

**PROPOSED FALE
FRANK KITTS PARK
29 JERVOIS QUAY**



**APPLICATION FOR RESOURCE CONSENT
FALE MALAE TRUST
MAY 2025**

Resource consent application/ Fast-Track resource consent

**Absolutely Positively
Wellington City Council**
Me Heke Ki Pōneke

Under Sections 87AAC, 88, Resource Management Act 1991

Notes for the applicant

Use this form to apply for resource consent. It gives us your contact information, details about your proposal and a checklist to help you with your application.

If you have any questions, visit wellington.govt.nz/resourceconsents, email planning@wcc.govt.nz or phone us on 04 801 3590

Post the completed application to:

113 The Terrace,
Wellington Central

or hand it in to us at:

Arapaki Library and Service
12 Manners Street, Wellington Central

General details

This application is for: ☒ land use consent ☐ subdivision consent ☐ fast-track application
☐ combined land use/subdivision consent

Omit this paragraph if the application does not qualify as a fast-track application under section 87AAC.

I ☐ opt out/ ☐ do not opt out* of the fast-track consent process.

**Select one. Only applies to controlled activities and where an electronic address for service is provided.*

The site to which this application relates is described as (legal description) **Part Only - Lot 2 Deposited Plan 436892**

Any other commonly known name? **Frank Kitts Park**

No: **29**

Street: **Jervois Quay**

Suburb: **Wellington Central**

Applicant details

Full name: **Fale Malae Trust (Registered Charity #CC56528)**

Postal address:
(or alternative method of service under s352 of the Act) **c/-info@falemaletrust.org.nz**

Phone: (day)

Mobile: **021 142 8033 (Pinky Shah)**

Email address for service: **alistair@urbanp.co.nz**

Note an electronic address for service must be provided if you are applying for a fast-track resource consent application.

Your agent (if applicable)

Name: **Alistair Aburn**

Postal address:
(or alternative method of service under s352 of the Act) **c/- Urban Pespectives Ltd
P O Box 9042, Wellington 6141**

Phone: (day) **04 474 4111**

Mobile:

Email address for service: **alistair@urbanp.co.nz**

Owner of the site that is the subject of this application

Name: **Wellington City Council (Wellington Waterfront Limited)**

Postal address:
(or alternative method of service under s352 of the Act) **P O Box 2199, Wellington 6140. Attn: Katrina Gatson**

Phone: (day) **(04) 499 4444**

Mobile: **021 227 5059**

Email address for service: **katrina.gatson@wcc.govt.nz**

Occupiers(s) of the site that is the subject of this applicationName: **Wellington City Council**

Postal address:

(or alternative method of service under s352 of the Act)

P O Box 2199, Wellington 6140: Attn: Katrina Gatson

Phone: (day)

Mobile: 021 227 5059

Email address for service: **katrina.gatson@wcc.govt.nz****Important**

Send additional invoices to



Applicant



Agent



Owner

Site description

Describe the site including its natural and physical characteristics and any adjacent uses that may be relevant to the consideration of the application.

The site of the proposed Fale is located in the southwest corner of Frank Kitts Park and is currently occupied by the Frank Kitts Park carpark building.

A description of the site is provided in Section 2.1 of the AEE accompanying the application.

Description of activity

Describe clearly the proposal to which this application relates.

The application is for the construction and occupation of a new building (Fale) as further described in Section 2.2 of the AEE accompanying the application and in the Architect's Design Statement at Appendix 2 to the AEE.

The Fale will have a 708sqm footprint and a maximum height of 13.130m measured from the Jervois Quay level.

The Fale will consist of two levels: Ground Level which will accommodate a meeting space (fale), community room, cafe, and entry lobbies on the east and west facades; and Basement Level which will accommodate kitchen facilities, toilets and storage space associated with the Fale in a separate area; and Dragon boat storage, changing rooms, public toilets and storage space for Council's facilities management servicing the wider waterfront.

☒ There are no other activities that are part of the proposal to which this application relates; or

☐ The other activities that are part of the proposal to which the application relates are as follows:

[Describe the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, explain how the activity complies with the requirements, conditions, and permissions for the permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.]

(Continue on another page if necessary.)

| Are any other resource consent(s) required/granted for this proposal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (To find out, please contact a planning technician on 801 3590) | | | |
|--|-------------------------------------|---|--|
| If yes, show any other resource consent(s) required as part of this proposal by ticking the relevant boxes | | | |
| | Resource consent required/granted | Description of required/granted consent | Information attached |
| Land use consent | <input type="checkbox"/> | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Subdivision consent | <input type="checkbox"/> | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Coastal permit (Wellington Regional Council) | <input type="checkbox"/> | | |
| Water permit (Wellington Regional Council) | <input type="checkbox"/> | | |
| Discharge permit (Wellington Regional Council) | <input checked="" type="checkbox"/> | | |
| Land use consent (Wellington Regional Council) | <input type="checkbox"/> | | |

Information which must be submitted with this application

Attach **two copies** of the following information to support this application, to satisfy the requirements of Section 88(2) of the Resource Management Act 1991 (RMA) and rule 3.2.2 in the District Plan. If all of the required information is not provided we may be unable to accept your application and it will be returned to you. Note: all plans must be to a measurable scale.

Permitted activities existing use rights

Where relying on permitted activities and/or existing use rights, these must be supported by:

1. sufficiently detailed plans; and
2. a compliance schedule and/or other supporting information that explains how the activity complies with the requirements of the District Plan or demonstrates how existing use rights are retained.

Assessment of environmental effects (AEE)

If you don't provide an AEE the Council cannot accept your application. The AEE should discuss all the actual and potential effects on the environment arising from this proposal. The amount of detail provided must reflect the nature and scale of the development and its likely effects. For example, if there are major effects arising from the proposal, a detailed analysis and discussion of these effects should be included in the AEE. You may have to provide information from experts such as an acoustic consultant or traffic engineer. If the effects of the proposal are very minor then a less-detailed AEE can be submitted.

For more information see clauses 6 and 7 of the Fourth Schedule of the Resource Management Act 1991, which includes information requirements and lists the matters to be addressed in an AEE.

Part 2

- ☒ I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

Other relevant provisions

- ☒ I attach an assessment of the proposal against the provisions of any documents referred to in s104(1)(b) if relevant. Refer to clause 2(2) of Schedule 4. Please note that these documents include:
- National Environmental Standards and other regulations
 - National Policy Statements
 - the NZ Coastal Policy Statement
 - the Regional Policy Statement or proposed Regional Policy Statement
 - the District Plan or proposed District Plan

☒ Computer freehold registers (certificates of title) for the subject site (no more than three months old):

- ☐ including any relevant consent notice(s) registered on the computer register
- ☐ any encumbrances or any other registered instruments, including such things as right of way documents, esplanade instruments, etc

☒ Locality plan (1:500) or aerial photograph (1:500) showing:

- ☐ the location of the site in relation to other streets or landmarks
- ☐ street number of the subject site and those of adjoining sites, (rural sites can be shown at 1:1000 if required)

☒ Site plan (1:100/200) showing the EXISTING situation on the subject site, including (where relevant):

- ☐ layout and location of proposed structures and buildings or alterations to existing structures and buildings (including fences, walls, retaining walls 2.5m or higher), depth of front yards and distances from existing buildings on adjoining sites
- ☐ existing floor plans and elevations
- ☐ design of earthworks and final levels and contours of the site
- ☐ road frontages (including any pedestrian crossings, steps or paths)
- ☐ buildings on adjacent sites
- ☐ topography
- ☐ watercourses and catchment orientation
- ☐ all significant vegetation (including vegetation on adjacent road reserve or surrounding properties)
- ☐ hazardous areas

☐ **Plan/s showing the PROPOSED development including (where relevant):**

- ☐ layout and location of proposed structures and buildings or alterations to existing structures and buildings (*including fences, walls, retaining walls 2.5m or higher*), depth of front yards and distances from existing buildings on adjoining sites
- ☐ design of earthworks and final levels and contours of the site
- ☐ vehicle parking, servicing, circulation and manoeuvring, pedestrian crossings and number and width of kerb crossing/s
- ☐ roads or right-of-way proposals
- ☐ calculation of total site coverage
- ☐ for a non-residential site, the gross floor area of all buildings on the site (*for assessing car parking requirements*)
- ☐ for a subdivision, the position of all allotment boundaries, the area of all allotments, location and areas of any new roads, any further information requirements such as esp reserves/strips, access strips or any land to be vested in the territorial authority under S237A of the RMA.
- ☐ details of any signs
- ☐ all landscape design proposals, site planting and fencing
- ☐ photo montages

☒ **Elevation drawings (1:50/1:100) of all structures to be built or altered (existing and proposed), showing:**

- ☐ relationship of buildings to the natural ground level, existing and finished ground levels and certificate of title boundaries
- ☐ relevant District Plan sunlight access planes and maximum height, the street elevation, and the relationship of proposed structures to structures on adjacent sites, including the location of existing private outdoor spaces and main living area windows (*where these overlook the development*)

☐ **Other information which may be required by the District Plan including:**

- ☒ design statement where design guides apply (*multi-units, Central Area buildings, character areas, etc*)
- ☐ Noise report
- ☒ Other
- ☒ wind report for Central Area buildings above 18.6 metres
- ☒ Traffic report

☐ **Written approvals from affected parties:**

- ☐ letter or neighbours' approval form dated and signed by the affected parties AND their signature and the date on the plans submitted with this application. Please note conditional written approvals cannot be accepted.

Information required to calculate any development contribution:

| | |
|--|----------------------------------|
| Household units: number existing | Number proposed |
| Commercial: gross floor area existing 3,692sqm | Gross floor area proposed 708sqm |
| Residential subdivision: allotments existing | Allotments proposed |

National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health

This site may be subject to or covered by the NES for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. This is determined by reference to the Hazardous Activities and Industries List (HAIL) which identifies those activities and industries which are more likely to use or store hazardous substances and therefore have a greater probability of site contamination. A full list can be found on the Ministry for the Environment's website www.mfe.govt.nz/issues/hazardous/contaminated/hazardous-activities-industries-list.pdf

Has the piece of land subject to this application been used for (*including its present use*), or is it more likely than not to have been used for an activity on the HAIL?

☒ Yes ☐ No

If 'Yes', and your application involves subdividing or changing the use of the land, sampling or disturbing soil, or removing or replacing a fuel storage system, then the NES may apply and you may need to seek consent for this concurrently in your application.

Site visit requirements

In order to assess your application it will generally be necessary for the planning officer to visit your site. This typically involves an outdoor inspection only, and there is no need for you to be home for this purpose.

Are there any locked gates, security systems or anything else restricting access by Council staff? ☐ Yes ☒ No

Are there any dogs on the property? ☐ Yes ☒ No

Do you require notice prior to the site visit eg if the property is tenanted? ☐ Yes ☒ No

Are there any other health and safety issues Council staff should be aware of before visiting your site? If so please provide details so Council staff can take the necessary precautions:

The existing Frank Kitts Park carpark building is assessed as an 'earthquake prone' building.

Draft Conditions

- ☒ Prior to issuing the consent, I would request the Council to send me the draft conditions to review and agree to place the application on hold while I review them
- ☐ Or I request the Council issue the consent without providing me draft conditions to review

Fees

An initial fee must be paid before we can process your application.

I enclose the initial fee of \$ 26,910.00 paid by (please tick the applicable box):

☐ Credit card ☐ Internet banking ☐ Service Centre (receipt attached)

I understand that the Council may invoice me for the actual and reasonable costs incurred to process this application – as identified in Section 36 of the Resource Management Act and the Council's current fee schedule.

Additional fees

If we spend additional time processing requests or incur expenses we need to invoice additional fees. This may happen during processing or once a decision on your application is made. We only charge for amounts over \$65. Likewise, refunds will only be made for unused amounts over \$65.

Our payment terms

Additional fees are due by the 20th of the month following an invoice. If payment is not received, you will be liable for all legal and collection fees.

The declaration below must be signed by the person(s) or entity responsible for paying the application processing costs. If you are an agent, you will need to obtain the signature of the person(s) responsible for paying the fees before submitting the resource consent application to the Council.

How to pay

Internet banking

The Council's bank account number is 06 0582 0106111 00. Use "RC" followed by the site address as a reference.

Online

Pay online using your credit card. Visit **Wellington.govt.nz/payonline**, choose Property from the dropdown box and follow the instructions.

Phone

You can pay over the phone with your credit card.
Phone us on 04 801 3718.

In person

You can make payments by cash or EFTPOS at:

Wellington City Council Service Centre
12 Manners Street
8am–5pm, Monday to Friday.

We also accept Visa, MasterCard and American Express.

Declaration

Subject to my rights under sections 357B and 358 of the RMA to object to any costs, I undertake to pay all costs associated with this application. I also agree to pay all the costs (including debt collection or legal fees) of recovering any unpaid costs.

Send all additional invoices to

Full name **Fale Malae Trust**

Postal address **c/- Agite Consulting, Level 2, Civic Chambers, 114 Lambton Quay, Wellington 6011**

Applicant/Agent/Other (give details)

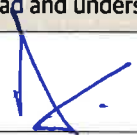
Phone (day) **(04) 474 4111**

Mobile

Email **alistair@urbanp.co.nz**

I have read and understand the above conditions.

Signed

 **ALISTAIR ARBURN (AS AGENT)**

Date

01 May 2025

NB: A signature is not required if the application is made by electronic means.

Notes for the applicant

Incomplete applications will be returned. The Council may also request further information under Section 92 of the Resource Management Act 1991, to better understand the potential effects of the proposal.

Once this application is lodged with the Council, it becomes public information. If there is sensitive information in the proposal, please let us know.

The Council may require a registered surveyor to certify contours, natural ground level, building site(s) or structure(s), location of boundaries or any other feature which may affect this proposal.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

Privacy information

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991, and so that statistics can be collected by Wellington City Council. The information will be stored on a public register and held by Wellington City Council.

Under the Privacy Act 2020, you have the right to see and correct personal information.

Signature of applicant(s) or agent

Declaration for the applicant or authorised agent or other

I/we confirm that I/we have read and understood the notes above. If a private or family trust is the applicant, at least two New Zealand-based trustees are required to provide contact details and sign this form.

Applicant's name: Fale Malae Trust

Applicant's signature:

Date:

Applicant's name:

Applicant's signature:

Date:

Applicant's name:

Applicant's signature:

Date:

01 May 2025

NB: A signature is not required if the application is made by electronic means.

Declaration for the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above notes and confirm that I have fully informed the applicant of their/its liability under this document, including for fees and other charges, and that I have the applicant's authority to sign this application on their/its behalf.

Agent's full name: Alistair Arthur Aburn

Agent's signature:

Date:

01 May 2025

NB: A signature is not required if the application is made by electronic means.

How do you wish to be served with any correspondence

☒ via electronic address for service
(please ensure you have provided an address on page 1)

☐ via post, ie hardcopy, (or alternative method of service under s352 of the Act)



Property Information

Search Result: January 2013
 Date of Imagery: 23 Mar 2016
 Report Date:

Copyright Notice

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 Certain information in this report is sourced
 from LMI. Crown copyright reserved.

Data Statement

Accuracy of aerial imagery: 1:10,000. Accuracy of property
 boundaries: 1-3m in urban areas, up to 20m in rural areas.
 Property boundaries and legal descriptions sourced from LMI.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier **536983**
Land Registration District **Wellington**
Date Issued 05 August 2011

Prior References

258480 WN45B/770

Estate Fee Simple
Legal Description Lot 2 Deposited Plan 436892
Registered Owners
Wellington Waterfront Limited

Interests

FOR AREA SEE DP 436892 - Reduced Levels are in terms of Mean Sea Level Wellington Datum 1953

Subject to a right to water drainage over part marked HH on DP 436892 created by Transfer B679707.9 - 13.8.1998 at 3.55 pm

The easement created by Transfer B679707.9 is subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to an open space easement over parts marked WB, WC, WD, WF, WG, WH, WJ, WK, WL, WM, WO, WP, WV and WY on DP 436892 in favour of Wellington City Council created by Easement Instrument 8804276.4 - 5.8.2011 at 10:52 am

The easements created by Easement Instrument 8804276.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey gas over parts marked WH and WY on DP 436892 in favour of Powerco Limited created by Easement Instrument 8804276.5 - 5.8.2011 at 10:52 am

Subject to a right (in gross) to electricity and telecommunications over parts marked WB, WC, WD, WH and WY on DP 436892 in favour of Wellington Electricity Lines Limited created by Easement Instrument 8804276.6 - 5.8.2011 at 10:52 am

Subject to a right (in gross) to convey telecommunications and computer media over parts marked WH and WY on DP 436892 in favour of Telecom New Zealand Limited created by Easement Instrument 8804276.7 - 5.8.2011 at 10:52 am

Subject to a right of way over parts marked WB, WC and WD and rights to drain sewage over parts marked WB, WC, WD and WY and to convey water over parts marked WD and WF and to drain water over parts marked WD, WH, WO, WV and WY on DP 436892 created by Easement Instrument 8804276.8 - 5.8.2011 at 10:52 am

The easements created by Easement Instrument 8804276.8 are subject to Section 243 (a) Resource Management Act 1991

