

FILE: 018747 Change 07 Lapse Provisions 01.02

**Document Date: 06.05.2015** 

# Resource Consent

Pursuant to the Resource Management Act 1991, the Northland Regional Council (hereinafter called "the Council") does hereby grant a Resource Consent to:

# FAR NORTH DISTRICT COUNCIL, PRIVATE BAG 752, KAIKOHE 0440

To carry out the following activities at Windsor Inlet, Kerikeri Inlet, Bay of Islands (Windsor Landing), at or about location co-ordinates 1693430E 6103250N

Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection.

AUT 018747 01 02 To place use and occupy space in the coastal marine area with a

AU1.018747.01.02	causeway and car park (Stage 1 and 2).				
AUT.018747.02.02	To reclaim the Coastal Marine Area for: Stage 1 - causeway for vehicle access - (600 square metres approximately); and Stage 2 - car parking - (up to 1,540 square metres approximately).				
AUT.018747.03.02	To remove Mangroves (Stage 1 and 2).				
AUT.018747.04.02	Vegetation Clearance in the Riparian Management Zone (Stage 1).				
AUT.018747.05.02	Land Disturbance in the Riparian Management Zone (Stage 1).				
AUT.018747.06.02	Diversion and discharge of stormwater to Land (Stage 1).				
AUT.018747.07.01	Place, use and occupy space in the coastal marine area with a jetty, rock approach, and pontoon (jetty facility) at or about location coordinates 1693357E 6103238N and a boat ramp at or about location co-ordinates 1693374E 6103243N.				
AUT.018747.08.01	Discharges associated with cleaning a boat ramp with chemicals at or about location co-ordinates 1693374E 6103243N.				

Subject to the following conditions:

## **General Conditions Applying to all Consents**

- These consents apply only to the areas and facilities identified on Northland Regional Council Plan No's. 4165 and 3265B **attached**.
- The Consent Holder shall notify the Regional Council in writing of the date each stage of the construction works, including but not limited to mangrove removal, is intended to commence, at least two weeks beforehand.

The Consent Holder shall ensure that a copy of these consents is provided to the person who is to carry out each stage of the construction work, prior to construction. A copy of the consents shall be held on site, and be available for inspection by the public, during construction.

Advice Note: The person referred to in this condition is the person in control of the works.

- The Consent Holder shall notify the Regional Council in writing as soon as each stage of the works has been completed.
- Fuelling and maintenance of plant and equipment used in the construction or maintenance of the reclamation and removal of mangroves shall not be carried out in the coastal marine area or in any other location near the site where fuel or oil could enter the coastal marine area.
- Noise levels associated with the exercise of the consents shall not exceed those set out in Schedule 1, attached.
- Work associated with the construction shall only be carried out during the hours between 7.00 a.m. and sunset or 8.00 p.m., whichever occurs earlier, and only on days other than Sundays and public holidays.
- The Consent Holder shall, for the purposes of adequately monitoring the consent as required under Section 35 of the Act, on becoming aware of any contaminant associated with the Consent Holder's operations escaping otherwise than in conformity with these consents:
  - (a) Immediately take such action, or execute such work as may be necessary, to stop and/or contain such escape; and
  - (b) Immediately notify the Regional Council by telephone of an escape of contaminant; and
  - (c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the escape; and
  - (d) Report to the Regional Council in writing within one week on the cause of the escape of the contaminant and the steps taken or being taken to effectively control or prevent such escape.
- The Regional Council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of these consents. Such notice may be served annually during the month of August. The review may be initiated for any one or more of the following purposes:
  - (a) To deal with any adverse effects on the environment that may arise from the exercise of the consents and which it is appropriate to deal with at a later stage, or to deal with any such effects following assessment of the results of the monitoring of the consent and/or as a result of the Regional Council's monitoring of the state of the environment in the area.
  - (b) To require the adoption of the best practicable option to remove or reduce any adverse effect on the environment.

- (c) To provide for compliance with rules in any regional plan that has been made operative since the commencement of the consents.
- (d) To deal with any inadequacies or inconsistencies the Regional Council considers there to be in the conditions of the consents, following the establishment of the activity the subject of the consent.
- (e) To deal with any material inaccuracies that may in future be found in the information made available with the application. (Notice may be served at any time for this reason).
- (f) To change existing, or impose new limits on conditions.

The Consent Holder shall meet all reasonable costs of any such review.

## Causeway and Reclamation (01-02)

- Prior to commencing construction of the causeway and reclamation, the Consent Holder shall provide the Regional Council with a statement, which may be part of a producer statement under the Building Act 1991, signed by the Chartered Professional Engineer who supervised the development of the detailed design and the construction, describing the particular works to be constructed and confirming that the particular works have been suitably investigated and properly designed in accordance with good engineering practice.
- Prior to construction work starting on the causeway and reclamation, the footprint of the area of coastal marine area to be covered by deposition shall be surveyed and marked out by a registered surveyor. The placement of marks shall be sufficient to delineate to contractors the areas authorised for extraction, and to control/measure vertical/depth limits of extraction. The Consent Holder shall ensure that set out marks are maintained in place for the duration of the extraction works. The Consent Holder shall confirm, in writing to the Regional Council, that set out has been completed, along with the provision of a plan showing completed set out and marks, at least three working days prior to construction work commencing on site.
- Stage 1 and Stage 2 shall be constructed in general accordance with the attached plans: Northern Civil Consulting Engineers Ltd, titled "Kerikeri Inlet Road Development Far North Holdings Limited Kerikeri Far North District", Job: 1252 Sheet No: 1-2 dated 8 May 2007; 3-6 dated 21 March 2007.
- During construction of the causeway and reclamation, the visual clarity, as measured using a black disk or Secchi disk, of harbour water, immediately outside a 20 metre radius of the site shall not be reduced by more than 20% of the median background visual clarity at the time of measurement.
- Within three months of completion of each stage, the Consent Holder shall provide the Regional Council with a statement, which may be part of a producer statement under the Building Act 1991, from a suitably qualified and experienced Chartered Professional Engineer stating that the causeway and/or reclamation has been constructed in accordance with good engineering practice.
- The Consent Holder's hall keep the coastal marine area free of debris resulting from the Consent Holder's activities. Notwithstanding the generality of this, all material used in the causeway and reclamation construction shall be of sufficient size and density so as to preclude their movement out of the reclamation under the most extreme action the sea is likely to impart on them.

- No material shall be placed seaward or adjacent to the causeway or reclamation.
- 17 The Consent Holder shall maintain the causeway and reclamation covered by these consents in good order and repair.

## Mangrove Removal (03)

- 18 Mangroves may only be removed from within the foot print of the causeway and reclamation.
- Removal of mangroves shall not be undertaken in a way that causes damage to, or increased sediment runoff into, the coastal marine area.
- 20 Removal of mangroves for the causeway and Stage 2 parking area shall be undertaken using mechanical methods. An archaeologist shall be present when removal occurs, as there may be artefacts, cultural material within the marine material.
- The Consent Holder shall remove mangrove remains and any spoil from the site immediately to a Council authorised site outside of the coastal marine area.

### Land Disturbance and Vegetation Clearance (04-05)

- 22 Earthworks related to the activities authorised by these consents, and associated sediment control measures, shall be constructed and carried out in accordance with the principles contained within the document entitled "Erosion and Sediment Control Guidelines for Land Disturbing Activities", Auckland Regional Council Technical Publication No. 90, dated March 1999.
- In the event of archaeological sites or koiwi being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder shall then consult with Te Uri Taniwha and the New Zealand Historic Places Trust, and shall not recommence works in the area of the discovery until the relevant approvals have been obtained.

#### Jetty facility and boat ramp (07)

- The Consent Holder shall mark the jetty facility adjacent to the boat ramp with the number 18747-07 in black lettering on a white background clearly displayed and in such a manner as to be clearly visible from the sea.
- The jetty facility and the boat ramp shall be available for public berthage and use, free of charge, at all times other than times when it is necessary to limit public use for reasons of safety. This includes access to enable the loading and unloading of goods and people, but excludes the berthing or lying alongside vessels for periods longer than necessary for that purpose.
- All vehicles or equipment entering the coastal marine area associated with the exercise of these consents shall be in a good state of repair and free of any leaks e.g. oil, diesel etc.
- The Consent Holder shall keep the coastal marine area free of debris resulting from the Consent Holder's activities.

- The Consent Holder shall maintain the jetty facility and the boat ramp covered by these consents in good order and repair.
- Boat maintenance that is likely to cause contaminants to enter the coastal marine area shall not be carried out at the jetty facility (e.g. removal or application of paint or antifouling, activities involving grease or oil).
- No discharge of wastes (e.g. sewage, oil, contaminated bilge water) shall occur from any vessel at the jetty facility, or at the boat ramp.
- Prior to the expiry, or cancellation, of this consent, the Consent Holder shall remove the structure and other materials and refuse associated with this consent from the consent area and shall restore the consent area to the satisfaction of the Council, unless an application for a replacement consent has been properly made beforehand.

#### Discharges from boat ramp (08).

- The Consent Holder shall exercise this consent no more than once in each calendar month.
- The Consent Holder shall notify the Regional Council in writing of the date ramp cleaning activity is intended to commence on each occasion at least two weeks beforehand.
- The Consent Holder shall ensure that a copy of this consent is provided to the person who is to carry out the work, prior to the commencement of works on each occasion. A copy of the consent shall be held on site, and available for inspection by the public, during the cleaning process.
- The Consent Holder shall only use one of the following chemicals at no more than the maximum concentrations listed in the table below:

Concentration of chemical

Calcium hypochlorite - 60% w/w Hydrogen peroxide - 60% w/w Sodium hypochlorite - 15% w/w

- The Consent Holder shall apply no more than 1 kilogram of the specified concentration of chemical to the boat ramp surface on each occasion when the tide is out.
- The Consent Holder shall keep a log book and shall provide detailed records to the Northland Regional Council of the:
  - (a) Date and time of works;
  - (b) Type of chemical applied;
  - (c) Amount of chemical applied; and
  - (d) Name of the contractor/person carrying out the work,

no later than the last day of the months of January and July of each calendar year, or within 24 hours of a request being made for a copy of the log book entries by a Northland Regional Council officer.

The Consent Holder shall exercise this consent in a manner which ensures that the quality of the receiving waters, as measured at any point 50 metres from the lowest point of the boat ramp, when compared to the water quality (background level) measured before the discharge occurs, always meets the following standard during boat ramp cleaning activities:

Standard	General Water Quality Standard			
Natural visual clarity	Not reduced more than 20%.			
Natural hue	Not changed more than 10 Munsell units.			
Oil/grease film, scum,	No conspicuous oil or grease film, scums or			
foam, odour	foams, floatable or suspended materials, or			
32 12 12	emissions of objectionable odour.			
рН	within the range 6.5 to 9.0			

EXPIRY DATE:

01, 03-08

30 JUNE 2042

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IN PERPETUITY (for reclamations)

Advice Note:

Consents AUT.018747.01.02 - AUT.018747.06.02 lapse on 7

December 2022

Der. Ruhan

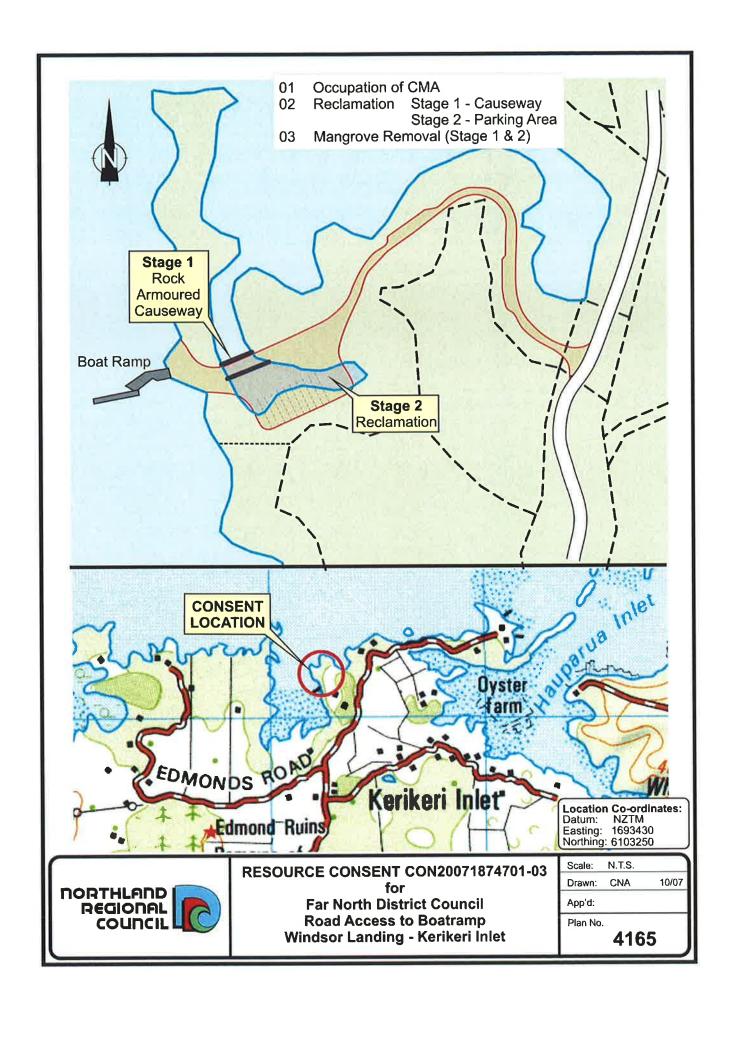
This consent is granted this Sixth day of May 2015 under delegated authority from the Council by:

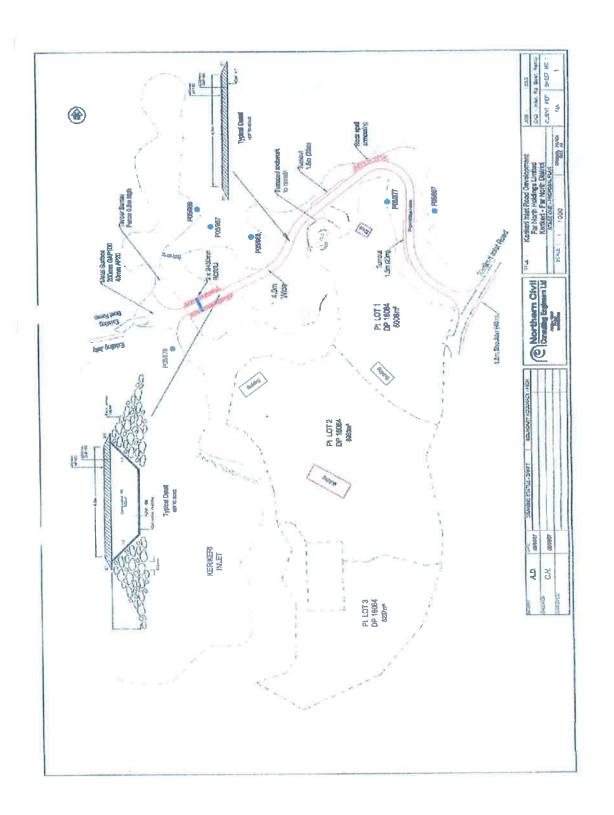
Allan Richards

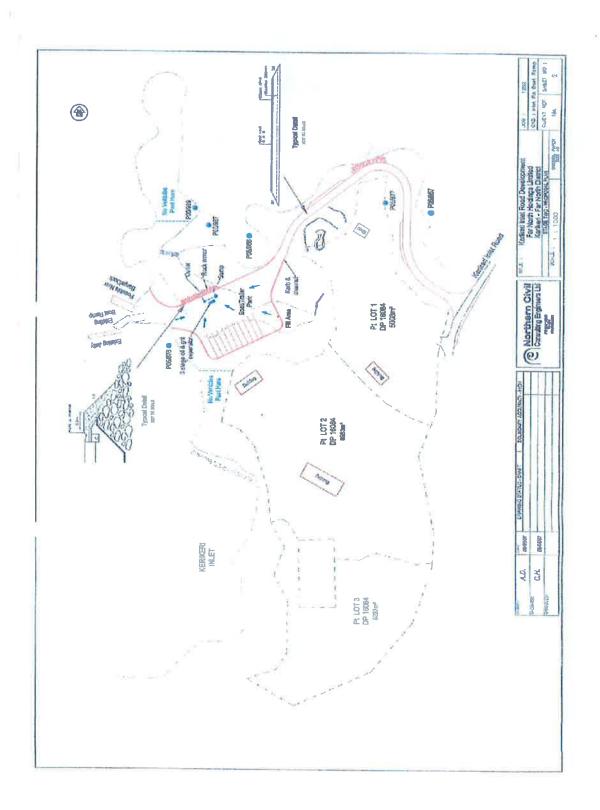
Consents Programme Manager – Coastal & Works

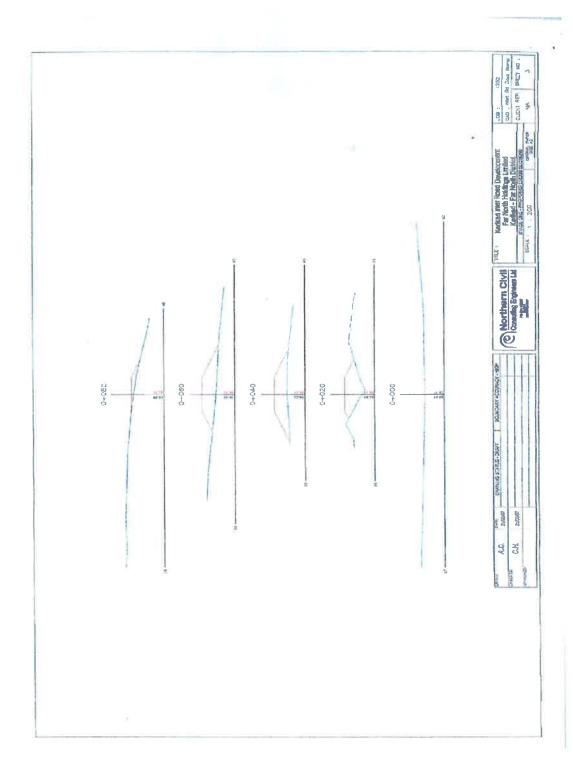
Advice Notes:

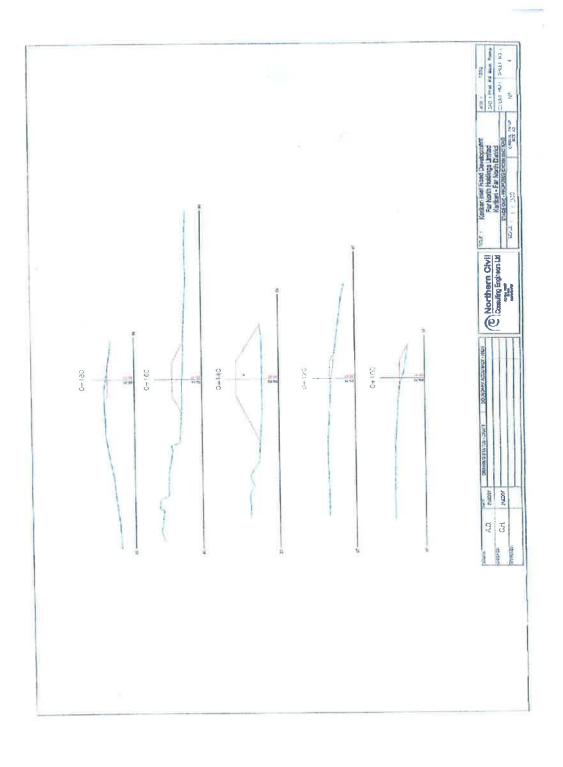
- 1 The Consent Holder's attention is drawn to the Consent Holder's obligations under Sections 245 and 246 of the Resource Management Act 1991 regarding the Regional Council's approval of a plan of survey of the reclamation. The Consent Holder is also advised of its duty to meet any relevant requirements, resulting from the proposal, of the Foreshore and Seabed Act 2004, if any.
- 2 The Consent Holder is advised that building consent for the construction of the causeway and/or reclamation may be required from the Far North District Council.

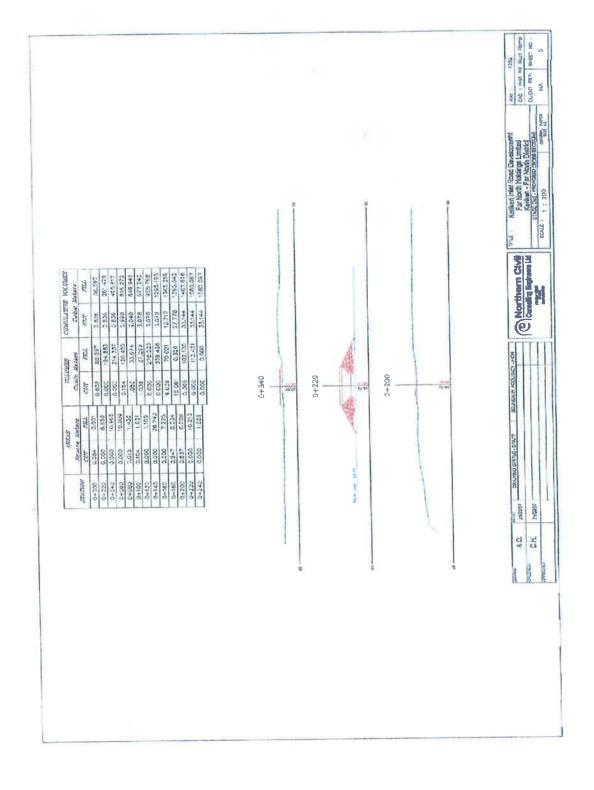


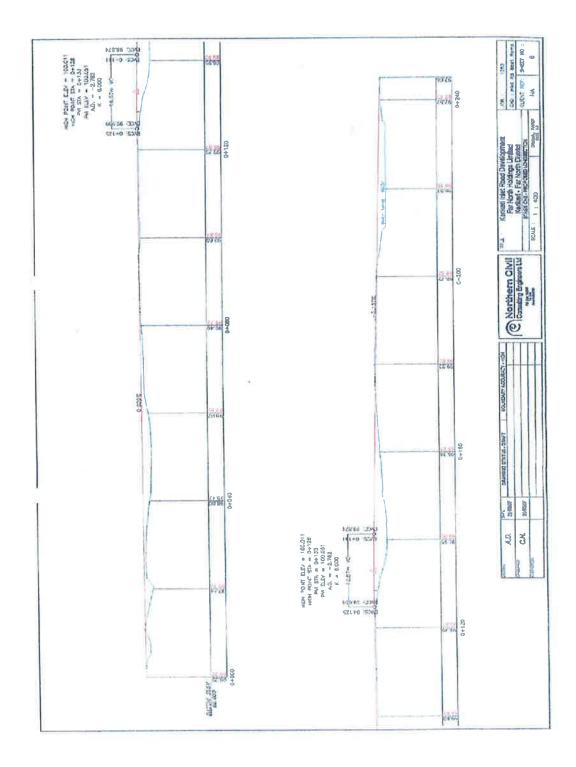


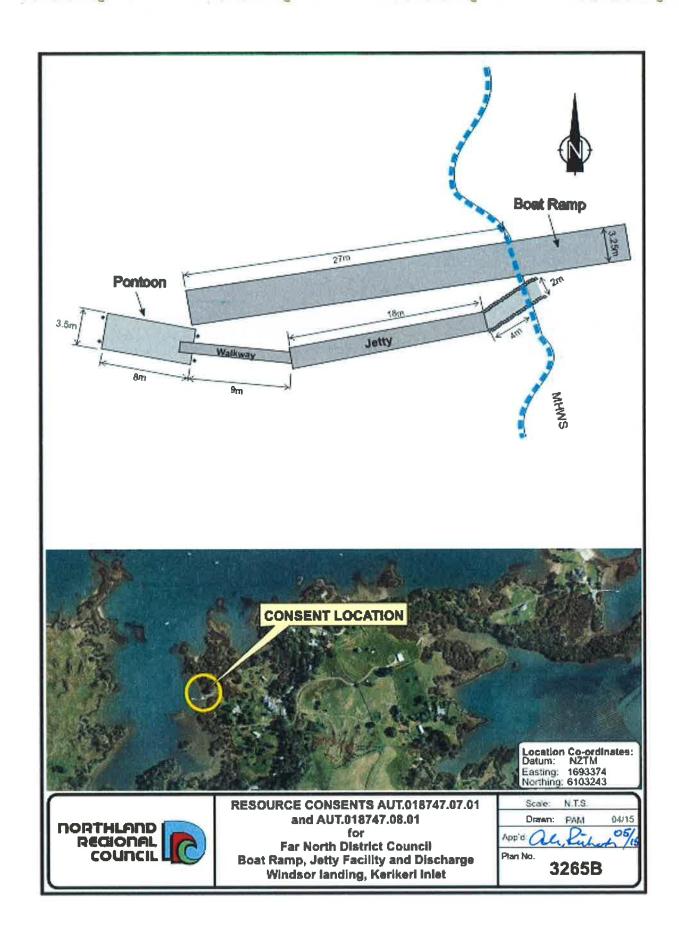












# SCHEDULE 1 ENVIRONMENTAL STANDARDS – NOISE

#### CONSTRUCTION

Based on Table 1, NZS 6803:1999 "Acoustics - Construction Noise", Standards New Zealand.

Time Period	Weekdays		Saturdays		Sundays & Public Holidays	
	Leq	L <sub>max</sub>	Leq	L <sub>max</sub>	Leq	Lmax
0630 hrs - 0730 hrs	65	75	45	75	45	75
0730 hrs - 1800 hrs	80	95	80	95	55	85
1800 hrs - 2000 hrs	75	90	45	75	45	75
2000 hrs - 0630 hrs	45	75	45	75	45	75

Note: Noise levels Leq and Lmax are measured in dBA. Definitions are as follows:

- (a) dBA means the sound level obtained when using a sound level meter having its frequency response A-weighted. (See IEC 651).
- (b) L<sub>max</sub> means the maximum noise level (dBA) measured.
- (c) L<sub>eq</sub> means the time average level.

#### **OPERATION**

Noise emitted from any activity, when measured at the boundary of the zone, shall not exceed the following noise levels as measured at or within the boundary of any residential site or at any point located 100 metres seaward of the position of mean high water springs a (as defined below):

Time Period	Noise Limit		
0700 hrs – 2200 hrs	55 dBA L <sub>10</sub>		
2200 hrs – 0700 hrs the following day	45 dBA L <sub>10</sub>		
	70 dBA L <sub>max</sub>		

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1999 Measurement of Sound and assessed in accordance with NZS 6802:1999 Assessment of Environmental Sound.

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