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Committee Social and Cultural Wellbeing Committee
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Summary of submissions on the Baring Head/Ōrua-pouanui draft amendment

1. Purpose

To provide the Committee with an overview of the submissions received on the Baring Head/Ōrua-pouanui draft amendment (to the Parks Network Plan) and officers recommendations on the issues raised by submitters.

This report complements Report 12.248 which sets out the process for handling and consideration of submissions.

2. The decision-making process and significance

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act).

2.1 Significance of the decision

Officers have considered the significance of the matter, taking into account the Council's significance policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that adopting a process for the consideration of submissions be considered to have low significance.

2.2 The decision-making process

The decision making process is explicitly prescribed for by Section 41 of the Reserves Act 1977 which outlines how a management plan for a reserve is prepared. This is as follows:

- Notify intention to draft a management plan
- Receive comments and ideas from the public and interested parties
- Officers prepare a draft plan
- Draft is approved for public consultation by the Committee

- Submissions received
- Submissions are heard and considered by the Committee, the recommendation to adopt the plan (with any changes identified) is taken to Council
- Council approve the management plan

Note that some reserve management plans also need the approval of the Minister of Conservation – this is the case for Baring Head/Ōrua-pouanui, where part of the area is Scenic Reserve.

3. Consultation

In May 2011, Council agreed to notify its intention to prepare a management plan for the area (and also its intention to declare the new land purchased as Scenic Reserve). Feedback was received through submissions, online forums and various focus groups. This was used by officers in the preparation of the draft amendment which was subsequently approved for release for public consultation by this Committee on 14 March 2012.

Under the Reserves Act 1977 a minimum period of two months is required for the public to provide written submissions on the draft.

The consultation was advertised in newspapers beginning on 17 March 2012. The draft amendment was made available on the Greater Wellington website, along with an online submission form. Copies of the draft plan were also available for inspection at the offices of Greater Wellington.

Letters of invitation to submit were sent to key stakeholders (iwi, relevant agencies, adjacent landowners, community groups) and those who had previously either attended meetings about Baring Head/Ōrua-pouanui or had written to the Council before the draft was published. Port Nicholson Block Settlement Trust was also contacted and a communication was sent out to their wider contact list. During May there were two public drop-in sessions (in Lower Hutt and Wellington) for the public and stakeholders to ask officers questions about the draft amendment.

The submission period closed on Friday 18th May 2012. A total of 42 written submissions were received including one late submission. The make up of these submissions is as follows:

- 5 Government organisations and associated bodies (Hutt City Council, NIWA and Maritime NZ, NZ Historic Places Trust, Wellington Fish and Game)
- 5 Community groups (Lower Hutt Forest and Bird, Great Harbour Way Trust, Wellington Flyfishers Club Inc, MIRO, Friends of Baring Head)
- 20 Wellington Hang Gliding and Paragliding Association members (or individuals with this specific interest)

12 Other submissions from individuals

42 Submissions in total.

Eight of these submitters wish to be heard in support of their submission.

4. Summary of submissions

This section summarises the key issues and officer comments. Officer recommendations to the Committee are noted in italics.

Overall, submitters generally supported:

- The protection of biodiversity (through pest control and allowing native regeneration)
- Restricting vehicle access
- Providing access to the coast via a cycle/pedestrian bridge
- Options for an interpretation centre and accommodation at Baring Head lighthouse compound
- The change of reserve classification of the lighthouse compound from recreation to historic.

4.1 Integration with the Parks Network Plan and general content

Some submissions questioned the omission of policies around issues like cultural heritage, water quality and criteria for restoration and protection of ecosystems.

A few submitters also requested more explanation to be explicitly stated in the Draft Amendment on particular issues.

Hutt City Council was concerned that the draft amendment did not connect to the vision.

When finalised the Baring Head/Ōrua-pouanui draft amendment will sit within the Parks Network Plan in the chapter for East Harbour Regional Park. The Parks Network Plan contains the overarching vision for the parks and the general policies that will apply. This includes issues such as cultural heritage, water quality and criteria for restoration and protection of ecosystems. Policies in the draft amendment are included where there is a specific policy aspect that relates to Baring Head/Ōrua-pouanui which should be recorded or an exception to the general policy.

The draft amendment contains explanations for some policies and more may be added. The paper produced by Greater Wellington *Looking to the future of Baring Head/Ōrua-pouanui – a background paper* gave further explanation on particular issues and this is considered as a useful source document.

Officers recommend that:

- *Where general policies in the Parks Network Plan cover the issues raised by submitters, that no change is required to the Baring Head/Ōrua-pouanui draft amendment*
- *Further explanation be included where it would be useful for giving a context for a particular policy.*

4.2 Key park characteristics

Submissions suggested some changes to the key park characteristics to include the regionally significant brown trout fishery, the scenic value of Baring Head as a significant landscape and the range of activities that occur in the park.

The purpose of this section is to outline what features are unique to this park (as distinct from other parks in the network). It is not an extensive list of what is available in the park.

Officers recommend that the brown trout fishery and scenic value of the Baring Head landscape are included in the key park characteristics.

4.3 Retaining the option of grazing

There was both support and opposition for the removal of stock at Baring Head/Ōrua-pouanui. Where there was opposition for the removal of grazing, the reasons given for this were:

- Fire risk over the summer months from (ungrazed) rank grass, which is also a risk to neighbouring properties
- The pastoral scene is appreciated by those who visit or view Baring Head/Ōrua-pouanui from a distance
- The potential that vegetation could obscure the ‘flat-lying’ geological features such as the raised terraces and beaches, thus losing the opportunity for the public to enjoy the features
- Loss of grazed open paddocks which allows people to roam freely
- The practicality of the proposal for managing pests and weeds. Removing stock could place a heavy burden on Greater Wellington to manage pests and weeds over the whole property and has potential to negatively affect native flora and fauna.

Submitters who oppose removal of stock suggested that fencing of some areas for grazing was a more appropriate approach. Friends of Baring Head’s submission suggested a middle ground approach where the policy allows for progressive removal over time.

The farmer with the current grazing licence for the property indicated that a sum over several years (of \$30,000 per annum which is around three times the

current annual grazing licence) could be provided to GWRC to fence and retain stock in areas that are less environmentally sensitive (Refer to Submission 4). The farmer's preference would be to allow both cattle and sheep on the grazed areas. He suggested that there could still be all year round access and that this regime would not impede on lighthouse accommodation or summer events.

The Baring Head/Ōrua-pouanui Draft Amendment currently states that stock will be removed from the property but retains an 'opt back in' clause in Policy (d) for some grazing to occur where if over time monitoring shows that there would be benefits for key biodiversity values.

The current situation is that stock can graze freely over the entire property. Almost all submitters agree that the current situation is unacceptable. Essentially Council are faced with a choice of fencing to allow some stock to continue grazing on the property or to remove stock entirely.

Officers have previously signalled to the Committee that the costs to fence off less sensitive areas (and specifically the marine terrace) would be in the order of \$95,000 - \$125,000. Additionally, there would need to be provision of water for stock and ongoing costs of maintaining a fence in these harsh coastal conditions. The offer of additional financial contribution from the lessee would cover a proportion of these costs.

Officers agree that removal of stock will mean a change in the landscape over time, to appear less pastoral. There would be more rank grass in the short term and a gradual return of native tussock, rushes and grass species as well as taller native shrubs. There would be some spread of gorse over time. As a result there is a higher fire and weed risk and this would require more active management and resources.

These changes in vegetation are unlikely to completely obscure the marine terrace landform or vistas across the Wellington Harbour, but as vegetation develops this will change the experience for the public visiting the area or viewing the area from afar.

On weighing up the costs and benefits officers note that the policy in the draft amendment provides a precautionary approach, and focuses on managing the land to get the best outcome for the key biodiversity values. Monitoring and pest control is a key part of this. As noted above Policy (d) provides an option for Council to revive grazing if it is required in the future.

On balance, officers recommend no change to the draft amendment.

4.4 Cultural heritage

New Zealand Historic Places Trust and the Friends of Baring Head (Submissions 35 and 28) sought more detailed policies about managing cultural heritage within the park and requested specific detail on how this management would take place at Baring Head.

Officers note that this draft amendment will be incorporated into the Parks Network Plan. The purpose of this plan is to provide strategic policy guidance

rather than specifying methods for interpretation or detailing procedures for dealing with archaeological finds. These issues are dealt with through Greater Wellington's Accidental Discovery Protocol and other manuals such as the Interpretation Handbook and Standard (DOC, 2006). However there are some additional matters which can be appropriately included in the draft amendment.

Officers recommend that:

- *Policy (b) be amended to refer to plants/trees that are part of archaeological evidence of previous occupation of Maori*
- *Policy (g) be amended to ensure it aligns better with the definition of historic heritage in the Parks Network Plan and the Resource Management Act*
- *Projected change (13) be altered to include reference to the New Zealand Historic Places Trust as well as tangata whenua in the preparation of conservation plans for sites of significance.*

4.5 Support for restricted vehicle access, allowance for hang gliding and para gliding

The concern about unauthorised vehicle access has been a common theme from the outset of consultation with the public regarding Baring Head/Ōrua-pouanui.

There was full support in submissions for getting vehicles off the beaches and restricting access to the property. Submitters said that this not only damages the environment but ruins the experience of being in this remote location and also puts walkers and bikers at risk. One submitter noted that it requires Hutt City Council to keep Burdans Gate closed as vehicles can access from this direction as well.

In practice, it is difficult to prevent vehicles accessing the coast entirely. However, officers are working on a joint approach with other agencies and landowners to reduce this issue and encourage compliance. Developing carparking areas and signage will be the first step to alter behaviour and these are signalled in the draft amendment.

Twenty submitters who are active participants in hang gliding and paragliding requested some provision for vehicles to have access to the property on a restricted basis, specifically for the purpose of transport and retrieval of people and equipment. Submitters noted that this sport is undertaken with a high degree of member accountability. Flying days are organised through the clubs who have health and safety plans and public liability insurance. Hang gliding and paragliding is a sport that can only occur under certain flying conditions which at Baring Head/Ōrua-pouanui would only amount to about 15-25 times per year. It was noted that hang gliding has taken place at Baring Head since the 1970s, by permission of previous landowners and is undertaken in other parks with no issues.

The draft amendment currently suggests that hang gliding and paragliding can be managed through the concessions process (as a restricted activity). A

concession agreement can determine conditions of entry and use of the land, the approval of a health and safety plan and require a bond and/or fee for any damage caused or ranger time. The draft amendment is not specific that vehicles are part of that arrangement, and this requires a reference.

Officers recommend that the draft amendment be changed to include reference to vehicle access for hang gliding and paragliding to be provided through the concessions process (with a maximum number of days of entry and number of vehicles).

4.6 Access from Fitzroy Bay to Baring Head/Ōrua-pouanui

A number of submitters also suggested that public access (generally for walkers and cyclists) from Parangarahu Lakes to Baring Head/Ōrua-pouanui should be provided. Currently, there is a road that extends around the coast, but traverses private property and there is no legal public access.

This is recognised as a strong aspiration of the community and may be assisted through the advocacy and partnership role that Greater Wellington can play.

Officers recommend that under the Partnership in Parks section, the policy be altered to reflect that Greater Wellington will liaise with private landowners and agencies about ways to provide public access for walking and cycling from Eastbourne to Baring Head/Ōrua-pouanui.

4.7 Easement and access to the lighthouse compound

Maritime New Zealand requested that they be included in the list of parties that have an easement and should be consulted on in issues relating to the lighthouse compound area.

A couple of submitters questioned the value of the road and car park on the marine terrace (shown on the Projected future changes map and list), concerned at its potential impact on the landscape. They suggested that Greater Wellington should take a more proactive approach in providing public access across the private land adjacent to the lighthouse compound.

Currently, there is pedestrian access for the general public to the lighthouse and this is considered adequate. Greater Wellington along with a number of other agencies continue to have an easement across the private property for management purposes at the lighthouse compound and associated reserves. Should any upgrades of access be required for vehicles for other purposes this will be achieved through an alternative road across the marine terrace to a carpark rather than negotiating public access through private property. This might be developed as part of servicing accommodation at the lighthouse compound.

Officers note that NIWA's position is that a carpark is not encouraged but that if it is needed it would be the most suitable location.

Officers recommend that:

- *Reference to Maritime NZ be included in the relevant policy clauses*
- *That projected change (9) referring to the carpark be retained but that it would only be developed in consultation with NIWA and with regard to the sensitive nature of this landscape.*

5. Other minor issues raised

The submissions also raised some detailed suggestion for improvement to the draft amendment that do not alter the overall intent. These have been noted by officers for inclusion in the final amendment to the Parks Network Plan to be approved by Council.

Some points raised were more about how the area is managed on a day to day basis and these have been communicated to the Parks Department for their information and action.

6. Recommendations

That the Committee:

1. *Receives the report.*
2. *Notes the content of the report.*
3. *Agrees where general policies in the Parks Network Plan cover the issues raised by submitters, that no change is required to the Baring Head/Ōruapouanui draft amendment.*
4. *Agrees that further explanation be included in the draft amendment where it would be useful for giving a context for a particular policy.*
5. *Agrees the brown trout fishery and scenic value of the Baring Head landscape are included in the key park characteristics.*
6. *Agrees to no change in Policy (d).*
7. *Agrees Policy (b) be amended to refer to plants/trees that are part of archaeological evidence of previous occupation of Maori.*
8. *Agrees Policy (g) be amended to ensure it aligns better with the definition of historic heritage in the Parks Network Plan and the Resource Management Act.*
9. *Agrees Projected change (13) be altered to include reference to the New Zealand Historic Places Trust as well as tangata whenua in the preparation of conservation plans for sites of significance.*
10. *Agrees that the draft amendment include reference to vehicle access for hang gliding and paragliding to be provided through the concessions*

process (with a maximum number of days of entry and number of vehicles).

- 11. **Agrees** under the Partnership in Parks section, the policy be altered to reflect that Greater Wellington will liaise with private landowners and agencies about ways to provide public access for walking and cycling from Eastbourne to Baring Head/Ōrua-pouanui.*
- 12. **Agrees** reference to Maritime NZ be included in the relevant policy clauses.*
- 13. **Agrees** Projected change (9) referring to the carpark be retained but that it would only be developed in consultation with NIWA and with regard to the sensitive nature of this landscape.*
- 14. **Recommends** to Council changes to the Baring Head/Ōrua-pouanui draft amendment as agreed at the meeting.*

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