

Fast-track project name	Wellington International Airport Southern Seawall Renewal
Fast-track application number	FTAA-2510-1118
GW file number	FTA260318

To	The Expert Panel
Date	4 May 2026

Memorandum: Comments on draft conditions under Section 70(1) of the Fast-track Approvals Act 2024 (FTAA)

Introduction

1. This memorandum is filed on behalf of Wellington Regional Council (Greater Wellington) in response to the invitation by the Expert Panel (the Panel) to comment on the draft conditions of the approvals for the Wellington International Airport Southern Seawall Renewal project (the Project).
2. Greater Wellington's prior participation in the fast-track approvals process for the Project includes:
 - (a) Providing comments on the application under Section 53 of the FTAA;
 - (b) Participation in expert conferencing on three matters as directed by the Expert Panel in Minute 3¹, being: contaminated land; marine ecology; and conditions relating to the monitoring of end-effects erosion at the eastern end of the seawall.
3. Greater Wellington is a local authority with the statutory responsibility under the Resource Management Act 1991 (RMA) to monitor compliance with and enforce the conditions of regional land use consents, coastal permits, water permits, and discharge permits. Greater Wellington's comments on the draft conditions are therefore limited to the conditions of the resource consents set out in Appendix A of the Draft Decision².

¹ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0028/22897/FTAA-2510-1118-Minute-3-Request-for-further-information,-expert-conferencing-and-conditions-March-2026.pdf

² See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0019/24337/Appendix-A-Resource-Consent-Conditions-Inc.-Attachments-and-Condition-Matrix.pdf

Comments on the draft conditions

4. Greater Wellington has read the Panel's draft *Record of Decision of the Expert Consenting Panel under Section 87 of the Fast-track Approvals Act 2024*³ (Draft Decision).
5. Greater Wellington has reviewed the draft resource consent conditions in light of the Draft Decision. **Attachment 1** sets out the amendments that Greater Wellington considers should be made to the draft conditions. **Attachment 2** sets out the amendments that Greater Wellington considers should be made to the draft regional resource consents matrix.
6. As part of providing comments on the draft conditions, Greater Wellington wishes to draw the Panel's attention to the following matters.

Agreement on conditions

7. Paragraph 625 of the Draft Decision states that "The Applicant (working with the Councils) provided an agreed set of conditions to the Panel on 10 April 2026". For the avoidance of doubt, Greater Wellington notes that the set of conditions provided by the applicant to the Panel on 10 April 2026 was not agreed in its entirety through expert conferencing. The only conditions that were agreed through expert conferencing are conditions CA.24 to CA.30, which were agreed through the Joint Witness Statement Planning: End-Effects Erosion⁴ in response to paragraph [5] of Minute 3.

Targets for offsetting and provisions for adaptive management in relation to kororā and pohowera offsetting

8. In its Section 53 comments on the application, Greater Wellington suggested numerical targets as a means by which the success of the offset measures proposed by the applicant for the loss of existing kororā and pohowera habitat could be measured as part of the resource consent conditions.⁵ The conditions suggested by Greater Wellington were based on the applicant's evidence of the habitat that would be lost, and principle 5(b) in Schedule G2 of the NRP (Principles to be applied when proposing and considering a biodiversity offset), which states:

The proposed biodiversity offset will: ... be able to be implemented and enforced in line with any resource consent conditions associated with the activity. These conditions should include:

- (i) *Specific, measurable and time-bound targets, and*

³ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0015/24342/Fast-track-WIAL-Draft-Decision-April-2026.pdf

⁴ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/24581/JWS-planning-signed.pdf

⁵ Refer to Greater Wellington's Section 53 comments, at paragraphs 20 to 37. See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0010/22132/FTA260318-GW-Section-53-Comments-Wellington-International-Airport-Southern-Seawall-Renewal.pdf

- (ii) *Mechanisms for adaptive management using the results of periodic monitoring and evaluation against identified milestones to determine whether the biodiversity offset is on track and how to rectify if necessary*

9. The Panel has found that “rigid numerical occupancy targets are not an appropriate measure of success for kororā colony establishment”⁶, and that “the Kororā Management Plan, supported by long-term monitoring, review, and adaptive management provisions, provides an appropriate and proportionate framework to detect issues and respond if outcomes are not tracking as anticipated”⁷.
10. Greater Wellington considers that without measurable targets relating to habitat up-take being specified in the draft conditions, the draft conditions do not provide for any specific or measurable targets by which the success of the alternative habitat can be evaluated. Nor are there any identified milestones in the draft conditions to determine whether the offset measures are on track. Consequently, if the monitoring of the uptake of the kororā colonies or pohowera habitat demonstrates that the alternative habitat opportunities are not being taken up, the conditions do not provide a clear or certain framework setting out when and how this would need to be addressed by the consent holder.
11. Because of this, Greater Wellington considers that the draft conditions for offsetting the loss of kororā or pohowera habitat do not give effect to Principle 5(b) of Schedule G2 of the NRP.

Agreed position on conditions for managing end-effects erosion

12. The Joint Witness Statement Planning: End-Effects Erosion⁸ sets out the agreed amendments to conditions to provide for the monitoring of end-effects erosion in relation to the new seawall. As part of the Joint Witness Statement, it was agreed at paragraph 6(a) that the *C.01 Engineering Plans for Consent*⁹ that were lodged with the application would be amended to incorporate the design of the eastern end of the seawall shown in Figure 1 of Jennifer Hart and Amy Sheppard’s Statement of Evidence dated 17 March¹⁰.
13. It is not clear from the draft conditions whether this amendment has been provided for. It is important that this amendment is provided for to ensure that the agreement on conditions for managing end effects erosion is given effect to. This is reflected in Greater Wellington’s comments on Condition GC.1 in **Attachment 1**.

⁶ At para 248 of the Draft Decision. See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0015/24342/Fast-track-WIAL-Draft-Decision-April-2026.pdf

⁷ At para 250 of the Draft Decision.


⁸ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/24581/JWS-planning-signed.pdf

⁹ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0018/14436/C.01-Engineering-Plans-for-Consent.pdf

¹⁰ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0011/22511/Appendix-4-Statement-of-evidence-of-Jennifer-Hart-and-Amy-Sheppard_Redacted.pdf

Other matters

14. Greater Wellington’s comments on the draft conditions in **Attachment 1**, and comments on the draft resource consent conditions matrix in **Attachment 2**, also address the following matters:
- (a) Greater Wellington understands that the Panel will complete Condition GC.1 so that it references all the relevant consent documents, and Condition GC.4 so that it references the dates of the finalised management plans. Greater Wellington’s understanding of the documents that need to be referenced in these conditions is set out in our comments on Conditions GC.1 and GC.4.
 - (b) Greater Wellington considers that amendments to Condition GC.9 are necessary to avoid allowing un-certified amendments to management plans that have more than de-minimus adverse effects.
 - (c) Minor amendments to several other draft conditions to improve certainty of interpretation and to correct typographic or formatting errors.
 - (d) Comments on the resource consents conditions matrix to ensure that the appropriate consents are granted, the appropriate conditions are applied to each consent, and to correct minor typographic errors.

Memorandum prepared by:	Andrew Banks	Senior Resource Advisor, Environmental Regulation	
Memorandum approved by:	Richard Percy	Team Leader, Environmental Regulation	

Attachment 1: Amendments to draft resource consent conditions

Notes: Tracked changes are shown in red underline or strikethrough
Placeholders to be filled by the Panel are shown **highlighted yellow**

Condition	Amendment	Reasons
GC.1	<p>Except as provided for in the conditions below, the Project must be undertaken in general accordance with:</p> <p>(a) The plans and information submitted with the application titled “Wellington International Airport Limited, Southern Seawall Renewal Project, dated 23rd October 2025, and the supporting technical documents submitted by the Consent Holder to the Environmental Protection Authority in support of its application for authorisation of the Southern Seawall Renewal Project under the Fast-track Approvals Act 2024.</p> <p>(b) The Applicant’s responses to comments provided under section 55 of the Fast-track Approvals Act 2024; <u>and The additional and updated application documents submitted by the Consent Holder to the Environmental Protection Authority on:</u></p> <ul style="list-style-type: none"> <u>i) 13 November 2025</u> <u>ii) 30 January 2026</u> <u>iii) 18 February 2026</u> 	<p>The documents that are covered by the “in general accordance” condition need to be specified.</p> <p>The documentation identified by Greater Wellington under clauses (b) and (c) includes the additional and updated application documentation submitted by the Applicant to the Environmental Protection Authority (EPA) 13 November 2025, 30 January 2026, and 18 February 2026, and amendments to the application documentation provided by the Applicant to the Expert Panel in response to Section 53 comments on the application.</p> <p>Greater Wellington also considers that the <i>C.01 Engineering Plans for Construction</i> should be updated and referenced in Condition G.01 (see the placeholder at (c)(ii)). At paragraph 6(a) of the <i>Joint Witness Statement Planning: End Effects Erosion (9 April 2026)</i>¹¹, it was agreed that the <i>C.01 Engineering Plans for Construction</i> be updated to incorporate the design of the eastern end of the seawall shown in Figure 1 of Jennifer Hart and Amy Sheppard’s Statement of Evidence dated 17 March¹². Greater Wellington considers that this amendment needs to be</p>

¹¹ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/24581/JWS-planning-signed.pdf

¹² See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0011/22511/Appendix-4-Statement-of-evidence-of-Jennifer-Hart-and-Amy-Sheppard_Redacted.pdf

Condition	Amendment	Reasons
	<p>(c) The further information submitted pursuant to section 67 of the Fast-track Approvals Act 2024.The following documents provided by the Consent Holder to the Expert Panel:</p> <p>i) Updated Landscape, Natural Character and Visual Effects Assessment (Boffa Miskell, 16 March 2026), provided to the Expert Panel on 17 March 2026;</p> <p>ii) [PLACEHOLDER for updated version of C.01 Engineering Plans for Consent to incorporate the design shown in Figure 1 of Jennifer Hart and Amy Sheppard’s Statement of Evidence dated 17 March]</p>	<p>incorporated to the referenced drawings in order to give effect to the agreement set out in the joint witness statement.</p>
GC.4	<p>This consent must be exercised in accordance with the following management plans:</p> <p>(a) Contaminated Land Management Plan (CLMP) dated [insert].</p> <p>(b) Lizard Management Plan (LMP) dated [insert].</p> <p>(c) Avifauna Management Plan (AMP) dated [insert].</p> <p>(d) Kororā / Penguin Management Plan (KPMP) dated [insert].</p> <p>(e) Marine Mammal Management Plan (MMMP) dated [insert].</p>	<p>Greater Wellington considers that the Panel should specify the final versions and dates of the management plans that it requires the consent holder to comply with. Because these management plans will not be submitted to the Councils for certification, the final versions and dates of the management that the Councils are expected to enforce should be specified in the conditions.</p> <p>At the time of filing this memorandum, Greater Wellington understands that the latest version of each management plan is dated as follows:</p> <ul style="list-style-type: none"> Contaminated Land Management Plan: 3 October 2025¹³

¹³ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/14474/G.03-Beca-Contaminated-Land-Management-Plan.pdf

Condition	Amendment	Reasons
	Where a management plan is amended under Conditions GC.9 or GC.10, the consent must be exercised in accordance with the amended management plan.	<ul style="list-style-type: none"> • Lizard Management Plan: 30 January 2026¹⁴ • Avifauna Management Plan: 13 March 2026¹⁵ • Kororā / Penguin Management Plan: 17 March 2026¹⁶ (noting that this plan is still labelled as a draft management plan) • Marine Mammal Management Plan: 17 March 2026¹⁷ <p>Greater Wellington considers that any references to these management plans being “draft” should be removed, to avoid unnecessary confusion when these management plans are being enforced.</p>
GC.9	<p>(a) The Consent Holder may make minor amendments to the management plan(s) referred to in Conditions GC.4 and GC.55 at any time. Any such amendments to the management plan(s) must be such that the plan(s) remain consistent with the objectives of the management plan(s) and continue to be in accordance with the resource consent conditions.</p> <p>(b) The Consent Holder must submit, in writing, any minor amendment(s) to the certified management plan(s) to the relevant Manager(s) at least 10 working days prior to when the works associated with the amendment are to</p>	<p>Because the criteria that define a ‘minor amendment’ in clauses (d) and (e) are disjunctive, clause (e) could be interpreted as allowing amendments to management plans that may have more than de-minimus adverse environmental effects without certification, so long as they also result in an “improved environmental outcome”. Greater Wellington considers this is inappropriate.</p> <p>To provide sufficient certainty that changes to management plans that have more than de-minimus adverse environmental effects are not allowed as minor amendments, Greater Wellington considers that clause (e) should be deleted, and that</p>

¹⁴ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0013/20065/Draft-Lizard-Management-Plan-January-2026.pdf

¹⁵ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0014/22523/Appendix-11-Updated-Avifauna-Management-Plan_Redacted.pdf

¹⁶ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0015/22524/fda4db4124acf41af7db0c4452bdb6fef12c8bfc.pdf

¹⁷ See: https://www.fasttrack.govt.nz/_data/assets/pdf_file/0013/22522/Appendix-10-Updated-Marine-Mammal-Management-Plan_Redacted.pdf

Condition	Amendment	Reasons
	<p>be implemented. The Consent Holder must maintain a record of all minor amendments.</p> <p>(c) If the Consent Holder is notified by the relevant Manager(s) that it considers the amendment is a material amendment, the Consent Holder must consider the amendment in accordance with Condition GC.10.</p> <p>For the purpose of this condition, a ‘minor amendment’ is either:</p> <p>(d) a small change to the content of the management plan(s) which has either no or a de minimis adverse environmental outcome. or</p> <p>(e) a change which would result in an improved environmental outcome.</p>	<p>minor amendments are simply limited to small changes that have either no, or a de-minimus, adverse environmental impact.</p> <p>Greater Wellington has also identified a typographical error to a reference to Condition GC.5 in clause (a) that should be corrected.</p>
Advice Note (below GC.10)	<p>[...]</p> <p>(c) Avifauna Management Plan (AMP): Manager WCC and Manager GWRC (with regard to pohowera (banded dotterel) and variable oystercatchers)</p> <p>[...]</p>	<p>The Coastal Avifauna conditions (ECO.24 and ECO.25) are conditions of the coastal permits for the construction of the seawall. Compliance with the coastal permits will be monitored and enforced by Greater Wellington. These conditions require compliance with the Avifauna Management Plan (AMP) as it relates to pohowera (banded dotterels) and variable oystercatchers.</p> <p>Greater Wellington therefore considers that it should be referred to as a “relevant manager” for the AMP with regard to coastal avifauna (pohowera and variable oystercatchers).</p>
SC.5	The Consent Holder must establish a procedure to address any complaints received during construction and thereafter during	In order for compliance with this condition to be monitored and enforced by the Councils, Greater Wellington considers that the

Condition	Amendment	Reasons
	<p>operation of the Project <u>and provide this procedure to Manager WCC and Manager GWRC prior to the commencement of works</u>. Such process must include the development of a complaints register(s) that must include the following information: [...]</p>	<p>complaints procedure developed by the consent holder under this condition should be provided to the Councils before works commence.</p>
ECO.37	<p>[...] Advice note: Any activities necessary to construct or maintain the Stage 21 Kororā Colony that are to be carried out on reserve land owned by WCC must not be undertaken without WIAL first obtaining requires the written agreement of WCC to those activities.</p>	<p>Greater Wellington considers that the advice note should be drafted as a statement of fact, rather than a requirement that might be interpreted as enforceable under the condition. This avoids potential confusion where an enforcement officer may consider they are required to enforce a third-party agreement under the condition (which would not be appropriate). Greater Wellington also considers there may be a typographical error in the reference to the Stage 2 Kororā colony, as the condition relates to the Stage 1 Kororā colony.</p>
ECO.62	<p>The Consent Holder must undertake the following monitoring, maintenance, and reporting for a minimum of 20 years from the date that written confirmation is provided under Condition ECO.36(b) at the Stage 2 Kororā Colony:</p> <p>(a) Nest boxes must be checked at least once every 3 months;</p> <p>(b) Any nest boxes that are blocked by debris must be cleared and any nest boxes that are damaged or dilapidated must be repaired or replaced;</p> <p>(c) Monitoring reports must be prepared by the Project Penguin Biologist and submitted to the Manager WCC, Manager GWRC, and the mana whenua advisory group annually. The reports must record, as a minimum, the number of unique breeding</p>	<p>There appears to be a typographical error in the condition clauses. The requirement to maintain nest boxes under clause (b) should be separate to the requirement to prepare and submit monitoring reports under clause (c).</p>

Condition	Amendment	Reasons
	<p>pairs that have successfully taken up habitat within the colony within the 12-month period covered by the report. The monitoring report shall cover the period from 1 June to 31 May.</p> <p>Advice note: in circumstances where a monitoring report is required under this condition and Condition ECO.61 within the same year, then the reports may be provided as a single report.</p>	
ESC.25	<p>At least 20 working days prior to discharges of stormwater from the MGC Yard commencing, the Consent Holder must submit a review of the WIAL Stormwater Management Plan prepared by GHD Limited, dated 23 September 2024, certified under the requirements of discharge permit WGN230119 [38649] that includes the proposed MGC Yard to the Manager GWRC for certification in accordance with Condition GC.5.</p> <p>[...]</p>	Correction of a minor typographical error.
ESC.28	<p>Stormwater discharges from the MCG Yard must be managed in accordance with the updated site-wide Stormwater Management Plan certified under Condition ESC.25, or any subsequent amendments certified under Conditions GC.9 or GC.10.</p>	Correction of a minor typographical error.
CA.17	<p>[...]</p> <p>(c) For the control site - located at map reference NZTM 1750220E 5421400N. The control site location may be amended with the agreement of the Manager GWRC.</p> <p><u>(d)</u> For the existing storm water discharge outlet at the eastern end of the Southern Seawall - located at the outlet.</p>	There appears to be a typographical error in the condition clauses. Greater Wellington understands that the requirement in clause (c) should be separate to the requirement in clause (d).

Attachment 2: Amendments to resource consent conditions matrix (Appendix A Table 2)

Notes: Tracked changes are shown in red underline or ~~strikethrough~~

Consent	Amendment	Reasons
All regional resource consents	Amend the <i>General Conditions</i> as follows: [...] MW.1 – MW. 76 [Mana Whenua advisory group] [...]	Condition MW.6 does not exist.
RC2	Amend the <i>Specific Conditions</i> as follows: ESC.1 – ESC. 223 [Erosion Management and Sediment Control], ESC.29 [Discharge quality]	Condition ESC.23, which relates to earthworks during the winter works period, is relevant to this consent.
RC6 and RC7	Amend the <i>Specific Conditions</i> as follows: ESC.1 – ESC. 223 [Erosion Management and Sediment Control], ESC.29 [Discharge quality]	Condition ESC.23, which relates to earthworks during the winter works period, is relevant to these consents.
RC8	Amend the <i>Detail of activity requiring consent</i> as follows: Activities in the CMA associated with the construction and use of the Southern Seawall and Eastern Bank Remediation Area (including the addition or alteration to an existing seawall), including any: [...]	There appears to be a typographical error, where the words “and use” have been struck through in the draft conditions but not deleted. Greater Wellington considers that these words should be deleted, as the use of the seawall is provided for under Resource Consent RC9.
RC8	Amend the <i>Specific Conditions</i> as follows: [...] ESC.1 – ESC.23 [Erosion Management and Sediment Control], ESC. 289 [Discharge quality]	Typographical error in the reference to the discharge quality condition. The discharge quality condition is ESC.29.

Consent	Amendment	Reasons
	[...]	
RC9	Amend the <i>Specific Conditions</i> as follows: [...] ECO.372 – ECO.72 [Kororā and Marine Ecology] [...]	The Kororā conditions start at condition ECO.32.
RC10	Amend the <i>Resource Consent</i> as follows: RC10: Land use consent (s9) and RC11: discharge permit (s15) – Earthworks and the associated discharge of contaminants into or onto land or water Consequentially amend the numbering of all subsequent resource consents	A separate resource consent is required for the discharge permit component of the earthworks consents. Consequential amendments will be required to the numbering of subsequent resource consents.
RC10 (and new RC11)	Amend the <i>Specific Conditions</i> as follows: [...] ESC.1 – ESC.23 [Erosion Management and Sediment Control], ESC.289 [Discharge quality] [...]	Typographical error in the reference to the discharge quality condition. The discharge quality condition is ESC.29.
RC11 (to be re-numbered RC12)	Amend the <i>Duration</i> as follows: 15 35 years	There appears to be a typographical error, where the 15-year duration has been struck through in the draft decision but not deleted.
RC11 (to be re-	Amend the <i>Specific Conditions</i> as follows: [...]	Conditions CA.3 and CA.4 relate to the detailed design of the Southern Seawall and Eastern Bank Remediation Area. These conditions will not be relevant to activities associated with the

Consent	Amendment	Reasons
numbered RC12)	CA.35 – CA.14, CA.22-CA.30 [Activities in the Coastal Environment]	establishment of the Stage 1 Kororā Colony in the coastal marine area.
RC12 (to be re-numbered RC13)	<p>Amend the <i>Resource Consent</i> as follows:</p> <p>RC123: Land use consent (s9) and RC14: discharge permit (s15) – Earthworks and the associated discharge of contaminants into or onto land or water</p> <p>Consequentially amend the numbering of all subsequent resource consents</p>	<p>A separate resource consent is required for the discharge permit component of the earthworks consents.</p> <p>Consequential amendments will be required to the numbering of subsequent resource consents.</p>
RC12 (to be re-numbered RC13) and new RC14	<p>Amend the <i>Specific Conditions</i> as follows:</p> <p>[...]</p> <p>ESC.1 – ESC.23 [Erosion Management and Sediment Control], ESC.289 [Discharge quality]</p> <p>[...]</p>	<p>Typographical error in the reference to the discharge quality condition. The discharge quality condition is ESC.29.</p>