



Invited Comment on the WIAL Southern Seawall Renewal project draft conditions

Date Tue 5/5/2026 4:59 PM

To Substantive <substantive@fasttrack.govt.nz>

My comments follow. They are consistent with the comments made by the owners of 49 Moa Point
Please acknowledge receipt of them by return.

Thanking you in advance

Regards

My Comment on the Wellington International Airport Southern Seawall Renewal project draft conditions

Please include all the contact details listed below with your comments on the draft conditions and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

1. Contact Details	
Please ensure that you have authority to comment on the draft conditions on behalf of those named on this form.	
Organisation name (if relevant)	
First name	
Last name	
Postal address	
Home phone / Mobile phone	
Email (a valid email address enables us to communicate efficiently with you)	

Introduction:

I am the owner of 50 Moa Point Rd. As an affected party, I filed a Comment to the WIAL fast track application. And submit that this Comment pursuant to the minute of the Expert Panel dated 20 April 2026 under the direction and invitation referred to in that minute, s70 of the FTAA.

the owners of 49 Moa Point Rd. This comment is made by me without prejudice to all rights I have in respect of WIAL, howsoever, in respect of my Moa

Point property.

My comment to the fast track application was filed on 10 March 2026. I like not oppose the project itself, and believe that it will serve both Wellington City and the wider region well. However, I expect to be treated fairly and reasonably. My 10 March comment centred on the condition proffered by the WIAL of a fair value purchase scheme for occupied properties on Moa Point Rd, that the scheme did not extend to 49 and 50 Moa Point Rd because these properties were unoccupied; highlights the unfairness of that discrimination.

Our comment emphasised, inter alia, the adverse impact the project would have on 49 and 50 Moa Point Rd, albeit the properties are bare land. I also alerted the Expert Panel to the absence of any prior consultation regarding the project by WIAL with me.

WIAL's response

WIAL responded to my comment in its Response dated 19 March 2026. Particularly, its response to my Comment was contained at paragraphs 158 to 169 of its Response. WIAL's position is summarised at paragraphs 162 and 169, and is that WIAL (then) did not wish to purchase 49 and 50; a purchase is not reasonable nor necessary to address the adverse effects of the project on the properties, and the fair purchase scheme condition was offered on an *Augier* basis. At paragraphs 166 to 168 of the Response, WIAL discusses the possibility of amending conditions to manage effects should they apply to 49 and 50, if and when construction of a dwelling on either were to happen. At paragraph 168, WIAL poses whether the WCC District Plan already would achieve this.

The draft decision of the Expert Panel

The draft decision of the Expert Panel issued on or about 20 April 2026, deals with our Comment at paragraphs 38 and 40. At paragraph 40, the Expert Panel accepts WIAL's position and that *Augier* applies, and thereby denies our comments and submissions.

With respect, I submit that in doing so, the Expert Panel has not addressed nor recognised the adverse effects that I advanced in my initial Comment dated 10 March 2026, including access, noise and discomfort to the land; and our loss of enjoyment of the land during the extensive period of construction. Adverse effect does not require the presence of an occupied residence on the land. I repeat the reasons set out in my 10 March 2026 Comment. My ultimate position, therefore, is that it is reasonable and necessary to extend the fair purchase scheme to the owners of 49 and 50 Moa Point Road.

I also submit that if the fair sale scheme is exercised to its end, all other properties along Moa Point Rd will be owned by WIAL leaving 49 and 50 isolated. That in itself is an adverse effect and gives ground to exclude the application of *Augier*, or to allow it to be relaxed. This is particularly so, given that WIAL seeks to have the benefit of the fast track legislation and comes to this Panel without having had any prior consultation with me.

Application of proposed conditions to manage effects

I refer to paragraphs 166 to 168 of WIAL's response. If I remain in a position where I was to undertake the future construction of a residential dwelling; yes, we do seek for the 'manage effects' conditions to apply to our property to the extent that they ameliorate any relevant provision of the WCC District Plan.

Position sought

That the Expert Panel extend the solatium and fair purchase scheme condition to 49 and 50 Moa Point Road.

That the 'manage effects' conditions apply as per the previous paragraph.

End

