



FTAA-2503-1034: Waipiro Marina Project: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 1 decisions

Project Name: Waipiro Marina Project

Date submitted:	7 April 2025	Tracking #: BRF-6073	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decisions on recommendations in Table A	11 April 2025

Actions for Minister's Office staff	Return the signed briefing to MfE: FTAreferrals@mfe.govt.nz
Number of attachments: 3	Attachments: <ol style="list-style-type: none">Application documents for Waipiro Marina Project: File exchange link provided in emailList of the Māori groups referred to in section 18(2)Statutory framework summary

Ministry for the Environment contacts:

Position	Name	Cell phone	1 st contact
Principal Author(s)	Antonia Croft		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Project location



Key messages

1. This briefing seeks your initial decisions on an application from Azuma Property Limited and Hopper Developments Limited Partnership to refer the Waipiro Marina project (the project) under the Fast-track Approvals Act 2024 (the Act) to the Fast-track approvals process.
2. At this stage you can either decline an application for the reasons set out section 21, or provide the application to, and invite comments from, the parties identified in section 17. If you do not decline the application, you will receive a further briefing following receipt of comments, to support your final decision on whether to refer the project.
3. The project is to construct a commercial marina at Waipiro Bay, Bay of Islands, in the Northland region. It comprises:
 - 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 fueling 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.
4. The project will require the following approvals:
 - Resource consents under the Resource Management Act 1991.

- Permits under the Wildlife Act 1953.
 - Archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.
5. The bulk of the project is to occur in the coastal marine area. Under section 11 of the Marine and Coastal Area (Takutai Moana) Act 2011, the common marine and coastal area cannot be owned. Land access to the project site will be via 285 Manawaora Road which is leasehold land registered to the Omarino Residents Association Incorporated. The applicant has provided a letter from the Chairperson of the Omarino Residents Association indicating their understanding and acceptance of the potential need to access the project site via their land.
 6. The project site is adjacent to, and in-part overlays, a narrow strip of coastal land vested in the Crown under the Resource Management Act 1991 and managed by the Far North District Council as reserve. Te Tari Whakataua have advised that strip of land could potentially be used for Treaty settlement purposes. We therefore recommend that the Minister for Treaty of Waitangi Negotiations be invited to comment on the application. Should that Minister consider the land necessary for Treaty settlement purposes, then that may be a reason to decline the referral application under section 21(5)(e) of the Act.
 7. While outside of approvals sought under the Act, the applicant notes the project site is within an area subject to the Exotic Caulerpa Controlled Area Notice 2024 issued under the Biosecurity Act 1993. That Controlled Area Notice (CAN) sets out restrictions and permitting requirements on the anchoring and movement of craft/vessels. The applicant recognises that a permit from Biosecurity New Zealand may be required to limit the spread of exotic Caulerpa species (invasive pest seaweed). We therefore recommend that the Deputy Director-General of Biosecurity New Zealand be invited to comment on the application.
 8. We have undertaken an initial analysis of the referral application, and this is presented along with our considerations and recommendations in Table A.
 9. We have decided the application is complete and complies with section 14 of the Act, as the application complies with section 13 requirements, may be capable of satisfying the criteria in section 22 and does not appear to involve an ineligible activity. The applicable fee and levy have been paid.
 10. We recommend you progress consideration of the referral application to the next stage of analysis (Stage 2) and invite written comments from the parties prescribed in section 17(1) of the Act being: local authorities, the Minister for the Environment and other relevant portfolio Ministers, relevant administering agencies, the owners of Māori land within the project area and identified Māori groups from section 18(2) of the Act. The parties are listed in Attachment 2.
 11. We recommend that you invite written comments from the following parties as additional parties under section 17(5) of the Act:
 - a. The Minister for Regional Development
 - b. The Minister for Economic Growth
 - c. The Deputy-Director General of Biosecurity New Zealand to confirm that marine biosecurity matters will not affect the ability of the applicant to undertake the works.

12. We recommend that under section 20 you request further information from the applicant, Northland Regional Council and the Far North District Council as detailed in Table A.

Action sought

13. Please indicate your decisions on the recommendations in Table A.

Signature

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Ilana Miller
General Manager – Delivery and Operations

Table A: Stage 1 analysis

Project details	Project Name	Applicant	Project Location			
	Waipiro Marina	Kallam Brown is the applicant. The project will be delivered in partnership between Azuma Properties and Hopper Developments Ltd.	The project is predominantly situated within the coastal marine area at Waipiro Bay, Bay of Islands, in the Northland region. Land access will be via 285 Manawaora Road, Waipiro Bay.			
Project description	<p>To construct a commercial marina at Waipiro Bay, Bay of Islands, in the Northland Region. The project comprises:</p> <ol 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. 					
Consultation undertaken	As required by s11, the applicant has consulted with:					
	Relevant local authorities	Relevant iwi authorities, hapu and Treaty settlement entities:	Relevant MACA groups	Ngā hapū o Ngāti Porou	Relevant administering agencies	Holder of land to be exchanged
	<ul style="list-style-type: none"> Far North District Council Northland Regional Council 	<ul style="list-style-type: none"> Te Rūnanga a Iwi o Ngāpuhi Ngāti Kuta Patukeha 	<ul style="list-style-type: none"> Baker on behalf of Ngā uri o Tāreha Kaiteke Te Kēmara I Ngāti Kawa & Ngāti Rāhiri Thompson on behalf of the Rewha & Reweti Whānau Rameka on behalf of Ngāti Rāhiri & Ngāti Kawa Taurua on behalf of Ngāti Rāhiri Tangata Whenua ki Te Tii Waitangi ki Te Peiwhairangi Kingi on behalf of Ngā Puhī nui tonu, Ngāti Rāhiri, Ngāti Awa, Ngā Tahuhu and Ngaitawake Collier on behalf of Ngāti Kawau & Te Waiariki Kororā Ngāti Kuta & Patukeha ki Te Rāwhiti Ngāti Rāhiri & Ngāti Kawa Merehora Taurua Whānau Ngāti Kawau te Kōtuku, Te Uri o Te Aho, Ngāti Kurī, Te Waiariki Kororā ngā Hapū o Ngāpuhi-Nui-Tonu Ngāpuhi Nui Tonu-Kota-toka-tutaha-moana o Whāingarua Ngāpuhi Nui Tonu (Te Kotahitanga Marae) Te Kēmara I Whānau, Ngāti Kawa & Ngāti Rāhiri Rīhari on behalf of Ngāti Torehina Ki Matakā Hapū/Iwi of Niu Tireni Ngatiwai Trust Board Hotere & Wikaira on behalf of Te Hikutū Hapū Te Rūnanga o Ngāti Hine Ngāti Kuta & Patukeha ki Te Rāwhiti Dargaville on behalf of Ngaitawake Ngāpuhi, Ngāti Wai, Hāki Pereki & Ngawhetu Sadler Whānau Trust Pene Hēmi Kīwīkiwi Whānau Trust Rewha & Reweti Whānau Mita Pōmana & Takutai Moana Heke Pōmana Whānau Reti Whānau Ngāpuhi Nui Tonu (Awataha Marae) Te Kaunihēra Māori o Te Tai Tokerau 	N/A	<ul style="list-style-type: none"> Ministry for the Environment Department of Conservation Heritage New Zealand Pouhere Taonga 	N/A
Section 22 assessment criteria						
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<p>The Minister may consider any of the following matters, or any other matters the Minister considers relevant.</p> <p><i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant states that the project will assist in delivering much-needed infrastructure for recreational boating in the Bay of Islands and will assist in protecting and enhancing the region's image as the premier boating and tourism destination in New Zealand. The applicant considers the project will assist in addressing the current shortfall in the availability of berthage for recreational vessels in the area.</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant advises that this project will have significant economic benefits including:</p> <ul style="list-style-type: none"> delivering \$177.9-\$218.8 million in value-added GDP providing 137-148 FTE jobs over a 30-year period 					

	<ul style="list-style-type: none"> • providing economic benefits for recreational users and local small-scale fishing operations. • contributing to increased regional tourism spending from domestic and international tourism markets. <p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i> The applicant states that the new marina development will support climate change mitigation by reducing fossil fuel consumption greenhouse gas emissions from boats, primarily due to its strategic location which will reduce vessel travel distances. The applicant indicates that the project will serve as a secure refuge for vessels during natural hazard events and will facilitate aid in the coordination of emergency responses, by the incorporation of dedicated facilities for emergency services (rescue helicopter helipad) and the coastguard within the project.</p> <p><i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant states that this project will have significant environmental benefits by reducing the demand for swing moorings and ad-hoc anchorage in the wider Bay of Islands and improve ability to monitor and manage international and domestic boats that could be carrying foreign invasive species.</p> <p>While out of scope of approvals sought under the Fast-track Approvals Act, the applicant notes the project site is within an area subject to the Exotic Caulerpa Controlled Area Notice 2024 issued under the Biosecurity Act 1993. That Controlled Area Notice (CAN) sets out restrictions and permitting requirements on the anchoring and movement of craft/vessels. The applicant recognises that a permit from Biosecurity New Zealand, issued under the Controlled Area Notice, may be required to limit the spread of exotic Caulerpa species (invasive pest seaweed).</p> <p><i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The Northland Regional Council 'Moorings and Marinas Strategy (2014)' indicates Waipiro Bay as a 'potential mooring/marina area in the long term, subject to investigating potential demand for marina berths in the Bay.</p>		
referring the project to the fast-track approvals process [section 22(1)(b)]	<p><i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers that the fast-track approvals process would likely facilitate the project, by enabling it to be processed in a more timely and cost-effective way than under normal processes.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> That applicant has considered that the referral of this project is unlikely to affect the efficient operation of the Fast-track approvals process. The applicant has stated that they are committed to undertaking additional assessment and detailed design for the substantive application phase. The applicant intends to lodge one substantive application if the project is referred.</p>		
Minister invites comments	<p><i>You must copy the application to, and invite written comments from [s17(1)]</i></p> <ol style="list-style-type: none"> Relevant local authorities - Far North District Council and Northland Regional Council Minister for the Environment Relevant portfolio Ministers: Minister of Conservation, Minister for Arts, Culture and Heritage, Minister for Treaty of Waitangi Negotiations Relevant administering agencies: Ministry for the Environment, Department of Conservation, Heritage New Zealand Pouhere Taonga. The Māori groups identified in Attachment 2. <p>The Minister for Conservation and the Minister for Arts, Culture and Heritage are relevant portfolio Ministers as the project seeks approvals under specified acts they administer.</p> <p>The Minister for Treaty Negotiations is a relevant portfolio Minister as Te Tari Whakatau have advised that strip of land could potentially be used for Treaty settlement purposes. We therefore recommend that the Minister for Treaty of Waitangi Negotiations be invited to comment on the application. Should that Minister consider the land necessary for Treaty settlement purposes, then that may be a reason to decline the referral application under section 21(5)(e).</p>	<p><i>The Minister may also copy the application to, and invite written comments from, any other person[s17(5)].</i></p> <p>We recommend you invite comments from the following additional persons:</p> <ol style="list-style-type: none"> The Minister for Regional Development The Minister for Economic Growth The Deputy Director-General of Biosecurity New Zealand <p>We consider that the Minister for Regional Development, and the Minister for Economic Growth be invited to comment on whether the benefits of the project are significant for the Northland region.</p> <p>We consider that the Deputy Director-General of Biosecurity New Zealand be invited to comment as the project site is within an area subject to the Exotic Caulerpa Controlled Area Notice 2024 issued under the Biosecurity Act 1993. That Controlled Area Notice sets out restrictions and permitting requirements on the anchoring and movement of craft/vessels. Permits are issued by Biosecurity New Zealand. Biosecurity New Zealand may seek to comment on relevant permitting requirements and whether anything in that Controlled Area Notice could affect the applicants' ability to undertake the work.</p>	<p><i>The Minister may request further information about a referral application from the applicant, the relevant local authorities, or the relevant administering agencies to be provided within the time frame specified in the request [s20].</i></p> <ol style="list-style-type: none"> The applicant – on confirming the boundaries of the project relative to the Crown land identified as Lot 24 DP 391213 and if/how that affects their ability to undertake the work. Northland Regional Council – on whether the project will deliver significant regional benefits and the project's alignment with relevant regional plans and strategies in that context. Far North District Council – on whether the project will deliver significant regional benefits and the project's alignment with relevant district plans and strategies in that context; AND whether there are any relevant management agreements in place over Crown land managed by the Far North District Council (Lot 24 DP 391213) and, if so, how that may affect the applicant's ability to undertake the work.
Recommendations		Minister's decision	
a. Note that section 25 of the Act permits you to decline the referral application without inviting comments from the relevant local authorities and any relevant Ministers.		Noted	
b. Note that you have not yet provided the application to, nor sought any comments on it from, the parties listed in section 17(1) but that you are required to do so if you do not decline the application under section 21 of the Act.		Noted	
c. Note that section 17(5) of the Act permits you to forward an application to, and invite written comments from, any other person.		Noted	
d. Note that if comments have been sought and provided within the required time frame you are required to consider it, along with the referral application, before deciding to decline the application.		Noted	
e. Note that section 20 of the Act permits you to request further information from the applicant or relevant local authorities or relevant administering agencies at any time before you decide whether to accept or decline an application.		Noted	

f. Agree to progress the Waipiro Marina Project to our Stage 2 analysis (invitation to comment and section 18 report stage).	YES / NO
g. Agree to provide the application to, and invite comments from: a) Far North District Council and Northland Regional Council as the relevant local authorities under section 17(1)(a) b) The Minister for the Environment, and the Minister of Conservation, the Minister of Arts, Culture and Heritage and the Minister for Treaty of Waitangi Negotiations as other relevant portfolio Ministers under section 17(1)(b) c) The Ministry for the Environment, Department of Conservation, and Heritage New Zealand Pouhere Taonga as administering agencies under section 17(1)(c) d) The Māori groups identified in Attachment 2 under section 17(1)(d).	YES / NO
h. Agree to provide the application to and invite comments from the following additional entities/persons under section 17(5): a) The Minister for Regional Development b) The Minister for Economic Growth c) The Deputy Director-General of Biosecurity New Zealand.	YES / NO
i. Agree to request further information from the following entities/persons under section 20: a) The applicant b) Far North District Council c) Northland Regional Council.	YES / NO
j. Note that you have agreed to delegate to the Secretary for the Environment your responsibility to send all correspondence other than to Ministers	Noted

Signed:

Hon Chris Bishop
Minister for Infrastructure

Date:

**Attachment 1: Application documents for FTAA-2503-1034 Waipiro Marina
Project: File Exchange link provided**

Attachment 2: List of the Māori groups referred to in section 18(2)

Name of group	Type of group (section of Act)
Te Rūnanga a Iwi o Ngāpuhi	Iwi authority (s18(2)(a); Treaty settlement entity – MIO & iwi aquaculture organisation (s18(2)(a))
Ngātiwai Trust	Iwi authority (s18(2)(a); Treaty settlement entity – MIO & iwi aquaculture organisation (s18(2)(a)); mandated entity (s18(2)(d)); other Māori groups with relevant interests (s18(2)(k))
Te Rūnanga o Ngāti Hine	Iwi authority (s18(2)(a); party to Mana Whakahono ā Rohe (s18(2)(j)); other Māori groups with relevant interests (s18(2)(k))
Te Ohu Kaimoana	Treaty settlement entity – MIO (s18(2)(a))
MAC-01-01-076: Ngāti Kuta and Patukeha ki Te Rawhiti/ CIV-2017-485-321	MACA applicant (s18(2)(f))
MAC-01-01-131/CIV-2017-485-283: Ngātiwai, Ngātiwai Trust Board, CMT and PCR	MACA applicant (s18(2)(f))
MAC-01-01-106/CIV-2017-485-352: Rewha and Reweti Whānau, Bella Thompson	MACA applicant (s18(2)(f))
MAC-01-01-125/CIV-2017-404-570: Te Hikutu Whānau and Hapū (PCR), Jane Hotere	MACA applicant (s18(2)(f))
MAC-01-01-073/CIV-2017-485-398: Ngāti Kawau and Te Waiariki Kororā, Louise (Ruhia) Collier	MACA applicant (s18(2)(f))
MAC-01-01-081/CIV-2017-404-577: Ngāti Rāhiri & Ngāti Kawa, Ngātokimatawharua Waka Te Tii-i-Waitangi Maori Inc, CMT and PCR	MACA applicant (s18(2)(f))
MAC-01-01-034/ CIV-2017-404-535: Ngāti Rāhiri hapū tangāta whenua ki Te Ti Waitangi ki Te Pēiwhairangi, Merehora Taurua Whanau ki Kauteawha, CMT and PCR	MACA applicant (s18(2)(f))
CIV-2017-485-408: Ngā Uri o Hairama Pita Kino Davies whānau, Huhana Lyndon, CMT and PCR	MACA applicant (s18(2)(f))
MAC-01-01-105/ CIV-2017-485-515: Whangaruru, Whāngarei and Whangaroa, Elvis Reti/Reti Whānau	MACA applicant (s18(2)(f))
CIV-2017-488-029: Haika, Hetaraka, Leuluai & other whānau, Puawau-Rose Leuluai-Walker, CMT and PCR	MACA applicant (s18(2)(f))
CIV-2017-485-409: Whangaroa Ngāiotonga Trust, Huhana Lyndon, CMT and PCR	MACA applicant (s18(2)(f))
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	MACA applicant (s18(2)(f))
MAC-01-01-078/ CIV-2017-485-277: Ngāti Manu and Hapū (PCR only), Arapeta Hamilton	MACA applicant (s18(2)(f))
MAC-01-01-064/CIV-2017-485-231: Ngāti Hine, Te Rūnanga o Ngāti Hine, CMT and PCR	MACA applicant (s18(2)(f))
MAC-01-01-133/CIV-2017-404-558: Ngāitawake/Te Kaunihera o Te Tai Tokerau, Rihari Dargaville	MACA applicant (s18(2)(f))
MAC-01-01-050/ CIV-2017-404-537: Ngā Puhi nui tonu (Awataha Marae), Ngāti Rāhiri, Ngāti	MACA applicant (s18(2)(f))

Awa, Ngāi Tāhuhu and Ngāitawake, Joseph Kingi, CMT and PCR	
CIV-2017-404-523: Ngā Hapū o Taiāmai ki te Marangai, John Tiato, CMT and PCR	MACA applicant (s18(2)(f))
MAC-01-01-035: Mita Pomana and Takutai Moana Heke Pomana Whānau	MACA applicant (s18(2)(f))
MAC-01-01-060: Ngā Puhi, Ngāti Wai, Haki Pereki and Ngāwhetu Sadler Whānau Trust	MACA applicant (s18(2)(f))
MAC-01-01-010: Haare-Himiana-Heta Whānau Hapū	MACA applicant (s18(2)(f))
MAC-01-01-023: Ihaia Paora Weka Tuwhera Gavala Murray Mahinepua Reserve Trust Ngāti Rua Iti Ngāti Muri Ngatiruamahue Ngāti Kawau Ngāti Haiti Ngāitupango Ngā Puhi Ngāti Kahu Te Auopouri	MACA applicant (s18(2)(f))
MAC-01-01-056: Ngā Puhi Nui Tonu (Te Kotahitangā Marae)	MACA applicant (s18(2)(f))
MAC-01-01-059: Ngā Puhi Nui Tonu-Kotatoka-tutaha-moana o whaingaroa (PCR)	MACA applicant (s18(2)(f))
MAC-01-01-001: Awhirangi Panehina Lawrence Whānau, Mita Pomana Whānau, Takutai Moana whānau Trust	MACA applicant (s18(2)(f))
MAC-01-01-103: Pene Hemi Kiwikiwi Whānau Trust (PCR)	MACA applicant (s18(2)(f))
Ngāti Kuta	other Māori groups with relevant interests (s18(2)(k))
Patukeha	other Māori groups with relevant interests (s18(2)(k))
Rāwhiti 3B2 Ahu Whenua Trust	other Māori groups with relevant interests (s18(2)(k))
Ngāti Manu	other Māori groups with relevant interests (s18(2)(k))
Te Kapotai	other Māori groups with relevant interests (s18(2)(k))
Ngāti Pare	other Māori groups with relevant interests (s18(2)(k))
Te Uri Karaka	other Māori groups with relevant interests (s18(2)(k))
Te Uri Raewera	other Māori groups with relevant interests (s18(2)(k))
Te Uri Ongaonga	other Māori groups with relevant interests (s18(2)(k))
Te Whakaaetanga	other Māori groups with relevant interests (s18(2)(k))
Ngā Hapū o Takutai Moana	other Māori groups with relevant interests (s18(2)(k))

Attachment 3:

Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Man Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. Give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. Comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at this initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area: None
 - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.