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On behalf of an organisation	Inner City Wellington
We want to speak to all Councillors at the Committee Meeting and ask to be notified when the paper is being submitted to the Committee	

Proposal to remove encumbrance at 79 Dixon St, Te Aro

1. Inner City Wellington (ICW) does not support the removal of the encumbrance for the following reasons:
 - a. There is a need for parks, open space, green space in sunny areas in the inner city
 - b. The process implies a lack of commitment to true engagement as the resource consent approval is not subject to the outcome of the consultation process.

Need for parks, open space, green space in sunny areas in the inner city

2. The pocket park provides a northwest facing park for residents, workers and the public.
 - a. On a recent Monday around midday, all but one of the seats were in use, while no-one was sitting in the shady Volunteer Corner inner city park. Even with an ugly raised bed of aggregate, the area in question is well-used.
 - b. On 15th April around 2pm the park in question was in sun, while Volunteer Corner was in shade ...



- c. At 4pm on Good Friday, the sun was shining down Dixon St covering four seats in the park (with one person sitting in the sun), while the park area on the opposite corner was in shade.
3. Despite the 'inner city park' notation on the 2014 Victoria St Transformation Project graphics of the area on the corner of Vivian St and the reference to 'new green spaces' in section 2.4 of the resource consent application, the reality is an expansive concrete footpath, well used by skateboarders, with numerous trees and benches but no seats with backs on them. Furthermore, the almost certain development of the carpark/market space opposite this area will remove the sun that currently accesses that area, unless the development is kept to below 3 storeys.

4. The pictures used for the Transformation Project did not transfer into reality and does not replace a park with a north-west aspect that gets sun to late afternoon – with little likelihood of this being built out. The proposed development of this site appears to give more importance to shop frontages having sun than places for people to sit and relax.
5. The removal of the small park is counter to the intent of the Central City Framework – Areas of Opportunity – Open spaces (pg 52) – see extract below. The area in question should be a small green space that would be ideal as a ‘place to reflect’ sitting in the sun – Volunteer Corner does not achieve that, nor does the expanse of concrete further down Victoria St.

This framework aims to introduce more green spaces – places to reflect, relax, kick a ball, play with the kids. These spaces include small parks, green roofs and green links. These will be introduced when we upgrade streets, when areas are revitalised, and when developers and building owners recognise that tenants value such spaces.

6. The site of the current park needs to be retained, and ideally expanded, as intended in the Victoria St Transformation Project (see 2.4 in the Resource Consent application). The park should be maintained by the Council. The development of Denton Park should be the exemplar for other pocket parks and new developments.

Process that has been followed

7. ICW is concerned that the decision to remove the encumbrance has already been made and the consultation is a matter of process not substance.
8. The resource consent for the development was issued in December 2016 with no conditions attached stating it was subject to the outcomes of the consultation process for the removal of the encumbrance. This is despite a 2014 public-excluded report noting that consultation would be required.
9. The development application document (submitted in Sept 2016) reflects discussions with WCC and refers to:
 - a. ‘Southern Victoria St is ready for redevelopment and revitalisation as an inner-city neighbourhood, with quality residential buildings, and space for shops and small business offices. This change in use ... along with new green spaces....’ (section 2.4)
 - b. Potential for off-site mitigation measures, including possible additional planting or structures in the small ‘pocket park’ (Volunteer Corner) on the opposite side of Victoria St (para 8) ... acknowledging ‘Council desire to achieve a significant corner building ... (to reinforce the ... ‘transformation’)
10. The Council’s decision report only sets conditions related to off-site wind mitigation in Volunteer Corner. This implies that the role of Volunteer Corner ‘inner city park’, which is in shade from a large tree for much of the day, is now to mitigate the wind created by the new development, and there is no information on how this will be remedied and the public will have no say on this.
11. The Environment Committee public-excluded meeting in February 2016 approved:
 - a. the proposal to discharge the encumbrance subject to the results of the s138 Local Government Act 2002 consultation process, and

- b. authorises officers to finalise and give effect to the discharge of the encumbrance if no submissions opposing the proposed discharge of the encumbrance are received and urban design issues are satisfactorily resolved.
12. The public-excluded meeting paper states as a next action 'to undertake public consultation ... and if there are *no unresolved objections* then the encumbrance will be discharged ... for the agreed consideration' [emphasis added].
13. The paper includes an option if the encumbrance remains in place, which is 'Willis Bond has suggested that it could build in the airspace above the garden and seating area'. There is no analysis in the paper of the pros/cons of this option. This option has not been mentioned or canvassed in the consultation document as the proposal is driven by 'urban design reasons for some realignment of property boundaries along Victoria St and that the encumbrance removal should be subject to satisfactory resolution of those urban design issues' and Council's desire to have a 'significant corner building' (Rec 2 in public-excluded paper).

In summary ...

14. ICW questions the Council's commitment to:
- a. new green spaces in this area (as outlined above in the extract of the Victoria St Transformation Project) if it considers this is met by the small patch of grass under the tree at Volunteer Corner
 - b. true consultation when the resource consent decision does not refer to the consultation requirement
 - c. creating a people-centred inner city rather than one driven by urban design niceties of alignment of boundaries and having significant corner buildings.

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