



MOUNT VICTORIA RESIDENTS ASSOCIATION INC

P O Box 19056, Wellington

29 January 2000

Mr S A Macaskill
C/- Wellington Regional Council
P O Box 11 646
WELLINGTON

Dear Mr Macaskill

CLYDE QUAY BOAT HARBOUR REQUEST FOR HERITAGE PROTECTION

We suggest that Regional Councillors give serious consideration to placing the breakwater and the fore 'n aft moorings as features of historic merit in the Region's Coastal Plan - Appendix 4.

Our understanding is that the fore 'n aft moorings together with the accompanying boatsheds are increasingly unique. As well as being part of our maritime history they are emblematic of Wellington.

We realise that this will need to be included in a plan change. It is understood that once the Coastal Plan is operating changes will need to be made almost straightaway. These changes include the requirements of the Marine Pollution Regulations and also the implementation of a Consent Order arising from an appeal to the Environment Court by Centreport. Accordingly the Regional Council will incur little extra cost in implementing the change we request.

We see this as a critical time in determining the protection to be accorded to a unique maritime feature within the region. Generations of Wellingtonians have enjoyed this facility and its special visual appeal. By means of the former Harbour Board, people have contributed to its formation and its upkeep. Perhaps it has become so familiar that its increasing uniqueness is at risk of being under-appreciated.

The Regional Council may also wish to consider the merits of registering its interest with the Wellington City Council. Enclosed for your information is our submission under section 230 of the Local Government Act concerning the proposed sale of the boatsheds and other facilities. Submissions need to be received in advance of a meeting of the City Council's Finance and Corporate Committee on Monday 14 February at 9.15 am.

We would appreciate Regional Councillors giving consideration to this issue. Hopefully this will result in a wider perspective being introduced.

Yours sincerely

Craig Palmer
President
Mount Victoria Residents Association phone: 384 2127 fax: 385 0366

CC: All other Regional Councillors

Mr Howard Stone
General Manager
Wellington Regional Council

Dr Jane Bradbury
Divisional Manager, Environment Division
Wellington Regional Council



' MOUNT VICTORIA RESIDENTS ASSOCIATION INC

P O Box 19056, Wellington

Mr Jack Lyons
Team Leader
Special Projects - Lands and Buildings
Wellington City Council
P O Box 2199
WELLINGTON

24 January 2000

fax: 80 1-3065

Dear Mr Lyons

**PROPOSED SALE OF THE CLYDE QUAY BOAT HARBOUR:
SECTION 230 SUBMISSION**

Opposed to Sale

This Association reaffirms its opposition to the sale of such a valuable publicly owned amenity, which is further distinguished by being a highly visible heritage feature of the city.

We contend that continued ownership and control by the City Council best serves the wider public interest. This extends to conserving the whole site for future generations.

To sell the buildings and the moorings is in contradiction to the trust bestowed on the Council by the former Harbour Board. The case can also be advanced for regarding the Clyde Quay facility as a regional asset and not confined solely to the decision-making powers of the City Council. The Clyde Quay facility was almost entirely **established** by the Wellington Harbour Board, which represented interests throughout the region, including the Hutt Valley, Porirua, the Wairarapa and the Manawatu.

Alternatives to Outright Sale

If the Council wishes to shed its responsibilities for this important facility, it is suggested that ownership be retained by the Council but day-to-day management be transferred to a broadly representative group of trustees within the terms of a Deed of Trust. Our understanding is that this arrangement would be similar to that applying to the Basin Reserve.

The Board of Trustees could be established as follows:

- . Royal Port Nicholson Yacht Club 2
- . Shed holders 2
- Mooring holders 2
- Members of the public 2
- City Council or alternatively Regional Council representative 1.

If the Council is determined to sell outright, shedding for all time its governance responsibilities, it is suggested that a Deed of Covenant be drawn up requiring the new owners to establish a trust which has at least two trustees from the wider community and who are not involved in the boating community.

Concern About Site Contamination and Dredging

The Association holds that the Council should accept full responsibility for clearing the Boat Harbour of all contaminants and for carrying out long-delayed dredging. These need to be an explicit condition of any transfer of ownership or control. Our concern is that the cost of carrying out this work, if borne by the new trustees, would put pressure on them to increase revenues, thereby generating commercial imperatives.

Further Legal Protection of the Site

Regardless of future ownership or control, the Association requests that the Council apply for legal protection under the Reserves Act and under the Historic Places Act. We see these protections as crucial for protecting the heritage values of this site.

We also wish to impress upon the Council the need for the increasingly unique fore n' aft moorings to be registered as a heritage feature within the region's Coastal Plan.

All of the above legal protections would need to be explicit conditions within the Deed of Trust.

Further Conditions for Transfer of Control.

We repeat our case earlier made for moorings and sheds to be allocated under a protocol independent of Yacht Club membership. The trustees should be required to maintain a register of applicants, with allocation entirely on a basis of first come first served. Applicants would first apply for a mooring and, having got one, then apply for a shed. This approach is essential to ensure that **this prestigious anchorage is accessible to all of the boating community.**

Binding maintenance protocols also need to be a condition of the transfer. Regular painting of the sheds at least every five years together with other protocols need to be independently audited. The Historic Places Trust should be consulted in formulating the conservation and maintenance protocols.

Another important condition should be that there be only one mooring and one shed per person, with no opportunity for aggregation

Also explicitly stated should be the condition that the boatsheds be used solely for storing boating gear.

Another concern is that responsibility for cleaning of public areas, particularly the breastwork and the steps up to the street level, be clearly stated. This may involve the Council having to agree to be responsible for the regular cleaning of these areas.

Concern About Unfettered Public Access

With incredulity we recently noticed that the Port Nicholson Yacht Club has extended the decking over the breastwork between the club building and the waterline. This completely undermines the decision by Council to have Lot Number 7 maintained as unfettered public access at all times. Such a development, if done with the acquiescence of the Council, drastically undermines any confidence that the public can have in any policy decisions made by the Council. Please refer to paragraph 2 entitled "Public Access" on page 3 plus the plan attached to the report of July 1998 to the Mayor and members of the Community, Culture and Recreation Committee and also members of the Finance and Corporate Committee prepared by Matt Ambler and Charles Roberts - file reference 75/1748.

The Association seeks an assurance from the Council that, regardless of whatever is decided, the breastwork between the boatsheds and the water's edge will be accessible to the public and be part of the walkway around the water's edge from the Railway Station to Oriental Bay. This assurance needs to address the issue of this access being maintained when the Yacht Club has functions that involve using the decking. As the Club is not strictly an amateur sporting organisation but has within it openly commercial activities such as the Sailing Academy and the first-floor restaurant, it is of overriding importance that the public access issue be made categorical for all time.

Commercial Use of Site

Any Deed of Covenant or Trust needs to explicitly confine the extent to which commercial activities can take place in this area.

Attachments

Attached are copies of previous correspondence on this issue, as follows:

- 10 August 1998 - Submission to Council's Corporate and Finance Committee
- 27 November 1998 - Submission to Mr Matt Ambler, your former colleague
- 29 April 1999 - Briefing Paper for meeting with yourself and Councillor Varnham.

Circulation of this Submission and Request to be Heard

As agreed by you over the phone recently, could you please ensure that all members of the Corporate and Finance Committee receive a copy of this and our previous submissions.

Could you also please convey our request to be heard in the public participation session of the Corporate and Finance Committee's meeting at 9.15 am on Monday 14 February and at the subsequent full Council meeting on the evening of Wednesday 1 March.

We would appreciate receiving from the Council before the above meetings an explanation of how the Yacht Club came to be able to extend its decking over the breastwork. We would like to have clarified the legal processes followed and the consultation undertaken. We regard this as critical in assessing the merits of assurances already given.

Yours sincerely



Craig Palmer

phone 384-2127, fax 385-0366

Alternative contact:

Wayne Tomlinson

025 496-822

cc: **Lambton** Ward Councillors
Wellington Regional Councillors
Mr Roger Newport, President, Oriental Bay Residents' Association
Mr Con Flinkenberg, Wellington Committee of the Historic Places Trust
The Chair, Wellington Civic Trust



MOUNT VICTORIA RESIDENTS ASSOCIATION INC
PO Box 19056, Wellington

Monday 10 August 1998

Councillor Nicholls, Chair, and other committee members of
Corporate and Finance Committee
Wellington City Council

**FUTURE OF THE CLYDE QUAY BOAT HARBOUR:
PUBLIC AND PRIVATE BENEFITS**

The following is a summary of the Association's position:

- We still prefer the status quo, particularly Council ownership in perpetuity. We note the RPNYC maintains the same position.
- Alternatively, ownership and/or control to be handed over to a trust. Trust membership to include representation from mooring holders, boatshed tenants, the RPNYC, the City Council and at least one representative of the wider community.
- Total site, (but with possible exception of the present yacht club building) to be accorded heritage status under the District Plan.
- That further work be done in evaluating the heritage and tourism value of the site, especially by a qualified maritime historian as to give adequate weighting to the heritage value of the moorings. We see the fore 'n aft moorings and the boatsheds as inseparably linked.
- That the City Council seeks the cooperation of the Regional Council to accord the moorings and the breakwater heritage status under the region's coastal plan.
- Both Councils to seek statutory protection of the entire site under the Historic Places Act and under section 14 of the Reserves Act.

- The next step should be to establish a pro forma selling price after taking into account all deferred maintenance and Council's responsibilities to rectify stormwater outflow damage.
- That further analysis be undertaken to quantify more thoroughly the balance between public and private benefit of this facility. Within this analysis operating costs need to be assigned to private users such as mooring and shed holders, then to the club and lastly, the overall public amenity value.
- Regardless of ownership we wish to see retained the long established practice of allocating moorings and boat sheds on a first come - first served waiting list, regardless of affiliation to clubs, etc.
- The MVRA sees definite parallels between the Clyde Quay boat harbour or "sea belt" and the Town Belt sporting field facilities. In both cases public recreation and club sporting interests coincide and overlap. A consistent and neutral approach should be taken to all sporting facilities regardless of whether they are onshore or offshore.

cc: Councillors Andy Foster and Stephanie Cook

District Plan Hearing Sub-Committee for Variation 11

Councillor Sue Piper, Chair, and other committee members of the Community, Culture and Recreation Committee

Contacts:	Craig Palmer	Wayne Tomlinson
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MT VICTORIA RESIDENTS' ASSOCIATION INC.

PO Box 19 056
Courtenay Place
Wellington

27 November 1998

Mr Matt Ambler
Wellington City Council
PO Box 2199
WELLINGTON

Dear Sir

re: Clyde Quay Boat Harbour

Following our conversation on progress with the formation of a trust, the Mount Victoria Residents' Association would like to record the following points.

1. Our position on trust membership as previously proposed is as follows:

Royal Port Nicholson Yacht Club	2
Shed holders	2
Mooring holders	2
Members of the public	2
Council representative	1

2. We believe the initiation and co-ordination of the above should be by an independent person removed from any immediate interest groups of users. This person could be a Wellington City Council person or councillor, a member of Wellington Historic Places Trust or Conservation Board.
3. The weighting and balance of such a trust is vital to ensure equanimity between interest groups each of which has varying claims, ie Royal Port Nicholson Yacht Club – personal investment; mooring holders – primary use/square area; shed holders – land area/rental base.

We believe the above trust shows a balance of these features.

Yours faithfully

Wayne Tomlinson
for Mount Victoria Residents' Association

MOUNT VICTORIA RESIDENTS ASSN

Box 19-056
COURTENAY PLACE

Thursday 29 April 1999
2.00pm meeting

Lambton Ward Councillors

CLYDE QUAY BOAT HARBOUR A PUBLIC OR PRIVATE AMENITY?

SYNOPSIS OF OUR CASE

Need for More Widespread Consultation

This seems to be being treated as solely a commercial transaction. Yet it is a major public amenity that is also a foremost element in the Queens Wharf to Oriental Bay shoreline. All Wellingtonians will be affected and oncoming generations.

Ownership

A board of trustees representing the wider community. We suggest 7 members:

- A rep of the mooring holders who is not a yacht club member
- One for the shed holders also not a club member
- One for the yacht club
- A rep of the local committee of the Historic Places Trust
- A member of the Conservation Conservancy for Wellington
- A City Councillor, who is not a member of the boating community
- A Regional Councillor the same

Legal Protection

A condition of changed ownership and stewardship to be that the Council will apply for protection of the buildings and the unique for 'n aft moorings under the Historic Places Act and the whole site, including the moorings and breakwater, under the Reserves Act.

Moorinas and Sheds to be Allocated under a Protocol
Indeopendent of Yacht Club Membership

Another condition to be that the Trustees maintain a register of applicants. Allocation to be completely first come first served, with applicants first applying for a mooring and having got one then applying for a shed. This is needed to ensure that this prestigious anchorage is accessible to all of the city's boating community.

Bindina Maintenance Protocols

The transfer of ownership must include detailed maintenance requirements eg. the sheds to be painted at least every 5 years to marine and conservation standards. These protocols to be independently audited every two years.. The Historic Places Trust to be consulted in formulating conservation stds..

Essential Conditions for Moorinas and Boat Sheds

Only one mooring and one shed per person with no facility for aggregation. Boatsheds to be used solely for storing boating gear.

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