

IN THE ENVIRONMENT COURT
WELLINGTON REGISTRY

UNDER section 274 of the Resource Management Act 1991
("Act")

IN THE MATTER OF a Notice of Motion under section 87G requesting
the granting of resource consents to
**WELLINGTON INTERNATIONAL AIRPORT
LIMITED** for the Wellington International Airport
Extension of Runway: Construction, Operation and
Maintenance

BETWEEN **GUARDIANS OF THE BAYS and HUE TE TAKA**

Applicants for strike out / section 274 parties

AND **WELLINGTON INTERNATIONAL AIRPORT
LIMITED**

Respondent to strike out / applicant for consents

**AFFIDAVIT OF YVONNE BETH WEEBER IN SUPPORT OF
NOTICE OF APPLICATION TO STRIKE OUT**

14 [XX] NOVEMBER 2018

Environment Court Unit
Wellington

14 NOV 2018

Received

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I, **YVONNE BETH WEEBER**, urban designer and landscape architect, of Wellington, affirm:

Introduction and experience / position

1. My name is Yvonne Beth Weeber. I am an urban designer and landscape architect in Wellington. I am currently a Permissions National Advisor with the Department of Conservation. My evidence is not related to my current employment and this statement of evidence is my personal opinion as a urban design observer and resident of Lyall Bay
2. My professional qualifications are a Bachelor of Science Honours first class, Post Graduate Diploma of Landscape Architecture and a Masters of Arts in Urban Design. I have approximately 28 years professional experience as a Landscape Architect and 18 years professional experience as an Urban Designer. I am a member a Registered member of the New Zealand Institute of Landscape Architects and a member of the Urban Design Forum.
3. On the 12 August 2016 I made a personal submission opposing the application from Wellington International Airport Limited ("WIAL") seeking to construct, operate and maintain an extension to south of its present runway via a proposed reclamation into the Lyall Bay and Moa Point coastal marine area of approximately 11ha ("airport extension").
4. I am actively involved in the community of Lyall Bay including partaking on a monthly basis in the Lyall Bay Coast Care beach clean-up.
5. I have been a member of the Guardians of the Bays Incorporated ("GoTB") since its beginning and in 2018 became a committee member.
6. The purpose of this affidavit is to provide evidence to the Court to support the GoTB application under section 279(4)(c) of the Act to strike out the whole of the direct referred proceedings made by WIAL.
7. In particular, this affidavit addresses:
 - (a) the emotional burden of ongoing extensions to these proceedings;
 - (b) changes to the environment in Lyall Bay and population in Lyall Bay; and
 - (c) increased comprehension by the community of night time airport construction works.

Emotional burden

8. For the past two years since writing my submission opposing the WIAL airport extension I have been on a roller coaster waiting to hear when the 'due date' of the Environment Court proceedings would take place. As a full time worker I would have to book time off work to attend any hearing. I



would also have to commit time to preparing my own evidence in advance and assimilating a potentially huge new volume of updated information by WIAL, potentially in a short period of time. This has meant delaying holidays, and generally putting major parts of my life on hold each time a new date for the Environment Court proceedings is being considered. While that might sound "extreme", I care passionately about the issues, and would not want to have committed to a holiday or the like if it would mean missing the hearing, or important dates in the lead-up to the hearing.

9. With a good understanding of what is required in Environment Court cases I have considered gaining professional support from Resource Management Act planners, landscape architects and recreational planners. It is impossible to assemble professional support without knowing exactly when the WIAL application is going to be heard by the Environment Court and more importantly what evidence WIAL will be actually be presenting.
10. Not having an 'accurate' date in the future of when the Environment Court proceedings will take place continues to place a high level of emotional burden on me. In addition I have no confidence the date of April 2019 (for WIAL to again confirm its plans) will not extended into the foreseeable future thus prolonging this emotional burden into the future.

Changes to the environment and population in Lyall Bay in the past 2 years

11. The evidence that WIAL will be presenting will have to be different than what it has provided in their application as there has been a large number of changes to the Lyall Bay area since the application was submitted.
12. The landscape of the bay and surrounds around the WIAL are continuing to change. These changes are not identified in the WIAL 2016 environmental assessments of the effects of the airport extension. These changes over the last two year include:
 - (a) Removal of sections of car parking at the eastern end of Lyall Bay (surfers' corner) with considerable engineering works incorporating a seawall and large rocks covered with sand and now coastal vegetation planting. The car parking has been moved in front of the 'Warehouse' building on Lyall Parade. Both these landscape improvements give the area a less 'industrial' and 'derelict' appearance and provide an improved entrance to the eastern end of Lyall Bay.
 - (b) New mural at both ends of the pedestrian subway tunnel that goes under WIAL from Rongotai (at Coutts Street) through to Miramar. This mural plus other improvements by WIAL have improved the overall subway appearance.
 - (c) WAIL's new car parking building and future hotel.
 - (d) Two new restaurants in the Botanist on the corner of Lyall Parade and Onepu Road and Parrot dog on Kingsford Smith Street. In addition, Maranui Café is open late on a number of nights. These

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eating and drinking facilities increase the number of people using Lyall Bay at night and through-out the day.

- (e) Increased residential development within Lyall Bay with infill and removal of 'derelict' buildings.
13. I am aware of over half a dozen new buildings being constructed in Lyall Bay. Infill has occurred at the rear of sites or building new two semidetached buildings when there was only one. The removal of old 'derelict' buildings has occurred in a number sites with two in Rua Street occurring last year.
14. This new residential development is important in how people visually see and feel about Lyall Bay. There is a perception that Lyall Bay now has a positive progressive 'vibe'.
15. New Lyall Bay residents through construction or purchase of properties in Lyall Bay have no real knowledge of the airport extension. More importantly with the continued delay in proceedings they may have no ability in being able to partake in the Environment Court proceedings on the airport extension. I do understand, however, that the Environment Court may allow a process for those persons to join the proceedings. While that might enable them to participate, they might not have invested in their properties had they known more about the WIAL consent application. In the real world, I am sure that many people will have forgotten about WIAL's plans, given they have been on hold for so long now.

Increased comprehension by the community of night time airport construction works

16. Over the last year the residents of Lyall Bay and Rongotai have become aware of what it is like to live next to an airport undergoing constant construction at night between the hours of 1am and 6am. This construction is due to pavement construction and resurfacing, general maintenance, works on the seawall and other structures.
17. This comprehension of what it is like to live next to a night time construction site has resulted in a number of complaints to WIAL. This included trucks using inappropriate residential streets to access the airport, trucks not turning off their flashing lights in residential streets, constant movement of trucks throughout the night. Only with Wellington City Councillor and Rongotai MP Paul Eagle becoming involved did it appear that some 'restraint' occurred of the WIAL construction contractors to appropriate 'neighbourly' practices.
18. If this night time construction had taken place before August 2016 WIAL would undoubtedly have had a larger number of people either opposing the airport extension or asking for very specific night time 'construction' conditions.
19. A lot has been learned by the residents and WIAL during the last two years on how to undertake night-time construction. This information is not in the WIAL material produced to date.

Handwritten initials 'FB' and a signature 'YBR' in the bottom right corner.

Conclusion

- 20. I support the GoTB application under section 279(4)(c) of the Act to strike out the whole of the direct referred proceedings made by WIAL. I support this strike out due to the emotional burden, changes in the environment and population surrounding WIAL in the past two years and an increased comprehension of what night time airport construction means to the surrounding residential community.
- 21. I also support WIAL withdrawing the application to avoid costs and time to GoTB advancing their application to strike out.

Affirmed at Wellington)
 This 14th day of November 2018)
 before me:) Yvonne Beth Weeber

 Solicitor of the High Court of New Zealand


 Rachell Staunton
 Deputy Registrar

