

CONSENT HOLDER: Ariki Tahī Sugarloaf Wharf Limited

CONSENT TYPE: Land Use Consent
Coastal Permit
Discharge Permit

ACTIVITY AUTHORISED: To reclaim the bed of Waipapa Bay, Coromandel Harbour;

To undertake dredging in the bed of Waipapa Bay, Coromandel Harbour and deposit material on the bed;

To erect, place, use and occupy space by structures (including temporary structures) in Waipapa Bay, Coromandel Harbour;

To discharge water and contaminants to Waipapa Bay, Coromandel Harbour during construction of the reclamation at Ariki Tahī;

To discharge water and contaminants to Waipapa Bay, Coromandel Harbour as part of the operation and maintenance of Ariki Tahī;

To undertake soil disturbance activities in a High-Risk Erosion Area; and

To discharge clean fill in a High-Risk Erosion Area.

SITE LOCATION: Te Kouma Road, Waipapa Bay

CONSENT DURATION: Unlimited duration for the reclamation.

35 years for the coastal permits authorising the establishment and use of structures in the Coastal Marine Area, dredging (capital and maintenance) in the approach to Ariki Tahī and associated discharges of water and contaminants to the Coastal Marine Area, and discharges from Ariki Tahī to the Coastal Marine Area.

5 years for the discharge permits authorising the land disturbance and cleanfill activities in a High Risk Erosion Area.

GENERAL

1. The upgrade, operation and maintenance of Ariki Tahī shall be undertaken in general accordance with the information provided in the application titled “*Ariki Tahī Sugarloaf Wharf Upgrade – Resource Consent Applications and Assessment of Environmental Effects*” dated June 2022 and the further information submitted to the Environmental Protection Authority on [insert date]. In the event of any conflict of discrepancy between these documents and the conditions of this resource consent, the conditions shall be determinative.
2. Pursuant to Clause 37(8) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, this resource consent shall lapse if not given effect to within two years of the

commencement of this resource consent.

3. This resource consent may only be exercised by the consent holder, its successor, or any person acting under the prior written approval of the consent holder.
4. The consent holder shall ensure any existing resource consents, or any part of a resource consent, issued to the Thames-Coromandel District Council for the reclamation and construction of the existing wharf facility, and those for activities and operations at the wharf including such resource consents issued by the Council, and which are no longer required on the grant of this resource consent are surrendered, in whole or in part, at the commissioning of the upgraded marine facility at Ariki Tahī authorised as part of this resource consent.
5. The consent holder shall ensure that all works and activities authorised by this resource consent are also carried out in accordance with the conditions as set out in Schedule One – General Conditions.

SURVEY

6. Prior to the commencement of construction works authorised by this resource consent, the consent holder shall undertake a survey of the site, including the identification of the level of mean high water springs.

A copy of the survey shall be provided to the Waikato Regional Council.

ENVIRONMENTAL MONITORING PLAN

7. At least 20 working days prior to the commencement of any construction works authorised by this resource consent, the consent holder shall submit an Environmental Monitoring Plan to the Waikato Regional Council for certification that the plan meets the objectives in condition 7(a). The objective of the Environmental Monitoring Plan shall be to:
 - (a) Document the monitoring of water quality and the benthic environment during the construction of the upgrade of Ariki Tahī, and as part of dredging activities in the Coastal Marine Area, so as to ensure that adverse effects on these environments are avoided, remedied or mitigated.
8. In order to achieve the objectives established in condition 7 above, the Environmental Monitoring Plan shall, as a minimum, address the following matters:
 - (a) The benthic monitoring programme that is proposed, including detailing the monitoring / baseline sites and monitoring procedures;
 - (b) Detailing the process for weekly visual monitoring of intertidal reefs near the dredging footprint during the construction of the upgrade of Ariki Tahī and as part of dredging activities in the Coastal Marine Area;
 - (c) Water quality monitoring, including sampling locations and timing of sampling in relation to

tidal currents;

- (d) Sampling methodology;
 - (e) Remedial actions in respect to the water quality limits in condition 11 being exceeded;
 - (f) Duration of monitoring programme and timing; and
 - (g) Analysis and reporting
9. The Environmental Monitoring Plan shall be prepared by a suitably qualified and experienced ecologist.
10. Any changes proposed to the Environmental Monitoring Plan shall be confirmed in writing by the consent holder and the Waikato Regional Council, acting in a technical certification capacity that the changes continue to meet the objective of condition 7(a), prior to the implementation of any changes proposed.

WATER QUALITY LIMITS

11. Capital and maintenance dredging of Waipapa Bay shall not cause the suspended solids concentration within the water column to exceed 30 g/m³ above the background suspended solids levels (or an equivalent turbidity limit certified by the Waikato Regional Council), at a distance of 200 m from the dredging operations.

For the purpose of this condition, the 200 m distance shall be measured from the outer extent of the dredging footprint.

The suspended solid levels shall be averaged over space and time in order to confirm that the limit of 30 g/m³ above the background suspended solids levels (or equivalent turbidity limit) is not exceeded, and the monitoring regime shall be documented in the Environmental Management Plan.

EROSION AND SEDIMENT CONTROL PLAN

12. At least 20 working days prior to the commencement of any construction works authorised by this resource consent, the consent holder shall submit an Erosion and Sediment Control Plan to the Waikato Regional Council for certification that the plan meets the objective in condition 12(a). The objective of the Erosion and Sediment Control Plan shall be to:

- (a) Minimise sediment and discharges from the site to the extent practicable.

13. The Erosion and Sediment Control Plan shall as a minimum be based upon and incorporate those specific principles and practices which are appropriate for the activity authorised by this resource consent and contained within the Waikato Regional Council document titled "*Erosion and Sediment Control – Guidelines for Soil Disturbing Activities*" (Technical Report No. 2009/02 – dated January 2009) or the most recent update of that document, and shall include at least the following:

- (a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site, including flocculation if required;
 - (b) The design criteria and dimensions of all key erosion and sediment control structures;
 - (c) A site plan of a suitable scale to identify:
 - i. The locations of waterbodies;
 - ii. The extent of soil disturbance and vegetation removal;
 - iii. Any “no go” and/or buffer areas to be maintained undisturbed adjacent to watercourses;
 - iv. Areas of cut and fill;
 - v. Locations of topsoil stockpiles;
 - vi. All key erosion and sediment control structures;
 - vii. The boundaries and area of catchments contributing to all stormwater impoundment structures;
 - viii. The locations of all specific points of discharge to the environment; and
 - ix. Any other relevant site information
 - (d) Construction timetable for the erosion and sediment control works and the bulk earthworks proposed;
 - (e) Timetable and nature of progressive site rehabilitation and re-vegetation proposed;
 - (f) Maintenance, monitoring and reporting procedures;
 - (g) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;
 - (h) Procedures and timing for review and/or amendment to the Erosion and Sediment Control plan; and
 - (i) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.
14. The Erosion and Sediment Control Plan shall be prepared by a suitably qualified and experienced professional.
15. Any changes proposed to the Erosion and Sediment Control Plan shall be confirmed in writing by

the consent holder and the Waikato Regional Council, acting in a technical certification capacity, prior to the implementation of any changes proposed.

BIOSECURITY

16. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Biosecurity Management Plan to the Waikato Regional Council for certification that the plan meets the objective in condition 16(a). The objective of the Biosecurity Management Plan shall be to:
 - (a) Specify how the risk of a biosecurity incursion, or exacerbation of a biosecurity risk, is to be reduced to the greatest extent practicable during construction and operation of Ariki Tahi.
17. In order to achieve the objective established in condition 16 above, the Biosecurity Management Plan shall, as a minimum, address the following matters:
 - (b) A description of the activity and the attributes that affect risk;
 - (c) An assessment of key biosecurity risks from activities authorised by this resource consent, and methods used to minimise those risks to the greatest extent practicable;
 - (d) Monitoring and surveillance methods;
 - (e) Incursion response procedures;
 - (f) Record-keeping and documentation of all mitigation undertaken;
 - (g) Identification marine pests and diseases of concern; and
 - (h) Identification of biosecurity requirements including:
 - i. Vessels, equipment and materials;
 - ii. Staff training and education;
 - iii. Record keeping and reporting; and
 - iv. Contact details of persons responsible.
17. The Biosecurity Management Plan shall be prepared by a person suitably qualified and experienced in managing marine biosecurity risk.
18. The Biosecurity Management Plan shall be reviewed in the event of the identification of a new marine pest or unwanted pest species in the Waikato Region. In addition, any changes proposed to the Biosecurity Management Plan shall be confirmed in writing by the consent holder and the Waikato Regional Council, acting in a technical certification capacity that the changes continue to meet the objectives of condition 16(a), prior to the implementation of any changes proposed.

19. There shall be no discharge or disposal of organic material to the water from Ariki Tahī or any vessel moored at the wharf. Any debris collected must be disposed of on land and in compliance with the waste disposal requirements of the Thames-Coromandel District Council.

MAINTENANCE GRID

20. The consent holder shall be responsible for the structural integrity and maintenance of the maintenance grid so that no part of the structure is lost (i.e. due to water or wind action) or results in a navigational hazard.
21. The consent holder shall be responsible for ensuring that use of the maintenance grid is restricted to minor maintenance activities only. These shall include hull inspections and / or minor maintenance of underwater appendages (i.e. propeller / shaft / gland area, rudder stock / bearings, through hull fittings or valves, speed logs or transducers, zinc anode replacement etc.). Use of the grid for more comprehensive maintenance activities that could potentially result in the discharge of contaminants and/or release of pest organisms into the marine environment is prohibited.
22. The consent holder shall be responsible for ensuring that the boat grid is not used for refuelling boats, painting of boat hulls or scraping/sanding painted boat hulls, water blasting, or scraping down marine growth.
23. There shall be no discharge of oil, grease, paint flakes or anti fouling products from the maintenance grid to the Coastal Marine Area.
24. The consent holder shall be responsible for erecting a sign at the location of the maintenance grid specifying the “conditions of use” of the structure. This sign shall be erected within two months of the date of construction. The consent holder shall be responsible for the maintenance of this sign.

NOTIFICATION AND SIGNAGE

25. At least 10 working days prior to the commencement of construction works authorised by this resource consent, the consent holder shall provide written details of the project to the Hydrographic Office of the Royal New Zealand Navy and Maritime New Zealand.
26. At least 10 working days prior to the commencement of construction works authorised by this resource consent, the consent holder shall erect notice(s) at the location of the construction works. The notice(s) shall inform the public of the proposed construction activities and advise of the period over which these activities will be occurring. The notice(s) shall remain in place for the duration of the works.

DURING CONSTRUCTION

Disturbance, Earthworks and Imported Materials

27. The consent holder shall ensure that the works authorised by this consent are appropriately stabilised by 30 April of each year unless otherwise approved in writing by the Waikato Regional Council. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or

structural and including, pavement, metaling, hydroseeding, revegetating and mulching) that will minimise erosion of exposed soil to the extent practicable.

28. Land disturbance activities shall not be conducted during the period 1 May to 30 September inclusive during any year during the term of this consent, apart from necessary maintenance works, unless agreed to in writing by the Waikato Regional Council.
29. Requests to undertake works during the period 1 May to 30 September inclusive, for any year during the term of this consent, shall be submitted in writing to the Council at least 20 working days prior to works commencing, and shall be in the form of amendments to the certified 'Erosion and Sediment Control Plan'.

Advice Note:

In considering a request for the continuation of winter works, the Waikato Regional Council will consider a number of factors; including:

- *the nature of the site and the winter soil disturbance works proposed;*
 - *the quality of the existing/proposed erosion and sediment controls;*
 - *the compliance history of the site/operator;*
 - *seasonal/local soil and weather conditions;*
 - *sensitivity of the receiving environment; and*
 - *any other relevant factor.*
30. Re-vegetation and/or stabilisation of all disturbed areas is to be completed in accordance with the measures detailed in the document titled "*Erosion and Sediment Control – Guidelines for Soil Disturbing Activities*" (WRC Technical Report No. 2009/02 – dated January 2009) or the most recent update of that document.
 31. The consent holder shall ensure those areas of the site where earthworks have been completed shall be stabilised against erosion as soon as practicable and within a period not exceeding 14 days after completion of any works authorised by this consent. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural) that will minimise sediment runoff and erosion to the satisfaction of the Waikato Regional Council acting in a technical certification capacity.
 32. The consent holder shall ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised during the duration of the works and during the term of this resource consent. In this regard, erosion and sediment control measures shall be established and maintained in accordance with the document titled "*Erosion and Sediment Control – Guidelines for Soil Disturbing Activities*" (Technical Report No. 2009/02 – dated January 2009) or the most recent update of that document, and the certified ESCP.
 33. All cleanfill deposition authorised by this consent shall be limited to virgin clay, soil and rock that

are free of:

- (a) Combustible, putrescible, degradable or leachable components;
- (b) Hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown;
- (c) Products or materials derived from hazardous waste treatment, stabilisation or disposal practices;
- (d) Materials such as medical and veterinary waste, asbestos, or radioactive substances that may present a risk to human health if excavated;
- (e) Contaminated soil and other contaminated materials; and
- (f) Liquid waste.

Monitoring and Maintenance

- 34. The consent holder shall ensure that all erosion and sediment control structures are inspected on a weekly basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls.
- 35. The consent holder shall carry out monitoring and maintenance of erosion and sediment controls in accordance with the conditions of this consent and shall maintain records detailing:
 - (a) The date, time and results of the monitoring undertaken; and
 - (b) The erosion and sediment controls that required maintenance; and
 - (c) The date and time when the maintenance was completed.
- 36. These records shall be provided to the Waikato Regional Council at all reasonable times and within 72 hours of a written request to do so.

Plant and Machinery

- 37. The re-fuelling, cleaning, maintenance and storage of plant and machinery on site shall be carried out in a manner that avoids any discharge of contaminants to soil or water.

Dust

- 38. The Consent Holder shall ensure that, at all times, the soil moisture of exposed areas is maintained at sufficient levels, under prevailing wind conditions, to prevent dust generated by normal earthmoving operations from causing a nuisance effect beyond the boundary of the work site.

SURVEY PLAN

- 39. In accordance with section 245 of the Resource Management Act 1991, the consent holder shall

submit to Waikato Regional Council a survey plan delineating the boundary of the land that has been reclaimed as soon as reasonably practicable after the completion of the reclamation.

STRUCTURAL INTEGRITY

40. The consent holder shall at all times maintain the various structure at Ariki Tahi in order to preserve the integrity and stability of the wharf and associated structures.
41. The various structure at Ariki Tahi shall be inspected by an appropriately experienced and qualified engineer for its structural integrity five years from the date of its construction, and thereafter on a five yearly basis.
42. A report shall be submitted to the Waikato Regional Council within two months after each inspection and shall identify any defects relating to the structural integrity of the various structure at Ariki Tahi. The consent holder shall undertake all repair works necessary to remedy any defects identified within the report as soon as practicable.

NAVIGATIONAL AIDS

43. The consent holder must, in consultation with Waikato Regional Council, Waikato Harbour Master and Maritime New Zealand, prepare and submit the following drawings to the Waikato Regional Council for certification at least 20 working days prior to the commissioning of the upgrade facilities at Ariki Tahi:
 - (a) A layout drawing, prepared with an appropriate scale, dimensions and annotations, to show the configuration of proposed navigational aids; and
 - (b) Elevation drawings showing the dimensions, colours, materials and details of any lights or other fittings attached to the navigational aids.
44. The navigational aids must be installed as required by condition 41, and maintained by the consent holder.

STORMWATER

45. At least 20 working days prior to the commissioning of the upgraded facilities at Ariki Tahi authorised as part of this resource consent, the consent holder shall submit a Stormwater Operations and Maintenance Plan to the Waikato Regional Council for certification that the plan meets the objective in condition 45. The objective of the Stormwater Operations and Maintenance Plan shall be to:
 - (a) Implement the best practicable option to avoid, remedy or mitigate the actual and potential adverse effects of the stormwater activities authorised by this resource consent on the Coastal Marine Area.
46. In order to achieve the objective established in condition 45 above, the Stormwater Operations and Maintenance Plan shall, as a minimum, address the following matters:

- (a) A detailed map showing the location of stormwater piping, including all manholes and cesspits, piping layouts, shutoff valves and the direction of drainage towards these stormwater manholes and cesspits. Key risks to the stormwater system posed from high-risk contaminant locations (i.e. chemical stores) shall also be identified;
 - (b) A section which identifies all contaminant risks to the stormwater system, and how each of these risks are minimised and managed;
 - (c) A description of the stormwater system to accompany the map / plan, including any management methods that are specific to particular sub-catchments;
 - (d) A description of the infrastructure onsite to contain spills including methods, location, volumes and management procedures during the spill event, breakdown or emergency, including what systems are in place to identify spills as soon as possible;
 - (e) Identification, location and quantification of all chemicals and hazardous substances, including fuels and oils, held on the site, and the methods used to avoid their accidental discharge to the stormwater system (e.g. bunding, diversion to wastewater system, procedures);
 - (f) Procedures to operate and maintain the stormwater system including the actions to be taken if the stormwater is unsuitable for discharge;
 - (g) Maintenance and inspection schedule;
 - (h) A programme for the regular collection and disposal of debris / sediment collected by the stormwater management devices;
 - (i) Maintenance record keeping and intervals of reporting;
 - (j) Staff training, particularly in relation to spill management;
 - (k) The roles, responsibilities and contact details (including afterhours contact details) for all persons designated by the consent holder to be responsible for the operation and maintenance of the stormwater system;
47. The Stormwater Operations and Maintenance Plan shall be prepared by a suitably qualified and experienced stormwater engineer.
48. Any changes proposed to the Stormwater Operations and Maintenance Plan shall be confirmed in writing by the consent holder and the Waikato Regional Council, acting in a technical certification capacity shall confirm that the changes continue to meet the objective of condition 45, prior to the implementation of any changes proposed.

Design, Structural Integrity and Maintenance of the Stormwater Network

49. The consent holder shall be responsible for the design, structural integrity and maintenance of the stormwater network at Ariki Tahī, and shall operate and maintain the stormwater network in

accordance with the Stormwater Operations and Maintenance Plan in order to avoid, remedy or mitigate the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.

Stormwater Management Devices

50. All stormwater management devices which connect to the stormwater network and are designed to treat contaminated stormwater, shall be operated and maintained by the consent holder to provide best practicable stormwater treatment efficiency at all times.
51. The consent holder shall ensure that no discharge resulting from the exercise of this consent, results in any of the following after reasonable mixing in the Coastal Marine Area:
 - (a) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
 - (b) Any conspicuous change in the colour or visual clarity;
 - (c) The natural temperature of the water exceeding 3 degrees Celsius; and
 - (d) Aquatic organisms being rendered unsuitable for human consumption by the presence of contaminants.

Unauthorised Contaminant Discharges to/from the Stormwater Network

52. On becoming aware of an unauthorised contaminant discharge incident, the consent holder shall make all reasonable endeavours to avoid contaminants entering the stormwater network, or discharging from the stormwater network to the environment.
53. The consent holder's response to unauthorised contaminant discharge incidents, including the availability of spill response equipment and staff to assist with such incidents;
 - (a) Notifying the Waikato Regional Council of non-routine contaminant discharge incidents;
 - (b) The assistance to be provided by the consent holder to the Waikato Regional Council and other emergency response agencies in undertaking their respective response roles.

MAINTENANCE DREDGING

54. At least 20 working days prior to the commencement of a maintenance dredging campaign, the consent holder shall notify the Waikato Regional Council in writing of the intention to commence maintenance dredging. The written notification must include:
 - (a) The expected commencement date and duration of the dredging campaign;
 - (b) The method of dredging;
 - (c) The proposed location(s) for disposal of dredging spoil;

- (d) The name and 24-hour contact details of the person supervising the dredging campaign (including refuelling and plant works);
 - (e) An estimate of the volume of sediment to be removed;
 - (f) Any restrictions that will apply to navigation during the dredging campaign;
55. At least 20 working days prior to the commencement of a maintenance dredging campaign, the consent holder must submit an updated Environmental Monitoring Plan that meets the requirements set out in condition 7 of this resource consent related to dredging activities, to the Waikato Regional Council for certification.
56. Within the three working days prior to the commencement of a maintenance dredging campaign, the consent holder must place notices in the local newspaper and on the local radio station advising:
- (a) The intention to dredge;
 - (b) The location to be dredged;
 - (c) The expected commencement date and duration of the dredging campaign; and
 - (d) Any restrictions that will apply to navigation.
57. Signs must be prominently displayed at the at Arika Tahi no less than three working days prior to the commencement of, and must be maintained for the duration of, each dredging campaign. The signs must advise:
- (a) The location of dredging;
 - (b) The duration of the dredging campaign;
 - (c) Any restrictions that will apply to navigation; and
 - (d) Contact details for further information.
58. The consent holder must notify the Waikato Regional Council in writing no later than 20 working days following completion of each dredging campaign to confirm:
- (a) The completion of the dredging campaign;
 - (b) The volume of dredging spoil removed and details of its disposal to a land-based site(s);
 - (c) The dredged levels achieved by the campaign as determined by a hydrographic survey; and
 - (d) The results of water clarity and suspended sediment monitoring in response to the water quality limits set out in condition 11 of this resource consent.

REVIEW

59. Pursuant to sections 128 to 131 of the RMA, the Waikato Regional Council may serve notice on the consent holder of its intention to review any, or all, of the conditions of this resource consent within one year of any other entity being granted customary marine title and/or protected customary rights by the Crown over any part of the foreshore or seabed encompassing the site of Ariki Tahi.
60. Pursuant to sections 128 to 131 of the Resource Management Act 1991, the Waikato Regional Council may one year after the commencement of this resource consent, and at five yearly intervals thereafter, serve notice on the consent holder of its intention to review any or all of the conditions of this resource consent for any of the following purposes:
- (a) To review the effectiveness of the conditions of this resource consent in avoiding, remedying or mitigating any adverse effects on the environment that may arise from the exercise of this resource consent;
 - (b) To address any adverse effects on the environment which have arisen as a result of the exercise of this resource consent that were not anticipated at the time of commencement of this resource consent, including addressing any issues arising out of complaints;
 - (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this resource consent; and
 - (d) To deal with any adverse effects on the environment that may arise from the exercise of this resource consent and which it is appropriate to deal with at a later stage.

ADMINISTRATIVE CHARGES

61. The consent holder shall pay to the Waikato Regional Council:
- (a) All required administration charge fixed by the Waikato Regional Council pursuant to section 36 of the Resource Management Act 1991 in relation to the administration, monitoring and inspection of this resource consent; and
 - (b) All other charges authorised by regulations.