

From: [Infrastructure Portfolio](#)
To: [FTArefferrals](#)
Subject: FW: CORPG2983 / Invitation to comment on fast-track referral application Waipiro Marina project under the Fast-track Approvals Act 2024 - FTA-2503-1034
Date: Wednesday, 7 May 2025 10:21:18 am

From: Harriett Adams [s 9\(2\)\(a\)](#)
Sent: Wednesday, 7 May 2025 9:46 AM
To: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Subject: RE: CORPG2983 / Invitation to comment on fast-track referral application Waipiro Marina project under the Fast-track Approvals Act 2024 - FTA-2503-1034

Kia ora,

Hon Paul Goldsmith, in his capacity as Minister for Arts, Culture and Heritage, has no feedback on this application.

Thank you,

Ngā mihi



Harriett Adams
Private Secretary – Arts, Culture and Heritage | Office of Hon Paul Goldsmith
Minister for Arts, Culture and Heritage | Minister of Justice
Minister for Media and Communications | Minister for Treaty of Waitangi Negotiations

M: 027 403 4097 | Email: harriett.adams@parliament.govt.nz | www.beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

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From: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Sent: Monday, 14 April 2025 10:43 AM
To: Nicola Willis (MIN) <N.Willis@ministers.govt.nz>; Paul Goldsmith (MIN) <P.Goldsmith@ministers.govt.nz>; Shane Jones (MIN) <S.Jones@ministers.govt.nz>; Penny Simmonds (MIN) <P.Simmonds@ministers.govt.nz>; Tama Potaka (MIN) <T.Potaka@ministers.govt.nz>
Cc: FTArefferrals <FTArefferrals@mfe.govt.nz>
Subject: CORPG2983 / Invitation to comment on fast-track referral application Waipiro Marina project under the Fast-track Approvals Act 2024 - FTA-2503-1034

To:

Minister for Economic Growth
Minister for Regional Development
Minister for Arts, Culture and Heritage
Minister for Treaty Negotiations
Minister of Conservation
Minister for the Environment

Dear Ministers,

Hon Chris Bishop, the Minister for Infrastructure (the Minister), has asked for me to write to you on his behalf.

The Minister has received an application from Kallum Brown for referral for Waipiro Marina project under the Fast-track Approvals Act 2024 (the Act) to the fast-track process (application reference FTAA-2503-1034).

The purpose of the Act is to facilitate the delivery of infrastructure and development projects with significant

regional or national benefits.

Invitation to comment on referral application

I write in accordance with section 17 of the Act to invite you to provide written comments on the referral application. I have provided summary details of the project below.

If you wish to provide written comments, these must be received by **return email** within **20 working days** of receipt of this email. The Minister is not required to consider information received outside of this time frame. Any comments submitted will contribute to the Minister's decision on whether to accept the referral application and to refer the project.

If you do not wish to provide comments, please let us know as soon as possible so we can proceed with processing the application without delay.

If a Conflict of Interest is identified through any stage of providing comments, please inform my office immediately so we can initiate a transfer of this responsibility.

If the Minister decides to accept the application and to refer the project, the Applicant will need to complete any preliminary steps required under the Act and then lodge their substantive application for the approvals needed for the project. An expert panel will be appointed to decide the substantive application.

Process

The application documents are accessible through the Fast-track portal. Please note that application documents may contain commercially sensitivity information and should not be shared widely. If you haven't used the portal before, you can request access by emailing ftareferrals@mfe.govt.nz. Once you are registered and have accepted the terms and conditions, you will receive a link to view the documents. Existing users will be able to see application documents via the request when logging into the portal. Should you need for your agency to provide any supplementary information, a nominated person can be provided access to the portal, access can be requested by emailing ftareferrals@mfe.govt.nz.

To submit your comments on the application, you can either provide a letter or complete the attached template for written comments and return it by replying to this email, infrastructure.portfolio@parliament.govt.nz.

Before the due date, if you have any queries about this email or need assistance with using the portal, please email contact@fasttrack.govt.nz. Further information is available at <https://www.fasttrack.govt.nz/>.

Project summary

Project name	Waipiro Marina
Applicant	Kallam Brown is the applicant. The project will be delivered in partnership between Azuma Properties and Hopper Developments Ltd.
Project description	<p>To construct a commercial marina at Waipiro Bay, Bay of Islands, in the Northland Region. The project comprises:</p> <ul style="list-style-type: none">• a commercial marina development with berthage for 250 craft• a public boat launching ramp, and parking for marina users and boat trailers.• associated marina infrastructure including fuelling services, hospitality and retail outlets, and facilities for emergency services.• upgrading road access, limited vegetation clearance, dredging, reclamation for parking and services, pile and pier installation, building construction, and landscaping.

Yours sincerely

Hon Chris Bishop

Minister for Infrastructure



Office of Hon Chris Bishop

Minister of Housing, Minister for Infrastructure, Minister Responsible for RMA Reform,
Minister for Sport & Recreation, Leader of the House, Associate Minister of Finance

Email: christopher.bishop@parliament.govt.nz Website: www.beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Hon Tama Potaka

Minister of Conservation
Minister for Māori Crown Relations: Te Arawhiti
Minister for Māori Development
Minister for Whānau Ora
Associate Minister of Housing (Social Housing)



15 May 2025

Ref: CORTP-4022/FTAA-2503-1034

Hon Chris Bishop
Minister of Infrastructure
email: infrastructure.portfolio@parliament.govt.nz

Tēnā koe Chris

Thank you for your email dated 14 April 2025 inviting me to comment on the fast-track referral application for Waipiro Marina.

I have no comments to provide on this application.

I understand the Department of Conservation will provide comments on the referral application as a relevant administering agency in respect of the proposal.

I trust that this information will help support you in your decision on this referral application. In the event that you approve the referral application, my team stands ready to gather information to support a panel's decision on a substantive application, as required.

Mauriora

A handwritten signature in blue ink that reads "Tama Potaka".

Hon Tama Potaka
Minister of Conservation



12 MAY 2025

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

Four Fast-track Approvals Act referral applications:

Dear Chris

Thank you for the opportunity to comment on four applications for referral under the Fast-track Approvals Act (FTAA):

- Out of Scope
- Waipiro Marina, FTAA-2503-1034

• Out of Scope

This letter provides comments in my capacity as Minister for Economic Growth. I have considered whether these applications are likely to have 'significant economic benefits', as provided for under s22(2)(iv) of the FTAA, based on the information provided in the applications. I will leave it to you and other relevant Ministers to assess the other criteria.


Out of Scope

Waipiro Marina, FTAA-2503-1034

The proposal to construct a new commercial marina in Waipiro Bay, Bay of Islands. The project is likely to add around \$14.4 million GDP and 89 FTE jobs created during construction. The future operation of the marina is estimated to generate \$10.1-\$12.7 million in value-added to GDP annually, supporting around 47-58 FTE jobs per annum. There could be ongoing regional economic benefits from increased supply in marine berths supporting ongoing growth in regional tourism, and retail and commercial activities.

The project will have short-term economic benefits during the construction phase and ongoing benefits from the operation of the marina.

Out of Scope



Sincerely



Hon Nicola Willis

Minister for Economic Growth

Hon Penny Simmonds

Minister for the Environment
Minister for Vocational Education
Associate Minister for Social Development and Employment



15 May 2025

PS-COR1194

Hon Chris Bishop
Minister for Infrastructure
Infrastructure.Portfolio@parliament.govt.nz

Dear Hon Chris Bishop,

Re: FTAA-2503-1034 Waipiro Marina Project

Thank you for the invitation to provide comments on the application for referral of the Waipiro Marina Project to an expert panel under section 17 of the Fast-track Approvals Act 2024 (FTAA).

Having reviewed the referral application, I have some comments about the level of information provided by the applicant about the project, and how we might streamline the process for this application.

In this instance, the applicant has provided high-level initial assessment from a professional landscape expert and ecologist. However, both experts were unable to reach initial conclusions on the significance of effects and possible offsetting/mitigation methods.

The applicant will be required to provide more detailed assessments at the substantive stage. I believe it would be more efficient if you decide to refer the application, using your discretion to specify information that is required to be provided with the substantive application under section 27(3)(b)(ii) of the FTAA. This would ensure the most streamlined process for the applicant.

I suggest the following could be specified to support a thorough and evidence-based determination on the significance of effects at the substantive stage:

- a. an appropriate ecological impact assessment; and
- b. an ecological mitigation scheme based on the findings of the ecological impact assessment.

This approach will reduce the risk of unanticipated significant matters being identified late in the process and support the smooth and efficient conduct of the expert panel's deliberations and the process for the applicant.

Thank you again for the opportunity to provide comments on this referral application.

Yours sincerely,

Hon Penny Simmonds
Minister for the Environment



15 May 2025

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

Fast-track Approvals Act referral application – Waipiro Marina (FTAA-2503-1034)

Dear Chris,

Thank you for the opportunity to comment on the Waipiro Marina project application for referral under the Fast-track Approvals Act (FTAA 2024).

This letter provides comments in my capacity as Minister for Regional Development. Based on Section 22 of the FTAA 2024, I have considered the project based on the whether the project:

- a. will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure
- b. will deliver significant economic benefits.

The Waipiro Marina project proposes to deliver a new commercial marina in Waipiro Bay, Bay of Islands, including berthage for 250 craft, associated marina infrastructure including fuelling services, hospitality and retail outlets, and facilities for emergency services, and upgrading road access.

Analysis suggests the project's construction could contribute \$14.4 million in GDP, and ongoing operation of the marina to contribute \$10.1 million to \$12.7 million GDP annually, only marginally more than the average New Zealand marina (based on a 2023 industry study presented in the application).

I consider that the asset could have important economic benefit to the Bay of Islands area, including increased tourism opportunities. However, the scale of the expected benefits mean it may be difficult to classify the proposed infrastructure as either regionally or nationally significant. It is also not clear from the evidence provided how the asset would integrate into the regional economy to achieve the proposed economic benefit.

If the project is referred to an expert panel, I would expect the panel to consider the effects, if any, on the kaimoana resource, the management of Caulerpa and consider the relationships with local iwi.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Shane Jones'.

Hon Shane Jones

Minister for Regional Development

Hon Paul Goldsmith

Minister for Arts, Culture and Heritage
Minister of Justice
Minister for Media and Communications
Minister for Treaty of Waitangi Negotiations



6 May 2025

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
WELLINGTON

By email: infrastructure.portfolio@parliament.govt.nz

Tēnā koe

Fast-Track Approvals Act 2024 – Comment on referral application FTAA-2503-1034 Waipiro Marina

I am writing in response to your correspondence of 14 April in which you invited comment on referral application FTAA-2503-1034 Waipiro Marina the Fast-track Approvals Act 2024.

I have considered matters specific to my portfolio as the Minister for Treaty of Waitangi Negotiations and as the Minister responsible for the Marine and Coastal Area (Takutai Moana) Act 2011.

Please find my response attached.

Nāku noa, nā



Hon Paul Goldsmith
Minister for Treaty of Waitangi Negotiations

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	FTAA-2503-1034 Waipiro Marina
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

*Portfolio	Treaty of Waitangi Negotiations		
*First name	Paul		
*Last name	Goldsmith		
Contact person (if different from above)	Georgia Cervin		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application

The proposed application encroaches on the marginal strip in Waipiro Bay (Lot 24 DP 391213 refers). The marginal strip, in its entirety, could be needed for Treaty settlement purposes. I have not begun negotiations with the relevant iwi and no discussions have been held regarding Crown properties in the area. I also note that the application is in the Marine and Coastal Area. While customary marine title or customary rights are yet to be granted in the Waipiro Bay common marine and coastal area, if they were, the applicant would be required to obtain written agreement from the title holder before the application could proceed.

I consider it important that the groups listed below are consulted.

Relevant iwi with interests in the application area

- Ngāpuhi hapū: Ngāti Manu, Ngāti Torehina ki Matakā, Ngāti Kuta and Patukeha hapū are in a confirmed hapū grouping for Treaty settlement purposes called Te Whakaaetanga;
- Ngāpuhi hapū: Ngāti Rēhia, Ngāti Kawa, Ngāti Rahiri, Te Mahurehure, Ngare Hauata, Matarahurahu are in discussions about a potential hapū grouping called Ngā Hapū o Takutai Moana;
- Ngāpuhi hapū: Te Kapotai;
- Ngāti Hine;
- Ngātiwai.

Relevant Marine and Coastal Area Applicants

- Awhirangi Panehina Lawrence Whānau, Mita Pomana Whānau, Takutai Moana whānau Trust;
- Mita Pomana and Takutai Moana Heke Pomana Whānau;
- Ngāti Kawau and Te Waiariki Kororā;
- Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāt iMuri Nagatiruamahue Ngāti Kawau Ngāti Haiti Ngāitupango Ngā Puhi Ngāti Kahu Te Auopouri;
- Ngā Puhi Nui Tonu (Awataha Marae);
- Ngāti Hine;
- Ngāti Manu and its Hapū, Te Uri Karaka and Te Uri o Raewera;
- Ngāti Rāhiri and Ngāti Kawa;
- Ngā Puhi, Ngāti Wai, Haki Pereki and Ngāwhetu Sadler Whānau Trust;
- Rewha and Reweti Whānau;
- Iwi, whānau and hapū of Ngātiwai;
- Haare-Himiana-Heta Whānau Hapū;
- Ngā Puhi Nui Tonu (Te KotahitaNgā Marae);
- Ngā Puhi Nui Tonu-Kota-toka-tutaha-moana o whaingaroa;
- Ngāti Kuta and Patukeha ki Te Rāwhiti;
- Pene Hemi Kiwikiwi Whānau Trust;
- Reti Whānau;
- Te Hikutu Whānau and Hapū;
- Te Kaunihera o Te Tai Tokerau;
- Te Kemara I Whānau, Ngāti Kawa and Ngāti Rahiri;
- Merehora Taurua Whanau ki Kauteawha;
- Haika, Hetaraka, Leuluai & other whānau;
- Whangaroa Ngāiotonga Trust;
- Ngā Hapū o Taiāmai ki te Marangai;
- Ngā Uri o Hairama Pita Kino Davies whānau.

Minister's signoff

Hon Chris Bishop
Minister of Housing

Date

Comments on a project under the Fast Track Approvals Act 2024

Project name	Waipiro Marina
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All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Department of Conservation (acting under delegation from the Minister of Conservation)		
*First name	Amelia		
*Last name	Wilkinson		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	fast-track@doc.govt.nz ; s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.
PTO

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Comments on a Fast-track consenting application

Fast-Track Approvals Act 2025 Section 17

To: Hon. Chris Bishop, Minister for Infrastructure

From: Director-General of Conservation

Regarding Fast-track project: Waipiro Marina

1.0 General comment

1.0.1 The proposal is for the development of a commercial marina at Waipiro Bay in the Bay of Islands, Northland. The marina will provide berthage for 200-250 vessels, as well as include motor vehicle parking facilities, launching ramps and commercial services including fuelling.

1.0.2 Construction activities required will include vegetation clearance, dredging, land reclamation, installation of piles and piers and disposal of dredged materials outside of the site. The area currently exists as intertidal mud flats and is close to wetland areas.

1.0.3 The site is not on or adjoining any Public Conservation Land, however, does sit within a Marine Mammal Sanctuary. The project does not involve land returned under a Treaty Settlement.

1.0.4 The applicant is seeking approvals under the Resource Management Act 1991 as well as an approval under the Wildlife Act 1953 for the capture and relocation of indigenous lizard species.

2.0 Ecological considerations

2.0.1 The applicant has not yet carried out the ecological investigations that will be required to support the substantive application.

2.0.2 Many At-Risk or Threatened Species are identified as potentially present within and in close proximity to the project site, however without further information it is not possible to determine the full extent of the marina's impacts on biodiversity and habitat in Waipiro Bay.

2.1 Marine

2.1.1 The proposed marina sits within Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary, this is a recognised marine management regime. The Sanctuary was established in 2021 under the Marine Mammal Protection Act 1978 (MMPA) to reduce known pressure from vessel and human interactions on marine mammals in the Bay of Islands, in particular Threatened - Nationally Vulnerable bottlenose dolphin. The bottlenose dolphin has experienced multiple periods of decline over the last 30 years and is subject to high rates of daily interactions with vessels. Bottlenose dolphins are an indicator species for other marine mammals. The development of marina

infrastructure is likely to encourage a greater presence of recreational vessels within the Bay of Islands as well as Waipiro Bay.

2.1.2 All vessels, including those undertaking construction activities in Waipiro Bay are required to comply with the Sanctuary rules, which state that no vessel or person is to be within 300m of any marine mammal in the water.

2.1.3 Cumulative effects over the lifetime of the marina will likely contribute to a degradation of the Sanctuary for marine mammals, including through loss of habitat, construction noise and increased presence of vessels in the Bay of Islands.

2.1.4 The applicant has identified underwater noise from pile-driving as a potential concern, particularly for marine mammals. Underwater noise has the potential to interfere with critical life functions of marine mammals - potentially causing temporary or permanent injury to their hearing.

2.1.5 No noise modelling has been undertaken yet, though the applicant has flagged that this will be done as part of a substantive application. Until such modelling is received, it is not possible to undertake a detailed assessment of the scale and significance of this risk, and the mitigation required.

2.2 Avian fauna

2.2.1 The marina site is within an area of regional significance for birds. The proposed site is within an area recognised as a Significant Bird Area and an area of Australasian bittern habitat in the Northland Regional Plan.

2.2.2 At least four Threatened bird species and twelve At-Risk bird species have been identified by the applicant as potentially present in the area impacted by the project. This includes Australasian bittern (Threatened – Nationally Critical), the same threat classification as Kākāpō, indicating that they are heading towards imminent extinction unless conservation management activities are successful. Any loss of habitat is likely to be significant to this species.

2.2.3 Approximately 11 ha of intertidal habitat used for foraging by shorebirds will be impacted by the marina development, as well as 2.5 ha of subtidal habitat. 1.7 ha of coastal margins including mangroves is also likely to be directly impacted, while a further 1.0 ha may be impacted by altered tidal currents. This loss of foraging, nesting and roosting habitat will directly impact the survival and reproduction of both terrestrial and marine bird species in the area.

2.2.4 The applicant has stated that the total number of birds impacted by the project is likely to be small, however as they have not yet completed the relevant ecological investigations required to support the application, there is no evidence to support this conclusion.

2.2.5 While appropriate management plans have the potential to mitigate some impacts, it is unlikely the full extent of lost foraging habitat can be recreated to support shorebirds and other fauna in the area.

2.3 Lizards/Herpetofauna

2.3.1 At-Risk species of lizard are known to inhabit the Bay of Islands close to the project site, specifically:

- Shore skink (At-Risk – Declining)
- Copper skink (At-Risk – Declining)
- Moko skink (At-Risk – Relict)
- Northland green gecko (At-Risk – Declining)
- Forest gecko (At-Risk – Declining)

2.3.2 Loss of vegetation may cause disturbance, harm and mortality to these species.

2.3.3 Field surveys will be required to confirm if they are present within the project area and a Lizard Management Plan will be required as part of a Wildlife Act authority if they are.

3.0 Consistency with National Direction under the RMA

3.0.1 The New Zealand Coastal Policy Statement 2010 (NZCPS) requires under Policy 11 that adverse effects on Threatened and At-Risk indigenous taxa must be avoided in the Coastal Environment. The protection of Threatened and At-Risk indigenous taxa extends to their habitats. It is unlikely that the application will be able to avoid all adverse effects on Threatened and At-Risk indigenous taxa due to the loss of foraging habitat and increased noise and lighting effects.

3.0.2 Policy 10 of the NZCPS states that reclamation of land in the coastal marine area must be avoided unless it meets criteria (a) to (d). It requires that there is no land outside the coastal marine area for the activity to occur, the activity can only occur in the coastal marine area, there are no practicable alternative methods of providing the activity, and the reclamation will provide significant or national benefits. Part of the proposal includes approximately 4 ha of coastal reclamation to provide motor vehicle parking facilities. It is unlikely that the entirety of the project will meet the test in Policy 10 to allow reclamation.

3.0.3 Several species, including the Australasian bittern, are also classified as ‘highly mobile fauna’ under the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB). Highly mobile fauna have special provisions under the NPSIB for their protection, acknowledging that the species require multiple fly ways and corridors. Policy 15 includes that areas outside of significant natural areas should be “managed to maintain their populations across their natural range”.

4.0 Consistency with the Northland Conservation Management Strategy 2014

4.0.1 The proposed activity is located within the Bay of Islands Place under the Northland Conservation Management Strategy 2014 (CMS). The outcome for this location includes the protection, enhancement and understanding of the cultural, historical and coastal sites, including its threatened species, marine mammals and natural habitats.

4.0.2 The CMS identifies indigenous species of Threatened and At-Risk flora and fauna that may be present within the proposed marina and surrounding areas. The project is likely to cause impacts and disturbances to a large number of marine and terrestrial species.

5.0.3 Based on information provided, the application is not inconsistent with the provisions of the CMS. However, if the application progresses it should address the protection and persistence of any Threatened or At-Risk species, including marine mammals, present within the proposed marina area.

5.0 Relevant permissions applied for

5.0.1 The applicant is seeking the below approvals:

- Wildlife Act authority for the capture and relocation of indigenous lizard species.
- Various consents under the Resource Management Act 1991.

5.0.2 DOC is an administering agency under the Fast-track Approvals Act 2024 for Wildlife Act approvals. DOC must also be invited to provide comments on any resource consents being sought (Sch 5 clause 13).

5.0.3 It is likely the activities of the project could also result in mortality of lizards; this is not addressed and would need to be included in a Wildlife Approval application.

5.0.4 Comprehensive ecological surveys would be required to support the substantive application if the project is referred. The results of these surveys may impact the required approach and therefore the approvals needed. Other approvals relating to wildlife may be required if protected species (such as bats) are identified.

5.0.5 DOC would expect that where further approvals are not sought, appropriate strategies would be in place to manage any effects.

5.0.6 It is recommended that where critically threatened species are involved, ecological surveys and the development of management plans is undertaken by suitably qualified specialist ecologists.

6.0 Other considerations

6.0.1 Section 22(1)(b)(i) of the Act specifies the criteria for accepting a referral application is that referring the project to the Fast-track approvals process would facilitate the project. The Minister should be satisfied that the whole project meets the requirements of section 22 when deciding to accept a referral application.

6.0.2 DOC notes that an approval relating to marine mammals (permit under the Marine Mammals Protection Act 1978 (MMPA) or authority under the Conservation Act 1987) may be required, and that such approvals are not facilitated through the Fast-track process.

6.0.3 Sufficient information about the proposed activity is not available at this time for DOC to determine whether such approvals would be required outside of Fast-track or the likely outcome of these.

6.0.4 Approvals sought outside of Fast-track would be subject to usual regulatory processes. In the case of the MMPA, this would require compliance with the permitting provisions of the Act, including a 28 day public consultation process via the Gazette. The Minister of Conservation has sole decision-making authority under the Act.

6.0.5 It is recommended that the applicant provide further information so DOC can determine whether any additional permits including under the MMPA may be necessary, or whether the impacts of the activity may be appropriately managed through conditions of the application.

7.0 Conclusion

7.0.1 It is possible the project will have significant adverse effects on the ecological values of the coastal marine area and indigenous biodiversity present, particularly given the probability of Threatened and At-Risk species in the area.

7.0.2 The proposed development of the marina will encourage recreational boating and associated tourism activities in the Bay of Islands which conflicts with the purpose of the marine management regime - Te Pūwhairangi (Bay of Islands) Marine Mammal Sanctuary.

7.0.3 The proposed project is likely to be inconsistent with clauses in policies 10 and 11 of the New Zealand Coastal Policy Statement 2010, as well as provisions in the National Policy Statement for Indigenous Biodiversity 2023.

7.0.4 If the proposal is accepted for referral, the application should address how it will ensure alignment with the Northland Conservation Management Strategy 2014.

7.0.5 If the proposal was accepted for referral DOC's view is that the application should include comprehensive baseline ecological surveys and analysis to identify all of the relevant species present, the scale of population and subsequently demonstrate how adverse effects can be minimised and/or offset. This includes modelling the underwater noise generated by construction activities, which would help to determine whether any additional approvals may be required outside of Fast-track and any conditions that might be applied.

7.0.6 Due to the potentially high impacts of the project on protected indigenous biodiversity, if the project was referred, DOC would anticipate further engagement with the applicant to minimise adverse effects.

Jenni Fitzgerald
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of Hon. Tama Potaka, Minister of Conservation
Date: 14/05/2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	FTAA Waipiro Marina
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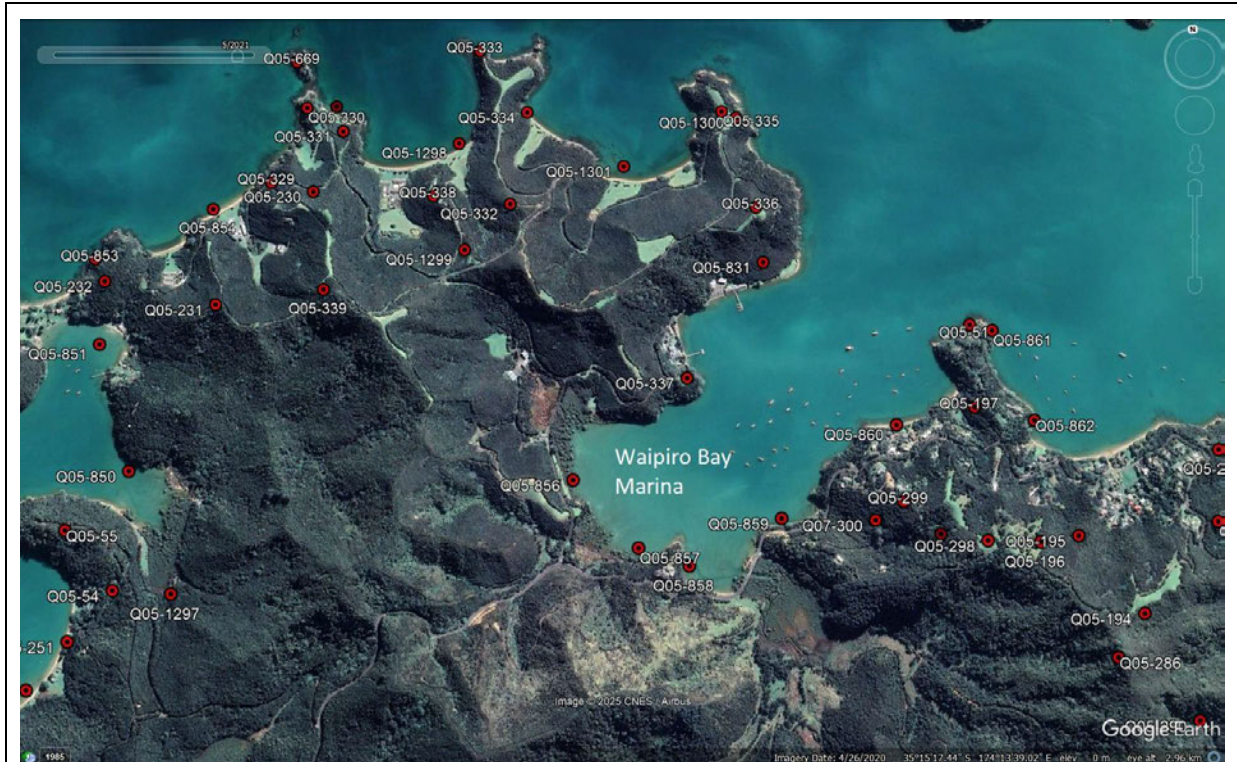
Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Heritage New Zealand Pouhere Taonga		
*First name	Angelica		
*Last name	Pablo		
Postal address	P. O. Box 836 Kerikeri 0245		
*Contact phone number	s 9(2)(a)	Alternative	s 9(2)(a)
*Email	s 9(2)(a) / fasttrack@heritage.org.nz		

2. Please provide your comments on this application
<p>Heritage New Zealand Pouhere Taonga (HNZPT) has assessed the referral application with input from specialist regional heritage staff.</p> <p>The advice to applicant in February 2025 both oral and written was to undertake an archaeological assessment of the area affected by the by the development proposal. There are recorded and most likely unrecorded archaeological sites near or within the development footprint of this fast-track proposal. Based on the information provided, we recommend that an archaeological assessment is undertaken on the site by a consultant Archaeologist.</p> <p>If the assessment leads to a recommendation for an archaeological authority, consultation with iwi and hapū will be required. HNZPT notes from reading the supplied documentation that the applicant has little or no response to their emails with iwi and hapū - however the benchmark for consultation remains higher for the archaeological authority process.</p>

Fast Track Approvals Act 2024



Google Earth map that shows the recorded archaeological sites in the area surrounding Waipiro Bay.

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Waipiro Marina
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Northland Regional Council		
*First name	Stuart		
*Last name	Savill		
Postal address	36 Water Street, Whangarei, 0110		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.</p> <p><i>I write under delegation from the Minister and in accordance with section 17(3) of the Act and without limiting any general comments under subsection (1)(a), Northland Regional Council must provide comments advising on the following matters:</i></p> <p><i>1. Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please also confirm this in writing.</i></p> <p>No such applications exist</p> <p><i>2. In relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please also confirm this in writing.</i></p>

No such applications exists

Under section 20(1) I also invite you to provide further information on the following matters:

3. *Whether the project will deliver significant regional benefits and the project's alignment with relevant regional plans and strategies in that context*

Whether the project deliver significant regional benefits:

- Should the marina development proceed, then in terms of the construction activity, a \$50 million infrastructure build could be considered regionally significant. It is likely that a good portion of this expenditure will be captured by Northland based companies.
- In terms of the ongoing economic benefits associated with the Waipiro Marina, the **overall** economic impact (i.e. \$10.1-\$12.7 million value-added GDP p.a. and 47-58 FTE jobs) could also be considered significant. However, the analysis does not comment on what proportion of this is likely to occur in Northland. This is an important consideration given the location of the Waipiro Marina toward the outer edge of the Bay of Islands, and that the level of marine services and marine tourism and recreation sector provided at the Waipiro Marina are markedly less than those provided at Opua. It is likely that a good proportion of the estimated total value-added contribution of \$50,650 per marina berth (figure 24 of Economic Assessment) will occur outside the Waipiro Marina. Where this occurs – Opua, Whangarei, Auckland or further afield – is important for assessing the regional benefit of the ongoing impact.
- Overall, it is considered that the analysis contained in the economic assessment report provides a reasonable assessment of the **potential** overall economic impacts associated with the marina development.
- It is considered “**potential**” because the Economic Assessment report contains no information on the financial viability of the project, i.e., what if the market uptake takes longer than the 3-4 years suggested in the report (p.16 of Economic Assessment)? It is noted that the Whangārei Marina Okara development has stalled due to sales of marina berths being below the level expected. It is also noted that the population growth assumption of 3% per annum between 2023 and 2033, based on 2013-2023, is considerably higher than forecast by Infometrics (<https://population.infometrics.co.nz/northland-region>). During the period 2013-2023 Northland experienced a historically high level of population growth.

Project's alignment with relevant regional plans and strategies:

There are three Northland Regional Council plan and strategies that the application refers to:

A. Proposed Regional Plan for Northland

Definition of infrastructure and regionally significant infrastructure

The moorings and associated facilities in the proposed activity do not appear to fall under any of the categories of the ‘infrastructure’ interpretation under the Resource Management Act.

The interpretation of regionally significant infrastructure is detailed in H.9 Regionally Significant Infrastructure of the plan. The definition includes infrastructure related to:

- Energy, water, and communication (e.g., pipelines, electricity grids, water treatment plants).
- Transport (e.g., state highways, airports, ports, railway lines).
- Significant social and community facilities (e.g., hospitals, stadiums, correctional facilities).

The moorings and associated facilities do not appear to fall under any of these categories. They are more related to recreational or local maritime activities rather than regionally significant infrastructure as defined.

Policy alignment

The applicant identifies Policy D.5.16 Marinas – about the recognition of benefits marina development. It is also important to note other policies in the Regional Plan and policies in other policy documents.

1. Ngati Kuta, Ngatiwai and Ngati Hine Iwi/Hapu Environment Management Plans (IHEMPS) are relevant to the application. They emphasise the Treaty principles of Tino rangatiratanga and Kaitiakitanga that tangata whenua must be enabled to exercise.

D.1.1 When an analysis of effects on tāngata whenua and their taonga is required

D.1.4 Managing effects on places of significance to tāngata whenua

D.1.5 Places of significance to tāngata whenua

The applicant has engaged with tangata whenua entities including MACA Act Claimants. However, we note the applicant does not list consultation with Ngati Hine who are also a relevant iwi in this area.

2. The following policy is relevant when considering the efficiency and appropriateness of the application, which directs authorities exercising this plan to give regard to social and cultural benefits, along with economic benefits of the proposed activities. This would require thorough engagement with tangata whenua:

D.2.2 Social, cultural and economic benefits of activities

3. The Plan, the Northland Regional Pest plan highlights the importance of biosecurity in the area. Anchorage in the Waipiro Bay is not permitted in the area due to Caulerpa risk. The applicant covers giving effect to Biosecurity Act and the Caulerpa Controlled Area Notice 2024 (the CAN) under the 'Management of invasive marine species including Caulerpa' in the application section 2.6.2.11.

The relevant policy in the Plan that requires recognition and management of the irreversible nature of introducing pests from the proposed activity is as follows:

D.2.13 Marine and freshwater pest management

1) recognising that the introduction or spreading of pests within the coastal marine area and freshwater bodies could have significant and irreversible adverse effects on Northland's environment, and 2) recognising that the main risk of introducing and spreading pests is from the movement of vessels, structures, equipment, materials, and aquaculture livestock, and 3) decision-makers applying the precautionary principle when there is scientific uncertainty as to the extent of effects from the introduction or spread of pests, and 4) imposing conditions on

resource consents requiring that best practice measures are implemented so that risk of introducing or spreading pests is effectively managed as a result of the consented activity.

4. Maintenance and restoration and of Indigenous biodiversity and natural character are of regional significance as highlighted by the following policies:

D.2.17 Managing adverse effects on Natural Character, Outstanding Natural Landscapes and Outstanding Natural Features

D.2.18 Managing adverse effects on indigenous biodiversity

D.2.19 Managing adverse effects on land-based values and infrastructure

D.2.20 Precautionary approach to managing effects on significant indigenous biodiversity and the coastal environment

D.5.11 Moorings outside Mooring Zones

D.5.24 Dredging, disturbance and deposition activities

D.5.29 Mangrove removal – adverse effects

Regional Rules

Relevant rules in the regional Plan not identified by the applicant are detailed below.

The Waipiro Bay lies in the following regional plan mapped areas and affect the consenting process. The ecological value of the area is underpinned with multiple overlapping biodiversity maps. There are policies in the plan that direct preservation and protection of these areas.

- Significant bird area critical bird habitat – **Australasian bittern (threatened-nationally critical)**. There are only ~2000 individuals left in the world, half of which are in New Zealand. It is of utmost priority to preserve any habitat these rare birds may inhabit, one of which is the Waipiro Bay.
- Significant bird area – all.
- Significant Marine Mammal and Seabird Area
- Part of the Parekura Bay close to Waipiro - Significant Ecological Areas

Waipiro Bay also lies in the following mapped marine pathways. These pathways are to prevent spread of marine pests. This may be of concern in case vessels are used to build the new mooring and marinas in the proposed activity. See C.1.7.5 Marine pests and biofouling – non-complying activity in the Regional Plan.

- Regional Plan Marine Pathways
- Marine Pathways place limits

C.1.2.3 Placement of swing moorings in a Mooring Zone – permitted activity

C.1.2.8 Removal or demolition of a mooring – Permitted Activity

C.1.2.9 New mooring in a Mooring Zone with limited shore-based facilities – restricted discretionary activity (Waipiro Bay has limited shore based

C.1.2.12 Placement or relocation of a mooring and the occupation of space – discretionary activity

C.1.6.5 Reclamation – discretionary activity

C.1.7.5 Marine pests and biofouling – non-complying activity

C.1.8 Coastal works general conditions

B. Regional Policy Statement for Northland (RPS)

Policy alignment

Please note, the proposed activity does not fall under the definition of infrastructure under the Resource Management Act and therefore Northland regional plans and policies. It also does not fall under the definition of regionally significant infrastructure in the Regional Plan.

- a. However, the applicant has identified 'Support for infrastructure development in Northland' set out in the Northland Regional Policy Statement through the Objective 3.8 'Efficient and effective infrastructure'. This directs parties to meet reasonably foreseeable needs of the community, by enabling infrastructure strategically to support economic development and community wellbeing. Community wellbeing and needs are rooted in environmental and economic wellbeing.
- b. The applicant also identified Policy 5.2.3 'Infrastructure, growth and economic development'. The policy promotes provision of infrastructure as a means to shape stimulate and direct opportunities for growth and economic development – with increasing marina berths in BOI islands will as the moorings strategy shows. However, the policy also suggests that such provision must be informed by understanding of where the opportunities of growth lie. The Waipiro Bay berthage numbers maybe excessive considering the Waitangi and Paihia moorings may be under-utilised.

It is important to note that, under the RPS, Waipiro Bay is part of the larger Parekura Bay which is mapped as Natural Character: (Parekura Bay - Contributing Values Water quality relatively high compared to natural state. Recovering seagrass vegetation. Minimal human-mediated hydrological or geomorphological changes. Few obvious human structures.) Right next to the Waipiro bay landscape, the Parekura headland & Orokawa Peninsula landscape is mapped as Outstanding Natural Landscapes.

Along with economic and infrastructure support policies, the RPS also emphasises the need to protect and restore natural environment. For example, Objective 3.4 Indigenous ecosystems and biodiversity. Objective 3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage objective 3.15 Active management. and Policy 4.6.1. managing effects on natural character...

The regional policy statement gives effect to the New Zealand Coastal Policy Statement (NZCPS) and aligns with all its policies. However, Policy 15 of the NZCPS Natural features and natural landscapes requires mapping of the seascapes and landscapes of natural character that must be protected. The regional policy statement does not have such sea scapes mapped yet. The application nonetheless, must have regard to landscapes of natural character.

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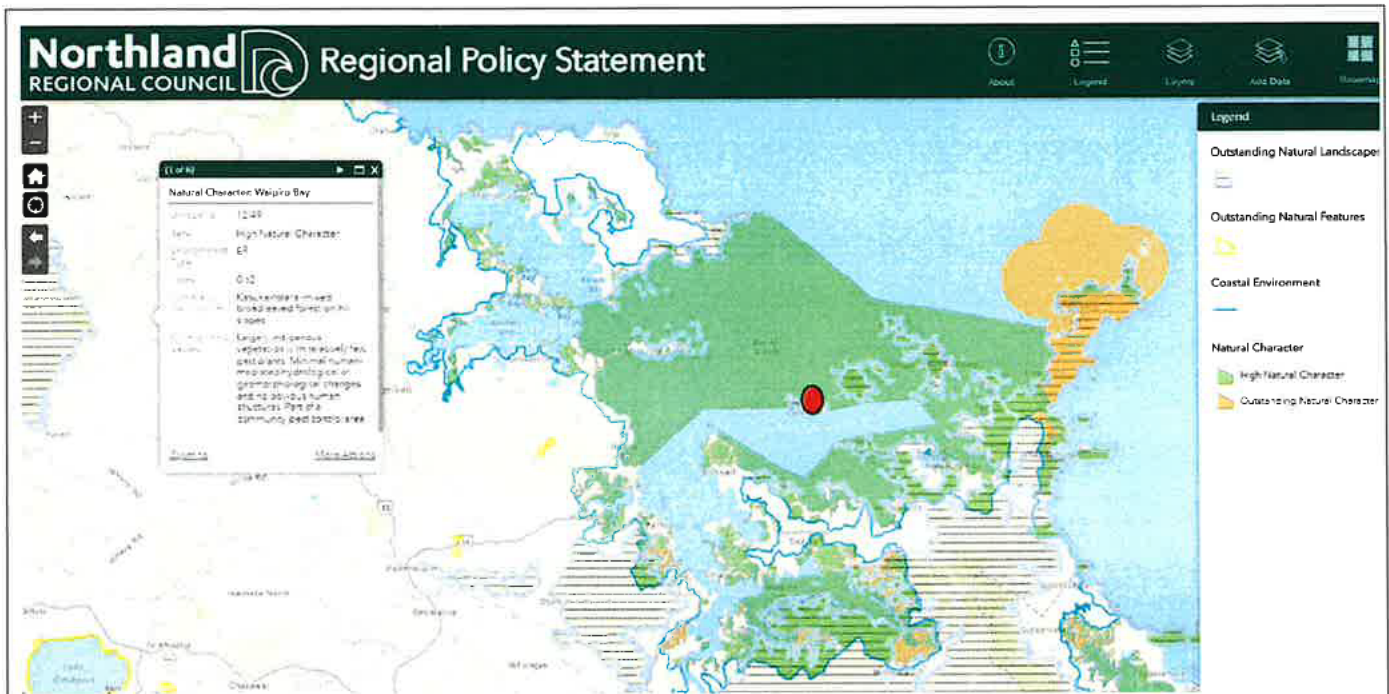


Figure 1: RPS Natural and outstanding natural character map in Bay of island Area.

C. Moorings and Marinas Strategy for Northland July 2014 (Marinas Strategy 2014)

The above strategy is a non-statutory document intended to investigate and plan for boat storage demand and to be implemented through the regional plan.

The applicant explains the need for berthage in eastern BOI predicted in the Marinas Strategy 2014 (See analyses table below). The strategy below indicates that Paihia and Waitangi weren't at capacity in 2014, which are closer to Opua and Kerikeri where more berthage is necessary. The applicant also highlighted that the reason that 150 international yachts coming into Opua each year do not stay at Opua are due to shortage of moorings. However, there are other reasons such as time it takes for different boats under maintenance, sailors preferring cities after a long time at sea, that maybe influencing the overflow of international boats to other regions.

Table 1: 2014-2034 projected plan for additional moorings in the Marina Strategy 2014

Opua (Regional plan – high demand marinas and mooring area)	90
Paihia Waitangi	Identified not at capacity
Russell (Regional plan – high demand marinas and mooring area)	50
Kerikeri (Regional plan – high demand marinas and mooring area)	230
Eastern BOI (122 moorings existing 80% owned by non-local)	20

Waipiro Bay	To be investigated to inform coastal plan review in late 2030s	
Marina Strategy 2014 plan for moornings Total in BOI	390	
Applicant's proposal in Waipiro Bay	250	
<p>The applicant notes that the proposal is located in an area identified for potential marina development. However, the Strategy only identifies the need to investigate this area for a future review of the Coastal Plan in the late 2030s and at a significantly lower intensity than the current proposal.</p>		

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff



Stuart Savill

Consents Manager Date: 14 May 2025

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Waipiro Marina Project
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Far North District Council		
*First name	Roger		
*Last name	Ackers		
Postal address	Far North District Council Private Bag 752 Kaikohe, 0440		
*Contact phone number	s 9(2)(a)	Alternative	s 9(2)(a)
*Email	s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

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Far North District Council comments on the Waipiro Marina Project

1. Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please confirm this in writing.

There are no applications that have been lodged with Council that would be competing or any substantive applications in the area.

There are also no formal applications from Far North Holdings Limited for competing or like developments that are currently being considered by Council, however, we are aware of three other marina developments/extensions under consideration within the District.

2. In relation to projects seeking approval or resource consent under section 42(4)(a) of the Act, whether there are any resource consents issued where sections 124C(1)(c) or 165Z of the Resource Management Act (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consent exist, please also confirm this in writing.

There are no planning applications with Council which apply to the above.

3. Whether the project will deliver significant regional benefits and the project aligns with relevant District Plans and strategies in that context.

Council cannot determine at this point in time whether this proposal will deliver significant regional or national benefits as Council has no specific strategies, plans or studies that would inform such a decision.

Council has found it challenging to understand, given the provided information, how the proposal complies with our operative and proposed district plans. Consent would potentially be required for earthworks, vegetation clearance and roading. It appears that the proposal is relying on a private accessway however this is not clear in the provided documentation.

4. Whether there are any relevant management or other arrangements in place over the Crown land strip Lot 24 DP 391213 shown as 'reserve' on Council GIS maps and, if so, how that may affect the applicant's ability to undertake the project as proposed.

Council is unsure as to who has responsibility for this Crown land strip identified. There are no relevant Council management arrangements or any other agreements over the identified land strip Lot 24 DP 391213.

Managers signoff

Roger Ackers



Date 13 May 2025

22 May 2025

Kia ora,

This response is regarding the Waipiro Marina project under the Fast-track Approvals Act 2024 received by the Minister for Infrastructure (the Minister) from Azuma Property Limited and Hopper Developments Limited.

The proposed 250 berth marina development at Waipiro Bay is within a current Controlled Area Notice (CAN) for exotic caulerpa issued by Biosecurity New Zealand (BNZ). The current CAN is in place to slow the spread of an unwanted organism on gear and anchors to new locations and will be reviewed in September 2025. As part of the CAN vessels are not allowed to undertake any bottom contact activities inside the CAN area, this includes but is not limited to, anchoring, fishing or food gathering, dredging, the removal of any organisms or material.

Permits issued from BNZ are required. These permits stipulate specific biosecurity measures needed to anchor or undertake other activities within the CAN. Under section 134(1)(b) of the Biosecurity Act, an Inspector or Authorised Person may permit a person to carry out an activity that would otherwise be prohibited by the CAN. CAN permits would need to be applied for the construction, occupation of the marina, activities of operation and associated vessels may need permits depending on activities. The permit application needs to demonstrate proposed biosecurity protocols to reduce the risk of spread of exotic caulerpa. Permit applications are reviewed on a case-by-case basis and there is no expectation that BNZ would issue permits unless they are fully satisfied the activity poses no risk of spread of caulerpa. A permit application would need to consider the risks to construction and occupation and associated activities of operation.

Any materials (dredge spoils, old wharf piles etc) being removed from the CAN area could potentially be infested with an unwanted organism and would be treated proactively as being high risk. To handle or transport an unwanted organism and undertake activities within the CAN, you'll also need to apply for an additional permission from the Ministry for Primary Industries (MPI). The Chief Technical Officer may grant permission with certain conditions under Section 52 or 53 of the Biosecurity Act 1993. Most permissions need to have a biosecurity benefit or outcome to be considered for approval. There are exceptions to this, which can be discussed before applying.



Ngā mihi,

John Walsh
Director, Pest Mangement

Ministry for Primary Industries
Manatū Ahu Matua



Biosecurity New Zealand

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