Application for Resource Consent

NOTICE OF DECISION

Site Address:	40 Waterloo Quay, Pipitea Ferry Terminal
Legal Description:	Held in Record of Title: 1271145 Part Lot 1 Deposited Plan 10550 and between the Reduced Levels of 7.72 and 13.72 and Height-Limited Section 2 Survey Office Plan 607345 Part Lot 1 Deposited Plan 11017 and Part Lot 1 Deposited Plan 10550 and being below a Reduced Level of 7.72 and also above a Reduced Level of 13.72 and Height-Limited Section 2 Survey Office Plan 607345 Part Lot 1 Deposited Plan 11041 Held in Record of Title: WN439/108 Bordered Green Deposited Plan 10606 Held in Record of Title: WN991/9 Part Section 23 Block VII Port Nicholson Survey District and Section 1 Survey Office Plan 36571 and Part Section 23 Block VII Port Nicholson Survey District
Applicant:	CentrePort Limited (CentrePort)
Proposal:	To undertake enabling earthworks on contaminated land as a global consent for 10 years.
Owners:	His Majesty the King and CentrePort Limited
Service Request No:	573601
File Reference:	1059991
2024 District Plan Zone:	Special Purpose – Port Zone
Notations 2024 District Plan (Relevant to the Proposed Area of Earthworks):	Multi-User Ferry Precinct Height Control Area - 19m Coastal Inundation Medium Hazard Overlay Fault Hazard Overlay Flood Hazard Inundation Overlay Liquefaction Hazard Overlay Tsunami Medium and High Hazard Overlay Sites and Areas of Significance Māori: Te Whanganui-ā-Tara Mana Whenua Statutory Acknowledgements: Te Whanganui-ā-Tara and Kaiwharawhara Stream Coastal Environment Coastal Margin Advisory Layer Moderate and High Noise Areas: State Highway 1 and Rail Moderate Noise Area: Waterfront Zone Railway Vibration Advisory Overlay

	8km and 13km Bird Strike Risk Activity Management Area Viewshaft VS13 Sites and Areas of Significance to Māori - Extent (SCHED7) - Te Whanganui-ā-Tara (Ngāti Toa Rangatira) Designations: WIAL – OLS KRH – KRH1 NZTA – NZTA-1
Other Notations:	SLUR: SN/05/426/02
Activity Status 2024 District Plan:	Discretionary (Restricted) – District Plan
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:	Discretionary

DECISION – Land Use Consent:

Officers, acting under delegated authority from the Wellington City Council (the Council) and pursuant to section 104B of the Resource Management Act 1991 (the Act), **grant resource consent** to the proposal to undertake enabling earthworks on contaminated land as a global consent at **40 Waterloo Quay, Pipitea** (being Part Lot 1 DP 10550 and between the Reduced Levels of 7.72 and 13.72 and Height-Limited Section2 SO Plan 607345, Part Lot 1 DP 11017 and Part Lot 1 DP 10550 and being below a Reduced Level of 7.72 and also above a Reduced Level of 13.72 and Height-Limited Section 2 SO Plan 607345, Part Lot 1 DP 11041; Bordered Green DP 10606; Part Section 23 Block VII Port Nicholson SD and Section 1 SO Plan 36571 and Part Section 23 Block VII Port Nicholson SD), subject to the conditions below.

Conditions of Consent:

General:

(a) The proposal must be in accordance with the information provided with the application Service Request No. 573601 and the following Tonkin and Taylor plans:

- Global Earthworks Site Extent, 'figure 1', revision 0, dated June 2026.
- Contaminated Site Management Plan, date June 2026
- Erosion and Sediment Control Plan – CSIF Early Works (Temporary Terminal Building), prepared by Fletcher Construction, reference BSW041-ENV-PLN-002, revision 0, dated 27 July 2026.

Contaminated Land:

Contaminated Site Management Plan:

(b) The consent holder must ensure all actions and measures are undertaken in accordance with the approved Contaminated Site Management Plan (CSMP) prepared by Tonkin and Taylor, dated 26/06/2026 (version 1). If changes are made, the Council Compliance Officer (CMO) must be notified ahead of those works taking place.

(c) The earthworks on the site must be supervised and certified by a Suitably Qualified and Experienced Practitioner (SQEP) with experience in remedial measures for contaminated sites.

Work Completion Report:

(d) On completion of the remedial and/or management actions set out in the Contaminated Site Management Plan, the Work Completion Report (WCR) as set out in the CSMP, will be prepared by the SQEP. The WCR must be submitted to and certified by the CMO.

Earthworks:

Geotechnical Requirements:

(e) All earthworks and foundation preparation for the temporary passenger terminal building must be undertaken in general accordance with the recommendations of the Cook Strait Interislander Ferries – Temporary Terminal Facility: Geotechnical Assessment Report (Tonkin & Taylor Ltd, Job No. 1102961.0000, dated 30 June 2026).

(f) Any departure from the recommendations outlined within the geotechnical report referenced in Condition (e) above, must be reviewed and certified by a Chartered Professional (Geotechnical) Engineer and provided to the CMO prior to the relevant earthworks commencing.

(g) No earthworks associated with the shore span approach bridge foundations must commence until a site/activity-specific geotechnical assessment addressing liquefaction, settlement and fault rupture risk for that specific footprint has been reviewed and certified appropriate by a Chartered Professional (Geotechnical) Engineer and provided to the CMO no less than 10 working days prior to that earthworks event commencing.

Chartered Professional Engineer:

(h) A suitably experienced and qualified Chartered Professional Engineer (CPEng) must be engaged by the consent holder for the design, monitoring and construction phase of the earthworks associated with the shore span approach bridge foundations. The engineer must have experience in designing and supervising temporary retention and deep excavation in reclaimed, liquefaction-susceptible ground.

(i) The name and the contact details of the CPEng must be provided to the CMO, at the time the person is appointed or if a new CPEng is appointed.

(j) The CPEng will design and monitor the earthworks and will advise on the best methods to ensure:
- The stability of the site and surrounding land, assets.
- Design and construction of the temporary and permanent earthworks.
- Proper engineering inspection hold points.

(k) The consent holder must follow all the advice of the chartered engineer in a timely manner. If necessary, the CMO may require information regarding the engineer's monitoring and/or specific assessments to address any potential or actual instability issues in relation to earthworks.

(l) If there is any change to the appointed CPEng during the course of the project, the consent holder must notify the CMO in writing within five (5) working days of the change and provide the name and contact details of the new engineer.

Erosion and Sediment Control Plan:

(m) The Erosion and Sediment Control Plan (ESCP) reference BSW041-ENV-PLN-002, Rev 0, titled "Erosion and Sediment Control Plan – CSIF Early Works (Temporary Terminal Building)", prepared by Fletcher Construction (dated 27/07/2026) and submitted with the application, has been approved insofar as it relates to the temporary passenger terminal building and associated site earthworks. All monitoring processes and erosion, sediment and dust control measures detailed in the approved ESCP must be followed for the duration of these earthworks.

(n) The erosion, dust and sediment control measures put in place for this stage of works must not be removed until the site is remediated to the satisfaction of the CMO.

Notes:

1. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.
2. The approved ESCP does not cover construction of the shore span approach bridge foundations (approx. 200 m², up to 3 m depth). A separate ESCP addressing this component of the earthworks must be submitted to, and certified by, the CMO prior to that work commencing.
3. If necessary, the CMO may require changes to the implementation of the ESCP, to address any problem that occurs during the work or before the ground surface is stabilised.

(o) At least 10 working days prior to any work commencing on site, an ESCP developed by the consent holder must be submitted to the CMO for certification, for each discrete stage of earthworks which does not meet the permitted earthworks standards and is not already covered by a certified ESCP. The ESCP for the temporary passenger terminal works (BSW041-ENV-PLN-002, Rev 0) has been submitted and certified, an ESCP for the shore span approach bridge foundations (approx. 200 m², up to 3 m depth) remains outstanding and must be submitted prior to that work commencing.

Note: The purpose of the ESCP is to identify the erosion and sediment control measures that will be implemented on site during construction activities and how these will comply with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Wellington Region (February 2021).

(p) The ESCP will include, but is not limited to, the following:

Erosion and Sediment Controls

- A description of the broad approaches to be used to prevent erosion and minimise problems with dust and water-borne sediment.
- Measures to limit the area of earthworks exposed to the weather at any one time (sources of dust and sediment).
- The type and location of silt fences to control water-borne sediments moving out of site.
- Stabilisation of site entrance
- Diversion bunds
- Stormwater sump protections (if any)

- Covering of soil or other material that is stockpiled on the site or transported to, or from, the site, to prevent dust nuisance or erosion by rain and stormwater (creating water-borne sediment).
- An illustrated plan that records the key measures of erosion and sediment control.

Dust Controls

- Measures to ensure that the discharge of dust created by earthworks, construction and transport activities are suitably controlled to minimise dust hazard or nuisance.
- Ceasing all dust generating activities if site dust is observed blowing beyond the site boundary.

Management of Controls

- The methods for managing and monitoring the ESCP controls.

(q) Work on the relevant component of the site must not commence until the applicable ESCP is certified by the CMO. The earthworks and associated work must be carried out in accordance with the certified ESCP.

(r) The erosion, dust and sediment control measures put in place must not be removed until the site is remediated to the satisfaction of the CMO. 'Remediated' means the ground surface of the areas of earthworks have been stabilised (no longer producing dust or water-borne sediment), and any problems with erosion, dust or sediment that occur during the work have been remedied.

Notes:

1. If necessary, the CMO may require changes to the implementation of the ESCP, to address any problem that occurs during the work or before the ground surface is stabilised.
2. Any amendments to the ESCP (once work commences) must be certified by the CMO.

General Earthworks Condition:

(s) If the construction works at the site cease for a period of greater than 2 months, the exposed areas of earthworks must then be stabilised to reach a level of establishment satisfactory to the CMO. Any areas of hardstand or ground disturbed as a result of the works must be reinstated (or otherwise stabilised, where reinstatement is not immediately practicable) as soon as practicable following completion of the construction works, to prevent erosion, scour and sediment loss toward the adjacent Coastal Marine Area.

Monitoring and Review:

(t) Prior to starting work the consent holder must advise the CMO of the date when work will begin. This advice must include the address of the property and the Service Request number and be provided at least 48 hours before work starts, either by telephone on 04 801 4017 or email to rcmonitoring@wcc.govt.nz.

(u) The conditions of this resource consent must be met to the satisfaction of the CMO. The CMO will visit the site to monitor the conditions, with more than one site visit where necessary.

The consent holder must pay to the Council the actual and reasonable costs associated with the monitoring of conditions (or review of consent conditions), or supervision of the resource consent as set in accordance with section 36 of the Act. These costs* may include site visits, correspondence and other activities, the actual costs of materials or services, including the costs of consultants or other reports or investigations which may have to be obtained.

More information on the monitoring process is available at the following link: https://wellington.govt.nz/property-rates-and-building/building-and-resource-consents/resource-consents/applying-for-a-resource-consent/monitoring-resource-consent-conditions

Please refer to the current schedule of Resource Management Fees for guidance on the current administration charge and hourly rate chargeable for Council officers.

Advice Notes:

1. The land use consent must be given effect to within **10 years** of the granting of this consent, or within such an extended period of time as granted by the Council pursuant to section 125 of the Act.

2. Section 36 of the Act allows the Council to charge for all fair and reasonable costs associated with the assessment of your application. We will confirm in due course whether the time spent on this application is covered by the initial fee paid. If the time exceeds the initial fee, you will be sent an invoice for additional fees. If the application was assessed in less time, you will be sent a refund. For more information on your fees contact planning.admin@wcc.govt.nz.

3. Where appropriate, the Council may agree to reduce the required monitoring charges where the consent holder will carry out appropriate monitoring and reporting back to the Council.

4. This resource consent is not a consent to build. A building consent may be required under the Building Act 2004 prior to commencement of construction.

5. Out of courtesy, it is suggested that you advise your nearest neighbours of your intention to proceed with this land use consent, of your proposed construction timetable and contact details should any issues arise during construction.

6. It is a civil matter to gain the approval of owner/s of the land subject to this consent before the land use decision can be given effect to. This approval is not a subject of resource consent.

7. This resource consent does not authorise any works that also require consent from the Greater Wellington Regional Council. If necessary, separate resource consent(s) will need to be obtained prior to commencing work.

8. The consent holder must ensure that construction, earthworks, and any demolition activities comply with Rule NOISE-R2.1 of the 2024 District Plan. All work must occur within the hours of 7.30am to 6.00pm Monday to Saturday only and must be measured, assessed, managed, and controlled in accordance with the requirements of NZS6803:1999 Acoustics Construction Noise. Further resource consent will be required if the works cannot comply with these requirements.

9. The methods set out in the Greater Wellington Regional Council guideline for erosion and sediment control for the Wellington Region should be followed when undertaking earthworks on the site:
https://www.gw.govt.nz/assets/Documents/2022/03/Erosion-and-Sediment-Control-Guide-for-Land-Disturbing-Activities-in-the-Wellington-Region.pdf

10. Wellington City Council maintains the Underground Asset Register (UAR), an online mapping system containing information on underground utility and infrastructure. Prior to undertaking any excavation, earthworks or infrastructure works, the consent holder must access the UAR to identify the location of underground services and engage with relevant asset owners where necessary. The UAR can be accessed at www.nzuar.org.nz. Users are expected to comply with the NZUAG Code and Wellington City Council's Code of Practice for Working on Wellington's Roads, including reporting wrongly recorded objects, unidentified buried objects and asset strikes through the UAR.

    For further information contact wuam@wcc.govt.nz

11. It is the responsibility of the consent holder to identify any service mains or laterals that might be affected by any new buildings as proximity to these pipes will be considered at the building consent stage.

12. In areas of early and continued human habitation, both where archaeological sites *are* and *are not* recorded, it is possible that unrecorded sites are present below the ground surface and may be exposed by earthworks or demolitions. R27/909: Floating dock (modern 1900) in poor condition is located within the CMA approximately 55 m to the south of the site. This feature is located within the CMA and as such is not anticipated to be impacted by the proposal.

    An archaeological site is defined as *physical evidence of pre-1900 human activity. This includes above-ground structures, including pre-1900* buildings, *monuments, structures and machinery as well as below-ground features, which include burnt and fire-cracked stones, charcoal, shell, bone and/or glass and crockery, metal, rubbish heaps, ditches, banks, pits, old building foundations, and include artefacts of Māori and European origin and/or human bone and burials.*

    Work affecting archaeological sites is subject to a consent process under the *Heritage New Zealand Pouhere Taonga Act 2014*. It is illegal to modify, damage or destroy an archaeological site without obtaining an authority. It is the responsibility of the consent holder to obtain an Archaeological Authority from Heritage New Zealand Pouhere Tāonga (HNZPT) for all work that impacts, modifies or destroys an archaeological site.

    In the event of an 'accidental discovery' of archaeological material, where during any site works, any potential archaeological features or deposits are encountered, the applicant must stop all works, secure the site and contact HNZPT (information@heritage.org.nz) immediately for further advice and guidance.

    - The New Zealand Police will need to be contacted if koiwi tangata/human bones are found.
    - Iwi representatives will need to be contacted if any archaeological material, including koiwi tangata/human bones, of Māori origin is found.

13. The WIAL1 Designation protects the airspace for the safe and efficient operation of aircraft operating in the vicinity of Wellington International Airport. The Designation requires that any person proposing to construct or alter a building or structure (including temporary structures such as cranes or scaffolding), which penetrates the

Obstacle Limitations Surface and exceeds the following heights, must obtain approval from them under section 176 of the Act:

1. a new building/structure, or additions and/or alterations which penetrates the Take-off, Approach, Conical, Inner Horizontal or Transitional Side Slope Surfaces and exceeds a height of 8m above existing ground level; or

2. a new building/structure, additions and/or alterations which penetrates the Outer Horizontal Surface and exceeds a height of more than 30m above ground level.

You can find the relevant surfaces by searching your address eplan.wellington.govt.nz/proposed/ Further information can also be found on WIAL's website: www.wellingtonairport.co.nz/community-hub/planning-designations/obstacle-limitation-surface-designation/and/or you can contact WIAL at WIAL1_OLS@wellingtonairport.co.nz for any questions that you might have or if you need to seek their approval.

14. Rights of objection to the conditions specified above may be exercised by the consent holder pursuant to section 357A of the Act. Any objection must be made in writing, setting out the reasons for the objection. It must be made within 15 working days of this notification or within such extended period as the Council may in its discretion allow.

Reasons for Decision:

1. Pursuant to section 95A and 95B of the Act, there are no mandatory requirements to notify the application, the effects of the proposal on the environment will be less than minor and there are no affected persons. There are no special circumstances.

2. Pursuant to section 104 of the Act, the effects of the proposal on the environment will be acceptable.

3. The proposal is in accordance with the relevant objectives and policies of the 2024 District Plan and Part 2 of the Act. Furthermore, the proposal is consistent with the outcomes sought by the relevant NES.

DECISION REPORT

NATIONAL ENVIRONMENTAL STANDARD

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) enabled the establishment of the Hazardous Activities and Industries List (HAIL). HAIL is a list of activities and industries that are likely to cause land contamination resulting from hazardous substance use, storage or disposal. It has been identified that HAIL activities have (or are likely to have) occurred on the site.

NATIONAL POLICY STATEMENT

The National Policy Statement for Natural Hazards 2025 (NPS-NH) came into effect on 15 January 2026 and is relevant to this proposal.

The NPS-NH sets out how councils must manage natural hazard risks for new development. Making new development safer helps to reduce future costs and make communities more resilient. The NPS-NH requires local authorities and decision-makers to assess and manage natural hazard risks in a consistent, risk-based and proportionate manner. The only hazards that the NPS-NH applies to are flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami.

2024 DISTRICT PLAN PROCESS

On 18 July 2022 the Council notified the Proposed District Plan (PDP).

Decisions on the first set of PDP hearings (Tranche 1) were publicly notified on 14 March 2024, with the exception of decisions deferred to the Minister of RM Reform. Public notice of the Minister's decisions was served on 8 May 2024. At the time of Tranche 1 decisions the PDP was renamed as the '2024 District Plan'.

Decisions on the second set of hearings (Tranche 2) were publicly notified on 5 April 2025.

There is one outstanding appeal on Tranche 1 decisions and five on Tranche 2.
Provisions that are subject to an appeal have legal effect but will not become operative until after the appeal is resolved.

With the exception of the matters subject to appeal, the 2024 District Plan is now operative.

PLAN CHANGE 1

Plan Change 1 to the 2024 District Plan (PC1) was publicly notified on 20 November 2025.

PC1 proposes minor amendments to resolve errors and improve the efficiency of the 2024 District Plan. Details of the matters included in PC1 are available on the WCC website.

All PC1 matters that are beyond challenge following submissions and further submissions and have been deemed operative under section 86F of the Act. These provisions are annotated in the operative 2024 District Plan.

Decisions on the remaining provisions are expected late in 2026.

SITE DESCRIPTION

Figure 1: Subject site for earthworks - shaded in red. (Source Tonkin and Taylor Plan, Global Earthworks Site extent, dated June 2026)

Section 2 of the applicant's Assessment of Environmental Effects (AEE) includes a description of the site and its immediate surroundings. I consider that this description is accurate and should be read in conjunction with this report.

In short, the Interislander Ferry Terminal is situated within a highly modified coastal environment on the edge of the Port of Te Whanganui a Tara (Wellington Harbour), Wellington. The site is almost exclusively hardstand and extends towards and over the Kaiwharawhara Estuary and Kaiwharawhara Point. It is used as a port, rail shunting yard and for ferry operations. State Highway One crosses the site north to south as a flyover. The subject site is largely below the flyover.

PROPOSAL

The earthworks are proposed as enabling works for the construct two new temporary buildings and the shore span bridge. The earthworks consent is a global consent for a duration of 10 years.

Further details of the proposal are provided in the AEE and application plans. I adopt the applicant's proposal description which should be read in conjunction with this report.

ACTIVITY STATUS

National Environmental Standard:

Resource consent is required under the following regulation:

Regulation 11

The proposal does not include a Detailed Site Investigation (DSI) therefore it does not meet the Permitted, Controlled or Restricted Discretionary Activity requirements under the NES-CS. Therefore, consent is required for a **Discretionary Activity** under Regulation 11 of the NES-CS.

Note: A DSI prepared by Tonkin and Taylor, November 2021 has been filed against SR No. 573601. The 2021 DSI details the greater site, but the proposal itself did not include one.

The proposal is assessed as a **Discretionary Activity** under the NES-CS.

2024 District Plan:

Resource consent is required under the following rules:

Rules and activity status
Earthworks
Rule EW-R4.2 for general earthworks Resource consent is required for undertaking earthworks which does not comply with standards EW-S1 and EW-S4 of Rule EW-R4.1. The area of earthworks is likely to exceed these standards. Under **Rule EW-R4.2** the proposal is a **Restricted Discretionary Activity** and public and limited notification are precluded. Discretion is restricted to: • The matters in policies EW-P1, EW-P3, EW-P4 and EW-P5.
Rule EW-R7.1 - earthworks within Sites and Areas of Significance Category A being Te Whanganui a Tara (Wellington Harbour) Resource consent is required for earthworks within Te Whanganui a Tara (Wellington Harbour). Under **Rule EW-R7.1** the proposal is a **Restricted Discretionary Activity** and there is no preclusion to public or limited notification. Discretion is restricted to: • The matters in SASM-P5; and • The outcome of consultation with mana whenua.
Rule EW-R11.2 - earthworks within coastal or riparian margins within the coastal environment

Resource consent is required for earthworks within coastal or riparian margins within the coastal environment and do not meet Rule EW-R11.1.

Under **Rule EW-R11.2** the proposal is a **Restricted Discretionary Activity** and there is no preclusion to public or limited notification.

Discretion is restricted to:

- The matters in EW-P13 and CE-P5; and
- The matters in PA-P1, PA-P2 and PA-P3.

Note: Rule EW-R11.2 is subject to appeal and has legal effect under Plan Change 1 Schedule 1.

Overall, the land use proposal is a **Restricted Discretionary Activity** under the 2024 District Plan and there is no preclusion to public and limited notification.

Overall Activity Status and Notification Preclusion:

Overall, the proposal is a **Discretionary Activity** under the NES-CS, and the 2024 District Plan, and public or limited notification is not precluded.

WRITTEN APPROVALS

No written approvals were provided with the application.

SECTION 176 APPROVAL

The location of the proposed earthworks is subject to designations held by KiwiRail, New Zealand Transport Agency (NZTA) and Wellington International Airport Ltd.

Written approval from KiwiRail and NZTA for the proposal under Section 176 of the RMA will be obtained prior to the commencement of works.

SECTION 95 ASSESSMENT AND DECISION

Public Notification - Section 95A:

Mandatory Public Notification:

Mandatory public notification is not required as the applicant has not requested public notification [s95A(3)(a)], there are no outstanding section 92 matters [s95A(3)(b)], and the application has not been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act [s95A(3)(c)].

Preclusion to Public Notification:

There is no preclusion to public notification as the relevant rules in the 2024 District Plan relevant NES do not all preclude notification of the application [s95A(5)(a)] and the application is not for one of the activities listed at section 95A(5)(b)(i) or 95A(5)(b)(iii) of the Act.

Public Notification – Rule/Adverse Effects:

Public notification is not required as the application does not include an activity that is subject to any rule in the 2024 District Plan and relevant NES that requires public notification and it has been determined in accordance with section 95D adverse effects on the environment will not be more than minor [s95A(8)(a) and (b)]. The reasons why the effects on the environment have been deemed to not be more than minor are detailed in the Assessment of Adverse Effects and conclusions set out in this report.

Special Circumstances:

None of the circumstances of the application are exceptional or unusual. Therefore, there are no special circumstances that warrant public notification under section 95A(9).

Limited Notification - Section 95B:

Customary Rights and Marine Title Groups, and Statutory Acknowledgements:

There are no protected customary rights groups or customary marine title groups that will be affected by the proposal [s95B(2)(a) and (b)].

As the proposal is adjacent to land subject to a statutory acknowledgement, I have considered whether the person to whom the statutory acknowledgement is made is an affected person under section 95E [s95B(3)].

Section 29(1) of the Port Nicholson Block Claims Settlement Act 2009 requires the Council to provide the relevant consent documentation to the trustee of the Port Nicholson Settlement Block Trust (Taranaki Whānui) for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area as listed in this Act. This information has been provided to the trustee and regard has been had to every relevant statutory acknowledgement under this Act. For the reasons discussed in the effects assessment below, the Taranaki Whānui is not considered to be an affected party.

Section 31(1) of the Ngāti Toa Rangatira Claims Settlement Act 2014 requires the Council to provide the relevant consent documentation to the trustee of the Te Rūnanga o Toa Rangatira Incorporate Trust (Ngāti Toa) for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area as listed in this Act. This information has been provided to the trustee and regard has been had to every relevant statutory acknowledgement under this Act. For the reasons discussed in the effects assessment below, Ngāti Toa is not considered to be an affected party.

Preclusions to Limited Notification:

There is no preclusion to limited notification as the relevant rules in the 2024 District Plan and relevant NES do not preclude limited notification of the application [s95B(6)(a)] and the application is not for a district land use consent with Controlled activity status [s95B(6)(b)].

Limited Notification - Affected Persons:

Limited notification is not required as the effects on any person will be less than minor [s95B(8)]. The reasons why the effects have been deemed to be less than minor are detailed in the Assessment of Adverse Effects and conclusions set out in this report.

Special Circumstances:

I have considered whether there are special (i.e. exceptional or unusual) circumstances that exist relating to the application that warrant limited notification to any persons who have not

been excluded as affected persons by the assessment above [s95B(10)]. There are no special circumstances that warrant limited notification of any additional party under section 95B(10).

Public and Limited Notification Decision:

For the reasons set out above, the application does not require either public or limited notification.

ASSESSMENT OF ADVERSE EFFECTS

Potential Adverse Effects

Applicant's Assessment:

I consider the AEE prepared by the applicant to provide an accurate assessment of the likely and potential effects of the proposal. This assessment has therefore been partially adopted with further commentary from Council's advisors as discussed below.

The proposal is a discretionary activity and as such discretion is unrestricted. Having regard to the proposed development, the 2024 District Plan rules, and the lens of the relevant objectives and policies, the actual and potential effects of this proposal are considered to fall into the following categories and are addressed in turn below:

- Earthworks effects,
- Contamination effects, and
- Cultural effects.

A site visit was undertaken on 21 July 2026 to identify which parties may be adversely affected and understand the context of the proposal.

Earthworks Effects:

Earthworks are proposed to enable the construction of two temporary buildings and the shore span approach bridge foundations. Various other works across the site shown in Figure 1 are required as part of this process.

The Council's Earthworks Engineer, John Ashim has reviewed the proposal. His full assessment is held on file (dated 4 August 2026) and should be read in conjunction of this decision report.

Risk from natural hazards with respect to geotechnical matters

Given the site is located within a number of hazard overlays, a geotechnical assessment has been submitted in support of the application (Cook Strait Interislander Ferries – Temporary Terminal Facility: Geotechnical Assessment Report, Tonkin & Taylor Ltd, Job No. 1102961.0000, dated 30 June 2026), addressing fault rupture, liquefaction and settlement for the temporary terminal building.

Mr Ashim makes the following comments and assessment:

> *The site is subject to liquefaction potential. Liquefaction-induced settlement and lateral spreading are anticipated under earthquake loading, with risk of interaction with the buried circa-1932 seawall at the interface of the hydraulic and gravel fill. Additionally ground shaking potential is high. The site located within the Wellington*

Fault Distributed Deformation Zone (High Hazard Area) and subject to historic fill/cut. Groundwater is recorded at approximately 2.0m depth and is consistent with tidal elevation. There is a high settlement risk particularly at the bridge abutment and any structure founded near the buried seawall interface.

No equivalent geotechnical assessment was provided for the shore span approach bridge foundations or the undefined general site-wide earthworks — given these involve the deepest excavation (3 m) and unknown future footprints respectively, this is a gap that should be addressed via a staged consent mechanism (see recommended conditions).

Maintaining stability (EW-P3)

EW-Policy 3 requires earthworks to be designed and carried out in a manner that maintains slope stability and minimises the risk of slope failure associated with natural hazards such as earthquakes and increased rainfall intensities arising from climate change.

Mr Ashim notes there is a moderate risk given liquefaction and settlement potential at the bridge abutment. There is a low risk elsewhere given the shallow, temporary nature of works.

Erosion, Dust and Sediment Controls & ESCP (EW-P4)

Mr Ashim considers an Erosion & Sediment Control Plan (ESCP) should prioritise effective dust management strategies, and incorporate comprehensive measures specifically designed to contain and mitigate sediment runoff within the designated site boundaries during construction.

The ESCP reference BSW041-ENV-PLN-002, Rev 0, titled "Erosion and Sediment Control Plan – CSIF Early Works (Temporary Terminal Building)", prepared by Fletcher Construction (dated 27/07/2026) and submitted with the application, has been approved insofar as it relates to the temporary passenger terminal building and associated site earthworks. An ESCP for other works has been conditioned and agreed.

Visual Amenity (EW-P5)
Based on my site visit and an understanding of the general site, the visual effects from the works will be managed by the agreed conditions and resultant build. I consider the visual effects of the earthworks to be less than minor given the temporary nature of the exposed earth and the proposed build.

Earthworks and the transport network (EW-P6)

EW-Policy 6 requires any transport of earth and clean fill material to and from any site to be undertaken in a way that minimises adverse effects on surrounding amenity and the safety of the transport network.

The works involves transporting a volume exceeding 200m³ of material which is over the level required for an assessment. The Council's Transport Engineer, Carlos Gaona, has reviewed this component. He notes in his email dated 10 August 2026:

- *The applicant stated in AEE 6.3.4 that the most intensive period of earthworks would generate four heavy vehicle movements per day for one week.*
- *From my perspective this is not significant considering the roads to/from the Port already carries heavy vehicle traffic for the ongoing operations of the port (e.g. logging HV movements).*

- *The proposed earthworks are still less than 2,000m³, the permitted amount for City Cente and Mixed-Use Zones, which are zones adjacent to the Port Zone.*
- *I would consider a Construction Traffic Plan would not provide much benefit for this application.*

Conclusion:
Mr Ashim considers the proposal is supported from an earthworks point of view, as it is expected that standard industry methodologies will be implemented to minimise any potential earthworks effects. The applicant has accepted the conditions. Based on Mr Ashim's and Mr Gaona's advice and the applicant's acceptance of the ESCP condition I consider the earthworks effects to be less than minor with no persons adversely affected.

Contamination Effects:

A Contamination Site Management Plan – Cook Strait Ferries Infrastructure Redevelopment Project was prepared by Tonkin and Taylor (Job No: 1016989.5000.v1 and dated June 2026) and submitted with the application. This referenced the *Contaminated Land Detailed Site Investigation* dated November 2021 (Job No. 1016989.50000R.v2) filed alongside the application.

The Tonkin and Taylor Contamination Site Management Plan (CSMP):

1. Has been reviewed and certified by a suitably qualified and experienced practitioners (SQEP).
2. Provides a framework for managing contamination hazards on-site by identifying potential hazards and proposed mitigation measures during construction works of the Cook Strait Ferries Infrastructure (CSFI) redevelopment Project ('the project') at the Wellington Interislander Ferry Terminal and Kaiwharawhara Point, Wellington ('the site').
3. Notes that earthworks events will vary in location, depth, volumes and duration, so this CSMP sets out:
    - Requirement for a suitably qualified and experienced practitioner (SQEP) to review each proposed earthworks event before it proceeds, and
    - Adequate management controls, spoil disposal options and record keeping for the management of health, safety and potential environmental risk from the disturbance of in-situ contaminated land on the receiving environments are no more than minor.

I have considered the level, nature and extent of any potential contamination in relation to the proposed Ferry Terminal redevelopment and consider the mitigation measures agreed are appropriate. These include methods to address the risks posed by any contaminants to public health and safety; built structures, soil quality and the wider environment.

The remediation and the mitigation conditions, included in the Contaminated Site Management Plan and associated monitoring, have been accepted by the applicant and therefore adverse effects on public health, safety and the environment will be avoided.

Contamination Effects Conclusion:

Overall, based on the CSMP prepared by a Greater Wellington Regional Council approved SQEP and the acceptance of the conditions to monitor the site for any potential disturbance of contaminated land, I consider that any potential contamination effect arising out of the

proposed works will be effectively managed through the agreed conditions. As such, any contamination effects will be less than minor with no persons being adversely affected.

Cultural Effects:

The subject site is adjacent to Te Whanganui ā Tara (Wellington Harbour) a statutory acknowledgement area and site of significance to Māori (SASM).

The proposal has been provided to Taranaki Whānui and Ngāti Toa as trustees and regard has been had to every relevant statutory acknowledgement under this Act.

The work site is partially within an Area of Significance, Category A under the 2024 District Plan.

I have turned my mind to the following assessment:

SASM-P5

Consultation has been undertaken with mana whenua as set out below.

The values of mana whenua have been incorporated into the proposal in so far as earthworks and contamination management allow. The CMSP has a provision stating that if plans change mana whenua need to be notified.

Alternative methods, and locations are not available however the proposal seeks to avoid or reduce the impact on the SASM.

The works are for the provisions of buildings and access to future ferries so do not explicitly provide positive effects for mana whenua or opportunities to enhance the cultural values of the site. However ongoing access to Te Whanganui ā Tara will not be impeded by this proposal.

Statutory Acknowledgement Area

I accept the applicant's assessment in section 2.6 of the AEE.

Taranaki Whānui ki Te Upoko o Te Ika (Port Nicholson Block Settlement) Trust, the Wellington Tenths Trust, and the Palmerston North Māori Reserve Trust raised no concerns with regard to the proposal in an email dated 10 August.

Hanita Dinsdale, as Te Rūnanga the mandated iwi authority for Ngāti Toa Rangatira (Ngāti Toa) concluded in the letter dated 28 July 2026:

> *Te Rūnanga considers that potential cultural effects can be appropriately managed through implementation of the proposed contamination, sediment and erosion control measures. Accordingly, Te Rūnanga does not oppose the application, provided the proposed management measures are implemented and maintained throughout the duration of the works.*

This position is based on the understanding that:

- All earthworks will be undertaken in accordance with the Contaminated Site Management Plan (CSMP).
- Appropriate erosion and sediment controls will be implemented and maintained throughout construction.

- Contaminated material encountered during earthworks will be appropriately identified, managed, transported and disposed of at suitably authorised facilities.
- Any unexpected contamination discoveries will be managed in accordance with the procedures outlined in the CSMP.
- Measures will be implemented to prevent adverse effects on Te Whanganui-a- Tara, Kaiwharawhara Stream, and associated receiving environments. Ongoing engagement with mana whenua will continue should any significant contamination or cultural issues be identified during project delivery.

The applicant has proposed to undertake the matters raised by Te Rūnanga by following the procedures of the CSMP.

For the reasons discussed, I consider the effects on Te Whanganui ā Tara, the Kaiwharawhara Stream, and associated receiving environments can be managed through the implementation of the CSMP. Therefore, the effects on the sites of significance and statutory acknowledgement area will be less than minor and neither Taranaki Whānui ki Te Upoko o Te Ika (Port Nicholson Block Settlement) Trust, the Wellington Tenths Trust, the Palmerston North Māori Reserve Trust and Ngāti Toa Rangatira will be adversely affected.

Effects Conclusion:

Based on the above assessment, I conclude that the overall actual and potential effects are less than minor with no persons being adversely affected.

SECTION 104 ASSESSMENT - SUBSTANTIVE DECISION

Section 104(1)(a) – Effects Assessment:

Adverse Effects:

An assessment of the effects on the environment has been made above. The matters discussed and the conclusions reached are also applicable with regard to the adverse effects assessment under section 104(1)(a) of the Act and no further assessment is required.

Positive Effects:

The meaning of 'effect', as set out in section 3 of the Act, includes positive effects. Positive effects are an important consideration in the overall balancing exercise involved in assessing resource consent applications.

I agree with the positive effects outlined in section 6.2 in the AEE, specifically enabling the redevelopment and continued operation of the ferry terminal as nationally significant infrastructure.

Conclusion:

Overall, I consider that the effects of the proposal on the environment will be acceptable.

Section 104(1)(ab) – Measures to ensure positive effects to offset or compensate for any adverse effects on the environment:

The applicant has not proposed or agreed to any measures to ensure positive effects on the environment to offset or compensate for any adverse effects on the environment that will or

may result from allowing the activity. In this case I consider that no measures are necessary as the effects on the environment will be acceptable.

Section 104(1)(b) - Relevant Planning Provisions:

I have had regard to provisions of the following planning documents as specified at section 104(1)(b)(i) – (vi) of the Act:

- National Environmental Standards
- Other regulations
- National Policy Statements
- The New Zealand Coastal Policy Statement
- The Wellington Regional Policy Statement
- The 2024 District Plan
- Plan Change 1

Higher Order Planning Documents:

Other than the NES, and RPS discussed below, there are no National Environmental Standards, other regulations or National Policy Statements that are directly relevant to the consideration of this proposal. Similarly, the New Zealand Coastal Policy Statement is considered to be relevant.

National Environmental Standard:

An assessment of the proposal in relation to the relevant NES-CS provisions is included above. The proposal is considered to be acceptable in terms of the NES-CS.

New Zealand Coastal Policy Statement:

The purpose of the New Zealand Coastal Policy Statement 2010 (NZCPS), and as amended in 2025, is to achieve the purpose of the Act in relation to the coastal environment of New Zealand. In particular I have had specific regard for the following policies:

- **Policy 2:** To take into account Te Tiriti o Waitangi and kaitiakitanga, in relation to the coastal environment
- **Policy 6:** To recognise and plan for activities in the coastal environment and potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area.
- **Policy 9:** Earthworks will be undertaken over a short period of time and will not adversely affect the efficient and safe operation of the port.
- **Policy 22:** Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.
- **Policy 23:** Manage discharges to water in the coastal environment.

The proposal is considered to accord with the general direction of the NZCPS and is not contrary to any of the relevant objectives or policies, noting that these are generally reflected in the objectives and policies of the 2024 District Plan.

The National Policy Statement for Natural Hazards:

The National Policy Statement for Natural Hazards 2025 (NPS-NH) came into effect on 15 January 2026 and is relevant to this proposal.

The NPS-NH sets out how councils must manage natural hazard risks for new development. The NPS-NH requires decision-makers to assess and manage natural hazard risks in a consistent, risk-based and proportionate manner.

The only hazards that the NPS-NH applies to are flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami.

The 2024 District Plan incorporates a risk-based approach to managing the effects of natural hazards. The Plan includes a comprehensive policy framework that applies to hazard overlays for flooding, coastal inundation, active faults, and tsunami.

The risk of geotechnical instability has been assessed by the Council's Earthworks Engineer and conditions have been imposed to manage this risk.

Overall, I consider that the proposal, including the mitigation measures incorporated to manage the natural hazard risk, achieve an outcome that is proportionate to the level of natural hazard risk consistent with the direction of the NPS-NH.

Regional Policy Statement:

The policies of the Wellington Regional Policy Statement (RPS) including RPS Change 1, and Variation 1 (decision notice October 2024) have been taken into consideration. In particular I have had specific regard to the following policies:

- **Policy 1M.1:** Integrated management - ki uta ki tai
- **Policy 38:** Identifying the landward extent of the coastal environment.
  Policy 42: Minimising contamination in stormwater from development.
- **Policy FWXXB:** Mana whenua / tangata whenua and Te Mana o te Wai
- **Policy 48:** Principles of the Treaty of Waitangi.
- **Policy 49:** Recognising and providing for matters of significance to tangata whenua.
- **Policy 51:** Avoid or minimising the risks and consequences of natural hazards.
- **Policy 52:** Avoid or minimising adverse effects of hazard mitigation measures.
- **Policy 54:** Achieving the region's urban design principles.
- **Policy 57:** Seek to achieve integrating land use and transportation within the region.
- **Policy 58:** Co-ordinating land use with development and operation of infrastructure.
- **Policy UD.2:** Enable Māori to express their culture and traditions.
- **Policy UD.5:** Contributing to well-functioning urban areas.

The proposal is considered to accord with the general strategic direction of the RPS and is not contrary to any of the relevant objectives or policies, noting that these are generally reflected in the objectives and policies of the District Plan.

District Plan Objectives and Policies:

2024 District Plan

The following 2024 District Plan objectives and policies are considered relevant to the proposal:

Special Purpose Waterfront Zone:

- Objectives WFZ-O1, WFZ-O2 and WFZ-07 and policies WFZ-P2, WFZ-P8 and WFZ-P10

Special Purpose Port Zone:

- Objective PORTZ-O1 and PORTZ-O2 and policies PORTZ-P1, PORTZ-P2, PORTZ-P3, and PORTZ-P4

Multi-User Ferry Precinct:

- Objectives PORTZ-PREC02-O1 and PORTZ-PREC02-O2 and policies PORTZ-PREC02-P1, PORTZ-PREC02-P1, PORTZ-PREC02-P3 and PORTZ-PREC02-P5.

Coastal Environment and Coastal Hazards:

- Objectives CE-O1 and CE-O3 and policies CE-P1, CE-P2 and CE-P6 (coastal environment)
- Objectives CE-O5 to CE-O9 and policies CE-P11, CE-P12, CE-P20 and CE-P21 (coastal hazards)

Earthworks:

- Objectives EW-O1 and policies EW-P1, EW-P2, EW-P4, EW-P6, EW-P5, EW-P12 and EW-P17.
- Assessment criteria under EW-S1. EW-S4 and EW-S11.

Natural Hazards:

- Objectives NH-O1, NH-O2 and NH-O5 and policies NH-P1. NH-P2, NH-P3 and NH-P12.

Sites and Areas of Significance to Māori (#167)*:*

- Objectives SASM-O1, SASM-O2, SASM-O3 and policies SASM-P1 and SASM-P5

Contamination:

- Objective CL-O1 and policies CL-P1, CL-P2 and CL-P3

I consider the applicant's assessment against the relevant objectives, policies to be accurate. I therefore adopt the applicant's AEE. No further analysis is required.

Overall, for the reasons discussed in this Decision Report and the applicant's assessment, I consider that the proposal is consistent with the objectives and policies as set out above.

Section 104(1)(c) - Other Matters:

Code of Practice for Land Development:

The Council's 2012 Code of Practice for Land Development, operative from December 2012 is referred to in the 2024 District Plan. It is the Code of Practice for Land Development 2012 that holds the current technical standards required by the Council for the design and construction of earthworks, roading, water supply, wastewater, stormwater, and public open spaces. Whether the infrastructure will be vested with the Council or be a private asset, it is important that these assets are constructed to the Council's current standards.

With particular regard to water supply and wastewater, these standards must be met before the Council will allow a property to be connected to the City's water supply and wastewater system. However, it is not the intention of the Council to stifle innovation and ingenuity of design. Where the outcome will be a better quality living environment, proposed alternative solutions for infrastructure design, other than for water supply and wastewater, should be negotiated with the Council to ensure that the Code of Practice for Land Development 2012 basic requirements are met.

Based on the advice provided by the Council's Earthworks Engineer, it is considered that the proposal can generally be undertaken to meet the standards contained in the Council's Code of Practice for Land Development 2012.

There are no other matters that the Council needs to consider when assessing the application.

PART 2 – PURPOSE AND PRINCIPLES OF THE ACT

Part 2 of the Act sets out the purpose and principles of the legislation, which as stated in section 5, is "*to promote the sustainable management of natural and physical resources"*. Section 5 goes on to state that sustainable management should enable *"people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while* (amongst other things) *avoiding, remedying or mitigating any adverse effects of activities on the environment"*.

In addition, Part 2 of the Act requires the Council to recognise and provide for matters of national importance (section 6); have particular regard to other matters (section 7); and to take into account the principles of the Treaty of Waitangi (section 8).

For the reasons outlined in this report, I consider that consent should be granted when the proposal is assessed against the matters in section 104(1)(a) to 104(1)(c) of the Act. The planning and regulatory framework clearly indicates the outcome for this application. I have considered the purpose and principles in Part 2 of the Act, and I do not consider that detailed evaluation of Part 2 matters is necessary and would add anything to my evaluative exercise.

SECTION 106A

There is nothing to suggest that the application site of this land use consent is subject to a significant risk from natural hazards.

The site is subject to a number of hazard overlays which can be managed to an acceptable level in the context of the port facilities as nationally significant infrastructure. The Council's Earthworks Engineer confirms that the geotechnical satisfactorily assessment submitted in support of the application (Cook Strait Interislander Ferries – Temporary Terminal Facility: Geotechnical Assessment Report, Tonkin & Taylor Ltd, Job No. 1102961.0000, dated 30 June 2026), addresses fault rupture, liquefaction and settlement for the temporary terminal building.

I can confirm that the Council's hazards register has been checked and there are no entries for the site in relation to section 106A matters.

I can confirm that the proposed earthworks will not accelerate, worsen, or result in material damage in respect of the consent, other land, or structures that would result from natural hazard.

Consequently, I consider there to be no reason to decline the application under section 106A of the Act.

SECTION 108 CONDITIONS

In accordance with section 108 of the Act, I have included the following conditions on the decision:

- A requirement to undertake the development in accordance with the information provided within the application and the approved plans (condition (a)).
- Conditions to manage the earthworks
- Conditions to manage the contamination
- Conditions relating to the monitoring of the resource consent.

The Council must not impose conditions under section 108 unless:

1. Section 108AA(1)(a) – The applicant agrees to the conditions
2. Section 108AA(1)(b) – The condition is directly connected to:
    - An adverse effect of the activity on the environment (s108AA(1)(b)(i)) and/or
    - An applicable district or regional rule, or NES (s108AA(1)(b)(ii))
    - A wastewater environmental performance standard made under section 138 of the Water Services Act 2021 (s108AA(1)(b)(iii))
    - A stormwater environmental performance standard made under section 139A of the Water Services Act 2021 (s108AA(1)(b)(iv))
    - An infrastructure design solution (s108AA(1)(b)(iv))
3. Section 108AA(1)(c) – The condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.

Condition (a) relates to mitigating possible effects on the environment, which may occur if the proposal is not built in accordance with the approved plans. Therefore, this condition meets section 108AA(1)(b)(i).

The conditions satisfy section 108AA(1)(b) of the Act for the reasons discussed in this report.

The applicant has agreed to the conditions, therefore, section 108AA(1)(a) is satisfied.

The Council's standard monitoring conditions are applied in accordance with s108AA(1)(c).

CONCLUSION

The effects of this proposal are acceptable, and the proposal is consistent with the objectives and policies of the 2024 District Plan. Having applied section 104 of the Act resource consent can be granted subject to appropriate conditions.

REASONS FOR DECISION

The reasons for the decision are informed by the analysis above. The principal reasons for the decision are summarised as follows:

1. Pursuant to section 95A and 95B of the Act, there are no mandatory requirements to notify the application, the effects of the proposal on the environment will be less than minor and there are no affected persons. There are no special circumstances.

2. Pursuant to section 104 of the Act, the effects of the proposal on the environment will be acceptable.

3. The proposal is in accordance with the relevant objectives and policies of the 2024 District Plan and Part 2 of the Act. Furthermore, the proposal is consistent with the outcomes sought by the relevant NES.

Report prepared by Monique Zorn

Monique Zorn
Delegated Officer

18 August 2026

Cedric Tevaga
Delegated Officer

18 August 2026