

## Happiness is the end of a 17-year marina battle

By [James Ihaka](#)

**4:00 AM** Saturday Oct 24, 2009

After 17 years of litigation, feuds with surfers, environmentalists and an iwi group that said their guardian skink was at risk, Mick Kelly could have given up on his dream of a marina at Whangamata.

But Mr Kelly and the Whangamata Marina Society, which spent more than \$2 million in consent costs and legal fees, were never going to quit easily.

The \$11 million project, which polarised the seaside township and MPs alike, was completed this week after being first devised in 1992.

All of its 205 berths, which cost up to \$200,000, were snapped up years ago.

Among the moorings is Mr Kelly's 9m boat, which on Wednesday was among the first vessels to be brought into the marina, 1 km up the Whangamata Harbour.

"It was probably one of the happiest days I can remember, seeing it go in there," said Mr Kelly.

"The whole thing got pretty difficult and there were a lot of times when we thought we were getting close and we'd get knocked back, so yeah, it was a pretty big day."

Mr Kelly said the project had its share of setbacks. After years of hearings, the Environment Court granted resource consent for the marina in 2005 only for then conservation minister Chris Carter to use his special powers under the Resource Management Act to overrule the decision.

It would be another year before that decision was overturned by his colleague, David Benson-Pope in 2006.

More was to follow as construction work was about to begin last year but a cross-section of protesters set up camp at the marina's Hetherington Rd site.

Among them were surfers, locals and iwi groups, who said a species of native skink was their kaitiaki (guardian) and under threat.

"It was hard going," said Mr Kelly, "but we got to the stage where there really was no way that we could have given up. It just would have been defeatist."

He said the marina would provide a huge economic boost to the township – one estimate is \$40,000 a berth – and pointed to Whitianga, further up SH25, which had boomed in development and population



Mick Kelly says there was no way the marina group could have given up. 'It just would have been defeatist.' Photo / Alan Gibson

since its marina and canal were built.

New businesses would emerge to look after boats and boat owners, Mr Kelly said.

Whangamata Surfbreak Protection Society president Paul Shanks was vocal in his disagreement but said he was never anti-marina. "I was never opposed to the idea, just where it was."

His biggest concern was sediment transportation affecting the surf break. Thousands of cubic metres will be dredged from the artificial channel to the marina over the next 30 years.

Mr Shanks said there had been no qualification of how much sand had been moved.

"If they're going to be dredging more and the sand is not put back into the sediment cycle there will be effects long-term.

"But in saying that, it's there and we've just got to get on with things."

Ngati Hako spokeswoman Pauline Clarkin, like Mr Shanks, was suspicious about who would eventually wear the cost of dredging the harbour.

Ms Clarkin believed her people's traditional source of pipi would be affected and said locals had just one more summer to collect kaimoana from Whangamata.

"While we have gained a boat park, we have lost a taonga that has been there since time immemorial," she said.

"But I think that the environment in time will start to highlight the concerns we have raised in the last 15 years."

Mr Kelly accepted the opposing concerns as genuine but said time would show that these would not be realised. "The pipi beds are still there and the surf is still pumping."

By [James Ihaka](#)

Copyright ©2010, APN Holdings NZ Limited