



February 8, 2009

Maori Affairs Select Committee
Bowen house
Parliament Buildings
Wellington

Port Nicholson block (Taranaki Whanui Ki Te Upoko O Te Ika) claims Settlement Bill

This submission is on behalf of Mt Victoria Historical Society Incorporated

Mt Victoria Historical Society was founded in 1986 and its aims are to:

- Develop and promote interest in, and knowledge of, the Mt Victoria area in Wellington
- Research and record its history
- Encourage the protection of its natural and built heritage

Among other activities, we have actively campaigned for retention of Town Belt land on Mt Victoria for the people of Wellington, for the purposes specified in the original town belt deed and in later Wellington City Council management plans.

We can be contacted at:

Joanna Newman, Convenor (04) 385 2254 or jnewman@xtra.co.nz

Mt Victoria Historical Society is extremely disturbed that the Port Nicholson Block (Taranaki Whanui ki Te Upoko o-Te Ika) Claims Settlement Bill will threaten the return of former Town Belt land to the Town Belt.

Background

The 1873 Town Belt Deed transferring the Town Belt to the Mayor, Councillors and Citizens of Wellington stated that the Town Belt was to be used “as a public Recreation ground for the inhabitants of the City of Wellington” and “for such purposes of public utility to the City of Wellington and the inhabitants thereof as shall be expressed and declared”.

Since its inception, one third of Town Belt land has been taken from its owners, the people of Wellington, by the Crown. This includes land occupied by Wellington Hospital, Government House, Wellington College, and Wellington East Girls College.

Treaty Claim threat to the integrity of **Wellington's Town Belt**

Mt Victoria Historical Society learns with concern that various parcels of former Town Belt land, identified by Wellington City Council (as trustees of the Town Belt) as being desirable to reinstate to Town Belt status, have been nominated in the Appendix of the Port Nicholson Treaty Claims Settlement Bill under commercial redress provision, right of first refusal and cultural redress. Of the properties listed, the following are listed in the Wellington City Council's Town Belt Management Plan as being highly desirable to reinstate to Town Belt:

the undeveloped land which was taken for Wellington Hospital, Wellington College, Wellington East Girls College and Government House.

Since it was created, the Wellington Town Belt has been under the custodianship of a number of parties, including the New Zealand Company, the Crown, the Superintendent of the Wellington Province, and currently, the Wellington City Council. If any of these groups allowed land to be taken for a purpose in conflict with the original aim of the Town Belt, then at a later date, if that land become 'surplus' or was no longer required for the purposes for which it was originally taken, that land was required to be returned to its original classification of Town Belt.

The council's policy on former Town Belt land is stated in the Town Belt Management Plan (Page 17): *"Council also intends to seek reinstatement of all former Town Belt land which is now owned by the Crown or Crown Agency, so that land would legally become part of Town Belt once more, this land includes land occupied by Wellington Hospital, Government House, Wellington College and Wellington East Girls College."*

Wellington College, Wellington East Girls College and Government House are sited on land alienated by the Crown without recompense to the people of Wellington. These sites include undeveloped land which has been identified for commercial redress in the bill. This land is considered by most Wellingtonians as part of the Town Belt.

Conclusion

Mt Victoria Historical Society requests that the following areas of former Town Belt land, identified in the Bill's appendix for use or potential use as settlement, be removed from the Bill:

Redress Cultural Properties

2. Government House Reserve (clause 40m page 14 in settlement document)

Right of first refusal appendix E

11. Clifton Terrace section 16252

12. Wellington East Girls College

13. Wellington College

Joanna M.A. Newman

Convenor

Mt Victoria Historical Society