

MT COOK!
MOBILISED ★

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6 September 2012

**A Submission on the
National War Memorial Park (Pukeahu) Empowering Bill**

To the Transport and Industrial Relations Select Committee

This Submission is from Peter Cooke, Spokesperson for Mt Cook Mobilised, the residents and community group in the suburb of Mt Cook, Wellington.

I wish to appear before the committee to speak to this submission.

I can be contacted on (04) 934 6817, mtcookmobilised@gmail.com

We wish that two or three other members of Mt Cook Mobilised appear in support of the submission.

I support the content of this bill for the reasons outlined below.

INTRODUCTION TO MT COOK MOBILISED

1. Mt Cook Mobilised (MCM) is a residents and community group that represents an inner-city suburb of about 6000 people. It was formed in 2007. The proposed National War Memorial Park in Buckle Street is in our suburb, and the land which is to be used for the park has been standing empty and rather desolate for a number of years. Mt Cook Mobilised was formed in part over concerns about the original plans for the Memorial Park.
2. The suburb of Mt Cook is a short walking distance from Cuba St and downtown Wellington – it has a mixture of old heritage/character housing, and high-density apartment dwellings, as well as ‘social’ housing with both Housing NZ and the Wellington City Council providing high-density accommodation in our suburb. The population of Mt Cook is diverse, multi-ethnic, and ranges from established residents of 20+ years, to new migrants and a transient student population; from seniors to a growing number of couples with young families. Mt Cook is also a major commuter route. It is bordered by high traffic roads such as Buckle Street and its extension into Karo Drive (which constitute State Highway 1). Wallace Street runs through the middle of the suburb into Taranaki Street. These streets are juxtaposed alongside high-volume pedestrian walkways which help promote walking as Mt Cook’s first choice in transport. About 30% of our households do not own or run a private motor car, and a high proportion of all residents are commuters. Many residents pass through or by the site of the War Memorial Park every day.
3. MCM’s vision for the suburb is that Mt Cook will be a community that has a high quality of life for its residents, as well as for the many Wellingtonians who commute daily through the suburb.

OBJECTIVES OF THIS SUBMISSION

4. The National War Memorial Park (Pukeahu) Empowering Bill seeks to grant the necessary statutory authorisations and property rights to the Ministry for Culture & Heritage and the New Zealand Transport Agency to create a National War Memorial Park adjacent to the current National War Memorial by April 2015.
5. We have been invited to provide a submission to the Committee on this Bill. We have not had sufficient resource in the time available since your invitation to provide a detailed commentary on each clause. Rather, we thought it might be helpful if we set out some contextual information and supporting comments that

may assist the Committee in assessing the proposals in the Bill and the rights it will provide for the Government, and the New Zealand Transport Agency.

BACKGROUND

6. In September 2008 MCM requested an opportunity for input to the Ministry for Culture & Heritage about the design brief for the proposed park, to ensure that the design considered the interests of the local residents as well as the country. In response to this, the previous Minister (the Rt Hon Helen Clark) offered an opportunity for us to comment on the winning design to the Ministry. We subsequently held a meeting with officials in the Ministry, but were not involved in any actual detail on the design at that stage. We were however consulted on the plans for remediation of the empty space that was created by the demolition of commercial buildings previously located on the site opposite the National War Memorial in Buckle Street.
7. We had expressed to the previous Government our support for the concept of a National War Memorial Park, and hoped that we could engage constructively with officials and designers to advance both the interests of our community and the park's wider national purpose.
8. Since the change of Government in 2008, we have maintained contact with officials in the Ministry, and have also been able to meet the new Minister for Arts, Culture & Heritage, Hon Chris Finlayson, on several occasions. In late 2009, the Minister convened a reference group to advise him on the development of the National War Memorial Park. Mt Cook Mobilised was represented at that meeting. MCM stated that it supported what was then proposed for the park concept wholeheartedly, but had concerns about the congestion that would inevitably follow the mandatory closure of Buckle St for several events each year, and the safety of pedestrians crossing State Highway 1. We gave strong emphasis to enabling the park to be utilised by day-to-day users and people from the local community, as well as to retain and enhance the heritage values.
9. Since our inception, MCM has maintained the view that having State Highway 1 right in front of the National War Memorial has been a less-than-ideal arrangement. We have made this point in discussions with, and submissions to the Ministry for Culture & Heritage, the Wellington City Council and NZTA in the context of their public consultation process around the proposed Basin Reserve traffic solution and changes to the city-to-airport transport corridor. We have publicly favoured the concept of trenching the road, and establishing a permanent safe quiet park on the lid to the trench. Until now however, this concept has seemed out of reach for reasons of cost as well as some engineering concerns.
10. As with the Mt Cook suburb itself, the precinct in which the National War Memorial Park is proposed is a very historic one and has significant surviving heritage. Buildings touching or in the park speak of the country's defence, policing and educational traditions, and the hill behind the 1932 National War Memorial, with its 1930s-era classical museum building (now Massey University), has been described as 'the acropolis of the city' of Wellington – a place of higher learning. These and the verdant grounds of the campanile give the area great potential to be a respectful contemplative space for serious commemoration of sacrifice and

service by hundreds of thousands of New Zealanders, men and women, Maori and Pakeha. We support the trenching of the road because no other solution would do justice to the heritage values of the area.

GENERAL COMMENT ON THE GOVERNMENT'S CURRENT PROPOSAL, AND THE EMPOWERING BILL

11. Mt Cook Mobilised applauds the Government's visionary decision to trench Buckle St, as announced by the Prime Minister on 7 August 2012. This will create a Memorial Park of the highest standard, a fitting place for memorials from other nations, and will enhance the National War Memorial's existing commemorative ambience. Dropping the road underground will make for a much better park and will be safer for Mt Cook residents who walk or cycle to work or who attend Mt Cook School. We believe strongly that this development will not only create a best-practise park, but will enhance the enjoyment of the park by day-to-day users and people from the local community, as well as to retain the important heritage values of the precinct, and we will continue to monitor developments to ensure that this project runs smoothly.
12. This will also confirm Wellington's central place in the national commemoration surrounding the centenary of the First World War. 2014 will be 50 years exactly since the last major memorial structure was built at Mt Cook - the Hall of Memories, which was added to the National War Memorial campanile in 1964. The Government is to be commended for having the foresight to accept that development of an appropriate War Memorial Park is an important national priority and not to settle for a 'second-best' alternative.

SPECIFIC MATTERS

13. We note that the Bill grants the necessary statutory authorisations and property rights to the Ministry for Culture & Heritage and the New Zealand Transport Agency in terms of resource consents, heritage authorisations and building consents, and provides the designation, powers of entry onto land and property rights necessary to carry out the project. In addition, to secure the rights and authorisations needed to complete the park by April 2015, the Bill removes the standard objection and appeal rights normally available under legislation.
14. However there are some important mitigating factors included in the Bill.
 - a. Although the Bill grants authorisations and rights directly, it makes them subject to the conditions normally associated with such authorisations and rights.
 - b. The Bill enables the Governor-General to make some authorisations by Order in Council. Each proposed Order in Council is required to be scrutinised by a specially convened Review Panel (**Clauses 26 and 27**), to provide advice to the Minister for Arts, Culture & Heritage or the Minister of Transport in relation to Orders in Council as well as to be subject to strong parliamentary oversight.

- c. The Bill also requires the Minister for Arts, Culture & Heritage to establish a Community Forum to provide information and advice in relation to the Park (**Clause 36**).
15. Mt Cook Mobilised is generally satisfied with the safeguards provided in respect of each of these proposed steps. Although we understand that the Bill does in effect enable some extraordinary powers to be given to the relevant Government agencies, there is an appropriate counterbalancing provided by way of external as well as Parliamentary scrutiny.
16. We do note however that Clause 27 (1) provides for advice from the National War Memorial Park Review Panel to be provided on request (presumably by one or other of the Ministers). We do suggest to the Committee that the intent and reasoning behind such a clause should be questioned. Indeed it might best be removed, thus giving the Review Panel the opportunity to provide 'free and frank' advice to Ministers on proposed Orders in Council as of right. This would require that the panel be sent copies of all draft Orders before these are submitted to the Governor General-in-Council.
17. We also support the establishment of a Community Forum to provide the Minister for Arts, Culture & Heritage with information or advice in relation to the Park. MCM would expect to be invited in due course to send a representative to such a forum.

CONCLUSION

18. Mt Cook Mobilised SUPPORTS the intent of this Bill. Mt Cook Mobilised has not commented in detail on the provisions of the Bill. We have instead tried to set out some 'in principle' support for the proposals in the Bill. We would be happy to attend the Committee hearing if required in terms of any questions about the matters noted in this submission.

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