Erin Campbell

From: Stephen <stephano.press@gmail.com>
Sent: Wednesday, 16 March 2016 9:12 p.m.
To: Regional Plan
Subject: Very opposed

Further Submission on
The Greater Wellington Natural Resources Plan Review.
Please complete this form to make a further submission on the Proposed Natural Resources Plan for the Wellington Region (PNRP).

All sections of this form need to be completed for the submission to be accepted.

For information on making a further submission see the Ministry for the Environment website: www.mfe.govt.nz/publications/rma/everyday-guide-rma-making-submission-about-proposed-plan-or-plan-change

Return your signed further submission to the Wellington Regional Council by post or email by 5pm Tuesday 29 March 2016 to:

By email:Regionalplan@gw.govt.nz

Or Post:

Greater Wellington Regional Council
Further Submission on Proposed Natural Resources Plan
for the Wellington Region
Freepost 3156
PO Box 11646
Manners Street
Wellington 6142

DETAILS OF FURTHER SUBMITTER:

*** ☐I am a person representing a relevant aspect of the public interest; or**
☐------- I am a person who has an interest in the PNRP that is greater than the interest the general public has.

*** Name:stephen press**

Name of Organisation you represent:

***Address: 35c Parnell st Lower Hutt 5011**

***Phone/ Fax04 9720157**

EMAIL ADDRESS:
☐ I do not wish to be heard in support of my further submission; or

☐ **I do wish to be heard in support of my further submission; and, if so,**

------☐ I would be prepared to consider presenting this further submission in a joint case with others making a similar further submission at any hearing.

Details of the submission(s) I am commenting on :

1.
Submitter 282: Wellington International Airport Limited.

Address for contact : Mitchell's Partnerships Ltd.
PO Box 489 Dunedin, 9054
EmailClaire.hunter@mitchellpartnersFurther Submission on The Greater Wellington Natural Resources Plan Review.

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CC.greg.thomas@wlg.aero

I oppose submitter 282 in regard to the following points:

WIAL Submission Page 5 Paragraph xi:

Schedule K relating to surf breaks seeks to preserve the natural character of the coastal marine area by protecting (Objective 037, Policy P51) surf breaks. However the schedule includes surf breaks that have been significantly affected by the modification of the environment in Lyall Bayand are therefore not representative of the natural character of the coastal marine area. WIAL also notes that the Proposed Plan provides little scope for the mitigation of effects on surf breaks. Furthermore, WIAL queries the reason for elevating surfing above other recreational values, when the NZCPS (Policy 6) seeks more broadly to maintain and enhance the public open space and recreation qualities and values of the coastal marine area. WIAL also notes that there is no higher level directive within the Wellington Regional Policy Statement to require the specific protection of surf breaks at a regional level, WIAL considers that the Proposed Plan inappropriately extends a level of protection to regionally significant surf breaks that would be more commensurate with the management of surf breaks of national significance, and is therefore contrary to, and does not give effect to, the NZCPS Policy 16.

My Response:
WIAL have failed to recognise that regional surf breaks are protected under Policies 13 and 15 of the New Zealand Coastal Policy Statement, these policies give direction to territorial authorities to provide identification and protection for their regional surf breaks, as surf breaks are recognised as elements of Natural Features along with natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; Policy 13(2)(c) and;

Policy 15(b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;

Where Policy 15(c) gives direction on methods by which to avoid, remedy or mitigate effects on these identified natural features.

WIAL Submission Annexure A, page 8, Objective 037

Significant surf breaks are protected from inappropriate use and development

I **oppose** Wial's decision sought deletion of Objective 037

I seek that Objective 037 is kept in the PNRP.

I oppose WIAL's decision sought that Schedule K of the PNRP be revised, with the intent that the Corner Surf break be removed from the schedule.

WIAL Submission Annexure A, page 25 : Policy P51 Significant Surf breaks

I oppose WIAL's decision sought to delete Policy P51

Reason

WIAL assert that the Corner surf break is not a natural feature, as without the airport, the Corner surf break would not exist in its current form.

The Corner Surf break is a natural reaction to the airport. A number of senior surfers note that there was a surfbreak in the part of Lyall Bay that has been reclaimed for the airport, a right hander. Evidence of this can be viewed at the
Alexander Turnball Library:https://natlib.govt.nz/records/23046068?search%5Bpath%5D=items&search%5Btext%5D=Lyall+Bay+1938

"WIAL questions how Policy P51 would work in regard to these scheduled surf spots which have been enhanced by human-induced modification. If it is intended to only protect naturally occurring surf breaks, the schedule would have to be revised to reflect this."

It should be pointed out that from case law the precedence is with respect to environmental impacts that they are assessed on, what is there today, not what it used to be like.

For example, replacing an old causeway with a bridge, you must consider the impacts on the environment as it is with the causeway, not as it is without the old causeway before it was constructed; the same with replacing a coastal protection structure for a new one; it's not about how the new structure would impact on the environment before the old structure was there, it is the impact on the existing environment.

In this case, it would mean that WIAL cannot argue that because the historic human-induced changes to Lyall Bay resulted in a high-quality surfing break, it does not have to consider it or that it has no value because it's not 'natural'. Furthermore, and most importantly, the reclamation may be manmade (i.e. not natural), however, the break that formed beside it formed naturally due to coastal processes and is an entirely natural feature in response to human intervention (it is comprised of swell, currents, water levels, seabed morphology and wind, as per Schedule 1 of the NZCPS).

Relief Sought:

Dismiss Wial's decision sought to remove Objective 037,

Dismiss Wial's decision sought to revise Schedule K of the PNRP with intentto remove the Corner surf break.

Dismiss Wial's decision sought to delete P51 of the PNRP

Objective 037

Significant surf breaks are protected from inappropriate use and development

I support the inclusion of this objective in the PNRP.

Policy P51

I support in part Policy p51

Policy P51: Significant surf breaks

Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by **minimising** the adverse effects on:

(a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and

(b) access to significant surf breaks within the coastal marine area, on a permanent orongoing basis.

Reason

Policy P51 is inconsistent with The New Zealand Coastal Policy Statement and other policies in PNRP that refer to Natural Features.

Both Policy 13 and 15 note that adverse effects must be avoided, remedied, or mitigated. Policy 13 describes the range of natural features that these policies recognise:

Policy 13 Preservation of natural character

2 (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwatersprings and surf breaks;

Policy P51 of the GWRC PNRP uses the word **minimising** which lends far less weightthan avoid remedy or mitigate.

I note that other policies in the PNRP that relate to natural features (such as 4.6.5 Natural features and landscapes and special amenity landscapes (b))refer to avoid, remedy, or mitigate.

I question why out of all natural features, surf breaks are singled out for lessor protection?

Decision Sought: Change Policy P51 to read as:

Policy P51: Significant surf breaks

Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by ~~minimising~~ **avoiding remedying, or mitigating** the adverse effects on:

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Note:
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SIGNED:

Signature of person making further or person authorised to sign on behalf of person making further submission. ***A signature is not required if you make your submission by electronic means.***

Please note:

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Sent from my iPad