

**BEFORE THE INDEPENDENT HEARINGS PANEL AT WELLINGTON CITY I MUA NGĀ  
KAIKŌMIHANA WHAKAWĀ MOTUHAKE NGĀMOTU O TE WHANGANUI-A-TARA**

**UNDER THE Resource Management Act 1991**

**IN THE MATTER OF the hearing of submissions on the Proposed Wellington City Plan**

**HEARING TOPIC Hearing Stream 7- Natural Open Space Zone**

**STATEMENT OF EVIDENCE of Guardians of the Bays Inc**



**1. Introduction**

- 1.1 My name is Yvonne Weeber I am the Chair of Guardians of the Bays Inc (GOTB).
- 1.2 GOTB is an incorporated society that represents concerned Wellington residents working to reduce the adverse effects that arise from Wellington airport on the land surrounding the airport made up of predominately pre-existing residential neighbourhoods and the sea at either end of the airport runway.
- 1.3 In June 2022 GOTB were part of a mediated Environment Court agreement for the conditions on the Man Site Area designation and the East Side Area designation (the expansion of the Wellington Airport into the southern section of Miramar Golf Course).
- 1.4 GOTB made submissions and further submissions on the Proposed District Plan.
- 1.5 This statement relates to Stream 7 – Natural Open Space Zone. GOTB have reviewed the documents supplied online for Hearing Stream 7.

**2. Natural Open Space Zone – General- Lyall Bay Seawall**

- 2.1 This submission primarily relates to the Lyall Bay seawall (which is mainly below Mean High Water Springs) on the eastern side of Lyall Bay that runs from Lyall Parade along the side of Wellington Airport to Moa Point.
- 2.2 GOTB consider that the Lyall Bay seawall meets the Natural Open Space purpose of being part natural e.g. Lyall Bay, part landscape and part historic heritage. We agree with Kirsty O’Sullivan, that the appropriate time to discuss this zoning is during the South Coast Management Plan review which is about to formally begin this year by Wellington City Council. Due to the complexity of this land and underground infrastructure we consider this land should not be zoned a part of the Airport Zone.
- 2.3 We agree that this sea wall is very important to the WCC infrastructure of Moa Point Road for vehicles, pedestrians, cyclists, surf riders, recreational fishers, stormwater and potable water infrastructure, and the main sewage pipes for most of Wellingtons untreated sewage to Moa Point wastewater treatment plant and the sludge treatment pipes to and from the plant. This seawall also protects and would not be there is it were not for Wellington Airport.
- 2.4 The Lyall Bay seawall has had spasmodic maintenance. From Jo Lesters evidence I would concur that there has been major works on the seawall every 20 to 40 years. Over the past few years rocks have been put on the ‘crest’ of the seawall and down the side of the steel seawall into Lyall Bay. These rocks are approximately half a meter taller than the old steel seawall.

- 2.5 The Lyall Bay seawall forms a major surf break in Lyall Bay. The Lyall Bay seawall is used by Lyall Bay surf riders to walk out and access this surf break. The move from a clean face steel wall to the present rocks on the side of the steel wall has changed the clean cut of the surf break. Any maintenance on this opens space area should consider the environmental effects that they cause on the coastal surf break and effects on the Lyall Bay surf riders to get on to the waves in Lyall Bay.
- 2.6 The Lyall Bay seawall is used for recreational fishing. The Lyall Bay seawall before the rocks got put on the crest was used by recreational walkers and as a carpark on busy high intensity recreational use in Lyall Bay.
- 2.7 While this is a human made area the effects of the natural environment on this interface are considerable. In fact the effects of the natural environment with sea level rise and increased storm events will continue to increase on this small strip of land.
- 2.8 WIAL is in the process of investigating options for protecting the Airport runway and renewing the seawall defences. They have not come up with a final solution but it is clear that a resource consents will be required from both the Regional and District Councils due the scale and location of the works.

**3. Natural Open Space Zone – Proposed changes in relationship to Lyall Bay to Moa Point Seawall**

- 3.1 GOTB has concerns about how the policies, rules and standards are being proposed for the maintenance, repair and upgrade of the Lyall Bay seawall (in particular the seawall from Lyall Parade to the Lyall Bay breakwater at the south end of the airport).
- 3.2 Mr Sirl on behalf of Wellington City Council has proposed changes within his Section 42 Report and rebuttal report to the Natural Open Space Zone (NOSZ) relating to Seawall structures between Lyall Bay and Moa Point.
- 3.3 GOTB has no issue with the Objective NOSZ-04. This seems clear that this is about protection and requirement of protection of the seawall from coastal erosion.

*NOSZ-04 Protecting Regionally Significant Infrastructure – Lyall Bay to Moa Point  
Recognise that the Natural Open Space Zone, between Lyall Bay and Moa Point, contains hard engineering hazard mitigation structures (seawalls) that are required to protect regionally significant infrastructure from coastal erosion.*

- 3.4 This appears to work with policy NOSZ-P8 and rule NOSZ-R14, as a permitted activity, if upgarade’ as the protection of the seawall is ‘within the existing sea wall structure’.

*NOSZ-P8 -Maintenance, repair and upgrade of hard engineering hazard mitigation structures (seawalls) located between Lyall Bay and Moa Point that protect regionally significant infrastructure*

*Enable the ongoing maintenance, repair and upgrade of the seawalls and associated activities located between Lyall Bay and Moa Point.*

*NOSZ-R14 - Construction, alteration of and addition to buildings and structures*

*1. Activity status: Permitted Where:*

*a. For alterations, or additions, or upgrades to existing hard engineering hazard mitigation structures (seawalls) located between the Lyall Bay and Moa Point Seawall compliance with the following standard is achieved:*

*i. NOSZ-S7;*

- 3.5 However, GOTB has grave concerns that NOSZ S7 standard goes beyond the protection-maintenance, repair and upgrade- as there is the considerable ‘addition’ of height in the seawall of up to a ‘1m vertical projection’. There is no information on how this measurement has been establishes and how it will actually protect the existing eroding seawall. We consider this would be a new structure considerably taller than the existing

seawall and not maintenance and definitely not repair or upgrade within the existing structure. It creates a confusing measurement with no clear reason as to why 1m is being considered.

- 3.6 In addition at what point along the seawall is the 1 metre vertical projection in height to be measured? Is this arbitrary 1m from the point of the actual steel seawall or the recent rocks (crest of the seawall in Jo Lesters evidence) that have been placed on top of the steel seawall. This would make the proposed changes approximately up to 1.5 metres in vertical projection from the steel seawall? The compliance on such a dimension will in our view be impossible for Wellington City Council to measure and report any height infringements on.
- 3.7 The NOSZ S7 standard does not consider in the assessment criteria existing surf break and recreational users of the Lyall Bay seawall. The Natural Open Space Zone is about enabling activities -NOSZ-P1 that are compatible with the purpose, predominant character and amenity values of this zone. The seawall assessment NOSZ-S7 does not consider the recreational users and how they use this land and how they access the water from the area between Lyall Parade and the Lyall Bay breakwater at the south of the airport. For clarification this does not include the southern end of the airport which has restricted access.
- 3.8 GOTB proposes the following changes to NOSZ-S7 to remove the arbitrary 1m vertical height and provide some assessment in relationship to recreational users of this area.

*NOSZ-S7 Seawall structures between Lyall Bay and Moa Point*

*1. Maintenance, repair, upgrade construction, addition and alteration to the seawall located between Lyall Bay and Moa Point:*

~~*a. Any addition shall add no more than 1m in vertical projection to the structure, as it existed on the date on [insert date plan is made operative].*~~

*Assessment criteria where the standard is infringed:*

*1. 1. The extent to which the maintenance, repair, upgrade additional height is necessary for the seawall to protect the adjacent regionally significant infrastructure.*

*2. The extent to which the adverse effects of maintenance, repair, upgrade has on the natural surf break and physical features of the site including access along and into the Lyall Bay from the Lyall Bay seawall (Lyall Parade to the breakwater) for walking, surf riding and swimming, recreational fishing and other non-motorised recreation.*

- 3.9 While this wording may need some improvement GOTB considers the surf break and recreational users of the Lyall Bay on and from the seawall should be included in the assessment criteria. We have added non-motorised so that it does not include boat launching and vehicle access.

Dated 17 March 2024

Yvonne Weeber

Chair of Guardians of the Bays