

Resource Consent Certificate

Resource Consent: 121398

File Number: 61 01 65A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Whangamata Marina Society Incorporated
PO Box 37
Whangamata 3643

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal permit

Consent Subtype: Disturbance

Activity authorised: To remove no more than 10,000 cubic metres per year of natural marine material from the bed of the Whangamata Harbour including associated vehicle use and stockpiling, for maintenance dredging purposes.

Location: Whangamata Harbour

Map Reference: NZMS 260 T12:648-411

Consent Duration: This consent will commence on the date of decision notification, unless otherwise stated in the consent's conditions, and expire on 18 December 2041

Subject to the conditions overleaf:

General

1. The maintenance dredging operation and stockpiling authorised by this resource consent shall be conducted in accordance with the application for this resource consent and as identified in the resource consent conditions below.
2. The consent holder shall be responsible for all contracted operations relating to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Stockpiling

3. Any material stockpiled in the coastal marine area shall be sourced exclusively from the maintenance dredging authorised by this resource consent and shall not exceed 1,000 cubic metres in volume at any point in time.
4. Stockpiling shall be located within the general location demarcated "Barge Unloading Area" in the plan entitled *Topographical Survey of the Whangamata Harbours Edge Beach Road, Whangamata Whangamata Marina Society*" Drawing No. E1 (Environment Waikato Document Number 1763902) unless otherwise agreed in writing by the Waikato Regional Council.
5. Stockpiled material shall be removed from the stockpile area specified in condition 4 above within three days from the date on which it was first deposited.

Operational Limits

6. The exercise of this resource consent shall not result in a cumulative total of more than 10,000 cubic metres of material being dredged from the marina access channel per annum. To this end, the cumulative total shall include any material dredged under any other authorisation that allows for the dredging of any portion of the Moanaanuanu channel between the Whangamata marina basin entrance and the confluence with the main Whangamata harbour channel.
7. All dredged sediments shall be placed back into the coastal marine area in a manner that will minimise any net loss of sediments from the sediment transport system from which the material was dredged unless :
 - (a) No reasonably practical option exists that would allow for dredged sediments to be returned to the sediment transport system from which the material was dredged; or
 - (b) Dredged sediments contain more than three per cent by weight of mud (mud being sediments with a size less than 63 microns);or
 - (c) Otherwise agreed in writing by the Waikato Regional Council

Note: A separate resource consent may be required as a result any activities associated with the disposal of dredged sediments. Any such consent shall be obtained by the consent holder at their sole expense prior to any works being undertaken.

8. Records of the amount of material removed during maintenance dredging shall be kept by the consent holder and shall be made available to the Waikato Regional Council upon request.

Timing of Works

9. The works authorised by this resource consent shall not be undertaken:
 - (i) during statutory holidays or during the period between 20 December and 6 February inclusive;
 - (ii) Two days either side of a major rainfall event.
 unless otherwise agreed in writing by the Waikato Regional Council.

Note: for clarification a major rainfall event is defined as an event resulting in more than 50mm of rain over a 24 hour period within the Whangamata harbour catchment

Maintenance Dredging Plan

10. The consent holder shall engage an appropriately qualified and experienced person to develop a maintenance dredging plan. The plan shall, as a minimum, address the following:
- i) means of ensuring compliance with conditions 12-20 of this consent;
 - ii) measures to prevent spillage of fuel, oil and similar contaminants;
 - iii) measures to maintain safe boating access within Whangamata Harbour;
 - iv) measures to maintain public safety during the dredging operation; and
 - v) means of ensuring contractor compliance with the plan.

This plan shall be submitted to the Waikato Regional Council for written approval at least one month prior to the exercise of this resource consent. No works shall commence until the plan has been approved. No changes to the approved plan may be made without the prior written approval of the Waikato Regional Council. Works shall be undertaken in accordance with the approved Plan.

11. At least two weeks prior to each dredging event authorised by this resource consent, the consent holder shall prepare a pre-dredging plan which shall address the following:
- i) location of dredging;
 - ii) approximate volume of material to be dredged;
 - iii) dredging disposal sites;
 - iv) machinery and equipment to be used; and
 - v) sequencing and programming of the dredging

Environmental Protection

12. Marine mud, not suitable for beach renourishment purposes, shall be suitably disposed of outside of the coastal marine area to the satisfaction of the Waikato Regional Council.
13. Maintenance dredging within the marina access channel shall not cause suspended solids concentration of the harbour water to exceed the following levels as measured at any point outside a mixing zone of 100 metres from the access channel:
- i) where background suspended sediment levels are less than 50 g/m³, no more than a doubling of background levels; and
 - ii) where background suspended sediment levels exceed 50 g/m³, no more than a 50 g/m³ increase.
14. Maintenance dredging within the marina access channel shall not cause the turbidity of the harbour water to increase by more than a doubling of background levels as measured at any point outside a mixing zone of 100 metres from the access channel.
15. All machinery shall be operated in a manner, which ensures that spillage of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. To this end refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter surface water or the coastal marine area.
16. The consent holder shall be responsible for implementing the best practical option so as to minimise damage to the foreshore and surrounding environment whilst operating machinery in the coastal marine area.
17. Vehicles shall travel the most direct route with the least environmental damage to and from the marina access channel.
18. Any visible change in water quality associated with stockpiling dredged material shall not be detectable 24 hours after the deposition associated with the stockpiling has been completed.

- 19. No dredged material shall be stockpiled on eel grass, bird nesting areas during nesting season, or shellfish breeding beds.
- 20. The consent holder shall implement the best practicable option so as to minimise sediment loss associated with stockpiled material.

Notification

- 21. The consent holder shall inform the Waikato Regional Council in writing of the start and expected completion dates of the dredging works at least one month prior to each maintenance dredging event.

Public Access

- 22. The consent holder shall not restrict or impede public to and within the coastal marine area, except through areas where the safety of the public would be endangered as a result of works being undertaken, or where the access of the public would prevent the consent holder from exercising this consent.

Review

- 23. The Waikato Regional Council may, within two months either side of 01 September 2012 and at five yearly intervals thereafter, serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:

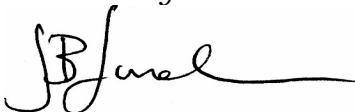
- (i) to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
- (ii) if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
- (iii) to review the adequacy of and the necessity for monitoring undertaken by the consent holder.

Note: Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administration

- 24. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with Section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulation made under Section 360 of the Resource Management Act 1991.

*For and on behalf of the
Waikato Regional Council*



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Advice notes

1. In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
2. Where a resource consent has been issued in relation to any type of construction (e.g. dam, bridge, jetty) this consent does not constitute authority to build and it may be necessary to apply for a Building Consent from the relevant territorial authority.
3. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
4. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
5. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
6. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
7. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
8. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
9. The consent holder must comply with all relevant sections of the Fisheries (Amateur Fishing) Regulations 1986 when exercising this resource consent.