



PART H

Rules Assessment

PART H – RESOURCE CONSENTS SOUGHT UNDER THE FAST-TRACK APPROVALS ACT 2024

In respect of the resource consents sought under the Resource Management Act 1991 (“**RMA**”) through the substantive fast-track application, the Southern Seawall Renewal Project (“**the Project**”) must be considered against the rules and regulations of the following statutory planning documents:

- > Natural Resources Plan for the Wellington Region 2023 (“**NRP**”);
- > Proposed Change 1 to Natural Resources Plan for the Wellington Region 2023 (“**PC1**”);
- > Operative Wellington City Council District Plan 2000 (“**2000 District Plan**”);
- > Proposed Wellington City Council District Plan 2024 (“**2024 District Plan**”);
- > Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES Soil**”); and
- > Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“**Freshwater NES**”).

The tables in the following sections identify approvals related to district and regional resource consents under the RMA, together with those activities that are identified as permitted activities in the relevant district and regional plans.

In addition, and for completeness, the tables also include an assessment of rules that are potentially relevant but have been determined to not be applicable to the Project.

A summary of the consents required under each statutory planning document is provided at the end of each section, with the overall activity status of the Project under the RMA presented at the end of this analysis. To avoid doubt, WIAL seeks any necessary resource consents for all of the activities described in Section 2 of the Application.



NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

The following Tables 1 to 7 provide an analysis of the relevant rules in the NRP relating to the activities associated with the Project. This covers the following sections of the NRP:

- > Chapter 5.1 – Air Quality;
- > Chapter 5.2 – Discharges to Land and Water;
- > Chapter 5.3 – Land Use;
- > Chapter 5.4 – Wetlands and Beds of Lakes and Rivers;
- > Chapter 5.5 – Water Allocation; and
- > Chapter 5.6 – Coastal Management.

Rules in Chapters 5.1 – 5.5 that apply both within and outside the coastal marine area are indicated by the word (Coastal) after the rule title.

Rules in Chapter 5.6 apply only to activities located within the coastal marine area unless otherwise specified. In this regard, it is understood that Rule R189 applies both within and outside the coastal marine area (i.e. to the coastal environment more broadly).



CHAPTER 5.1 – AIR QUALITY

Table 1: Chapter 5.1 – Air Quality

Provision	Activity Status	Comment
<p>Rule R27: Handling of bulk solid materials – permitted activity (Coastal)</p> <p>The discharge of contaminants into air from the handling of bulk solid materials including from the activities of quarrying, mining, cleanfilling, blasting, extraction, crushing, screening, processing, stockpiling, handling, conveying, sorting, and storage is a permitted activity, provided the following conditions are met:</p> <p>(a) for the Commercial Port Area shown on Map 51 and Map 52 any discharge into air shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the Commercial Port Area on Map 51 and Map 52, and</p> <p>(b) for all other areas, the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.</p>	Permitted	<p>The stockpiling of concreted armour units that will form the upgraded Southern Seawall and the storage of other construction materials (rock, geotextile, cement, sand) are considered to fall under the definition of bulk solid materials – which includes materials consisting of, or including, fragments that could be discharged as dust or particulate.</p> <p>In addition, earthworks required to establish the MGC Yard, Moa Point Yard, Kororā Colonies, and the proposed ground improvements at the Southern Seawall (to enable the safe support of construction equipment during the seawall construction process) have the potential to give rise to the emission of dust.</p> <p>Regardless, the proposed Erosion and Sediment Control Monitoring Plan (refer to Part B) will ensure that any discharge of contaminants into the air from the handling of bulk solid materials will not cause noxious, dangerous, offensive or objectionable dust or particulate beyond the boundaries of the various sites.</p>
<p>Rule 33: Petroleum storage or transfer facilities – permitted activity (Coastal)</p>	Permitted	<p>Petroleum products will be stored at the George Bolt Yard and Moa Point Yard. All petroleum products will be stored onsite in</p>



Provision	Activity Status	Comment
<p>The discharge of contaminants into air from the storage or transfer of petroleum products including but not limited to, volatile organic compounds, solvent vapours, ventilation of solvents and displacement of solvents is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> > the discharge does not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and > there is no emission of hazardous air pollutants as identified in Schedule L2 (air pollutants) beyond the boundary of the property that does, or is likely to, cause adverse effects on human health, ecosystems or property. 		<p>specialised storage containers, in accordance with the applicable hazardous substances regulations.</p>
<p>Rule R34: Mobile source emissions – permitted activity (Coastal)</p> <p>The discharge of contaminants into air from a mobile source is a permitted activity.</p>	<p>Permitted</p>	<p>The construction activities associated with the project will include the discharge of contaminants into air from mobile sources such as trucks, light utility vehicles and mobile plant.</p>

CHAPTER 5.2 – DISCHARGES TO LAND AND WATER

Table 2: Chapter 5.2 – Discharges to Land and Water

Provision	Activity Status	Comment
<p>Rule 48: Stormwater from an individual property – permitted activity (Coastal)</p> <p>The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, from an individual property is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) the discharge does not originate from industrial or trade premises where hazardous substances are stored or used unless specified conditions are met, and (b) the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and (c) the discharge is not from a local authority stormwater network, a port, airport or state highway, and (d) the discharge shall not contain wastewater, and 	<p>Not applicable</p>	<p>Stormwater is a defined term in the NRP.¹</p> <p>This rule is relevant for parts of the Moa Point Yard which are outside the airport area. It is conservatively assumed that stormwater discharges from the Moa Point Yard may not comply with permitted standards (e) and (g), therefore resource consent is sought under Rule R94, noting that:</p> <ul style="list-style-type: none"> > Activities within Moa Point Yard are construction activities; > The Moa Point Yard does not contain any SLUR Category III land; > Stormwater will be managed by a permitter bund in accordance with the Moa Point ESCP (refer to Part B and Part G) for the duration of construction activities to ensure permitted conditions are complied with,

¹ Stormwater is defined as “runoff that has been intercepted, channeled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the external surface of any structure, as a result of precipitation and including any contaminants contained therein. For the avoidance of doubt, stormwater excludes discharges associated with earthworks, vegetation clearance, break-feeding and cultivation that are managed under rules in section 5.3 of the Plan.”



Provision	Activity Status	Comment
<p>(e) the concentration of total suspended solids shall not exceed specified limits, and</p> <p>(f) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(g) the discharge shall not give rise to the specified effects beyond the zone of reasonable mixing.</p>		<p>For completeness, it is noted that:</p> <ul style="list-style-type: none"> > Stormwater at the MGC Yard will be managed in accordance with Rule R54, and stormwater at the George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119).² > The discharge of water from the Southern Seawall is provided for by Rule R189. > Rain runoff from the Kororā Colonies will not meet the definition of “stormwater”.
<p>Rule R54: Stormwater from a port or airport – restricted discretionary activity (Coastal)</p> <p>The discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through a local authority stormwater network, from a port or airport is a restricted discretionary activity.</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > The management of adverse effects of stormwater capture and discharge (including cumulative effects) on aquatic ecosystem health, mahinga kai, contact recreation and māori customary use; 	<p>Stormwater is expected to be discharged from the MGC Yard and the parts of the Moa Point Yard (which are within the airport) due to the proposed establishment of gravel laydown areas, portable buildings and accessways to support the construction activities. Such activities require consideration under this rule as a restricted discretionary activity.</p> <p>For completeness, it is noted the discharge of stormwater from:</p>

² Chapter 5.2 of the NRP states that “If an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.

Provision	Activity Status	Comment
	<ul style="list-style-type: none"> <li data-bbox="1048 336 1429 592">> The management of adverse effects on sites identified in Schedule A (Outstanding Water Bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua) and Schedule F (Indigenous Biodiversity); <li data-bbox="1048 624 1429 687">> Minimisation of adverse effects of stormwater discharges; and <li data-bbox="1048 719 1429 815">> Requirements of any relevant local authority stormwater network discharge consent. 	<ul style="list-style-type: none"> <li data-bbox="1464 336 1998 432">> The George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); and <li data-bbox="1464 464 1973 528">> The Southern Seawall is provided for by Rule R189.
<p data-bbox="389 871 904 895">Rule R80: Cleanfill material – permitted activity</p> <p data-bbox="389 927 1016 1023">The discharge of cleanfill material onto or into land, or onto or into land where a contaminant may enter water, is a permitted activity, provided the following conditions are met:</p>	<p data-bbox="1048 871 1211 895">Not applicable.</p>	<p data-bbox="1464 871 1984 935">Cleanfill material³ is proposed to be discharged to land through:</p> <ul style="list-style-type: none"> <li data-bbox="1464 967 1984 1031">> The establishment of the MGC and Moa Point Yards;

³ Cleanfill material is defined in the NRP as material that when buried will have no adverse effect on people or the environment; includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of (a) combustible, putrescible, degradable or leachable components, and (b) hazardous substances, and (c) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices, and (d) materials that may present a risk to human health, and (e) liquid waste.

Provision	Activity Status	Comment
<p>(a) the cleanfill material is not located within 20 m of a surface water body, or bore used for water abstraction for potable supply, and</p> <p>(b) the cleanfill material is located to avoid being undermined or eroded by natural processes or being inundated from coastal or river flooding, and</p> <p>(c) the cleanfill material shall be 0.6 m above the seasonally highest water table, and</p> <p>(d) the cleanfill material shall be managed (siting, design and operation) in accordance with Sections 5-8 in A Guide to the Management of Cleanfills (2002), and</p> <p>(e) the volume of cleanfill material deposited at a property shall not exceed 400 m³ per 12 month period, and</p> <p>(f) the volume and origin of the cleanfill material and the date the material has been deposited on this property, is recorded using GPS or mapped to an accuracy of at least 50 m at a scale of 1:50,000; and a copy of this information is made available to the Wellington Regional Council upon request, and</p> <p>(g) the cleanfill material shall be stabilised and re-vegetated within six months of completion of the activity.</p>		<p>> The stockpiling of rock at the Moa Point and MGC Yards (which is conservatively treated as cleanfill for the purposes of this rule); and</p> <p>> Establishment of the Stage 2 Kororā Colony.</p> <p>These activities will not meet the permitted activity conditions as the volume at each site is likely to exceed 400 m³ per 12 month period. In particular, the discharge of cleanfill at the MGC Yard will be approximately 2,000 m³.</p> <p>In respect to the other permitted activity conditions:</p> <p>> cleanfill material will not be located within 20 m of a surface water body or bore;</p> <p>> Stockpiles of cleanfill material will be located to avoid undermining, erosion or inundation. Placement of rocks for the Southern Seawall are for the purpose of mitigating coastal processes;</p> <p>> The sites are not cleanfills so need not comply with the requirements of Sections 5-8 in A Guide to the Management of Cleanfills (2002);</p> <p>> Records will be kept in accordance with condition f; and</p>



Provision	Activity Status	Comment
		<p>> the MGC Yard, Moa Point Yard and Southern Seawall will be stabilised but are not proposed to be revegetated.</p> <p>As such, the discharge of cleanfill material to land associated with the Project falls to be considered under Rule R94 below.</p> <p>Placement of cleanfill (rocks) for the purposes of habitat enhancement at the Stage 1 Kororā Colony is expected to comply with all permitted standards.</p> <p>For completeness, it is noted the discharge of cleanfill associated with the placement of rock in constructing the Southern Seawall is provided for by Rule R189.</p>
<p>Rule R81: Detailed site investigation – permitted activity</p> <p>The use of land to undertake a detailed site investigation of contaminated land and any associated discharge into air is a permitted activity, provided the following conditions are met:</p> <p>(a) the investigation is undertaken in accordance with <i>Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (2011)</i>, and</p> <p>(b) the investigation is reported in accordance with the <i>Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Land (2011)</i>, and</p>	<p>Permitted</p>	<p>A Detailed Site Investigation has been undertaken at the Southern Seawall and a portion of the MGC Yard (refer to Part B) in accordance with the relevant guidelines and has been provided to the Greater Wellington Regional Council.</p>



Provision	Activity Status	Comment
<p>(c) a copy of the report is provided to the Wellington Regional Council within two months following the completion of the investigation.</p>		
<p>Rule R82: Discharges from contaminated land – permitted activity</p> <p>The discharge of a contaminant from contaminated land where a contaminant may enter water is a permitted activity provided the following conditions are met:</p> <p>(a) a detailed site investigation has been undertaken, reported and provided to Wellington Regional Council in accordance with Rule R81, and</p> <p>(b) the results of the detailed site investigation indicate that the discharge does not pose unacceptable risks to human health or the environment – on-site or off-site, or</p> <p>(c) the discharge from SLUR Category III land or SLUR Category IV land does not, or is not likely to, result in:</p> <p>(i) water quality exceeding the maximum acceptable value (MAV) in the Drinking-Water Standards New Zealand 2005 (Revised 2008) or 50% of the MAV in a community drinking water supply protection area shown on Maps 39, 40, 41, 42 or 43 at the following locations:</p>	<p>Permitted</p>	<p>A Detailed Site Investigation (“DSI”) has been completed for the Project at the Southern Seawall and Moa Point Yard area (included in Part B), which has identified concentrations of PFAS and heavy metal concentrations above background levels.</p> <p>A DSI has also been completed for the MGC Yard (included in Part B) which has detected PFAS at concentrations that comply with human health and terrestrial ecological criteria. identified.</p> <p>As confirmed by both DSIs, any discharges of contaminants will meet the permitted activity conditions as:</p> <ul style="list-style-type: none"> > The DSI has been prepared in accordance with the relevant guidelines and has been provided to the Greater Wellington Regional Council within two months of completion; > The DSI confirms that concentrations of and heavy metals do not exceed human health or environmental assessment criteria and will therefore comply with condition (b); and

Provision	Activity Status	Comment
<ol style="list-style-type: none"> 1. at the property boundary, or within 50m from the source of the discharge, whichever is the lesser distance, or 2. in an existing bore within the property boundary or within 50m from the source of the discharge, whichever is the lesser distance, used to abstract water for any use other than water quality monitoring, <p>(ii) water quality in a surface water body within the property boundary or within 50m from the source of the discharge, whichever is the lesser distance, exceeding a value in Schedule V for the protection of 95% of species.</p>		<p>> The Southern Seawall and Moa Point Yard area are not shown as SLUR Category III or IV land.</p> <p>For completeness, it is noted that WIAL holds a global consent (SR520690) for the disturbance of contaminated land associated with the operation and maintenance of Wellington International Airport.</p>
<p>Rule R94: All other discharges – discretionary activity (Coastal)</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</p> <ol style="list-style-type: none"> (a) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and (b) a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a 	Discretionary	<p>The construction activities associated with the Moa Point and MGC Yards, and the rehabilitation of Moa Point Yard and creation of Stage 2 Kororā Colony, will involve the discharge of cleanfill which do not comply with the permitted standards on Rule R80. In addition, stormwater discharges associated with the Moa Point Yard and MGC Yard may involve the discharge of flocculant in accordance with the Chemical Treatment Management Plan (refer Part G) that is not otherwise be provided for by PC1 rules (see Rule</p>



Provision	Activity Status	Comment
<p>discretionary activity under Rules R55, R56, R58, R65, R83 or R90,</p> <p>is a discretionary activity.</p>		<p>WH.R25), including the use of flocculant. These activities are not:</p> <ul style="list-style-type: none"> > in a site or habitat listed in condition a; and > not provided for by a rule described in condition (b). <p>For completeness it is noted that discharges associated with the Southern Seawall are provided for by Rule R189, and the discharges from the George Bolt Yard are covered by WIAL's existing site-wide stormwater discharge permit (Consent number WGN230119).</p> <p>Consent is therefore required for the discharge water or contaminants associated with construction activities at the Moa Point and MGC Yards as a discretionary activity.</p>

CHAPTER 5.3 – LAND USE

Table 3: Chapter 5.3 – Land Use

Provision	Activity Status	Comment
<p>Rule R101: Earthworks – permitted activity (Coastal)</p> <p>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks up to a total area of 3,000 m² per property per 12 month period is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, and (b) earthworks will not create or contribute to instability or subsidence of a slope or another land surface at or beyond the boundary of the property where the earthworks occurs, and (c) any earthworks shall not, after the zone of reasonable mixing, result in any of the following effects in receiving waters: <ul style="list-style-type: none"> (i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or (ii) any conspicuous change in colour or visual clarity, or (iii) any emission of objectionable odour, or (iv) the rendering of fresh water unsuitable for consumption by animals, or (v) any significant adverse effect on aquatic life, and 	<p>Not applicable</p>	<p>The proposed earthworks at the MGC Yard, Moa Point Yard, and rehabilitation of Moa Point Yard as reserve and to establish the Stage 2 Kororā Colony will exceed the permitted area per property of 3,000 m² per 12 month period. Notwithstanding this, all the permitted activity conditions will be complied with.</p> <p>Refer to Rule R107 below.</p> <p>For completeness, earthworks associated with:</p> <ul style="list-style-type: none"> > The Southern Seawall (including Eastern Bank Remediation) are provided for by Rule R189. > Stage 1 Kororā Colony establishment will comply with R101.



Provision	Activity Status	Comment
<p>(d) earthworks shall not occur within 5m of a surface water body except for earthworks undertaken in association with Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139, and</p> <p>(e) work areas are stabilised within six months after the completion of the earthworks.</p>		
<p>Rule R104: Vegetation clearance on erosion prone land – permitted activity</p> <p>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from vegetation clearance up to a total area of 2 ha per property per 12 month period on erosion prone land is a permitted activity, provided the following conditions are met:</p> <p>(a) any soil or debris from the vegetation clearance is not placed where it can enter a surface water body or the coastal marine area, and</p> <p>(b) any soil disturbances associated with the vegetation clearance shall not after the zone of reasonable mixing, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> (i) the production of conspicuous oil or grease films, scums of foams, or floatable or suspended materials, or (ii) any conspicuous change in colour or visual clarity, or (iii) any emission of objectionable odour, or (iv) the rendering of fresh water unsuitable for consumption by animals, or 	Permitted	<p>The MGC Yard contains erosion prone land, which is defined as land where the pre-existing slope exceeds 20 degrees, and several existing trees are scattered throughout the golf course.</p> <p>Any vegetation clearance on erosion prone land at the MGC Yard will not exceed two hectares per 12 month period, occur within 5m of a surface water body, and any soil or debris from the vegetation clearance will be stored in a dedicated topsoil stockpile area (and surrounded by stormwater cut-off drains) such that it cannot enter a surface water body or the coastal marine area or result in adverse effects in receiving waters after the zone of reasonable mixing.</p>



Provision	Activity Status	Comment
<p>(v) any significant effect on aquatic life, and</p> <p>(c) vegetation clearance shall not occur within 5m of a surface water body except for vegetation clearance undertaken in association with by Rules R122, R125, R126, R127, R128, R130, R131, R132, R134, R137 and R139.</p>		
<p>Rule R107: Earthworks and vegetation clearance – discretionary activity (Coastal)</p> <p>The use of land, and the associated discharge of sediment into water or onto or into land where it may enter water from earthworks, or vegetation clearance on erosion prone land that is not permitted by Rules R101, R102, R104 and R105, and not controlled by Rule R103, or not restricted discretionary by Rule R106 is a discretionary activity.</p>	<p>Discretionary</p>	<p>The proposed earthworks at the MGC Yard and Moa Point Yard will exceed the permitted area under Rule R101 and therefore falls to be considered as a discretionary activity under this rule.</p> <p>For completeness, earthworks associated with the Southern Seawall (including Eastern Bank Remediation) are provided for by Rule R189.</p>



CHAPTER 5.4 – WETLANDS AND BEDS OF LAKES AND RIVERS

For completeness, it is noted that ‘surface water body’ is defined in the NRP, and excludes ephemeral waterbodies and bodies of water designed, installed and maintained for, among other purposes, irrigation. The Terrestrial Ecology Assessment (**Part B**) confirms that predicted overland flow paths through the Miramar Golf Course are ephemeral or absent, and there is one artificial irrigation pond present within the MGC Yard boundary. These areas do not meet the NRP definition of ‘surface water body’ and are not assessed further. One natural inland wetland has been identified within 100m of the MGC Yard boundary.

Table 4: Chapter 5.4 – Wetlands and Beds of Lakes and Rivers

Provision	Activity Status	Comment
<p>Rule R117: Activities in natural wetlands – discretionary activity (Coastal)</p> <p>The following activities in a natural wetland except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R116 or Regulation 39 of the <i>Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i>:</p> <ul style="list-style-type: none"> (a) the placement of structures, and (b) the discharge of water or contaminants not permitted by Rule R91, where the adverse effects on aquatic life are no more than minor, and (c) the clearance of indigenous wetland vegetation, (excluding the removal of pest plants under Rule R114 and the removal of plants for Māori customary use or for the use of an individual under R115, and vegetation clearance regulated by Regulations 43, 44, 45, 46, 47 and 54 	Not applicable	<p>The Terrestrial Ecology Assessment (Part B) confirms there are no natural wetlands located within the project sites or affected by the proposal.</p> <p>As such, this rule is not applicable.</p>



Provision	Activity Status	Comment
<p>of the Resource Management (<i>National Environmental Standards for Freshwater</i>) Regulations 2020),</p> <p>(d) activities not meeting the conditions of Rules R113, R114 or R115, including any associated:</p> <p>(e) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(f) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(g) damage to a part of the foreshore or seabed that forms part of a natural wetland, and</p> <p>(h) diversion of water, and</p> <p>(i) discharge of sediment to water</p> <p>are discretionary activities.</p>		
<p>Rule R118: Activities in natural wetlands – non-complying activity (Coastal)</p> <p>The following activities, in a natural wetland except for those stipulated in and carried out in accordance with a wetland restoration management plan under Rule R116 or Regulation 39 of the <i>Resource Management (National Environmental Standards for Freshwater) Regulations 2020</i>:</p>	Not applicable	<p>The Terrestrial Ecology Assessment (Part B) confirms there are no natural wetlands located within the project sites or affected by the proposal.</p> <p>As such, this rule is not applicable.</p>



Provision	Activity Status	Comment
<p>(a) take, use, damming or diverting water into, within, or from the natural wetland, or the take and use of water within 50m of the natural wetland, and</p> <p>(b) land disturbance including excavation and deposition, and</p> <p>(c) reclamation of a natural wetland,</p> <p>including any associated:</p> <p>(d) disturbance of a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(e) deposition in, on, or under a river or lake bed, or foreshore or seabed that forms part of a natural wetland, and</p> <p>(f) damage to a part of the foreshore or seabed that forms part of a natural wetland, and</p> <p>(g) diversion of water, and</p> <p>(h) discharge of sediment to water</p> <p>are non-complying activities.</p>		



CHAPTER 5.5 – WATER ALLOCATION

Table 5: Chapter 5.5 – Water Allocation

Provision	Activity Status	Comment
<p>Rule R159: Dewatering – permitted activity</p> <p>The take of groundwater and the associated diversion and discharge of that water for the purpose of dewatering a site (including the use of land associated with well pointing), is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) the take continues only for the time required to carry out the work but does not exceed one month, and (b) the discharge point is not located within 20m of a bore used for water abstraction for potable supply or stock water; (c) the take and diversion and discharge is not from, onto or into: <ul style="list-style-type: none"> (i) SLUR Category III land, or (ii) within a community drinking water supply protection area shown on Maps 40, 41, 42 or 43, or (iii) land where an activity or industry described in the Ministry for the Environment <i>Hazardous Activities and Industries List 2011</i> is, or has been undertaken, and (d) the take does not cause ground subsidence, and (e) the take does not deplete water in a surface water body, and 	<p>Not applicable.</p>	<p>No dewatering is proposed as part of the Project.</p> <p>As such, this rule is not applicable.</p>



Provision	Activity Status	Comment
<p>(f) there is no flooding beyond the boundary of the property, and</p> <p>(g) where a discharge is to water, or to land where it may enter a surface water body:</p> <p>(i) at the point of discharge the quality of the discharge shall not exceed:</p> <ol style="list-style-type: none"> 1. 50g/m³ of total suspended solids where the discharge is to a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation); or 2. 100g/m³ of total suspended solids where the discharge is to any site or habitat not referred to in condition (i); or 3. the maximum acceptable value (MAV) for any determinand in the Drinking-Water Standards New Zealand 2005 (Revised 2008) in a community drinking water supply protection area shown on Map 39, and <p>(ii) after the zone of reasonable mixing, the discharge shall not cause:</p>		



Provision	Activity Status	Comment
<p>1. a value in Schedule V for the protection of 99% of species to be exceeded in a river identified in Schedule F1 (rivers/lakes) having high macroinvertebrate community health; or</p> <p>2. a value in Schedule V for the protection of 95% of species to be exceeded in any other river or lake; and</p> <p>(h) where a discharge is onto or into land where it may enter groundwater within a community drinking water supply protection area shown on Maps 40, 41, 42 or 43, the quality of the discharge at the discharge point shall not exceed the maximum acceptable value (MAV) for any determinand in the Drinking-Water Standards New Zealand 2005 (Revised 2008), and</p> <p>(i) where the dewatering is located within the Hutt Valley Aquifer Protection Zone shown on Map 49, any construction or removal of building foundations or earth retention structures or excavation (permanent or temporary) associated with the dewatering does not exceed a depth of 5m below the natural ground level.</p>		

CHAPTER 5.6 – COASTAL MANAGEMENT

Table 6: Chapter 5.6 – Coastal Management

Provision	Activity Status	Comment
5.6.3 Maintenance, repair, additions and alterations to existing structures		
<p>Rule R169: Maintenance or repair of structures – permitted activity</p> <p>The maintenance or repair of a structure in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water <p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (f) the maintenance and repair of the structure is contained within the form of the existing structure and there is no increase in length, width, or height of the existing structure (except for increases for the purposes of replacement, removal and alterations of existing utility services, electric or aerial telecommunications cables/conductors/pipelines where these activities will not result in increases in design voltage and the new 	<p>Permitted</p>	<p>Future maintenance and repair of the Southern Seawall (including Eastern Bank Remediation) will be managed in accordance with the relevant permitted conditions, including:</p> <ul style="list-style-type: none"> > maintenance and repair works will not increase the length, width or height of the existing structure; > the coastal marine area will not be disturbed more than is required to undertake the activity, and all machinery equipment and materials will be removed from the foreshore or seabed at the completion of the works; > there will be no discharge of contaminants, except sediment which will be managed in accordance with general condition (e); > maintenance and repair works will not result in erosion or scouring of river banks; > maintenance and repair works will not divert open coastal water during flood events;



Provision	Activity Status	Comment
<p>or altered cables/conductors/pipelines will not be lower in height above the foreshore or seabed), and</p> <p>(g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.</p>		<ul style="list-style-type: none"> > demolition materials will not be used for any purpose; > maintenance and repair works will not adversely affect fish passage; > the site is not identified as an inanga spawning site; > no refuelling or cleaning of equipment will take place on the foreshore or seabed, and no fuel will be stored where it may enter coastal water; > any necessary lighting will be managed to avoid light spill or glare that is a hazard to traffic safety or navigation in the coastal marine area; and <p>noise in the coastal marine area will be managed in accordance with the requirements of general condition (o).</p>

5.6.5 New and replacement structures (including temporary structures)

<p>Rule R178: Structures in airport height restriction areas or navigation protection areas for airport/navigation purposes – discretionary activity</p> <p>The placement of a new structure including a temporary structure or addition or alteration to a structure and the associated use of the structure:</p>	<p>Discretionary</p>	<p>Rule R178 relates to both temporary and permanent structures within the airport height restriction area.</p> <p>Structures, such as booms, will be established during the works to enable the Southern Seawall (including Eastern Bank Remediation) works. These structures will penetrate the height restriction area shown on Map 69 and</p>
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Provision	Activity Status	Comment
<p>(a) in a navigation protection area shown on Map 68, or</p> <p>(b) within an airport height restriction area shown on Map 69 or Map 70, including any associated:</p> <p>(c) occupation of space in the common marine and coastal area, and</p> <p>(d) disturbance of the foreshore or seabed, and</p> <p>(e) deposition in, on or under the foreshore or seabed, and</p> <p>(f) discharge of contaminants, and</p> <p>(g) diversion of open coastal water</p> <p>is a discretionary activity, provided the following conditions are met:</p> <p>(h) in respect of condition (b), written approval is given by the relevant airport authority, and</p> <p>(i) in respect of condition (a), written approval is given by the Wellington Regional Council Harbourmaster</p>		<p>therefore require consideration under this rule as a discretionary activity.</p> <p>No proposed activities are located within a navigation protection area and therefore approval from the Harbourmaster is not required.</p> <p>For the avoidance of doubt, condition (h) is met on the basis that WIAL is the applicant and is the relevant airport authority.</p>

Section 5.6.6 - Seawalls		
<p>Rule R185: Additions or alterations to, or replacements of, existing seawalls outside Schedule C, Schedule F4 and Schedule F5 sites (excluding scheduled kelp beds and subtidal rocky reefs to the west and south of Wellington International Airport) – controlled activity</p>	<p>Not applicable</p>	<p>The zone of influence around the renewal of the Southern Seawall (including Eastern Bank Remediation) will include habitat identified in condition (g), and it will not comply with condition (h) as it will extend further seaward than the existing seawall.</p>

Provision	Activity Status	Comment
<p>The addition or alteration to, or replacements of, an existing seawall and the associated use of the addition in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water <p>is a controlled activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (f) any addition shall add no more than 5m in horizontal projection at the ends of the existing structure parallel to the shoreline and 1m in vertical projection to the structure as it existed on the date of 31 July 2015, (g) the structure is not inside a site or habitat identified in Schedule F5 (coastal habitats) (other than those scheduled kelp beds and subtidal rocky reefs to the west and south of Wellington International Airport, Schedule C (mana whenua), or Schedule F4 (coastal sites), (h) the addition shall not extend any further seaward than the existing seawall, and (i) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2. 		<p>Refer to Rule R189 below.</p>

Provision	Activity Status	Comment
<p>Rule R187: Seawalls outside Schedule C, Schedule F4, Schedule F5 or Schedule J sites – discretionary activity</p> <p>The placement of a new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water <p>that is not a controlled activity under Rule R185 or restricted discretionary under Rule R186 is a discretionary activity.</p>	Not applicable	This rule is not relevant because more specific rules apply. ⁴ The renewal of the Southern Seawall (including Eastern Bank Remediation) is a discretionary activity under Rule R189 below.
<p>Rule R189: Existing regionally significant infrastructure and renewable energy generation activities within a site that meets any of the criteria in Policy P38(a)(i) – (v) or (b) within the Coastal Environment - Discretionary Activity</p>	Discretionary	The addition to and alteration of the Southern Seawall (including Eastern Bank Remediation) is a critical component to support the operation of regionally significant infrastructure – being Wellington International

⁴ Chapter 5.6 of the NRP states that “if an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>Any destruction, damage, disturbance, deposition or reclamation, or the placement of a new structure or seawall, or addition or alteration to a structure or a seawall and the associated use of the structure or seawall, associated with the operation, maintenance, upgrade and/or extension of existing regionally significant infrastructure and renewable energy generation activities within a site that meets any of the criteria in Policy P38(a) or (b) or included in Schedule F5, in the coastal environment including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants, and (e) diversion of open coastal water <p>that is not permitted by Rules R169, R170, R174, R183, R195, or controlled under Rules R185 and R196 or restricted discretionary under Rules R184 and R186 or a discretionary activity under Rule R178 is a discretionary activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (f) there is a functional need or operational requirement for the activity to locate in the area, and (g) there is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, and (h) the resource consent application includes a biodiversity management plan setting out how the significant indigenous 		<p>Airport. The site meets the criteria in Policy P38(a) and (b) of the NRP, being an area of habitat for At Risk kororā (refer to the Kororā Assessment included in Part B). In addition, the Southern Seawall is adjacent to areas of kelp beds and subtidal rocky reefs which are identified in Schedule F5 (refer to the Marine Ecological Impact Assessment in Part B). Accordingly, the Southern Seawall requires consideration under this rule as a discretionary activity.</p> <p>For the avoidance of doubt, this rule captures all destruction, damage, disturbance, deposition, discharges of water and contaminants at the Southern Seawall during construction (e.g. from rock milling), and the ongoing occupation of space in the common marine and coastal marine area, and the ongoing use and future maintenance of the Southern Seawall and Eastern Bank Remediation Area.</p> <p>The renewal of the Southern Seawall will meet the discretionary activity conditions for the following reasons:</p> <ul style="list-style-type: none"> > There is a functional need or operational requirement for the activity to locate at the interface between land and the coastal marine area to protect the Wellington International Airport runway from sea level rise and inundation events;



Provision	Activity Status	Comment
<p>biodiversity values and attributes at and in proximity to the ecosystem or habitat or area that will be affected by the activity are to be maintained and restored or enhanced, and</p> <p>(i) where the extension relates to altering the alignment of existing infrastructure, a rehabilitation plan is included in a resource consent application that demonstrates how any areas vacated as a result of the extension will be rehabilitated to restore or enhance the significant values of the site.</p>		<ul style="list-style-type: none"> > There is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, as the purpose of the Southern Seawall is to protect the existing runway; > The three management plans, being the Kororā, Lizard and Avifauna Management Plans, collectively comprise the “biodiversity management plan” necessitated by (h). These plans set out how the significant indigenous biodiversity values and attributes at and in proximity to the ecosystems or habitats or areas that will be affected by the seawall are to be maintained and restored or enhanced; > Design of the proposed Southern Seawall and careful placement of Cubipods to create gaps will be undertaken to provide ideal conditions for a healthy ecosystem to be restored; and > No areas will be vacated as a result of the extension of the Southern Seawall. <p>For completeness, it is noted that the proposed activities do not constitute ‘reclamation’ as defined by the National</p>



Provision	Activity Status	Comment
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Planning Standards⁵ or NRP.⁶ It is noted that the dimensions of the seawall will increase seaward, however, the purpose of the Southern Seawall, including the Eastern Bank Remediation, is for natural hazard protection and is not for the purpose of forming dry land. The seawall is therefore excluded from the National Planning Standard definition of reclamation. In addition, the Eastern Bank Remediation will occur along the edge of the existing bank such that there will be no man-made formation of permanent dry land.

Section 5.6.10 - Occupation

Rule R204: Occupation of space by regionally significant infrastructure or a structure owned by a network utility operator - permitted	Not applicable	This rule is not relevant because more specific rules apply. ⁷ The occupation of space in the common marine and coastal area associated with the Southern Seawall
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⁵ Under the National Planning Standards, reclamation “means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and: (a) includes the construction of any causeway; but (b) excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.

⁶ Under the NRP, reclamation means “Reclamation in the coastal marine area or the bed of a river, lake, or wetland means the creation of dry land. In the coastal marine area, reclamation does not include coastal or river mouth protection structures such as seawalls or revetments, boat ramps, and any structure above water where that structure is supported by piles, or any infilling where the purpose of that infilling is to provide beach nourishment.”

⁷ Chapter 5.6 of the NRP states that “if an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>The occupation of space in the common marine and coastal area by a structure existing prior to the date of 31 July 2015 which is regionally significant infrastructure or owned by a network utility operator is a permitted activity.</p>		<p>(including Eastern Bank Remediation) is provided for by Rule R189.</p>
<p>Rule R206: Occupation of space – discretionary activity</p> <p>The occupation of space in the common marine and coastal area that is not permitted, controlled, restricted discretionary, non-complying or prohibited is a discretionary activity.</p>	<p>Not applicable</p>	<p>The occupation of space in the common marine and coastal area associated with the Southern Seawall (including Eastern Bank Remediation) is provided for by Rule R189.</p> <p>The occupation of space in the common marine and coastal area associated with the Stage 1 and Stage 2 Kororā Colonies is provided for by Rule R208.</p>
<p>Section 5.6.11 - Surface Water and Foreshore Activities</p>		
<p>Rule R207: General surface water and foreshore activities – permitted activity</p> <p>General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and (b) disturbance of the foreshore or seabed, and (c) deposition in, on or under the foreshore or seabed, and (d) discharge of contaminants 	<p>Not applicable</p>	<p>Some habitat enhancement activities associated with the enhancement of Stage 1 and 2 Kororā Colonies, such as the placement of rocks on the beach, will require disturbance and deposition on the foreshore.</p> <p>It will take approximately 3 months to construct each of the Stage 1 and 2 Kororā Colonies. It is therefore assumed that the exclusion of public access to the coastal marine area will exceed 7 days, and cannot comply with the permitted requirements of Rule R207.</p>



Provision	Activity Status	Comment
<p>is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (e) the activity is not inside the Lambton Harbour Area (including Northern Zone) shown on Map 51, and (f) if the activity includes occupation of space in the common marine and coastal area that excludes public access or navigation of ships: <ul style="list-style-type: none"> (i) the area of occupation shall be less than 1ha, and (ii) the activity shall comply with the Wellington Regional Council Navigation and Safety Bylaws Wellington Region 2009, and (iii) the occupation shall not affect the operational requirement of emergency services including the coastguard, police and surf lifesaving, and (iv) written notice shall be given five working days before work commences to: <ul style="list-style-type: none"> a. the Wellington Regional Council Harbourmaster, and b. Maritime New Zealand, and c. the relevant territorial authority, and 		<p>The use of a survey boat (for visual inspections and surveys) and general plant and equipment to undertake construction activities at the Southern Seawall (including Eastern Bank Remediation) meets permitted activity condition (e) as the activity will not be inside the Lambton Harbour Area.</p> <p>This rule is not relevant to other activities associated with the Southern Seawall (including Eastern Bank Remediation) because more specific rules apply.⁸ Refer to Rule R189 above.</p>

⁸ Chapter 5.6 of the NRP states that “if an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>(v) the duration of the activity in a 12 month period must not exceed:</p> <ul style="list-style-type: none"> a. for temporary military training activities, 30 days, and b. for all other activities, seven days, and <p>(g) if the activity will exclude public access or navigation of ships in the common marine and coastal area for more than 24 hours:</p> <ul style="list-style-type: none"> (i) the public shall be notified of the proposed activity and associated restrictions on use of the area, including via a public notice in local newspapers, at least 14 working days prior to the commencement of the activity, and (ii) signs shall be placed at the location of the activity notifying the public of the event with dates, times, the activity proposed, any restrictions imposed on the use of the area and contact information of the organiser at least seven working days prior to the occupation commencing, and <p>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.</p>		
<p>Rule R208: General surface water and foreshore activities – restricted discretionary</p> <p>General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area, and 	Permitted	<p>Activities associated with the establishment of the Stage 1 and 2 Kororā Colonies will be managed in accordance with the relevant general coastal conditions:</p> <ul style="list-style-type: none"> > The coastal marine area will not be disturbed more than is required to undertake the activity, and all machinery equipment and materials will be removed



Provision	Activity Status	Comment
<p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p> <p>that is not permitted by Rule R207 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(e) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2.</p>		<p>from the foreshore or seabed at the completion of the works;</p> <p>> There will be no discharge of contaminants, except sediment which will be managed in accordance with general condition (e). Notably, the construction activities are to limited to 7am – 5pm, Monday to Friday such that the release of sediment to water from activities in the coastal marine area will not exceed 5 consecutive days or 12 hours per day;</p> <p>> Works will not result in erosion or scouring of river banks;</p> <p>> Works will not divert open coastal water during flood events;</p> <p>> Demolition materials will not be used for any purpose;</p> <p>> Works will not adversely affect fish passage;</p> <p>> The site is not identified as an inanga spawning site;</p> <p>> No refuelling or cleaning of equipment will take place on the foreshore or seabed, and no fuel will be stored where it may enter coastal water;</p>



Provision	Activity Status	Comment
		<ul style="list-style-type: none"> <li data-bbox="1406 336 2000 437">> Any necessary lighting will be managed to avoid light spill or glare that is a hazard to traffic safety or navigation in the coastal marine area; and <li data-bbox="1406 472 1928 533">> Noise will be managed in accordance with the requirements of general condition (o). <p data-bbox="1406 568 1984 703">This rule is not relevant to activities associated with the Southern Seawall (including Eastern Bank Remediation) because more specific rules apply.⁹ Refer to Rule R189 above.</p>
<p data-bbox="389 759 1032 820">Rule R209: General surface water and foreshore activities – discretionary activity</p> <p data-bbox="389 852 1093 912">General surface water and foreshore activities in and the associated use of the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li data-bbox="389 948 1115 970">(a) occupation of space in the common marine and coastal area, and <li data-bbox="389 1002 891 1024">(b) disturbance of the foreshore or seabed, and <li data-bbox="389 1056 1003 1078">(c) deposition in, on or under the foreshore or seabed, and 	Not applicable	<p data-bbox="1406 759 1984 895">This rule is not relevant to activities associated with the Southern Seawall (including Eastern Bank Remediation) because more specific rules apply.¹⁰ Refer to Rule R189 above.</p>

⁹ Chapter 5.6 of the NRP states that “if an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”

¹⁰ Chapter 5.6 of the NRP states that “if an activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”



Provision	Activity Status	Comment
<p>(d) discharge of contaminants</p> <p>not permitted by Rule R207 or restricted discretionary under Rule R208 is a discretionary activity.</p>		
<p>Section 5.6.13 – Motor Vehicles on the Foreshore</p>		
<p>Rule R215: Motor vehicles – permitted activity</p> <p>The disturbance of the foreshore from motor vehicles, other than those permitted by R215, in the coastal marine area is a permitted activity, provided the following conditions are met:</p> <p>(a) the activity is not within the area of Titahi Bay shown on Map 54, and</p> <p>(b) the activity is not within a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), unless the activity involves light vehicles (a motor vehicle weighing less than 3,500kg) in the permitted driving area at Castlepoint Basin Lagoon, shown on Map 74.</p>	<p>Permitted</p>	<p>Disturbance of the foreshore from motor vehicles associated with construction of the Kororā Colonies will comply with the relevant conditions as:</p> <ul style="list-style-type: none"> > The Kororā Colonies are not located in the area of Titahi Bay shown in Map 54; and > The Kororā Colonies are not located in any of the areas identified in condition (b).
<p>Rule R217: Motor vehicles for certain purposes – permitted activity</p> <p>The disturbance of the foreshore or seabed from motor vehicles in the coastal marine area, for the following purposes:</p> <p>(a) surf lifesaving operations, or</p>	<p>Permitted</p>	<p>The disturbance of the foreshore and seabed from motor vehicles in the coastal marine area associated with the maintenance, upgrade and operation of regionally significant infrastructure</p>



Provision	Activity Status	Comment
<p>(b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</p> <p>(c) local authority activities, including law enforcement, or</p> <p>(d) activities carried out by or on behalf of the Department of Conservation, or</p> <p>(e) the maintenance, upgrade and operation of regionally significant infrastructure</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(f) subject to (h) below, the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and</p> <p>(g) the activity shall comply with the coastal management general conditions specified above in Section 5.6.2, and</p> <p>(h) within the Titahi Bay fossil forest area shown on Map 54, the activity shall not be undertaken on or within a buffer zone of 5 m from any exposed (Titahi Bay fossil forest).</p>		<p>The permitted requirements of Rule R217 are met as follows:</p> <ul style="list-style-type: none"> > The disturbance of the foreshore and seabed from motor vehicles are for the purposes of maintaining, upgrading or operating the Southern Seawall, which is considered regionally significant infrastructure as it as an essential supporting activity that enables the Wellington International Airport to continue operating; > The vehicles will take the most direct routes and will only operate in the area necessary to carry out the activities; > The use of motor vehicles will comply with the relevant coastal management general conditions specified in section 5.6.2 of the NRP (Refer to Table 23 below) as any motor vehicles will only disturb the coastal marine area to the extent required and be removed from the area at the completion of the construction works, the use of motor vehicles will not discharge any contaminants or sediment to water, any refuelling or cleaning of equipment will not take place in the foreshore or seabed area and no noise exceedances will occur at the nearest residential area boundary; and



Provision	Activity Status	Comment
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> The Southern Seawall is not located within the Titahi Bay fossil forest area.

Section 5.6.18 – All Other Destruction, Damage, or Disturbance or Deposition

<p>Rule R234: Destruction, damage, disturbance or deposition outside Schedule C, Schedule E4, Schedule F4, Schedule F5 or Schedule J sites – discretionary activity</p> <p>Destruction, damage, disturbance or deposition outside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> (a) deposition in, on or under the foreshore or seabed, and (b) discharge of contaminants, and (c) diversion of open coastal water <p>that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.</p>	<p>Discretionary</p>	<p>Activities, such as the placement of rocks on the beach, associated with construction of the Kororā Colonies, which are located outside the areas identified in Rule R234, are conservatively assumed to traverse the coastal marine area.</p>
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Compliance with permitted conditions

As demonstrated in Table 6 above, several rules in the coastal management chapter of the NRP require that the coastal management general conditions in Section 5.6.2 of the NRP be complied with. These relate to the general surface water and foreshore activities (including use of survey boats, barges and piling activities), the use of motor vehicles on the foreshore and planting activities.

Table 7 below provides an assessment of these Project elements against these conditions.

Table 7: Assessment of Coastal Management General Conditions in the NRP

Standard	Compliance
Disturbance	
(a) the coastal marine area, including river mouths shall not be disturbed to an extent greater than that required to undertake the activity, and	Yes – the construction activities at the Southern Seawall (including Eastern Bank Remediation) will disturb the minimum amount of land and coastal marine area as possible.
(b) there is no disturbance of the foreshore or seabed to a depth greater than 0.5 m below the seabed or foreshore within the Hutt Valley Aquifer Zone shown on Map 46, unless the activity is for the replacement of an existing submarine telecommunications cable, in which case the depth of disturbance must be no greater than 2 m, and	N/A – the Project Area is not located within the Hutt Valley Aquifer Zone.
(c) all machinery, equipment and materials used for the activity shall be removed from the foreshore or seabed at the completion of the activity, and	Yes – all plant and equipment will be removed from the foreshore and seabed following the completion of the Project.
Discharges	
(d) There shall be no discharge of contaminants (excluding sediment which is addressed by clause (f)) to water or the foreshore or seabed, except where the minor discharge is permitted by another rule in this Plan, and	Yes – contaminants will be limited to sediment.



Standard	Compliance
<p>(e) The discharge of sediment to water from an activity in, on, over or under the foreshore or seabed in the coastal marine area shall meet the following:</p> <p>(i) the release of sediment associated with the activity shall not be undertaken for more than five consecutive days, and for more than 12 hours per day, and</p> <p>(ii) it shall not, after reasonable mixing, cause any conspicuous change in the colour of the water in the receiving water or any change in horizontal visibility greater than 30% more than 24 hours after the completion of the activity, and</p>	<p>No - The rock milling and excavation works at the seawall toe will result in the discharge of sediment to water and the release of sediment associated with the activity will occur for more than 5 consecutive days.</p> <p>Works within the coastal marine area associated with the Kororā Colonies are proposed to occur 7am – 5pm, Monday to Friday and will therefore comply with standard (e)(i). The placement of rocks in the coastal marine area is anticipated to result in minimal disturbance such that standard (e)(ii) will also be complied with.</p>
<i>Erosion and scouring</i>	
<p>(f) The activity shall not result in erosion or scouring of riverbanks (that are part of the coastal marine area) and shall not result in flooding of a neighbouring property, and</p>	<p>Yes - the proposed works associated with the Project are not located within any riverbanks in the coastal marine area and will not result in the flooding of a neighbouring property.</p>
<i>Diversion</i>	
<p>(g) No structure shall alter the natural course of a river (that is part of the coastal marine area), including any diversion of open coastal water during flood events, and</p>	<p>N/A - the proposed works associated with the Project are not located within the vicinity of any river that is part of the coastal marine area.</p>
<p>(h) Any diversion of open coastal water undertaken as part of an activity shall only be temporary and for a period no longer than that required to complete the activity. Any diversion channel required must have sufficient capacity to carry the same flow as the original channel, so as not to cause flooding or erosion of any neighbouring property, and</p>	<p>N/A – the construction activities associated with the Project will not divert any open coastal water.</p>

Standard	Compliance
Dumping	
(i) Demolition materials shall not be used for any purpose in the coastal marine area, and	Yes – no demolition materials will be used in the coastal marine area. Furthermore, the Eastern Bank Remediation works seek to remove demolition materials from the coastal marine area and replace them with a renewed seawall.
Fish passage	
(j) Any structure constructed in the coastal marine area shall be carried out in a manner to ensure that fish passage between coastal and freshwater habitat is maintained at all times, except: <ul style="list-style-type: none"> <li data-bbox="405 954 951 1021">(i) as required for the operation of backflow devices during heavy rainfall events, or <li data-bbox="405 1048 951 1227">(ii) a temporary restriction of no more than 48 hours required for construction or maintenance activities, provided any full obstruction is outside the months of August to December inclusive, and 	N/A – the location of the Southern Seawall (including Eastern Bank Remediation) and Kororā Colonies will not obstruct any fish passage between coastal and freshwater habitat.
Inanga spawning	
(k) In any part of the coastal marine area (including any part of a river in the coastal marine area) identified as inanga spawning habitat in Schedule F1b (inanga spawning habitat), no disturbance of or deposition in, on or under the foreshore or seabed shall occur and no diversion of open coastal water or sediment discharge shall occur between 1 January and 31 May, except that material accumulated at the outlet of a stormwater discharge pipe may be removed between 1 January and 1 March, so long as there is no associated trimming or removal of vegetation (including weeds) on the bed or banks, and	N/A – the Project Area is not located within any identified inanga spawning habitat in Schedule F1b of the NRP.



Standard	Compliance
Design and maintenance of structures	
(l) Any structure (other than stormwater network structures) shall be designed and maintained so that it does not reduce the ability of the river (that is part of the coastal marine area) to convey flood flows, including the management of flood debris accumulated against the structure, and	N/A – the Project Area does not contain any rivers within the coastal marine area.
Refuelling	
(m) No refuelling or cleaning of equipment shall take place on the foreshore or seabed in the coastal marine area (excluding vessels in the Commercial Port Area), and fuel storage shall not occur at a location where fuel can enter coastal water, and	Yes – no refuelling or cleaning of equipment will be undertaken on the foreshore or seabed in the coastal marine area and any fuel will be stored such that it cannot enter coastal water.
Lighting and glare	
(n) All exterior lighting shall be managed to avoid the spill of light or glare that is: <ul style="list-style-type: none"> <li data-bbox="405 1151 951 1211">(i) a hazard to traffic safety on streets outside the coastal marine area, and <li data-bbox="405 1240 951 1301">(ii) a hazard to navigation in the coastal marine area, unless the lighting is necessary for public safety reasons or operational requirements, and	Yes – the Lighting Assessment (Part B) includes various recommendations to ensure exterior lighting is not a hazard.
Noise in the coastal marine area	
(o) Noise from activities located outside the Commercial Port Area shown on Map 51, Map 52 and Map 53 and the Lambton Harbour Area (Northern Zone) shown on Map 51 in the coastal marine area shall meet the following noise standards: <ul style="list-style-type: none"> <li data-bbox="405 1771 951 1877">(i) the activity shall not cause excessive noise (defined in section 326 of the RMA) outside the coastal marine area, and 	Yes – all construction activities and noise-generating equipment will be undertaken from land and not within the coastal marine area. Any activities undertaken at the Southern Seawall (including Eastern Bank Remediation) will be underwater and will therefore not cause excessive noise outside the coastal marine area, will not exceed the maximum noise levels at the nearest



Standard	Compliance
<ul style="list-style-type: none"> (ii) between the hours of 7.00am and 11.00pm, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 55dB(A), and (iii) between the hours of 11.00pm and 7.00am, the noise level (Leq) measured at any point on the nearest Residential Area boundary shall not exceed 45dB(A), and (iv) single events of noise shall not exceed an Lmax sound level of 75dB(A), and (v) noise shall be measured and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise, and (vi) any construction activities shall meet standards specified in Table 1 of NZS 6803:1999 Acoustics – Construction Noise, and (vii) helicopter landing areas shall meet the standards specified for residential areas in Table 1 of NZS 6807:1994 Noise management and land use planning for helicopter landing areas, and <p>conditions (i) to (iv) shall not apply to the following:</p> <ul style="list-style-type: none"> (viii) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves, or (ix) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to property or minimise or prevent environmental damage, or (x) commercial firework displays, or (xi) noise generated by overflying aircraft, and (xii) <i>[not applicable – relates to temporary military training]</i> (xiii) <i>[not applicable – relates to temporary military training]</i> 	<p>residential area boundaries and at all times will not exceed 75 dB.</p> <p>Refer to the Noise Assessment for further details (Part B).</p>

Standard	Compliance
(p) <i>[not applicable – relates to Commercial Port Area and Lambton Harbour Area]</i>	N/A
(q) <i>[not applicable – relates to activities in the Commercial Port Area at Seaview Wharf]</i>	N/A
(r) <i>[not applicable – relates to habitable rooms in buildings containing noise sensitive activities in a Commercial Port Area or Lambton Harbour Area]</i>	N/A
(s) <i>[not applicable – relates to proposals with bedrooms with openable windows]</i>	N/A
Port Noise Management	
(t) <i>[not applicable – relates to Port Noise Management].</i>	N/A



SUMMARY OF NATURAL RESOURCES PLAN CONSENTS REQUIRED

Based on the analysis presented above, the following resource consents are required under the NRP:

- > A discharge permit as a **restricted discretionary activity** for the discharge of stormwater runoff from an airport where it may enter a surface water body or coastal water;¹¹
- > A discharge permit as a **discretionary activity** for the discharge of cleanfill, water and contaminants to land at the MGC and Moa Point Yards which do not meet the permitted conditions;¹²
- > A land use consent as a **discretionary activity** for earthworks and vegetation clearance, and associated discharges of sediment, at the Moa Point and MGC Yards that exceed the permitted conditions;¹³
- > A land use consent as a **discretionary activity** to establish structures on the Southern Seawall and Eastern Bank Remediation that will penetrate the height restrictions shown on Map 69;¹⁴
- > A land use consent and coastal permit as a **discretionary activity** for the addition and alteration of an existing seawall associated with regionally significant infrastructure within a site that meets some of the criteria in Policy P38 (a) and (b) and is adjacent to an area included in Schedule F5 of the NRP in the coastal environment, including associated destruction, damage, disturbance of the foreshore and seabed, deposition in, on or under the foreshore or seabed, discharge of contaminants, and occupation of space in the common marine and coastal area;¹⁵ and
- > A coastal permit as a **discretionary activity** for the disturbance and deposition in the coastal marine area associated with the construction of the Kororā Colonies.¹⁶

Applying the bundling principle, the overall activity status of the Project under the NRP is a **discretionary activity**.

¹¹ NRP – Rule R54.

¹² NRP – Rule R94.

¹³ NRP – Rule R107.

¹⁴ NRP – Rule R178.

¹⁵ NRP – Rule R189. Note these activities traverse the coastal marine area therefore both land use consent and coastal permit are sought.

¹⁶ NRP – Rule R234.



PROPOSED CHANGE 1 TO NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

Table 8 provides an analysis of the relevant rules in PC1 to the NRP that relate to the activities associated with the Project. These rules are proposed to be inserted into Chapter 8 – Whaitua Te Whanganui-a-Tara of the NRP.



CHAPTER 8 – WHAITUA TE WHANGANUI-A-TARA

Table 8: Whaitua Te Whanganui-a-Tara

Provision	Activity Status	Comment
Chapter 8.3.2 – Stormwater¹⁷		
<p>Rule WH.R2: Stormwater to land – permitted activity</p> <p>The discharge of stormwater onto or into land, including where contaminants may enter groundwater:</p> <p>(a) that is not from a high risk industrial or trade premise, or</p> <p>(b) that does not discharge from, or to, a local authority stormwater network,</p> <p>is a permitted activity provided the following conditions are met:</p> <p>(c) the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</p>	Not applicable	<p>This rule is not relevant because more specific rules apply¹⁸ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119);

¹⁷ Stormwater is defined as “runoff that has been intercepted, channeled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the external surface of any structure, as a result of precipitation and including any contaminants contained therein. For the avoidance of doubt, stormwater excludes discharges associated with earthworks, vegetation clearance, break-feeding and cultivation that are managed under rules in section 5.3, 8.2 and 9.2 of the Plan.”

¹⁸ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>(d) the discharge shall not cause or exacerbate the flooding of any other property, and</p> <p>(e) the discharge is not located within 20m of a bore used for water abstraction for potable supply or stock water.</p>		<ul style="list-style-type: none"> > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and > The discharge of water from Moa Point Yard is a prohibited activity under WH.R13 because it is considered ‘unplanned greenfield development’ as it is mapped as an unplanned greenfield area in Map 87¹⁹ and is not located in an urban or future urban zone by virtue of being in an open space zone. <p>For completeness it is noted that the discharges from the MGC, Moa Point Yard and George Bolt Yards will meet the permitted conditions as:</p> <ul style="list-style-type: none"> > They originate from the construction laydown areas and not from any high risk industrial or trade premises and will not discharge from or to a local authority stormwater network; > The discharge will not be from or onto or into SLUR Category III land; > The discharge will not have any flooding effects on any other property; and

¹⁹ Refer to GWRC GIS maps: Greenfield areas – planned and unplanned, Wellington City (Mapy 87).



Provision	Activity Status	Comment
		<ul style="list-style-type: none"> > Any stormwater discharge will not be within proximity to any bores.
<p>Rule WH.R3: Stormwater from an existing individual property to surface water or coastal water – permitted activity (Coastal)</p> <p>The discharge of stormwater from an existing individual property into water, or onto or into land where it may enter a surface water body or coastal water,</p> <p>(a) that is not from a high risk industrial or trade premise, or</p> <p>(b) that is not from a port, airport or state highway, or</p> <p>(c) that does not discharge from, or to, a local authority stormwater network,</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(d) the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</p> <p>(e) the discharge does not contain wastewater, and</p>	<p>Not applicable</p>	<p>This rule is not relevant because more specific rules apply²⁰ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and > The discharge of water from Moa Point Yard is a prohibited activity under WH.R13 because it is considered ‘unplanned greenfield development’ as it is not located in an urban

²⁰ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>(f) the concentration of total suspended solids in the discharge shall not exceed:</p> <p>(i) 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</p> <p>(ii) 100g/m³ where the discharge enters any other water, and</p> <p>(g) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(h) the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</p> <p>(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</p> <p>(ii) any conspicuous change in the colour, or</p> <p>(iii) a decrease in water clarity of more than</p> <p>1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</p>		<p>or future urban zone by virtue of being in an open space zone.</p>



Provision	Activity Status	Comment
<p>2. 30% in any other river, or</p> <p>(iv) any emission of objectionable odour, or</p> <p>(v) the freshwater is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life.</p>		
<p>Rule WH.R5: Stormwater from new and redeveloped impervious surfaces – permitted activity (Coastal)</p> <p>The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment activities of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or new local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a permitted activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new, or redevelopment of existing impervious areas of less than</p>	<p>Not applicable</p>	<p>This rule is not relevant because more specific rules apply²¹ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and

²¹ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>1,000m² (baseline property existing impervious area as at 30 October 2023) and</p> <p>(b) all new building materials associated with the development shall not include exposed zinc (including galvanised steel) or copper roof, cladding and spouting materials, and</p> <p>(c) the proposal provides hydrological control measures (for example rain tanks) onsite or offsite, where discharges will enter a surface water body (including via an existing local authority stormwater network):</p> <p>(i) for all impervious areas associated with a greenfield development, or</p> <p>(ii) for all redeveloped and new impervious areas involving greater than 30m² of impervious area of a redevelopment (of an existing urbanised property), and</p> <p>(d) the discharge is not from, onto or into SLUR Category III land, unless the stormwater does not come into contact with SLUR Category III land, and</p> <p>(e) the discharge does not contain wastewater, and</p> <p>(f) the concentration of total suspended solids in the discharge shall not exceed:</p>		<p>> The discharge of water from Moa Point Yard is either subject to WH.R8 as a discharge of stormwater from an airport (which is understood to be GWRC’s interpretation) or a prohibited activity under WH.R13 as ‘unplanned greenfield development’ (noting that it is not located in an urban or future urban zone by virtue of being in an open space zone). See the further commentary on these rules below.</p>

Provision	Activity Status	Comment
<p>(i) 50g/m³ where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites), or Schedule H1 (contact recreation), or</p> <p>(ii) 100g/m³ where the discharge enters any other water, and where the discharge is not via an existing or new local authority stormwater network:</p> <p>(g) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and</p> <p>(h) the discharge shall not give rise to the following effects beyond the zone of reasonable mixing:</p> <p>(i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or</p> <p>(ii) any conspicuous change in the colour, or</p> <p>(iii) a decrease in water clarity of more than</p> <p>1. 20% in a River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</p>		

Provision	Activity Status	Comment
<p>2. 30% in any other river, or</p> <p>(iv) any emission of objectionable odour, or</p> <p>(v) the freshwater is unsuitable for consumption by farm animals, or</p> <p>(vi) any significant adverse effects on aquatic life.</p>		
<p>Rule WH.R6: Stormwater from new greenfield impervious surfaces – controlled activity (Coastal)</p> <p>The use of land for the creation of new impervious surfaces for greenfield development and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not a high risk industrial or trade premise or unplanned greenfield development, is a controlled activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new impervious surfaces of between 1,000m² and 3,000m² (baseline property existing impervious area as at 30 October 2023)</p> <p>or,</p>	<p>Not applicable</p>	<p>This rule is not relevant because more specific rules apply²² or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and

²² Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>(b) the proposal involves the creation new impervious surfaces of less than 1,000m2, but is not permitted under the conditions of Rule WH.R5,</p> <p>and,</p> <p>(c) a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The level of contribution and when it is required is set out in Schedule 30 (financial contributions), and</p> <p>(d) where stormwater directly or indirectly (through an existing local authority stormwater network) discharges to a river, hydrological control is provided either:</p> <p>(i) on-site, or</p> <p>(ii) off-site through an existing local authority stormwater network or privately owned stormwater network that has been sized to accommodate the proposed stormwater discharges, and</p> <p>(e) stormwater contaminant treatment is provided that captures 85% of the mean annual runoff and directs it to a stormwater treatment system that treats in accordance with Schedule 28 (contaminant treatment) and is provided either:</p> <p>(i) on-site, or</p>		<p>> The discharge of water from Moa Point Yard is a prohibited activity under WH.R13 because it is considered ‘unplanned greenfield development’ as it is not located in an urban or future urban zone by virtue of being in an open space zone.</p>



Provision	Activity Status	Comment
<p>(ii) off-site through an existing local authority stormwater network or privately owned stormwater treatment system that has capacity to treat contaminant loads from the site.</p>		
<p>Rule WH.R7: Stormwater from new and redeveloped impervious surfaces of existing urbanised areas – controlled activity (Coastal)</p> <p>The use of land for the creation of new and / or redevelopment of impervious surfaces of an existing urbanised property and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not a high risk industrial or trade premise, is a controlled activity, provided the following conditions are met:</p> <p>(a) the proposal involves the creation of new, or redevelopment of impervious surfaces of between 1,000 m² and 3,000 m² (baseline property existing impervious area as at 30 October 2023)</p> <p>or,</p>	<p>Not applicable</p>	<p>This rule is not relevant because more specific rules apply²³ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and > As noted above, the discharge of water from Moa Point Yard is either subject to WH.R8 as

²³ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.

Provision	Activity Status	Comment
<p>(b) the proposal involves the creation of new, or redevelopment of impervious areas of less than 1,000 m² but is not permitted under the conditions of Rule WH.R5, and,</p> <p>(c) where stormwater directly or indirectly (through an existing local authority stormwater network) discharges to a river, hydrological control is provided either:</p> <p>(i) on-site, or</p> <p>(ii) off-site through an existing local authority stormwater network or privately owned stormwater network that has been sized to accommodate the proposed stormwater discharges, and</p> <p>(d) contaminant treatment of stormwater is provided either:</p> <p>(i) on-site through a stormwater treatment system, or</p> <p>(ii) off-site through an existing local authority stormwater network or privately owned stormwater treatment system that has capacity to treat contaminant loads from the site.</p>		<p>a discharge of stormwater from an airport (which is understood to be GWRC’s interpretation) or a prohibited activity under WH.R13 as ‘unplanned greenfield development’ (noting that it is not located in an urban or future urban zone by virtue of being in an open space zone).</p>
<p>Rule WH.R8: Stormwater from a port or airport – restricted discretionary activity (Coastal)</p> <p>The discharge of stormwater from a port or airport into water, or onto or into land where it may enter a surface water body or</p>	<p>Restricted Discretionary</p> <p><i>Matters for discretion</i></p> <p>> The management of the adverse effects of stormwater capture</p>	<p>The MGC Yard, George Bolt Yard, and part of the Moa Point Yard are located in the Airport Zone and within the Freshwater Management Unit for Wellington urban catchment.</p>



Provision	Activity Status	Comment
<p>coastal water, including through a local authority stormwater network, is a restricted discretionary activity where the target attribute state for copper and zinc in Table 8.4 is met for a relevant part Freshwater Management Unit or the coastal water objective for copper and zinc in Table 8.1 is met in the relevant coastal water management unit.</p>	<p>and discharge, including on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, and as required by Policy WH.P12</p> <ul style="list-style-type: none"> > The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity) > Minimisation of the adverse effects of stormwater discharges > Provision for hydrological control measures where discharges will enter a surface water body (including via an existing local authority stormwater network), and water sensitive urban design 	<p>The ESCMP (included in Part B) sets out measures to ensure that stormwater arising from the Moa Point Yard and MGC Yard during site establishment are appropriately managed. As the MGC Yard will be established progressively, the ESCP will remain in place for the duration that construction yards will be in use. Once the sites are stabilised, it is proposed the Consent Holder will submit a stormwater management plan to GWRC to ensure permitted water quality standards are complied with.</p> <p>This rule could be interpreted as not being relevant to discharges from the Southern Seawall (including Eastern Bank Remediation) or the majority of the Moa Point Yard as they are not located in the Airport Zone.</p> <p>However, it is acknowledged that GWRC consider the activities at Moa Point Yard are airport activities, and are therefore not considered ‘unplanned greenfield development’, and are more appropriately provided for by Rule WH.R8.</p>



Provision	Activity Status	Comment
	<ul style="list-style-type: none"> > Requirements of any relevant local authority stormwater network discharge consent 	
<p>Rule WH.R11: Stormwater from new and redeveloped impervious surfaces – discretionary activity (Coastal)</p> <p>The use of land for the creation of new, or redevelopment of existing impervious surfaces (including greenfield development and redevelopment of existing urbanised property) and the associated discharge of stormwater into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing local authority stormwater network, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or Rule WH.R7, or prohibited under WH.R13 is a discretionary activity provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) the resource consent application includes a Stormwater Impact Assessment prepared in accordance with Schedule 29 (impact assessment), and (b) if the proposal is for greenfield development a financial contribution is paid for the purpose of offsetting the adverse effects of residual stormwater contaminants. The 	Not applicable	<p>This rule is not relevant because more specific rules apply²⁴ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and > As noted above, the discharge of water from Moa Point Yard is either subject to WH.R8 as a discharge of stormwater from an airport

²⁴ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>level of contribution and when it is required is set out in Schedule 30 (financial contributions).</p>		<p>(which is understood to be GWRC’s interpretation) or a prohibited activity under WH.R13 as ‘unplanned greenfield development’ (noting that it is not located in an urban or future urban zone by virtue of being in an open space zone).</p>
<p>Rule WH.R12: All other stormwater discharges – non-complying activity (Coastal)</p> <p>The:</p> <ul style="list-style-type: none"> (a) discharge of stormwater onto or into land, including where contaminants may enter groundwater, that is not permitted by Rule WH.R2, or (b) discharge of stormwater into water or onto or into land where it may enter a surface water body or coastal water, that is not permitted by Rule WH.R3, or a restricted discretionary activity under Rules WH.R8 or WH.R9, or (c) discharge of stormwater from a high risk industrial or trade premise that is not permitted by Rule WH.R4, or the use of land for the creation of new or redevelopment of existing impervious surfaces and the associated discharge of 	<p>Not applicable</p>	<p>This rule is not relevant because more specific rules apply²⁵ or are provided for by an existing resource consent:</p> <ul style="list-style-type: none"> > The discharge of water from the Southern Seawall (including Eastern Bank Remediation) is provided for by NRP Rule R189; > The discharge of water from George Bolt Yard is covered by WIAL’s existing site-wide stormwater discharge permit (Consent number WGN230119); > The discharge of water from the MGC Yard is considered under WH.R8 because it is a discharge of stormwater from an airport; and

²⁵ Chapter 8.3 of the Proposed Change 1 to the NRP states that “if a single activity is covered by more than one rule, then the rule that applies is the rule that is more specific for the relevant activity, area or resource...”.



Provision	Activity Status	Comment
<p>stormwater from a high risk industrial or trade premise that does not meet the conditions of Rule WH.R11, or</p> <p>(d) use of land for the creation of new or redevelopment of existing impervious surfaces and the associated discharge of stormwater into water or onto or into land where it may enter water, that is not permitted by Rule WH.R5, or a controlled activity under Rule WH.R6 or WH.R7, or a discretionary activity under Rule WH.R10 or WH.R11, or a prohibited activity under WH.R13,</p> <p>is a non-complying activity.</p>		<p>> As noted above, the discharge of water from Moa Point Yard is either subject to WH.R8 as a discharge of stormwater from an airport (which is understood to be GWRC’s interpretation) or a prohibited activity under WH.R13 as ‘unplanned greenfield development’ (noting that it is not located in an urban or future urban zone by virtue of being in an open space zone).</p>
<p>Rule WH.R13: Stormwater from new unplanned greenfield development – prohibited activity (Coastal)</p> <p>The use of land and the associated discharge of stormwater from impervious surfaces from unplanned greenfield development direct into water, or onto or into land where it may enter a surface water body or coastal water, including through an existing or proposed stormwater network, is a prohibited activity.</p>	<p>Prohibited – however under section 87B(1)(c) of the RMA, an application under this rule must be treated as a discretionary activity as the rule is not operative.</p>	<p>One potential interpretation is that WH.R13 applies to discharges from the Moa Point Yard, once constructed.</p> <p>As notified, unplanned greenfield development has the following definition:</p> <p><i>“Greenfield development within areas identified as ‘unplanned greenfield area’ on maps 86, 87, 88 and 89 which also require an underlying zone change (from rural/nonurban/open space to urban) though a District Plan change to enable the development.</i></p> <p><i>Note: Unplanned greenfield areas are those areas that do not have an urban or future urban zone at</i></p>

Provision	Activity Status	Comment
		<p><i>the time of Plan Change 1 notification, 30th October 2023.”</i></p> <p>The Southern Seawall and Moa Point Yard are located on land identified by Map 87 as unplanned greenfield area and the underlying zoning of these areas at 30 October 2023 was Open Space B under the Operative District Plan and Natural Open Space under the Proposed District Plan.</p> <p>Moa Point Yard will be an impervious surface and is considered ‘unplanned greenfield development’ by virtue of being located within an open space zone. As stormwater from the site will be discharged onto or into land where it may enter coastal water, this is a prohibited activity.</p> <p>However, another possible interpretation is that this rule does not apply. It is acknowledged that GWRC considers the activities at Moa Point Yard are airport activities, and are therefore not considered ‘unplanned greenfield development’, and are instead provided for by Rule WH.R8.</p>

Provision	Activity Status	Comment
Chapter 8.3.5 - Earthworks		
<p>Rule WH.R23: Earthworks – permitted activity</p> <p>Earthworks is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> (a) the earthworks are to implement an action in the erosion risk treatment plan for the farm, or (b) the earthworks are to implement an action in the farm environment plan for the farm, and or (c) the area of earthworks does not exceed 3,000m² per property in any consecutive 12-month period, and <ul style="list-style-type: none"> (i) the earthworks shall not occur within 5m of a surface water body or the coastal marine area, except for earthworks undertaken in association with Rules R122, R124, R130, R131, R134, R135, and R137, and (ii) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and (iii) the area of earthworks must be stabilised within six months after completion of the earthworks, and (iv) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a 	Not applicable	<p>Earthworks is a defined term in PC1 for Whaitua Te Whanganui-a-Tara and includes “<i>the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock).</i>”</p> <p>The earthworks / land disturbance required to establish and operate the MGC and Moa Point Yards will exceed 3,000 m² in a 12-month period. In addition, earthworks as defined by PC1 will occur within 5m of the coastal marine area. Similarly, the placement of rock to establish the Kororā Colonies and the placement of the Stage 1 Kororā Colony access tunnel is conservatively assumed to occur within 5m of the coastal marine area.</p>

Provision	Activity Status	Comment
<p>surface water body or the coastal marine area, including via a stormwater network, and</p> <p>(v) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p>		
<p>Rule WH.R24: Earthworks – restricted discretionary activity (Coastal)</p> <p>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water, or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, that does not comply with Rule WH.R23 is a restricted discretionary activity, provided the following conditions are met:</p> <p>(a) the concentration of total suspended solids in the discharge from the earthworks shall not exceed 100g/m³, except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m³, the discharge shall not, after the zone of reasonable mixing, decrease the visual clarity in the receiving water by more than:</p>	<p>Not applicable</p>	<p>The earthworks associated with the establishment of the MGC Yard and Moa Point Yard, and the Kororā Colonies do not comply with WH.R23 and some earthworks may occur between 1 June and 30 September, therefore fall to be considered under Rule WH.R25.</p>

Provision	Activity Status	Comment
<p>(i) 20% in River class 1 and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or</p> <p>(ii) 30% in any other river, and</p> <p>(b) earthworks shall not occur between 1st June and 30th September in any year.</p>		
<p>Rule WH.R25: Earthworks – non-complying activity (Coastal)</p> <p>Earthworks, and the associated discharge of sediment into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water from earthworks, including via a stormwater network, that does not comply with Rule WH.R24 is a non-complying activity.</p>	<p>Non-Complying</p>	<p>Earthworks at the MGC Yard and Moa Point Yard, and Kororā Colonies are conservatively assumed to be required during the winter months (i.e. between 1 June and 30 September).</p>

SUMMARY OF PROPOSED CHANGE 1 CONSENTS REQUIRED

Based on the analysis presented above, the following resource consents are required under PC1 to the NRP:

- > A discharge permit as a **restricted discretionary activity** for the discharge of stormwater from an airport (the MGC and part of the Moa Point Yard) onto or into land where it may enter a water body or coastal water;²⁶
- > A discharge permit as a **restricted discretionary** or **discretionary activity** for the discharge of stormwater either from an airport or an unplanned greenfield development area (relating to discharges from the Moa Point Yard, once constructed).²⁷ If rule WH.R8 applies, the activity status is restricted discretionary. If rule WH.R13 applies, the activity status is prohibited under PC 1 to the NRP, however reverts to a **discretionary activity** in accordance with section 87B (1) of the RMA.²⁸ Furthermore, it is noted that section 42(5) of the FTA allows a substantive application to seek an approval for a prohibited activity; and
- > A land use consent and discharge permit as a **non-complying activity** for earthworks, and the associated discharge of sediment, onto or into land where it may enter coastal water by virtue of potentially being undertaken during winter months.²⁹

Applying the bundling principle, the overall activity status of the Project under PC1 to the NRP is a **non-complying activity**.

²⁶ PC1 to the NRP - Rule WH.R8.

²⁷ PC1 to the NRP – Rules WH.R8 and WH.R13.

²⁸ Section 87B(1) of the RMA states that a resource consent application for an activity must be treated as an application for a resource consent for a discretionary activity if a rule in the proposed plan describes the activity as a prohibited activity and the rule has not become operative.

²⁹ PC1 to the NRP - Rule WH.R25.



PROPOSED WELLINGTON CITY COUNCIL DISTRICT PLAN

WCC has undertaken a rolling review of the 2000 District Plan. As the 2024 District Plan becomes operative, the 2000 District Plan provisions cease to have legal effect.

Stage 1 of the 2024 District Plan is largely operative, with only a discrete number of outstanding appeals remaining live. Decisions on Stage 2 of the 2024 District Plan were publicly notified on 12th July 2025. Provisions for which no appeals are filed will be deemed operative. Provisions subject to appeal have legal effect and are denoted with a * in this evaluation.

Of particular relevance to this assessment, all rules of the Infrastructure (“**INF**”) Chapter and the Infrastructure – Coastal Environment (“**INF-CE**”) sub-chapter and the primacy of the INF Chapter provisions are under appeal.³⁰ There are no equivalent rules in the 2000 District Plan therefore there is no requirement to defer to the 2000 District Plan in this regard.

Parts of the Southern Seawall (including the Eastern Bank Remediation), the Stage 1 Kororā Colonies and Moa Point Yard are located within the Natural Open Space Zone under the 2024 District Plan. The MGC Yard, George Bolt Yard, and a small part of the Moa Point Yard are located within the Special Purpose Airport Zone. Some parts of the Southern Seawall and the Stage 2 Korora Colony have no underlying land use zone – therefore only the District wide provisions apply to this land.

The sites within the Project Area are also subject to several notations and overlays in the 2024 District Plan, including:

- > The Moa Point Road Seawall Area;
- > The Coastal Environment Overlay;
- > Multiple Category B Sites and Areas of Significance to Māori within the immediate vicinity of the Southern Seawall and Kororā Colonies;
- > The Hue te Taka Peninsula / Rangitatau Palmer Head Outstanding Natural Feature (“**ONF**”), and the Hue tē Taka Peninsula / Moa Point High Coastal Natural Character area; and
- > Various natural hazard overlays.

An overview of the zoning of the Project Area and surrounding area is shown in Figure 1.

³⁰ ENV-2025-WLG-000015 Royal Forest and Bird Protection Society of New Zealand Incorporated v Wellington City Council.



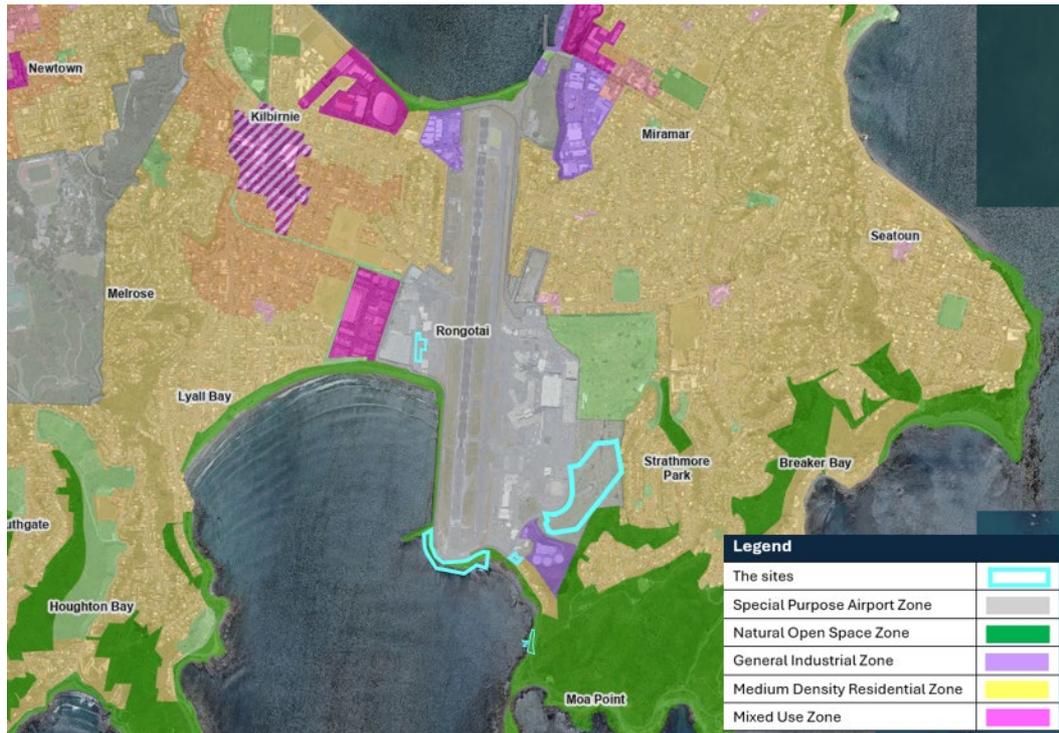


Figure 1: Indicative Project Area and Surrounding Area Zoning under the 2024 District Plan

The following provides an analysis of the relevant rules and permitted conditions / standards in the 2024 District Plan relating to the activities associated Project. This covers the following sections of the 2024 District Plan:

- > Part 2: District Wide Matters – Energy, Infrastructure, and Transport; Hazards and Risks; Historical and Cultural Values; Natural Environment Values; and General District-Wide Matters; and
- > Part 3: Area-Specific Matters - Natural Open Space Zone and Special Purpose Airport Zone.

For clarification, all components of the Project except the Stage 1 and 2 Kororā Colonies are considered to be ‘infrastructure’ because they are activities associated with the operation of a network utility. The 2024 District Plan directs that:³¹

- > The provisions of the Infrastructure Chapter and sub-chapters apply on a City-wide basis, with rules in the zone and overlay chapters not applying to infrastructure unless specifically stated;

³¹ This approach is under appeal (ENV-2025-WLG-000015).



- > The Infrastructure Chapter does not apply to activities that fall under the definition of ‘airport purposes’ or ‘airport related activities’ which are dealt with in the Special Purpose Airport Zone.

As such, the provisions within the Infrastructure Chapter (and the infrastructure sub-chapters) apply to the Southern Seawall (including the Eastern Bank Remediation) and Moa Point Yard within the Natural Open Space Zone, with the rules in the zone, earthworks and overlay chapters not applying to infrastructure.

The MGC Yard and George Bolt Yard are located within the Airport Zone and fall under the definition of ‘airport purposes’ or ‘airport related activities’, and as such, the provisions in the Infrastructure Chapter do not apply to these construction yards.

The Kororā Colonies are assessed against the general rules in the 2024 District Plan, including the Natural Open Space Zone, earthworks and overlay chapters.

Tables 9-17 provides an analysis of the relevant rules in the 2024 District Plan that relate to the activities associated with the Project as discussed above.



PART 2 – DISTRICT-WIDE MATTERS

Table 9: Energy, Infrastructure and Transport

Provision	Activity Status	Comment
Infrastructure*		
<p>* Rule INF-R1.1 - Operation, maintenance and repair, or removal of existing above and underground infrastructure and ancillary vehicle access tracks</p> <p>Where:</p> <ul style="list-style-type: none"> > Above ground structures that are no longer requires are removed within 12 months of being replaced or becoming redundant; and > Compliance is achieved with: <ul style="list-style-type: none"> > INF-S1; > With regard to existing underground infrastructure, INF-S2; > INF-S3; and > INF-NG-S1. 	Permitted	<p>Future maintenance and repair of the seawall will comply with INF-R1.1 as:</p> <ul style="list-style-type: none"> > Where above ground structures are no longer required they will be removed within 12 months; > No activities emit electric and magnetic fields and maximum exposure levels will not exceed the specified limit; > Maintenance and repair works are not associated with underground infrastructure; > Earthworks will be managed in accordance with the requirements of INF-S3; and > The site is not within the National Grid Yard.

* All INF rules are subject to appeal (ENV-2025-WLG-000015).



Provision	Activity Status	Comment
<p>* Rule INF-R3.1 - Upgrading of existing aboveground infrastructure</p> <ul style="list-style-type: none"> > Compliance is achieved with INF-S1; and > Compliance with the following standards is achieved: <ul style="list-style-type: none"> > INF-S3; > INF-S4; and > INF-NG-S1. 	<p>Not applicable</p>	<p>The definition of ‘upgrading’ as it applies to infrastructure, means the improvement or increase in carrying capacity or output, operational efficiency, security or safety of existing infrastructure, but excludes maintenance and repair. Upgrade and upgrades have the corresponding meaning.</p> <p>The proposed upgrade and extension of the Southern Seawall will not comply with INF-S4 as it will increase the footprint of the seawall by more than 30% and will extend more than 5m from the existing alignment.</p> <p>The Southern Seawall works will comply with other relevant permitted conditions as:</p> <ul style="list-style-type: none"> > No activities emit electric and magnetic fields and maximum exposure levels will not exceed the specified limit; > Earthworks will be managed in accordance with the requirements of INF-S3; and > The site is not within the National Grid Yard.
<p>* Rule INF-R3.2 - Upgrading of existing aboveground infrastructure</p> <ul style="list-style-type: none"> > Compliance with the requirements of INF-R3.1.b is not achieved. 	<p>Restricted Discretionary</p> <p><i>Matters of discretion are:</i></p> <p><i>The matters set out in INF-P1, INF-P2, INF-P3, INF-P5 and INF-P6.</i></p>	<p>The proposed upgrades to the Southern Seawall (including Eastern Bank Remediation) are a restricted discretionary activity under this rule because it does not comply with one of the requirements on INF-R3.1.b, being INF-S4 relating to the increase in the footprint of the Southern Seawall.</p>



Provision	Activity Status	Comment
<p>* Rule INF-R15 - Infrastructure buildings and structures not provided for by any other rule in this table</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with all bulk and location standards for the zone in which the building or structure is located; b. Compliance is achieved with INF-S7 and INF-S15; and c. Compliance is achieved with INF-S1. 	Permitted	The Southern Seawall is provided for by another rule in the Rules for Infrastructure – General table (see INF-R3.2).

Infrastructure - Coastal Environment³² *

<p>* Rule INF-CE-R1 - Operation, maintenance, repair of existing infrastructure, and customer connections within the coastal environment:</p>	Permitted	The proposed infrastructure is not located within any high coastal natural character areas, and parts of the Southern Seawall and Moa Point Yard will be located outside of coastal margins.
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³² The provisions of the infrastructure sub-chapters apply in addition to the provisions of the Infrastructure Chapter. Where more than one infrastructure sub-chapter applies to an infrastructure activity, the provisions of each infrastructure sub-chapter apply unless otherwise stated. In the case of conflict with any provisions of the Infrastructure Chapter and a sub-chapter, the provisions of the sub-chapter will prevail.

* All INF-CE rules are subject to appeal (ENV-2025-WLG-000015).

Provision	Activity Status	Comment
<ul style="list-style-type: none"> > Outside of high coastal natural character areas; and > Outside of coastal and riparian margins.³³ 		
<p>* Rule INF-CE-R3.1 - Operation, maintenance, repair of existing infrastructure within the coastal environment:</p> <ul style="list-style-type: none"> > Within coastal and riparian margins. <p>Where compliance with INF-CE-S1 is achieved.</p> <p>In Special Purpose Zones and the mapped Moa Point Road Seawall Area that is Natural Open Space Zone.</p>	Not applicable	<p>Areas of the Southern Seawall that are located within the coastal margin (i.e. within 10m of the coastal marine area) are located within the Moa Point Road Seawall Area and the Natural Open Space Zone.</p> <p>Given the profile of the seawall will exceed a 1m vertical increase of the seawall as it existed on 7 July 2025, future maintenance and repair of the Southern Seawall within the coastal margin will therefore be considered an upgrade under INF-CE-R5.</p>
<p>* Rule INF-CE-R4 - Upgrading of both existing infrastructure and new infrastructure within the coastal environment:</p> <ul style="list-style-type: none"> > Outside of high coastal natural character areas; and > Outside of coastal and riparian margins. 	Permitted	The Project Area is not located within any high coastal natural character areas, and parts of the Southern Seawall and Moa Point Yard will be located outside of coastal margins.

³³ The Coastal Margin means all land within a horizontal distance of 10 metres landward from the coastal marine area.

* Rule INF-CE-R3 is subject to appeal (ENV-2025-WLG-000015).



Provision	Activity Status	Comment
<p>* Rule INF-CE-R5 - Upgrading of existing infrastructure within the coastal environment:</p> <p>> Within coastal or riparian margins.</p> <p>In Special Purpose Zones and the mapped Moa Point Road Seawall Area that is Natural Open Space Zone.</p>	Permitted	Parts of the Southern Seawall are located within the coastal margin.
Infrastructure - Other Overlays		
<p>Rule INF-OL-R4 - Operation, maintenance and repair, or removal, of existing aboveground infrastructure in Other Overlays</p>	Permitted	Future maintenance, repair or removal of the Southern Seawall is a permitted activity.
<p>Rule INF-OL-R5.2 - Upgrading of existing aboveground infrastructure in Other Overlays</p> <p>Where the infrastructure is located:</p> <ul style="list-style-type: none"> > On a heritage building identified in SCHED3; > On a heritage structure identified in SCHED2; > Within the root protection area of a notable tree identified in SCHED6; and > Within a site or area listed in Category A or B of SCHED7 (Sites and areas of significance to Māori). 	<p>Restricted Discretionary</p> <p><u>Matters of discretion:</u></p> <ul style="list-style-type: none"> > The matters set out in Policy INF-OL-P1. 	<p>The Southern Seawall and Moa Point Yard are located within Sites or Areas of Significance to Māori listed as Category B – with the Moa Point Yard partly located with Moa Point (Reference 115).</p>

Provision	Activity Status	Comment
Transport		
<p>* Rule TR-R2.1 – Vehicle trip generation</p> <p>Where located in the Airport Zone’s Terminal Specific Control Area, East Side Specific Control Area or South Coast Specific Control Area.</p>	Permitted	<p>The MGC Yard is located in the East Side Specific Control Area, and the northern part of the Moa Point Yard is located in the South Coast Specific Control Area.</p> <p>Vehicle movements associated with these components of the project are permitted.</p>
<p>Rule TR-R2.2 – Vehicle trip generation</p> <p>Where:</p> <ul style="list-style-type: none"> > located in All Zones except those specific control areas provided for by Rule TR-R2.1; and > Compliance with TR-S1 is achieved. 	Not applicable	<p>The heavy vehicle movements associated with the Project, namely the movements to and from the Moa Point and George Bolt Yards, will infringe the permitted movements in Standard TR-S1 (with heavy vehicle movements to Moa Point being 10-20 per day and to the George Bolt Yard (partial) being 5-10.</p>
<p>Rule TR-R2.3 – Vehicle trip generation</p> <p>Where compliance with any of the requirements of TR-R2.1 cannot be achieved.</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > The matters in Policy TR-P1. 	<p>The heavy vehicle movements associated with the Project will infringe the permitted movements in Standard TR-S1 (with heavy vehicle movements to Moa Point being 10-20 per day and to the George Bolt Yard (partial) being 5-10.</p> <p>The application is supported by Transportation Assessment and a draft Construction Traffic Management Plan which have been prepared by suitably qualified and experienced</p>

* Rule INF-CE-R3 is subject to appeal (ENV-2025-WLG-000017).



Provision	Activity Status	Comment
		transport planner and transport engineer in accordance with the section 88 requirements set out in Rule TR-R2.3.
<p>Rule TR-R3.2 – Driveways</p> <p>Where compliance with the requirements of TR-R3.1 cannot be achieved.</p>	<p>Restricted Discretionary</p> <p><u>Matters of discretion:</u></p> <p>> The matters in Policy TR-P3.</p>	<p>The Project will include the upgrade of existing and the construction of new site accesses / vehicle crossings from the MGC Yard onto Stewart Duff Drive and the Moa Point Yard on to Moa Point Road.</p> <p>Given heavy traffic movements will exceed 9 heavy vehicle movements per week, specific design of the driveways is required in accordance with TR-S5, and therefore cannot comply with TR-S6 (which relates to specific driveway classifications, gradients, lengths and design).</p>
<p>Rule TR-R5.2 - On-site vehicle parking and manoeuvring</p> <p>Where compliance with the requirements of TR-R5.1 cannot be achieved.</p>	<p>Not applicable</p>	<p>Not considered relevant as the construction yards are not expected to contain formal and permanent car parking spaces.</p>

Table 10: Hazards and Risks

Provision	Activity Status	Comment
Contaminated Land		
There are no rules in this chapter.	N/A	N/A
Hazardous Substances		
Rule HS-R1.1 - The manufacture, use, storage, transportation or disposal of hazardous substances	Permitted	The volumes and types of substances stored on site, relating to the refuelling, maintenance and repair of light vehicles and machinery at the MGC Yard and George Bolt Yard, will not constitute major hazard facilities.
Natural Hazards		
Rule NH-R1.1 - Less hazard sensitive activities within all Natural Hazard Overlays	Permitted	The MGC Yard and George Bolt Yard are likely to contain workshops and other non-habitable buildings and structures as part of construction activities. These are considered less hazard sensitive activities as the term includes “ <i>accessory buildings used for non-habitable purposes</i> ”.
Where any buildings and structures are located outside of the identified overland flow paths or stream corridor of the Flood Hazard Overlay.		The MGC Yard is the only site to contain flood hazards, with any buildings within the site located outside the overland flow paths at the northern part of the site.

Provision	Activity Status	Comment
		As infrastructure, the Southern Seawall and activities in the Moa Point Yard are considered under the Infrastructure Chapter.

Table 11: Historical and Cultural Values

Provision	Activity Status	Comment
Sites and Areas of Significance to Māori		
Rule SASM-R4.2 - New buildings or structures within the mapped extent of a site or area of significance to Māori in Category A or B	Restricted Discretionary <u>Matters of discretion are:</u> > The matters in SASM-P4.	The Stage 1 Kororā Colony is located within the Rangitatau Landscape Takiwā - Reference 150. New fences are proposed.

Table 12: Natural Environment Values

Provision	Activity Status	Comment
Natural Features and Landscapes		
<p>Rule NFL-R1.1- Restoration and enhancement activities within outstanding natural features and landscapes, special amenity landscapes and ridgelines and hilltops (including in the coastal environment)</p> <p>Where the works are for the purpose of restoring the identified values of outstanding natural features and landscapes, or maintaining or enhancing the values of special amenity landscapes or ridgelines and hilltops by:</p> <ul style="list-style-type: none"> > Planting local indigenous vegetation; or > Carrying out animal pest control activities; or > Carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; or > Carrying out activities in accordance with an operative Reserve Management Plan approved under the Reserves Act 1977; or 	<p>Not applicable</p>	<p>The Stage 1 Kororā Colony is located within the Hue tē Taka Peninsula / Moa Point High Coastal Natural Character area and the Hue te Taka Peninsula / Rangitatau Palmer Head Outstanding Natural Feature (“ONF”).</p> <p>The proposed works are for the purpose of maintaining and enhancing kororā habitat and are therefore considered consistent with the restoration of the identified values of Hue te Taka Peninsula/Rangitatau Palmer Head and the maintenance of values associated with Hue tē Taka Peninsula / Moa Point High Coastal Natural Character area, however, the site is not currently subject to a registered protective covenant or management plan or Act listed in NFL-R1.1.a, and include activities (such as erection of fences, placement of nestboxes and installation of a culvert) that are not listed in NFL-R1.1.a.</p>

Provision	Activity Status	Comment
<ul style="list-style-type: none"> > Carrying out activities in accordance with an operative Wellington Town Belt Management Plan approved under the Wellington Town Belt Act 2016; or > Kaitiakitanga undertaken by mana whenua; or > Carrying out ongoing restoration work within the Zealandia sanctuary where undertaken by the Karori Sanctuary Trust. 		
<p>Rule NFL-R1.2- Restoration and enhancement activities within outstanding natural features and landscapes, special amenity landscapes and ridgelines and hilltops (including in the coastal environment)</p> <p>Where:</p> <p>Compliance with the requirements of NFL-R1.1.a is not achieved.</p>	<p>Restricted Discretionary</p> <p><u>Matters of discretion are:</u></p> <ul style="list-style-type: none"> > The degree to which the restoration or enhancement activity will contribute to maintaining the identified visual amenity and landscape values and characteristics; and > The matters in NFL-P9. 	<p>The Stage 1 Kororā Colony is for the purpose of maintaining and enhancing kororā habitat and are therefore considered consistent with the restoration of the identified values of Hue te Taka Peninsula/Rangitatau Palmer Head and the maintenance of values associated with Hue tē Taka Peninsula / Moa Point High Coastal Natural Character area, however, include activities that are not captured by Rule NFL-R1.1.a.</p>

Table 13: General District-Wide Matters

Provision	Activity Status	Comment
Coastal Environment		
<p>* Rule CE-R2.1 - Restoration and enhancement activities within the coastal environment:</p> <ul style="list-style-type: none"> > Outside of high coastal natural character areas; and > Outside of coastal and riparian margins. 	Permitted	The Project includes the restoration and rehabilitation of the area of land occupied by the Moa Point Yard following the completion of works which is outside the coastal margin. These works are covered under the relevant infrastructure sub-chapters.
<p>* Rule CE-R3.2 - Restoration and enhancement activities within the coastal environment:</p> <ul style="list-style-type: none"> > Within high coastal natural character areas; or > Within coastal or riparian margins. 	<p>Restricted Discretionary</p> <p><u>Matters of discretion:</u></p> <ul style="list-style-type: none"> > The matters in CE-P3. 	<p>The Stage 1 and Stage Kororā Colonies will be partly located within the coastal margins.</p> <p>These restoration and enhancement activities associated with the Stage 1 and Stage 2 Kororā Colonies will not meet all of the permitted conditions in Rule CE-R3.1 as the activities are not being undertaken in accordance with a protective covenant, the Reserves Act, or by mana whenua.</p>

* Rule CE-R2 is subject to appeal (ENV-2025-WLG-000015).

* Rule CE-R3 is subject to appeal (ENV-2025-WLG-000015).



Provision	Activity Status	Comment
<p>* Rule CE-R4.1 - Vegetation trimming or removal within the coastal environment, outside of high coastal natural character areas</p>	<p>Permitted</p>	<p>Any vegetation removal associated with the Moa Point Yard and or Eastern Bank Remediation works are covered under the relevant infrastructure sub-chapters.</p> <p>However, any vegetation clearance at the MGC Yard or as part of the Stage 1 and Stage 2 Kororā Colonies will be permitted under this rule as while the sites are within the coastal environment, vegetation clearance will only occur outside of high coastal natural character areas.</p>
<p>Rule CE-R19.1 - The construction of buildings or the conversion of existing buildings that will contain Airport purposes, operational port activities, passenger port facilities and rail activities within the Coastal Hazard Overlay</p> <p>Where a building that would be occupied by more than 10 employees of the activity, or any members of the public.</p>	<p>Not applicable</p>	<p>The MGC Yard, George Bolt Yard and parts of the Moa Point Yard located within the Airport Zone are likely to contain temporary buildings to support construction activities within the coastal hazard overlays (such as workshops and site offices). These buildings, may, from time to time, be occupied by more than 10 employees and as such do not comply with the requirements of CE-R19.1.</p>
<p>Rule CE-R19.2 - The construction of buildings or the conversion of existing buildings that will contain Airport purposes, operational port</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <p>> <i>The matters in CE-P21</i></p>	<p>The MGC Yard, George Bolt Yard and parts of the Moa Point Yard located within the Airport Zone are likely to contain temporary buildings to support construction activities within the coastal hazard overlays (such as workshops and site offices). These buildings, may, from</p>

* Rule INF-CE-R4 is subject to appeal (ENV-2025-WLG-000015).



Provision	Activity Status	Comment
<p>activities, passenger port facilities and rail activities within the Coastal Hazard Overlay</p> <p>Where compliance with the requirements of CE-R19.1 is not achieved</p>		<p>time to time, be occupied by more than 10 employees and as such do not comply with the requirements of CE-R19.1.</p>
<p>Rule CE-R24.2 - Hard engineering natural hazards mitigation works in the high coastal hazard area</p> <p>Where the works involve upgrades to existing hard engineering natural hazard mitigation works that cannot comply with Rule CE-R24.1b.</p>	<p>Not applicable</p>	<p>The Southern Seawall is considered infrastructure and therefore falls to be considered under the Infrastructure – Coastal Environment Chapter.</p>
<p>Earthworks³⁴</p>		
<p>Rule EW-R7.1 - Earthworks within Sites and Areas of Significance Category A and Category B</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > The matters in SASM-P5; and > The outcome of consultation with mana whenua. 	<p>Earthworks associated with Kororā Stage 1 are located within the Rangitatau Landscape Takiwā (Reference 150, Category B).</p> <p>Sites and Areas of Significance to Māori are located adjacent to the Southern Seawall and an area of Moa Point Yard. As infrastructure, these activities are to be considered under the Infrastructure Chapter.</p>

³⁴ The provisions of this Chapter do not apply in relation to activities provided for in the Infrastructure Chapter, unless specifically stated in the rule or standard concerned. The provisions of this chapter only apply in relation to activities provided for in the Airport Zone, to the extent specified in EW-R17 and EW-S14.



Provision	Activity Status	Comment
<p>*Rule EW-R11.4 - Earthworks within coastal or riparian margins within the coastal environment³⁵</p> <p>Where compliance with any of the requirements of EW-R11.3 is not achieved.</p>	<p>Discretionary</p>	<p>Earthworks associated with the Stage 1 and Stage 2 Kororā Colonies are conservatively assumed to extend into the coastal margin (within 10 m of the coastal marine area).</p> <p>The earthworks will not meet the requirements of Rule EW-R11.3 as they will exceed the maximum area of 10 m² and volume of 10 m³ per 12-month period within Standard EW-S12.</p>
<p>Rule EW-R17.2 - Earthworks in the Airport Zone</p> <p>Where compliance with any of the requirements of EW-R17.1 is not achieved.</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards; > Relevant matters in AIRPZ-P4 and AIRPZ-P5; > Visual appearance and mitigation; > Geomorphological impacts; and 	<p>The proposed cut slopes at the MGC Yard will not meet the requirements of Rule EW-R17.1 as they will exceed the maximum height of 2.5 m within Standard EW-S14.</p>

³⁵ EW-R11 is subject to appeal and has legal effect.



Provision	Activity Status	Comment
	<ul style="list-style-type: none"> > Traffic impacts caused by transporting earth and construction fill material. 	
Light		
<p>Rule LIGHT-R1.1 - Outdoor artificial lighting</p> <p>Where compliance with permitted standards LIGHT-S1-S6 can be achieved.</p>	Permitted	The Lighting Assessment included in Part B confirms that the Project will meet all relevant permitted standards.
<p>Rule LIGHT-R2.1 - Outdoor artificial lighting in the coastal margin</p> <p>Where compliance with standards LIGHT-S1-S6 can be achieved.</p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > Whether there is evidence the area is used by at risk, threatened or endangered bird species for reproduction, feeding, or nesting; > Whether there is a functional need or operational need for the proposed lighting; > Whether lights are directed and shielded to avoid light spill; > Whether the lowest intensity lighting appropriate for the task is used; 	The Lighting Assessment included in Part B confirms that the Project will meet all relevant standards.

Provision	Activity Status	Comment
	<ul style="list-style-type: none"> > Whether adaptive light controls are used to manage light timing, intensity and colour; and > Whether lights with reduced or filtered blue, violet and ultra-violet wavelengths are used. 	
Noise		
<p>Rule NOISE-R2.2 - Noise from construction, maintenance, earthworks, and demolition activities</p> <p>Restricted Discretionary where the following is not met:</p> <ul style="list-style-type: none"> > All work will occur within the hours of 7.30 am to 6.00 pm Monday to Saturday; and > Compliance with NOISE-S2 (Construction Activities) is achieved. <p><i>[Noise standards are set out and assessed in Table 13 below].</i></p>	<p>Restricted Discretionary</p> <p><i>Matters of discretion:</i></p> <ul style="list-style-type: none"> > The matters in NOISE-P2; and > The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard. 	<p>The construction activities associated with the Southern Seawall will not meet the permitted conditions in Rule NOISE-R2.1 as works will occur outside of the hours of 7:30 am to 6:00 pm and will not comply with the standard NOISE-S2 for construction activities.</p> <p>Refer to the Noise Assessment in Part B for further details.</p>

Provision	Activity Status	Comment
<p>Rule NOISE-R13.2 - Airport noise</p> <p>Permitted where compliance is achieved with standards NOISE-S8 - S13 (except NOISE-S9). <i>[Noise standards are set out and assessed in Table 13 below].</i></p>	<p>Restricted Discretionary</p> <p><u>Matters of discretion:</u></p> <ul style="list-style-type: none"> > Relevant matters listed in NOISE-P1; > The degree to which noise emissions can be reduced through mitigation or management measures, changes in the location, or methods of operation of the activity; > Whether the proposal will have any adverse effects on the health and safety of people; > The effects of the type, intensity and duration of the noise emitted from any activity; and <p>Relevant matters in the Airport Noise Management Plan (ANMP) – see NOISE-S3.</p>	<p>The construction activities at the MGC Yard will not meet standard NOISE-S12 as noise emissions from the site at adjoining residential zones will exceed the maximum noise limits (refer to the Noise Assessment at Part B for further details).</p>

Signs

<p>Rule SIGN-R1.1 – Official signs</p> <p>Permitted where compliance with the following standards is achieved:</p>	<p>Permitted</p>	<p>Official signs are defined as “<i>all signs required or provided for under any statute or regulation or are otherwise related to aspects of public safety</i>”.</p>
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Provision	Activity Status	Comment
<ul style="list-style-type: none"> > SIGN-S1; > SIGN-S4; > SIGN-S7.1 to 5; > SIGN-S8; and > SIGN-S14. 		<p>The majority of signs associated with the Project will relate to public safety by providing safety information and identifying areas that are restricted access, and traffic management.</p> <p>Relevant permitted standards are assessed in Table 16 below.</p>
<p>Rule SIGN-R7.1 – Signs within the extent of a scheduled archaeological site or site of significance to Māori</p> <p>Permitted where signs are for safety or interpretation purposes and compliance with SIGN-S13 is achieved.</p>	Not applicable	<p>While the Project is located within two sites of significance to Māori no signs will be located within these areas.</p>

Table 14 below provides an assessment of the Project against the relevant light standards for the Natural Open Space Zone and Special Purpose Airport Zone to inform the rules assessment for the Light Chapter in 13 above.

Table 14: Light Standards

Standard	Compliance
LIGHT-S1 - Measurement methods	
<p><i>All Zones</i></p> <ol style="list-style-type: none"> Lighting limits must be measured and assessed in accordance with AS/NZS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting. In the event of any conflict between AS/NZS 4282:2019 and the District Plan, the District Plan shall prevail; and Where an activity is located on a site which adjoins or is separated by a road from a different zone, the activity on the site must meet the relevant zone standards for light for the adjoining zone at the zone boundary. 	<p>Yes – the lighting has been measured and assessed in accordance with these standards (refer to Lighting Assessment included in Part B).</p>
LIGHT-S2 - Light spill	
<p><i>Residential Zones, and Open Space and Recreation Zones</i></p> <p>Outdoor artificial lighting must not exceed the following vertical illuminance levels:</p> <ul style="list-style-type: none"> > 7.00am – 10.00pm: 10 Lux; and > 10.00pm – 7.00am: 2 Lux. <p><i>Airport Zone</i></p> <p>Outdoor artificial lighting must not exceed the following vertical illuminance levels:</p> <ul style="list-style-type: none"> > 7.00am – 10.00pm: 25 Lux; and > 10.00pm – 7.00am: 5 Lux. 	<p>Yes – the Lighting Assessment (Part B) concludes that this standard will be achieved as light spill from fixed lighting and mobile lighting towers will be nil, and light spill from mobile plant and vehicles will not exceed the 2 lux limit and will be transitory.</p>
LIGHT-S3 – Glare	
<p>Outdoor artificial lighting on any site adjacent to a road, or adjacent to a site which contains a building used for a sensitive activity, must be selected, located, aimed, adjusted and / or</p>	<p>Yes – the Lighting Assessment (Part B) concludes that this standard will be achieved as glare from fixed lighting and mobile</p>



Standard	Compliance
<p>screened so that the luminous intensity does not exceed the following:</p> <p><u>Residential Zone and Open Space and Recreation Zones</u></p> <ul style="list-style-type: none"> > 7.00am – 10.00pm: 12,500 cd; and > 10.00pm – 7.00am: 2,500 cd. <p><u>Airport Zone</u></p> <ul style="list-style-type: none"> > 7.00am – 10.00pm: 25,000 cd; and > 10.00pm – 7.00am: 2,500 cd. 	<p>towers at residential windows will be nil or at least very close to nil, and certainly less than 2,500cd.</p>
LIGHT-S4 – Effects on road users	
<p><u>Residential Zone and Open Space and Recreation Zones</u></p> <p>Outdoor artificial lighting must not exceed a 15% threshold increment limit (based on adaption luminance of 2 cd/m²) when calculated in the direction of travel within each traffic lane of any public road.</p> <p><u>Airport Zone</u></p> <p>Outdoor artificial lighting must not exceed a 15% threshold increment limit (based on adaption luminance of 10 cd/m²) when calculated in the direction of travel within each traffic lane of any public road.</p>	<p>Yes – the Lighting Assessment (Part B) concludes that this standard will be achieved as the proposed column-mounted fixed lighting will be remote from, and/or aimed away from, any public roads such that threshold increment limit of 15% will be well controlled.</p>
LIGHT-S5 – Sky Glow	
<p><u>Residential Zone and Open Space and Recreation Zones</u></p> <p>Outdoor artificial lighting must not exceed an upward light ratio of 2%.</p> <p><u>Airport Zone</u></p> <p>Outdoor artificial lighting must not exceed an upward light ratio of 3%.</p>	<p>Yes – the Lighting Assessment (Part B) concludes that the proposed fixed lighting will be flat faced and installed with zero upward tilt such that the upward light ratio will be 0%.</p>
LIGHT-S6 – Sky Glow	
<p><u>Residential Zones and Open Space Zones</u></p> <p>The average surface luminance for an intentionally artificially lit building façade shall not exceed 10 cd/m².</p>	<p>Not applicable. There are no intentionally artificially lit building facades proposed.</p>



Standard	Compliance
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Airport Zone

The average surface luminance for an intentionally artificially lit building façade shall not exceed 25 cd/m².

Table 15 below provides an assessment of the Project against the relevant noise standard for all zones to inform the rules assessment for the Noise Chapter in Table 13 above.

Table 15: Noise Standards

Zone	Standard	Compliance
NOISE-S2- Maximum permitted noise levels by activity		
All Zones	<p>1. Construction activities</p> <p>The noise from any construction, maintenance, earthworks and demolition activities must be measured, assessed, managed and controlled in accordance with the requirements of NZS6803:1999 Acoustics Construction Noise.</p> <p>Noise due to the following activities shall be exempt from compliance:</p> <ul style="list-style-type: none"> > Urgent repair of utilities to maintain continuity of service, to protect life or limb or minimise or prevent loss or serious damage to property. > In the City Centre Zone, where the best practicable option to reduce noise to a reasonable level requires construction work to be undertaken outside normal working hours. <p>The vibration from any construction, maintenance, earthworks and demolition activities must be measured, assessed, managed and controlled in accordance with the requirements of DIN 4150-3:2016 Structural Vibration – Part 3: Effects of Vibration on Structures</p>	<p>No - the construction activities associated with the Southern Seawall will occur between 8:00 pm – 6:30 am and have the potential to exceed the NZS 6803:1999 construction noise limits (refer to the Noise Assessment in Part B for further details).</p>
NOISE-S8 – Hours of Aircraft Operation		
Airport Zone	<i>Not relevant – the Project does not involve Aircraft Operation.</i>	Not applicable.
NOISE-S9 – Engine testing noise		
Airport Zone	<i>Not relevant – the Project does not involve engine testing.</i>	Not applicable.



Zone	Standard	Compliance
NOISE-S10 - Noise from ground power units and auxiliary power units (Main site)		
Airport Zone	<i>Not relevant – the Project does not involve the use of ground power units and auxiliary power units.</i>	Not applicable.
NOISE-S11 - Noise from ground power units and auxiliary power units (East site)		
Airport Zone	<i>Not relevant – the Project does not involve the use of ground power units and auxiliary power units.</i>	Not applicable.
NOISE-S12 – Land based noise		
Airport Zone (excluding Miramar South Precinct)	<ol style="list-style-type: none"> 1. Noise emission levels from any activity within the Airport Zone (excluding the Miramar South Precinct), other than aircraft operations, engine testing and the operation of GPUs and APUs, when measured at any adjoining residential zone, shall not exceed the following limits: <ol style="list-style-type: none"> a. Monday to Saturday 7am to 10pm 55 dB $L_{Aeq(15min)}$ in the Main Site Area b. All days 7am to 10pm 55 dB $L_{Aeq(15min)}$ in the East Side Area c. At all other times 45 dB $L_{Aeq(15min)}$ d. All days 10pm to 7am 75 dB L_{AFmax} 2. In the East Side Precinct, for the purposes of calculating compliance with this limit, account shall be taken of the cumulative effect of all land based activities undertaken within the Airport Zone, other than aircraft operations, the operation of APUs and any engine testing. 	No - construction activities, such as the delivery of materials to the MGC Yard on Sundays and overnight works at the Southern Seawall, have the potential to exceed 45 dB $L_{Aeq(15min)}$ (refer to the Noise Assessment in Part B for further details).
NOISE-S13 - Miramar South Precinct noise		
Airport Zone (Miramar South)	<i>Not relevant – the Project does not involve any activities in the Miramar South Precinct.</i>	Not applicable.



Table 16 below provides an assessment of the Project against the relevant signage standard for all zones to inform the rules assessment for the Signs Chapter in Table 13 above.

Table 16: Sign Standards

Zone	Standard	Compliance
SIGN-S1 – Maximum area of any sign		
Open Space Zones	The area of a single sign must not exceed 4 m ² .	Yes – any signage associated with the Southern Seawall and Moa Point Yard within the Natural Open Space Zone will not exceed 4 m ² .
SIGN-S4 – Maximum height of freestanding signs		
Open Space Zones	The maximum height of any freestanding sign must not exceed 4 m.	Yes – any signage associated with the Southern Seawall and Moa Point Yard within the Natural Open Space Zone will not exceed 4 m in height.
SIGN-S7 – Traffic safety		
All zones	<ol style="list-style-type: none"> 1. Where any sign is located adjacent to any road, the sign must not contain any flashing or moving lights. 2. Where any sign is located within 100 m of an intersection and visible from a legal road, the sign must only contain static messaging and images. 3. Signs must not be shaped or use images or colours, including changeable messages, that could be mistaken for a traffic control device in colour, shape or appearance. 4. Signs must not obstruct the line of sight of any corner, bend, intersection or vehicle or rail crossing. 5. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal. 	<p>Yes – any signage will:</p> <ul style="list-style-type: none"> > Not contain any flashing or moving lights; > Be static; > Not use colours or images that could be mistaken for traffic control device; > Be located to ensure that they do not obstruct line of sight or impair the view of any traffic or traffic signage.



Zone	Standard	Compliance
SIGN-S8 – Digital Signs		
All zones	<i>Not relevant - The Project will not contain any digital signage.</i>	Not applicable.
SIGN-S14 – Airport Zone signs and billboards		
Airport Zone	<ol style="list-style-type: none"> 1. Any sign within the East Side Specific Control Area shall be limited to official signs and signs associated with instructional or directional signage. 2. Any sign which is erected in the Airport Miramar South Specific Control Area, for the purpose of third-party signage: 3. Shall not be located opposite or immediately adjacent to a residential zone. For any free-standing sign or sign located on a structure within any part of the Airport Zone, except the Terminal Specific Control Area: <ol style="list-style-type: none"> a. The maximum area of a single sign is 8m²; and b. The maximum height of a single sign is 4m. 4. For any free-standing sign or sign located on a structure within any part of the Terminal Specific Control Area: <ol style="list-style-type: none"> a. The maximum area of a single sign must not exceed 20m²; and b. The maximum height of a single sign must not exceed 9m. 	<p>Yes – any signage will:</p> <ul style="list-style-type: none"> > Be official signs or be instructional or directional signage; > Not be located in the Airport Miramar South Specific Control Area; > Single signs will not exceed a maximum area of 8m² or a maximum height of 4m.



PART 3 – AREA-SPECIFIC MATTERS

Table 17: Part 3 – Area-Specific Matters

Provision	Activity Status	Comment
Natural Open Space Zone		
NOSZ-R1 Conservation Activities³⁶	Permitted	The Stage 1 and Stage 2 Kororā Colonies are for the purpose or enhancing and protecting kororā habitat and are therefore considered to be captured by the definition of Conservation Activities.
NOSZ-R11.1 - Any other activity not otherwise provided for as a permitted activity	Not applicable	As noted, the Southern Seawall (including the Eastern Bank Remediation) and Moa Point Yard are considered infrastructure and are therefore managed under the Infrastructure Chapters.
NOSZ-R14.1 - Construction, alteration of and addition to buildings and structures Where compliance with standards NOSZ-S1 – S5 is achieved.	Permitted	The buildings and structures at the Southern Seawall and Moa Point Yard are considered infrastructure and are therefore managed under the Infrastructure Chapters. The Stage 1 and Stage 2 Kororā Colonies will comply with standards NOSZ-S1 – S5 as:

³⁶ Conservation Activities means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural and/or ecological values of a natural resource. It may include activities which assist to enhance the public’s appreciation and recreational enjoyment of the resource, where that is consistent with maintaining, protecting or enhancing the natural and/or ecological values. Activities may include: species protection and conservation management work, including restoration and revegetation; pest and weed control; and educational activities.



Provision	Activity Status	Comment
		<ul style="list-style-type: none"> > Any structures will not exceed 4 m in height or have a floor area of greater than 30 m²; > The colony will not be comprised of any buildings; and > The colony will not adjoin any residential zone, rail corridor and is not located at Karori Wildlife Sanctuary (Zealandia).

Special Purpose Airport Zone

AIRPZ-R1.1 – Airport purposes	Permitted	
Where the activity is for airport purposes and complies with any relevant requirements of AIRPZ-S3 and AIRPZ-S4.		<p>The establishment of the George Bolt Yard and part of the Moa Point Yard within the Special Purpose Airport Zone is for ‘airport purposes’³⁷ as the renewal of the Southern Seawall (and associated construction laydown areas) will provide essential support to the transport of people and cargo by aircraft.</p> <p>In addition, the George Bolt Yard and part of the Moa Point Yard will comply with the relevant requirements of Standard AIRPZ-S3 as it is not a commercial or retail activity, and does not provide access from the Broadway or Rongotai Ridge Precincts.</p>

³⁷ Airport purposes mean “the transport of people and cargo by aircraft and any ancillary activity or service that provides essential support to that function. Where a designation of the airport requiring authority exists, it additionally means the activities of the requiring authority described in the Purpose Statement or conditions of that designation.”



Provision	Activity Status	Comment
<p>AIRPZ-R1.2 - Airport purposes</p> <p>Where the activity is land development and construction in the East Side Precinct.</p>	<p>Controlled</p> <p><u>Matters of control:</u></p> <ul style="list-style-type: none"> > Construction effects, including earthworks, noise, hours of operation, and traffic. 	<p>The establishment of the MGC Yard in the East Side Precinct is considered to be land development and construction.</p>
<p>AIRPZ-R6.1 – Construction of, or addition and alternatives to, buildings and structures</p> <p>Where the building or structure is outside the East Side Specific Control Area Landscape Buffer and compliance with standards AIRPZ-S1 or AIRPZ-S2 is achieved.</p>	<p>Permitted</p>	<p>The establishment of the George Bolt and MGC Yards is for ‘airport purposes’ as the renewal of the Southern Seawall (and associated construction laydown areas) will provide essential support to the transport of people and cargo by aircraft. In addition:</p> <ul style="list-style-type: none"> > Any buildings within the MGC Yard will not be located within the East Side Specific Control Area Landscape Buffer; > Any buildings within the George Bolt or MGC Yards will meet Standard AIRPZ-S1 as they will be less than 10 m in height and are not within 5m of a residential zone boundary; and > Standard AIRPZ-S2 relates to the Miramar South Specific Control Area, Rongotai Ridge Specific Control Area and Bridge Street Specific Control Area and is not relevant for the Project.

Provision	Activity Status	Comment
<p>AIRPZ-R6.3 – Construction of, or addition and alternatives to, buildings and structures</p> <p>Where:</p> <ul style="list-style-type: none"> > The relevant requirements of AIRPZ-S1 and AIRPZ-S2 are not met; and > The building or structure is outside the East Side Specific Control Area Landscape Buffer. 	<p>Restricted Discretionary</p> <p><u>Matters of control:</u></p> <ul style="list-style-type: none"> > <i>The relevant matters listed in AIRPZ-P1 to 16317, AIRPZ-P5;</i> > <i>The extent and effect of non-compliance with AIRPZ-S1 and AIRPZ-S2.</i> > <i>Maximum height;</i> > <i>Gross floor area;</i> > <i>Height control adjoining residential areas;</i> > <i>Height control adjoining the Open Space Zone (golf course);</i> > <i>Construction activity; and</i> > <i>In the Rongotai Ridge Specific Control Area, the effects of any building or structure on the form and character of the ridge.</i> 	<p>The proposed foreman’s office in the Moa Point Yard do not comply with the relevant requirements of AIRPZ-S1 as it will be located in the South Coast Specific Control Area and will be located closer than 10m to the Moa Point Road Boundary.</p> <p>AIRPZ-S2 relates to the Miramar South Specific Control Area, Rongotai Ridge Specific Control Area and Bridge Street Specific Control Area and is not relevant for the Project.</p>



SUMMARY OF 2024 DISTRICT PLAN CONSENTS REQUIRED

Based on the analysis provided above, the following resource consents are required under the 2024 District Plan:

- > A land use consent as a **restricted discretionary activity** for the upgrade of the Southern Seawall that does not meet permitted conditions related to increasing the footprint of an existing structure;³⁸
- > A land use consent as a **restricted discretionary activity** for the upgrade of the Southern Seawall, which is located within Sites or Areas of Significance to Māori listed as Category B;³⁹
- > A land use consent as a **restricted discretionary activity** for heavy vehicle movements that do not comply with the relevant permitted transport standards;⁴⁰
- > A land use consent as a **restricted discretionary activity** for site accesses that do not comply with the relevant permitted transport standards;⁴¹
- > A land use consent as a **restricted discretionary activity** for new buildings or structures associated with the Stage 1 Kororā Colony within the mapped extent of a site or area of significance to Māori in Category A or B;⁴²
- > A land use consent as a **restricted discretionary activity** for restoration and enhancement activities within outstanding natural features and landscapes associated with the Stage 1 Kororā Colony which do not meet permitted conditions;⁴³
- > A land use consent as a **restricted discretionary activity** for restoration and enhancement activities associated with the Stage 2 Kororā Colony within the coastal margins of the coastal environment;⁴⁴
- > A land use consent as a **restricted discretionary activity** for the construction of buildings or the conversion of existing buildings that will contain Airport purposes that does not comply with permitted conditions;⁴⁵

³⁸ 2024 District Plan – Rule INF-R3.2.

³⁹ 2024 District Plan – Rule INF-OL-R5.2.

⁴⁰ 2024 District Plan – Rule TR-R2.3.

⁴¹ 2024 District Plan – Rule TR-R3.2.

⁴² 2024 District Plan – Rule SASM-R4.2.

⁴³ 2024 District Plan – Rule NFL-R1.2.

⁴⁴ 2024 District Plan – Rule CE-R3.2.

⁴⁵ 2024 District Plan – Rule CE-R19.2.

- > A land use consent as a **restricted discretionary activity** for earthworks associated with the Stage 1 Kororā Colony within a Site or Area of Significance to Māori;⁴⁶
- > A land use consent as a **discretionary activity** for earthworks associated with the Kororā Colonies within a coastal margin within the coastal environment;⁴⁷
- > A land use consent as a **restricted discretionary activity** for earthworks at the MGC Yard within the Special Purpose Airport Zone that do not meet the permitted standards;⁴⁸
- > A land use consent as a **restricted discretionary activity** for outdoor artificial lighting, including outdoor artificial lighting in the coastal margin, that does not comply with the permitted standards;⁴⁹
- > A land use consent as a **restricted discretionary activity** for noise from general construction activities associated with the Project that will not comply with the permitted standards;⁵⁰
- > A land use consent as a **controlled activity** for land development and construction (i.e. the establishment of the MGC Yard) in the East Side Precinct of the Special Purpose Airport Zone;⁵¹ and
- > A land use consent as a **restricted discretionary activity** for construction of buildings and structures in the South Coast Specific Control Area that does not meet permitted standards.⁵²

Applying the bundling principle, the overall activity status of the Project under the 2024 District Plan is a **discretionary activity**.

⁴⁶ 2024 District Plan – Rule EW-R7.1.

⁴⁷ 2024 District Plan – Rule EW-R11.4.

⁴⁸ 2024 District Plan – Rule EW-R17.2.

⁴⁹ 2024 District Plan – Rule LIGHT-R2.1.

⁵⁰ 2024 District Plan – Rule NOISE-R2.2 & NOISE-R13.2.

⁵¹ 2024 District Plan – Rule AIRPZ-R1.2.

⁵² 2024 District Plan – Rule AIRPZ-R6.3.



RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER) REGULATIONS 2020

Table 18 provides an analysis of the relevant rules in the Freshwater NES relating to the natural inland wetland identified near the MGC Yard (refer to the Terrestrial Ecology Assessment included in **Part B** for further details). The relevant regulations that relate to natural inland wetlands are covered in Part 3 – Subpart 1 of the Freshwater NES.



Table 18: Rules Assessment for the Freshwater NES

Rule	Activity Status	Comment
<p><i>Construction of specified infrastructure</i></p> <p>Regulation 45: Discretionary activities</p> <p>(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.</p> <p>(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.</p> <p>(3) Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it—</p> <p>(a) is for the purpose of constructing specified infrastructure; and</p> <p>(b) results, or is likely to result, in the complete or partial drainage of all or part of the natural inland wetland.</p> <p>(4) The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <p>(a) the activity is for the purpose of constructing or upgrading specified infrastructure; and</p>	<p>Not applicable</p>	<p>The activities associated with the Project – including the site establishment works at the MGC Yard – are considered to be specified infrastructure⁵³ as they are ancillary to the Southern Seawall (including Eastern Bank Remediation) which is in turn a critical component of Wellington International Airport.</p> <p>A single natural inland wetland which as low ecological value is located to the north of the MGC Yard. Consent is not required under this Regulation as:</p> <ul style="list-style-type: none"> > No vegetation clearance will be undertaken within, or with a 10 m setback from, the natural inland wetland; > No earthworks or land disturbance will be undertaken within, or within a 10 m setback from, the natural inland wetland; > While earthworks and lands disturbance activities will be undertaken within 100 m of the natural inland wetland, the Terrestrial Ecology Assessment (contained in Part B) confirms that

⁵³ Specified infrastructure is defined as regionally significant infrastructure identified as such in a regional policy statement or regional plan and infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002) – which explicitly includes Wellington International Airport.



Rule	Activity Status	Comment
<ul style="list-style-type: none"> (b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland. <p>(5) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—</p> <ul style="list-style-type: none"> (a) the discharge is for the purpose of constructing or upgrading specified infrastructure; and (b) there is a hydrological connection between the discharge and the wetland; and (c) the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland. <p>(6) A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—</p> <ul style="list-style-type: none"> (a) satisfied itself that the specified infrastructure will provide significant national or regional benefits; and (b) satisfied itself that there is a functional need for the specified infrastructure in that location; and (c) applied the effects management hierarchy. 		<p>these earthworks will not result in the drainage of any part of the wetland with no watercourses connected to the wetland;</p> <p>> While some surface water may be diverted or discharged into water via the cut-off drains within 100 m of the natural inland wetland, it will not have a hydrological connection to the wetland or result in any drainage of the wetland.</p>



RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011

Table 19 provides an analysis of the relevant rules in the NESCS relating to the activities associated with the Project. As noted, given activities listed on the Hazardous Activities and Industries List (“**HAIL**”) have been undertaken at the Moa Point Yard and Southern Seawall site, the provisions of the NESCS applies to the Project.

HAIL activities have also historically occurred at the MGC and George Bolt Yards. WIAL holds a global discharge permit under the NESCS and the Operative District Plan (SR520690) which addresses land disturbance activities at both of these yards.



Table 19: Rules Assessment for the NESCS

Regulation	Activity Status	Comment
<p>Regulation 8 (2)</p> <p>Sampling the soil of the piece of land is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> (a) controls to minimise the exposure of humans to mobilised contaminants must— <ul style="list-style-type: none"> (i) be in place when the activity begins: (ii) be effective while the activity is done: (iii) be effective until the soil is reinstated to an erosion-resistant state: (b) the soil must be reinstated to an erosion-resistant state within 1 month after the end of the course of sampling for which the activity was done: (c) soil must not be taken away in the course of the activity except as samples taken for the purpose of laboratory analysis: (d) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised. 	<p>Permitted</p>	<p>The DSI prepared for the Project (included in Part B) has confirmed that in accordance with this regulation:</p> <ul style="list-style-type: none"> > Measures were in place to minimise human exposure to contaminants before, during and after the sampling program; > The sample locations were immediately restored to an erosion-resistant state upon completion of sampling; and > No soil was removed from the site except for sample analysis.

Regulation	Activity Status	Comment
<p>Regulation 9 (1) - Removing or replacing fuel storage system, sampling soil, or disturbing soil</p> <p>If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:</p> <p>(a) a detailed site investigation of the piece of land must exist:</p> <p>(b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</p> <p>(c) the consent authority must have the report:</p> <p>(d) conditions arising from the application of subclause (2), if there are any, must be complied with.</p>	<p>Controlled</p> <p><u>Matters of control:</u></p> <ul style="list-style-type: none"> > The adequacy of the detailed site investigation, including site sampling, laboratory analysis, risk assessment; > how the activity must be (i) managed, which may include the requirement of a site management plan, (ii) monitored, and (iii) reported on; > The transport, disposal, and tracking of soil and other materials taken away in the course of the activity; > The timing and nature of the review of the conditions in the resource consent; and > The duration of the resource consent. 	<p>The DSI prepared for the Project (included in Part B) states that the Southern Seawall site is approximately 12,700 m². The Project will involve earthworks at Moa Point Yard of up to 25,000m³ and therefore the earthworks will exceed the permitted activity volumes in Regulation 8(3).</p> <p>However, the DSI has confirmed that any soil contaminant concentrations do not exceed the applicable standard of regulation 7 and therefore requires consent under this Regulation.</p>

SUMMARY OF RESOURCE CONSENT REQUIREMENTS

A summary of the resource consents required for the Project under each of the relevant statutory planning documents is provided in the following sections.

2000 DISTRICT PLAN

Based on the analysis set out in section 1 of this rules assessment, the following resource consents are required under the 2000 District Plan:

- > A land use consent as a **restricted discretionary activity** for activities related to the primary function of the Airport within the Airport area that do not meet the permitted conditions related to screening of activities and storage;⁵⁴
- > A land use consent as a **restricted discretionary activity** for signs that do not meet the permitted conditions related to the position of signage;⁵⁵
- > A land use consent as a **restricted discretionary activity** for activities within the Golf Course Recreation Area that do not provide for the continued use of the existing Miramar Golf Course and recreational activities;⁵⁶
- > A land use consent as a **restricted discretionary activity** for the removal of indigenous vegetation within the Open Space B Area that does not comply with the permitted activity conditions (as they will likely exceed 100 m² over a 5-year period);⁵⁷
- > A land use consent as a **discretionary activity** for the use of the Southern Seawall, the establishment of the Moa Point Yard and construction activities at the Southern Seawall and Eastern Bank Remediation in the Open Space B Area;⁵⁸
- > A land use consent as a **restricted discretionary activity** for earthworks associated with the Moa Point Yard, Southern Seawall and Kororā Colonies that are located within the Open Space B Area will not comply with permitted standards.⁵⁹

Applying the bundling principle, the overall activity status of the Project under the 2000 District Plan is a **discretionary activity**.

⁵⁴ 2000 District Plan – Rule 11.3.1.

⁵⁵ 2000 District Plan – Rule 11.3.4.

⁵⁶ 2000 District Plan – Rule 11.6.1.

⁵⁷ 2000 District Plan – Rule 17.2.4.

⁵⁸ 2000 District Plan – Rule 17.3.2.

⁵⁹ 2000 District Plan – Rule 30.1.2.



2024 DISTRICT PLAN

Based on the analysis set out in section 2 of this rules assessment, the following resource consents are required under the 2024 District Plan:

- > A land use consent as a **restricted discretionary activity** for the upgrade of the Southern Seawall that does not meet permitted conditions related to increasing the footprint of an existing structure;⁶⁰
- > A land use consent as a **restricted discretionary activity** for the upgrade of the Southern Seawall, which is located within Sites or Areas of Significance to Māori listed as Category B;⁶¹
- > A land use consent as a **restricted discretionary activity** for heavy vehicle movements that do not comply with the relevant permitted transport standards;⁶²
- > A land use consent as a **restricted discretionary activity** for site accesses that do not comply with the relevant permitted transport standards;⁶³
- > A land use consent as a **restricted discretionary activity** for new buildings or structures associated with the Stage 1 Kororā Colony within the mapped extent of a site or area of significance to Māori in Category A or B;⁶⁴
- > A land use consent as a **restricted discretionary activity** for restoration and enhancement activities within outstanding natural features and landscapes associated with the Stage 1 Kororā Colony which do not meet permitted conditions;⁶⁵
- > A land use consent as a **restricted discretionary activity** for restoration and enhancement activities associated with the Stage 2 Kororā Colony within the coastal margins of the coastal environment;⁶⁶
- > A land use consent as a **restricted discretionary activity** for the construction of buildings or the conversion of existing buildings that will contain Airport purposes that does not comply with permitted conditions;⁶⁷

⁶⁰ 2024 District Plan – Rule INF-R3.2.

⁶¹ 2024 District Plan – Rule INF-OL-R5.2.

⁶² 2024 District Plan – Rule TR-R2.3.

⁶³ 2024 District Plan – Rule TR-R3.2.

⁶⁴ 2024 District Plan – Rule SASM-R4.2.

⁶⁵ 2024 District Plan – Rule NFL-R1.2.

⁶⁶ 2024 District Plan – Rule CE-R3.2.

⁶⁷ 2024 District Plan – Rule CE-R19.2.

- > A land use consent as a **restricted discretionary activity** for earthworks associated with the Stage 1 Kororā Colony within a Site or Area of Significance to Māori;⁶⁸
- > A land use consent as a **discretionary activity** for earthworks associated with the Kororā Colonies within a coastal margin within the coastal environment;⁶⁹
- > A land use consent as a **restricted discretionary activity** for earthworks at the MGC Yard within the Special Purpose Airport Zone that do not meet the permitted standards;⁷⁰
- > A land use consent as a **restricted discretionary activity** for outdoor artificial lighting, including outdoor artificial lighting in the coastal margin, that does not comply with the permitted standards;⁷¹
- > A land use consent as a **restricted discretionary activity** for noise from general construction activities associated with the Project that will not comply with the permitted standards;⁷²
- > A land use consent as a **controlled activity** for land development and construction (i.e. the establishment of the MGC Yard) in the East Side Precinct of the Special Purpose Airport Zone;⁷³ and
- > A land use consent as a **restricted discretionary activity** for construction of buildings and structures in the South Coast Specific Control Area that does not meet permitted standards.⁷⁴

Applying the bundling principle, the overall activity status of the Project under the 2024 District Plan is a **discretionary activity**.

NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

Based on the analysis set out in section 3 of this rules assessment, the following resource consents are required under the NRP:

⁶⁸ 2024 District Plan – Rule EW-R7.1.

⁶⁹ 2024 District Plan – Rule EW-R11.4.

⁷⁰ 2024 District Plan – Rule EW-R17.2.

⁷¹ 2024 District Plan – Rule LIGHT-R2.1.

⁷² 2024 District Plan – Rule NOISE-R2.2 & NOISE-R13.2.

⁷³ 2024 District Plan – Rule AIRPZ-R1.2.

⁷⁴ 2024 District Plan – Rule AIRPZ-R6.3.



- > A discharge permit as a **restricted discretionary activity** for the discharge of stormwater runoff from an airport where it may enter a surface water body or coastal water;⁷⁵
- > A discharge permit as a **discretionary activity** for the discharge of cleanfill, water and contaminants to land at the MGC and Moa Point Yards which do not meet the permitted conditions;⁷⁶
- > A land use consent as a **discretionary activity** for earthworks and vegetation clearance, and associated discharges of sediment, at the Moa Point and MGC Yards that exceed the permitted conditions;⁷⁷
- > A land use consent as a **discretionary activity** to establish structures on the Southern Seawall and Eastern Bank Remediation that will penetrate the height restrictions shown on Map 69;⁷⁸
- > A land use consent and coastal permit as a **discretionary activity** for the addition and alteration of an existing seawall associated with regionally significant infrastructure within a site that meets some of the criteria in Policy P38 (a) and (b) and is adjacent to an area included in Schedule F5 of the NRP in the coastal environment, including associated destruction, damage, disturbance of the foreshore and seabed, deposition in, on or under the foreshore or seabed, discharge of contaminants, and occupation of space in the common marine and coastal area;⁷⁹ and
- > A coastal permit as a **discretionary activity** for the disturbance and deposition in the coastal marine area associated with the construction of the Kororā Colonies.⁸⁰

Applying the bundling principle, the overall activity status of the Project under the NRP is a **discretionary activity**.

⁷⁵ NRP – Rule R54.

⁷⁶ NRP – Rule R94.

⁷⁷ NRP – Rule R107.

⁷⁸ NRP – Rule R178.

⁷⁹ NRP – Rule R189. Note these activities traverse the coastal marine area therefore both land use consent and coastal permit are sought.

⁸⁰ NRP – Rule R234.



PROPOSED CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

Based on the analysis set out in section 4 of this rules assessment, the following resource consents are required under PC1 to the NRP:

- > A discharge permit as a **restricted discretionary activity** for the discharge of stormwater from an airport (the MGC and part of the Moa Point Yard) onto or into land where it may enter a water body or coastal water;⁸¹
- > A discharge permit as a **restricted discretionary** or **discretionary activity** for the discharge of stormwater, either from an airport or from an unplanned greenfield development area (relating to discharges from the Moa Point Yard, once constructed).⁸² If rule WH.R8 applies, the activity status is restricted discretionary; while this activity status may be prohibited under PC 1 to the NRP, if rule WH.R13 applies, it nonetheless reverts to a **discretionary activity** in accordance with section 87B(1) of the RMA.⁸³ Furthermore, it is noted that section 42(5) of the FTA allows a substantive application to seek an approval for a prohibited activity; and
- > A land use consent and discharge permit as a **non-complying activity** for earthworks, and the associated discharge of sediment, onto or into land where it may enter coastal water by virtue of potentially being undertaken during winter months.⁸⁴

Applying the bundling principle, the overall activity status of the Project under PC1 to the NRP is a **non-complying activity**.⁸⁵

RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011

Based on the analysis set out in section 5 of this rules assessment, the following resource consents are required under the NESCS:

⁸¹ PC1 to the NRP - Rule WH.R8.

⁸² PC1 to the NRP – Rules WH.R8 and WH.R13.

⁸³ Section 87B(1) of the RMA states that a resource consent application for an activity must be treated as an application for a resource consent for a discretionary activity if a rule in the proposed plan describes the activity as a prohibited activity and the rule has not become operative.

⁸⁴ PC1 to the NRP - Rule WH.R25.

⁸⁵ Section 87B(1) of the RMA states that a resource consent application for an activity must be treated as an application for a resource consent for a discretionary activity if a rule in the proposed plan describes the activity as a prohibited activity and the rule has not become operative.



> A land use consent as a **controlled activity** under Regulation 9(1) of the NESCS.

The overall activity status for the Project under the NESCS is a **controlled activity**.

OVERALL ACTIVITY STATUS

The overall activity status for the Southern Seawall Renewal Project is a **non-complying activity**.