

# Resource Consent

## Resource Consent 65569-AP

Following the processing of the Application received on the 30 October 2008, the Bay of Plenty Regional Council has granted the applicant(s):

Crown Regional Holdings Limited

Consent(s) to:

65569.0.01-CC                      Occupy Coastal Space                      Expiry    31 August 2044

The consent(s) are subject to the conditions specified on the attached schedule(s) for each activity. Advice notes are also provided as supplementary guidance, and to specify additional information to relevant conditions.

**The Resource Consent** hereby authorised is granted under the Resource Management Act 1991 does not constitute an authority under any other Act, Regulation or Bylaw.

DATED at Whakatane this 29th day of July 2009

For and on behalf of The Bay of Plenty Regional Council



**Fiona McTavish**  
Chief Executive



**Thriving together -  
mō te taiao,  
mō ngā tāngata**

The transfer of the whole of this resource consent was approved under delegated authority of the Bay of Plenty Regional Council dated 10 August 2021

## Bay of Plenty Regional Council

### Resource Consent

Pursuant to the Resource Management Act 1991, the **Bay of Plenty Regional Council**, by a decision dated 29 July 2009, **hereby grants**:

A resource consent:

- **Under section 12(2)(a) of the Resource Management Act 1991 and rule 12.2.4(a) of the Bay of Plenty Regional Coastal Environment Plan to undertake a discretionary activity being to Occupy Space in the Coastal Marine Area**

subject to the following conditions:

#### 1 Purpose of this Coastal Permit

- 1.0 To occupy space in the coastal marine area with structures associated with the Opotiki Harbour Entrance project.

#### 2 Location

- 2.0 Pakihikura (the Waioeka river mouth), Opotiki as shown on BOPRC Plan Number RC 65563/1.

#### 3 Map Reference

- 3.0 The area is bounded by approximate map references NZMS 260 W15:8461.4821, W15:8469.4705, W15:8587.4699 and W15:8563.4817.

#### 4 Legal Description

- 4.0 Coastal Marine Area.

#### 5 Occupation of Space

- 5.1 There shall be free public access to the structures authorised by this consent at all times except where necessary to: []

- Protect dotterel breeding and nesting areas; or []
- Protect public health or safety.

- 5.2 The consent holder shall take any necessary precautions to ensure the safety of the public using the structures.

#### 6 Notifying the Regional Council of Works

- 6.01 Within 30 working days of completion of the Opotiki Harbour Entrance project construction works, or earlier if so requested by the Chief Executive of the Regional Council or delegate for a specific area of works, the consent holder shall submit a certificate signed by a chartered professional engineer to certify that the structure(s) has been constructed in accordance with good engineering practice and the conditions of the relevant consents (see Advice Notes 3 and 4).

- 6.2 Within 30 working days of completion of the Opotiki Harbour Entrance project construction works the consent holder shall submit as-built plans of the structures authorised by this consent and the results of a bed-level survey of the new Harbour entrance channel to the Bay of Plenty Regional Council (see Advice Note 3).

## 7 Maintenance

- 7.01 The consent holder shall ensure that the structure authorised by this consent is maintained in a safe and structurally sound condition at all times, and, if directed by the Chief Executive of the Regional Council or delegate to undertake any maintenance work, shall do so as soon as is practicable.
- 7.2 The consent holder shall develop and implement a maintenance inspection programme. Details of this programme shall be submitted to the Chief Executive of the Bay of Plenty Regional Council or delegate for approval within three months following the completion of construction activities and shall include, but not be limited to:
- An annual inspection regime for the training walls and associated structures by a chartered professional engineer, with provision for additional inspections following each wave event that produces wave heights near or exceeding the design wave height;
  - Details of measures to be undertaken in the event of damage to the training walls or associated structures, including threshold levels for requiring repair works; and
  - Details of an annual inspection regime of the scour protection works at the base of walls using multi-beam sonar scanning or similar techniques.
- 7.3 Records of the inspections undertaken in accordance with the maintenance inspection programme required by condition 7.2 of this consent shall be submitted to the Chief Executive of the Regional Council or delegate within one month of the inspection being undertaken.
- 7.4 The consent holder shall monitor the structures to ensure that they do not present a danger to the public and shall take any necessary precautions to ensure the safety of the public using the structure.

## 8 Resource Management Charges

- 8.0 The consent holder shall pay the Bay of Plenty Regional Council such administrative charges as are fixed from time to time by the Regional Council in accordance with section 36 of the Resource Management Act 1991.

## 9 Lapse of Consent

- 9.0 This consent shall lapse on 31 August 2024 if not given effect to by that date.

## 10 Term of Consent

- 10.0 This consent shall expire on 31 August 2044.

## 11 The Coastal Permit

- 11.0 The Coastal Permit hereby authorised is granted under the Resource Management Act 1991 and does not constitute an authority under any other Act, Regulation or Bylaw.

## Advice Notes

- 1
1. *This activity may require authorisation under the Building Act 1991.*
  2. *The consent holder is advised that under the provisions of section 64A of the Resource Management Act 1991, this consent may become subject to charges for the occupation of Crown seabed and/or foreshore. At the time of issuing this consent there is no charging system in place however this consent may be affected by any charging regime implemented in the future.*
  3. *Notification under conditions 6.1 and 6.2 of this consent should be made in writing to the Manager Pollution Prevention, Environment Bay of Plenty, Box 364 or fax 0800 368 329 or e-mail*

- notify@envbop.govt.nz and should include the consent number 65569.*
4. *Works associated with construction of the Opotiki Harbour Entrance are authorised under resource consents 65563-65566.*