

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the Proposed  
New Zealand Coastal Policy Statement 2008

**BY** SURFBREAK PROTECTION SOCIETY INC  
**Submitter**

**TO** DEPARTMENT OF CONSERVATION  
**Board of Inquiry**

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**EVIDENCE OF PAUL SHANKS  
IN SUPPORT OF THE SURFBREAK PROTECTION SOCIETY INCORPORATED**

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## **INTRODUCTION**

1. My name is Paul Shanks, aged 55 years.
2. I am a Surfer. A surfer must have a reasonable grounding in geography, geology, meteorology, hydrology, micro-biology, chemistry, aero-dynamics, environmental law and adherence to the principles of kaitiakitanga to/of a Surf break. A Surfer must know the history of surfing, in his hometown, in NZ and also the rest of the world, because these disciplines have had a major impact on surf breaks and Surfing over the last century. Hawaiian Duke Kahanamoku, Olympic swimming Gold medalist introduced modern Surfing to NZ at Lyall Bay, Wellington in 1912.
3. I am a Surfer, there is no formal qualification to be a Surfer, Bob Charles is a golfer, there is no formal qualification for a golfer but Bob Charles is an expert in golf. Likewise Sir Richard Hadlee is a cricketer above all else and he was knighted for his expertise in his chosen discipline.
4. Who am I to claim to be a Surfer?
  - (a) I represented NZ Surfing 3 times in International events 1972-1977
  - (b) NZ Senior champion 1990
  - (c) Assistant coach twice NZ junior teams to world titles 1993 & 1995
  - (d) Husband of Jan Shanks life member of Surf NZ
  - (e) Brother of Mark, 2 times NZ finalist national Surfing champs and coaching coordinator for Surfing NZ.
  - (f) Father of NZ junior women's reps Amber and Heidi
  - (g) Father of Heidi twice NZ junior champ, 1994 Open women's champ
  - (h) Father of Samara, Surf-shop manager
  - (i) Brother of Jeanne, 10 times NZ open women's champ
  - (j) I have been in the Surfing business/industry since 1971, owning and operating a business in Auckland and Whangamata, retailing, manufacturing, wholesaling and exporting.

## **BACKGROUND**

5. Surfers dream of perfect setups and perfect waves. We realise there is no perfection, only perfect intention, so embrace Policy 20, so we can treasure this new wave of consciousness.

Whether from ignorance, from oversight, or from lack of judgment, many of today's worst mistakes in coastal development stem from a failure to evaluate properly coastal geology and geography...(Morton Thorn & Locker 1973)

6. This is why I am here today to impress on you the importance of unique geographical features in the coastal landscapes known as surf breaks. They deserve to be preserved and protected and protected and preserved, be it from inappropriate structures built on surf breaks eg North Reef Takapuna, Town reef Napier and 'The Wall' Lyall Bay Wellington, or dredging of or near surf breaks eg Mangawhai, Pakiri or Pauanui and the threat of contamination at all surf breaks. This consideration is not just for their own beauty but for their bio-diversity above and below the water-line and the impact they have on the socio-economic fabric of over 250,000 New Zealanders, known as Surfers and on the wider community.
7. My brief is to represent Surfers of Surfbreak Protection Society, highlighting these features and the influences affecting surfers, surfing and the wider community. I wish to highlight the negative effects of human effluent (urban sewage, urban stormwater, farm run-off) on Surf breaks.
8. We do not share the same belief as Metrowater (their submission N.C.P.S. Review 08) that it is to the economic good of the ratepayer to mix sewage with storm water and flush the concoction on to our beaches because they have a weird belief there is such a thing as a mixing- zone, we call them surf breaks. This already happens at places such as Propellers at Moa Point Wellington, Tomahawk Bay Dunedin, The Pipe Gisborne, Shipwreck Bay Ahipara., Mairangi Bay Auckland and the:

Bars of Pauanui and Whangamata on the Coromandel Peninsula. Discharges of not only human viruses and bacteria but excess amounts of phosphorous and nitrogen promoting algae growths, such as micro-critters like cyanobacteria. The huge slime mats and red tides resulting in fish kills and respiratory and skin ailments in humans. Metrowater is no different to any of the other large engineering companies contracted to other councils who believe" the ocean has vast purifying capabilities . (D.Stewart Montgomery-Watson).

9. We condemn this mind set, this is the 21<sup>st</sup> Century.
10. Putting signs up on beaches saying that the bathing water is contaminated is not a form of mitigation "Avoid or prevent" (N.C.P.S.review 08) should read: "NO contaminated water should be discharged into the ocean".

### **GROWTH IN INDUSTRY**

11. I have seen the growth of the industry and culture and how it has permeated through NZ society, as has Hyundai and the Lion Nathan. Surfing's National sports body has support from SPARC.
12. In 2006 I received the Ministry of the Environments Green Ribbon award, not just for myself but also the surfers of Whangamata, for highlighting the degradation of the waterways and coast of the eastern Coromandel Peninsula.
13. Our endeavours to obtain clean water to surf in also gained the interest of the Parliamentary Commissioner for the Environment (P.C.E.), who investigated under the Local Government. Act 2002 due to the non implementation of the Whangamata Community Plan, the first such plan under the Act. The Surfers of Whangamata were active players in the development of the Plan. The Report called "Turning Hopes and Dreams into Actions and Results, Whangamata a case study of community planning in coastal area" provides:

Whangamata is popular for many recreational activities for example swimming and fishing but especially surfing, surfers are attracted to the long breaks offered by the Whangamata Bar, just outside the harbour entrance, and it's known as one of the best surfing spots in NZ". the water quality of the Whangamata harbour has degraded, some areas are probably unsafe for swimming and shellfish gathering at most times

the Commissioner considers that past and proposed physical changes to the harbour structure will have a long term adverse environmental effect on the harbour. (Morgan Williams PCE).

14. Thus stressing The Bar, a unique geographical feature in the coastal landscape.
15. Before and after the P.C.E.s report, Whangamata surfers participated in two Navigational By-Law consultations .Councils wanted to outlaw Surfers from The Bar by way of invoking an interim ski-lane and giving preference to jet-skis on The Bar and making the shared access channel a navigational channel, banning swimming, diving and fishing, classifying surfboards as a swimming aids.
16. Local surfers have been involved in waste water consents three times for Pauanui, and twice for waste water consents in Whangamata, visiting the Environment Court three times, twice as an expert witness and once as appellants. We feel this is not the path to travel for an important section of our community.

#### **THE IMPORTANCE OF POLICY 20**

17. I welcome POLICY 20 and that "Councils Have To Give Effect To This Policy". We do not want our Bar to go the way of other parts of the Whangamata Harbour as is happening to Te-Matatui today, which was/is an Area of Significant Conservation Value under the Regional Policy Statement.
18. Policy 20 will give us confidence in the future of our playgrounds, if the policy is adopted.
19. The 6 Surf breaks that have been highlighted are unique but are not dissimilar to one another, that is that the waves peel over rock bottom (ocean floor) and along a rock shore-line. The 7<sup>th</sup> break that is not included but should be is Whangamata. It is unique, as it peels over sand and along a sand shore line (user friendly) so I must convince the panel of the value of surf breaks by using Whangamata as an example.

#### **THE IMPORTANCE OF WHANGAMATA BAR**

20. My submission is based on a 10 year study-observation of the Terminal lobe of the Ebb-tidal delta of Whangamata Harbour, commonly known as The Bar. So the submission will double for the positive of the wider debate on policy 20 but also to have Whangamata included into the N.C.P.S. as an iconic unique geographical feature in the coastal landscape and how The BAR radiates out to the rest of NZ.
21. The Bar sustains life, Gulls, Molly Hawks, Gannets, Shags Penguins, Oyster-catchers, Dotterel, Tuatua, Crabs, Flounder, Snapper, Kahawai, Shark and on the fringes frequent pods of Dolphins, Orca and Surfers.
22. So one needs to know what maintains its dynamic equilibrium in all facets of its existence from the finest grain of sand to the Governments Cabinet-Table.

23. The entrance to Whangamata Harbour is dominated by a relatively large tidal delta with an associated offshore bar merged into its eastern fringe, known as the "The Whanga Bar". The Bar is located at the northern end of Whangamata beach and the eastern tip of the outflow of the Whangamata Harbour. The Bar dissipates wave energy and in doing so significantly affects the physical state of Whangamata beach, by trapping sediment on both the flood and ebb tides, providing a sediment store for diabathic and parabathic sediment flow. In doing so The Bar has formed one of the most pristine surf breaks in NZ, if not south of the equator. The Bar breaks today exactly how it did in 1965, perfect rights, and lefts that peel for over 500metres and described by one of the worlds foremost Surfers, Gerry Lopez as "a gem of the South Pacific".
24. The Bar was recognized from the late fifties as a premier surf location, attracting surfers nationally and internationally not only to visit but to stay, to create work or to work for, so they could indulge in their pleasure all year round, any time of the day, or day of the week. Working hours ruled by time of tide. This resident migration exploded from the mid seventies
25. I arrived in 1975 with my young family to a town of only 375 residents. Currently there are 4500 residents during the week increasing at weekends up to 10,000 people reaching 70,000 on peak events. This growth was built on the back of surfers, they were and are a majority of the tradesmen, and are now joined by the professionals who are also here because of their love of surfing, ability to make money, raise families and have input into our vibrant community.
26. Many of NZ top Surfboard shapers and now Australia's and the worlds top surfboard shapers have honed their skills in Whangamata. WHY? Because of The Bar.
27. The Whangamata Bar has produced over 10 NZ champions (some multiple winners) and many more NZ representatives. 95% of the Coromandel Peninsula scholastic surf teams over the previous 18 years have come from Whangamata Area School, not bad for a school of only 400 pupils. Taking home the National team title twice and one year the local students made up one third of the New Zealand junior surfing team.
28. Whangamata hosts two prestigious professional surf contests each year, the Billabong Pro and the Billabong Junior Pro. Such is the confidence of this multi-national company, that the waves and the infrastructure are of a caliber to hold such events.
29. The Bar has featured in 3 movies, Out Of The Blue, Children of the Sun, Beautiful Day and in numerous magazines and videos since 1965, even rating a mention in the in-flight Air New Zealand Magazine. Whangamata was chosen because of The Bar and its dominant surf history.
30. One of those moments in our surf history was in 2005 when 2000 people signed a petition to save The Bar. This petition was handed to the Minister of Conservation who was also inundated with emails, many from overseas in support of the petition.
31. I met my wife surfing The Bar and have since surfed there with my three daughters, many families are similar. Lifetime friendships are made on The Bar, it's a melting pot of personalities. The Bar adds to the physical wellbeing of the youth of the town, be they aged 4 or 84 years old.

32. Surfing in Whangamata permeates the lifestyle and fashion, giving the town a unique flavour, which has been then exported to other towns as beach culture. Surf tourism and the Surfing industry are a major influence in the economy of Whangamata. The industrial and retail cluster with a unique character that has been developed around the Surf, 3 surfboard makers, 3 surf shops, plus numerous related surf-fashion retailers, in what was once an isolated rural community.
33. Whangamata is one of those few towns in the world like Huntington and Rincon Beaches in California, Newquay Cornwall UK, Hossogor in France and the Goldcoast in Australia that created the lifestyle and image and envy factor that has promoted the growth of the world surf industries to a multi-billion dollar business.
34. "Riding High -The Surfers who built an \$A8b business", was a recent article in the financial magazine, The Bulletin, about the Surf industry and about the money that is being generated within the global Surf industry. "We recognize surfing as the number one lifestyle sport in the world today" says Richard Scott of TWI productions.
35. Why all of a sudden has the surf industry become interesting to the mainstream public? It comes down to the bottom-line, the growth of the industry has been phenomenal, i.e. Billabong has turned over more than \$A350 million per year since 2000, it floated on the stock exchange and raised \$A295 million with a market capitalization of over \$A1.4 billion. Similar stories with the other 2 big players, Quicksilver and Rip Curl. The Bulletin quoted the global surf industry as being valued at \$A7.4 billion
36. All this because of unique natural features in the coastal landscape.

#### **INTERNATIONAL EXPERIENCE**

37. Internationally, Costa Rica has realized that their biggest tourist earner is Surfing with over \$US 400m per year and now they are gearing up to catch more of the surfing dollar. The island of Bali has been tapping into surf tourism since the late 1970s. There are now surf-camps in Fiji, Tonga, Samoa, New Guinea, Caroline Islands, Philippines and Maldives, all of which are adding new money streams for their people, broadening their horizons as they get Surfers from Oz, NZ, USA, Brazil Japan and Europe visiting their countries. Why? Because of the unique natural features in their coastal landscape. And what are we doing, we are damaging these potential money streams.
38. Two examples of this damage are:
  - (a) White Rock closed of by DOC and the private land owner, whose properties border the world class SURF BREAKS, Seconds and The Spit.
  - (b) The other twist is Maungamanu the closest SURF BREAK to State Highway One (10 metres) has all the nationalities mentioned above visiting to surf. Some times it has up to 100 people camping at the top of the point (known as Meatworks) day after day and has done for decades, and no decent public toilets or clean running water are provided. Bacteria and viruses are buried 150mm beneath the surface of the sand or down a third world long-drop, in prime beach parameters yet both of these surf breaks are contenders under Policy 20. If we look at the international example we are not getting a breath of the potential of the socio-economics value of these God given assets, its time to wake-up, paddle-out and tune our Government, Regional and District

Councils that by recognizing and “ Giving A Effect To”, makes good financial sense.

### **THE VALUE OF SURFING TO THE NZ ECONOMY**

39. There are over 90 hardcore businesses i.e. Surfboard-makers, surf-shops, commercial web-sites, surf-accessories manufactures, surf-clothes manufacturers, wetsuit manufactures, and a number of importers of surf-accessories and surfboards and then there are the 3 big brands Rip-Curl, Billabong and Quicksilver.
40. On the shelves in book stores there are over 15 monthly surf publications (4 kiwi magazines) and on our more popular beaches there are a growing number of surf-coaching clinics. An extension of that is the Surf-Academy at Raglan Area School (20 pupils) and The Earth Science faculty of Waikato University.
41. I would estimate these enterprises to turn over many millions of dollars per annum and growing. Surfers generally have to travel/drive to the surf, not because they are lazy or can afford a large carbon footprint, its to do with swell size and direction and what quarter the wind is in. Surfers will on weekends travel up to 4 hours from home base to get a barrel or two so when you factor in petrol, motels, fast-food outlets, restaurants, airfares, let alone the antibiotic bill after getting ill from the degraded water we some times have to surf in. The list goes on, so in reality who knows the value? We should, as it is a positive economic flow that's moving up the graph.
42. The only way to sustain this Surf business is the sustainability of these unique features in the coastal landscape and clean water. Surfing begat Skateboarding, Surfing and Skateboarding begat Snowboarding, now these 3 extreme sports are inter-woven both socially and economically, and together are a great international tourist attraction.
43. The pot of gold could be bigger than we could anticipate, the Lonely Planet has just said that NZ is one the best places for participating in adventure & extreme sports in the natural environment, which in turn relies on the unique features in the natural landscape, be it coast or mountain. Yes I know I would be hard pressed to convince The Tribunal that a skate bowl is a unique natural feature in the landscape, so I will leave that to the next generation at the review in a decade from now.

### **WHAT IS A WAVE?**

44. The Webster dictionary describes a wave as a disturbance or variation that transfers energy progressively from point to point in a medium. Waves are every where; they form a part of our everyday life (sound, micro, heat, etc). As Surfers we are able to use ocean waves in a very special way, a miniscule proportion of energy reaching the earth as electric-magnetic, then through a series of links form a clean ride able swell, we boost our selves along using a fraction of that energy and we dedicate our lives for more of that liquid energy.
45. To us, ocean waves are even more important than they are for the rest of the population. This is what we need to communicate to this Tribunal as in the past we have had no or poor meaningful consultation with the organization that has “to give effect to”. At first the problem was the language we used, i.e. “It jacked up out the

back then just sucked as the bottom dropped out, you should have seen the pit it was filthy but I held edge cause my stick had carb fins with less twang, I got spat-out, it was wicked".In other words, I had a good ride on The Bar. As surfers, to communicate more successfully, we needed to learn the academic and scientific language and beauracratc speak, the science, the planning, the law and even standing for councils, we are moving forward. There is at least one enlightened Regional Council, Taranaki, and even the head planner for Thames Coromandel District Council, Mr Wishart acknowledged THE BAR in his submission to this review and thought it should be on the surfer's wish list.

## **CONCLUSION**

46. So I ask you to look into the future of this sport and culture; what it would be without these unique features in the coastal landscape (SURF BREAKS). It will not be sustainable.
47. Please endorse Policy 20 and please put Whangamata in as one of the iconic surf breaks of NZ as it well deserves it place in the lineup.
48. Please also encourage the use of water standards rather than guidelines, as Councils tend to blur the limits. A minimum standard would be, 'that which is required for shellfish'. There needs to be more time and money put into more monitoring of the aquatic environment, especially around surf breaks.
49. Taking the advice of two modern visionaries of our generation:

Good water good life, poor water poor life, no water no life. (Sir Peter Blake)

The greatest gift we can give our grand children is clean water. (Sir Edmund Hillary)
50. Thank you very much for receiving my submission.

Paul Shanks  
Surfer

Attachments:

A collection of photographs illustrating and highlighting my words

A disc "Pus on the Move" on what we have to put up with in our surfing environment in Whangamata.

Surfers who have learnt their surfboard making skills in Whangamata and have gone on to Australia and influenced the world of surfing by producing surfboards and sponsoring world champions

A Byrne - moderate operation on Gold Coast, 2<sup>nd</sup> in Pipe Masters, shaper for x3 world title runner up Gary Elkington, Highly respected in Hawaii

R Dalberg - small operation in Angourie NSW, world famous shaper s/boards for world champions Mark Occhilupo and Joel Parkinson

B Munro - Large operation in Byron Bay NSW, shapes s/boards for world long board champ Beau Young

M Ogram - leading designer and shaper in Western Australia

W Thompson - underground guru, south west Australia

P Mitchell - shadow shaper for Dalberg International

W Lowen - Expanding operation on gold coast, part of new guard

S Rae - Operates Biggest surf factory in Western Australia, exports all over the world

K Kernovski - Head shaper for Hang Ten International & Lightning Bolt now runs surf camp in Costa Rica.

P Anderson - Leading exponent of computer shaping in the world

J Rielly - Western Australian leading shaper (shaped a board for Mick Fanning current world champ)

Champion Surfers of Whangamata

B Davie NZ champion 1963 Grandad of NZ surfing, surfing industry & retail

D Kennings NZ finalist 1964 to 1977

P Shanks NZ senior champ, 2 times NZ rep

D Leach Australian long board team to world champs

L Kennings 3 times NZ junior champion, 3 times NZ open champion 5x NZ long board, 2<sup>nd</sup> world long board titles

W Lowen 2 times NZ junior champ

B Kennings NZ junior champ, 3 times NZ rep

J Kennings NZ junior champ, 4 NZ rep

J Harris NZ junior champ, NZ junior snowboard champ, NZ open snowboard champ

L Harwood NZ u14 champ, u16 NZ champ

J Hayes NZ junior circuits champ

Z Watt 2 times NZ junior women's champ, 4x NZ rep

H Shanks 2 times NZ junior champ, NZ open women's champ

D Kennings u14 NZ champ

E Williams u14 NZ girls champ

Other Surfers who been finalist and NZ reps

A Shanks, J Rielly, S Casey, A Mathew, S Mathew, D Amess, M Scoringe,  
R Ormond, B Williams, B Myers

Current administrative positions in surfing held by Surfers from Whangamata

B Scott, Chairman SNZ

B Kennings Secretary SNZ  
J Spiers Women's Rep SNZ  
P Shanks President S.P.S  
G Macintosh committee S.P.S.

Life Members of Surfing New Zealand

B Davie  
M Davie  
J Shanks

Current Tradesmen surfing and living in Whangamata

Surfboard Builders: P.Shanks, Takashi, D.Davie, B Davie, M.Crossman

Carpenters: P Davidson, A Webb, M.Honeycomb, J Hayes, J Joslin, T Stevens,  
W Booth, C Hobbins, L Baxter, KO, M Judd, J Judd, D Scott, S Bluett, A Hilliar, S Trebilco, J  
Leach, B Smith, B Parkinson, I Stewart, Brandon Rowe, M Lloyd, L Kennings, R Murray, C  
Amess, P Cox, E Cox, J Walton, G Johnstone

Electrical: P Comer, T Pitcher, L Pitcher, C King, Eric

Plumbers: K Brooks, C Amess, D Amess, P Pollard

Blocks and Concrete: T Gilbert, E Gilbert, B Middleton, J Gobel, P Nash

Plasterer: M Christianson

Lino/Tile/Carpet Layer: J McGill, A Woodhouse, M Thompson, P Murray

Painters: T Walton, N Durrant, M Higgins, B Pugh. D Herriman, M Brame, T Pickett, R Pickett,  
E Pickett

Landscape: T Pickett, G.Milne, B Matthews

Screen Print and Print: M Facey

Panelbeater: F Hope, L Brien

Fisherman/Charterboat: T Kelly, S Robb, H Wolfendon, T Wolfendon

Roofer: M Spiers

Steelwork-engineer: B Hoffman

Chef: Tama, T

Professionals that surf and work in Whangamata

Teachers: J Dyer, D Webb, J Webb, Z Watt, A Murray

Librarian: J Shanks

Police: Vince Ranger Sgt, Craig Donaldson

Area Manager TCDC: S Marshall

Scientists: R Segedin, K Aarsen, D Steele

Jewellers: R Wolfendon, R Dyer

Real Estate: D Anderson, R Parker

Valuer: J Cullen

Others:

Landlords & Retirees: R Myers, D Kennings, W Chatham, B Davie, J Wilson, D Mahoney, A Wilson

Doctors: 2 locums who have traveled from Ireland for the last 6 years for our summer

Chemists: V Schicker, G.Mellsop

Artists: T Howse, J Quellin, J Moore

Motelier: L Disher

Farmers: R Harwood

Surf retail:

Saltwater P Mitchell employs 3 staff who surf

D-Bar K Hobson employs 2 staff who surf

Whangamata Surf Shop D.Williams employs 2 staff who surf

Garuda A Webb

Surf-Skate-Snow W/sale:

Hurley S Munden

Fuct T Rea

Garuda A Webb