

Hon. Chris Bishop
Infrastructure Minister
Fast-Track Approval
c/- ftareferrals@mfe.govt.nz

13 May 2025

Ngati Kuta Claimants WAI 1307 and WAI 2768 (MACA)
Via email: s 9(2)(a)

Tena koe e te Minita,

Re: Fast-Track Approval for Waipiro Marina

We represent the claimants WAI 1307 and WAI 2768 for the hapu of Ngati Kuta hapu and am authorised to provide this submission.

We support the submission of Ngati Kuta and Patukeha hapu, as it incorporates [my/our] views.

We are united in the position of opposition, that the proposed Waipiro Bay Marina Infrastructure project does not meet the criteria for Fast-Track Approval because:-

1. The application has not satisfied the Fast-Track Approval Act 2024, Section 7 relating to Treaty settlements and recognised customary rights. The application is void of any evidence that Treaty settlements and recognised customary rights have been adequately considered.
2. Does not meet the Section 22 Referral Criteria of the Act because is not a development of significant regional or national benefit. It has presented misleading economic and research data, creating a perception that it is a development of significant regional benefit.
3. Does not meet the Section 22 (2) (v) requirement to support the Primary Industries,including aquaculture.
4. It is yet to appropriately satisfy Sections 8, 12 and 17 of the *Resource Management Act 1991*.
- 5. Is ineligible pursuant to Section 18 of the Act as there is an existing treaty settlement for Ngati Kuta Patukeha hapu and existing settlement legislation that has not been considered in the existing Hauai 1993**

treaty settlement and the associated *Reserves and Other Lands Disposal Act 1995*.

We seek that you decline the application for Fast-Track Approval to enable the proposal to proceed through the standard resource consenting process. This will allow our views to be adequately Considered.

Should the Minister decide to progress the proposal to Stage 2 of the FTA process, we request to be able to participate in that stage 2 also.

Ngā mihi,

Huia Azimi - Claimant WAI 1307

for Matutaera Clendon, Robert Willoughby, Russell Hook (Claimants WAI 1307/MACA WAI 2768)

s 9(2)(a)

s 9(2)(a)

Position Statement on the Proposed Waipiro Bay Marina (FTA229)

Summary

1. This submission is written on behalf of the claimants WAI 1307 and WAI 2768 for Ngāti Kuta ki te Rawhiti who seek to uphold the mana of the tupuna of Ngāti Kuta me Patukeha hapū.
2. We submit that Ngāti Kuta and Patukeha are two distinct hapū and that whilst they hold their own hapū rangatiratanga, they hold non-severable close ties of kinship, whakapapa, whenua, moana and aspirations. We stand in opposition to the Fast Track as mana whenua of Waipiro Bay, Te Rawhiti, Ipipiri.
3. Ngāti Kuta and Patukeha hapū oppose the inclusion of the Waipiro Bay marina proposal (FTA229) in the Fast Track Approvals process on the grounds that the project is ineligible under Clause 18 of the Fast Track Approvals Act 2024. The project falls within a shared rohe moana and whenua over which Ngāti Kuta and Patukeha hold shared customary marine title, ancestral authority and recognised statutory rights. These rights are protected under Te Tiriti o Waitangi, affirmed through the WAI 1040 Te Paparahi o Te Raki inquiry and reinforced by existing statutory instruments including the *Fisheries (Notification of Tangata Kaitiaki/Tiaki) Notice 2016* and the Hauai Settlement provisions of the *Reserves and Other Lands Disposal Act 1995*.
4. Under Clause 18, Ministers must consider whether existing or future Treaty settlements are impacted. The proposed marina directly intersects with active WAI claims (WAI 1140, 1307, 1958, and 2768) and customary marine title applications by Ngāti Kuta and Patukeha. These claims include clear assertions of non-cession of sovereignty, shared customary ownership, and overlapping interests which require careful negotiation and cannot be overridden by a streamlined legislative mechanism. The land and marine area in question is within the ancestral boundaries affirmed by our tupuna and upheld in the Waitangi Tribunal.

5. The proposal further **conflicts with the Hauai Settlement**, which includes specific redress over foreshore lands and esplanade strips adjacent to Oke Bay and related coastal blocks. The intent of the Hauai Settlement was to return wahi tapu and Māori land and associated foreshore for the common benefit of the people of Aotearoa under Māori authority. The failure of the applicant to recognise this existing settlement framework renders the project **ineligible under the Act**.
6. In addition to these legal and Treaty-based grounds, the project **fails to demonstrate clear public benefit** required by the Fast Track Approvals Act. It offers **primarily private commercial gain**, while externalising **significant public, cultural, and ecological costs**. These include the **biosecurity threat of invasive, exotic Caulerpa**, disruption to the Te Pēwhairangi Marine Mammal Sanctuary, and the desecration of mahinga moana kai and wāhi tapu that are fundamental to the mana, identity, and obligations of Ngāti Kuta and Patukeha as mana i te whenua, mana i te moana, and hunga tiaki.
7. To proceed without resolving these matters would be a breach of both statutory and Treaty obligations. We therefore submit that the Waipiro Bay marina proposal is **ineligible** and **must be removed from the Fast Track Approval process immediately**.
8. We expand further on our grounds for ineligibility in sections below.

Grounds for Opposition 1: Ineligibility – Customary Marine Title and Treaty Interests

9. We consider that the Waipiro Bay marina proposal is **ineligible for consideration under the Fast-track Approvals Act 2024**, pursuant to **Clause 18**, as it fails to account for the **shared customary marine title and customary native title** held jointly by **Ngāti Kuta and Patukeha**.
10. Our hapū have maintained continuous occupation and exercise of kaitiakitanga over the area in question, with **customary rights affirmed at the time of He Whakaputanga and Te Tiriti o Waitangi**. We are two hapū with **indivisible shared interests** in this rohe moana and rohe whenua, and we reject any attempt to separate or diminish those rights for the purposes of project development or Treaty negotiation. The area forms part of our ancestral takiwā and has been held collectively through **whakapapa, raupatu, and intergenerational ahi kā**. As mana i te whenua, ahi ka roa, we know this area intimately and are active in our tiaki of it (Figure 1 -map).



11. We further submit that this proposal is **in conflict with the future Treaty settlement process** being pursued by Ngāti Kuta and Patukeha through the **Te Paparahi o Te Raki Inquiry**, and our active WAI claims (WAI 1140, 1307, 1958, and 2768). These claims assert **Māori customary land and marine title** within the project area and are grounded in evidence presented to the Waitangi Tribunal and historical narratives passed down through our tupuna.

12. Importantly, the findings of the **Stage 1 WAI 1040 report** concluded that **Ngāpuhi never ceded sovereignty**. Ngāti Kuta and Patukeha have never agreed that kāwanatanga may override our tino rangatiratanga or apply legislation to our marine territories without consent. Any development advanced under the Fast-track Approvals Act in this context would be inconsistent with the principles of Te Tiriti and incompatible with the mandate process Ngāti Kuta and Patukeha are currently engaged in.
13. The **area of interest** for Ngāti Kuta me Patukeha is historically recognised as **raupatu land**, held jointly following the taking of land from Ngare Raumati in the aftermath of the deaths of Te Aupau and Whakahoe around 1826. This was land gained through bloodlines and combat, reaffirmed through whakapapa ties and enduring kinship. Our customary marine title over Waipiro Bay is inseparable from that history.
14. This is supported by the testimony of Moka Puru, Rangatira of Patukeha and claimant in WAI 1140, who provided detailed evidence of our boundaries and authority. He described the region stretching:
- “Kei Taupiri ki te tonga, Anga ki Motu Kōkako ki te marangai, Anga atu ki Tikitiki ki te hauraro, Hoki atu ki Tapeka kei te hauauru...”
(*From Taupiri in the south, to Motukōkako in the east, Tikitiki to the north, and Tapeka to the west.*)
15. These boundaries were not simply geographical but **sacred knowledge gifted by our ancestors** to be held in trust by future generations. Moka Puru also identified **Rewiri Tarapata**, a tupuna of Ngāti Kuta, as the one to whom Waipiro Bay and the surrounding lands were entrusted. These lands remain under the guardianship of Tarapata whānui and the broader hapū collective of Te Rawhiti.
16. The evidence confirms that **Waipiro Bay sits within our shared rohe moana**, as defined both in whakapapa and in claim documentation. These customary rights and Treaty interests make the project **ineligible under Clause 18**, and any attempt to progress it through Fast-track without recognition of these matters would constitute a breach of the Crown’s legal and constitutional obligations.

Grounds for Opposition 2: Ineligibility – Existing Settlement - 1993 Hauai Settlement

17. We submit that the Fast Track application of Waipiro Bay is ineligible pursuant to Clause 18 of the *Fast Track Approvals Act* as this project has failed to consider the obligations arising under our existing Treaty of Waitangi Settlements and customary rights recognised under the *Marine and Coastal Area (Takutai Moana) Act 2011*.
18. The Hauai Settlement as filed by George Hakaraia and Matutaera Clendon on behalf of themselves and the other Trustees of the Hauai Trust was filed in respect of land known as Hauai 2DIC, 2D2 and 2D3 and the beneficiaries of the Hauai Trust and/or the beneficial owners of the Hauai Trust Lands.
19. That settlement involves redress pursuant to WAI 200 as filed in 1991 for grievances that were occasioned in the 1970s.
20. However, in furtherance of the grievances faced at Hauai, in 2005, Ngāti Kuta hapū filed a Statement of Claim under the Te Paparahi o te Raki Inquiry for historical grievances occasioned by kawangatanga against the hapū of Ngāti Kuta.
21. At that time, the Crown did not raise objections to Hauai being included in the Te Paparahi o Te Raki Inquiry and as such, Ngati Kuta hapu assert that they are eligible for further redress pursuant to any future treaty settlement.

Statutory Obligations

22. Ngāti Kuta and Patukeha's mana motuhaketanga in Te Pēwhairangi is supported by statutory obligation as well as not only by ancestral and constitutional authority - notably:
 - The settlement legislation relevant to the Hauai Settlement is *Reserves and Other Lands Disposal Act 1995* No 54 (as at 01 August 2020), Public Act – New Zealand Legislation ¹;
 - Gazetted customary authority under the Fisheries Notice 2016 (Notification of Tāngata Kaitiaki/Tiaki for Area/Rohe Moana of Ngāti Kuta-Patukeha

¹ This section relates to all the piece of land comprising 25.1180 hectares, more or less, being Hauai 2D8 Block, situated in Block XV, Bay of Islands Survey District, and being all the land comprised and described in *Gazette* Notice B. 138640.1 (North Auckland Registry) (*New Zealand Gazette*, 1982, page 3627) (M.L. Plan 15060).

The Hauai Settlement 1993

1 Short Title

This Act may be cited as the Reserves and Other Lands Disposal Act 1995.

Hauai land claim

2 Oke Bay Scenic Reserve

- (1) The reservation of the land described in subsection (5) as a reserve under the [Reserves Act 1977](#) is hereby revoked.
- (2) The land described in subsection (5) is hereby vested in the trustees of the Hauai Trust for an estate in fee simple and, subject to subsection (4) and to [section 3](#), shall be held by those trustees on the same trusts as those on which that land was held immediately before the Crown acquired that land from the trustees of the Hauai Trust.
- (3) The land described in subsection (5) shall be deemed to be Maori freehold land within the meaning of the [Maori Land Act 1993](#).
- (4) Nothing in [section 24](#) of the Conservation Act 1987 shall apply to the vesting, by subsection (2) of this section, in the trustees of the Hauai Trust of the land described in subsection (5) of this section, but, subject to [section 3](#) of this Act, a strip of land 20 metres wide extending along the foreshore of the land described in subsection (5) of this section shall be held by the trustees of the Hauai Trust as a Maori reservation within the meaning of the [Maori Land Act 1993](#) for the common use and benefit of the people of New Zealand.
- (5) This section relates to all the piece of land comprising 25.1180 hectares, more or less, being Hauai 2D8 Block, situated in Block XV, Bay of Islands Survey District, and being all the land comprised and described in *Gazette* Notice B. 138640.1 (North Auckland Registry) (*New Zealand Gazette*, 1982, page 3627) (M.L. Plan 15060).
- (6) For the purpose of this section, **foreshore** means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at mean high-water mark.

3 Wahi tapu site

- (1) Notwithstanding [section 2](#), the piece of land described in subsection (3), which is a wahi tapu site and which would otherwise be held by the trustees of the Hauai Trust pursuant to that section shall be held by the trustees of the Hauai Trust as a reservation for the protection of wahi tapu.
- (2) Notwithstanding [section 2](#), a piece of land 3 metres wide, adjacent to but around the landward side of the wahi tapu site to which this section relates, shall be held by the trustees of the Hauai Trust as a walkway for the general public.
- (3) The wahi tapu site to which this section relates is all that piece of land containing 6800 square metres, more or less, being part Hauai 2D8 Block, situated in Block XV, Bay of Islands Survey District; as shown marked "A" on SO Plan 66958.

5 Revocations

- (1) The Proclamation by which the land described in [section 2\(5\)](#) of this Act was declared to be Crown land subject to the [Land Act 1948](#), which Proclamation was published in the *Gazette* of 7 December 1978 at page 3344, is hereby revoked.
- (2) The following notices, namely,—
 - (a) the notice by which the land described in [section 2\(5\)](#) of this Act was set apart, pursuant to the [Land Act 1948](#), as a reserve for recreation purposes, which notice was published in the *Gazette* of 11 April 1979 at page 1095; and
 - (b) the notice by which the Bay of Islands Maritime and Historic Park Board was, under the [Reserves Act 1977](#), appointed to control and manage, as a reserve for recreation purposes, the land described in [section 2\(5\)](#) of this Act, which notice was published in the *Gazette* of 18 October 1979 at page 3021; and
 - (c) the notice by which the land described in [section 2\(5\)](#) of this Act was, under the [Reserves Act 1977](#), declared to be classified as a reserve for scenic purposes and to be thereafter known as the Oke Bay Scenic Reserve, which notice was published in the *Gazette* of 4 November 1982 at page 3627,—are hereby revoked.

L Following subsequent negotiations the parties have now agreed to settle the claim. As part of that settlement the Crown has introduced legislation vesting Hauai 2D8 Block in the Hauai Trustees and vesting Felix Farm in the Crown. This legislation also:

- i removes the reserve status of the Hauai 2D8 Block;
- ii provides that section 24 of the Conservation Act (which requires the reservation of a marginal strip when land is disposed of by the Crown) shall not apply to the vesting of Hauai 2D8 Block in the Hauai Trustees but that subject to sub-paragraph (iii) of this paragraph, an area equivalent to that otherwise covered by a marginal strip shall be held by the Hauai Trustees as a Maori reservation for the common use and benefit of all New Zealanders;
- iii excludes a wahi tapu area from the Maori reservation for the common use and benefit of all New Zealanders referred to in sub-paragraph (ii) of this paragraph and provides that the wahi tapu area is to be held by the Hauai Trustees as a reservation for the protection of wahi tapu;
- iv preserves public access along the coastline of Hauai 2D8 Block by providing that a strip of land three metres wide, adjacent to, but around the landward side of the wahi tapu site referred to in sub-paragraph (ii) of this paragraph is to be held by the Hauai Trustees as a walkway for the general public.

23. Pursuant to clause 2 of the *Reserves and Other Lands Disposals Act 1995*, the reservation known as Oke Bay Scenic Reserve was vested in the trustees of the Hauai Trust and the previous reserve status under the *Reserves Act 1977* was revoked by Clause 5.

24. The purpose of the *Fast Track Approvals Act 2024* pursuant to Clause 10 therein, outlines which approvals are eligible for the fast-track process. It applies to projects requiring multiple approvals under various Acts like the *Resource Management Act 1977*, *Wildlife Act*, and others. Specifically, it allows for a single application to cover multiple approvals instead of separate applications under each relevant Act. The project owner applies to joint Ministers, who can then refer the project to an expert panel.

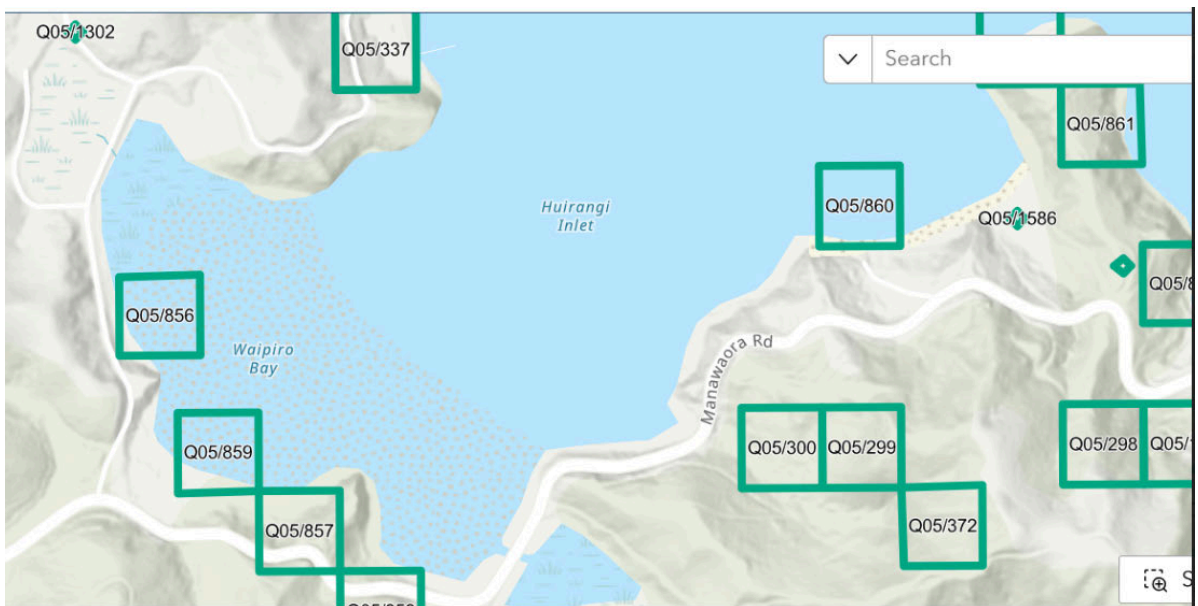
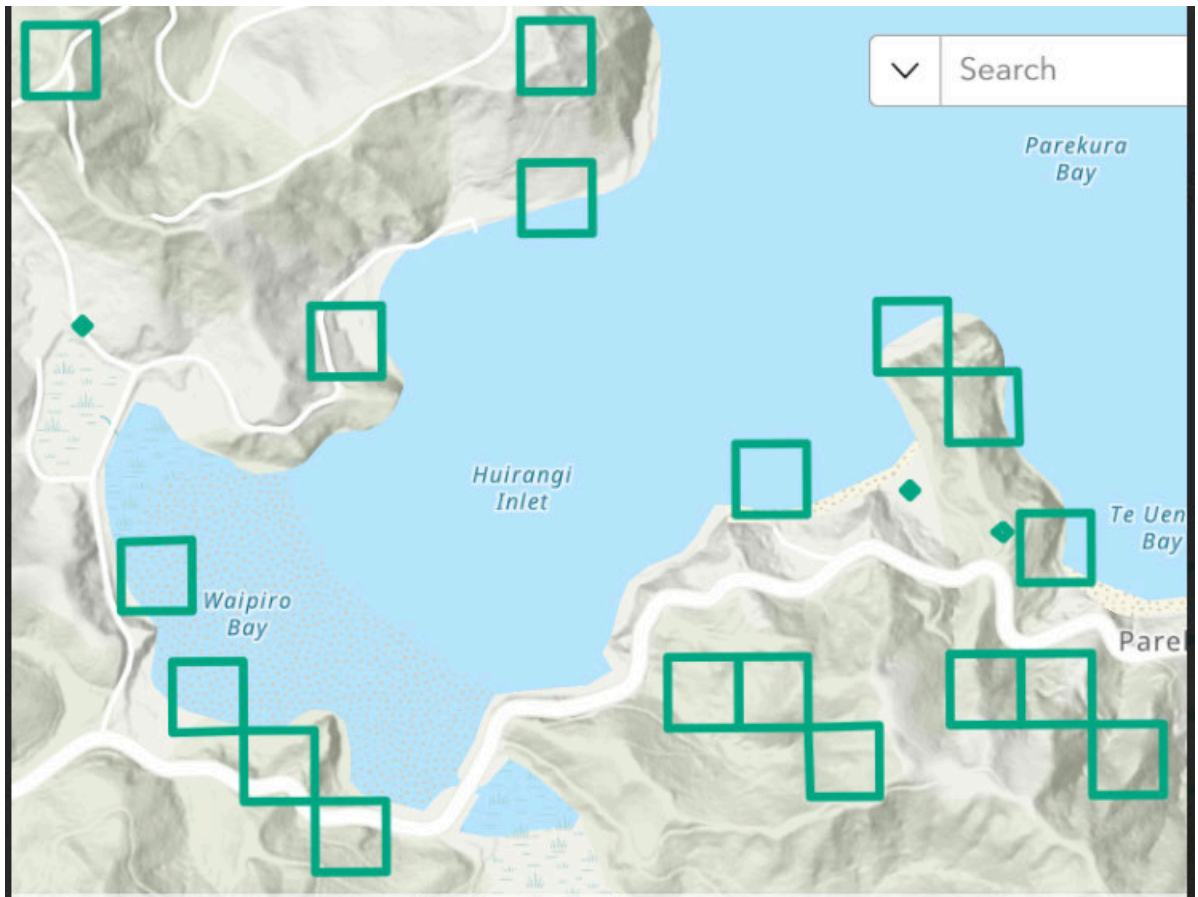
25. We submit that the *Reserves Act 1977* has been revoked and replaced by the *Reserves and Other Lands Disposals Act 1995* pursuant to the existing settlement obligation which renders the project ineligible pursuant to clause 18.

26. The likely return of esplanade, wahi tapu and/or sections at Waipiro Bay under claim pursuant to the future treaty settlement as per WAI 1307 and WAI 1140, will likely resemble the manner in which Hauai has been returned, that is, as -esplanade returned as Māori reservations adjacent to the

foreshore to service the common use and benefit of the people of New Zealand.

27. The recorded archeological sites surrounding the proposed site of Waipiro Bay Marina are as follows. There are identifiable wahi tapu sites surrounding this development also as identified in diagrams marked B.



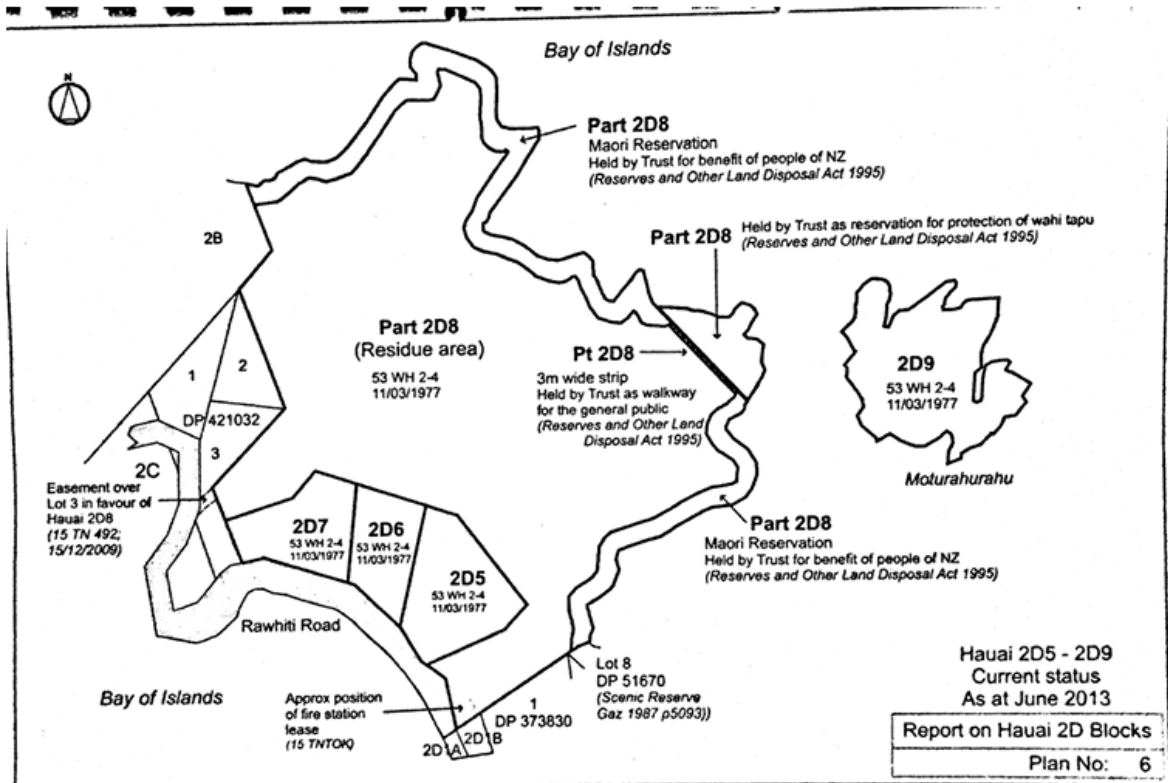


29. This marina therefore seeks to privatise and restrict the public use of the marginal strips within Te Rawhiti disregarding provisions of the Conservation Act, 1987 section 4A with respect to marginal Strips. In doing so, they remove the utility and enjoyable access of the beachfront from the use of all New Zealanders.

30. Section 3 of the Act, in the Hauai settlement found accordingly that:-

“a strip of land 20 metres wide extending along the foreshore of the land described ... was to be held by the trustees of the Hauai Trust as a Māori reservation within the meaning of the Māori Land Act 1993 for the common use and benefit of the people of New Zealand.”

31. The strip of land described at Hauai for that settlement is depicted below:-



32. The 20 metre strip referred to in said legislation therefore clearly refers to the publicly owned land along all waterways and coasts in Te Rawhiti (referred to colloquially as the ‘Queen's Chain’) including Waipiro Bay.

33. The marina is ineligible pursuant to clause 18 (c) as they therefore have failed to consider:-

“the relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991”

34. However, of more importance, the project fails to acknowledge the customary nature of such an esplanade as adjacent to wāhi tapu, and the significance it holds for Ngāti Kuta me Patukeha.

35. We reference the recent heritage listing of Te Araaka trail as adjacent to the Hauai blocks impacted by the Hauai Settlement 1993, which demonstrates the cultural significance of Oke Bay and which attracts the provisions of Heritage New Zealand Pouhere Taonga Act 2014.

36. We submit that Waipiro is not dissimilar in its cultural heritage appeal and will likely also fall under similar provisions of that Act once returned to Māori.

37. Oke Bay holds several species of fish including Tarakihi grounds which are of significance to the hapū of Ngāti Kuta Patukeha and which are covered under the Hauai settlement.

38. A kuia of Ngāti Kuta, Enfidaville Titore, recites:-

“When the tide goes out, fish don’t swim against the sea current. When the tide comes in, the fish go out to the open sea.”

39. The significance of the finding in the Hauai settlement necessitates that the land adjacent to the esplanade, and the foreshore up to high water mark as connected to the customary rights of Ngāti Kuta hapū extend into their customary marine title which envelops the entirety of the rohe Ngati Kuta me Patukeha.

40. We note the revocation provided for in the Reserves and Disposals Act 1995 and the intention therein whereby it was clear that there was a direct intention to remove the Bay of Islands Maritime and Historic Park Board being appointed to control and manage the reserve for recreation purposes.

41. The scope and purpose of this marina directly contravenes the intention of the Hauai Settlement legislation as relevant to the existing and future treaty settlements and as such, under FastTrack, this project should be deemed ineligible.

Grounds for Opposition 3: Gazetted Customary Authority

42. Ngāti Kuta and Patukeha are recognised Tāngata Kaitiaki/Tiaki under the *Fisheries (Notification of Tāngata Kaitiaki/Tiaki for Area/Rohe Moana of Ngāti Kuta-Patukeha) Notice 2016*, and consequently hold statutory authority and obligations for the protection and management of customary fisheries in the rohe moana encompassing Waipiro Bay. The proposed marina development (FTA229) poses a direct and material threat to these customary

rights, which are guaranteed under the *Fisheries Act 1996* and grounded in tikanga Māori. These rights are not aspirational—they are legally recognised and operational.

43. The *Fast-track Approvals Act 2024* obliges Ministers and expert panels to act consistently with the principles of Te Tiriti o Waitangi, and to properly consider any adverse impacts on existing statutory rights. Proceeding with this project in the absence of meaningful engagement with Ngāti Kuta and Patukeha—as mana whenua and holders of gazetted authority—constitutes a breach of these obligations. The proposal will irreversibly compromise our mahinga kai, desecrate wāhi tapu, and obstruct our ability to exercise Kaitiakitanga. These are not abstract values—they are legally enshrined responsibilities with inter-generational significance.

Grounds for Opposition 4: Failure to meet Purpose of the Act

44. The *Fast-track Approvals Act 2024* is designed to accelerate projects that deliver **genuine public benefits of regional or national significance**. The proposed Waipiro Bay marina does not meet this threshold. Instead, it reflects a development model centred on **private gain**, with **minimal public utility** and **significant public risk**.

Primarily Private Benefit

45. This marina is being advanced by private developers (Azuma Property Ltd and Hopper Developments) for the exclusive use of recreational boating clientele. Berths are expected to be priced beyond the reach of the general public, and there are **no assurances of open public access**, equitable fee structures, or any community ownership arrangements. The economic returns—through asset appreciation and berth revenues—will be largely **captured by private investors**, not the wider community.

Weak Public Case

46. The project does not respond to any known public infrastructure shortfall. Nearby facilities, such as Opuā Marina, are **underutilised**, with no independent demand study provided to justify additional capacity. The supposed benefits to regional tourism and employment are **generalised and unsupported**, lacking the evidence expected for a project of claimed national significance. Proposed public features—such as a boat ramp and trailer parking—are **minor and incidental**, offered only as accessories to an otherwise exclusive private development.

High Public and Environmental Cost

47. The true costs of this project will be **borne by the public**, iwi, and the environment. The location sits within a **marine mammal sanctuary**, and the risks of disturbance to breeding habitat and migratory species are considerable. The threat of further incursion of exotic **Caulerpa**—already subject to emergency biosecurity controls, is acute, and the increased boat traffic associated with this marina significantly elevates that risk. Should the incursion worsen, it is the **public** - not the developer, who will shoulder the cost of monitoring, containment, and ecosystem restoration. Likewise, the potential desecration of **wāhi tapu** and the loss of **customary gathering rights** represent profound cultural costs, which have not been accounted for.

Contradiction of Legislative Purpose

48. The Fast Track Approvals Act is intended to support projects that deliver clear public value—such as housing, renewable energy, climate resilience, or

critical infrastructure. A luxury marina for high-income users does not meet that intent. To allow such a project to bypass standard consent scrutiny is to **undermine public trust** and set a dangerous precedent for the **privatisation of coastal commons** under the guise of economic development.

49. We therefore call for the immediate removal of the Waipiro Bay marina proposal from the Fast-track process. It does not meet the statutory or moral threshold required, and its continuation through this mechanism would breach both the Fisheries Act, the Hauai Settlement 1993 and the Crown's Tiriti obligations to Ngāti Kuta and Patukeha as Kaitiaki of this Taonga Tuku Iho.

Conclusion

50. For all the reasons set out in this submission, the Waipiro Bay marina proposal must be deemed **ineligible** under the Fast-track Approvals Act 2024. The application fails on multiple statutory grounds, including:

- a. the existence of **shared and indivisible customary marine title** and ancestral rights held by Ngāti Kuta and Patukeha;
- b. its intersection with **active and unresolved Treaty claims**, including WAI 1140, WAI 1307, WAI 1958, and WAI 2768;
- c. its failure to account for the **existing Hauai Settlement** and its statutory implications under the Reserves and Other Lands Disposal Act 1995;
- d. the **gazetted recognition** of Ngāti Kuta and Patukeha as Tāngata Kaitiaki/Tiaki under the Fisheries Act 1996; and
- e. its inability to demonstrate the **public benefit** required by the Act, in contrast to the profound cultural, environmental, and economic costs it would impose.

51. This is not a project of national significance. It is a commercial venture that seeks to privatise a shared taonga under the guise of development. To fast-track such a project would not only undermine the integrity of the Act — it would violate the Treaty partnership, displace customary authority, and further burden our environment and communities.

52. We therefore reaffirm our position: **the Waipiro Bay marina proposal must be withdrawn from the Fast-track process.**

Authors: Matutaera Clendon Tenana, Enfidaville Titore, Robert Willoughby, Russell Hook, Darleen Tana, Huia Azimi, Richie Leef, Joseph Titore

for

Claimants Matutaera Clendon, Robert Willoughby, Russell Hook WAI 1307 and Robert Willoughby MACA WAI 1768- Te Paparahi o Te Raki Inquiry WAI 1040

MAC-01-01-134 / CIV-2017-485-265: Ngā uri o Tāreha Kaiteke Te Kēmara I Whānau, Ngāti Kawa & Ngāti Rāhiri, Dr Mary-Anne Baker, CMT and PCR

Email: s 9(2)(a)

Phone: s 9(2)(a)

Submission - Opposition to Waipiro Bay Marine Development (with Call for Genuine Consultation)

Dr Mary-Anne Baker

Ngāpuhi - Te Tii, Ngāti Rāhiri, Ngāti Kawa, Ngāti Te Ara

Tena Koe,

I write in **opposition to the current proposed Waipiro Bay Marine Development**, on the basis of **breaches of existing Resource Consents, lack of proper consultation, and cultural desecration of our wāhi tapu.**

I have been informed that the **Heatleys, named on the application, along with the Goodfellows, are currently in breach of their existing Resource Consent** relating to land on the island on which they have a residence. Additionally, they have reportedly **constructed a walkway without consent across sacred, tapu whenua** – land that is deeply significant to my whānau and hapū, as it was once lived on and cared for by my **Grani Te Kemara** and us as his family.

This raises serious questions about **their integrity and accountability**. If breaches have occurred in smaller-scale undertakings, **how can they be entrusted with the responsibility of managing a marine development of this magnitude?**

Furthermore, I have lodged a claim asserting **kaitiakitanga over the seabed where the taniwha rest**. This area holds immense **spiritual and cultural significance**, and its current proposed use by a private consortium – appearing to act with **exclusive interest** – is unacceptable without full and transparent engagement with mana whenua and rightful guardians.

I am not opposed to development that is **inclusive, respectful, and sustainable**. I support **consultation and co-design**, where tangata whenua are not just consulted as an afterthought, but are **equitable partners in decision-making**.

To move forward, we must move together. **Let us explore a joint or multi-party venture** – one that upholds the principles of Te Tiriti o Waitangi, protects our taonga, and ensures benefits for all. That is how we build a truly united future – **as one nation, not one consortium**.

I have requested an extension to submit due to my heavy workload.

In the absence of a reply from FastTrack I am submitting a rply in the least.

Ngā mihi nui,
Dr Mary-Anne Baker

Dr Mary-Anne Baker
PostGradDip.BusAdmin
PhD General Practice PhD Education
M.Clin.Pharm.(Hons)

B.Com Management-Industrial Relations-Marketing
NZ Suffrage Centennial Medal.

Attachments: I have attached the submission of my kin which I support in terms of the Articles and Act that have been breached or omitted .