.

Recreation

The MVRA strongly supports the provisions in the current Town Belt Management Plan that 'no additional land area be developed for organised recreation facilities (formal recreation) in the Town Belt'



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and that the emphasis be on 'outdoor informal public recreation'.

We note the top three values of the Town Belt for Wellingtonians in the 2009 survey emphasise the value of the natural unbuilt environment. In the MVRA's view, this suggests that priority should continue to be given to informal public recreation on the Town Belt.

Despite this emphasis, we are dismayed to see in the draft Plan the strong emphasis on sport, particularly formal sporting facilities and biking. While we recognise the long-standing presence of some formal sporting facilities on the Town Belt, we urge that the current policy that no additional land area be developed for organised recreation facilities be continued. Instead, we suggest there should be a stated policy to encourage clubs and groups that want to expand or establish new facilities to seek alternative locations not on Town Belt land, including the new facility on Cobham Drive.

On the policies regarding the track network, there should be an explicit statement that on shared-use tracks, pedestrians have the right-of-way and signage on the tracks to make that clear. To the extent possible, we would also like to see bikers excluded from tracks with large numbers of walkers, and from the lower tracks of the Town Belt, so as to encourage more walking by children and families.

We do not support the development or expansion of formal recreation activities via 'recreation hubs'. These clearly require more buildings, fences and car parks to be built in some parts of the Town Belt. This is completely contrary to the "public Recreation ground" provisions of the Deed and the intent of Wellington's founders that the Town Belt be public open space.

We are concerned over private sports clubs being able to develop and lease land for buildings as this provides clubs with exclusive use which is contrary to the concept of 'public Recreation ground' in the 1873 Deed and its implied principle of free public access. We recommend that leases for sports and community groups on Town Belt should not increase beyond the existing areas of 5.9 hectares.

The MVRA suggests a management policy whereby leases are granted to recreation groups only when they are well-used, stable and provide access/benefit to the public. In our neighbourhood we are concerned over the use of the Bandoliers site and Mt Victoria Bowling Club. Under the terms of the current Management Plan the Bandoliers building would have been removed as no longer needed by the people for whom it was built, but this plan is no longer adhered to. The Mt Victoria Bowling Club has reached a stage where a decrease in membership means that the club is kept going by means of a TAB facility. We are dismayed it was granted a further 10-year lease. This cannot be in line with the current Management Plan or the 1873 Deed.

We urge that all leases and licences are publicly notified, followed by public hearings so that all views can be openly heard and discussed.

Points specific to the Mt Victoria/Matairangi sector

We agree with the proposal to retain the isolation strips along the ridgeline between the Centennial



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memorial and Mt Victoria Lookout. We urge that the Council continue to prevent property owners on Robieson St being granted any access to the summit ridge. We also agree to the other landscape and ecological management policies proposed.

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

Part 8.9.4.4 refers to improving access from Pirie St through to Charles Plimmer Park. If this means the narrow track on the CBD side of the Victoria Bowling Club, we believe this track should remain informal and not be developed. There is already a very good track above the Bowling Club, the track does not provide a Town Belt experience, and it is undesirable to draw people into the backs of private properties.

We note from the map on page 168 the proposal to remove two pieces of land as they have now become part of the roading on current or previous Town Belt land. While the roading is essentially a *fait accompli* with no option but to accept it, we would like to register our opposition to any facilities on the Town Belt that diminish its essence as open public space.

Proposed Legislative Changes

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

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

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

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Submission 39

From: Michaela Manley [ronniebusch@yahoo.com]
Sent: Friday, 30 November 2012 8:28 p.m.
To: Megan Dunning
Subject: Submission on the Town Belt legislative and Policy review
Attachments: Wellington City Light Horse Club Submission to Wellington City Council on Town Belt-1.docx

Nga mihi,

I'd like to present our submission on behalf of the Wellington City Light Horse Club (of which I am a member), and it seemed more appropriate to send a document via this link on the public input page rather than the online form.

I would also like to make an oral submission in February 2013, my contact number is 021 122 2664.

Many thanks,

Michaela Manley
WCLHC

Submission 39

Wellington City Light Horse Club Submission to Wellington City Council on Town Belt

The Wellington City Light Horse Club (WCLHC) appreciates the consultation opportunity provided by Wellington City Council (WCC) to contribute its historic involvement, continued relationship and views on proposals relating to the continued use and management of the City's Town Belt.

Background

WCLHC is a Club that has an extensive history and has existed since the 50s. WCLHC was initially based at what has now become the site of the Dance and Drama Centre on Hutchison Road and John Street Events Centre in Mt Cook. Other early grazing options were in Newtown and was on land at the rear of Government House. In the 1970 a number of families who were WCLHC Member families had permission to graze horses on the Town Belt on Mount Albert.

Today WCLHC has its Club Grounds at Sinclair Park in Houghton Bay and rents grazing from WCC in Happy Valley and Kingston. The development of the Sinclair Park Club grounds at what was a land fill site at Houghton Bay in the 1970s was a result of close collaboration between WCC and WCLHC and much cooperative work.

WCLHC has always had the support of WCC and from its earliest establishment, various Mayors were our Patron. Sir William Appleton was the first Patron in 1950, then followed by subsequent Mayors Ian Lawrence, Sir Michael Fowler, and Fran Wilde who provided Council assistance to develop a cross country at Sinclair Park in Houghton Bay where the WCLHC grounds are still in use today. WCLHC has worked closely with WCC in respect of land management, maintenance and development. Members put in a lot of their own time and effort planning, planting and clearing the rented WCC land.

WCLHC now has limited mounted Members due to limited grazing availability in the city environs, but continues to provide opportunities for interested public to experience handling and riding horses in a safe monitored environment. This encourages and develops the passions of many young, and not so young, riders at Sinclair Park. WCLHC also needs to continue to have the opportunity to bring on competent young riders with supervised access to extend their riding ability, and to gain confidence when using the natural environment on the tracks. Such riders are required to be accountable to WCLHC Constitution and Rules.

Recreational Use of the Town Belt

WCLHC has had historic use of the South Coast for over 40 years. The Coastal track has always been an existing legal road utilised by horse riders prior to it becoming reserve and private land, as opposed to a "paper road. WCLHC Members respect the Coastal Reserve re-vegetation areas and stick to the main tracks and

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beach roads. WCLHC in conjunction with the Southern Environmental Group assist in keeping the tracks clear and open.

WCLHC has historically been able to share with other recreational users' access to the City's Town Belt. Many people consider the fact they see horses around the city (especially meeting them out and about) to be a distinct attraction about Wellington and something that makes it unique. Members often get pedestrians/families/tourists commenting on this when out on our horses. The opportunity to mingle with the horses when walking through the TawaTawa Reserve enables a learning experience for folk who are not easily able to access the countryside or farms.

Unleashed dogs and irresponsible dog owners are on occasion aggressive to humans and horses but horses are not aggressive animals. Unleashed dogs can be hazardous to both cyclists and horse riders, but in the main, track users riding bikes, horses and walkers, with or without dogs, are generally respectful of right of way, keep left and respect the council notices to look out for other users.

We currently amicably share the new track put in for the use of walkers and cyclists in the Tawa Tawa Reserve we rent for grazing from WCC. WCLHC has always appreciated and respected the historic access to the City Reserve allowed to it by WCC. WCLHC are currently responsible and respectful of the access to the WCC Council tracks with keys to allow horses to utilise WCC tracks that are available on the South Coast as opposed to other recreational users that do not require keys, e.g. cyclists and walkers.

WCLHC has reduced mounted Members however on occasions we are joined by other Clubs who travel in to Wellington for organised riding events. We request tracks have access for horse thoroughfare, even if restricted, for Incorporated Club Members and or organised club events.

WCLHC appreciates sharing with the rest of the community who wish to enjoy recreation in New Zealand's beautiful environments close to the city. This is evident by the manner in which horse riders carefully pass walkers and give way for cyclists and 4 wheel and motor cycle riders which is often not reciprocated. Horse riders also have to be alert to the hazard that unleashed dogs can be while still appreciating the owners' rights to exercise them. In the event of a major crisis in the City it may well be advantageous to have some access to horses within the City limits, as they can freely negotiate most types of terrain whether it be paved, hillside, or gravel/rocks.

WCLHC will continue to be responsible and respectful of the existing access to the WCC Council tracks and requests continuation of that access that may be proposed under any new decisions that will be made in regard usage and access.

Thank you for your consideration of this submission about our continued use of the Town Belt.

Wellington Town Belt Legislative and Policy Review Submission

From Ms Joan Quinn
28 Marewa Rd Hataitai Wellington 6021
Phone (04) 3861796

I am making a submission as an individual.
I would like to make an oral submission to the City Councillors.

Although I have been involved in the preparation of a submission by the Friends of the Wellington Town Belt, as a Wellingtonian with a lifetime interest in the Wellington Town Belt I would like to also make a submission as an individual in order to highlight the concepts I strongly support and the points about which I have concerns.

The Town Belt is a real taonga – a living treasure inherited from the early town planners that today provides a wonderful backdrop to our city and open space for informal and formal recreation. It is of real value to the physical, emotional and spiritual health of Wellingtonians. Since completing an MA thesis ‘The Origin and development of the Wellington Town Belt 1840-1940’ at Victoria University in 1966 I have been aware that over a third of the original Town Belt has been lost and that if not sacrosanct the area will not be available for future generations to enjoy.

The 1995 Wellington Town Belt Management Plan was a major step in protecting and enhancing the Town Belt and the recovery of significant areas of original Town Belt for reinstatement has been a major success. The Council is to be commended. These areas regained by Council – eg Mt Victoria Pleasure ground as early as 1956 and more recently areas such as former Telecom and Chest Hospital areas cannot gain Town Belt status under the Deed. This requires Legislation by Parliament.

It is vital that the suggested legislation progress rapidly from ‘drafting instructions’ to enactment by Parliament. This is the only way the 85 hectares suggested for Town Belt status will actually gain real protection.

Town Belt Local Legislation – Drafting instruction – overall objectives

I am very pleased legislation is being prepared at the same time as the new Management Plan.

I suggest the word ‘Wellington’ be added before Town Belt in both legislation and management documents – at least in the title and major headings. It is excellent that instructions for the preparation of the Bill and the Preamble and Definitions of the Land refer to the Original Town Belt instructions of 1839; The Plan of 1840; and the proclamation of 1841 as well as the Deed of 1873.

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It is also excellent that the legislation will provide the means of adding some 85 hectares of Council land waiting for Town Belt status and that these areas are either returned from lands originally in the Town Belt or adjacent and appropriate new areas.

It is important that this Bill provides the mechanism to add appropriate new land in the future.

It is appropriate that minor adjustment can remove land no longer suitable for Town Belt – eg road adjustments.

It is also vital that no future land will be removed without an Act of Parliament.

I am very pleased the Bill will clearly confirm that the Wellington Town Belt will continue to be held by the Council in trust for the people of Wellington.

While the powers of Council are generally similar to those held under the present Management Plan I do have concern that some sections need to be tightened with regard to areas such as leasing, construction and commercialisation on the Town Belt.

Specific comments relating to proposed legislation

<u>Number</u>	<u>Comment (Positive comments)</u>
2	I am pleased the introduction refers to both the Original Town Belt 1840 Plan and proclamation of 1841 and the 1873 Deed
5	I am pleased the Preamble also acknowledges the significance of the Original Town Belt and the history relating to the instructions and history from 1839-1873.
6	It is important the definition of the boundaries of the Original Town Belt is recognised by reference to the relevant plan (ie 1840 plan of Wellington).
7	The schedule will show all the present land subject to the Deed and some 85 ha of other lands – already regained or new land adjacent to and appropriate to be added. This is a major achievement.
7.3	This clarifies that the Chest Hospital ‘special areas’ is only the building footprint and immediate grounds become a special area.
10	The Bill will include a mechanism to add new land in the future. The Bill will not allow removal without a subsequent Act of Parliament – this is vital and should be highlighted by being in a separate section.
14	I am pleased the statutory principles will be based on three documents – 1839 instructions re ‘public property’ and ‘not to be built upon’. The 1873 Deed – to

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be used 'as a public Recreation ground for the inhabitants of the City of Wellington' and the Principles adopted in 2011.

- | <u>Number</u> | <u>Comment (Concerns)</u> |
|---------------|--|
| 3.4 | Term 'relatively flexible' powers very wide. Suggest 'relatively flexible' be removed. |
| 8.2 | Reference to Canal Reserve being legal Town Belt seems incorrect. Although it was in the Wellington City Reserves Act 1871 and the 1873 Deed the Town Belt, the Basin Reserve and Canal Reserve were always listed separately with their own schedules. Even if within this Bill can it be listed separately. |
| 8.3 | Instruction that the Botanic Garden area while provided from part of the Original Town Belt areas is unaffected as it is subject to its own Act. It would be of real value if this Bill could actually acknowledge the Botanic Garden as legally part of the Wellington Town Belt while still having its own Act and Management Plan. It is part of the semi- circle of green. |
| 11.2 | The trust is a 'charitable trust'. Is the term 'charitable' correct or wise in relation to the Town Belt being held 'in trust' by the Council with the Councillors as trustees. |
| 11.3 | 'Public recreation ground' – it is suggested that these words should not be frozen. Yet the term 'public recreation ground' is a vital aspect if the Town Belt is to remain available to all and not have increasing areas leased for exclusive use of a particular group. |
| 14.4 | Area to be leased – 40 hectares is excessive. Although based on the 1908 Act which suggested 100 acres it is certainly not realistic. At present some 5.9 ha are leased. I suggest 8 ha would be more realistic – or the limited remaining flat land may be all leased for formal usage. It is needed for the informal use by the growing population in the inner city. |
| 16.1 | 'Constructing' buildings. This is very wide powers – should it at least specify limited to supporting outdoor recreation activities or essential infrastructure where no alternative is available. |
| 17.3 | 'Act in a way that does not comply with the management plan...'. Should this be stronger with at least reference to no non-recreational activity (other than essential utilities) no new formal sporting or club facilities outside existing areas, limitations to commercial use. |
| 25.3 | No more than 10 years between reviews of the management plan. Would no more than 12-15 years be more appropriate. |

Draft Wellington Town Belt Management Plan (Add Wellington).

I am pleased to see most aspects of the 1995 Wellington Town Belt Management Plan have been kept. The maps and the lists of areas to be added are very clear. The details under each sector area are well covered but it must never be forgotten the Town Belt must be viewed in its entirety. While early pressures and loss of land resulted from Government taking areas for schools, hospitals and housing and while the early 20th century saw pressure for growth for formal recreation and sports clubs, today there is a new threat from increasing commercialisation of sports – indeed the growth of professional sport with requirements for stadiums, lighting, parking and exclusive use of specific areas. Rules relating to leases, construction, commercialisation must be tightened and sites outside the Wellington Town Belt be considered more. Flat land especially for informal use is increasingly needed by the growing population in the inner city.

The addition of 85 hectares is excellent and appropriate but two further areas should be added – Clifton Terrace. (former Correspondence School) and Abel Smith Street area – both part of the Original Town Belt.

Specific examples listed with theme, sector or policy and page number

Positive Comments

Introduction 1.1 P1 The Town Belt concept. Very good introduction.

Introduction 1.3.1 P5 Very good. 85.4 ha will gain Town Belt status when Bill enacted.

Partnership 3.1.2.5 P23 Important partnership with PNBST re protection and future regaining of former Town Belt land.

Community 3.2.2.1 P24 Pleased to see mention of Friends of the Wellington Town Belt (note add Wellington)

Landscape 4.2.4 P31 Recognition of the importance of the Town Belt to the character and identity of Wellington and comments on visual backdrop and biodiversity

Ecology 5.5.1 P39 To identify and restore all ecologically important areas.

Recreation 6.1 P42 Mention of benefits to mental health from interaction with the natural environment and of the importance of play in an unstructured way in natural environments.

Recreation 6.2 P42 Definition in 1995 Town Belt Management Plan and the Reserves Act 1997 very appropriate re retention of open spaces and... emphasis on outdoor recreational activities.

Recreation 6.6.4 P53 Clubs encouraged to share facilities

Culture and History 7.5.1 P62 Explore options for heritage recognition. This is an important idea for the coming year.

Sector 7 P138 The back portion of Wellington College and Wellington East Girls' College land. Part of the Original Town belt. Owned by Crown and included in Deed of Settlement (RFR – for PNBST). I agree with the statement that this hillside and skyline is of high priority for addition to the Town Belt in the future.

Sector 8 8.8.2.1 and 8.8.2.2 P151. Issue of NZTA – see Policy 2.9.3. I agree if land taken for Public Works it is important to pursue replacement with Crown land of equal or greater landscape ecological and/or recreational value for Town Belt purposes.

Sector 9 9.5.1 (j) P175 Important to assess if activity could be undertaken elsewhere in Wellington. This should be increasingly looked at as pressure and applications come from commercial and/or professional recreational sports and activities.

9.5.4 g (iii) P177 All utility services shall be placed underground, except where it is not practicable to do so – good.

9.6.4 P178 'Non recreational activity and development are prohibited' (except essential utilities) – support strongly.

9.6.5 P178 Lease and licences for non- recreational purposes are prohibited – eg childcare,..schools...community centres.

Concerns relating to the following clauses in the Management Plan

Title: Suggest the Draft Town Belt Management Plan should have the word Wellington in front.

Maps eg P3. Suggest some shade of green and/or Label 'Wellington Botanic Garden' as on P6 be added. This helps highlight more realistically the semi circle of green.

Introduction 1.2: P2 (third paragraph). Several errors eg 1871 Act did not transfer the Town Belt to the Superintendent rather from the Superintendent to the Mayor, Councillors and Burgesses... of the City of Wellington'. (First Schedule – Town Belt and Canal and Basin Reserves). The actual transfer was by means of the Town Belt Deed 20 March 1873. This date should be mentioned.

Introduction 1.3.1 P5 Wellington Botanic Garden. Check – 1839 instructions did not suggest the Botanic Garden be part of the Town Belt but this was suggested by the Town Council in 1843. It was gradually added to from parts of the Town Belt.

Introduction 1.5 P10. Wellington City District Plan. While agreeing with 16.5.1.2 and 16.5.1.3 it also needs to list the clause which notes the Town Belt is 'valued for its historic, social, cultural importance' (is this 16.4 of the District Plan?).

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Legislative 2.3 P15 ‘trustee of a charitable trust created in 1873’ and property of a ‘charitable trust’. Where has the phrase ‘charitable trust’ come from in this context? Is it correct?

Recreation 6.4.1 P47 Reference to a proportion of sport and recreation parks being on the Town Belt.. Is enough thought given to future expansion being in the outer suburbs?

Recreation 6.6.2 P52. ‘Development of existing or building of new sporting and club facilities should be limited to existing footprint of sport and/or recreation parks’. If footprint means the whole ‘park’ is it enabling major building projects in these areas?

Recreation 6.6.18 P54. ‘Community gardens...to provide food’ should this section add non-profit-non commercial.

Sector 2 8.2.2 P80. Clifton Terrace land (former Correspondence School site). Part of Original Town Belt - taken for hospital and later educational purposes – then for public works. When surplus to motorway purposes in 1991 transferred to Landcorp for disposal. Many protests 1994/5 – MPs, Councillors and residents opposed the sale and it was withdrawn from sale. Resident expectation is that Council will seek this land for reinstatement. The 1995 Town Belt Management Plan felt linkages could be strengthened with a walkway link to the Botanic Garden. (It is not ‘isolated’ if the Botanic Garden is considered as part of the ‘green semi circle’). With landscaping it would not only provide a park for local residents but also ‘green views from the high-rise buildings on The Terrace – a benefit to many workers. This area should not be considered low priority – discussions should start on adding this area to the Town Belt.

Sector 3 8.3.2 and 8.3.2.3 P91-92. Abel Smith St site. This area was part of the original Town Belt . Part of this land used in early years (1850s) as grounds of Wellington Gaol and later linked with the grounds of Te Aro School – but as early as 1960 the school advised Section 1226 was not required by the school. The area was offered for sale in 1994 but as with Clifton Tce. was withdrawn. There seem few problems with this area (Section 1226) being added to the Town Belt – little evidence it has ever been used for anything else. A Council draft document said there was ‘no doubt that the area not occupied by the school should be sought by the Council for return to Town Belt status. The land is heavily vegetated and significantly enhances the setting and enjoyment of surrounding residents’. I do not believe this area can be classified as ‘low priority ‘. It is loved by locals and of landscape value to the Aro Street area.

Sector 5 8.5.2.1 and 8.5.2.2 P113-114 (former Wellington Showgrounds). Has the suspension of the Town Belt status under the Wellington City Exhibitions Act 1959 been legally lifted for Te Whaea playing fields and will the rest of the land have the suspension automatically lifted if present use terminates.

Sector 7 8.7.3 P138-139 Former Chest Hospital land. Is it really clear in this section that while all the land will regain Town Belt status it is only Lot 4 – with the Heritage Buildings – that will have special status.

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Sector 9 8.9.2 P160-162 P165; P170. Area Oriental Parade to Palliser Rd. This was in the Original Town Belt. This area of 3.7 ha is referred to in List P170 and map P165 but not in description Pages 160-162 ie the list under 9.9.2.1. What is the situation? One report implied it was inadvertently omitted in 1873 but subsequently conveyed in 1883 – although was this only as a ‘pleasure ground’? It has always been Town Belt but does it not have legal status?

Rules 9.4.3 P174 Community gardens and orchards – add phrase not-for-profit or non commercial use.

Rule 9.5.3 P174 Do clauses a-g cover all vital points from the Council Guidelines Sept. 2009.

Rule 9.6.3 P178 Concerned this section regarding ‘no long or short-term commercial use... except where it facilitates public recreational use...’ is too general. Can it be further limited to short-term special events; allowed under a current lease; or related to essential utilities. Increasing commercialisation is a major worry.

Rule 9.6.6 P178 ‘Development of existing or new formal sporting... prohibited outside of existing footprint of sport and recreation parks...’ Concern that if the footprint is the whole park this could allow very large buildings required perhaps by professional sporting groups. This would not be appropriate on Town Belt and should be encouraged in other parts of the City. Does the term footprint need to be clarified. (Similar concern in 6.6.2 P52.)

Rule 9.7 P182 Wellington City District Plan. Clauses in Plan 16.5.2 and 16.5.1.3 important but also need the clause relating to the Town Belt being of ‘historic social and cultural importance’ (Clause 16.4?)

Any additional comments

- Relationship of the Botanic Garden and the Wellington Town Belt. The land occupied by the Botanic Garden is all part of the Original Town Belt. While it has its own Act and Management Plan can it not also be acknowledged legally in some way in this Bill as part of the 'Wellington Town Belt' – perhaps at least in a schedule. It provides a considerable area within the green semi circle of the legal Town Belt. It also makes no sense to say some areas are isolated from the Town Belt when in fact they are close to the Botanic Garden.
- Wellington Town Belt Curator. Could this position be re-established – as part of a job description for one Council staff member?
- What is the status of the Management Plan legally?
- How is new legislation to be linked to Open Space C zoning in the District Plan?
- What is the route for any right of appeal?
- Will there be an opportunity for public hearings following 'notification and consultation with the public'?
- References in the Management Plan. Would it be of value to include reference to Appendix 4 'Town Belt Chronology' in the back of the present Wellington Town Belt Management Plan Part 1: General Policies?

Section One – Draft Town Belt Management Plan.

An additional 85.44 hectares under the Town Belt Deed?

5 Strongly support

Most areas are part of the Original Town Belt – many have been waiting years to be protected by legislation. Other areas are adjacent and appropriate. I consider Abel Smith Street and Clifton Terrace areas need to be reassessed for inclusion.

Criteria for assessing land to be added?

4-5 Support/strongly support

I support the assessment criteria – the lands need to be part of the Original Town Belt or lost since 1873 or adjacent to and appropriate for adding to the Town Belt. It is unwise to add land away from the semi circle - it may then be more appropriate in the Outer Green Belt. I support new areas such as Centennial Memorial area and Point Jerningham being added. I consider original areas such as Abel Smith Street and Clifton Terrace need to be added – they are not low priority. Ridgelines behind the Colleges are high priority for the future.

Ecosystems and indigenous cover?

4-5 Support/strongly support

This seems to be balanced with a move to indigenous vegetation but not abandoning all the pines – the dark green is part of the visual heritage. Plans to identify and restore ecologically important areas good.

Balance – natural areas for informal recreation with demands/organised sport?

4 Agree

Pleased to see reference to open space/not to be built on aim of 1839 and phrases referring to an emphasis on informal outdoor recreation. Also excellent references to the benefits of visual beauty/nature etc. or health and well being. Organised sport has considerable areas on the Town Belt and should not be expanded at the expense of room for informal use especially the the growing population of Central Wellington. The Town Belt is not the appropriate place for the increasing demands of organised professional sport and commercialisation.

Limit development of sporting facilities to existing sports and recreation parks

4 Support

I agree there is a need to limit formal facilities to existing areas and to encourage co-sharing of facilities. 'Footprint' of these areas must not however be overdeveloped with extra buildings. There is the need to look at outer suburbs for further formal sporting facilities. The remaining flat land needs to be preserved for informal use.

Overall Section One

Management Plan

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

4-5 Support/strongly support (See submission pages 4-7)

Overall Section Two

Proposed Legislative Changes

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

4-5 Support/strongly support (See submission pages 1-3)

Submitters - Friday 22 February 2013

Submission 214

From: Tim Bollinger [Tim.Bollinger@dia.govt.nz]
Sent: Monday, 10 December 2012 4:43 p.m.
To: Megan Dunning
Subject: Submission on Draft Town Belt Management Plan
Importance: High
Attachments: Town Belt Submission (Tim Bollinger and Jo Brien).docx; Town Belt Submission (Tim Bollinger and Jo Brien).doc

Hi WCC

We began putting this information in to the Online form, back it didn't let us go back (only next) and we lost everything.

It also is a joint submission (from two people - two contact numbers, two addresses) which the online form didn't provide for.

So please find complete document attached, instead (in WORD .docx and .doc versions)

It roughly corresponds to the format of the Questions in the Submission Form provided.

Thanks!

Tim Bollinger
182 Abel Smith Street
Te Aro
Wellington 6011
(04) 495 9432

and

Josephine Brien
43 Palmer Street
Aro Valley
Wellington 6011
(04) 385 3051

Submitters - Friday 22 February 2013

Submitters: Jo Brien, 43 Palmer Street, Aro Valley, (04) 385 3051 &

Tim Bollinger, 182 Abel Smith Street, Te Aro, (04) 495 9432

tim.bollinger@dia.govt.nz

Note: This document roughly follows the format of the Submission Form provided.

Q.1 Town Belt Legislative and Policy Review

Support

We support retention of existing Town Belt land and commitment to adding to it, but also believe we should try to claim back for the Town Belt original Town Belt land – even in isolated pockets within the urban areas of the inner city, as these consist of green areas of land within the original (now broken) horseshoe footprint essential to the flora and fauna of the area. They also provide an important cultural and historical link with the Town Belt’s original geography for the people of Wellington. They are treasured local spaces, providing continuity for birdlife across the city between other areas of the Town Belt. They also form part of a continuous green urban walkway around the city.

Section 1 – Draft Town Belt Management Plan

Q. 2 Strongly Support

We endorse all additions, and propose others, but reject the idea that any existing areas be taken out of the Town Belt in return (such as the Boyd Wilson pathway – see comments below).

Q.3 Assessment Criteria

Neither Support nor Oppose. Some bits we support, others we oppose.

- a) “Perceived continuity and horseshoe shape of open space” is not as important as the retention and re-introduction of pockets of original Town Belt land and their adjacent green spaces . Birds on the wing care little for the “perceived continuity” but they do use these last remaining pockets as a “bird corridor”
- b) We propose adding an additional criteria, equal to “recreational value” :

“To support the diverse flora, fauna and green areas of Wellington as the lungs of the city.”

(These green areas support the city’s urban bird and insect populations, and mitigate the effects of pollution and environmental degradation by urban development elsewhere.)

- c) We strongly support the criteria of “patchwork and diversity of vegetation “, but strongly oppose astro-turf playing fields and large areas of public car parking as being part of that patchwork.

- d) We support “accessibility of linkages between key community destinations” so long as pedestrian foot access is the primary linkage, and that motor vehicle traffic is minimised through the Town Belt.
- e) We support “rich historical and cultural links with Wellington citizens and mana whenua” and as such would like to see as much original Town Belt land as possible returned because of its historical and cultural significance.

Q.4 Restoring and enhancing ecosystems and increasing indigenous vegetation cover to support native animal populations.

We support these criteria, but not at the exclusion of retaining established exotic trees that provide canopy and homes for these animals.

Q.5 Recreation (Ch. 6)

Disagree

Demands for organised sport are often in conflict with the ecological needs for the Town Belt – eg: artificial sports fields exclude shared use of green spaces and degrade the natural ecology.

Sporting hubs should be kept to a minimal footprint. The ecological needs of the Town Belt should be a primary concern for any future sports facility development. Off-street car parks and drive-on access should be discouraged.

Just like the Track (access) network in 6.6.11, Playing fields should be “physically sustainable and have minimal environmental impact as far as possible” and support the “ecological connectivity” of the rest of the Town Belt. Artificial sports fields create single purpose usage, poor natural ecology, long-term commitment to upgrading and replacing, and industrial equipment to install and remove.

We support pedestrian and cycle access, recreational facilities with small footprints like playgrounds and skate parks, that encourage non-motor vehicle transport to, from and inside the Town Belt.

Q.6 We strongly support limiting sporting facilities to existing sites.

Q.7 Comments on the Draft Plan:

We support 3.1.2.5: Wellington City Council works with the Port Nicholson Block settlement Trust for the protection of former Town Belt land identified as right of first refusal in the Deed of Settlement.

It is especially important that original areas of Town Belt are retained as green space within the inner city and are not allowed to be sold for built or commercial development.

Te Ahumairangi Hill (Sector 1):

Land additions and boundary rationalisations:

We support the formal additions of the large areas of land to Town Belt in 8.1.2.1

Kelburn Park (Sector 2):

Land additions and rationalisations:

8.2.2.1 We believe the land along Salamanca road should be taken into the Town Belt, but do not support the accommodation of any road-widening along this green-lined narrow local street, especially if it includes the loss of Town Belt land. The green-lined pathways below and alongside Salamanca Road are important to the aspect of the street and connect the reserves below Kelburn Park with the remaining green University (formerly Town Belt) land in McKenzie Terrace, Waiteata Road and the Mount Street cemetery.

We also recommend that the NZTA land above the Terrace Tunnel be considered for inclusion in the Town Belt.

8.2.2.2 We support formally adding the access-way off Everton Terrace to the Town belt.

Clifton Terrace:

8.2.2.3 We oppose changing the policy from the previous one of seeking “ownership for Town Belt purposes subject to consultation with Maori” to “not considered to be a high priority Town Belt addition at market value”. This area sits immediately adjacent a Council reserve area and pathway at the bottom of San Sebastian street with very well established trees (possibly dating back to early settlement) and the footpath, steps and walkway up to Talavera Terrace. Together they make a substantial pocket of vegetative land, directly across the road from an inner city school with no green space, whose adjacent green land was taken for the motorway in the 1970s.

This bit of land is part of the original Town Belt and has “ecological connectivity” with the Everton Terrace walkway (at the other end of Talavera Terrace) that leads up to Kelburn Park, marked for inclusion into the Town Belt in the Draft Plan. In fact, these areas create a “bridge” between Kelburn Park and the NZTA green land along the side of the motorway, forming a continuous green pedestrian walkway to the Bolton Street cemetery and the Botanical Gardens, broken only by crossing a few local streets.

The Clifton Terrace land has been fought for before and kept in the past, and the community desire and dedication to retain the area as a green space should be respected, especially when multi-unit development with drive-in garages is now beginning to change the green character of otherwise tree-lined San Sebastian street.

Landscape and ecological management:

8.2.3.4: We support protecting and managing the heritage cabbage trees. They are not looking in very good condition.

Aro Valley (Sector 3):

Land and additional boundary rationalisations 8.3.2.1 – page 91:

We applaud the Council’s proposal to formally add the following areas to the Town Belt:

- a) Part of Polhill Gully Reserve

- b) Semeloff Tce Reserve
- c) 20 Norway Street

But we strongly oppose proposals in the Draft Plan for:

1. Land in Devon Street:

a) 8.3.2.2 Formally remove from the Town Belt land at Boyd Wilson Strip. This should be retained. It is a part of an historic pathway that used to have a plaque on the road reserve part of the pathway where a brick path was removed in the 1980s and replaced with concrete steps with the widening of that part of the Terrace.

b) 8.3.2.3 The change from the previous policy which was “Seek the return to the Town Belt for this land”. We oppose the recommendation that the Council pursue discussions with the PNSBT over the future of this land and that it not be re-included into the Town Belt. We support the original conclusion that “There is no doubt that the area not occupied by the school should be sought by the Council for return to Town Belt Status. The land is heavily vegetated and significantly enhances the enjoyment of surrounding residents.”

The new recommendation of “low priority” and “low ecological values” is inconsistent with this, and the wording from the earlier policy should be adopted instead.

The area has canopy trees that harbour native bird-life, and local adjacent residents have taken an active role in native re-plantings in the area and on their own back gardens that adjoin it, both on the Abel Smith Street and Devon Street sides.

The bush is lined with tracks where children play and have bush adventures. The sound of native birds, including morepork at night, proves that the pocket is not isolated and remains part of the Town Belt continuity and bird corridor of the area.

The land should continue to be pursued for re-inclusion into the Town Belt.

c) We disagree that the area Original Town Belt at 46 Devon Street is “isolated from existing Town Belt”. It is directly adjacent the areas of historical Town Belt land at Te Aro School (above), and those that university has recently built on and removed all the trees. It is part of an important pedestrian access-way for school children and the public, and a direct walking link between Devon Street, the Terrace and right through to Waiteata Road which turns into McKenzie Tce next to the University, just across the road from the Kelburn Park Town Belt addition proposed in the Salamanca Road Land Rationalisation Policy 8.2.2.1 (forming a continuous pedestrian pathway through the historical Town Belt from Aro Valley to Kelburn).

d) In addition, there is a small triangle of land currently part of the University’s Boyd Wilson field right next to the sections that would also be suitable for re-inclusion.

(Note: Section 1.4 lists among the achievements of the 1995 Town Belt Management Plan: “interpretation and protection of historic features”. This objective would be enhanced by retention of the historic sections such as the walkway to Boyd Wilson field - as part of an historic pathway - and the re-inclusion of the other historic parts of the Town Belt listed above).

Submitters - Friday 22 February 2013

2) The Gully below Hadfield Grove:

We strongly oppose the change from TBMP 1995 as “potential addition” to “Council will not pursue acquisition of lands”.

This area helps support a strong local kaka population, borders existing Town Belt land and DOES “enhance the continuity of the Town Belt’s horseshoe” (see answer to Q. 1). It has a rich bird life and adds to the bird corridor, and while some of the land is private other parts of this area are Council Reserve.

Retaining or reclaiming these areas would also be consistent with the Central City framework 2011 (p.8) of ‘Cross-valley links: The greening of city streets with ‘urban forest’, and community participation in re-greening the city consistent with the “Biodiversity Action Plan”.

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8.3.4.3: We oppose the policy to “assess for removal” the existing vacant building/pavilion/toilet. It should instead be protected and restored. It is the sole remaining structure of the original Mitcheltown school, immortalised in a light-hearted scene from the film ‘Te Aro School Centenary’ made by Wally Knowles in 1955 (NZ Film Archive) . It has been retained until now because of its cultural, historic and architectural significance to the area.

Hataitai (Sector 8):

8.8.2 Land Addition and Rationalisation discusses the potential impacts of state Highway 1, which refers to "improved vehicle access to Goa Street" and "the impact for demand for parking at Hataitai park" and on the Sector 8 map cites the green edge of Ruahine Street as providing “an attractive gateway to the city from the airport to the Town Belt”.

These remarks appear to be considerations for motor vehicle traffic that the Town Belt is not there to serve. In fact, ideally the road widening should be prevented or made to go underground with the Town Belt on top of it. The Draft Plan appears to be making arguments that accept or favour these roading solutions over preservation of the Town Belt, and we feel these remarks should be removed.

8.8.2.1 Says "the Council will work with NZTA to identify options for reducing or mitigating the Impacts of State Highway 1 on the Town Belt and in particular Hataitai Park". This wording should be stronger - eg: “the Council will ensure that NZTA gives the pedestrian-oriented recreational environment of the Town Belt the priority it deserves and adequately compensates for it by funding the ecological improvement and expansion of the Town Belt as part of its multi-million dollar road spending programme ."

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In addition, the Council should aim to seek other compensation from the Crown for the loss to this unique community green space, such as increased funding for the conservation of Wellington's remaining inner city green spaces, as a result of the environmental damage.

The Crown taking land out of the Town Belt for roading may be seen as far more contradictory to the shared community values inherent in the Town Belt than taking that land for education purposes, for example, and the Draft Plan currently makes no distinction between these.

The Draft Plan could even go so far as to articulate a preference for the accommodation of the more environmentally friendly option of an electric transit rail system to the airport along that side of the Town Belt and advocate for a reduction in motor vehicle traffic instead. If it wants to get into specifics about road realignment, this would be more in keeping with the Draft Plan's ecological principles.

Q. Section Two – Proposed Legislative Changes:

We support the overall objectives of the proposed legislative change, so long as they act to protect those original pockets of Town Belt still available for re-inclusion and promote its green inner city spaces as "the lungs of the city", as argued above.

Submitters - Friday 22 February 2013

Submitters: Jo Brien, 43 Palmer Street, Aro Valley, (04) 385 3051 &

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Support

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Submitters - Friday 22 February 2013

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Q. Section Two – Proposed Legislative Changes:

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Submission 43

From: Filma Phillips [filmaphillips@gmail.com]
Sent: Monday, 3 December 2012 3:22 p.m.
To: Megan Dunning
Subject: Submission on Draft Town Belt Management Plan October 2012

This submission on the Draft Town Belt Management Plan is made by Dr Anne Phillips, Ngapuhi and Ngati Ruanui, of 15 Burnell Avenue, Thorndon, Wellington.

At present I am a serious recreational user of Te Ahumairangi. On most days I walk there and I am actively engaged in that part of the Town Belt and have been since 1999. Once a week I also walk over Matairangi/ Mt Victoria, Kelburn Park and Macalister Park. In addition I have regularly used the Golf course and the Mt Albert section of the Town Belt. My submission, however, is concerned mainly with the recommendations concerned with Te Ahumairangi although one aspect concerns Town Belt Guidance Principles, namely the policy guideline that the Council will work in partnership with mana whenua to maintain the Town Belt.

Draft Town Belt Management Plan section 3.1

The guiding principle that the Council will work in partnership with mana whenua to manage the Town Belt is very significant. It is disappointing, however, that few Maori residents of Wellington City use the Town Belt on any regular basis. There also seems to be a climate of misunderstanding by many Wellington residents about the significance of the Council's relationship with mana whenua and the historical integrity on which those rights are based.

The Town Belt is vital for my emotional, physical and emotional well being: tinana, wairua and hinengaro. It revitalises my awareness of closeness to the whenua and the ngakau, the land and the trees. The Town Belt is one of Wellington's spiritual treasures. All of the residents in Wellington, whether Pakeha, new immigrants, Pacific Islanders and Maori should be able to speak proudly of their whenua: their right to stand on the green hills of Wellington.

Although the Draft Management Plan states that the Wellington City Council recognises the significance of the Town Belt to mana whenua it seems that the policy response is limited to a Deed of Management with the Port Nicholson Block Settlement Trust. Such a relationship seems to suggest a stand-alone approach whereby two entities meet and discuss policies and sign a document, thereby ending wider dialogue.

This method might not only be regarded as legalistic and inactive, but also fragmented. Policies, therefore, risk not achieving an integrated approach, but instead become segmented off into sections where inadvertently matters of

great importance to Maori are excluded.

For instance the policy concerning the Town Belt landscape refers to the Maori pre-history but does not indicate that Maori will be consulted about the replanting or even participate as groups. The policy as it stands supports a structure where the majority of Maori are passive spectators rather than being actively involved in the decisions about replanting and removal of trees.

The replanting of rata and to a lesser extent rimu, does not take into account the earlier vegetation: pukatea, manuka, kanuka, totara and rewarewa as well as miro and other berry fruiting trees that sustain native birds such as kereru and tui. For me and for most Maori, the relationship with birds is very important and I would like to see planting that encouraged the revitalisation of native birds in Wellington.

The Town Belt in its early, pre-contact history would have been a food bowl for Maori people. One of the plants not noted in the Draft Policy and of great importance to Maori is puha. No provision in the Draft Policy is made to provide areas of wilderness for growing puha.

Another example are the policies relating to track access. No specific provision is made to encourage wider access by Maori groups such as reaching out with publicity campaigns targeting marae, supporting a broad range of community groups by holding hangi and gala day, and working with the regional council to establish guided tours in order to make the Town Belt more accessible to a much wider range of people.

1. My first submission is:

That the Draft Management Plan take into account Maori cultural and spiritual values in its policies relating to mana whenua and that these policies be integrated throughout the report.

My next four submissions relate to Te Ahumairangi as follows:

2. Policy 8.1.3.1.

Managing the vegetation and maintaining the grassland area includes provision for rubbish. Dog owners must have a facility to dispose of dog droppings and a rubbish bin at the car park area would be an improvement.

3. Policy 8.1. 3.2.

Managing conifer removal on the escarpment based on a hazard assessment programme means that potential hazards should be identified and removals undertaken bi-annually not every ten years or as the result of a storm.

4. Policies 8.1.3.3 and 8.1.3.6.

There should be an undertaking that the built structures at present located at Te Ahumairangi will not be extended beyond the present height level except after proper notification processes and public consultation.

5. Policy 8.1.3.5

The deciduous woodland means that Guideline 5 , "to support a healthy population of biodiversity" risks being compromised. There is no rationale for this policy in the Draft Town Belt Management Plan.

Without compelling evidence to support the policy it should be deleted.

Omissions in the Draft Management Policy for Te Ahumairangi.

There is no provision for the following in the Te Ahumairangi policy:

1. Erosion of access tracks and taking active steps to prevent further erosion.
2. Exploration of ways to enhance biodiversity, in particular by funding research.
3. Increasing the accessibility and usage of Te Ahumairangi Hill to a wider group of visitors and Wellington residents.
4. Management of the water resource and excess storm water flows on Te Ahumairangi.
5. Particular provision should be made for the preservation of the Nathan memorial fountain in Goldies Brae/Grant Road.

Nga mihi ra,

Filma Anne Phillips, Ngapuhi and Ngati Ruanui.

PhD, LL.M, LL.B, BA (First class Hons), Barrister and Solicitor of the High Court of New Zealand

Submission 43b

From: Filma Phillips [filmaphillips@gmail.com]
Sent: Thursday, 6 December 2012 12:10 p.m.
To: Megan Dunning
Subject: Second and final submission on the Draft Town Belt Management Plan

Dear Megan Dunning

Thank you for your response to my submission on the Draft Town Belt Management Plan. This second and final submission forms part of my earlier submission sent via email on 3 December 2012.

With regard to Increasing accessibility to Te Ahumairangi Puke (formally known as Tinakori Hill) I would like to strengthen my submission as follows:

Although the Draft Plan concerning Sector 1 proposes to "assess increased use of the hill by mountain bikers" it seems that other users are given insufficient attention. It is my submission that an assessment of increased usage by mothers with buggies and children as well as the disabled could be undertaken and usefully included in the Draft Plan. An extension of the proposal in this regard would not only better reflect the guiding principle 6, "The Town Belt is for all to enjoy" but also benefit a much wider group of residents. In addition, a treetop viewing platform, one accessible from Te Ahumairangi Puke lookout, would increase the tourist potential of the site and empower the disabled.

My final submission is one I inadvertently left out from my earlier submission and is consistent with it.

There is an omission from the Draft Plan concerning Theme E-ecology/biodiversity. Part 3 refers to prioritising plant and animal pest management but omits any reference to assessing the use of non-toxic sprays and finding other ways of controlling the opossum population except by the use of the poison brodifacoum.

With regard to the weed-control programme, the Regional Council and the WCC seems to have a long standing commercial relationship with Downer. It is pleasing to see the results of this weed-control programme. Nonetheless, in the future it is possible that non-toxic sprays could be used. The toxicity of the spray places any puha plantation in jeopardy. Accordingly, the Council should assess the possibility of using non-toxic sprays especially when removing sycamores from parts of Sector 1.

With regard to the possum-control programme, the results have been spectacular and brodifacoum has been very successful. New research and new technologies for possum control continues to occur and the Draft Plan should include provision for assessment of non-toxic possum control.

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I would like to make an oral submission.

Kind regards

Dr Anne Phillips

Ngapuhi ma Ngati Ruanui
PhD (Law), LLM, LLB, BA (Hons, First)
Barrister and Solicitor of the High Court of New Zealand

Submitters - Friday 22 February 2013

Submission 251

From: Jason Strawbridge [Jason.Strawbridge@spiire.co.nz]
Sent: Wednesday, 12 December 2012 4:08 p.m.
To: Megan Dunning
Cc: Lisa Matthews
Subject: AAG Submission - Town Belt Legislative & Policy Review - Stage 2
Attachments: Town Belt AAG (2012).pdf

Good Afternoon,

Please find attached the Wellington City Councils Accessibility Advisory Groups submission on the "Town Belt Legislative & Policy Review – Stage 2"

Apologies for being late on submitting this document, I trust it will still be accepted by you?

The AAG would also like to make an oral submission, if the opportunity to do so is available.

Regards

Jason Strawbridge



Jason Strawbridge

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Wellington City Council Accessibility Advisory Group

Submission for:

Town Belt Legislative & Policy Review

Stage 2



Prepared on: 29 October 2012

In association with

Absolutely

POSITIVELY

ME HEKE KI PŌNEKE
WELLINGTON CITY COUNCIL **Wellington**

1. The Town Belt Legislation & Policy

We believe that the revisiting of the Town Belt Legislation and Policy is an opportunity to create a lasting commitment towards improving the accessibility and usability of this valuable amenity to the people of our city.

2. The Accessibility Advisory Group's Background

The Accessibility Advisory Group (AAG) is one of the longest standing Council advisory groups (*previously called the Disability Reference Group*). It was established in 1996 to provide advice on issues that concern people with impairments.

Advisory groups provide advice to the Council on a broad range of issues from the perspective of a particular community. They provide preliminary feedback on Council planning, projects and policy development.

The role of the Accessibility Advisory Group is to raise awareness and understanding of disability and accessibility issues. It also gives the Council information, advice, and feedback on policy development and specific Council projects.

3. Positive direction in reviewing of the Town Belt policy

As per our previous submission we believe that having clean green spaces which people of all abilities can easily access and enjoy is critical for our social wellbeing and, the review of the Town Belt Policy shows the Council's commitment to retain such spaces.

4. Concerns we have regarding the Draft Town Belt principles

We note that guiding principle six "the Town Belt is for all to enjoy" does not make any specific comment to accessibility. As per our previous submission we make comment that this principle needs to be very clear that 'access' and 'all Wellingtonians' includes persons with impairments.

Accessibility means,

Environments, information and buildings that are accessible and usable by everyone in the community. This includes: the able bodied, people pushing strollers, the elderly and people with impairments or disabilities.

5. Recommendations for your consideration

We feel that a commitment needs to be made towards Universal Accessibility in order to improve the accessibility for all people within the Town Belt Principles. This could be achieved by modifying the description of guiding principle six “the town belt is for all to enjoy” as per the below suggestion.

This concerns equality of access and the use of the Town Belt. The Council is committed to ensuring that the Town Belt will continue to be improved with more access and improved accessible features where it is reasonably practicable to do so. Providing good accessibility features means that the Town Belt would be accessible and usable by everyone in the community. This includes: the able bodied, people pushing strollers, the elderly and people with impairments or disabilities”

We would like to also see Universal Accessibility included in the statutory principles that are to be drafted.

We will discuss our recommendations in more detail during our oral submission.

6. Final Note

Let’s work together and prove that Wellington can be an Accessible city, by developing practical and creative Universal Accessibility solutions for the Town Belt which will enable all Wellingtonians regardless of ability to access and enjoy this part of our wonderful city.

Individuals are not disabled. They have impairments. It’s the environment we live in, which creates disability.

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Submission 161

From: Victoria Lamb [Victoria.Lamb@beeflambnz.com]
Sent: Monday, 10 December 2012 1:41 p.m.
To: Megan Dunning
Subject: Submission - Town Belt Legislative and Policy Review
Attachments: WTB SUBMISSION.docx

Dear WCC,

Please find attached a submission on behalf of Wellington Swords Club Inc. on the Legislative and Policy Review.

The Club wishes to be heard in support.

Kind regards

Victoria Lamb
For Wellington Swords Club Inc.

Victoria Lamb | Senior Environmental Policy Advisor

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SUBMISSION

TOWN BELT LEGISLATIVE AND POLICY REVIEW

PREPARED FOR WELLINGTON CITY COUNCIL

Chief Executive

Wellington City Council

P O Box 2199

Wellington 6140

Attention: Parks and Gardens (REPL01)

This submission is made on behalf of the Wellington Swords Club Inc. whose attention has been drawn to the opportunity available to comment on the document "Town Belt Legislative and Policy Review" publicly released on 15 October 2012 and the draft Town Belt Management Plan dates October 2012.

This submission has been prepared on behalf of Wellington Swords Club Inc by submitter coordinator

Victoria Lamb

8 Harrold Street

Highbury

Wellington

Tel: (04) 970 7496

Email: bishop.lamb@paradise.net.nz

I confirm I wish to make an oral submission to the City Councillors on behalf of Wellington Swords Club Inc. "Wellington Swords".

Submitters - Friday 22 February 2013

INTRODUCTION

Wellington Swords is familiar with the treasure that is the Wellington Town Belt (WTB) and the history that gave rise to its creation at the time of formal establishment of Wellington in 1840.

Tanera Park is an element of the WTB adjacent to Central Park, which is described in the draft Management Plan as being part of Sector 4 – Brooklyn Hills.

Wellington Swords is privileged to have been granted a premises lease of what was the pavilion of the former Wellington Bowling Club which previously had two bowling greens on the upper terrace of Tanera Park. Wellington Swords used the building on a casual basis for its activities for some three years before the premises lease to the Club was finalised in early 2012.

There is no specific reference to the sport of fencing in the draft Town Belt Management Plan.

Sections 6.3 and 6.4 in the draft plan mention existing recreational activities and sporting infrastructure on WTB land. The table at page 4 does not record that Tanera Park is used for fencing all year round (both winter and summer) and that the activity would rate as high/medium in terms of actual use by participants.

In 6.42 of the draft plan, it is stated sports clubs are being encouraged to share resources / facilities. Wellington Swords fully supports this approach. The Club has endeavoured to ensure the opportunity exists for local and community groups to also use the pavilion building leased by the Club.

At present, current use of the building is:

Mondays: King Fu School, Wellington (based in Brooklyn)

Tuesdays: Wellington Swords (fencing)

Wednesday: Wellington Swords

Thursday: Wellington Swords

Friday: Kung Fu School

In addition, the Feldenkreis Group (body and mind wellbeing) use the building on Tuesday and Wednesday (day time) and Thursday evening. Brooklyn Junior Cricket (summer) and Brooklyn Junior Soccer (winter) have use of facilities in the building.

Weekend use of the building includes training camps for international high performance and junior development fencers, all ages, twice a month, with additional use for competitions, particularly for younger age groups (Under 13). Kung Fu School also use the facility in weekends for training camps and local community courses such as self-defence.

The facility is also use on an ad hoc basis by local community groups such as schools and for private functions.

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Wellington Swords is most grateful for the co-operation that has been forthcoming from WCC on issues relating to the occupation and management of the building.

It is noted that policy 8.4.4.2 indicates the former bowling greens at Tanera Park will be managed for training facilities and junior sport.

Wellington Swords has the responsibility for day to day management of the pavilion building and for ensuring toilet facilities are available for the participants at the junior sport activity. The Club therefore requests that it be consulted and closely involved in any process that may result in a changed approach being adopted by WCC for use of the former bowling greens.

The sport of fencing which is promoted and catered for by Wellington Swords (the largest fencing club in the lower North Island, and only Wellington club catering to all ages, is increasing in popularity in Wellington. The Club trains and provides support to many existing and potential elite fencers involved in international competition (Olympic qualification, Commonwealth, world) and at national and regional level.

Participants at Wellington Swords range in age from 7 to 70 plus years of age. Fencing caters for many people, particularly young people who would not otherwise be actively involved in a sport.

Returning to the general thrust of the draft management plan it is the submission of Wellington Swords that the plan is generally supported although in content it endeavours to be all things to all people, and does not provide clear guidance or specificity.

In managing the Wellington Town Belt, WCC must be prepared to say No! when expectations do not match available resources or are in conflict with the purpose for which the WTB was established by the in the deed, and ensure that the overall intent that gave rise to the establishment of the Town Belt continues to be reflected.

SUBMISSION

Town Belt Legislative and Policy Review
Prepared for Wellington City Council

10 December 2012

Chief Executive
Wellington City Council
PO Box 2199
Wellington 6140

Attention: Parks and Gardens (REPL01)

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1 Introduction

- 1.1 This submission is on behalf of the Friends of the Wellington Town Belt Inc (“the Friends”).
- 1.2 Individual members of the Friends may make separate submissions on the proposal documents released by the Council namely
 - Have your say on the Town Belt legislative and Policy Review (publicly released on 15 October 2012); and
 - Draft Town Belt Management Plan (dated October 2012).

2 Submission requirement

- 1.3 This submission compiled and submitted by:
 - John Bishop
 - 8 Harrold Street
 - Highbury
 - Wellington
 - Telephone: 04 970 7496
 - Email: bishop.lamb@paradise.net.nz

• Name of Organisation: The Friends of the Wellington Town Belt

- 1.4 We would like to make an oral submission to the City Councillors.

3 Overall comment

- 1.5 The Friends strongly supports the general direction of management for the Wellington Town Belt ("WTB").
- 1.6 The Wellington City Council ("the Council") deserves congratulations for the substantial progress that has been made since 1995 towards ensuring WTB is secured, protected and managed for the benefit of all citizens of Wellington.
- 1.7 Most aspects of the two documents on which comment has been invited are supported with the Friends being very pleased the initial instructions in 1839 to require the identification of the WTB and the subsequent 1873 Trust Deed have been acknowledged.
- 1.8 The Friends submit that to help achieve correctness and understanding reference in future in documentation relating to the land in question should be made to "Wellington Town Belt" not just Town Belt.
- 1.9 Having analysed both documents the Friends remain convinced the priority from this point forward must focus on progressing the proposed Wellington Town Belt Act. Enactment of the legislation will then enable the adjusted revised management plan to be finalised and implemented.
- 1.10 A most important issue which as yet has been overlooked in both documents is the critical need for there to be a dedicated Wellington Town Belt Curator position established and an appointment made. The particular responsibilities of the Wellington Town Belt Curator should include:
 - (i) Overseeing progress to implement issues and actions identified in the legislation;
 - (ii) Focussing on management issues covered/advocated in the management plan; and
 - (iii) Promoting action to ensure historic, social and cultural importance of Wellington Town Belt lands are fostered and recognised in the Wellington City District Plan.

Section One – Draft Town Belt Management Plan

4 General Introduction

- 1.11 The draft plan is extensive and it is stated should provide “a clear framework for Wellington City Council to manage the Town Belt for the next 10 years.”
- 1.12 Analysis of the draft by members of the Friends has confirmed that on first reading it is very useful, however “as is” the draft would benefit from thorough editing to remove inconsistencies in wording to make the document more definitive and tighter thus eliminating potential for misinterpretation and debate or formal challenge. Brevity in wording should remove opportunity for new concepts to be challenged.
- 1.13 A general concern is that there appears to be greater emphasis given to the need for Councillors and Officers having greater discretion in deciding on activities to be allowed.
- 1.14 The comments that follow are referenced to the text of Sections 1 to 9 in the October 2012 Draft Plan.

Draft Plan

Pages 1 to 3

This section provides a very good introduction to the Wellington Town Belt.

It is the request of the Friends that wherever possible reference is made to the Wellington Town Belt not just Town Belt throughout the document.

Page 4

The ordering of the eight key themes may well be questionable. For example the Friends believe greater weight could appropriately be given to “Historic, social and culture.”

The final full sentence on page 4 is questioned as it is doubtful “the complexity of the topography, vegetation, uses and communities of interest” have indeed been recognised in each sector.

Page 5

Noted the Draft Plan does not cover the Wellington Botanic Garden.

It is the strong submission of the Friends that this significant area be re-incorporated into the Wellington Town Belt and the management policies currently in the separate management plan be amalgamated within the final revised new Wellington Town Belt Management Plan.

Also it is noted the Wellington Showgrounds area has been excluded.

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The Friends appreciate there are separate arrangements covering the use of that area. Again however the Friends submit there should be reference to the management policies that do/will apply to the Wellington Showgrounds land.

Page 7

The Friends question whether (as stated in 1.4) the encroachments associated with access to Upper Weld Street have indeed been resolved.

Pages 8 to 10

This section merits close editing so that it is absolutely clear the references to town belts is indeed intended to relate to the Wellington Town Belt land.

Pages 10/11

The section/reference to the Draft Leases Policy for Community and Recreation Groups is a concern. The Friends submit that provisions/rules for use of Wellington Town Belt land must be in accordance with the Wellington Town Belt Management Plan and not open to adjustment in terms of the general draft leases policy/rules.

Wellington Town Belt land leases must provide for removal of buildings/facilities when they are no longer needed and for removal of those with reinstatement of the land for free public open space use.

Page 15

The first statement under 2.3 is questionable. As far as the Friends are aware no charitable trust was created in 1873.

The fifth paragraph on this page should more properly/accurately read:

“As well as being held in Trust by the Council, the Wellington Town Belt is administered by the Council in terms of the Reserve Act 1977 as recreation reserve.”

The reference to “charitable object” in the seventh paragraph on this page is not correct. Those words should be replaced with “the Trust”.

Page 19

The Friends endorse and support the assessment criteria stated in paragraph 3.

Page 19

The Friends request that para 2.9.4 should refer to “the physical continuity of the horseshoe shape of the Wellington Town Belt” etc.

Page 21

The final sentence under 3 should more appropriately read:

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• "The Council will work in partnership with the community including mana whenua to involve them ..." etc

• In terms of the 1873 Town Belt Deed there is an obligation on the Council and citizen of the City of Wellington to work together.

Page 23

Again to mirror the obligation in the 1873 Town Belt Deed paragraph 3.1.2.3 should more properly state:

• "... the role of Wellington City Council and the citizens of the City of Wellington on matters ..." etc.

Page 24

The Friends suggest the word "Wellington" should be added before Town Belt.

Page 26

• The statement in the section headed "19th century developments" relating to the Botanic Garden strengthens the view of the Friends that this significant area should be covered by the revised management plan.

Page 30

• The Friends suggest objective 4.2.2 should also acknowledge/recognise -

"historic, social and cultural change that has occurred over time as a consequence/result of use and management."

Page 31

• Proposed policy 4.3.1 in the view of the Friends appears to be open to potential abuse by individual and sectional interest groups be they the Council or activity groups. It is suggested the first portion of the policy be strengthened/tightened by including:

"only be sited on the Wellington Town Belt if it is unquestionably proven to be necessary in the interest of the community and" etc.

Page 32

• Policy 4.3.16 should be edited by commencing with the words:

• "wherever appropriate and timely existing structured, buildings and furniture no longer required shall be removed as soon as practicable and at the cost of the previous user."

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• Page 33

In the first explanatory sentence in guiding principle remove the words "acting as a hub jār" and replace with "fostering".

• Page 34

The statements in section 5.2 provide justification for retention of and inclusion of additional natural areas that assist in "providing corridors bringing nature into the city" as are highlighted in ecological connectivity comments on page 33.

• Page 41

Additional editing in this section is required to make it absolutely clear the actual total area of land occupied by recreation and community groups.

The Friends believe further thought should be given to the discussion on "what is recreation." The impact/benefits of citizen interaction with the natural environment and open space generally on mental health merits mention.

• Page 43 to 47

The Friends note an often overlooked impact of providing for specialised sporting activity is the actual or perceived allocation of land for exclusive users. It is observed the statement in the final sentence "Infrastructure for recreation activity must not be provided to the detriment of open space values."

• Page 48

The Friends note the comments about elite sport and question whether the Council has become unduly pressured by bids for greater WCC support for some of these activities.

• Page 49

The issue of sustainability of sporting groups and opportunities for sharing of facilities and amalgamations are appreciated by the Friends. It is the Friends' view that the Council has a need for a proactive approach if for no other reason than to maximise use of existing facilities and ensure the precious and finite Wellington Town Belt values are protected.

• Page 52

The Friends consider the objectives at 6.5 need to be recast/rendered and tightened.

• Pages 52 to 54

The Friends has concern with policy 6.6.2 and believe the explanation about footprints needs to be tightened.

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•
Policy 6.6.3 should be adjusted to make it clear the Community Recreation and Leases Policy is subservient to the policies in the Wellington Town Belt Management Plan.

Policy 6.6.4 (Sport and Recreation Clubs) should not specifically mention "sportsville" type/model.

Policy 6.6.5 is fully supported provided it is edited to end at "this management plan".

• Page 54

The Friends believe policy 6.6.18 should be more specific by the addition after "opportunities" of the words "provided in all cases the use of Wellington Town Belt land for a community garden must not involve any input of WCC resources contributing to development, maintaining any approved community garden and that all produce therefrom shall be freely available to all with sale, barter, gifting or other commercial transaction for produce being prohibited."

• Page 61

The Friends request objective 7.4.1 be adjusted to read:

"Significant historical, **social** and cultural" ... etc.

• Page 62

• The Friends support policy 7.5.1.

• Page 65

The Friends believe the introductory section for Te Ahumairangi Hill should more prominently cover the past history and naming of Tinakori Hill than just the footnote on this page.

• Page 66

In line one of this page there is inappropriate use of the word "reserve". This land area is part of a "management sector". The same editorial adjustment is required throughout the management plan when reference is made to "reserve".

• Page 69

• In Section 8.1.5 there appears to be a conflict of thought patterns by the author(s). Reference is made to "least developed sector", "provides a natural environment for informal recreation" but opening up of tracks to bikes reflects increasing use of the area.

• Page 79

• Reference in 8.2.1 to Kelburn Park as "an isolated park of the Town Belt" is not correct. This area is adjacent to the Wellington Botanic Garden which the Friends strongly advocate should be covered by this management plan.

Page 80

The former Clifton Terrace land is mentioned. The Friends are disappointed with the comments made about that area. It is part of the original Town Belt and has been the subject of many years of representations from the Friends to the Government seeking its return to its former status. It is an important area with potential for ongoing enhancement to be associated with adjacent land with open space values as the community has requested.

Page 81

In respect to the policies for land additions and boundary rationalisations the Friends support 8.2.2.1 and 8.2.2.2 but disagrees with 8.2.2.3.

Page 91

The comments on Polhill Gully and the former Te Aro School land have been noted. The Friends have never been consulted on those finds and disagree with them. The Friends' stand generally is that all former original Town Belt land should be returned to formal protection within the Wellington Town Belt.

Pages 92/93

The Friends would be interested to know what activity the "Rollercoaster group" is involved.

It is also assumed the vacant building/pavilion/toilet referred to in policy 8.3.4.3 are on the land leased by Central All Breeds Dog Training School. It is assumed the Council has undertaken an assessment of the "historic" values of the toilet.

Page 99

The plans for this management sector do not show where the "Raroa Reserve" is? The Friends' view is that if the land is adjacent to other Town Belt land it should be formally added.

Page 100

Members of the Friends who are familiar with the natural and open space values of the Boyd Wilson strip believe this area should be formally added to the Town Belt.

Pages 102/105

The proposal and policies relating to the Brooklyn Hill management sector are generally agreed however the Friends believe there is scope for greater multiple recreational use for the large area occupied by the Renouf Tennis Centre.

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Page 113

In respect to the Wellington Show Buildings the Friends consider that area should now have the suspension from the Town Belt managed as a special area such as is intended for the Zoo and Chest Hospital site.

Page 114

The building leased to the Wellington Branch of the Cook Island Society is located within this management sector. Details of what use is made of this substantial facility is not known but it may be there are opportunities to ensure multiple recreational use of that building.

Page 125

The extent of facilities currently occupied/leased on Wakefield Park are noted. The Friends remain concerned at the prospect of a new development (changing facilities) for clubs using the artificial fields.

Page 131

The plan for the eastern park shows the existence of a Mt Albert Dual Slalom bike track. The creation of this facility as a permanent fixture has not been endorsed by the Friends, rather the formation of a track area agreed to on a temporary basis in the expectation/understanding it would be removed and the site reinstated for general open space use.

Page 137

Noted the intention to add Antico Street Reserve to the Town Belt which is agreed but the Friends strongly advocate for Truby King Park to likewise be incorporated in the Town Belt. The landscape and vegetation values of Truby King Park are consistent with the Town Belt. If there are special management issues associated with Truby King Park then that area may also merit being regarded as a special area such as the Zoo and Chest Hospital site.

Page 138

The Friends fully support the intentions to endeavour to negotiate formal protection/reintegration of the back portions of Wellington and Wellington East College land for management of its open space values.

Page 138/139

The Friends totally support the return of the former Chest Hospital land for inclusion and management as a special area within the Town Belt.

Page 152

The Friends note that the Council has not granted landowner approval to any extension of the Badminton Hall. The Friends believe the Council should be proactive in promoting options for an alternative venue for the sport of badminton in Wellington.

The Friends consider the Council should be proactive in consultations with the multitude of sports groups active or occupying prime sites at Hataitai Park.

Page 161

The friends are generally happy with the proposal and policies for the Mt Victoria/Matairangi management sector. However there are land areas not specifically mentioned in the document between Oriental Parade to Palliser Road that must be formally added to the Town Belt.

Rules for Use and Development

Page 171

The Friends have major concerns about this section of the draft management plan with particular the extent of freedom for WCC discretion in authorising activities such as in policies 9.2.2, 9.2.3, 9.2.4 and 9.2.6.

Page 173/175

It is the view of the Friends that "managed activities" should **not** generally be solely processed through **landowner approval** (9.4.2).

Page 174

The reference in 9.4.3 to the general Leases Policy should be excluded.

Policy 9.4.4 should be reduced to solely state:

"Public notification will be required in all cases where the proposed managed activities may have potential to adversely impact on public use and enjoyment of the Wellington Town Belt."

The reference to camping may not be appropriate in respect to the Town Belt generally and the Chest Hospital site in particular.

The prospect of removal of natural materials being approved by landowner approval is not favoured.

The prospect of policy 9.4.3 providing for landowner approval to new buildings, extensions and alterations should be totally excluded. This exclusion should also relate to structures, car parks and utilities. The general thrust of management of the Wellington Town Belt for the future must be to aim for the removal of all buildings and structures not absolutely needed.

Page 174

Policy 9.4.4 should be reduced to solely state:

"Public notification will be required in all cases where the proposed managed activities may have potential to adversely impact on public use and enjoyment of the Wellington Town Belt."

Therefore proposed policies 9.4.4 a, b and c need **not** be stated.

Page 176

Proposed policy 9.5.3 should be confined solely to read:

"Community gardens must always be available for public use and enjoyment, be not-for-profit, not fenced off from adjacent Wellington Town Belt Land and maintained by the community users in a "show-piece" condition."

Page 176

Like other policies in the draft management plan this policy is too involved and as with others the aim of changes suggested by the Friends is to make the policies specific to the Wellington Town Belt.

Policy 9.5.4:

"Utilities, including any replacement or upgrades, will be allowed on the Wellington Town Belt only in terms of specific conditions established by the Council."

Pages 178/182

This section (9.6) is far too extensive and requires major editing. The listed activities should be kept brief and finite.

Page 182

Policy 9.7 is important but the final paragraph should make it clear:

"Landowner approval will only be considered if the proposal can be authorised under the Wellington Town Belt Management Plan."

Section Two :

Proposed legislative change (Discussion document commencing at page 16)

5 General introduction

- 1.15 The Friends strongly agree to preparation of instructions for a new Wellington Town Belt Act. This action should proceed immediately as the top priority.

Why is the Bill being proposed? (page 16)

- 1.16 There is a factual error that needs correction, namely reference to the Council being a trustee of the Town Belt under the charitable trust. The Council is **not** a trustee under the Charitable Trust Act.
- 1.17 The concluding segment of the final paragraph here is agreed with. The Friends advocate the need for the Bill to come first to ensure "a single and easily understood reference point" is available.

Proposed governance framework (page 17)

- 1.18 With the change advocated for the legislation to be enacted first the governance framework for the Wellington Town Belt should be:

Wellington Town Belt Act



Wellington Town Belt Deed and Wellington Town Belt Guiding Principles



Trustee (WCC)



Management Plan



Operational Practice

What will change? (page 18)

- 1.19 The Friends believe caution should be exercised before any of the mentioned legislation is repealed. An independent check is first required that none of the statutory provisions in question will/may never be required.

What are the key things etc (page 18)

- 1.20 The intended legislation must not only ensure it is consistent with but also adheres to the purposes specified in the instructions of 1839 and the Wellington Town Belt Deed.
- 1.21 The Friends believe caution is needed if the "relatively flexible powers" referred to are indeed translated into the new Wellington Town Belt Act and associated/subsequent management plan.
- 1.22 The Friends request that the Council provide a more extensive explanation of what is meant by "the charitable purpose of the Trust Deed."

What will the Bill contain? (page 18)

- 1.23 The preamble reference should be to the citizens of Wellington City, including mana whenua.
- 1.24 In defining the land, there should be reference to all land currently able to be formally identified as Wellington Town Belt including the Wellington Botanic Garden, the Zoo and Chest Hospital.
- 1.25 The Friends agree that defining the land provision should include the removal proposal.
- 1.26 As the Friends believe advancing the proposed Wellington Town Belt Act is the first priority the legislation should accept and provide for already identified areas not immediately able to be added due to resolution of survey or other technical issues to be added as promptly as possible. The point here is that large areas of land were identified at the time the existing 1995 management plan was approved which has yet to be formally added.
- 1.27 Again the Friends counsel caution regarding "broader powers" in relation to the Zoo, Chest Hospital and it is suggested the Wellington Botanic Garden.

Why the legislation? (page 19)

- 1.28 This explanatory section is somewhat confusing – rather the Friends suggest it should indicate “The new Wellington Town Belt Act will be specific and clarify in modern language the basis by which the Council manages the Wellington Town Belt.”

What is the intended management framework? (page 19)

- 1.29 The citizens of Wellington City are also trustees for the Wellington Town Belt.
- 1.30 Once enacted the existing or revised management plan can be confirmed to apply in terms of the provisions of the new Act. If the Council finalises the proposed revised management plan prior to enactment of the legislation, that revised management plan could apply as an interim plan until such time as final decisions on further addition/adjustments to the extent of land to be subject to the Act can be made.
- 1.31 The Friends have noted there has been no substantial problem even though the existing management plan was approved in 1995. Therefore, the Friends submit that reviews of plans under the new Act should appropriately be at 15 year intervals rather than 10 years.

Additions and Removals

- 1.32 Both the addition of land to and removal in future should be by special legislation.

Leasing and Commercial Use

- 1.33 The Friends are totally opposed to any proposal that will give special rights for commercial use on the Town Belt.

Easements

- 1.34 The Friends agree with the proposals.

Zoo and Chest Hospital

- 1.35 The Friends would wish to know more about the details for special provisions to relate to the Zoo and Chest Hospital.
- 1.36 The Friends submit that as part of the original Town Belt, the Wellington Botanic Garden should also be covered by special provisions in the intended legislation. There may well be a strong case for the Wellington Show Buildings to also be included with perhaps the Truby King site as well.

Drafting Instructions (page 20/21)

- 1.37 The Friends fully support in general the proposal and are most willing to be closely involved in further consultations on the drafting activity.
- 1.38 The Friends are very impressed with the proposed preamble for the legislation.
- 1.39 The question of land covered by the legislation (clause 7) and intended further additions (clause 10) may not immediately be able to be formally protected due to delays with survey or

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other technical issues. There may be a need for special provisions to cover this to avoid the delays such as have occurred with formalising additions since the 1995 management plan was finalised.

- 1.40 The Friends request that the provisions in the Wellington Botanic Garden Vesting Act 1891 be incorporated in the new Act/Bill.
- 1.41 The Friends support the intentions for clause 9.
- 1.42 The Friends request the issue/reference to charitable trust be corrected/checked (clause 11).
- 1.43 The intentions to abolish "old" legislation is noted (clause 12). Before this is advanced the Friends believe the proposals should be independently checked.
- 1.44 The proposals in clauses 25 and 26 may need to be reconsidered if a longer term future review (the Friends suggest 15 years) and the existing 1995 management plan may be agreed to be rolled over until new procedures under the new Act has been enacted.
- 1.45 The proposals for repeal of previous legislation should be independently checked/verified before the new legislation proceeds.

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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	
Mr / Mrs / Ms / Miss <input checked="" type="radio"/> Dr (Please circle which applies)	
First name* Gareth	Last name* Rouch
Street address* 20 Palmer St	
Suburb Aro Valley	City Wellington
Phone/mobile 04-8033798	Email gmrouch@gmail.com

MAKING A SUBMISSION	
I am making a submission	<input checked="" type="checkbox"/> As an individual <input type="checkbox"/> On behalf of an organisation
Name of organisation	
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.	04-8033798

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.

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?

I believe the proposed policy direction is wrong. It should aim to increase the area in the town belt securing in perpetuity more and more land and working to restore as much of it as possible into native bush

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?

The plan should seek to increase the amount of land in the town belt to far more than 85.44 hec.

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?

The plan does not go far enough. I recommend the plan acquire specifically the Devon St Gully in Aro Valley. This is a very significant area of regenerative bush

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?

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?

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?

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
	I recommend the plan restore the vegetated gully in Devon Street to the status of
	"highly desirable" as part of the town belt.
	This land is currently in the hands of the Ministry of Education. Should it become available, the WCC should acquire it. This area of vegetation provides an important addition to the bird corridors in the Central Wellington region. It is an important natural drainage area and provides a place for children to explore and play without having to venture
	thru an urban area. It is an area of very high visual beauty, providing a beautiful green backdrop to Te Aro School.

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.)

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

DO YOU HAVE ANY COMMENTS ON THE PROPOSED LEGISLATIVE CHANGES?

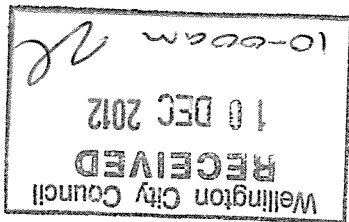
Continued from previous page

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

Free Post Authority Number 2199



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

Submission 150

From: Chris +Steph [thegrays@orcon.net.nz]
Sent: Monday, 10 December 2012 1:08 p.m.
To: Megan Dunning
Cc: james_harris@paradise.net.nz; thegrays@orcon.net.nz
Subject: Draft Town Belt Submission

Attachments: untitled-1.2; Coromandel Street Town belt Management Plan submission Dec 2012.pdf



untitled-1.2 (2 KB) Coromandel Street
Town belt Ma...



Coromandel Street
Town belt Ma...

Hi

Attached please find our Town Belt Management Plan Submission.

This has been prepared by and on behalf of the following residents.

Full Name	Address
Marcus Simons	1 Colville St
Vanessa Simons	1 Colville St
Anne Scott	102 Coromandel Street
Roger Howard	102 Coromandel Street
David Hermans	114 Coromandel Street
Adrienne Hermans	114 Coromandel Street
Johnny Nawaz	122a Coromandel Street
Katherine Wong	123 Coromandel Street
Munjoo Maharaj	123a Coromandel Street
Dean Maharaj	123a Coromandel Street
Sally Krogh	135 Coromandel Street
Joy Telford	138 Coromandel Street
Chris Gray	139 Coromandel Street
Stephanie Gray	139 Coromandel Street
Ben Gittos	139A Coromandel Street
Annette Gittos	139A Coromandel Street
Fraser Cuff	140 Coromandel Street/43 Delhi Crescent, Khandallah
Rae McNair	140 Coromandel Street/43 Delhi Crescent, Khandallah
Colin Frank	141 Coromandel Street
Dave Henderson	142 Coromandel Street
Glen-Marie Burns	142 Coromandel Street
Abbie Rowe	143 Coromandel Street
James Rowe	143 Coromandel Street
Quentin Abraham	144 Coromandel Street
Marion Abraham	144 Coromandel Street
Chris Polaschek	145 Coromandel Street

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Debra Polaschek 145 Coromandel Street
James Harris 147 Coromandel Street
Giselle Bahr 147 Coromandel Street
Sophie Williams 148 Coromandel Street
Harry Livesey 148 Coromandel Street
Gordon Clarke 149 Coromandel Street
Wendy Kale 149 Coromandel Street
Nick Treadgold 150 Coromandel Street
Jude 150 Coromandel Street
Rita 150 Coromandel Street
Dionne Needham 152 Coromandel Street
Fiona McKenzie 152 Coromandel Street
Tania McKenzie 152 Coromandel Street
Jenny Hodgen 152a Coromandel Street
Samantha Carter 152a Coromandel Street
Reuben Drew 152a Coromandel Street
Virginia Edmond 19 Colville Street
Mike Smith 4 Paeroa Street
Nicola Beale 4 Paeroa Street

Full Name

Address

Liz Eichler 5 Colville St
Hamish Handley 7 Colville Street
Hariata Hema 7 Colville Street
John Hoggard 8 Paeroa Street
Susanne Sturzenhofecker 8 Paeroa Street
Heather Nicholls 93 Coromandel Street
Greg Nicholls 93 Coromandel Street
Jill Ford 96 Coromandel Street
Liz Dennett Apt 12 /111 Coromandel Street
Reece van der Velden Apt 3/111 Coromandel Street
Frances Hopkins Apt 4-5, 109 Coromandel Street

10 December 2012

(Sent via e-mail)

Parks and Gardens
Wellington City Council
PO Box 2199
WELLINGTON 6140

Town Belt Management Plan Submission
Coromandel Street / Carmichael Reservoir / Colville Street Town Belt
Access Encroachments

This submission specifically refers to proposals to change Wellington City Council policies on encroachments on the Town Belt, especially with respect to the proposals that refer to the Carmichael reservoir and nearby areas. The Draft Plan will have significant direct effects on over 20 households, and indirectly affect many more.

This submission includes a brief history of private access to the Carmichael reservoir, corrects some information in the Draft Plan, summarises the concerns of affected households, and puts forward suggested solutions. We also recommend some specific changes to the text of the Draft Plan.

We would like to supplement this written submission with a presentation in person to the Council.

Contacts

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Wellington 6021
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The full list of people contributing to this submission are:

Submitters - Friday 22 February 2013

Full Name	Address
Marcus Simons	1 Colville St
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Full Name **Address**

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Liz Dennett	Apt 12 /111 Coromandel Street
Reece van der Velden	Apt 3/111 Coromandel Street
Frances Hopkins	Apt 4-5, 109 Coromandel Street

Our Community View

The Draft Town Belt Management Plan would substantially change current Wellington City Council policy on private access to the Carmichael Reservoir along “Carmichael Rd”. The following information outlines the view of residents from southern Coromandel Street on the Council’s proposal to potentially restrict residents’ access to the reservoir service road for parking and access purposes. 20 properties are directly affected, and many more are affected by the flow-on effects on parking and congestion.

The community of residents offer to work with Council to find a solution that improves the Town Belt and allows controlled vehicle access to continue. There are many valid reasons for vehicular access to continue, including:

- The historic and continued use of the road
- No alienation of the public from use or enjoyment of that land
- No erected structures or harm caused to the town belt
- Parking congestion in southern Coromandel Street
- Intensification of housing in Coromandel Street
- Reasonable access to properties that pay council rates
- Safety
- Maintenance of the area by residents
- The outcome of previous reviews
- Solutions provided to residents in similar situations.

We believe that the continued access does not amount to an unreasonable intrusion of enjoyment of users of this section of the Town Belt and therefore we cannot find a compelling reason for this access to be removed, other than the council’s own parks and recreation policy perspective on this matter.

Further, we have serious concerns about the process and the quality of information given to the public and council. This submission attempts to clarify:

- That the Carmichael Rd **is not the encroachment referred to in the Draft Plan**
- That Carmichael Rd is at least sixty years older than stated in the Draft Plan
- That **the existing arrangement already solves the issues raised** in the Draft Plan
- **The existing arrangements are different from what it stated in the Draft Plan**, and in any case are the result of an incomplete process that we understand was never formally presented to or considered by the Council.

Potential solutions?

The undersigned residents of Coromandel and Lawrence St highly value living next to the Town Belt and support the Council's intentions to improve the quality of the Town Belt. We suggest that formalising the status of the Carmichael Rd could result in better maintenance of this corner of the Town Belt for the use and enjoyment of all city residents.

Several other options are also put forward for Council consideration, including:

- Completing the paper roads of Coromandel St and Lawrence St
- Upgrading Carmichael Rd to Legal Road
- Using the new provisions in the Town Belt Bill to enable land swaps between the Council's road reserves and the Town Belt.

Background: Current proposals

The most relevant sections of the Draft Plan are:

8.7.6 Encroachments

A vehicle track, which provides access to the water reservoir off Owen Street, is also used by local residents for drive-on access to several nearby private properties. As the Southern Walkway passes along part of the length of this track, vehicle traffic is not only inappropriate but presents a potential safety hazard. This track also attracts rubbish dumping because it is secluded and accessible by car. A gate has been installed at Owen Street with private vehicle use being phased out over time. No new access is being permitted.

9.6.9 Encroachments.

[...]

There are 206 known encroachments on the Town Belt covering 2.5626ha as of June 2012.

These are broken down as follows:

- 77 gardens/lawns and or plantings
- 13 partial house encroachments
- 8 pedestrian access-ways
- 69 structures such as clotheslines, garden sheds, compost bins and so on
- 35 vehicle accesses from parking places through to larger access routes, such as Carmichael Reservoir.

Many aspects of these two sections are incorrect:

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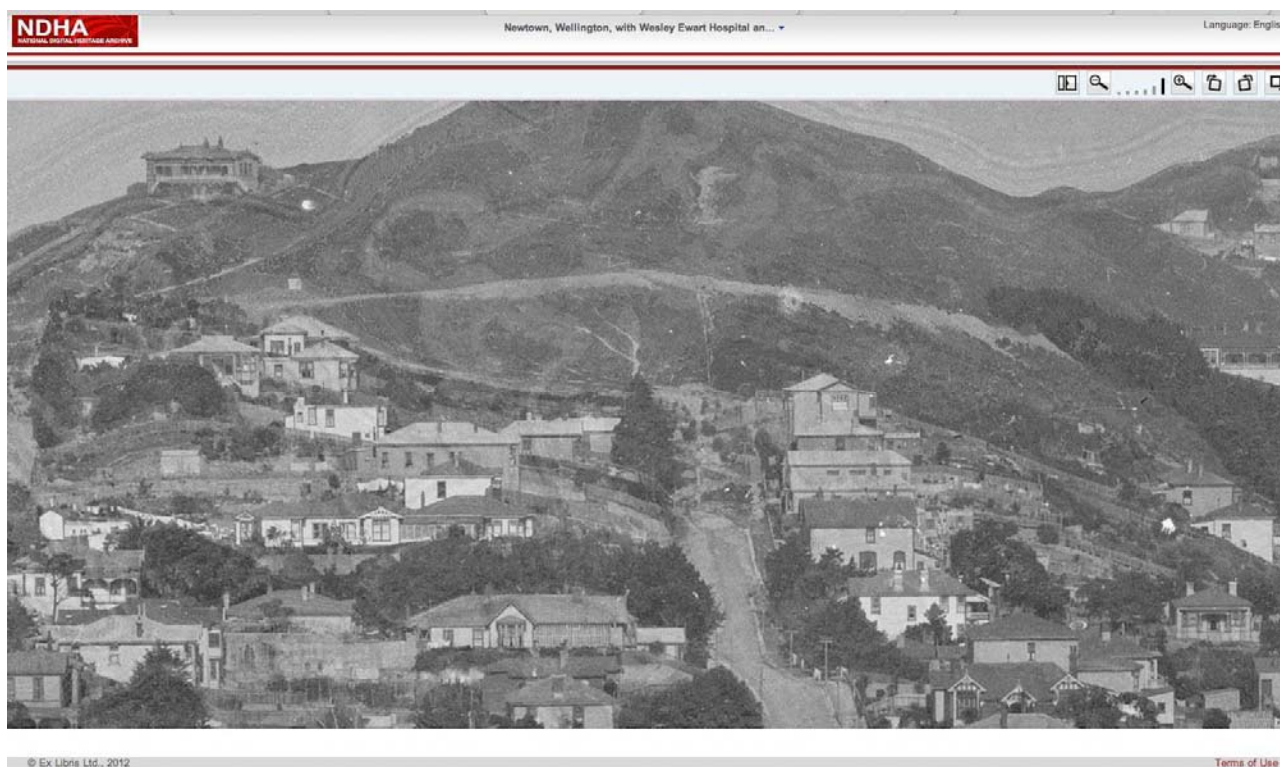
- The 'track' is a road used by heavy vehicles needed to maintain the Carmichael Reservoir.
- The access route to the Carmichael Reservoir is not included in the 2.5626ha of encroachments.
- The Southern Walkway does not pass along part of this road; it crosses it at one point; this change was implemented following consultation with residents in 2010.
- The gate which was installed in 2010 restricts access to Council-approved vehicles; this has successfully solved earlier issues of safety and rubbish dumping.
- While no new access is being permitted, this is a policy developed by council officers, that we understand has never been considered or endorsed by Council.

Council officers have also provided us with additional information. At public consultations on the Draft Plan, Council Officers stated that the vehicle track is in fact access for utilities, i.e. the Carmichael Reservoir, and **is not included in the list of encroachments** listed in the Draft Plan. Council Officers have since provided us with a copy of the aerial photos used to identify and measure the area of encroachments. (see Attachment 1). The Council's photos clearly show that only two areas of land beside and beyond the water tank are considered to be 'encroachment'. Also, the Southern Walkway does not pass along part of the length of this track: it crosses the road at one point near the intersection of two paper roads: Coromandel St and Lawrence St.

Background: History of Carmichael Rd, Coromandel St, and Lawrence St

The following photo from the National Digital Historical Archive is dated 1909. It looks south along Coromandel St towards the hilltop that is now Truby King Reserve.

Carmichael Rd is the white line running across the centre of the hill, starting at 149 Coromandel St on the left. Clearly, Carmichael Rd predates many of the houses at the top of Coromandel and Lawrence St. This is in contrast to statements made by council officers at public meetings and in correspondence, that the road was constructed in 1959 or in the 1960s.



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The current situation is shown in the following 2 images from Google Maps and Google Earth. The first shows how about 14 properties on Coromandel St and 6 properties on Lawrence St do not have proper road access, instead connecting to the undeveloped Coromandel St and Lawrence St road reserves.



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The second image, looking north over the reservoir, shows how the steep streets at the south-eastern corner of Newtown have prevented the original 1841 street plan from being implemented. It is also clear that the Town Belt 'encroaches' on the Coromandel St and Lawrence St road reserves.



This evidence shows that the road has been around since at least the early 1900s and like other roads at the time may have been created to make access between town and country from the 1870s. The paper road at the southern end of Coromandel Street running between the properties up the hill (intended to link with Lawrence street) was never completed, because the existing access road (at one time paved) already provided good access. The southernmost houses on Coromandel Street were built later on the basis of the longstanding access road and the existence of the Paper Roads that may at some future time have been converted to roads despite the obvious geographical difficulties. The residents of the houses at the southern end of Coromandel Street have always used this access road.

Previous consultation and council actions

Council officers consulted with affected residents about restricting access in 2010, 2006, 2002, and earlier. In each case, although residents consulted in good faith, no comprehensive solutions were agreed.

In the most recent round of consultation in 2010, council officers undertook traffic and parking surveys in Coromandel Street and neighbouring Colville Street.

Despite the outcome of that consultation not being formally put before Councillors for adoption as policy, roadwork's to improve parking at the south end of Coromandel Street, and a remote controlled gate was installed beside the Working Men's' Bowling Club at Owen St in 2011. It can be opened by calls from a cell phone; this allows Council officers to both control and monitor access. This is used by many Coromandel St and Lawrence St residents. Council officers have also granted temporary access from time to time for tradesmen accessing private homes for, contractors developing the Carmichael Reservoir and water pipes, and for forestry workers.

No new access allowed since 2010

Council officers have chosen not to allow access to new tenants or new home owners since the gate was installed; this is contrary to the current council approved policy (the 2002 Resolution of access encroachments on Town Belt Land report) and does not align with the assurances given by former Mayor Prendergast in her many letters to Coromandel Street residents back in 2010 that access will remain unchanged until a consultation process was completed.

Policy – Encroachments

- 8.7.6.1 Measures shall be taken to exclude all private vehicle use from the reservoir access track.

This statement assumes a single solution, we disagree that a solution should be stated, and request that this be replaced with a statement that provides for research, consultation and options for resolution that are fair and transparent.

9.6.9 Encroachments.

Encroachments into the Town Belt are a significant issue for the management of the reserve. The use of public reserve land by private property owners effectively alienates the public from use or enjoyment of that land⁴⁵. This is contrary to both the Town Belt Deed and the purpose of provision of public open space.

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We disagree with the overall 9.6 section and recommend that its wording be changed. There needs to be a clear policy going forward and a clear and fair process for reviewing historic issues. Whilst some encroachments may be deemed significant from a policy perspective, many are not when viewed with all the facts of the situation.

We also disagree that the parking by the reservoir or on private land that is accessed from Carmichael Road in any way alienates the public from use or enjoyment of the land.

All the section 9.6 clauses assume there is only one solution from the council's perspective, which is removal and restatement. We don't agree that this is the only solution and is contrary to assurances that have been provided in the past and inconsistent with the current policy (The 2002 Resolution of access encroachments on Town Belt Land report).

- 9.6.9.1 Encroachments are a prohibited activity.
- 9.6.9.2 The Council will resolve the existing encroachments with a view to regaining lost land.
- 9.6.9.3 The Council will protect the Town Belt from new encroachments.
- 9.6.9.5 The Council will require removal of all encroachments either immediately or as a managed process. Managed removal will require issuing a letter of understanding, and a licence to formalise the removal process.
- 9.6.9.6 Encroachments must be removed immediately when: a. the encroachment is considered dangerous (the assessment of danger is at the full discretion of the Council)
- 9.6.9.9 If the encroachment is associated with private vehicle or private pedestrian access and immediate removal is complicated by long-term historic use, then a longer term removal agreement such as a fixed-term licence may be negotiated. This will allow agreement of reasonable terms while also ensuring that the access encroachment is removed as per policy 9.6.9.1, 9.6.9.2 and 9.6.9.3. The maximum period of time for this type of agreement will be until there is a change of ownership or occupation in the property associated with the encroachment.

The issues for this access.

The issues have been canvassed before and from the residents' position they remain unchanged if access is to be removed now or in the future.

We note that the 100-year old road from Owen Street to the Carmichael Reservoir will remain regardless of the outcome of the current process. It will continue to be used for maintenance access to the reservoir, for forestry operations, and for fire safety. It is also

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clear that there are no other options for maintaining viable access to several properties as sealing the Lawrence Street and Coromandel Street road reserves is acknowledged as being impractical.

The largest effect of any reductions in access to the road would be to restrict parking on Coromandel St. This would (and does when access is restricted) affect hundreds of people every day, including all the residents and users of Colville St, Paeroa St, and Coromandel Street south of Constable Street. Parking has become much more congested on Coromandel Street in recent years, as new apartment blocks were completed. It will get even worse if Housing NZ restarts its development plans for housing units at the old school site at 132 Coromandel Street. Restricting access to the reservoir road will force more cars to compete for parks on Coromandel Street, affecting all residents from Constable Street to the southern end of Coromandel Street.

We have not been provided with any evidence of problems for the Council or the general public if access is maintained, the installation of the gate has removed councils concerns. If however access were restricted, we believe that there would be costs to the Council in improving parking, improving access to near-landlocked properties, and managing permits for temporary access. We also believe that the extra congestion on Coromandel Street will adversely affect hundreds of residents as well as other users of Coromandel, Colville, and Paeroa streets.

Safety

We suggest that as the Carmichael road is not sealed and is rutted, that vehicle speed is slow, making it much less risky than roads like Alexandra Road. The council has no recorded incidents of safety regarding vehicles on this section of the town belt¹.

Parking Congestion

Parking in Coromandel Street is one key issue for the residents who are utilising the road, and is certainly the biggest issue for the residents at the southern end of Coromandel Street and for some in the western end of Colville Street.

Closing the road would currently require additional car parks at the southern end of Coromandel Street, Council traffic engineers have already concluded that they have

¹ Request for information – Chris Gray October 2012

maximised the number they can provide. There are not enough car parks when the road is closed for essential repairs to the reservoir and we understand the council has received complaints from residents when this has occurred in the past.

Parking studies have indicated that when the street has been surveyed parks have been available, admittedly in Colville, Paeroa and lower Coromandel Streets. Whilst this is true at times, the “last home” residents are frequently required to park in Colville Street or lower Coromandel Street, hundreds of metres downhill from where they live. This is of course even worse when access is closed.

Intensification of Housing

The Council has adopted a policy of allowing intensification of housing along key transport routes. Constable Street is a key transport route and in recent years Coromandel Street has seen many developments adding a significant number of additional apartments, all of which add to the pressure for on street parking despite the requirement for off-street parking for at least one vehicle per property.

- 111 Coromandel Street, Coromandel Heights, 12 apartments
- 131 Coromandel Street, 14 Apartments
- 109 Coromandel Street, St Helen's maternity hospital, converted to more than 20 apartments, with a further 9 in the property next to this.
- 112 Coromandel Street 7 apartments

These additions and the tendency (and statistics) for many homes to have more than one car have seen the parking become noticeably more crowded. Parts of the southern end of Coromandel Street have been reduced to one-way for several hundred metres right down to Constable Street.

On street parking is only set to worsen for both Colville St and Coromandel residents if Housing New Zealand restarts their development of the Kura Kaupapa site at 132 Coromandel St. When the last plans were developed they intended to build 17 housing units there in 2007/08. At best, this will only take away some street frontage with parking provided for the units. However allowance for second vehicles and visitors are not usually catered for and we therefore anticipate congestion to significantly increase with this

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development. We note that currently there are more than 100 individual houses and apartments between 100 and 135 Coromandel Street, all these properties will be affected by this proposal.

If there is the future requirement to restrict parking or create clearways in Constable Street there will be even less available parking.

A resident at the southern end of the street has had an application to create a flat on their property declined because it would need one of the limited parking spaces on the street. It would appear contra to this type of decision for the Council then to close access for residents' vehicles forcing more cars to park on the already congested southern end of Coromandel Street.

Financial Issues

The Council should also consider the negative financial impact on home owners if regular access is removed. House prices and rental income are likely to substantially decrease if access is removed for those that use it and for the houses near it if their on street parking deteriorates. Properties that could be further developed are not likely to or indeed may not be granted consent to due to the limited parking in Coromandel Street.

Access issues - reasonable access

In recent times there have been legal cases that have referred to what reasonable access actually means. Whilst we have not sought to compare this situation to any particular case we note that access to properties appears to be increasingly understood legally to mean vehicular access.

If the access is withdrawn nine houses will become more 'landlocked' than they are now, adding to the eight which only have frontage to a road reserve. Most have extremely long and steep access routes along narrow paths. This is of course in addition to the increasingly more difficult problem of finding a park near the walkway access at the southern end of Coromandel Street.

Closing the road will make it impossible for residents with elderly or impaired family or relatives living with them to continue doing so as well as it being prohibitive for elderly or impaired people visiting residents.

A non-related injury to a resident during the time of the recent work on the reservoir meant that as the person required crutches to walk they could not get from the bottom of the zig

zag to the top, this resulted in having to take time off work when with access they could have got to and from work.

Likewise it will create difficulties for self-employed residents who need to frequently move work equipment between their cars and houses

Safety and Maintenance

As the residents are daily users of the access road they provide both a visible deterrent for any troublesome activity and the perception of safety for other users. Residents also assist in keeping the track and the area around the reservoir clean and safe through the removal of glass, rubbish and storm debris which helps keep the track accessible for all users.

Previous decisions

Previous reviews have determined that there is no particular issue with vehicular access. The additional number of properties now in Coromandel Street and the inevitable parking pressures created mean that the benefits of maintaining vehicular access now outweigh the costs to an even greater degree.

While maintaining the Town Belt for recreational use is important, there are processes that have been used to address encroachments when there are sufficient counter balancing reasons (for example in relation to Weld Street and Alexandra Road). We consider that a consistent approach will recognise strong reasons in cases such as ours and the analogous situation in Bell Road.

At the information meeting in Newtown Park a few weeks ago, one of the rationales given for restricting this road is that the only roads allowed access into the town belt are those which connect suburbs; we don't believe this is accurate. As there are also roads which solely reach private property such as Morton St in Berhampore which goes past the council nursery and on to Kilmarnock Heights rest home. This is paved, the city to sea walkway runs along it and it is a dead end to private property. Bay view terrace in Mt Victoria is a dead end sealed road going to private property and runs up into the town belt and Manchester Terrace leading to Truby King House and Capitol House also has access to private housing, there are others as well.

Carmichael road has been in existence for over 100 years and it is only by accident that it has not been paved and in constant use like the other roads mentioned. To block off

Carmichael Road but not these others from private use is unreasonable given that access issue solutions have been resolved before.

The access road and recreational use of the Town Belt

We recognise the importance of the Town Belt for our city and agree that private encroachments should not interfere with its use for recreational purposes. In our view current usage of the access road by local residents does not adversely affect its recreational use.

Because the road follows closely to the edge of the Town Belt through to a dead end it does not create a thoroughfare through it. While the road is a utility access and must remain, it also provides users a pathway enabling them to enjoy the Town Belt without further impacting on the area.

Vehicular usage of the access road is not high, its already monitored, and it has not caused any problems for its recreational use that we are aware of. In fact recreational and residential usage has coexisted for decades since the land was gifted for the Town Belt. As it is now unsealed and relatively corrugated the road cannot be traversed at any speed. Residents are very conscious of the other users of the track and will always drive slowly; the current state of the road ensures any other users also must travel slowly.

Options

Despite the draft plan stated conclusion we believe there are options to research and consider. Several options put forward by contributors to this submission are listed below.

Completing the paper roads of Coromandel St and Lawrence St

In our discussions with Council officials, we have been told that sealing the Coromandel St and Lawrence St road reserves is not really an option, but we are not aware whether an engineer's assessment of this has been carried out.

Improvements to parking at the southern end of Coromandel St

This has been tried with WCC Transport engineers maximising the available parks. The potential properties under construction make this option unlikely to be an effective solution for all affected residents.

Access on demand / by arrangement through the Town Belt

Whilst this provides a solution for one off things like building or moving, this does not address the parking and access issues for all the affected residents. There are 20 properties that would regularly apply for this if this was the only option this would create additional and unnecessary administration for the council.

Access remaining through the Town Belt on the road maintained to existing standards (i.e. Status Quo)

The road could be maintained to a level required for safe access to the utilities and to maintain the land and trees. This option keeps the road in a state that requires slow speed and is not expensive to maintain. This reflects the status quo and does not impact other users of the town belt.

Reviewing Carmichael road for potential as a legal Road

There is no doubt the road was created, whether for maintenance of the farm land, access to the farm property (now 15 Kotinga Street) or perhaps a road linking the town and country.

We don't believe forming this as legal road is necessary and therefore view this as a less desirable option than approving access. Creating a legal road may result in increased use and higher speeds.

Summary and our recommended option

We recognise that Council officers need to review the vehicular access to the Carmichael Reservoir as part of their work in ensuring that the Town Belt is maintained as a recreational resource.

We believe that our current use of the road has no negative impact on the Town Belt or its recreational use by the public. Continued use of the existing road to access our properties is a logical and pragmatic solution to access and parking issues created by the terrain, the original town planning and on-going infill development.

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We advocate that Council allows residents to continue using the road for parking and access purposes. This will:

- Avoid further contributing to the congested parking in southern Coromandel Street
- allow residents reasonable access to their properties without causing problems for other users
- allow residents with physical disabilities, elderly dependents or visitors continued access
- avoid expensive and less satisfactory alternatives
- enable the continued use of the Town Belt as a recreational resource
- avoid unnecessary restriction of any further intensification of housing developments in the area
- Provide a solution that the council has granted to other residents on the Town Belt boundary.

Recommended changes to the Draft Plan

We request that Council consider the following changes to the proposed wording for the Town Belt Management Plan. Words ~~struck out~~ should be deleted; words in *italics* added.

9.6.8 The following activities are specifically prohibited:[...]

- e. ~~permanent~~ *uncontrolled* private vehicle access

[...]

Rationale: clearly, private vehicle access is allowed or encouraged in many parts of the Town Belt, for example for access to recreational facilities. The principles of the Plan are better served by specifying that vehicle access should be controlled or managed.

9.6.9 Encroachments. [...]

There are 206 known encroachments on the Town Belt covering ~~2.5626ha~~ *[replace with accurate figure]* as of June 2012.

These are broken down as follows:

- 77 gardens/lawns and or plantings
- 13 partial house encroachments
- 8 pedestrian access-ways
- 69 structures such as clotheslines, garden sheds, compost bins and so on
- 35 vehicle accesses from parking places through to larger access routes, ~~such as Carmichael Reservoir.~~

Rationale: As written, this statement is false. Attachment 1, supplied by Council officers, marks only a small area at the south end of Coromandel St as 'encroachment'. The utility access route is not classified as 'encroachment'.

~~9.6.9.1 Encroachments are a prohibited activity.~~

9.6.9.2 The Council will resolve ~~the existing encroachments with a view to regaining lost land.~~ *increasing the usable area of the Town Belt.*

9.6.9.3 The Council will protect the Town Belt from new encroachments.

Rationale: Clause 9.6.9.1 contradicts many other clauses in the Plan which allow, encourage, and formalise various forms of encroachment. Management of the Town Belt is well protected by clauses 9.6.9.2 and 9.6.9.3.

Further, the suggested change to section 9.6.9.2 would encourage Council to seek creative options, including but not limited to land swaps and purchases, that would enable the Town Belt to grow over time.

9.6.9.9 If the encroachment is associated with private vehicle or private pedestrian access

and immediate removal is complicated by long-term historic use, then a longer term removal agreement such as a fixed-term licence may be negotiated. This will allow agreement of reasonable terms while also ensuring that the access encroachment is removed as per policy 9.6.9.1, 9.6.9.2 and 9.6.9.3. ~~The maximum period of time for this type of agreement will be until there is a change of ownership or occupation in the property~~

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~~associated with the encroachment.~~ The Council may limit access to manage the removal process by, for example, installing gates, specifying access hours and days, limiting numbers of people and/or vehicles.

Rationale for change: This clause (as modified) would enable Council to manage and control private access to the Town Belt. However, the maximum time limit should be deleted; not only would it be a significant change in Council Policy, it would unduly restrict Council flexibility to manage the Town Belt. The change in occupation is simply unfair to rental tenants. Overall, the issue is better addressed by the proposed section 9.6.9.14:

9.6.9.14 Any managed removal agreement does not run with the land. Any new owner will have to apply for an agreement. It is expected that change of property ownership will often be the point at which a license *will be reviewed* ~~and~~ and the encroachment *may be* is removed or access stopped.

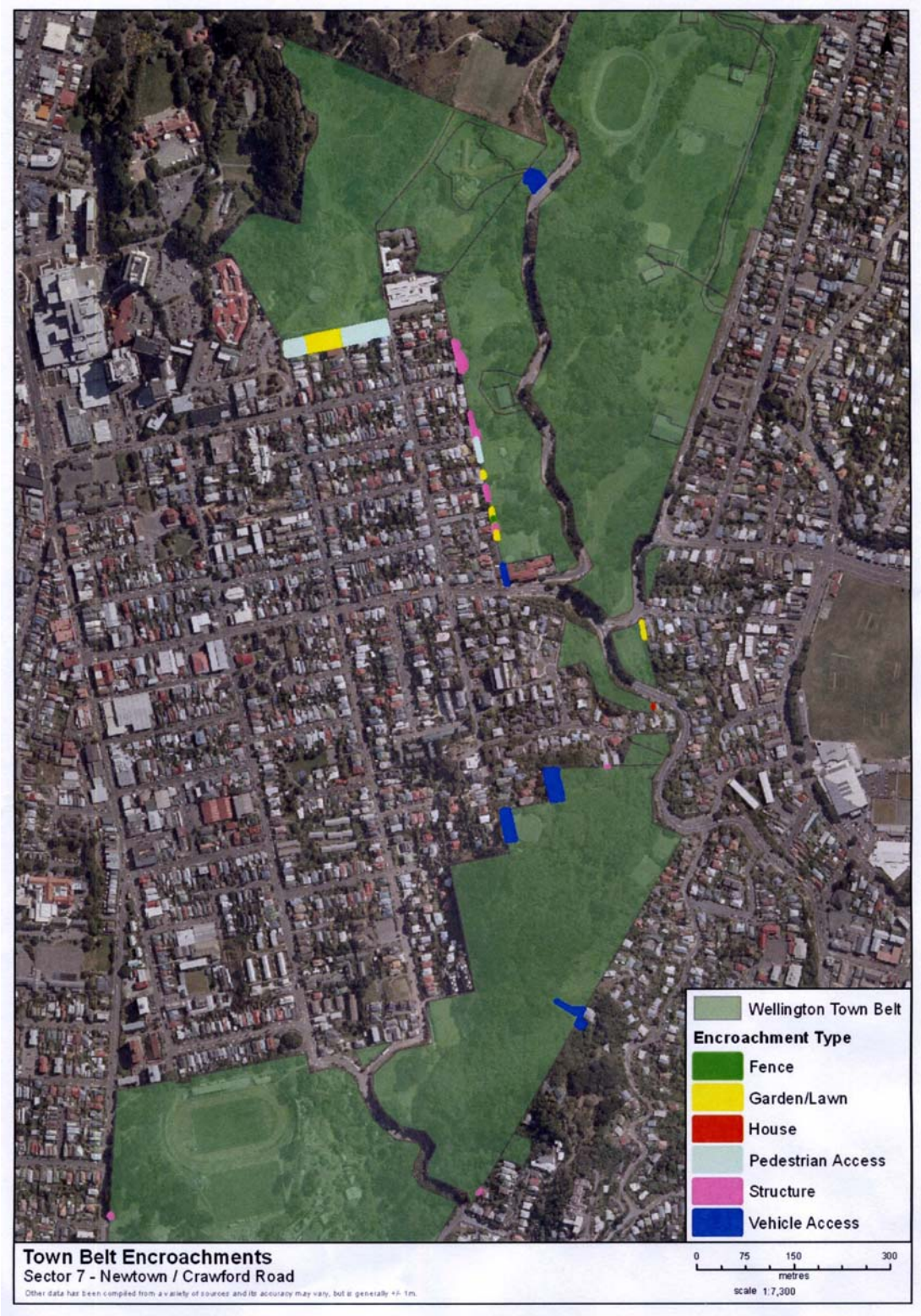
Rationale: This clause as written better states the intent of the Town Belt plan, without restricting the options available to Council. The change should also have criteria around the reassessment to enable a fair and reasonable process to occur.

9.6.9.17 Town Belt land will not be sold to resolve encroachment issues *unless as part of a transaction that results in a net gain to the Town Belt.*

Rationale: This clause should be more flexible, creating options for Council to increase the Town Belt while retaining room for creative solutions. We understand that under the proposed Town Belt Act, the Council will for the first time have legislative authority to alter Town Belt boundaries. However, the draft Plan suggests that special legislation will be required to realign Mt Albert Rd. Allowing swaps subject to a requirement of net gain would be more flexible.

Attachment 1: Council plan used to define and measure encroachments

Supplied by Mike Oates, Manager Open Space and Planning, 4 December 2012.



Submission 135

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Monday, 10 December 2012 11:34 a.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: James
Last Name: Harris
Street Address: 147 Coromandel St
Suburb: Newtown
City: Wellington
Phone: 3891195
Email: james@harris.net

I would like to make an oral submission in February 2013.
(Please provide your phone number for an oral submission.) Yes Your phone number: 3891195 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?
Agree that Town Belt is a major part of Wellington's character, and should be improved, expanded, and enhanced.

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 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?
Support that "The Town Belt will be used for a wide range of recreation activities." Cautious that the principles can be narrowly interpreted to exclude many desirable activities.

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?

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?

Disagree

Why do you say this?

Plan should seek more opportunities for eg bicycle trails even though they may be viewed as 'exclusive use' for cyclists over walkers.

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 oppose

Why do you say this?

The Town Belt should feature a core set of sealed cycleways suitable for children, recreational cyclists, and cycle commuters. These sealed cycleways can coexist with separate walking trails and unsealed mountain bike tracks.

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

9.6.6, 9.6.8

Comment

The "prohibited activities" are too broad; many should be moved to the "managed activities" section (9.5).

For example, the current prohibition of 'vehicles' (9.6.8) excludes bicycles, skateboards, and roller skates (see Land Transport Act).

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

Comment

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?

The Town Belt should feature a core set of sealed cycleways suitable for children, recreational cyclists, and cycle commuters. These sealed cycleways can coexist with separate walking trails and unsealed mountain bike tracks.

Secondly, the drafting instructions for the new Town Belt legislation should allow for transactions that result in a net increase in Town Belt area, rather than allowing increases but prohibiting decreases. A more flexible approach will enable faster growth of the Town Belt.

Thirdly, the Council should committ a much higher budget to maintenance of the Town Belt. Can principles be added to this Plan that would lead to better maintenance?

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

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

Support

Why do you say this?

1. Paragraph number:

10

Comment

"Save for any minor

boundary adjustments (refer to paragraph 9 above), 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."

This clause is overly restrictive and will be counter-productive. A more flexible approach would be to allow land sales, but only in the context of transactions that result in a net increase in the area of the town belt. Council would gain flexibility to negotiate with private land-holders to create mutually advantageous solutions, leading to faster growth of the Town Belt and much lower transaction costs.

2. Paragraph number:
22

Comment

Strongly support right to grant easements and rights of way. Note that if Council is to make any use this clause, 9.6.8 (e) of the Draft Plan should be deleted.

3. Paragraph number:

Comment

4. Paragraph number:

Comment

5. Paragraph number:

Comment

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Submissionb 70

From: Wendy Kale [Wendy.Kale@maritimenz.govt.nz]
Sent: Friday, 7 December 2012 8:25 a.m.
To: Megan Dunning
Cc: clarke.kale@paradise.net.nz
Subject: Submission - Coromandel Street Limited
Attachments: Town belt legislative and policy review - CSL submission.docx

Please find attached the attached submission from Coromandel Street Limited

I wish to support this with an oral submission.

My contact phone number is 027 247 8041

Regards

Wendy Kale
Director
Coromandel Street Limited

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www.maritimenz.govt.nz

Submitters - Friday 22 February 2013

Coromandel Street Limited, 25 Naughton Terrace, Kilbirnie, Wellington 6022

Email address: Clarke.kale@paradise.net.nz

Telephone: 027 247 8041

Town belt legislative and policy review - submission

Coromandel Street Limited

Wendy Kale and Gordon Clarke (Directors)

7 December 2012

Please note that we wish to make an oral presentation in support of this submission

Our contact details are outlined above

Introduction

Council has clearly stated its intention, through the Draft Town Belt Management Plan 2012 and information published on proposed legislative changes, to make changes to the way it manages the Town Belt.

Some of these changes - particularly those affecting the residents of Coromandel Street, Newtown - represent a significant change to a status quo that has been in place over 90 years.

This submission proposes that special access across the Town Belt needs to be granted in some situations and that this be incorporated into the Town Belt Management Plan and related legislation. It focuses on the impact of any significant change to the status quo on residents of Coromandel Street, and draws the Council's attention to issues that need to be managed should the proposed change come about.

Background

We own and direct Coromandel Street Limited. It owns two properties at the southernmost end of Coromandel Street, adjoining the town belt (Lot 1 DP 19883 and Lot 2 DP 19883).

We were also the previous owners and residents of these properties. Gordon owned them from 1990 to 2008, and Wendy, jointly with Gordon, from 1993 to 2008. We have therefore had an interest in these properties for 22 years.

Prior to 2008, Gordon was resident in Coromandel Street for 45 years. He has an intimate knowledge of the area and its history stretching back for half a century.

Wendy also has family ties to Coromandel Street. Her great-great-grandfather, Samuel Free, built the houses at 144, 142 and 140 Coromandel Street in 1899.

We remain actively involved in the community, maintaining a daily presence to check on our properties. In 2008, Wendy received a mayoral award for her persistence in removing graffiti from the Carmichael reservoir. She has been engaged in painting out graffiti on the reservoir for five years, as a means of improving the safety of the area. Gordon has also provided services to the neighbourhood by maintaining safety lighting and weedeating the area around the reservoir. In this, we are not alone. Our neighbourhood is characterised by people who care about and work to create a community environment that is safe and secure.

Use of Carmichael Road

Section 8.7.6 in the Draft Town Belt Management Plan relates to our neighbourhood's use of Carmichael Road (the road running from Owen Street, through the Town Belt, to the top of Coromandel Street) and to the parking area adjacent to the Carmichael Reservoir at the top of Coromandel Street. Carmichael Road is currently an unsealed road, but has in the past been a sealed. (See Appendix A)

Given the traffic congestion and the limited parking at the Coromandel Street road end, and the difficulty of transporting heavy items up the very steep zig-zag walkway, some residents have in the past driven along Carmichael Road and parked their cars in the area by the reservoir. Since at least the 1920's, this has been regarded as the most logical and pragmatic way to access our properties, and used as such. In fact, we believe that our properties are unlikely to have been developed as extensively as they have been without this level of access.

Our situation is somewhat unique within the Draft Town Belt Management Plan. Most access encroachments have been created by individual property owners (or their predecessors in title) for their individual benefit. This is not the case in our situation. The extent of our encroachment is that we have driven along an existing road and parked by the reservoir because it has been the most obvious and communally approved solution to a community problem. We have not erected any structures or caused harm to the town belt or the people using it in any way. In fact, our presence at the Carmichael Reservoir has acted as a deterrent to vandals and other criminals, who perceive that their risk of being caught is greater because of residents' presence in the area.

Principles and expectations

We acknowledge that in carrying out its duties, Council has an obligation to be responsible, reasonable and fair. It is our expectation this this will apply to our situation.

Any change to our historical access is a significant departure from a status quo that has been in place and relied upon by residents for a very considerable amount of time.

Council is proposing to create change that will have a negative impact on a community, and should acknowledge the Coromandel Street owners' and residents' vulnerability in this situation. As such, we expect Council to carefully consider the consequences of any proposed change, make these explicit, and also outline its plans to manage them.

As such, Council should also be attentive to any potential disconnect between policy intention and implementation. It is not an uncommon experience that the positive intent of a piece of legislation is lost in translation – particularly where rules are concerned, and where there is distance between those that made the policy and those that are implementing it.

We would like Council to consider how it can preserve the original intention of those who established the Town Belt, which includes ensuring that the pragmatic and common sense aspects of the kiwi culture they helped to found are built into any plans, and the implementation of those plans, going forward.

Our concerns

We are clearly directly and materially affected by the proposed changes, and have the following concerns.

1. Access to our properties to reasonably maintain and develop them, and the consequences to ourselves and the neighbourhood if we are unable to do this.

Our property consists of two sections. One is currently undeveloped. The other has a large house, divided into two flats. This building was originally a cottage, circa 1900 – 1910, that was substantially extended in the 1940's. The point here is that this building was substantially constructed at a time when Carmichael Road was the commonly used access to the property.

We intend to develop and improve our properties over time; it is our right to do so. It is reasonable to assume that any future owner will have the same intention. In fact, although we currently prefer not to sell it, our property in its current state would be of interest to property developers.

Previous discussions over the years with senior Council Officers have always included verbal assurances that reasonable access would always be granted for the purposes of carrying out

significant construction projects. However, we have not seen this signaled in the Draft Town Management Plan or drafting instructions for the legislation.

We are concerned, as property owners and landlords, that if we are not able to access our property via Carmichael Road to undertake construction and maintenance work, that a good deal of the necessary repairs and maintenance that are required of us as landlords and that we would want to carry out as property owners will not be feasible. We are concerned about the implications if we have to carry out significant construction projects from the Coromandel Street road end in terms of cost, and health and safety issues. Some work just would not be possible.

The implications to us as a business are that we would not be able to continue to meet our obligations, and would consequently go out of business.

If this were the case, it is also likely that our property would not be salable at its current value. Naturally, this is of significant concern to us.

This would also have a flow-on impact on our neighbours, and the neighbourhood in general in terms of property values, as well as the overall tone of the area.

2. Health and safety issues resulting from the proposed changes.

This year (2012), the road was closed for a period of six months or so over winter while substantial repairs were made to the Carmichael Reservoir.

This enabled the neighbourhood to pilot, to some extent¹, the effects of having limited access to the Carmichael Reservoir via Carmichael Road.

The Southern Walkway zig-zag, which is the legal access to our property, is particularly steep. It is also road reserve. Several years ago, the neighbourhood explored whether it could develop some form of drive-on access via the road reserve but this was deemed technically impossible due to the gradient.

It has become readily apparent to us over the last six months, as we lifted lawnmowers, buckets of paint, and bags of compost up the walkway, that there were health and safety factors that needed to be taken into account. Even with the help of a wheeled trolley, Wendy still sustained an injury to her arm on one occasion that has not yet fully healed. It may be easy to dismiss these issues as minor, but the personal costs in terms of productivity, loss of earnings and quality of life needs to be considered – particularly if there are sensible alternatives that are less risky to personal health.

This was our recent experience of the zig-zag as access for carrying out routine activities as landlords during the winter months. During the summer months, we usually undertake the heavier and more substantial work.

3. Security issues resulting from the proposed changes.

Our properties are located in a high crime area. Because of their isolation and proximity to the Town Belt (which offers multiple escape routes), our properties are subject to burglaries. We've seen evidence of people sleeping out under the large oak tree at the back of one of our properties. A shed on our property was burnt down when street kids lit a fire in it. The Carmichael Reservoir is subject to persistent tagging and graffiti. During summer months,

¹ It should be noted however, that this work was carried out during the winter months, when property owners were not carrying out significant building and maintenance work, and that some residents were still able to use the road from time to time.

especially, people climb onto the roof of the reservoir – sometimes drinking and throwing stones and bottles.

When we were able to park our cars near our houses, we expected that our cars would be broken into. However, our substantial experience was that this didn't happen. Rather, our frequent presence coming and going made this area safer than leaving our cars parked on Coromandel Street. Our presence also sent a message to would-be criminals that they would risk being caught if they attempted crime in our neighbourhood.

This is also the reason why Wendy began, and has continued, eliminating graffiti on the Carmichael Reservoir. We are serious about making our neighbourhood as safe as possible for our tenants and neighbours.

We are concerned about the security implications for our properties if we are no longer able to maintain a physical presence in the way that we have to date. We don't believe that Council has the resource to replace the care, attention, quantity and quality of service that we and our neighbours have been providing to this area to date. Despite doing a great job, we know that Council staff can't be present in our neighbourhood 24/7.

If we are no longer parking our cars near the Carmichael Reservoir, the reality is that the area will be more isolated, attract more crime, and be less safe for anyone using the town belt.

4. Issues relating to the Coromandel Street neighbourhood caused through the proposed changes

It would be a mistake to imagine the changes to the status quo would only affect a handful of households at the top of the Coromandel Street walkway. Any change that Council makes to the current usage of Carmichael Road will have a flow on effect to many other Coromandel Street residents. In 1996, 52 residents felt strongly enough about this to support a submission on the then Draft Town Belt Management Plan, supporting the retention of access for residents at the top of the Southern Walkway.

There are over 115 households in Coromandel Street from the Constable Street intersection to the top of the Southern Walkway, with an additional 30 plus households along Colville and Paeroa Streets. Clearly, the number of people will be negatively impacted by any permanent change to the status quo is in the hundreds.

The key issue relating to an additional ten households using the Coromandel Street road end is overcrowding, and its consequences. Namely:

- Finding parking spaces is already competitive and will be significantly worsened if the proposed changes are implemented. In addition to the 'everyday' parking requirements of residents, Council should bear in mind that:
 - During summer months in particular, the road end at Coromandel Street is populated by bins for the purposes of home and garden maintenance. Each bin takes up a parking space.
 - The Housing Corporation property (132 Coromandel Street), which was previously a kura kaupapa and then a crèche, is currently untenanted. If this land is inhabited in the future, either by a school equivalent or residences, it will impose significant additional strain on the parking situation in Coromandel Street.
 - Some other activities that were previously conducted via Carmichael Road will need to be accommodated at the Coromandel Street road end. Depending on Council's management plan for the situation, this is likely to include: construction and trades

vehicles, and furniture delivery and removal. Construction projects are likely to tie up space for significant periods of time.

- The consequences of overcrowding include: damage to people's vehicles and properties, a higher likelihood of accidents that may harm people, erosion of goodwill between neighbours, and stress on families (particularly those with young children and elderly). This isn't just conjecture, but reflects the experiences of residents at times when the usual access to Carmichael Road has been affected.

Issues that Council will need to manage if the proposed changes take place

We ask that Council considers its approach to the following issues that will need to be managed should any change to the historic use of Carmichael Road occur, and makes provision for these in the Town Belt Management Plan and legislation.

1. Purchase of affected properties at a fair price if changes to the status quo makes developing, maintaining and using our properties untenable.

While this is hopefully a worst case scenario, if Council is unable to find a way for property owners to have reasonable access to their properties to develop and maintain them, there may need to be provision for land purchase.

We note that the *Drafting Instructions – Town Belt Local Legislation* includes provision to add new land. If the proposed changes to access mean that land that was developed based on access that was regarded as reasonable historically but is no longer considered reasonable now, then land purchase should be looked at as something that might be required for some properties negatively affected by the proposed changes.

It would also recognise the principle of prescriptive rights, which (given the longevity of our historic access) should be taken into consideration.

This is by no means our preferred position, but would ensure that property owners like ourselves have some form of compensation should we become collateral damage as a result of the proposed changes.

2. Road management and maintenance of the Southern Walkway to accommodate the impact if routine property maintenance and large scale construction work activities need to be managed from the Coromandel Street road ending.

This simply recognises that any significant changes to our historic access will result in significantly more wear and tear, particularly on the steps and fencing, of the Coromandel Street zig zag.

The structure may also need to be widened to accommodate the types of gear that may have to be hauled up from time to time, and some provision made in terms of ensuring safety of people and property if heavy materials are dropped or slide off the zig zag during transit.

In addition, some practical and workable method of managing traffic and parking in a tight and congested area will need to be put in place.

Again, this appears extreme and we hope will not be required.

3. Potential service delivery issues – particularly regarding effective day-to-day service interactions between residents and Council staff.

If proposed changes occur, we can expect that the negative consequences to Coromandel Street residents will result in more service delivery traffic for Council to manage. We are concerned about the potential inconsistencies of service that will arise if residents are required to deal with and continually explain the situation to multiple Council staff.

Council may need to make provision for a relationship manager that can be a 'go-to' person for residents, and who can become familiar with the area and issues with a view to resolving them.

What we want

We want the following to be incorporated into the Draft Town Belt Management plan and legislation:

- Recognition that special access relating to the Town Belt should be granted in some situations, including ours.
- Written assurance and incorporation into legislation that the Council will allow residents reasonable access to their properties, where this access is required through Town Belt, for the purposes of:
 - Maintenance and development of properties, particularly to keep them in good repair to meet responsibilities as owners and landlords
 - Supporting initiatives to keep areas safe and free from graffiti
 - Transport of heavy or bulk household furniture (such as in situations where residents (owners or tenants) are moving in or out), particularly where transporting these down legal access ways may cause harm to people and property
 - Compassionate grounds, such as when a resident is injured and doesn't have the mobility required to negotiate steep terrain, or where this would exacerbate their injury or the pain associated with it
- Identification of the consequences to proposed changes, and practical and workable plans for managing them.
- Provision for fair financial compensation should property owners find that any change in historical usage makes the use of their properties untenable.

Conclusion

Coromandel Street residents have acted responsibly to resolve issues relating to the geography of their neighbourhood and have been good citizens and stewards of their environment, including the town belt.

The access to their properties using Carmichael Road makes use of existing infrastructure that is clearly the safest and most practical way for them to carry out the business of maintaining and using their properties.

The proposed changes to access will create permanent issues affecting a significant population of Newtown residents.

It is reasonable, and not problematic, to allow residents to have access to their properties via Carmichael Road – particularly for the purposes of developing and maintaining their properties, and supporting the security of the area.

Council should carefully consider the consequential issues arising from any restriction of historic access, and (should there be a change to the historic access granted to residents) be prepared to invest resource in managing these on an ongoing basis.

Appendix A – Relevant geography and history of the area

Photographic evidence shows that Carmichael Road was present in 1913. It was more than likely used to service the construction of the water tanks. Council's chronology indicates that the water tanks were created between 1907 and 1917; photographic evidence would place these at around 1915. The road would also have been used to service the later construction of the houses further up the hill (from 147 up).

These properties date from the turn of the century; the oldest house on the Coromandel Street zig zag dates from 1899 (144), and several of those that use the road date from 1905/06.

Road reserve allocation shows an intention to develop both Coromandel Street (a continuation of where the current zig zag is) and Lawrence Street so as to converge at 152 (top of the zig zag).

Although land has been reserved for Coromandel and Lawrence streets to be constructed they have not been fully formed for vehicular access.

In developing houses at the top of Coromandel street, Carmichael Road was regarded as a more practical and established option than completing these other roads.

The service aspects of these properties would have been considered when they were built on the basis that there was an existing adequate vehicular access, by means of the Carmichael Road.

The use of Carmichael Road in developing the area has created conditions that must be taken into account in any further plans for the area.

Submission 89

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Sunday, 9 December 2012 11:52 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: Harry
Last Name: Livesey
Street Address: 148 Coromandel Street
Suburb: Newtown
City: Wellington
Phone: 3897276
Email: Harry.livesey@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: 4702429 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 like Wellington to have open green spaces and wooded spaces. They make the city more livable.

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?
Support more town belt land in principle, however I didn't read chapter two.

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?
Didn't read chapter two

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?

In Principle.

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?

Neither agree nor disagree

Why do you say this?

Didn't read the chapter

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?

I prefer the open and wooded area myself.

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

9.6 Prohibited activities

Comment

The policies in this section do not allow for the complex nature of use that can arise over time.

Particularly the policies for encroachments in relation to the Carmichael reservoir.

The resident use of the access road is classed as a prohibited encroachment. the encroachment is actually the Council's for Water services and the residents use does not alienate public use and enjoyment of the town belt. Yet the plan prohibits it and will impose significant cost on the community for no gain in public benefit.

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

Comment

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?

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 89

From: Harry Livesey [harry.livesey@gmail.com]
Sent: Monday, 10 December 2012 5:14 p.m.
To: Megan Dunning
Subject: Fwd: submission -Harry Livesey
Attachments: Submission on Proposed Town Belt Management Plan.docx

P.s. I would like to speak to my submission.

Thank you,
Harry Livesey

----- Forwarded message -----

From: **Harry Livesey** <harry.livesey@gmail.com>
Date: Mon, Dec 10, 2012 at 5:12 PM
Subject: submission -Harry Livesey
To: townbelt@wcc.govt.nz

Please accept my submission on the Town Belt Management Plan.

Cheers
Harry Livesey
389 7276

Submission on Proposed Town Belt Management Plan

Harry Livesey
2012.12.10

Encroachment policies will impose costs on community without benefits

I oppose the policies around management of encroachments as it prescriptive and does not allow for the situation at the Carmichael Reservoir.

As it is currently drafted the TBMP will impose significant costs on the community for no gain in public benefit.

This is because the plan is not effects based and it cannot recognise a situation where a prohibited activity does not have the negative impact the plan anticipates.

The plan clearly identifies the unwanted effect of encroachments as '*the alienation of public use or enjoyment*' but then does not define encroachment in such as way as to identify activities that create this effect.

9.69 Encroachments. Encroachments into the Town Belt are a significant issue for the management of the reserve. The use of public reserve land by private property owners effectively alienates the public from use or enjoyment of that land⁴⁵. This is contrary to both the Town Belt Deed and the purpose of provision of public open space.

The plan does not differentiate '*use*' to distinguish between a physical encroachment (modification or appropriation of public land), the use of an encroachment, and their separate effects.

This leads to perverse effects in the case of the Carmichael reservoir where the encroachment is by the Council for water services, but the most frequent use is by the residents of southern Coromandel Street.

The negative effects are from the physical encroachment (the reservoir, its access road, and the area required for maintenance). The residents' use of the access road does not have significant effects on public use. It does not alienate public use or enjoyment. Yet the plan in it current form would stop the residents' use while leaving the Council's encroachment and its full effects unchanged.

Stopping the residents' use of the access road would impose significant costs on the wider community (about 200 households) living on southern Coromandel, Colville, Paeroa Streets. The quality of access would be reduced, but more importantly the already crowded parking in these streets would be forced to try and accommodate a further 10-15 cars. Parking in these streets is already a source of neighbourhood tension, this has been exacerbated by the Council's encouragement of higher density living in this area.

The plan in its current state would impose these costs on the community for no gain in public benefit because it is not effects based.

A fuller explanation of the impacts in relation to specific TBMP policies

The intent of the plan in relation to prohibited activities is clearly set out in 9.6.2:

9.6.2 The Council will prohibit activities that would have a permanent adverse effect on Town Belt values or would significantly detract from the enjoyment and safety of other park users.

However specific activities are then summarily prohibited without any facility to assess their actual effects.

9.6.8 The following activities are specifically prohibited:

e. permanent private vehicle access

This assumes that either;

- the road the vehicles use for access alienates public use and this can be remedied by removal - clearly not the case for the Carmichael reservoir, or
- the vehicles traversing the road alienate public use and it can be remedied by stopping residents' use. The residents do not believe this is the case.

Occasional slow moving vehicles impose negligible impact on other users.

10 to 15 vehicle movements a day is low volume traffic - sufficient that other public users can, and do, share the road while being aware that vehicles may also use the road. This low level of awareness would be necessary even if residents were stopped from using the road as council vehicles and other utility maintenance vehicles would continue to use the road. Public users must also maintain a level of awareness as recreational cyclists (a permitted activity) use the road at much higher speeds than any motorised vehicle.

Further the nature of the track limits speed to well below 10 kph.

In 9.6.8 e. *permanent* is left open to interpretation. I would argue that as the residents' use of the access road has negligible effect on public use and enjoyment of the town belt, and its prohibition has significant community costs, that it should be allowed up to the time that the access road is no longer needed for water asset maintenance. This would be semi-permanent managed access, and depending on your interpretation of *permanent* allowable under the plan.

9.6.9.2 The Council will resolve the existing encroachments with a view to regaining lost land.

The Council will not regain the land by stopping residents' use as the encroachment belongs to Council's water services.

9.6.9.5 The Council will require removal of all encroachments either immediately or as a managed process. Managed removal will require issuing a letter of understanding, and a licence to formalise the removal process.

The encroachment and its effects are due the Council's appropriation of land for utilities

9.6.9.6 Encroachments must be removed immediately when:

- a. the encroachment is considered dangerous (the assessment of danger is at the full discretion of the Council)
- b. the encroachment is new.

a. The residents use this road daily. We are unaware of any dangerous incidents and Council has yet to provide any evidence that it is aware of any incidents. The danger from slow moving occasional vehicles is low. By contrast there have been several accidents and numerous near misses involving mountain bikes negotiating the southern walkway (including the zigzag at the southern end of Coromandel St.) at high speed and being unable to stop for pedestrians (children, elderly and parents with babies in pushchairs are particularly vulnerable as they can leap aside less nimbly). The community is yet to get any traction with the council about mitigating this danger.

b. The access has been used since the houses were built early last century. In the past the presence of this access has been used to justify not upgrading access from the legal roads.

Conclusion

The current plan's encroachment policies do not allow for the situation at the Carmichael reservoir where:

- the physical encroachment, the appropriations and modifications, is by Council for utility provision (exempted under the plan).
- the negative effects on public use and enjoyment arise from the existence of the structures (road, reservoir, etc...) which are unaffected by the plan.
- South Coromandel Street residents and the wider community gain a benefit from the use of this encroachment but the use in itself does not alienate public use and enjoyment of the town belt.

As it stands the current plan will prohibit residents' use, which has negligible effect, because it cannot mitigate for the effect of the structures themselves.

I am concerned that the Council will therefore be forced, by following the plan, into acting in a manner that creates perverse outcomes for the Wellington community.

The plan's proposed management of the Carmichael reservoir access will impose a significant cost on the community for no gain in public benefit.

I propose that the plan be amended to allow assessment of effects and managed access for the time that the access road will be necessary for the maintenance of the water assets.

The Council's current process of removing access as properties are sold only serves to impose this cost on the community over a longer time. There are still

Submitters - Friday 22 February 2013

no benefits to balance this cost to the community. The policy still does not make sense.

Harry Livesey
148 Coromandel Street
Newtown
Wellington 6021

Submission 77

From: palmerspring@actrix.co.nz
Sent: Monday, 10 December 2012 12:41 p.m.
To: Megan Dunning
Subject: Wellington Civic Trust Submission

Attachments: Management Plan Submission 10 Dec 2012.doc



Management Plan
Submission 10 ...

Our submission on the Management Plan is attached.

Craig Palmer
Board member, Wellington Civic Trust

Submitters - Friday 22 February 2013

Submission 77

From: alan smith [alanesmith@xtra.co.nz]
Sent: Friday, 7 December 2012 9:07 p.m.
To: Megan Dunning
Subject: WELKLINGTON CIVIC TRUST - Submission for consultation closing 10 December 2012 -
 pasted and identical e-file
Attachments: 2012-12-04 submission to WCC.doc

Wellington Civic Trust

P O Box 10183

Wellington

www.wellingtoncivictrust.org



Wellington City Council
Attention: Town Belt Review
townbelt@wcc.govt.nz

7 December 2012

This is our Submission to the review for which public input closes on 10 December 2012. This wording is confined to the Legislation aspect, but we want to emphasize that these comments on the proposed Act should be accepted as applying equally to the essential principles of the Management Plan.

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TOWN BELT LOCAL LEGISLATION – DRAFTING INSTRUCTIONS

OVERALL SUPPORT FOR THE PROPOSED LEGISLATION

1. The Wellington Civic Trust (the Trust) views the proposed new statute as being a welcome initiative on the part of the present Council. It is gratifying that the passing of the Act, hopefully within the term of the present Parliament, will enable a significant area of Original Town Belt land to be returned to its proper status.
2. Another laudable feature of the drafting guidelines is the inclusion in the statutory principles under subsection 14.3 of the concept of the Original Town Belt including the instructions of the New Zealand Company. Having this explicitly set out in the Act will highlight the historical significance and the unique status of the Town Belt. It will also remind future generations of the founding ideals.

Ctd.....

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ADDING NEW LAND

Protection of Historical Integrity

3. The Trust is concerned that the historical integrity of the Town Belt be zealously guarded. Hence we suggest that the phrase “or any other appropriate land” be qualified by confining the addition of land beyond the Original Town Belt boundaries to that which is “appropriate adjacent and highly visible land”.
4. We see it as crucial that no land can be removed from the Town Belt without an enabling Act of Parliament. Accordingly, we suggest that this caveat be given prominence in the formatting of the Act.

Public Consultation

5. It is also suggested that the requirement for public consultation be extended to require public hearings. This would ensure that all the perspectives are aired around the same table and underpin the paramount objective of keeping the Town Belt as close as possible to its original boundaries.

National and International Significance

6. The historical integrity and the unique status accompanying it are extremely important. In the longer term, the Trust would like to see the entire Town Belt qualify for recognition under the Historic Places Act and subsequently as deserving of World Heritage Site status. The recognition accorded to the historic Town Belt in Adelaide would serve as a benchmark to improve upon.
7. Ultimately we hope to see Wellington’s Town Belt valued and protected as having historic significance in a national and international context. As a cultural World Heritage site, the Town Belt would be afforded maximum protection from despoliation, and be internationally acknowledged for:
 - being a key feature of Wellington and central to its character and unique nature
 - its embodiment of the history and development of modern town planning commencing from the mid-nineteenth century
 - its unique encirclement of the city.

LEGAL STATUS

Charitable Trust

8. At the time of making this submission, the Civic Trust is in the process of ascertaining the full legal implications of defining the Town Belt Trust as a “charitable trust”.

Definition of Public Recreation Ground

9. In our view, the Act would have more weight and provide greater clarity by not leaving the definition of “public recreation ground” so open. A possible wording could be:

The primary purpose will be to maintain most of the Legal Town Belt as open informal recreation space accessible to the inhabitants of the city at all times, without charge.

10. This would give a clear direction to Trustees and tilt the scales in favour of the values expressed by the majority of Wellingtonians in research polls and public meetings. See also our comments re. Principles under subsection 14.4.

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Exclusion from Reserve Act Provisions

11. Exclusion from the provisions of the Reserves Act raises the question of what legal redress the public will have if there is widespread concern over the decisions made by the Council as Trustees.

12. The reasoning behind exclusion from the Reserves Act as set out on page 19, "Frequently Asked Questions", appears to uphold the need for greater certainty and clarity. This, however, should not be at the expense of fundamental legal rights and due process. Rights of appeal need to be explicit in the Act.

PRINCIPLES

13. The Trust recognises that the Town Belt Guiding Principles are firmly in place. There is, however, concern that the wording of the ninth principle when it refers to "cultural links to the land" could be open to a variety of interpretations. It is suggested that "and" be taken out so that the principle states:

Management of the Town Belt will acknowledge historic cultural links to the land.

14. As stated in paragraph 2 of this submission, the Civic Trust views the inclusion of the New Zealand Company's ideals as having great merit as set out in subsection 14.3 of the Drafting Instructions.

Area that can be leased – Subsection 14

15. It is our view that the total area to be leased needs to be constrained. It is acknowledged that some allowance needs to be made for flexibility. Flat, easily accessible land is however a scarce and very valuable asset and will become more so. With more people living near the city centre, the availability of easily accessible flat land for informal recreation in natural open space will in part determine the extent to which the inhabitants will be able to enjoy living in the city.

16. With the above reasoning in mind, we suggest that the Act specify a maximum of 6 hectares available for leasehold. There are at present 5.9 hectares held in leasehold. This would encourage a disciplined and parsimonious approach on the part of future Councils. Should there be local government reform, checks and balances of this nature would be critical in protecting the unique status of the Town Belt.

Alternative Sites to be Considered

17. A further statutory principle that could be added would require all requests for leases, licences, and easements to be subjected to a test of demonstrating that no alternative land is available outside the boundaries of the Legal Town Belt.

Avoidance of Over-Centralising

23. The Civic Trust is of the view that these two statutory constraints would promote less dependence on Town Belt land for organised formal recreation. A downside to over-centralising sporting facilities is that those living in more distant neighbourhoods are compelled to travel greater distances. Also their own neck of the woods remains deficient in near-to-hand recreation facilities, undermining a sense of shared community.

COUNCIL'S POWERS

Prohibitions on Power to be Exercised

23. The Trust is most concerned that the legislative guidelines and the draft management plan are ambivalent about commercial ventures being established on

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Town Belt land. It is suggested that the Council and its officers should be shielded from being subjected to pressures from commercial interests. Accordingly we would like to see under section 17 an additional clause stating:

Council will have no power to:

Allow any long-term private commercial activity to take place on the Legal

Town Belt.

20. A further clause the Trust would prefer to be added in the prohibition on the exercising of powers, is the granting of leases and licences to educational institutions and play centres. Although the proposed Management Plan mentions this prohibition in subsection 9.6.5 on page 178, the Civic Trust is keen to see this being established as a permanent prohibition clearly stated in the Act.

21. Historically, the Crown has sequestered a significant portion of the Original Town Belt for educational institutions. In this present era the pressures for inner-city and nearby land to accommodate educational facilities will, in our view, intensify – from both public and private institutions. We consider it important therefore to enable Councillors and Council officers to resist demands from this quarter.

22. Consequently, the upholding of the essential principle of open space freely accessible to all would best be preserved by adding to the Drafting Guidelines a further subsection as follows:

17.5 Council will have no power to allow any leases or licences for educational institutions, play centres, and the like.

Due Process for Public Consultation

24. To foster transparency and public involvement the Civic Trust suggests that all leases, licences, and easements and the sub-allocation of these be subject to a process as follows:

- notification
- consultation
- public hearings
- rights of appeal.

-

Powers to Grant Leases etc

24. The provision for notification of commercial activities could be confined to:

19.2 Authorise temporary licences and sublicences for commercial activity associated with special events.

25. The power to grant restrictions on access and to charge for admission is in contradiction to the whole ethos and the founding values for the Town Belt. This power, we suggest, should be confined to exceptional circumstances such as special events, and should be temporary. This approach would underpin the policy of sporting groups sharing facilities as opposed to being accorded exclusive use.

26. The power to authorise construction or retention of buildings could be accompanied by the proviso:

20.3, provided they are at all times maintained in good condition.

27. Although proper maintenance can be seen as solely a housekeeping issue, by stipulating this as a statutory requirement, it puts the onus on Council and leaseholders to respect the special status of the Town Belt and to perceive a permission to build or retain as a privilege, not a right.

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Easements and Rights of Way

28. The notification of easements and rights of way also needs to be subject to public hearings. Such concessions are potentially sensitive. Having all involved around the same table will help to ensure that any easement or right of way clearly is for “a public or environmental purpose”.

29. A further condition under section 22 could be:

22.2.4 Must maintain an up-to-date register of all easements and rights of way granted and the conditions attaching to each.

Existing Infrastructure

30. The conferring of an existing easement to another party is a power that needs a transparent process. A proviso could be added to subsection 23.2 requiring public notification etc and an assessment of whether alternative sites exist outside the Town Belt.

Chest Hospital and Zoo – Show Buildings etc

31. Some mention could be made of the Show Buildings site on John Street and that, should the building no longer be needed by the National Schools of Dance and of Drama, the site be returned to the Legal Town Belt. The same could apply to the Botanic Gardens, although there is little likelihood of any of that land becoming available. These sites being mentioned in the Act would serve as a reminder that they were originally part of the Town Belt and thereby have a longstanding historical significance.

MANAGEMENT PLAN

Public Involvement

32. Public hearings and appeal rights need to be explicitly stated under subsection 25.2. In light of the Badminton case, there may be a need to clarify the status of the Management Plan in the context of the Resource Management Act or any succeeding land use and planning legislation.

Town Belt Curator

33. To ensure that there is continuity in the administration of the Act and the management plan, it would be helpful to have one senior manager, expert in parks and reserves, formally appointed as the Curator of the Town Belt.

34. Accordingly, a new paragraph 27 could be added:

To ensure both continuity and accountability in the administration of the Act and of the management plan, the Council must formally appoint a senior Parks and Reserves Officer as the Curator of the Town Belt.

35. For the public, this formal role would enhance the unique status of the Town Belt and provide a clear line of communication. The statutory requirement for the appointment would promote the status of the office holder and give that person standing in the public arena.

IN CONCLUSION

36. The Civic Trust is optimistic that the proposed statute and the new management plan will eventually be refined to make more transparent the exercise of discretionary powers.

37. Confining the land available for leasehold, confining commercial activity to the minimum, and having all decisions on land use and buildings governed by full public

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consultation and due process will foster a long-enduring and proud of. trustworthy regime the city will be



Alan Smith

Chairman

The Wellington Civic Trust Incorporated

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Wellington City Council
Attention: Town Belt Review
townbelt@wcc.govt.nz

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6. The historical integrity and the unique status accompanying it are extremely important. In the longer term, the Trust would like to see the entire Town Belt qualify for recognition under the Historic Places Act and subsequently as deserving of World Heritage Site status. The recognition accorded to the historic Town Belt in Adelaide would serve as a benchmark to improve upon.
7. Ultimately we hope to see Wellington’s Town Belt valued and protected as having historic significance in a national and international context. As a cultural World Heritage site, the Town Belt would be afforded maximum protection from despoliation, and be internationally acknowledged for:
 - being a key feature of Wellington and central to its character and unique nature
 - its embodiment of the history and development of modern town planning commencing from the mid-nineteenth century
 - its unique encirclement of the city.

LEGAL STATUS

Charitable Trust

8. At the time of making this submission, the Civic Trust is in the process of ascertaining the full legal implications of defining the Town Belt Trust as a “charitable trust”.

Definition of Public Recreation Ground

9. In our view, the Act would have more weight and provide greater clarity by not leaving the definition of “public recreation ground” so open. A possible wording could be:

The primary purpose will be to maintain most of the Legal Town Belt as open informal recreation space accessible to the inhabitants of the city at all times, without charge.

10. This would give a clear direction to Trustees and tilt the scales in favour of the values expressed by the majority of Wellingtonians in research polls and public meetings. See also our comments re. Principles under subsection 14.4.

Exclusion from Reserve Act Provisions

11. Exclusion from the provisions of the Reserves Act raises the question of what legal redress the public will have if there is widespread concern over the decisions made by the Council as Trustees.
12. The reasoning behind exclusion from the Reserves Act as set out on page 19, “Frequently Asked Questions”, appears to uphold the need for greater certainty and clarity. This, however, should not be at the expense of fundamental legal rights and due process. Rights of appeal need to be explicit in the Act.

PRINCIPLES

13. The Trust recognises that the Town Belt Guiding Principles are firmly in place. There is, however, concern that the wording of the ninth principle when it refers to “cultural links to the land” could be open to a variety of interpretations. It is suggested that “and” be taken out so that the principle states:

Management of the Town Belt will acknowledge
historic cultural links to the land.
14. As stated in paragraph 2 of this submission, the Civic Trust views the inclusion of the New Zealand Company’s ideals as having great merit as set out in subsection 14.3 of the Drafting Instructions.

Area that can be leased – Subsection 14

15. It is our view that the total area to be leased needs to be constrained. It is acknowledged that some allowance needs to be made for flexibility. Flat, easily accessible land is however a scarce and very valuable asset and will become more so. With more people living near the city centre, the availability of easily accessible flat land for informal recreation in natural open space will in part determine the extent to which the inhabitants will be able to enjoy living in the city.
16. With the above reasoning in mind, we suggest that the Act specify a maximum of 6 hectares available for leasehold. There are at present 5.9 hectares held in leasehold. This would encourage a disciplined and parsimonious approach on the part of future Councils. Should there be local government reform, checks and balances of this nature would be critical in protecting the unique status of the Town Belt.

Alternative Sites to be Considered

17. A further statutory principle that could be added would require all requests for leases, licences, and easements to be subjected to a test of demonstrating that no alternative land is available outside the boundaries of the Legal Town Belt.

Avoidance of Over-Centralising

23. The Civic Trust is of the view that these two statutory constraints would promote less dependence on Town Belt land for organised formal recreation. A downside to over-centralising sporting facilities is that those living in more distant neighbourhoods are compelled to travel greater distances. Also their own neck of the woods remains deficient in near-to-hand recreation facilities, undermining a sense of shared community.

COUNCIL'S POWERS

Prohibitions on Power to be Exercised

23. The Trust is most concerned that the legislative guidelines and the draft management plan are ambivalent about commercial ventures being established on Town Belt land. It is suggested that the Council and its officers should be shielded from being subjected to pressures from commercial interests. Accordingly we would like to see under section 17 an additional clause stating:
- Council will have no power to:
Allow any long-term private commercial activity to take place on the Legal Town Belt.
20. A further clause the Trust would prefer to be added in the prohibition on the exercising of powers, is the granting of leases and licences to educational institutions and play centres. Although the proposed Management Plan mentions this prohibition in subsection 9.6.5 on page 178, the Civic Trust is keen to see this being established as a permanent prohibition clearly stated in the Act.
21. Historically, the Crown has sequestered a significant portion of the Original Town Belt for educational institutions. In this present era the pressures for inner-city and nearby land to accommodate educational facilities will, in our view, intensify – from both public and private institutions. We consider it important therefore to enable Councillors and Council officers to resist demands from this quarter.
22. Consequently, the upholding of the essential principle of open space freely accessible to all would best be preserved by adding to the Drafting Guidelines a further subsection as follows:
- 17.5 Council will have no power to allow any leases or licences for educational institutions, play centres, and the like.

Due Process for Public Consultation

24. To foster transparency and public involvement the Civic Trust suggests that all leases, licences, and easements and the sub-allocation of these be subject to a process as follows:
- notification
 - consultation
 - public hearings
 - rights of appeal.

Powers to Grant Leases etc

24. The provision for notification of commercial activities could be confined to:
 - 19.2 Authorise temporary licences and sublicences for commercial activity associated with special events.
25. The power to grant restrictions on access and to charge for admission is in contradiction to the whole ethos and the founding values for the Town Belt. This power, we suggest, should be confined to exceptional circumstances such as special events, and should be temporary. This approach would underpin the policy of sporting groups sharing facilities as opposed to being accorded exclusive use.
26. The power to authorise construction or retention of buildings could be accompanied by the proviso:
 - 20.3, provided they are at all times maintained in good condition.
27. Although proper maintenance can be seen as solely a housekeeping issue, by stipulating this as a statutory requirement, it puts the onus on Council and leaseholders to respect the special status of the Town Belt and to perceive a permission to build or retain as a privilege, not a right.

Easements and Rights of Way

28. The notification of easements and rights of way also needs to be subject to public hearings. Such concessions are potentially sensitive. Having all involved around the same table will help to ensure that any easement or right of way clearly is for “a public or environmental purpose”.
29. A further condition under section 22 could be:
 - 22.2.4 Must maintain an up-to-date register of all easements and rights of way granted and the conditions attaching to each.

Existing Infrastructure

30. The conferring of an existing easement to another party is a power that needs a transparent process. A proviso could be added to subsection 23.2 requiring public notification etc and an assessment of whether alternative sites exist outside the Town Belt.

Chest Hospital and Zoo – Show Buildings etc

31. Some mention could be made of the Show Buildings site on John Street and that, should the building no longer be needed by the National Schools of Dance and of Drama, the site be returned to the Legal Town Belt. The same could apply to the Botanic Gardens, although there is little likelihood of any of that land becoming available. These sites being mentioned in the Act would serve as a reminder that they were originally part of the Town Belt and thereby have a longstanding historical significance.

MANAGEMENT PLAN

Public Involvement


32. Public hearings and appeal rights need to be explicitly stated under subsection 25.2. In light of the Badminton case, there may be a need to clarify the status of the Management Plan in the context of the Resource Management Act or any succeeding land use and planning legislation.

Town Belt Curator

33. To ensure that there is continuity in the administration of the Act and the management plan, it would be helpful to have one senior manager, expert in parks and reserves, formally appointed as the Curator of the Town Belt.
34. Accordingly, a new paragraph 27 could be added:
To ensure both continuity and accountability in the administration of the Act and of the management plan, the Council must formally appoint a senior Parks and Reserves Officer as the Curator of the Town Belt.
35. For the public, this formal role would enhance the unique status of the Town Belt and provide a clear line of communication. The statutory requirement for the appointment would promote the status of the office holder and give that person standing in the public arena.

IN CONCLUSION

36. The Civic Trust is optimistic that the proposed statute and the new management plan will eventually be refined to make more transparent the exercise of discretionary powers.
37. Confining the land available for leasehold, confining commercial activity to the minimum, and having all decisions on land use and buildings governed by full public consultation and due process will foster a long-enduring and trustworthy regime the city will be proud of.



Alan Smith

Chairman

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8 December 2012

Wellington City Council

Attention: Town Belt Review

townbelt@wcc.govt.nz

SUBMISSION ON SOME ASPECTS OF THE PROPOSED DRAFT OF THE TOWN BELT MANAGEMENT PLAN

1. As explained in the opening paragraph of our submission of 7 December, most of the Civic Trust's attention has been directed towards the Drafting Instructions for the proposed Town Belt Local Legislation.
2. This submission is ancillary to our main submission. It covers a few objectives and policies that we suggest could be refined or those which are not explicitly covered in the proposed drafting guidelines.
3. Where this submission does not address particular sections of the Management Plan, we request that the relevant part of our submission on the proposed legislation be interpreted as equally applying to the Management Plan.

1.5 Other Relevant Policies and Plans

Wellington District Plan – page 10

4. At the time of writing, the Civic Trust is not fully conversant with all the legal intricacies associated with the Management Plan having standing under the Resource Management Act. This is mentioned in paragraph 31 of our submission on the Drafting Guidelines.
5. Should it be legally achievable, we would like to see the Management Plan incorporated within the Open Space C provisions of the District Plan.

Review of Open Space C

6. Review of the Open Space C provisions could also be brought forward to enable the public and the Council to remain focused on key Town Belt issues within 2013. Should local government reform become a prospect, timing could be of the essence.

2.7 Proposed Approach to Town Belt Additions – pages 18 to 20

7. The Civic Trust is concerned that the historical integrity of the Town Belt not be compromised. Its historic status merits national and international recognition. To this end, the Civic Trust is concerned that the addition of land outside the Original Town Belt's boundaries be kept to a minimum.
8. Accordingly, we suggest that Policy 2.9.4, paragraph 4, be amended to read:
The land must have been part of the Original Town Belt in 1841 or, in exceptional cases, adjacent land that is highly visible.
9. The Management Plan also needs to spell out the prerequisite of public consultation and the decision to add land having to be made by the full Council with the resolution not being able to be delegated – see paragraph 10 of the Drafting Instructions.
10. The Plan also needs, to have robustness, to explicitly require public hearings as part of the consultation process.

Protection of the Town Belt

11. The policy of seeking compensation of equivalent or superior land from the Crown for Town Belt land taken under the Public Works Act is strongly supported.
12. It is suggested, however, that policy 2.9.3 be augmented by a further imperative, as follows:
The Council will also endeavour to ensure that the Crown land sought falls within the boundaries of the Original Town Belt in 1841.

Landscape Policies – page 31

13. Policy 4.3.1 on development. This could reiterate the policy under 6.6.3 in the Recreation Section – page 52 – that:
An assessment of alternative locations that are not on the Town Belt land for such a development will also be an essential prerequisite – see also the relevant policies under policy 6.6.3.

Vegetation Removal – page 32

14. Of concern is the wholesale despoliation that has happened in the recent past when large areas occupied by hazardous pinus radiata trees have been removed.
15. The Civic Trust suggests that a further list of criteria could be added to the policies. This would require that visually significant removal of trees and shrubs be anticipated and a succession plan be prepared for public consultation, well in advance of removal.

16. This policy could state that:
- (a) significant removal and succession plans be prepared and released for public consultation at least several years prior to the event.
 - (b) the land at the boundaries and upper hillsides be first cleared and newly planted at least several years before major removal. This to ensure the visual screening of bare lands and subsequent planting of young seedlings.
 - (c) whenever practicable, removal be confined to individual or small groups of mature trees and that they be succeeded by new plantings compatible with the publicly agreed long-term succession strategy.

Removal of Structures, Buildings, etc – page 32

17. A further concern is the poor state of some of the buildings enjoying an exclusive use leasehold by some sporting and community garden groups. It is our view that all new leases, licences, and their renewals need to be covered by a bond sufficient to cover the cost of removal and restoration to open space. This could be covered by a Council-administered trust account or personal guarantees on the part of the applicants.
18. It is suggested therefore that a new policy be included in the Management Plan, as follows:
4.3.17 All new leases and licences and their renewal must be subject to a bond being paid or guaranteed. This being sufficient to cover the cost of removal and the restoration of the site to open space.

5 Ecology – pages 33 to 40

19. Suffice to say that this section of the Management Plan is inspirational.

6 Recreation

Elite Sport – pages 48 and 53

20. Being mindful that there is a trend towards professional sport being governed by trans-national franchise investors, the Civic Trust is apprehensive over the possibility of Town Belt land and buildings falling into a de facto private property right.
21. It is suggested therefore that policy 6.6.4 on page 53 be qualified by adding:
It is intended that professional sporting teams will, on the expiry of their present lease, be required to relocate to land outside the Town Belt. In the meantime the Town Belt land and buildings enjoyed by professional sporting teams are to be available at most times for community use and access.

Multiple Use of Existing Formal Indoor & Outdoor Recreation – Policy 6.5.4 – p. 52

22. Along with the test that alternative sites outside the Town Belt be first extensively explored, the Civic Trust regards the multiple use of existing formal indoor and outdoor recreation as being a foremost principle.
23. The consistent application of these two substantive and farsighted principles will, we believe, go a long way towards protecting the ethos of open natural space for informal recreation.

Sport and Recreational Clubs – page 53

24. The orientation towards exclusive use needs to be reversed. Therefore, the second policy, set out as 6.6.5, could be restated (clubs must allow casual play and their facilities and their membership shall be open to all members of the public).

Track Access Network – page 53

25. Tracks closest to the near-city boundaries of the Town Belt could, where practicable, be designated as being set aside exclusively for the quiet and unthreatening enjoyment of pedestrians.
26. The Civic Trust accordingly suggests that a further policy be established. This may be stated as follows:
6.6.? Wherever practicable, the tracks within the Town Belt that are closest to the inner city and most accessible to people of all ages and abilities must be designated as being exclusively for pedestrians.

Community Gardens and Orchards – page 54

27. The time limitation on licences could be reduced to a maximum of two years under policy 6.6.20.
28. Experience so far favours the impression that community gardens and orchards can quickly descend into neglect, or be regarded by the occupants as their private domain, or both.
29. Accordingly, it is seen as important that a maximum licence duration of two years be adopted, with half-yearly inspections to ensure licence conditions are being met. This would ensure that the special privileges accorded to community gardens and orchards are respected.
30. Consequently, it is suggested that policy 6.6.20 be amended to require:
6.6.20 Licences for community gardens and orchards will be for a maximum of two years, with six-monthly inspections to ensure compliance with the conditions of the licence.

Recreation – page 54

31. Policy 6.6.21 could be preceded by the phrase:
Provide first and foremost passive and/or informal recreation spaces ...

Sector 8.2 Kelburn Park Clifton Terrace land (former Correspondence School site) – pages 80 and 81

32. If possible, efforts should be made to have this land designated as Town Belt. It can be seen as having value as a pedestrian corridor between the city centre and the Botanic Gardens.

Sector 8.3 Aro Valley/Polhill Gully Part of the Te Aro School land – Abel Smith Street

33. The Civic Trust would also favour efforts being made to have this land designated as Town Belt. Its landscape value contributes to the character of the Aro Valley.

Section 9 Rules for Use and Development – Managed Activities – page 174

34. Under policy 9.4.3, commercial activity should be explicitly confined to short-term licences associated with special events. Exclusion of commercial activity from the Town Belt is seen as being fundamental in protecting its unique character and status.

Public Notification – page 174

35. As stated in our submission on the Drafting Guidelines, we would like to see all leases, licences, and easements subject to public notification, followed by consultation and public hearings.
36. The stance may be seen as onerous but it is key to the public having trust and confidence in the management of such as prominent and unique feature of the city. Omnibus notifications and hearings each quarter would confine the time and expense of maintaining such an open and transparent regime.

Information Required – page 175

37. It is suggested that a further requirement be included as follows:
(?) evidence from the applicant of having explored all the possibilities of finding a location outside the Town Belt

Decision Making Guidelines – page 175

38. From 9.5.1 (c) the reference to park visitors could be removed. This would orient the guidelines towards facilities for the inhabitants of the city with visitors' enjoyment being seen as a gratuitous by-product. Any tendency to having facilities especially catering to visitors could undermine the natural and informal character of the Town Belt.
39. We strongly support the guideline set out in subsection 9.5.1 (j) requiring consideration whether the proposal could be undertaken in another location.

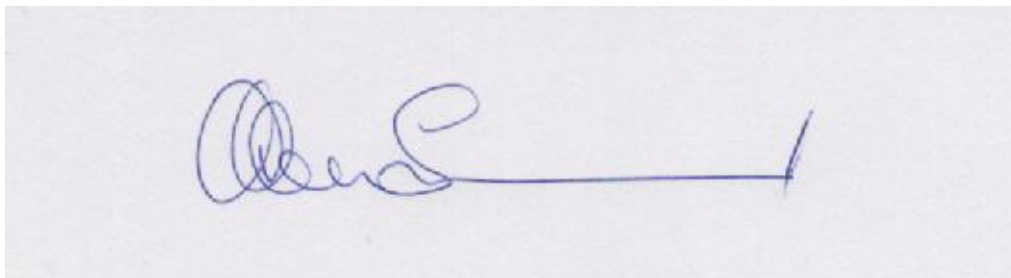
Prohibited Activities

Commercial Use – 9.6.3 – page 178

40. We advocate strongly that all long-term commercial use be explicitly prohibited.
41. The prohibition should also apply to short-term commercial use, except in exceptional circumstances and when this is associated with a special event.

Conclusion

42. Much in the proposed Management Plan is to be applauded. Some of the objectives and policies are truly farsighted and reflect a deep appreciation of the Town Belt.
43. The Civic Trust advocates that the city take the opportunity to adopt a transparent decision-making process with extensive public involvement.
44. Combined with a prohibition on commercial use, the proposed legislation and Management Plan have the potential to be of great credit to this generation of Wellingtonians.
45. We request the opportunity to make an oral submission.



Alan Smith

Chairman

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Submitters - Friday 22 February 2013

Submission 198

From: Zwartz [zwartz@actrix.co.nz]
Sent: Monday, 10 December 2012 5:01 p.m.
To: Megan Dunning
Subject: Addition of Clifton Terrace land to Town Belt
Attachments: Clifton Terrace land plants list.doc

We submit that

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□

We submit that the Clifton Terrace land (pages 80-1 in *Draft Town Belt Management Plan* (DTBMP)) should be added to the Town Belt.

[1] It was part of the original Town Belt, though not included in the 1873 Trust Deed. There are historic reasons for returning it to the Town Belt. After 1991 the Wellington City Council opposed moves by the Crown to sell the land, as did the Greater Kelburn Progressive Association; the Council's objection was on the basis that it sought the land for Town Belt (DTBMP page 80).

[2] The ecological values are considerable, as shown by the attached plants list compiled by Mr J C Horne of the Botanical Society.

[3] The site can continue to be used for car parking (lower flat level) and the upper flat level – which is **not** currently used for car parking (as stated in the DTBMP page 80) – can be used as a children's

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playground and barbecue area. It is overseen by the neighbouring residence.

[4] Nearby Clifton Terrace Model School can continue to use the area for nature studies and Arbor Day plantings (see attached plants list for native species which have been planted already).

[5] Street frontage on Clifton Terrace is excellent, and access from Talavera Terrace (off the pathway from Talavera Terrace to San Sebastian Road) is straightforward. Access is as good as, or even better than, the access to New Zealand Transport Agency land above the Terrace Tunnel (DTBMP page 81) which is recommended for *status quo* retention on the basis of accessibility in spite of “secluded location” and “lower visual importance”.

[6] Visual value is high for Wellington residents living in tower blocks on The Terrace, of whom there are likely to be more over future years.

[7] “Once the built landscape is there, trying to retrofit the cityscape to include open space is incredibly difficult and often impossible. Established open space within the urban landscape . . . is extremely valuable to the city and the people who live there.” (DTBMP page 1) Rather than “trying to retrofit” it is much better to retain the space as Town Belt.

[8] The Clifton Terrace land “provide[s] a scenic backdrop to the inner city [and] brings nature to the heart of the city” (DTBMP page 2).

[9] The Clifton Terrace land as part of the Town Belt will fulfil two in particular of the Town Belt principles (DTBMP pages 13-14): (5) to support healthy populations of indigenous biodiversity (especially when planting continues), and (8) to encourage and support community participation (when the adjoining school and Kelburn community are encouraged to enjoy and look after the area); and also the Biodiversity Action Plan (DTBMP pages 8-9).

Helen and David Zwartz
54 Central Terrace
Kelburn, Wellington 6012
For Greater Kelburn Progressive Association

I request the opportunity to make an oral submission. David Zwartz

**CORRESPONDENCE SCHOOL SITE, KELBURN,
WELLINGTON**

Map: NZTOPO50-BQ31 Wellington.

Grid reference: centred on 48352835.

Catchment: Kumutoto Stream.

Altitude range: c. 60 m – 80 m above sea level.

Landforms: scarp, possibly of Lambton Fault; true right side of a gully draining to Kumutoto Stream.

Geology: Strongly indurated and metamorphosed, Triassic – Jurassic, sedimentary rocks – greywackes and argilites (undifferentiated), including semischists. (NZ Soil Bureau Map 106/1).

Aspect: east.

Rainfall: average annual rainfall 1270 mm. (Kelburn Meteorological Office).

Ecological District: Wellington Ecological District 39.01.

Forest classification: mixed indigenous – adventive (exotic) forest.

Tenure: Crown-owned.

Status: held in fee simple.

Former status: Town Belt

Lists compiled on 23 November 2012 during a 1.25-hour reconnaissance by J C Horne.

Facilities for pedestrians:

The site includes the following paths:

- a gently sloping former driveway, linking the steps down from Talavera Tce, with Clifton Tce.
- a flat path from San Sebastian Rd to Clifton Tce.

These routes provide links for pedestrians walking between Kelburn's Talavera Terrace and Tokyo Lane. This lane links to the Cable Car at Clifton Station, and The Terrace, and thus Lambton Quay and much of the Central Business District.

Notes:

1. Native species appear to be self-sowing into the plant community, from plants already present, and probably from other sources such as the indigenous forest areas in the Botanic Garden, Otari and Karori Sanctuary.
2. Clifton Terrace School, and members of a community group, have been planting native plants on the site. Where the botanical name of a plant is followed by (P), it appeared that the species was planted. It is possible that a number of other species of native plants in the list below were also planted.
3. The canopy height varies, and is up to 10 metres, with emergent species including radiata pine.

4. The plant community, a significant green space in a built up area, provides some attenuation of vehicle noise from the motorway.
5. The site includes a lower parking area, and a driveway leading to a sealed former carpark, terracing with steep batters, and concrete walls, all set in the plant community.

Abbreviations:

* = not naturally occurring in Wellington Ecological District 39.01

agg. = aggregate

(P) = planted

sp. = species

subsp. = subspecies

(unc) = one plant seen

var. = variety

LIST 1: SOME INDIGENOUS VASCULAR PLANTS

BOTANICAL NAME	MĀORI NAME	COMMON
NAME		

GYMNOSPERM TREES

1	Podocarpus totara (P)	tōtara	tōtara
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MONOCOTYLEDONOUS TREES

2	Cordyline australis	tī kōuka	cabbage tree
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DICOTYLEDONOUS TREES and SHRUBS

3	Beilschmiedia tawa (P)	tawa	tawa
4	Brachyglottis repanda	rangiora	rangiora
5	Coprosma propinqua var. propinqua		a coprosma sp.
6	Coprosma repens	taupata	taupata
7	Coprosma rhamnoides		a coprosma sp.
8	Coprosma robusta	karamu	karamu
9	Coprosma propinqua x C. robusta		a coprosma hybrid
10	*Corokia cotoneaster	korokio	korokio
11	*Corynocarpus laevigatus	karaka	karaka
12	*Dodonaea viscosa	akeake	akeake
13	Griselinia littoralis (P)	pāpāuma	broadleaf

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14	<i>Hebe parviflora</i> (P)	koromiko taranga	tree hebe
15	<i>Hebe stricta</i> var. <i>atkinsonii</i>	koromiko	common koromiko
16	<i>Knightia excelsa</i> (P?)	rewarewa	rewarewa
17	<i>Kunzea ericoides</i>	kānuka	kānuka
18	<i>Leptospermum scoparium</i>	mānuka	mānuka
19	<i>Melicope ternata</i> (P)	wharangi	wharangi
20	<i>Melicytus crassifolius</i> (P)		thick-leaved māhoe
21	<i>Melicytus ramiflorus</i>	māhoe	māhoe
22	* <i>Metrosideros excelsa</i>	pōhutukawa	pōhutukawa
23	* <i>Metrosideros excelsa</i> x <i>M. robusta</i>		a <i>metrosideros</i> hybrid
24	* <i>Muehlenbeckia astonii</i>	tororaro	shrubby tororaro
25	<i>Myoporum laetum</i>	ngaio	ngaio
26	<i>Myrsine australis</i> (P)	māpou	māpou
27	* <i>Olearia albida</i>	tanguru	tanguru
28	<i>Olearia paniculata</i>	akiraho	akiraho
29	<i>Olearia solandri</i> (P)	takupurenga	coastal tree daisy
30	<i>Ozothamnus leptophyllus</i>	tauhinu	tauhinu
31	<i>Piper excelsum</i>	kawakawa	kawakawa
32	* <i>Pittosporum crassifolium</i>	karo	karo
33	<i>Pittosporum eugenioides</i>	tarata	lemonwood
34	* <i>Pittosporum ralphii</i>		a <i>pittosporum</i> sp.
35	<i>Pittosporum tenuifolium</i>	kohuhu	kohuhu
36	* <i>Pseudopanax crassifolius</i> x <i>P. lessonii</i>		<i>pseudopanax</i> hybrids
37	<i>Sophora microphylla</i>	kōwhai	kōwhai
38	* <i>Vitex lucens</i>	pūriri	pūriri

MONOCOTYLEDONOUS LIANES

	None recorded		
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DICOTYLEDONOUS LIANES and TRAILING PLANTS

39	<i>Clematis paniculata</i>	puawānanga	white clematis
40	<i>Muehlenbeckia complexa</i> (P)	pōhuehue	pōhuehue

LYCOPODS and PSILOPSIDS

	None recorded		
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FERNS

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41	<i>Asplenium bulbiferum</i>	manamana	hen & chickens fern
42	<i>Asplenium oblongifolium</i>	huruhuruwhenua	shining spleenwort
43	<i>Cyathea medullaris</i>	mamaku	mamaku
44	<i>Hypolepis ambigua</i>	rarauhi nehenehe	a hypolepis sp.
45	<i>Microsorium pustulatum</i>	kōwaowao	hound's tongue
46	<i>Polystichum neozelandicum</i> subsp. <i>zerophyllum</i>	pikopiko	common shield fern
47	<i>Pteris tremula</i>	turawera	shaking brake

ORCHIDS

	None recorded		
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GRASSES

48	<i>Austraderia fulvida</i> (P?)	toetoe	toetoe
49	<i>Poa anceps</i> (P)		broad-leaved poa
50	<i>Poa cita</i> (P)	wī	silver tussock

SEDGES

	None recorded		
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RUSHES

51	<i>Apodasmia similis</i> agg. (P)	oioi	jointed wire rush
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MONOCOTYLEDONOUS HERBACEOUS PLANTS, other than orchids, grasses, sedges, rushes

52	<i>Arthropodium cirratum</i> (P)	rengarenga	rengarenga
53	<i>Astelia fragrans</i> (P)	kakaha	bush flax
54	<i>Dianella nigra</i> (P)	tūrutu	blueberry
55	<i>Libertia ixioides</i> (P)	mīkoikoi	a NZ iris sp.
56	<i>Phormium cookianum</i> (P)	wharariki	coastal flax
57	<i>Phormium tenax</i> (P)	harakeke	swamp flax

COMPOSITE HERBACEOUS PLANTS

	None recorded		
--	---------------	--	--

DICOTYLEDONOUS HERBACEOUS PLANTS, other than composites

58	<i>Acaena pallida</i> (P)	piripiri	bidibid
59	<i>Euphorbia glauca</i> (P)	waiūatua	shore spurge

LIST 2: SOME ADVENTIVE VASCULAR PLANTS:

GYMNOSPERM TREES

60	Pinus radiata		radiata pine
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MONOCOTYLEDONOUS TREES

	None recorded		
--	---------------	--	--

DICOTYLEDONOUS TREES and SHRUBS

61	Acer pseudoplatanus		sycamore
62	Camellia sp.		a camellia sp.
63	Corokia sp.		a corokia sp.
64	Euonymous japonicus		Japanese spindle tree
65	Ilex aquifolium		English holly
66	Laurus nobilis		bay
67	Prunus campanulata		Taiwan cherry
68	Quercus robur		English oak
69	Rubus fruticosus agg.		blackberry

MONOCOTYLEDONOUS LIANES

	None recorded		
--	---------------	--	--

DICOTYLEDONOUS LIANES and TRAILING PLANTS

70	Convolvulus arvensis		field bindweed
71	Hedera helix		English ivy

LYCOPODS and PSILOPSIDS

	None recorded		
--	---------------	--	--

FERNS

	None recorded		
--	---------------	--	--

ORCHIDS

	None recorded		
--	---------------	--	--

GRASSES

72	Cortaderia seloana		pampas grass
----	--------------------	--	--------------

SEDGES

	None recorded		
--	---------------	--	--

RUSHES

	None recorded		
--	---------------	--	--

MONOCOTYLEDONOUS HERBACEOUS PLANTS, other than orchids, grasses, sedges, rushes

73	Agapanthus praecox		agapanthus
74	Crocoshia Xcrocoshiiiflora		montbretia
74	Zantedeschia aethiopica		arum lily

COMPOSITE HERBACEOUS PLANTS

	None recorded		
--	---------------	--	--

DICOTYLEDONOUS HERBACEOUS PLANTS, other than composites

75	Centranthus ruber		spur valerian
76	Stachys sylvatica		hedge stachys
77	Tradescantia fluminensis		tradescantia
78	Vinca major		periwinkle

LIST 3: SOME INDIGENOUS BIRDS

79	Gerygone igata	riroriro	grey warbler
80	Prothemadera novaeseelandiae	tūi	tūi

LIST 4: SOME INTRODUCED BIRDS

81	Fringilla coelebs		chaffinch
----	-------------------	--	-----------

Submitters - Friday 22 February 2013

Submission 200

From: Red Design [red@top.net.nz]
Sent: Monday, 10 December 2012 5:03 p.m.
To: Megan Dunning
Cc: 'Martin Hanley'; 'Steve Dunn'; 'Tom'
Subject: Newtown Residents Association Submission
Attachments: TBelt Legislative Policy Rev.pdf

Dear Parks and Gardens

Please find attached the submission on behalf of the members of the Newtown Residents' Association
The Newtown Residents' Association is the residents' association for Newtown, Berhampore and Mt Cook,
which includes a large area of the Town Belt

Regards

Martin Hanley

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	
Mr / Mrs / Ms / Miss / Dr <i>(Please circle which applies)</i>	
First name*	Martin
Last name*	Hanley
Street address*	123 Daniell Street
Suburb	Newtown
City	Wellington 6021
Phone/mobile	027 41 69 731
Email	martin.hanley@vuw.ac.nz

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	Newtown Residents Association
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.	027 41 69 731

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.

Submitters - Friday 22 February 2013

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?

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?

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?

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?

Important to preserve some of the areas of mature established trees. Some of the existing eucalypt macrocarpa and pine trees provide a good urban forest environment. Community consultation is very important if considering felling these.

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?

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?

Submitters - Friday 22 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
	Some road access is OK. Configure this with local community consultation

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.)

All new reservoirs should be buried
 Community consultation should happen if buildings become disused – hubs of usage and club facilities are a good idea

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?

Provides more secure protection than District Plan provisions

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

DO YOU HAVE ANY COMMENTS ON THE PROPOSED LEGISLATIVE CHANGES?

Continued from previous page

Number	Comment
	
Martin Hanley President, Newtown Residents Association 04 389 7316, 027 416 9731	

1st fold here – fasten here once folded

Thank you for your submission.

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

2nd fold here

Free Post Authority Number 2199



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

Submitters - Friday 22 February 2013

Submission 32

From: Michael Oates
Sent: Monday, 26 November 2012 8:25 a.m.
To: Megan Dunning
Subject: FW: Submission TBMP
Attachments: Submission Draft Town Belt Mgmt Plan due 10.doc

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](http://www.wellington.govt.nz) |

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

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

From: Rosamund Averton [<mailto:rosaverton@hotmail.com>]
Sent: Sunday, 25 November 2012 7:07 p.m.
To: Michael Oates
Subject: Submission TBMP

Hope the conference was worthwhile.

Looking forward to getting those "clarifications" thanks.

Regards,

Rosamund.

Submission 32

Submission Draft Town Belt Management Plan due 10 December 2012

Rosamund Averton
12/17 Brougham Street,
Mount Victoria,
Wellington 6011

Mike Oates: Manager of Open Spaces and Recreation Planning,
Wellington City Council,
P.O Box 2199,
Wellington 6011.

[Mike.Oates@wcc.govt.nz]

I make this submission as an individual and do wish to be heard.

The following submission is a response to the Draft Town Belt Management Plan 2012 (DTBMP) and concentrates on the various proposals relating to "land additions and boundary rationalisations". However this does not imply that there are other aspects of this DTMP that are not of concern; some worthy of comment are referred to within each "sector".

Submission:

1. Te-Ahu-Mairangi – aka Tinakori Hill

Commentary:

The commonly used name for the entire ridgeline during the last 100 years has been Tinakori Hill. Before that the area was split into separate destinations ie: "Orangi Kaupapa cultivation area", "Upper Etako – Mt Wakefield", "Tinakori Hill", the ridgeline in its entirety was known as "Ahu-mairangi ridge – Tinakore Ridge". Most Wellingtonians have absolutely no idea where Te-Ahu-Mairangi is. The education programme promised when the name was changed has never eventuated the plethora of signage is meaningless when most people have no idea to what it refers. The Northern Walkway guides still refers to Tinakori Hill adding to the confusion. A 1975 WCC recreation guide describes "Tinakori Hills – Ahu-Mai-Rangi {trans: like a whirlwind} Heights" and shows in simplified form the area it also give a brief history.

I suggest, as a priority, that leaflets based on the incomparable map produced as part of "Town Belt Walks" by Mark Pickering (1994), should, with the authors' permission be reproduced and made available in hard copy around the city.

Vegetation and views:

The DTBMP has no reference to the 2002/3 felling of "inconvenient" trees. Today I am delighted at the survival of many large trees, including sycamores and a goodly mix of shrubs on the Hill as they provide shelter, shade whilst managing water, erosion and providing a sustainable habitat, especially at the Northern end with its steep valleys.

"The summit ridge" is exposed to the elements especially since trees on the eastern side have been removed. The road surface was churned by logging trucks and has not been fixed 6 years later. That resurfacing should be a priority to allow access by visitors to either the Stellin Park or Southern lookouts and also to the Northern lookout actually on Tinakori Hill opposite the "Dog exercise area".

I believe that the reported lack of visitors to the Hill is directly related to the difficulty people have in actually finding an "access point", from a distance that access seems unattainable. A map clearly showing access points for pedestrians, those using public transport and by car is essential. I refer you to the many detailed submissions made in 2007 that made a similar point to this.

The "western slopes" access points are similarly tucked away with signboards (locational) (eg: Huntingdon, Cecil Road) actually inside the hidden away tracks or completely absent like the Pembroke/Monmouth Way route which has been tidied by residents and is the easiest connector to the main Huntingdon track, the "old" upwards track from this junction to the main Glamorgan trail is a direct route between Otari – Western Reserve - Tinakori Hill – Stellin Park.

No new tracks or trails should be built until all of the existing ones have been overhauled, maintained and if necessary upgraded.

Policies – Land additions and boundary rationalisations:::

1.1 I support all of the land additions at 8.1.2.1.

1.2 I oppose the removal of the Town Belt status of Upper Weld Street (8.1.2.2) Upper Weld Street has an overgrown access to the dog exercise area at the northern end of Tinakori Hill.

1.3 There should be no further "Major tree removal" now or in the future. Instead after any "storm" windblown trees should be left on site unless they are a significant obstacle to the passage of walkers and then they should be mulched on site.

1.4 **I oppose the removal of the “group of pines” at the “bottom end of Wadestown Road”** they are aesthetically pleasing, stop erosion whilst providing both a corridor and habitat for the few remaining birds on the Hill and shelter and shade for pedestrians.

1.5 **I oppose proposal 8.1.5.1.** No further tracks should be opened up to Mountain Bikers who already use many tracks supposedly dedicated for the use of walkers. In my experience conflicts are few and most pedestrians and cyclists are tolerant and considerate sadly the few rampant cyclists spoil the area for the many especially when they create informal downhill routes from which they suddenly emerge pell mell.

1.6 **I support 8.1.5.2** and its extension to include all of the many flights of steps in the Western Reserve that are maintained by walkers like me. The steps installed by WCC in the 90's are a safe way of navigating through bush rather than on sometimes treacherous switchbacks and trails.

1.7 **I also support 8.1.5.3 and 4.**

Narrative:

It is my belief that “biodiversity” relates to a mix of species (ie: flora and fauna) not just those some deem to be acceptably “native”. I applaud the retention of all flora and fauna and would welcome more hedges and perhaps a commemorative heritage garden containing clumps of agapanthus (blue), khalil ginger (yellow), clivia (orange), ixia (pink), montbretia (orange) and arum lillies (white). All of these plants were brought here by very early (C1830) settlers who dropped into Capetown on their way here from England. There a several parts of Tinakori Hill that could become sheltered orchards also reflecting our well documented local fruit growing history.

The Beech forest planted by Cockayne in the valley behind “Elephant Rock” was clear felled in recent history it should be replanted with “cousin” beech trees from inside the botanical gardens. The deciduous trees would add a needed splash of colour as we enter autumn each year.

History:

Our history, heritage and culture are at the core of our values. We should celebrate and commemorate tangibly our City's heritage and history with clear signage detailing the many activities on the Hill including hunting, grazing, defence, quarrying, telecommunications and a “waterworks”. There are many archaeological sites that need excavation including those by the “cultivation” area near Stellin Park.

The trail described by Abel Dottin Best in 1840 is still there though ill defined these days it goes from Pipitea street across the Hill and down to Otari then rising to beside British Peak – Takarau Gorge to Makara Beach.

History of course is not necessarily fact but the re-telling of a story that may or may not have happened and the interpretation given in documents are just as deliciously unreliable.

It is recorded that McLeverty did “give” land to “local Maori” and some “gave it back” as they returned to Taranaki or because they just didn’t want it anymore there are many references to this confusing series of land transactions in the literature written at the time and even now the “interpretation of the facts” continues to be revised.

The many historic and archaeological sites should be clearly signposted to ensure visitors to the Hill understand the “sense of place” ie:significance and place in the history of our city thus “preserving cultural heritage” which adds to Wellingtons attractiveness to both residents and visitors alike. An actual economic value emanates from a place that people actually want to visit.

Policies – Culture and history:

Commentary: Neither the “Pump House” nor the “former caretaker’s house” should be allowed to become commercial premises.

I support 8.1.6.1. The “Pump House” would make an ideal northern heritage museum. **See qualification above.**

I also equivocally support 8.1.6.2. No definition is supplied of what, in this case, “sustainable” might mean.

2. Kelburn Park

Narrative:

Kelburn Park accessed from the Terrace becomes a wee green oasis as one climbs to just beneath the tennis club and then bears right through the “woodland” which in wintertime has its very own waterfall. The track that ends by the Centennial Fountain leads either upward toward Weir House and the Botanical Gardens or downwards to lower Talavera and Boulcott Street. The park area over the Motorway is not well cared for and the track up from Boulcott Street badly needs some maintenance.

This “woodland” area is a hidden gem even though parts of it are part of the City-to-Sea walkway.

Policies – Land additions and boundary rationalisations:::

I oppose 8.2.2.1 as I can find no reference to public consultation before “rationalising” boundaries.

Commentary:

My support would be gained if I could be satisfied that there would be public consultation and that the respondents would be heeded.

I support 8.2.2.2.

I equivocally support 8.2.2.3 but with the proviso there should also be wide public consultation with respondents being heeded before any “future ownership” is settled.

I oppose the adoption of 8.2.4.1

Commentary:

Both the hedges and trees alongside the roadside should be retained both provide shelter and shade on this windswept plateau. Locational signs showing connections would suffice including one too the Mount Street cemetery.

I support 8.2.4.2. and 8.2.4.3.

I oppose 8.2.4.4 as I unequivocally support the retention of the caretakers house as a discreet museum commemorating the Centennial Exhibition.

3. Aro Valley/Polhill Gully [[Highbury]]

This complex area contains a network of tracks some shared but many accessible to pedestrians. It is a natural adjunct to the City-to-Sea walkway which bypasses it through Kelburn, the Terrace and via Aro Park to Central Park and westwards to Highbury.

Policies – Land additions and boundary rationalisations:

I support 8.3.2.1 a),b)c) and also support the addition of the **whole of “Polhill Gully Recreation Reserve” which extends westward to Highbury descending to Waiapu Road via the KWS fenceline and southwards to Hawkins Hill Road via Ashton Fitchett and Karepa (Brooklyn) .**

Commentary:

I note with concern that Highbury, once considered part of Kelburn now seems orphaned. Highbury should be re-adopted, at least for "Town Belt" purposes, as part of Karori beginning at Waiapu Road and the Birdwood Reserve.

Policies:

I support 8.3.3.1

I oppose 8.3.3.2 as I cannot find any definition of what to "manage the forest consistently" with George Denton Park, which is a play/picnic area and Waimapihi Stream; which is a reserve and natural hub to Polhill and Highbury might mean as they are quite different.

I support 8.3.3.3 and 8.3.3.4.

Commentary:

I note that there is a reference to the tracks being primarily for mountain biking. Whilst that is true of Transient –it is not true of Highbury Fling or the Mount Pleasant reserve.

Policies - Recreation

I support 8.3.4.1 and also support the upgrading of both the access road and the connecting route to the "old track" which is rutted and neglected.

I oppose 8.3.4.2 as I can find no definition of what "redevelop" might mean nor any reference to any public consultation before any action is considered let alone taken.

I oppose 8.3.4.3 as I cannot recall any consultation in regards to the removal of these historic heritage buildings sitting on a site which is likely to be of archaeological/geological interest.

I support 8.3.4.4. refer to my comment on 8.3.4.1.

8.3.5 Encroachments:

The land acquired and "returned" (?) to owners of Rabbit Road, Haynes Terrace and Carey Street in previous iterations of this and other city plans should be acknowledged.

4. Brooklyn Hills

The Brooklyn Hills are the focus for all of Wellington as they provide a backdrop from the Eastern, Southern, City-to-Sea and the Skyline from

KauKau and beyond. There are a great network of tracks, trails and routes not always interconnecting.

Policies – Land additions and boundary rationalisation

I support 8.4.2.1 in its entirety.

I oppose 8.4.2.2.

Commentary:

I have been appalled over the last 15 years by the wholesale clear felling of the sites referred to in 8.4.3. and as a rule still avoid them when on foot. I am faced every time I go into my kitchen with the devastation on Bell Road. Even the grass sown has been noticeably reluctant to grow on this promontory.

None of the sites cited have benefited from the felling of trees and the reported re-growth is patchy at best. The bird corridor through Central Park is now sans birds. I particularly regret the loss of the natural waterfall below Owhiro Road that used to be a playground on rainy days of flocks of piwakawaka.

Clearfelled sites are ugly. There should be no further clearfelling and if for legitimate reasons it is being considered then “underplanting” must be done first to ensure that there are no bald patches. This advice given in the original “Vegetation Implementation Plan” by Boffa Miskell (2000-2020) has been completely ignored.

I am unequivocally opposed to the “future pine removal” above Hutchinson Road.

Policies - Landscape and ecological management

I support 8.4.3.1.

I support 8.4.3.2 .

I support 8.4.3.3 unequivocally.

Commentary:

The site has been denuded in recent years and the replanting of attractive deciduous trees would add to the sites amenity. I would be delighted to see an orchard on this site.

I support 8.4.3.4. See my comment above.

I support 8.4.3.5.

Commentary:

The short term goal and long term objective of any memorial park should be that it serves to attract many visitors, that it enhances local amenity and also provides a "fruitful" bird corridor.

I support 8.4.4.1 especially in regard to the much neglected Prince of Wales Park which is yet another orphan. Signs from Wallace Street and Hutchinson Road should be more prominent not tucked away inside the tracks.

I note 8.4.4.2 to .4.

8.4.5 Encroachments

All of these accessways are well used and should formally become part of the "Town Belt".

5. Macalister Park

This wee park was once attractive but in recent year the ridgeline has been clearfelled and it is no longer sheltered from gusty winds nor does it provide an interesting backdrop when one walks along the Southern Walkway. There are several connecting tracks from here to Island Bay.

Policies – Land additions and boundary rationalisation

I support 8.5.2.1.

I am perplexed with 8.5.2.2 as my understanding was that the Wellington City Exhibitions Act (1923) was clear that reversion was automatic once the showbuildings and grounds were no longer being used for their original purpose. Please direct me to any new legislation and highlight any change of purpose sanctioned. Thank you.

I support 8.5.2.3.

Policies – Landscape and ecological management

I support 8.5.3.1.

I oppose 8.5.3.2.

Commentary:

The imposing conifer trees remaining alongside Finnimore Terrace provide an essential bird corridor whilst also providing shelter and shade for pedestrians. This route stopped being appealing to fauna when the line of conifers on the ridgeline were clear felled some years ago. I unequivocally oppose any further tree removal on or near the Hutchison – Finnimore – Liardet corridor the further loss of amenity would be significant.

The attempted re-vegetation, on the hillside going down to Liardet, is unsuccessful.

I support 8.5.3.3 in relation to the retention of the eucalypts below Finnimore Terrace (above Rugby League Park).

Commentary:

But because I was unable to find a definition of “manage” within the context of this policy proposal am fearful of what it might mean eg:poisoning, ring-barking or pollarding to extinction etc. Kindly clarify.

6. Golf Course/Mt. Albert

This area is essentially in two halves the east is connected to the Southern Walkway whilst the west is part of the City-to-Sea route the two halves meet on Adelaide Road. Access from east to west across or besides the golf course is straightforward though some of the connections are quite gnarly. There is a goodly mix of formal and informal routes as well as some veryyyy old accessways tucked into the hillsides.

The entire backdrop to the western side has been clear-felled and the re-vegetation has been unsuccessful.

A house on Quebec Street encroaches on one of the main access tracks from the Golf Course up to Kingston.

Policies – Land additions and boundary rationalisations

I support the inclusion in the Town Belt of the Tawatawa Ridge – Prestons Gully (City to Sea Walkway) and Sinclair Park – Buckley Reserve (Southern Walkway) to Houghton Valley/Bay. This area fits well together geologically following natural ridgelines with the geologically significant Island Bay – Severn Street – Happy Valley Road as a boundary. There are many archaeological sites in this area too.

Commentary:

The non-statutory South Coast Management Plan and the Outer Town Belt Plans should all be incorporated to ensure the consistent and coherent management of this whole area.

Policies – Land additions and boundary rationalisations

I note the subtle language change at 8.6.2.1 to the imperative but can find no justification. However I have no objections to the changes proposed in principal.

Policies – Landscape and ecological management

I support 8.6.3.1 and 8.6.3.2 with the recommendation that impartial contestable advice be sought from outside of WCC. Any advice received should be open to public consultation before any programme is commenced.

Commentary:

A “no-surprise” policy for ratepayers and residents is essential to build trust before any felling or planting. Informing ratepayers and residents is insufficient as it implies a *fait accompli*.

I support 8.6.3.3 but ask that more signs be erected to warn golfers of the possible approach of pedestrians rather than *vice versa* .

I support 8.6.3.4.

I oppose 8.6.3.5 the “replacement” of the historic and healthy pines around Newtown Park.

Commentary:

But I do support the “parkland”.

Policies – Recreation

I support 8.6.4.1.

I am equivocal about 8.6.4.2, 3, 4, 5 and 6. **All of these proposals** raise questions that I wish to have clarified before committing myself to any response.

Commentary:

Our Town Belt should not be privatised, commercialised or colonised to the financial benefit of any group or organisation nor should the Town Belt land ever be transferred to a third party in a way that allow them to profit, however tangentially, from such an assignment of public land. Current leases

should be allowed to stand until they naturally expire but no land transfers to other leaseholders, however worthy, should be allowed. Stealthy changes of use developments or upgrades should only be countenanced after the public is consulted on all or any proposal it is not the responsibility of either our elected representative or staff at WCC, as our servants, to make any assignments our land.

Parks Infrastructure:

I support unequivocally 8.6.5.1 and 8.6.5.2

Encroachment:

8.6.6 is noted.

Another encroachment is at the top of the unnamed track from behind the Golf Course (West) which used to end at about 95 Quebec Street and now goes through someone's garden. *[[Note this is not the access point by the substation which now has a waymarker]]*

7. Newtown/Crawford Road

Policies – Land additions and boundary rationalisations

I support the additions listed under 8.7.2.1.

Policies - Landscape and ecological management

I support 8.7.4.1 however I am again stumped by the use of the word "manage" which has many unfortunate connotations from the past *[[see 5 above]]*. Kindly clarify in this context.

I oppose 8.7.4.2.

Commentary:

All of the conifers planted as a "landmark feature south of Crawford Road" should be retained and nurtured as valuable historic and heritage features of this very early thoroughfare.

Planting "native vegetation" on the lower slope recently cleared is acceptable, but, I fear, too late, as there has already been much land erosion.

I support 8.7.4.3.

Commentary:

One can see the bare hillside behind Owen Street from "Victory Park" it is an example of the effects of flawed thinking and the result of WCC not obtaining

a full environmental report prior to clear felling; despite the current TBMP clearly saying that clear-felling should be avoided not least because of the environmental aesthetic effects.

Removing the 2 hectares of trees was hastily and without justification carried out and as predicted the result has been not only a loss of amenity but also erosion and general slippage of the hillside which can clearly be seen from as far away as Mills Road in Brooklyn.

Sadly the re-vegetation has not been very successful as the hillside is now completely exposed to winds from the west that blow away only the most determined opportunity plants.

Encroachments

I support, yet again, 8.7.6.1.

8. Hataitai

Hataitai Park is on Mount Victoria and is surrounded by a network of tracks, trails and routes. At its base on Ruahine Street was once a river. Much of the local land below Hataitai Park to Cobham Drive was reclaimed around 1900.

Historically and geologically the area is of significance. Many of the existing trails follow original routes "over-the-hill" from the suburb of Mount Victoria.

Policies – Land additions and boundary rationalisations

I note 8.8.2.1 and 8.8.2.2.

Commentary:

I believe the possible sequestration of Town Belt land is a matter of great significance and must be publicly notified separately to this present consultation. The proposals set out in 8.8.2 must be open for wide public consultation. Our elected representatives as trustees act for all of the people of Wellington as set out in the original Town Belt Deed 1873 their role is to represent all Wellingtonians.

Policies – landscape and ecological management

I oppose 8.8.3.1 unequivocally the removal of any mature conifers or other trees on the eastern side of Alexandra Road.

I support 8.8.3.2.

I support 8.8.3.3.

Policies – Recreation

I support 8.8.4.1

I propose that 8.8.4.2 be amended as follows:

Protect and maintain the historic flora, geological integrity, archaeological value and heritage sites surrounding and on Alexandra Road as part of its character as the first scenic route built in Wellington.

9. Mt Victoria/Matai-rangi

Mount Victoria has like Tinakori hill a network of tracks some that have been in use from earliest settlement of Wellington. The history of the vegetation on Mt.Vic is well documented. There are many paintings that show the Mount pre-settlement and then at settlement with some quite early photographs showing the Mount. The topography is unchanged as Mt Vic felt, but was not affected by the many earthquakes from 1848. The Mount was relatively bare as it was/is buffeted by nor-westerly winds. Pines were planted late in the 19thC so that those living on Tinakori Hill would have something “pleasant” to look at in the east. The history of the various plantings is well documented. There are photographs as late as the 1950’s showing very few trees. Those that have survived obviously are really tenacious.

Policies – Landscape and ecological management

I support 8.9.3.1

Commentary:

However I would ask that old access paths from Robieson Street be re-instated or at least signposted as they seem to have become part of someone’s property.

Narrative:

I am equivocal about 8.9.3.2 bullet point (BP) 1 as I can find no explanation as to what “Assisting the establishment of native forest.....Palliser Road” might mean. Kindly clarify.

BP 2 – I am unsure why “coastal shrub vegetation” should be considered appropriate for one of Wellingtons high peaks. I can’t find any reference anywhere to the site being covered in coastal shrubs. Perhaps it would be

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best to plant some hardy Muehlenbeckia which at least might have either flowers or fruits to feed the birds and be attractive. Kindly clarify.

BP 3 - The views from Mt.Vic are already spectacular there is no need to continue the programme of removing mature and healthy pine trees.

BP 4 - **The people of Wellington should be consulted on whether they wish the conifers/eucalypts on Mt. Victoria be “retained” and “perpetuated”.**

I believe that all trees on the Mount must be retained and nurtured these, trees have been great survivors.

If a tree falls in the wind then it should be mulched on site and any stray branches whipped of their parent tree should be treated similarly.

I do not support any felling in any of our “forests” nor do I support any poisoning of opportunity plants that provide habitat and food for birds and amenity to the many walkers on Mt.Vic.

BP 5 – I support the continued maintenance of the commemorative planting area on Charles Plimmer Park.

Commentary:

Since underplanting of quick growing shrubs has minimised the wind on this very windy site more commemorative trees have survived.

BP 6 – A lesson can be learnt from the “Commentary to BP 5” . Tall species must be densely planted to afford protection from the wind a good example is the escarpment around the former petanque site and then up on the left about 100 metres by the glorious “David’s Garden”.

BP 7 – Visual unity will be strengthened by leaving the existing trees alone.

I support 8.9.3.3.

I oppose 8.9.3.4 there should be no further spraying with poison of the various opportunity plants on Mt.Vic. The results of spray drift can be clearly seen with the demise of many “acceptable” plants such as rangiora, five finger and even a lone cabbage tree.

Commentary: However, I do support the trapping of possums on Mt.Vic.

10. Rules for use and development:

Substantially I support the proposed rules for use and development on the Town Belt.

Commentary -

However, I seek clarification of the following words used without definition:

9.2.4 and 5 use the words "appropriate"/ "inappropriate"

9.2.6 "manage and maintain" discretion

9.2.7 "balanced" "potentially conflicting" – [[soothsaying?]]

I note that there is **no reference** in this DraftTBMP, that I can find, that refers to the Historic Places Act and the requirements it imposes for **an archaeological authority** before disturbing land that was occupied pre-1900.

PROPOSED LEGISLATIVE CHANGES::

I note that there are no numbers on the headings from Page 18.
I have numbered each question in sequence.

Introduction:

I no longer believe that any local legislation is required the solutions proffered in this document seem to be removing the involvement of citizens and creating a complex Bill that will subsume the present Deed.

I now support the status quo noting that the Town Belt Deed 1873 preserves in perpetuity the Town Belt and that it allows for the inclusion of the Outer Town Belt and the Miramar Peninsula with no less complexity than that will be being offered in the proposed Bill.

However if there are to be changes I am delighted that the Parliamentary Counsel Office will be drafting them.

I am concerned that the proposed legislation might give Elected Representatives of Wellington City Council disproportionate powers which they will delegate to their Chief Executive. WCC trustees are not beneficial owners of the Trust. The Trust Deed specifically gifted the land to the citizens of Wellington. Wellington City Council currently manages the Town Belt as Trustees only.

1. I note that there is a reassurance given that the Town Belt will be managed in accordance with a management plan. There must be provisions within the proposed Bill to ensure ongoing public consultation on all or any matters that arise in relation to a TBMP and if needs be provisions and procedures for challenge of any decisions made.

2. I note that future management plans will be prepared under a process contained within the proposed Bill. There must be provisions within the proposed Bill to ensure ongoing public consultation on all or any matters that

arise in relation to any future TBMP and if needs be provisions and procedures for challenge of any decisions made.

3. There should be a clause within the Bill that ensures future Councils are limited and proscribed in their activities and therefore there must be provisions within the proposed Bill to ensure ongoing public consultation on all or any matters that arise in relation to any future TBMP and if needs be provisions and procedures for challenge of any decisions made. **I do not support a flexible, light handed regime.**

4. What will the Bill contain?

4.1 Preamble: Noted

4.2 Defining the land: **The word "Voluntarily" should be deleted from the following sentence.**

"I support the intention that the Council will have no power to voluntarily sell, exchange or use as security any part of the Town Belt".

4.2 Adding new land: Noted

4.3 Legal status: The Town Belt Deed must remain the prime document and therefore all of it must remain and apply to the town belt as it is in 2012. I do not support any retroactive legislation in regards to the Town Belt Deed 1873 and its relevance. Nor do I support any provisions in the Bill that will make the Town Belt Deed subordinate to the new legislation.

4.4 Principles: Noted

4.5 The Council's powers: Noted.

I have carefully read and considered the proposal for new legislation and have reached the conclusion that the status quo is preferable. To avoid any doubt this means **I do not support any new Bill.**

Conclusion:

The Town Belt is a creation of geological turmoil over millenia that needs greater recognition as it gives context to what the Town Belt could become bound by ridgelines and hilltops alongside the deep gullies and valleys resulting from the actions of at least four faultlines, making Wellington special.

The actual Town Belt Deed 1873 is immutable.

Any additions to the original town belt must therefore be considered as reflections of the actual geological formation that is Wellington. It is important to avoid confusion by clearly stating that the "new additions", were, if that is the case, not part of that Deed which was a compact with the people of Wellington in 1873. I do not support any new Bill.

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The landscape and ecology of the whole Town Belt must be retained as a public asset so that all citizens might enjoy it for ever.

All vegetation regardless of its origins or parentage should be nurtured to ensure that the entire Town Belt is and will always be covered in a cloak of flora that serves all fauna and gives pleasure to all citizens for ever.

Thank you for this opportunity,

Rosamund.

Rosamund Averton
12/17 Brougham Street,
Mount Victoria,
Wellington 6011.

[3851 495]

NB: I note that the term "recreation" still seems to confuse some people might I suggest the following explanation. "Recreation" should be a universal term used for all of any activity that people engage in for enjoyment including children playing in a crèche or adults making pots as well as "directed" (organised activities eg: team sports, Tai Chi, tending allotments, re-vegetating sites and organised cycling events. "Un-directed" (eg: generally spontaneous activities like walking, bird-watching, photographing etc).

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Michael Oates

From: Rosamund Averton [rosaverton@hotmail.com]
Sent: Friday, 28 December 2012 9:25 a.m.
To: Megan Dunning; Michael Oates
Subject: RE: Clarification on Town Belt submission
Attachments: Facebook-Sig-20120706.png; Twitter-Sig-20120706.png; 2012-WCC-logo.gif

Dear Megan and Mike,

Thank you for your response which sadly is not satisfactory.

Kindly supply me with plain language responses that reveal rather than obscure. Referring back to the actual plan seems to be to be diversionary. I am seeking answers that illuminate and are suitable for sharing the present response is not.

1. Managing implies "hands on" (sic- action) it should not be used to describe the possible felling, for whatever reason, trees. Elsewhere and oft repeated in the document is the statement that no action will be taken (sic- to remove trees for ten years) but there are many references as I have highlighted that indicate that trees will be removed – a euphemism for felling. To manage trees will require them to be pruned, trimmed and perhaps pollarded not to remove them. Therefore the present proposed plan is misleading.
2. Appropriate used in this bureaucratic sense implies that license has been given to allow unelected people to make decisions and then act without recourse. Coupling ambiguous words, eg: "appropriate" and "inappropriate" and then saying that they will be "consistent with the objectives and policies in the management plan, the guiding principle and Town Belt Deed" appears to give licence to act in whatever manner is deemed acceptable by a) Council and b) Council staff (by delegation). Acknowledgement must be given to the reality that citizens making submissions are not giving permission, or licence for Council to act; instead, what they are doing is to offer suggestions and solutions that satisfy their need to influence and a/effect action. I recognise that there are divergent views and that this ideal is often difficult to effect but it should be tried. A new "reference" group with the power of the present should be established to ensure that divergent views are reflected in the "management" of the Town Belt, thus adding to our "sense of place".
3. The term "safe" is ambiguous. I refer you to the wholesale felling of trees on Tinakori Hill with the justification, despite a complete lack of evidence over more than 100 yrs. That trees would fall on Grant Road. A handful of trees fell and then a domino effect was created by the removal of whole stands of trees which left wind tunnels and sites that rapidly eroded. Obviously a single hanging branch is best removed but. Walter Cook is clear that there is no evidence that indicated the actual life of pine/conifers/eucalypts.. The fact that WCC for whatever reason wishes trees to be removed is quixotic. As pointed out in the proposed TBP on some sites the establishment of trees took many years because of exposure to wind and soil type, let alone topography. The "Implementation Plan" (1995) describes some recent re-veg disasters.
4. **New 9.2.7:** "Whilst recognising that it is difficult to represent all views Council will actively seek input from citizens and will then present those views, unedited, for elected representatives to consider, weighing the various priorities and desired outcomes with the wishes of original submitters to this Town Belt plan or any other subsidiary document before approving any action or activity that will affect the amenity of Wellingtonians."
5. Kindly clarify specifically was is meant by "targeted revegetation". Pest plant control is a euphemism for poisoning and clear felling of healthy mature trees. I oppose unequivocally the poisoning of any vegetation. Not only is the resulting shrivelling ugly but the remnant enter the water-table and also the surrounding air. This does not assist the establishment of "native" forest and affects fauna adversely with berry bearing vegetation and roosts removed.
6. "coastal shrub vegetation" this is supposed to be a reviewed TBMP and therefore should reflect current mores not just those of the eco-fascists who only want to see what they believe to have been the vegetation in pre-european Wellington. Allowing Karaka, Ngaio and Pohutukawa to flourish around the cost hinders erosion and provides shelter, shade and roosts whereas tussock does not.

Do not hesitate to ask me for further clarification of these points and any others in my original submission.

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Happy New Year,
Rosamund.

From: Megan.Dunning@wcc.govt.nz
To: rosaverton@hotmail.com
Date: Fri, 30 Nov 2012 15:48:20 +1300
Subject: Clarification on Town Belt submission

Hi Rosamund

In your submission on the Town Belt (received 25 Nov) you sought clarification on some aspects of the draft Town Belt Management Plan .

"Manage" trees (eg 8.5.3.3, 8.5.4.1)

Eucalypt and pine forest will be managed to ensure public health and safety; public access is retained; and dead, dying or diseased trees are removed.

The management of exotic vegetation is also covered in the Landscape and Ecology sections eg Policy 4.3.10 (pg 32) and 5.5.11 (pg 39)

"Appropriate" "Inappropriate" (9.2.4 and 9.2.5)

Appropriate activities and developments will be consistent with the objectives and policies in the management plan, the guiding principles and Town Belt Deed etc.

Inappropriate activities and developments are not consistent with the objectives and policies in the management plan, the guiding principles and Town Belt Deed etc, so would be prohibited.

"Manage and maintain" (9.2.6)

Have oversight to ensure anything that does get approved, gets carried out in a safe manner

"Balanced" "potentially conflicting" (9.2.7)

Assess pro's and con's of proposed activity/development on 1) other users in area, 2) other values of area.

If you think the definitions in the draft plan need to be tighter, you may wish to suggest some wording.

8.5.2.2 (pg113) The Wellington City Exhibition Act 1959 repealed the 1927 and 1930 Act

(see www.legislation.govt.nz section 9 of Act)

Our legal advice is that the current activity and associated lease are valid under the Wellington City Exhibition Act 1959.

8.6.4.2, 3, 4, 5, 6 (pg 127)

These policies identify some concepts that Council and sports clubs/organisations have for recreation facilities and improving access in this sector that may get developed over the next 10 years.

The Council will follow processes in

- the management plan. All sports and recreation club/organisations will require landowner approval (policy 9.4.2) which will be assessed as per 9.5 Decision-making guidelines in the draft Town Belt Management Plan.

- the Leases Policy for community and recreation groups (approved by Council Oct 2012). All proposed leases are publically notified in accordance with sections 119 and 120 of the Reserves Act.

Some facilities may also require Resource Consents etc.

8.9.3.2 (pg 163) "Assisting the establishment of native forest..." - this is likely to involve pest plant control, maybe possum control and targeted revegetation where necessary


8.9.3.2 (pg 163) "coastal shrub vegetation" - this is consistent with policies in the current management plan (1995 - Part 2, pg 40-41 see attached pdf)

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Megan Dunning

Recreation Planner | Parks & Gardens | Wellington City Council

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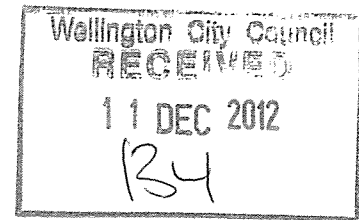
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TOWN BELT LEGISLATIVE AND POLICY REVIEW

10 December 2012

Submission from Victor Davie
4 Claremont Grove, Mt Victoria



Postal Address:
P.O. Box 19091
Wellington 6149

Tel 0210787747

My comments are:

The existing deed protects the Wellington Town belt from the very things that the City Council's proposed Management Plan and changes to legislation will do. Instead of "strengthen its governance" the proposed changes including the statutory principles if accepted shall instead jeopardise the future of the Wellington Town Belt. And will be further jeopardised at the whim of any future Management Plan and especially the removal of the Reserves Act.

Of particular concerns are:

11.3 The term "public recreation ground" will be interpreted as applying to circumstances as they arise.

14. The Bill will include an appropriate set of statutory principles "based broadly" in sections 1 to 4 [including the 1873 deed].

17. Council will have no power to: 17.1 Voluntarily sell, exchange or use as security any part of the legal Town Belt.

20.5 "Any sub-leasing, sub-licensing or unpermitted use of the land must be authorised by Council".

Some of the proposed changes could allow the Council to:

- Authorise any unpermitted use of the land.
- Allow for the construction of more buildings and not necessarily for recreational activities.
- Enable commercial activities.
- Sell off land.

I would like to make an oral submission to City Councillors.


Victor Davie