

New Zealand Conservation Authority – Comments under the Fast-track Approvals Act 2024

Wellington International Airport - Southern Seawall Renewal Project

1. Introduction

The New Zealand Conservation Authority (NZCA) provides this submission in relation to the substantive application by Wellington International Airport Limited (WIAL) under the Fast-track Approvals Act 2024 (FTAA) for the Southern Seawall Renewal Project (the Project).

The NZCA is established under section 6A of the Conservation Act 1987. Its statutory functions include advising the Minister of Conservation and the Director-General of Conservation, approving conservation management strategies and national park management plans, and advocating for the conservation of natural and historic resources. In exercising these functions, the NZCA has particular regard to the protection of indigenous biodiversity, wildlife management under the Wildlife Act 1953, and the stewardship of reserve land under the Reserves Act 1977.

This submission is provided following an invitation to submit, pursuant to sections 53 and 54 of the FTAA.

This submission focuses on matters within the conservation portfolio, including wildlife relocation and habitat establishment, reserve occupation, coastal processes, adaptive management, and public access. The NZCA recognises the resilience objectives of the Project, while emphasising the need to ensure that conservation values are appropriately safeguarded and strengthened through robust, enforceable conditions.

2. Statutory and Policy Context

The Project engages several statutes within the conservation portfolio, including:

- Conservation Act 1987

- Wildlife Act 1953
- Reserves Act 1977
- Resource Management Act 1991
- New Zealand Coastal Policy Statement 2010

Under the Conservation Act 1987, the NZCA has an advocacy role in respect of the conservation of natural and historic resources.

Under the Wildlife Act 1953, absolutely protected wildlife may only be disturbed, relocated, or harmed under lawful authority. Wildlife approvals under the FTAA must therefore ensure that the authorised activities maintain ecological integrity and do not compromise long-term species viability.

The New Zealand Coastal Policy Statement 2010 provides direction in relation to natural character, natural features and landscapes, natural hazard risk management, and hard protection structures.

Review of DOC Wildlife Approval Report

The NZCA has reviewed the DOC report prepared under section 51(2)(c) of the FTAA in relation to the proposed wildlife approval for lizards and kororā. The NZCA notes that DOC concludes the proposed activities are broadly consistent with the purpose of the Wildlife Act 1953, subject to recommended refinements to conditions and management plans. The NZCA generally supports DOC's technical recommendations, including clarification of adaptive management triggers and refinements to monitoring and relocation protocols. The NZCA emphasises, however, that wildlife approvals must secure demonstrable long-term conservation outcomes, not solely procedural compliance. In this context, the NZCA's recommendations seek to strengthen performance-based monitoring, defined ecological success thresholds, and enforceable adaptive management provisions to ensure that the relocation of protected species results in sustained conservation benefit over time.

3. Treaty Settlement and Taonga Species Considerations

The Project is located within the rohe of Taranaki Whānui ki Te Upoko o Te Ika and Ngāti Toa Rangatira, both of whom hold recognised Treaty settlement interests and statutory acknowledgements over the coastal marine area encompassing the Project site. Both iwi also maintain ongoing interests in Te Moana o Raukawa (Cook Strait) and Te Whanganui a Tara (Wellington Harbour), reflected in their settlement legislation and the Marine and Coastal Area (Takutai Moana) Act 2011.

The NZCA has reviewed the report provided by the Port Nicholson Block Settlement Trust (on behalf of Taranaki Whānui) and Te Rūnanga o Toa Rangatira (on behalf of Ngāti Toa). Both entities express support for the Project, subject to the full and ongoing implementation of agreed conditions and management plans. Their support is explicitly conditional upon:

- Effective management of kororā relocation and colony establishment, including iwi involvement in handling and monitoring
- Protection of terrestrial and marine ecology in accordance with management plans
- Clear protocols for kōiwi tangata and taonga tūturu discoveries; and

- Establishment of a mana whenua advisory group to provide ongoing cultural oversight during implementation.

WIAL's engagement records note site visits, meetings, review of draft conditions and management plans, and opportunities to prepare cultural impact assessments. It also records specific cultural perspectives on kororā management, emphasising the importance of tikanga Māori, kaitiakitanga, and long-term guardianship alongside scientific mitigation measures.

Further correspondence from Wellington Tenth's and associated mana whenua representatives seeks explicit provision for tikanga-led kororā handling, ongoing cultural oversight, reporting hui, and induction of contractors in cultural values.

The NZCA acknowledges that mana whenua support for the Project is therefore conditional and implementation focused. Section 4 of the Conservation Act 1987 requires those exercising functions under the Act to give effect to the principles of Te Tiriti o Waitangi, and the NZCA considers that:

- Commitments made through engagement processes should be expressly incorporated into enforceable conditions
- Taonga species management should reflect both ecological integrity and cultural values, including appropriate mana whenua involvement in relocation, monitoring and adaptive management; and
- The proposed mana whenua advisory group should have a clear mandate and reporting pathway to ensure meaningful participation over the life of the Project.

The NZCA's recommendations in this submission seek to reinforce these outcomes by strengthening performance-based ecological conditions and ensuring that cultural commitments are durable, measurable, and capable of implementation over the long term.

4. Overview of the Project

The Project involves:

- replacement of the existing Southern Seawall with rock armour and Cubipods
- remediation of the Eastern Bank
- establishment of construction yards, including on reserve land
- establishment of two staged kororā colonies; and
- relocation and salvage of lizard species.

The NZCA acknowledges that WIAL is regionally and nationally significant infrastructure. The resilience rationale for renewal of the Southern Seawall is understood in the context of climate change adaptation and natural hazard risk reduction.

5. Kororā (Little Penguin) Management

The Project requires relocation of kororā from the existing Southern Seawall and establishment of a temporary purpose-built replacement colony (Stage 1), followed by a permanent colony at Stage 2 once remediation works are complete. The NZCA acknowledges the intent to improve long-term habitat resilience through elevated colony placement, predator exclusion fencing, and engineered

nesting infrastructure.

The proposal represents an opportunity to provide ecological uplift relative to the existing nesting environment, which is exposed to overtopping risk and long-term sea level rise. In particular, relocating the colony to a higher and more secure location may reduce climate-related mortality risk over time.

However, the NZCA considers that the proposed management framework remains largely process focused. While capture, relocation and handling methodologies are addressed, the documentation does not clearly establish measurable ecological success criteria. For a species classified as At Risk – Declining, the NZCA considers that colony establishment must be assessed not only by the completion of relocation activities, but by demonstrable long-term performance.

The absence of defined performance thresholds, such as minimum occupancy rates, breeding pair numbers, chick survival rates, or fledging success, limits the ability to assess whether ecological outcomes are being achieved. Similarly, predator management commitments appear framed as management intentions rather than enforceable long-term obligations. Given that artificial colonies can be sensitive to disturbance, lighting, noise and predator incursions, ongoing monitoring and clear response triggers are essential.

The NZCA also notes that adaptive management provisions should be explicit. If colony uptake is materially lower than baseline conditions, or if breeding success declines over consecutive seasons, corrective measures should be mandatory rather than discretionary.

Recommendation

The NZCA recommends that consent and wildlife approval conditions include:

- Measurable kororā colony performance indicators (including occupancy and breeding success metrics)
- A minimum monitoring period extending beyond initial establishment
- Clearly defined adaptive management trigger thresholds; and
- Secured long-term predator control obligations for the duration of ecological risk.

These measures would provide greater assurance that the relocation results in sustained conservation benefit consistent with the protective framework and statutory scheme of the Wildlife Act 1953.

6. Lizard Management

The Project requires the salvage, relocation and, where unavoidable, incidental harm of several absolutely protected lizard species under the Wildlife Act 1953. The NZCA acknowledges that the proposed Wildlife Approval sought authorises these activities and that the proposed Lizard Management Plan (LMP) outlines capture, handling and relocation methodologies consistent with recognised Department of Conservation guidance.

The NZCA recognises that the proposed salvage approach, including use of suitably qualified herpetologists, sterilisation protocols, and reporting of mortalities, reflects established best practice for short-term mitigation of construction effects. These procedural safeguards are appropriate for minimising immediate injury or mortality during works.

However, the NZCA considers that long-term conservation outcomes require greater emphasis.

Several of the affected species are classified as At Risk – Declining or At Risk – Relict. For such species, successful salvage cannot be measured solely by the number of individuals relocated. The critical question is whether relocated populations persist and remain viable over time.

The proposed framework appears primarily focused on salvage-phase reporting rather than long-term population performance. Clear post-relocation monitoring intervals, defined habitat quality benchmarks, and predator management commitments are not explicitly embedded in enforceable conditions. Without these, it is difficult to determine whether ecological function and population resilience are maintained following disturbance.

In addition, habitat enhancement or release sites should be demonstrably capable of supporting equivalent or improved carrying capacity relative to pre-disturbance conditions. Monitoring should therefore assess not only survival, but recruitment and population trajectory over multiple seasons. Adaptive management provisions should require corrective measures if post-relocation monitoring indicates population decline or habitat underperformance.

The NZCA considers that, consistent with the purpose of the Wildlife Act 1953, authorised activities should avoid compromising long-term species viability and should deliver measurable conservation benefit where practicable.

Recommendation

The NZCA recommends that consent and wildlife approval conditions include:

- Defined post-relocation monitoring requirements over multiple seasons
- Measurable indicators of population viability, including survival and recruitment metrics
- Secured long-term predator management for release sites; and
- Explicit adaptive management triggers requiring corrective action if monitoring identifies population decline or habitat underperformance.

These measures would provide stronger assurance that lizard relocation achieves sustained conservation outcomes consistent with the statutory purposes of the Wildlife Act 1953.

7. Reserves Act 1977 Considerations

The Project requires occupation of Local Purpose (Esplanade) Reserve land for construction activities, rehabilitation works, and ongoing monitoring and maintenance, including concession rights of up to 49 years. The NZCA notes that land held under the Reserves Act 1977 must be managed in a manner consistent with its classification and statutory purpose, including the protection of public access, amenity values, and natural character.

While the NZCA acknowledges that the seawall renewal protects regionally significant infrastructure and adjacent public assets, long-term occupation of reserve land must be demonstrably necessary and proportionate. Exclusive construction yard occupation should be strictly time-bound and spatially minimised. Distinction should be clearly made between temporary exclusive occupation and longer-term non-exclusive access or maintenance rights.

Rehabilitation commitments should be measurable, time-bound, and subject to independent ecological verification. Given the duration of the proposed concession, periodic review mechanisms would provide appropriate oversight to ensure that occupation remains consistent with reserve purpose and that public access and amenity values are maintained over time.

The NZCA considers that reserve land should not be encumbered beyond what is demonstrably necessary to achieve the stated resilience objectives.

Recommendation

The NZCA recommends that concession conditions:

- Clearly differentiate between exclusive occupation and non-exclusive maintenance rights
- Limit the spatial extent of long-term occupation to the minimum necessary footprint
- Require measurable rehabilitation standards and independent certification; and
- Include periodic review provisions for long-term concession terms.

These measures would provide greater assurance that reserve land is managed consistently with the purposes of the Reserves Act 1977.

8. Coastal Environment and Hard Protection Structures

The Project replaces an existing hard coastal defence structure at the southern end of the runway and extends rock armouring to remediate the Eastern Bank. The NZCA acknowledges that the renewal of an existing seawall, in the context of nationally significant infrastructure and increasing storm intensity, is distinguishable from the introduction of new greenfield hard protection.

However, the NZCA notes that the New Zealand Coastal Policy Statement 2010, particularly Policies 24–27, requires careful consideration of natural hazard management, natural character, and the effects of hard protection structures on coastal processes. Incremental expansion of armouring can alter sediment transport, increase toe scour, and contribute to cumulative coastal hardening.

Given projected sea level rise and long asset lifespans, long-term monitoring of shoreline response, overtopping performance, and adjacent coastal dynamics is essential. Adaptive capacity should be explicitly provided to enable modification if unforeseen adverse effects arise.

Recommendation

The NZCA recommends that consent conditions:

- Require post-construction coastal process and shoreline monitoring
- Provide for periodic review of seawall performance in light of updated sea level rise projections; and
- Enable adaptive management if monitoring identifies adverse effects on coastal processes or natural character.

These measures would better align the Project with the objectives of the New Zealand Coastal Policy Statement 2010.

9. Adaptive Management and Monitoring

The NZCA considers that adaptive management is central to ensuring that the Project's ecological and coastal mitigation measures deliver enduring conservation outcomes. While management plans are proposed for wildlife, erosion and sediment control, and construction effects, the

current framework relies predominantly on procedural compliance rather than clearly defined performance outcomes.

Adaptive management is most effective where monitoring is linked to measurable indicators and predetermined response thresholds. Without defined trigger points, corrective action risks becoming discretionary rather than mandatory. This is particularly relevant for kororā colony establishment, lizard relocation, predator management, and long-term shoreline response.

Given the duration of works and the proposed concession terms, monitoring should extend beyond the construction phase and be designed to detect trends over multiple seasons. Reporting mechanisms should ensure transparency and enable oversight by the relevant conservation authorities.

Embedding adaptive management within enforceable consent conditions would provide greater assurance that environmental performance is maintained in the face of ecological uncertainty and climate change pressures.

Recommendation

The NZCA recommends that consent and wildlife approval conditions:

- Include measurable performance indicators for key ecological and coastal outcomes
- Define trigger thresholds requiring mandatory corrective action; and
- Provide for ongoing monitoring and periodic review over the life of the Project.

These measures would strengthen alignment with conservation objectives and statutory responsibilities.

10. Public Access and Amenity

The Project interfaces directly with publicly accessible coastal reserve land and contributes to a well-used coastal edge environment. The NZCA recognises that temporary construction exclusion zones may be necessary to ensure public safety during seawall works and yard establishment. However, such restrictions should be clearly defined, spatially confined, and limited to the minimum duration necessary to undertake the works.

Given the statutory purpose of Local Purpose (Esplanade) Reserve land, public access and amenity are central considerations. The NZCA considers that long-term maintenance access rights should not result in unnecessary or permanent loss of public access. Rehabilitation of disturbed areas should restore safe and practicable access as soon as works are complete.

Clear communication of temporary closures, detours, and reinstatement timeframes is also important to maintain public confidence and transparency. Long-term configuration of access arrangements should be explicitly confirmed in consent documentation.

Recommendation

The NZCA recommends that consent conditions:

- Require a certified Public Access and Safety Management Plan
- Ensure construction exclusion zones are time-bound and spatially minimised; and
- Confirm reinstatement of public access and amenity values following completion of works.

These measures would support consistency with the purposes of the Reserves Act 1977 and protect public coastal access.

11. Conclusion

The NZCA recognises the national and regional significance of WIAL and the importance of strengthening resilience to increasing coastal hazard and climate change risk.

In fulfilling its statutory advocacy role under the Conservation Act 1987, the NZCA emphasises that the Project must provide durable assurance that conservation values are safeguarded over the long term. Wildlife relocation measures, reserve land occupation, and coastal hardening works should be supported by clear, enforceable conditions that secure ecological integrity, protect public access, and ensure consistency with statutory purposes.

With strengthened provisions addressing wildlife performance outcomes, proportional reserve occupation, and long-term coastal oversight, the Project can be aligned with the objectives of the Conservation Act 1987, the Wildlife Act 1953, the Reserves Act 1977, and the New Zealand Coastal Policy Statement 2010.