

Outline of Corporate Evidence for Far North Holdings Limited (FNHL)

1. Introduction

- **Witness:** My name is Andrew Nock, I am the Chief Executive of Far North Holdings Limited (FNHL). I have had 30 years of international master planning and development experience in the commercial, marina, residential and airport sectors, primarily in Europe, Asia and New Zealand. This work has extended to the involvement in multiple mixed-use economic regeneration initiatives.
- **The Purpose of my evidence** is to present FNHL's strategic vision for the Bay of Islands Marina Precinct (BOIMP). In one line, it is to deliver a world class facility that integrates the needs of the local community and our District with the needs of the domestic and international boat owners that visit or reside in Opuia. The marina prides itself in having been the first marina in New Zealand to win the South Pacific Marina of the Year, which was back in 2019. This year the marina won the Boatyard of the year award and was once again certified as a Clean Marina. This however was the start of a journey, the awards reflected the high level of customer service, the high standard of our toilets/showers and lounge areas and the high standards of environmental improvement and compliance which we are very proud of, but the panel in presenting the awards highlighted the need to build on this with a more diverse offering that showed continued progression in the development of the land within our ownership.

The marina users contribute significantly to our tourism sector and the marine service services businesses that are on site. However, as with any industry you need to stay one step ahead of the competition. The Marina is seasonal so very few café/retail or service industry businesses can survive over 12 months as the resident community is too small to provide them with the business/turnover they need over the 6-month winter period. So, they simply don't exist.

This in turn means we lose out to the marinas that can cater for the needs of boatowners who wish to stay for longer periods. After travelling 7 days down from the islands or 2 days up from Auckland and South of Auckland, boatowners want the ability to get a coffee or breakfast in the morning and a meal in the evening, get their laundry done, go to the gym or hairdressers, etc. If a diverse selection of services existed, boatowners would stay longer to use Opuia as a base and then explore our district, spend more in the area, get more work done on their boats thereby supporting numerous businesses.

This means we need to move to an "Opuia version" of the Viaduct or Whangarei Basin. This is reflected in all the stakeholder comments and letters of support. The school already provides places for a number of children that travel into Opuia on boats from abroad and is a very well supported and unique reason to stay in Opuia that few marinas can offer. Opuia school however needs to maintain a strong school roll to be funded by the Ministry of Education so would be keen to see a pre-school nursery within the mixed-use zone that local residents and visitors could use, that acts as a feeder for the school and would encourage a greater integration of the marina with Opuia community. A pre-school nursery would also potentially act as an anchor to other activities such as a café/gym, etc. as parents would use these

activities when dropping or picking their children up. The school would also like to see family accommodation as no new homes have been built in Opuia for many years as no other land is available. These ideas support the school and the marina.

Similar messages have come through from most quarters, more residents means the more chance we have to attract both hospitality and retail services to make Opuia a vibrant place to visit rather than a semi-industrial marina. A place that is an attraction to all users: marina, community, and tourist alike. A vibrant, well designed and engaging space with activities for all.

That does not mean we need to sacrifice our marine service industry. The issue is we have a “sea of car-parking” that is only occupied 8 weeks of the year. This could see residential above, maintaining the parking below. There is no need to move many, if any, businesses in the short to medium term. But should demand for their services grow we have the proposed Marine Park to provide larger accommodation, as this cannot be provided at the marina as there is no land available at grade. i.e. It needs to remain parking, and these businesses cannot operate at first floor but residential can.

This means we cannot expand the marine service offering, which Opuia is known for as we have no land available apart from that currently allocated for parking, and so existing businesses cannot expand. An example of this being two local boatbuilders both of whom have looked at setting up satellite facilities in Auckland or Whangarei. The Marine Park will initially complement the Opuia Marina Precinct and ensure we can cater for the growth coming North from Auckland as land previously occupied by such businesses gets too expensive/developed and they look to the regions.

Ngāti Manu and Te Roroa talked about the significant tourism opportunity from a cultural perspective as did the Kēteriki Trust (Vintage Railway and Cycleway) and the importance of such facilities both for the community and visitors to Opuia and the wider District. In this the need to provide not just homes for private use but housing for families using the vintage railway / cycleway (need for Airbnb accommodation) and again a selection of cafes and restaurants, as Opuia is the start of the Twin Coast Cycleway. A museum, etc. would be a real drawcard, and along with the cycleway/vintage railway/Minerva steamship would lead to Opuia being an attraction in its own right just as Paihia, Waitangi and Russell are.

Businesses want accommodation for their workers as there is none available locally and it impacts their ability to attract employees; a similar comment having been made by Customs and MPI.

So FNHL would look to ensure a diverse array of tenures is offered to ensure we get the correct balance needed to meet the needs of our many stakeholders.

FNHL is committed to transforming Opuia into a world-class, mixed-use destination founded in meeting the needs of community and hapu, and the values and aspirations of all in lifting Opuia up.

To achieve this, we require a planning framework that provides certainty, is not constraining and frames commercial solutions, which the Council officer's recommendations currently do not offer.

No Marina in New Zealand has the constraints being placed on it as they are at Opuā.

FNHL is a CCTO owned by Council tasked with “Generating sustainable prosperity across our District through astute property development, management and investment”

In the recent Strategic Framework, the company has adopted, and ensured alignment with its shareholder FNDC it talks specifically to growing our district, growing tourism, supporting our business and communities.

As such, we are not short term profit-making, we look long-term, we balance economic, social, cultural and environmental outcomes. This is important in understanding why we are looking to achieve the outcome we are at Opuā.

Furthermore, we do need to be commercial, and so any profits generated from the work we do 50% goes back to Council as a dividend each year and 50% is reinvested in new projects.

How can we balance all the stakeholders’ diverse needs, well the marina is a good example of how this is possible. A private developer would simply have sold all the berths to New Zealand boatowners and made a profit, as was done in Stage 1. Stage 2 the company sold an agreed number to underwrite the cost of building the marina extension but then kept a number of berths as most international boats that clear into New Zealand, and 70% clear customs at Opuā spend \$80,000 on refurbishment/repair work and the company were turning them all away as in Stage 1 we owned no berths to rent so could not offer a berth for them to stay. With Stage 2 complete we can now rent the berths and keep them in Opuā. This gives FNHL an income but more importantly generates increased business and revenue for our marine service sector that allows them to be sustainable businesses and grow. A significant economic and social outcome for our district. And the cultural outcome being in a \$50,000 a year Ngāpuhi scholarship fund.

2. Our Vision: A Vibrant Gateway to the Bay of Islands

- **Strategic Goal:** As outlined above to align with objective **PRECX-01** to create a liveable, mixed-use urban environment where people can live, work, and play.
- **Key Components:**
 - A world-class marina complemented by residential, commercial, retail, and cultural activities.
 - Enhanced public access to and along the coast, with high-quality open spaces.
 - A development that respects and enhances Opuā's unique maritime character and sensitive coastal location.
 - To make sure we integrate with the community and hapū's wishes where we can whilst making the marina a destination in itself.

- **Community Support:** Emphasise the broad support for this vision from key stakeholders, including the Bay of Islands-Whangaroa Community Board, Opuā Business Association, Ngāti Manu, and others, who see the transformative potential of the project.

3. Our Commitment to Delivering Infrastructure

- **Proven Track Record:** FNHL has a history of investing in and delivering the necessary infrastructure to support development in Opuā. FNHL has largely serviced the marina area through its own investment and upgrades. These have occurred in addition to Council investments or lack of where there has been no capacity.
- **Future Commitment:** We are committed to a staged development approach that ensures infrastructure capacity keeps pace with growth, aligning with **PRECX-O2**.
- **Collaborative Approach:** FNHL will continue to work collaboratively with Far North District Council (FNDC) to plan and fund the necessary upgrades for three waters and transport infrastructure to support the entire precinct. This detail will be provided as part of the comprehensive plan.

4. The Critical Issue of the Coastal Setback

- **The Problem:** The Council's proposal to impose a standard 26-metre setback from Mean High Water Springs (MHWS) under rule **CE-S4** is unworkable and inappropriate for the Opuā Marina. This tells me it has been written by somebody who has not visited the site. If you overlay a 26m setback we are at the main road that accesses the estate and 80% of the site has been sterilised. We may as well simply leave the existing zoning in place. The Viaduct in Auckland has a 7m setback with significant tourism numbers and it never looks crowded, it does look vibrant, engaging and is appropriate for Auckland. Opuā would never be anywhere near this scale but imagine 3 cafes setback 26m with car parking, in front and cars and service vehicles, etc. going to and fro in front of them. Not a pretty picture and not something that would be worthwhile even considering. Not a safe space for children, no connectivity with the waterfront, it is everything you should not do to create spaces families can enjoy and interact with.
- **Why an Exemption is Justified:**
 - **Highly Modified Environment:** The marina is a hard-engineered, reclaimed port environment, not a natural beach. The standard rationale for coastal setbacks—protecting natural character—is not relevant here.
 - **Public Access is Secured:** A 6m easement/boardwalk already exists along the entire coastal edge, guaranteeing public access and fulfilling a key purpose of setbacks. This is protected by virtue of the consent conditions that apply to the Marina.
 - **Perverse Design Outcomes:** A strict 26m setback would severely restrict development on a site with limited land. As stated, this would force poor urban

design, such as placing car parking along the premium waterfront edge, which is contrary to the vision of creating a vibrant, activated space.

- **Our Solution:** We strongly support the proposed amendment to rule **CE-S4** to specifically exempt the Bay of Islands Marina Precinct, as this is a pragmatic solution that enables high-quality urban design outcomes.

5. Creating a Workable Consenting Pathway

FNHL has reviewed the legal memorandum prepared by Council's counsel, Simpson Grierson, dated 29 August 2025. We acknowledge the advice that a resource consent cannot be granted for a plan itself, and that the activity status of future development must be derived from the District Plan rather than a prior consent.

This advice highlights legal problems with the two-step "permitted activity" pathway we had previously sought.

We sought this approach to maintain simplicity in light of the approach suggested which would make the underlying Mixed Use zone easier than the Precinct. I am sure this is not the intention.

We are committed to finding a legally robust and commercially practical pathway for the precinct's development. We are happy to work collaboratively with Council to refine a workable solution.

The legal advice helpfully suggests that a form of comprehensive development consent is possible, provided it authorises actual uses of the land, such as "the construction and use of roads, reserves and stormwater management areas".

We don't think we are far off from a workable solution provided we alter our approach from consenting plans to a more basic form of consenting activities.

6. Conclusion

- FNHL is ready to invest in Opuia to create a landmark destination that will deliver significant economic, social, and cultural benefits to the Far North.
- To achieve this, we need a practical and efficient planning framework.
- We urge the hearings panel to adopt the amendments proposed, specifically the exemption from the coastal setback rule and work with us to promote a workable precinct. This will provide the certainty needed to unlock the full potential of the Bay of Islands Marina. The rezoning of all areas also needs to be supported to make the components work in unison to create great outcomes for the Far North.