

Response ID ANON-URZ4-5F1K-C

Submitted to Fast-track approval applications
Submitted on 2024-05-03 13:19:46

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:
Azuma Property Limited in partnership with Hopper Developments Limited

2 Contact person

Contact person name:
Kallam Brown

3 What is your job title

Job title:
Director

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

20 Albany Road
Ponsonby
Auckland
New Zealand

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

The proposed project is located in the Bay of Islands, Northland. More specifically at the head of Waipiro Bay, adjoining the common land at 285 Manawaora Road.
This project is located predominantly within the coastal marine area and is able to be accessed via the property at 285 Manawaora Road that is controlled

by shareholders of the submitting party.

Please refer to Appendix A for an aerial image of the proposed project site in the wider region as well as the immediate location of Waipiro Bay.

Please refer Appendix E for a concept plan of the project located in Waipiro Bay.

File upload:

Appendix A - Location Maps.pdf was uploaded

Upload file here:

Appendix E - Concept Plan.pdf was uploaded

Do you have a current copy of the relevant Record(s) of Title?

No

upload file:

No file uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Their is no title over the majority of the project area, due to this being in the coastal marine area. However the adjacent land that will be utilised for access is controlled by the shareholders of the submitting party.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

We control the surrounding land and the access points for the proposed development in the coastal marine area. It is clearly understood that licenses to occupy and additional approvals will be sought from the Crown to undertake this project.

Our team have extensive experience in obtaining such approvals and will work with all required stakeholders and authorities to ensure this is done correctly.

Section 2: Project details

What is the project name?

Please write your answer here:

Waipiro Marina

What is the project summary?

Please write your answer here:

This is a proposed marina facility with approximately 200-250 berths for a wide range of boat sizes. Included in the proposal is an all-tide public boat ramp, boat trailer parking, and a suite of support structures comprising marine-focused retail and commercial spaces to enhance the nautical experience. Provision will also be made to accommodate rescue helicopter services and berthage for coast guard vessels among other key regional services.

What are the project details?

Please write your answer here:

In alignment with Clause 14(2)(b) of the Bill, which requires only a general level of detail, this application outlines the conceptual framework for the Waipiro Marina project. The project's primary goal is to address the growing demand for berthing in the Bay of Islands, an increasingly popular destination for maritime activities. The region's current infrastructure does not adequately meet the needs of local and visiting vessel owners. The Waipiro Marina is conceived as a cutting-edge facility that will offer a variety of services designed to enhance the boating experience. The marina's objectives are to provide secure on-water storage options, fuelling services, and hospitality venues, along with retail outlets catering to nautical enthusiasts. It will also feature critical emergency service access points, a public boat launch, and ample parking for vehicles and boat trailers. Beyond fulfilling a critical gap in the region's maritime amenities, an integral objective of the project is to stimulate local employment. This will be achieved by generating job opportunities during both the construction phase and the ongoing operations of the marina, thereby delivering enduring socio-economic benefits to the community.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The project will be completed as one stage, with the potential to create additional commercial offering based on demand from early marina users. Based on previous experience in the construction of similar marina facilities, it is anticipated that a physical construction timeframe for the proposed Waipiro Marina will be between 12-18 months. With additional time required for completion of buildings to be completed. Noting however that these buildings can be completed after the marina is operational for boating purposes.

What are the details of the regime under which approval is being sought?

Please write your answer here:

It is anticipated that the consenting regime for the proposal under the RMA includes the following:

- Coastal consents pursuant to section 12 of the Resource Management Act (RMA) from the Northland Regional Council (NRC) under the Operative Regional Plan for Northland for mangrove removal, dredging, reclamation, hard protection structures and for the location of structures within the coastal marine area
- Land use consents pursuant to section 9 of the RMA from the NRC for formation of access to the site and any consequential earthworks and discharges under the Operative Regional Water and Soil Plan for Northland
- Land use consents pursuant to section 9 of the RMA from Far North District Council for earthworks, traffic generation and vehicular access from Manawaora Road
- Notification to and recording of the views of applicants to the waters of the Bay pursuant to section 64A of the Marine and Coastal Areas (Takutai Moana) Act

In addition, the project may trigger approvals under other statutory instruments including:

- Consent under the National Policy Statement: Freshwater Regulations
- Approvals under the Wildlife Act from DoC for the relocation of lizards and birds.
- Approvals under the Heritage New Zealand Pouhere Taonga Act (if there is the potential to affect archaeological sites)

The site is currently within a part of the Bay of Islands subject to the Te Rawhiti Caulerpa Controlled Area Notice. While this notice is scheduled to expire in June 2024, the project will observe an appropriate biosecurity regime that is consistent with the requirements of the Notice.

The site is within the waters covered by the Marine Mammals (Te Pewhairangi (Bay of Islands) Marine Mammals Sanctuary) Notice 2021. The requirements of that notice will also be incorporated in the biosecurity management regime.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Given that the majority of the project will be within the coastal marine area, the Northland Regional Council will be the pre-eminent regional authority involved in the assessment, consenting and monitoring of the proposed project.

The Far North District Council is the relevant territorial local authority where any infrastructure, traffic, building and access aspects are involved.

The Department of Conservation will also form a key part of the reviewing authorities for this project.

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

There have been no applications related to this project or an alternative to this project. This is a newly proposed project that we believe fits perfectly within the remit of the Fast Track Bill proposed by the current Government.

Our partner in this development, Hopper Developments have been involved with large scale, complex coastal marine developments of regional significance over the past 60 years. They have successfully delivered the following similar projects that have substantially improved the surrounding areas in which they were located:

- Pauanui Waterways is a 360 lot coastal residential subdivision. 250 lots allow the owner the ability to install a specified jetty to berth their boat outside their property.
- Whitianga Waterways is a comprehensive coastal subdivision complete with 1500 residential dwellings (including Retirement Village), retail, commercial, Marine servicing yard, Marina berths. To date 750 lots have been created and approximately 400 of these allow the owner the ability to install a specified jetty to berth their boat outside their property. In total the development should accommodate in excess of 700 boats.
- Marsden Cove Waterways and Marina is a comprehensive coastal subdivision providing for 800 residential dwellings (including Retirement Village), retail, commercial, Marine servicing yard, and a 240 berth Marina. To date 350 lots have been created and approximately 200 of these allow the owner the ability to install a specified jetty to berth their boat outside their property. In total the development should accommodate in excess of 600 boats.
- Sandspit Marina is a 134 berth Marina completed in mid 2016 by the Sandspit Yacht Club with berths ranging from 12 to 18 metres.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

N/A

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Based on the experiences gained from the aforementioned projects, our forecast for the timeline and key milestones on the proposed Waipiro Marina are as follows:

- Detailed design: 9 months
- Approvals: TBC depending on the pathway for approvals utilised
- Construction Procurement:
 - o Marina basin 3 months as we have internal construction firm with basin construction expertise
 - o Marina structures and ancillary buildings: 6 months, however not on critical path
- Funding: will be completed in parallel due to our ability to access all required capital as required

- Physical Works Commencement: TBC based on a number of parameters
- Construction: 18-24 months from commencement

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

At the present stage of the project's development, formal consultations with stakeholders are yet to commence in full. To date, our efforts have been concentrated on engaging with the local residents of the 285 Manawaora Road community and initiating preliminary dialogue with the region's principal Hapū, namely Ngāti Kuta and Patukeha. It is important to clarify that these initial discussions with the Hapū have been informal and exploratory in nature and are not yet recognized as official consultations by any involved party.

Recognizing the critical importance of comprehensive stakeholder engagement, we have developed a detailed Stakeholder Engagement Register. This tool is designed to map out all pertinent parties and facilitate structured communication throughout the project's lifecycle. The register, which is included in Appendix B, is a dynamic record, reflecting the active and ongoing engagement process with various stakeholders.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Please refer to previous response.

Upload file here:

Appendix B - Key Stakeholder Schedule.pdf was uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

Please refer to previous response.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Ngati Kuta and Patukeha are hapu of Ngapuhi who currently have a claim before the Waitangi Tribunal, however as far as we are aware this does not include land within the project site.

While the Te Rawhiti Marae and urupa associated with the hapu are in the vicinity there are no recorded archaeological sites or known waahi tapu within the project area.

We have been provided a list of applicants to the waters of Waipiro Bay under the Marine and Coastal Areas (Takutai Moana) Act and will consult with these groups in accordance with that Act as an integral element of our consultation strategy.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

It is recognised that the construction of a marina involves a number of aspects which can have actual or potential adverse and/or positive effects on the environment. These can be outlined generally as follows:

- Dredging and spoil disposal
- Reclamation
- Construction of finger jetties, breakwaters and other structures
- The provision of facilities for sewage and rubbish disposal, refuelling and water supply
- Wastewater discharge
- construction of stormwater management systems
- development of land based facilities such as car parking, administration buildings, toilets, chandlery and victualing

Environmental factors under consideration include:

- The type and location over breakwater structures
- Coastal processes and flushing characteristics of the Bay
- Natural water quality
- The presence of shellfish beds or fishing grounds and the vicinity
- The presence of sensitive or ecologically important species or habitats in the vicinity
- the natural character and landscape values of the surrounding area

Building on the above aspects that can cause adverse effects, it is important to note that the environmental stewardship of our coastal and marine ecosystems is a paramount concern in the development of the proposed marina. Our approach leverages extensive experience in land-based and coastal marine projects to strategically mitigate effects on the environmental footprint. Our commitment is to uphold the ecological integrity of the site while advancing the project. Examples of this in relation to the proposed marina include:

Coastal Environment Considerations:

- The project entails careful modification of the coastal landscape, ensuring minimal disruption to existing landforms.
- A rigorous evaluation of the impact on coastal flora, including mangroves, will guide our reclamation efforts, with an emphasis on relocation and conservation.
- The welfare of indigenous wildlife habitats, notably those of avian species, will be protected through habitat preservation and enhancement strategies where necessary.

Marine Environment Considerations:

- The marina design requires capital and maintenance dredging that will be undertaken in industry standard practices
- There will be changes to marine biodiversity, with special attention to shellfish and local fish populations reviewed and monitored in line with similar developments in New Zealand
- Sediment management will be rigorously controlled, both during construction and thereafter, to prevent deleterious effects on water quality.

Construction Management:

- We implement best practices to significantly reduce construction-related noise, vibration, and traffic.
- Mitigation plans will be enacted to ensure that the acoustic and physical footprint of construction is minimized.

Stormwater and Wastewater Management:

- Quality solutions for managing runoff from land activities and maritime operations will be employed to safeguard water quality. It is important to note that this will be a clean marina, with no haul out services offered.
- A comprehensive wastewater strategy will encompass efficient processing of boat discharge to prevent environmental contamination.
- A reduction of haphazard and uncontrolled blackwater discharge into the Bay of Islands is anticipated by offering greater marina facilities in close proximity to the most utilised area of the Bay of Islands.

Traffic and Access:

- Thoughtful traffic management plans will be developed to alleviate short term congestion, while reducing environmental and community impact.
- Measures will be taken to balance the increased marina traffic with the reduced load at adjacent boat ramps, striving for an overall improvement in local traffic flow.
- Reduction of traffic on the intertidal area by removing boat launching and providing a purpose built boat ramp.

Visual Aesthetics:

- The project is sensitive to the visual impact on both public vistas and private viewpoints, with designs that aim to complement the natural beauty of the region.

In the pursuit of excellence and sustainability, we are engaging with leading environmental experts to inform our project. Their insights are integral to our efforts to not only meet but exceed environmental standards, thereby ensuring a net positive effect on the local and broader ecosystems.

We have identified a full suite of technical experts to contribute to an Assessment of Environmental Effects. A list of these is contained in Appendix C

Upload file:

Appendix C - Technical Expert List.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

Northland Regional Council - Moorings and Marinas Strategy for Northland 2014

The project responds to a long-standing impetus for the provision and expansion of facilities for recreation boating in the Bay of Islands that was articulated in this strategy document. This strategy was intended to inform the council's decision making when allocating coastal water space for moorings and marinas. The intention of the Strategy was to identify:

"when and how moorings and marinas will be provided for in the Bay of Islands where regional demand for mooring space is currently highest"

This strategy document identified Waipiro Bay as a potential location for a marina serving the Eastern Bay of Islands (see attached map excerpt at Appendix D)

The National Coastal Policy Statement 2010 (NCPS)

The NCPS contains a number of objectives and policies to guide decision making by consenting authorities. A brief commentary on the objectives of the NCPS which have relevance to consideration of the proposal is set out below.

Objective 1 is: to safeguard the integrity form functioning in resilience of the coastal environment and sustain its ecosystems including marine and intertidal areas, estuaries, dunes and land.

Initial investigations indicate that there are no significant ecosystems that might be affected by the works and, aside from short term effects during the construction process, the proposed marina can be managed so that any ecological effects will be no more than minor over the life of the development. In addition, any effects on coastal processes can be confined to the immediate vicinity of Waipiro Bay. Provided that these are carefully managed there will be no long term effect on coastal processes. Appropriate conditions of consent will ensure that any adverse effects are able to be mitigated. These conditions and processes will be enshrined in management and monitoring plans for the marina and associated structures.

Objective 2 is: to preserve the natural character of the coastal environment and to protect natural features and landscape values

The local coastal landscape is in part defined by an existing jetty buildings in close proximity to the waters of the Bay and a number of moored boats they occupy the southern half of the Bay a. The Marina site is also well removed from any identified outstanding natural landscapes. It is considered that with careful design the project can be integrated with the local marine landscape.

Objective 3 is: to take account of the principles of the Treaty of Waitangi, recognised the role of tangata as kaitiaki and provide for tangata whenua involvement in management of the coastal environment.

Patukeha Hapu and Ngati Kuta are recognised as tangata whenua. Initial discussions have taken place with representatives of these iwi and initial concepts have been shared with them. A commitment has been made to advance consultation with iwi input into the project.

Objective 6 is: to enable people and communities to provide for their social, economics, and cultural well-being and their health and safety, through subdivision, use, and development In the coastal environment.

The project exemplifies the type of activity that functionally must occur within the coastal marine area. It is acknowledged through the strategy study referred to above that current facilities for mooring and anchoring in the eastern Bay of islands do not adequately meet current demands, particularly for larger vessels which bring with them economic benefits to the local Bay of Islands community. Accordingly, it is considered that the project will assist in achieving this objective without compromising the values of the coastal environment.

The objectives of the NCPS are supported by a number of policies including those relevant to the proposal as follows:

- Policy 1 recognises that the coastal environment includes physical resources and built facilities such as marinas.
- Policy 6 recognises the contribution to the social, economic and cultural well-being of people and communities from development in the coastal marina area while ensuring public access is maintained.
- Policy 10 seeks to avoid reclamation unless (inter alia) the activity which requires reclamation can only occur within or adjacent to the coastal marine area and the reclamation will provide significant regional or national benefits.
- Policy 11 is to protect indigenous biodiversity in the coastal environment.
- Policy 15 seeks to protect the natural features and natural landscapes including seascapes of the coastal environment from inappropriate subdivision use and development.

The project will address these policy imperatives through the delivery of a facility that will provide measurable regional economic benefits, and identify and provide for the protection of environmental values as outlined below.

File upload:

Appendix D - NRC Strategy Plan for Eastern BOI.pdf was uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The fast track process will facilitate a consultation process which will allow input from affected persons and agencies in a structured and time-efficient manner. The history of marina proposals is that they are often held up in the "conventional" consenting process by ill-informed and vexatious objections

to council hearings and appeals to the Environment Court which ultimately fail. The fast-track process offers the opportunity for a project that has been identified by a strategy study undertaken at a regional scale as having measurable economic benefits to proceed, subject to the rigorous environmental assessments we propose.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

The project will be fully documented with a comprehensive suite of technical assessments and record of consultation that address environmental effects as well as evidence of its contribution to the regional economy of Northland. We are confident that the level of documentation will be such that the project can be referred directly to the ministers for their decision without the need to request supplementary assessments.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

The Northland Regional Council Moorings and Marinas Strategy 2014 document specifically identifies Waipiro Bay as an appropriate location for a Marina in the eastern Bay of Islands.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The Bay of Islands, recognized as a premier boating destination in Northland, is currently facing pressures from increasing demands on its marine and boating facilities. The construction of a new 'clean' marina in the Eastern Bay of Islands is a crucial development to meet these needs. This marina is designed to mitigate the strain on existing facilities, roads, and boat ramps, while also protecting the natural environment from the impacts of informal anchoring and swing mooring.

Moreover, the introduction of this marina will enhance the Bay of Islands' appeal as a globally attractive boating hub, particularly for superyachts. This addition is expected to make significant contributions to the regional economy of Northland and to the broader economic landscape of New Zealand, reinforcing the project's importance as regionally significant infrastructure.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The project addresses the demand for a marina development in the Eastern Bay of Islands that will reduce pressure on existing facilities and congestion at Opuā and Kerikeri.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

This Northland Regional Council strategy document included analysis undertaken which identified the positive economic impacts of new marinas including one-off impacts as follows:

One-off construction impacts (measured at 2014) include:

- Direct employment of 53 full time equivalent (FTE) persons.
- increase northlands gross domestic product by \$4.3 million and household income by \$3.4 million.
- Including the flow on effects (induced and indirect) increases the GDP impact two \$9.7 million and creates 115 full time equivalent (FTE) jobs.

The study also identified significant on-going economic impacts that would derive from increased expenditure by owners of marina berths and on boat maintenance and boat use. The Bay of islands has fast growing reputation as a destination for recreational boating both from within New Zealand and internationally. This is evidenced by the increasing number of international vessels which winter-over in marinas in the Bay, as well as summertime use by the boating community from other parts of New Zealand.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The proposed marina project, situated in the coastal marine area, will be attentively designed to address the challenges posed by climate change (more on this in the next section of responses). In support of climate change mitigation, a new marina in this location will also work to reduce current levels of greenhouse gas emissions by providing more safe and long term berthing opportunities for people who may otherwise be forced to travel long distances via ocean or road to enjoy the Bay of Islands.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Please refer response in the next section.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Please refer response in the next section.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

The project gives effect to the Northland Regional Council 2014 Moorings and Marinas Strategy. The project is in a location specifically identified as appropriate for a marina and it is considered that it will deliver the economic benefits to the region projected by the strategy study.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

Being located in the coastal marine area, the proposed project will consider multiple natural hazards and the effects of climate change. These aspects will be investigated in more detail with the findings of such investigation influencing the final design and construction of the marina and associated infrastructure. The key areas for consideration, although not an exhaustive list are as follows:

Sea-Level Rise:

- The project will incorporate adaptive design features to account for predicted sea-level increases. This may include raising the elevation of docks, creating flexible-use spaces that can withstand periodic flooding, and employing materials resistant to saltwater corrosion.
- There are no habitable spaces proposed as part of this marina and associated buildings, and therefore the development is less at risk of effects from sea level inundation.

Storm Intensity and Frequency:

- With an expected increase in storm severity, the marina's design will incorporate strong, resilient structures that can withstand high winds and surges. The location in Waipiro Bay offers some natural shelter, which will be supplemented with man-made defenses such as breakwaters or wave attenuators. It is worth noting that this is one of a very small number of locations identified by the Northland Regional Council as suitable for a potential marina.

- Drainage systems must be designed to manage heavy rainfall, and boat mooring systems need to be robust to prevent damage during storms.

Tsunamis and Earthquakes:

- Northland is the least prone region in the country to seismic activity, however the marina infrastructure will be flexible and robust to withstand seismic

activity. Tsunami risk will be mitigated through elevated escape routes and clearly marked evacuation plans.

- Critical infrastructure should be designed to remain operational after an event, and emergency protocols must be clearly communicated to all marina users.

Invasive Species:

- The marina will adhere with any biosecurity protocols required in the area to prevent the introduction and spread of invasive species, and in particular Caulerpa. This will include vessel checks, cleaning stations, and educational programs for boaters, along with the cleaning of structures at regular intervals over and above regulatory requirements. However it is noted that this is not proposed to be a recognised port for vessels entering NZ waters.
- Monitoring programs can help detect changes in local ecosystems, enabling early response to invasive species outbreaks.

Overall, the marina project will undertake a multifaceted approach that combines resilient design with proactive management and emergency planning. By planning for these aspects from the outset, the project will ensure not only the safety and security of its users but also contribute to the long-term preservation of the Bay of Islands marine environment.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

There have been no actions of this nature taken against the company or shareholders that form part of this application.

Load your file here:

No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Kallam Brown

Important notes