# **IN-CONFIDENCE**

# Feedback on FTA 229 - Waipiro Marina

Reference: FTA229 - Waipiro Marina

Region / District: Northern North Island, Bay of Islands

Date: 18-06-2024

Given the confidentiality requirements of this process, we have not been able to engage with our Treaty partners or address our obligations to give effect to Treaty principles. We recommend engagement with the Treaty partners to fully understand their perspectives.

Is any PCL affected? In particular, is the project likely to affect a National Park, Wildlife or Forest Sanctuary, Nature or National Reserve, or Ramsar sites?

Primarily coastal based, no Public Conservation Land (PCL) showing on DOC GIS, but affects:

- Sanctuary to protect Marine Mammals Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary, Legislation: Marine Mammals Protection Act 1978
- **Protected Area** Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary, Marine Mammals Protection Act 1978.

Also overlaps the following environments: wetlands, mangroves, Coastal Marine Area, possibly freshwater sources.

### **Permissions recorded on GIS:**

- Te Pēwhairangi (Bay of Islands) Marine Mammal Sanctuary
- Bay of Islands Taronui Bay to Cape Brett (Less Exclusion Zones but including Manganui Bay)
- Northern Marine Area from Raglan and Opotoki north to Three Kings Islands

**Would the site likely require any DOC approvals** (eg Wildlife Act, Conservation Act, freshwater fisheries)

Without a proper ecological assessment, it is difficult to assess the impacts of the proposal from a DOC perspective on ecological values.

- Wildlife Act relocation of lizards, birds, possibly other species this would typically require wildlife authority
- Marine Mammals (Te Pewhairangi Marine Mammals Sanctuary) Notice 2021 would need to manage construction and ongoing impacts on Marine Mammals.

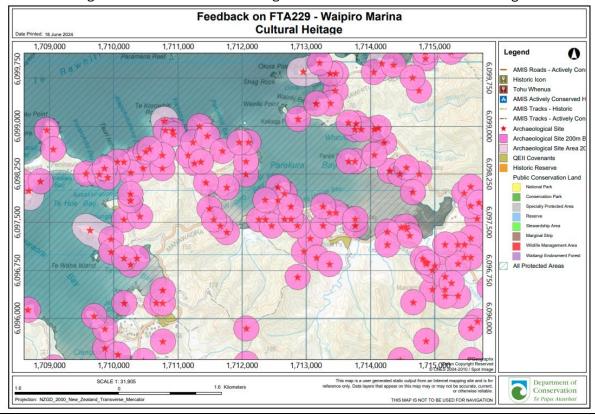
#### Other considerations:

- Freshwater Regulations would depend on species found in affected freshwater courses.
- Biosecurity management (Te Rawhiti Caulerpa Controlled Area Notice) would be important, however this MPI.

 Mangrove removal, dredging, reclamation, hard protection structures and for the location of structures within the coastal marine area – Refer to Coastal Policy Statement rules.

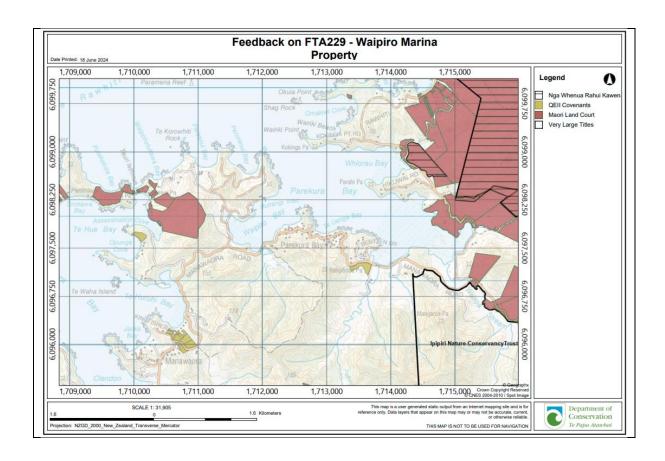
## **Cultural Heritage implications:**

Multiple pā sites, middens, pit / terrace, ditch systems, wahi tapu and other culturally significant sites in vicinity – Any ground disturbance within this area must be approved by your Senior Heritage Advisor. Refer to the Heritage Advice Team for advice. Plus Heritage NZ



**Do we know of any Treaty implications that MfE should be made aware of** (eg, whether the site is relevant to a Terms of Settlement)?

Pre-settled environment, no Treaty Settlements currently exist. Ngati Kuta and Patukeha tangata whenua.



# Any other points we should bring to MfE's attention?

Important breeding habitat for birds, estuarine and marine species.