Resource Consent

FILE: 5424
(01 to 04, 06, 09 to 12)
Change to Conditions for all activities

Document Date: 30.09.2019

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

KINGFISH LODGE 2016 LIMITED, PO BOX 3 WHITFORD 2149

To undertake the following activities on Sec 2 & 3 and Crown Land Blk III Whangaroa SD, and in the adjoining coastal marine area, associated with the operation of a tourist facility in the catchment of Whangaroa Harbour:

Coastal Permit

AUT.005424.01.05 Use and occupy space in the coastal marine area with conference room deck, and recreation deck at or about location co-ordinates 1669100E 6125307N;

Water Take Permit

AUT.005424.02.04 Take groundwater for water supply purposes at or about location co-ordinates 1669399E 6125328N;

Discharge to Land Permit

AUT.005424.03.04 Discharge treated wastewater to land at or about location co-ordinates 1669199E 6125258N;

Discharge to Air Permit

AUT.005424.04.04 Discharge contaminants to air (primarily odour) from a wastewater treatment and disposal system at or about location co-ordinates 1669199E 6125258N;

Coastal Permits

AUT.005424.06.03 Use and occupy space in the coastal marine area with seawalls between location coordinates 1669034E 6125237N and 1669097E 6125318N;

AUT.005424.09.05 Use and occupy space in the coastal marine area with a jetty facility including jetty, gangway, pontoon and two mooring piles, at or about location co-ordinates 1669051E 6125296N;

AUT.005424.10.05 Use and occupy space in the coastal marine area with a boat ramp at or about location co-ordinates 1669060E 6125257N;

AUT.005424.11.03 Use and occupy space in the coastal marine area with three mediterranean type berthing moorings associated with the jety facility (AUT.005424.09.05) at or about location co-ordinates 1669015E 6125306N;

Land Use Consent (Issued under Transfer of Functions, Powers and Duties from the Far North District Council)

AUT.005424.12.04 Use those portions of boat ramps located above Mean High Water Springs (MHWS) at or about location co-ordinates 1669060E 6125257N and 1669084E 6125288N respectively.

Northland REGIONAL COUNCIL

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

Subject to the following conditions:

General Conditions to all Consents

1 The Consent Holder shall, on becoming aware of any discharge associated with the Consent Holder's operations that is not authorised by 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 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 council's Compliance Manager 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.

For telephone notification~~,~~ during council's opening hours, the council's assigned monitoring officer for these consents shall be contacted. If that person cannot be spoken to directly, or it is outside of council's opening hours, then the Environmental Emergency Hotline shall be contacted.

***Advice Note**: The Environmental Emergency Hotline is a 24 hour, seven day a week, service that is free to call on 0800 0504 639.*

2 The 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 annually during the month of August to deal with any adverse effects on the environment that may arise from the exercise of these consents and which it is appropriate to deal with at a later stage, or, to require the adoption of the best practicable option to remove or reduce any adverse effect on the environment. The Consent Holder shall meet all reasonable costs of any such review.

3 Deleted.

AUT.005424.01 - Decks and Steps, AUT.005424.06 - Seawall and Steps, AUT.005424.09 - Jetty Facility, AUT.005424.10 and AUT.005424.12 - Boat Ramp, AUT.005424.11 - Mediterranean Moorings

4 These consents apply to the existing decks and stairs, boat ramp, seawall and steps, jetty facility, mooring piles, and three mediteranian moorings shown on the **attached** Northland Regional Council Plan Numbers 4420C, 4704/1, 4704/2A and 4704/3 and the **attached** Williams and King drawing referenced as Northland Regional Council Plan Number 4905.

5 The Consent Holder shall mark the seaward face of the jetty facility structure with the number **5424** in black lettering on a white background clearly displayed and in such a manner as to be clearly visible from the coastal marine area at a distance of 10 metres.

6 The Consent Holder shall not allow any oil, noxious liquid substance, sewage or garbage to be discharged into coastal waters from the vessel whilst moored at the jetty facility and/or Mediterranean moorings.

7 The Consent Holder shall keep the coastal marine area free of debris resulting from the Consent Holder's activities.

8 The Consent Holder shall maintain the structures and moorings covered by these consents in good order and repair.

9 Boat maintenance or construction that is likely to cause contaminants to enter the coastal marine area shall not be carried out at or on any of the structures (e.g. removal or application of paint or antifouling, activities involving grease or oil, sanding of fiberglass).

10 Vessels using the jetty facility and moorings shall not be used for permanent accommodation while berthed at the jetty facility or moorings. For the purpose of this condition “permanent accommodation” means the use of the vessel on the jetty facility and moorings as the primary abode of the jetty facility or mooring owner, vessel owner, or person(s) accommodated in the vessel.

11 No person may stay overnight on a vessel while moored at this jetty facility or any mooring unless:

(a) The vessel is equipped with a sewage treatment system which is specified in Schedule 5 and 7, or is compliant with Schedule 6, of the Resource Management (Marine Pollution) Regulations 1998 and which is installed, maintained, and operated in accordance with manufacturer’s instructions; or

(b) It is equipped with a sewage holding tank that has an effective outlet sealing device installed to prevent sewage discharges, this device remaining activated in the sealed state or position at all times while the vessel is moored; or

(c) It is equipped with a portable toilet on board. For the purposes of this condition a portable toilet is defined as a sewage containment device constructed of impermeable materials which is fully self contained and removable and consists of two independently sealed chambers comprising a water holding tank and a sewage holding tank separated by a slide valve.

12 Prior to the expiry, cancellation, or lapsing of these consents, the Consent Holder shall remove the structures, mooring and other materials associated with these consents from the consent area and shall restore the consent area to its original condition to the reasonable satisfaction of the council, unless an application for a replacement consent has been properly made beforehand or the activity is permitted by a rule in the Regional Plan.

13 Deleted.

14 The Mediterranean moorings shown on the **attached** Northland Regional Council Plan Number 4420C shall be constructed in accordance with the attached “Mediterranean Mooring Arrangement” sheet.

15 The overall length of vessels using the Mediterranean moorings shall be no greater than **16** metres.

Advice Note: *Before any vessel greater than this length can use this mooring the Consent Holder will need to apply for, and be granted, a change to this condition under Section 127 of the Resource Management Act 1991.*

16 The Consent Holder shall permit the visiting public to use the three Mediterranean moorings at all times, so as to facilitate stern berthage to the pontoon only.

17 The moorings shall be lifted clear of the water and inspected at no more than 3 yearly intervals and repaired or renewed as necessary. These inspections are to be carried out by an authorised representative of the council or a contractor approved by the Council. A Mooring Inspection Certificate shall be forwarded to the council's assigned monitoring officer upon completion of each inspection.

18 The council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder annually during the month of September to review Conditions 14 and 15 to ensure that the mooring configuration continues to meet the council's minimum guidelines and specifications for moorings. The Consent Holder shall meet all reasonable costs of any such review.

Advice Note: *The Consent Holder is reminded that moorings are also subject to licensing under the Northland Regional Council Navigation Safety Bylaw. The Consent Holder will be sent an invoice for a licence under this bylaw. The licence will be issued upon payment of the invoice.*

AUT.005424.02 - Take Groundwater

19 The rate of taking shall not exceed 10 cubic metres per day until such time as the wastewater treatment and disposal system has been upgraded in accordance with Condition 23. In the event that the wastewater treatment and disposal system is upgraded in accordance with Condition 23, then the rate of taking shall not exceed 28 cubic metres per day.

20 In the event that Condition 23 is exercised, the Consent Holder shall install a meter with an accuracy of ±5% to measure the volume of water taken in cubic metres. The meter shall be operated and maintained in accordance with the manufacturer's specifications. The Consent Holder shall, at all times, provide safe and easy access to the meter for the purposes of undertaking visual inspections of the meter and water take measurements.

21 The Consent Holder shall keep a record of the weekly volume, being every 7 consecutive days, of water taken in cubic metres, including nil abstractions. A copy of this record for the period 1 July to 30 June (inclusive) shall be forwarded each year to the council's assigned monitoring officer by the following 31 July. In addition, a copy of this record shall be forwarded immediately to the council's Compliance Manager on written request by that Manager. The records shall be in an electronic format that has been agreed to by the council's Compliance Manager

Advice Note 1*: If no water is taken during the period 1 July to 30 June (inclusive) then the Consent Holder is still required to notify the council's Compliance Manager in writing of the nil abstraction. Water use record sheets in an electronic format are available from the Regional Council's website at www.nrc.govt.nz/wur.*

Advice Note 2: *Until such time as a meter is installed, the weekly volume of water taken may be calculated by knowing the pump rate and how many hours the pump was used or the electricity usage for the pump each week.*

AUT.005424.03 - Sewage Discharge

22 The rate of wastewater discharge shall not exceed 10 cubic metres per day until such time as the wastewater treatment and disposal system has been upgraded in accordance with Condition 23. In the event that the wastewater treatment and disposal system is upgraded in accordance with Condition 23, then the rate of wastewater discharge shall not exceed 28 cubic metres per day.

23 The Consent Holder shall provide to the council's Compliance Manager a report on any proposed upgrade to the wastewater treatment and disposal system at least one month prior to the proposed date that the upgrade is to occur. This report shall be no more than six months old and been prepared by a suitably qualified engineer. The report shall, as a minimum, provide:

(a) The proposed maximum daily discharge volume and how this was derived;

(b) The design details of the proposed upgrade to the treatment and disposal system;

(c) Discussion on how the proposed treatment and disposal system will meet the conditions of this consent, including any current design standards used in the design of the upgraded system; and

(d) Discussion on how the discharge will not result in any adverse effects on the water quality of the Whangaroa Harbour.

The upgrade to the treatment and disposal system shall not occur until the written approval of the council's Compliance Manager has been provided for the design. The Consent Holder shall meet all reasonable costs of council authorising this upgrade.

Advice Note: *Depending on the design of the proposed upgrade, the Consent Holder may also need to apply for changes to the existing consent under Section 127 of the Resource Management Act. Also if the proposed upgrade is not approved, then Consent Holder may wish to apply for a change to the conditions of this consent under Section 127 of the Resource Management Act, or a new consent.*

24 Any upgrade to the treatment and disposal system shall be in accordance with the design approved by Condition 23. The installation of the upgrade shall be supervised by a suitably qualified person. The Consent Holder shall within two weeks of the upgrade being installed submit to the council's assigned monitoring officer:

(a) A certificate of compliance or a written statement from the suitably qualified and experienced person. The certificate or statement shall provide sufficient details and information to enable the council's assigned monitoring officer to verify compliance with Condition(s) 23;

(b) Final "as built" plans that show the siting of all components of the wastewater treatment and disposal system. For the purpose of this Condition, the Consent Holder shall ensure that the "as built" plans are drawn to scale and provide sufficient detail for a council monitoring officer to locate all features identified on the plans;

(c) A monitoring and maintenance schedule for the upgraded treatment and disposal system that has been prepared by a suitably qualified and experienced person.

25 The Consent Holder shall provide written details to the council's Compliance Manager of any proposed significant change to the size of the existing visitor facility, or any new wastewater connection to the treatment and disposal system, at least one month prior to any proposed change being made.

Advice Note: *If the proposed alteration to the visitor facility (currently known as Kingfish Lodge) may result in non-compliance with the conditions of this consent or adverse effects that are greater than those authorised by this consent, then either a change to the conditions under S127 of the RMA or a new consent would need to be obtained.*

26 There shall be no surface run off of contaminants from the wastewater disposal area as a result of the exercise of this consent.

27 The Consent Holder shall desludge the treatment system at least every two years, or otherwise as required by the council's Compliance Manager, and shall ensure that the sludge is disposed of at a facility that is authorised to accept such material. The Consent Holder shall send a copy of tracking verification to the council's assigned monitoring officer within two weeks of any desludging that occurs.

28 The Consent Holder shall ensure that the treatment and disposal system is adequately maintained so that it operates effectively at all times. This maintenance shall include rotation of the active bore in the deep bore system and ensuring that the surface water cut off drain installed immediately up gradient of the deep bore system is operational.

29 Any maintenance work that is necessary for the effective operation of the wastewater treatment and disposal system shall be done by the date stated by the council in writing.

AUT.005424.04 - Discharge to Air Permit

30 The Consent Holder's operations shall not give rise to any discharge of contaminants, which in the opinion of an Enforcement Officer of the council is noxious, dangerous, offensive or objectionable at or beyond the property boundary.

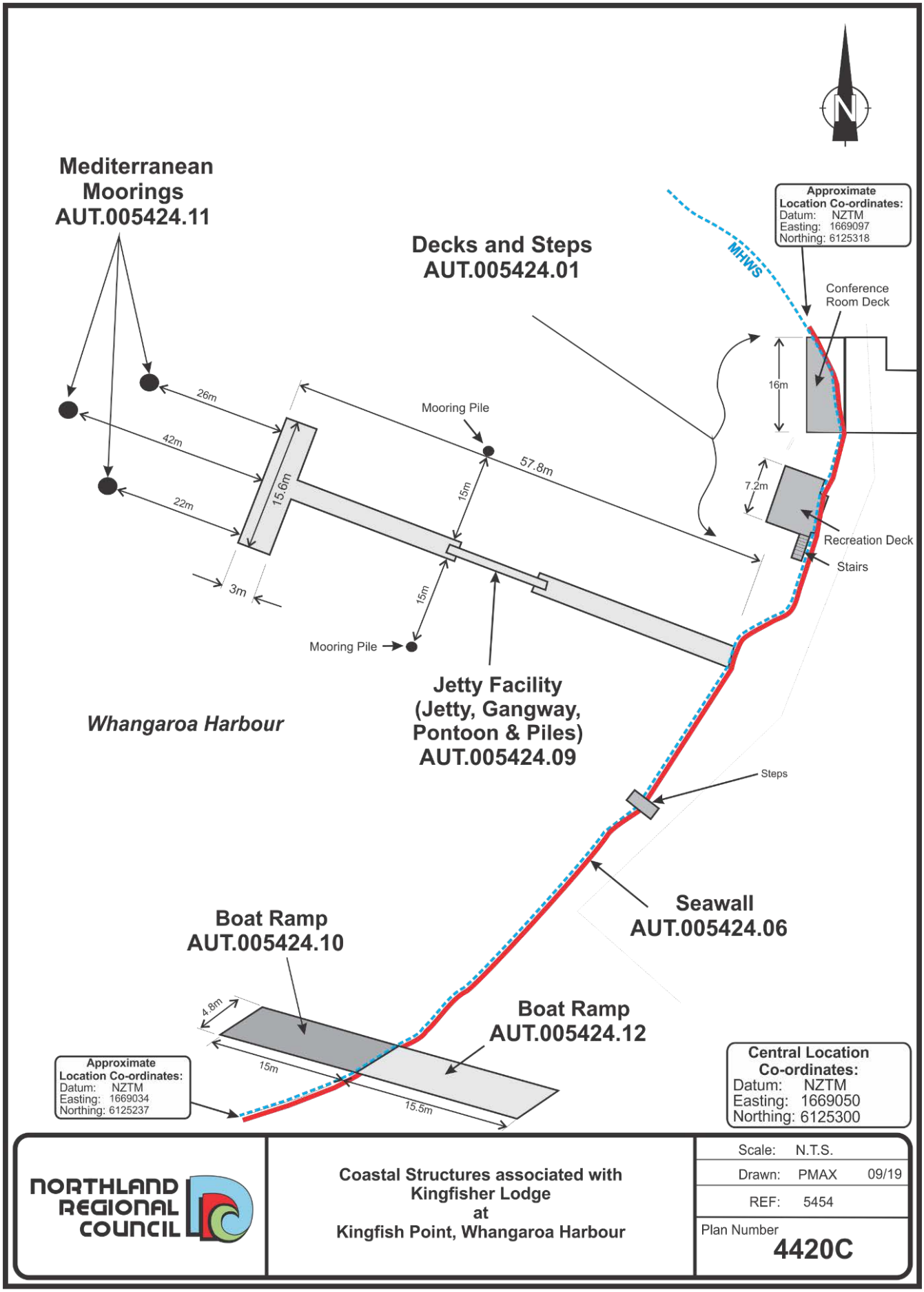
Conditions 31 to 45 Deleted.

EXPIRY DATE FOR ALL CONSENTS: 30 SEPTEMBER 2022

Advice Note: *The Consent Holder also has five additional separately consented moorings with the following consent numbers: AUT.034901.01.01 (M2594); AUT.034904.01.01 (M2595); AUT.032185.01.01 (M159); AUT.032187.01.01 (M160); and AUT.032189.01.01 (M161).*

These changes to consent conditions and descriptions are granted this Thirtieth day of September 2019 under delegated authority from the council by:

Paul Maxwell
Coastal & Works Consents Manager



NORTHLAND REGIONAL COUNCIL

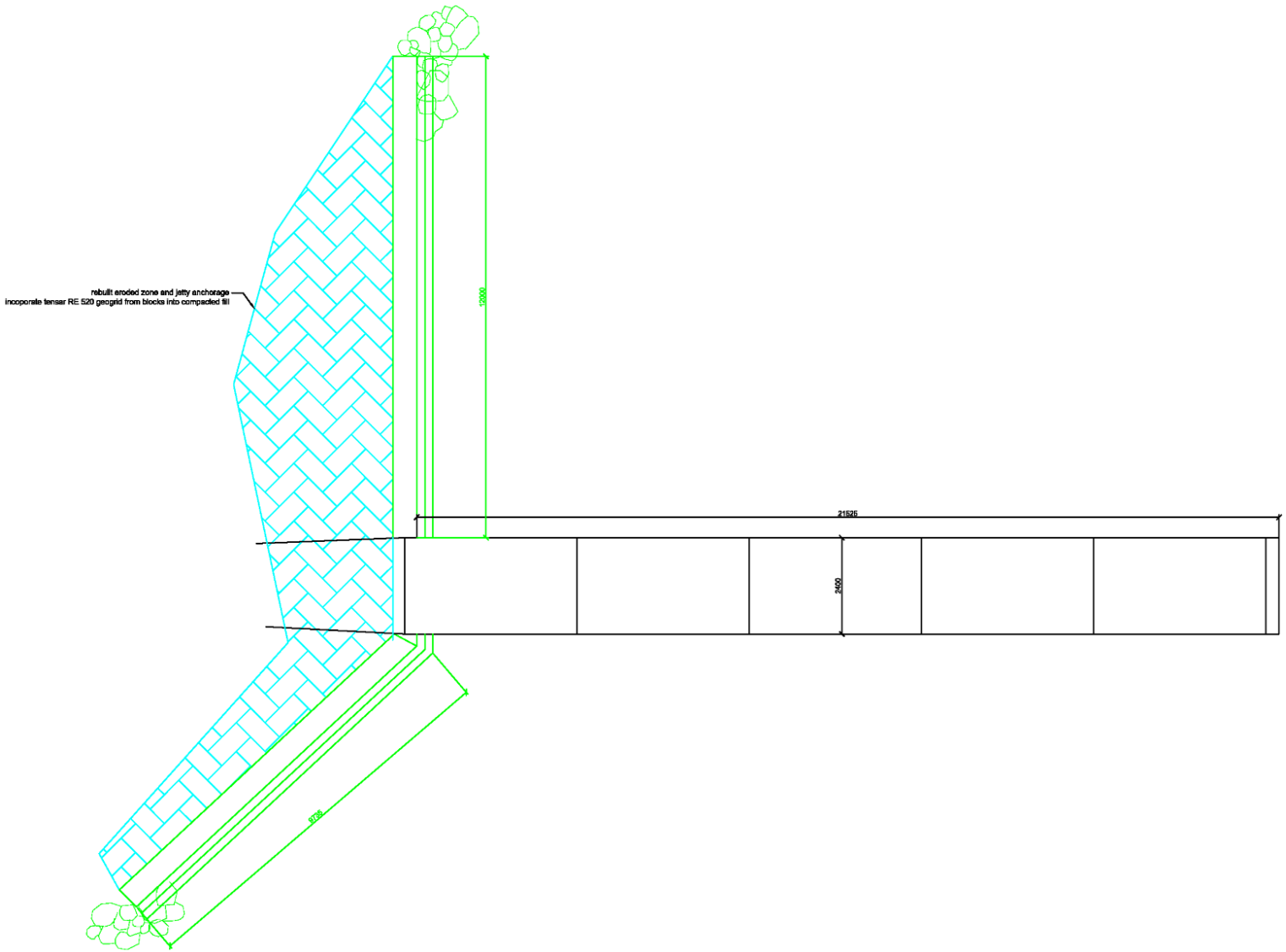
Coastal Structures associated with Kingfisher Lodge at Kingfish Point, Whangaroa Harbour

Scale: N.T.S.

Drawn: PMAX 09/19

REF: 5454

Plan Number **4420C**



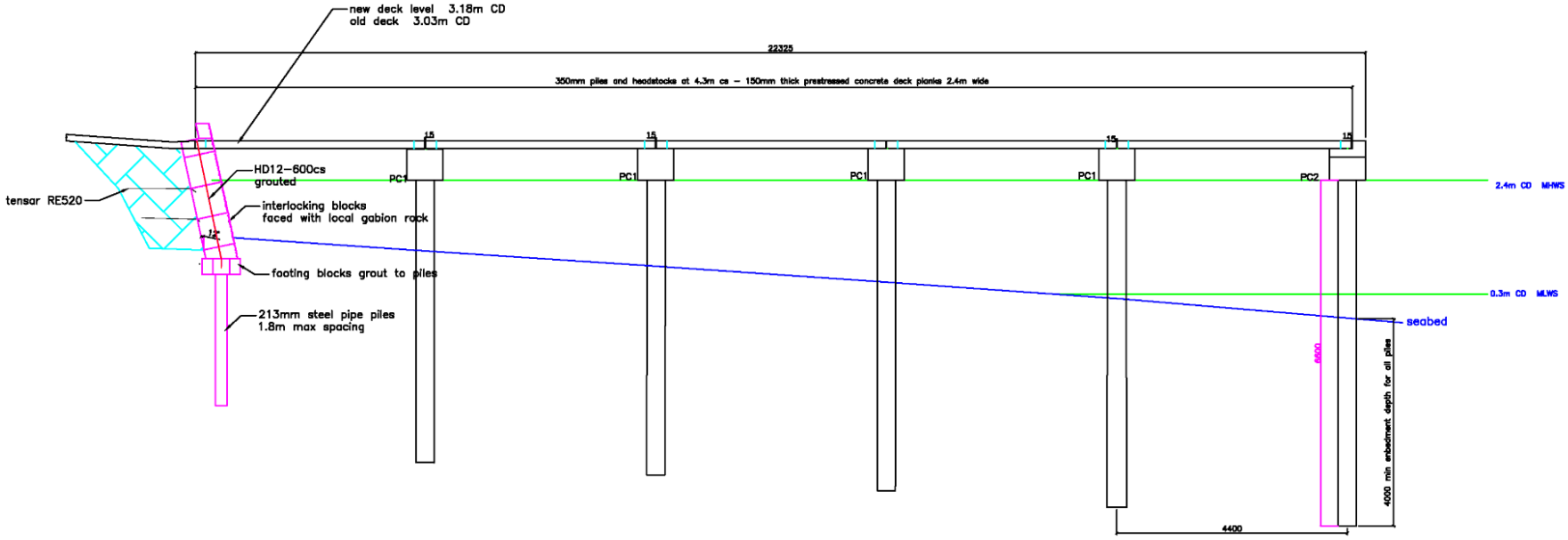
NORTHLAND REGIONAL COUNCIL
REF : 005424
Plan Number 4704/1

IES Construction Ltd
P O Box 448 KERIKERI
Ph 09-4078784/Fax 09-4078770 Mob 021725192

KINGFISH LODGE JETTY

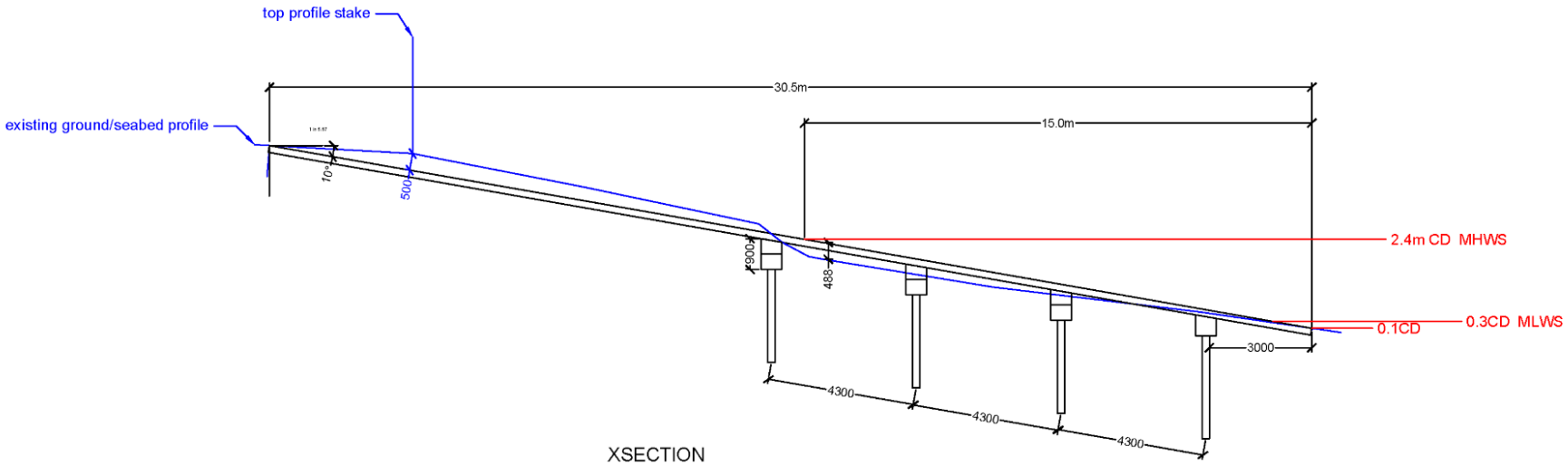
GENERAL ARANGEMENT

Drawn JGS	Checked	Scales	sheet 1
Date 07/05/14			Series of 7
			Ref JGS/Ms

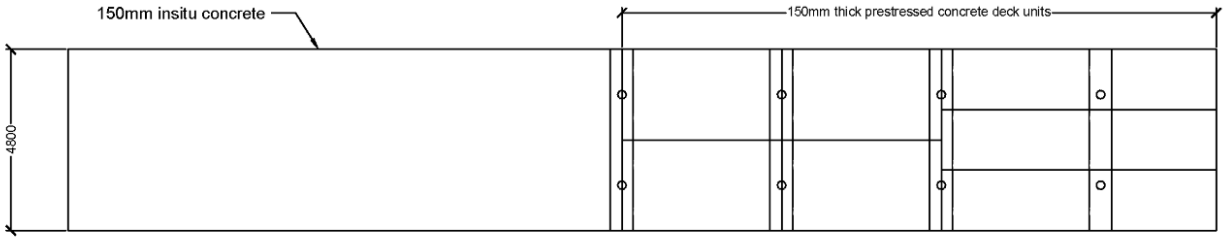


NORTHLAND REGIONAL COUNCIL
REF : 005424
Plan Number 4704/2A

IES Construction Ltd P O Box 448 KERIKERI Ph 09–4078784/Fax 09–4078770 Mob 021725192	KINGFISH LODGE JETTY REPLACEMENT	CROSSSECTION		sheet 2
		Drawn JBC	Checked	Scales	Series of 9
		Date 18/10/16			Ref JOB/No 036



XSECTION



PLAN

NORTHLAND REGIONAL COUNCIL
REF : 005424
Plan Number 4704/3

IES Construction Ltd P O Box 448 KERIKERI Ph 09-4078784/Fax 09-4078770 Mob 021725192	KINGFISH LODGE BOATRAMP	Proposed ramp layout		sheet 1
		Drawn JG Date 4/10/16	Checked	Scales nts	Series of 1 Ref JG/Nb

Note: Levels are approximately in terms of MHWS
Add 0.38m to bring in terms of One Tree Point Datum
(Mean Sea Level)
See Sheet 2 for details of creek bed and Implement Shed Pad.

SHEET TITLE:

Topographical Survey
(Construction Phase)
Kingfish Lodge
Whangaroa

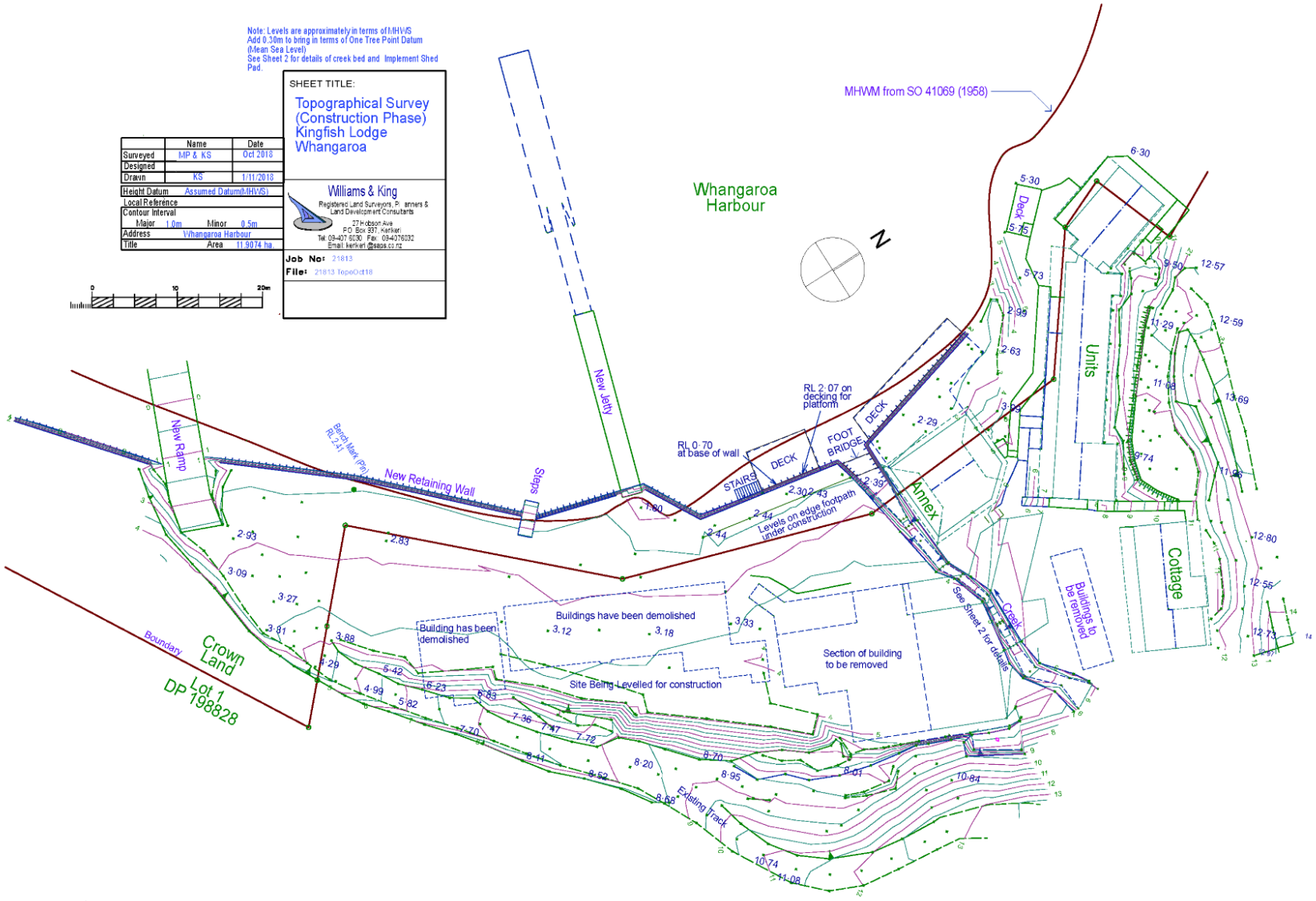
	Name	Date
Surveyed	MP & KS	Oct 2018
Designed		
Drawn	KS	1/11/2018

Height Datum	Assumed Datum(MHWS)
Local Reference	
Contour Interval	
Major 1.0m	Minor 0.5m
Address	Whangaroa Harbour
Title	Area 11.9074 ha

Williams & King
Registered Land Surveyors, Planners & Land Development Consultants
27 Hobson Ave
P.O. Box 937, Kerikeri
Tel: 09-407 6030 Fax: 09-4076032
Email: kerikeri@saos.co.nz

Job No: 21813
File: 21813 TopoOct18

0 10 20m



1 Survey
SCALE 1:300

+MAP

KINGFISH LODGE

WHANGAROA HARBOUR

PROJECT CONTROL GROUP
CLIENT - MIKE SUBHAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	01/05/19	A
FOR COORDINATION	30/08/19	B

NORTHLAND REGIONAL COUNCIL
REF : 005454
Plan Number 4905

NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

SURVEY
SCALE : 1:300 @ A2
DATE : 30/08/2019
PROJECT No: PROJECT NUMBER

A0.03 rev B

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DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK