

## The Basin Bridge Board of Inquiry

In June 2014 the New Zealand Transport Agency applied to build a 2-lane, 320m long flyover next to Wellington's historic Basin Reserve cricket ground. The Architectural Centre opposed the flyover because we believe that building the flyover will be bad for our city. Wellington is not a city of flyovers, and this proposal would place a flyover within an historic part of the city. The small 19th and early 20th-century houses of Mt Victoria would be dwarfed by the 320m long concrete flyover, which would also block the views down Kent and Cambridge Terraces, and into the internationally renowned cricket ground. We believe that this mammoth structure is not appropriate, and that any urban design and transport issues could be better resolved.

We were an active participant in the Board of Inquiry hearing established to determine whether or not the flyover should be built. The hearing was very much a David vs Goliath contest, with the well-resourced NZTA being opposed by significantly less well-resourced volunteer groups and local residents. It was well-known that the odds were against us, but we believed strongly that it was important that alternative voice was presented to raise questions that otherwise wouldn't be presented to the Board.

As the hearing progressed it became apparent that the transport benefits of the project had been significantly overstated, that many experts disagreed about the value of the flyover, and that all the heritage experts had concluded that building the flyover would cause negative effects. Most heritage experts agreed that the flyover was an inappropriate structure in this sensitive heritage context. The Board's Final Decision ([http://www.epa.govt.nz/Resource-management/Basin\\_Bridge/Final\\_Report\\_and\\_Decision/Pages/default.aspx](http://www.epa.govt.nz/Resource-management/Basin_Bridge/Final_Report_and_Decision/Pages/default.aspx)) cancelled the application to build the flyover. This decision was the result of long hours of hard work by the volunteers and lawyers from our opposing groups collectively, as well as the careful consideration by the four Commissioners.

The Basin Board of Inquiry's Decision identified both positive and negative effects of the proposal. The reasons include the following:

- (a) "the expert evidence pointed clearly to the conclusion that the Project would constitute an *inappropriate* development within this significant heritage area of the City."
- (b) the significant adverse effects related to landscape, townscape and urban design "would not, in our view, be adequately mitigated or offset by the proposed mitigation measures."
- (c) alternative options had not been adequately considered

In coming to this decision, the Board also found that:

- (a) "the quantum of transportation benefits is substantially less than originally claimed by the Transport Agency."
- (b) while "there would be positive economic benefits ... The evidence did not enable us to quantify the economic benefit that would flow from the Project."
- (c) "there are compelling landscape, amenity and heritage reasons why this Project should not be confirmed. The Basin Bridge would be around for over 100 years. It would thus have enduring, and significant permanent adverse effects on this sensitive urban landscape and the surrounding streets. It would have adverse effects on the important symbol of Government House and the other historical and cultural values of the area."

The NZTA has appealed the decision, asking the High Court to overturn the initial decision. The appeal includes questioning law related to how alternative designs are considered, and issues of urban design and heritage. This appeal may establish important legal precedents which could have long term ramifications for the interpretation and application of the Resource Management Act (RMA), and the shape of our city for future generations. The Architectural Centre opposes the NZTA position because we believe the flyover is not appropriate for this part of the city, and that aspects of the appeal - if endorsed by the High Court - will not support good decision-making about the design of our built environment.



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