MARLBOROUGH DISTRICT COUNCIL

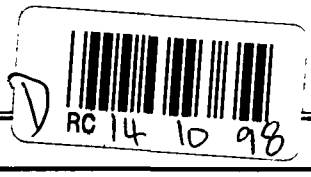
Resource Management Act

Resource Consent No: U 980684

Applicant: **Rudkin, Max Shelton, Estate of**

Proposal: Renewal of foreshore licence 2198 - jetty, boatshed & slipway at Lochmara Bay, Queen Charlotte Sound

Date of Site Visit



RC No:U 980684

DECISION

Pursuant to the Resource Management Act 1991 consent is hereby granted to the application for a resource consent.

Coastal Permit - Occupancy

Location: Lochmara Bay, Queen Charlotte Sound.

Subject to the following condition(s)

1 That the proposal proceed substantially in accord with the details included in the application dated 14 July 1998

2 That all pile cap supports be renewed and the timebr work and roofing of the boatshed be upgraded by 30 July 2000

3 That the duration of this permit shall be for 35 years from the date the permit is issued.

4 That any person shall have a right of access without charge over the structure authorised by this permit. This right of access allows the loading and unloading of goods and people, but does not allow berthing or lying alongside for periods longer than necessary for that purpose.

5 That the consent holder at the consent holders cost shall maintain the structure(s) in a safe and secure way at all times.

6 That inspection and monitoring by Council in respect to the conditions of this consent will take place upon notification of possible non-compliance with the conditions.

If consent conditions are not being complied with, the applicant will be required to comply with the conditions and pay the administrative charge or charges incurred in respect to such inspections, monitoring and travel. The charges will be in accordance with the schedule of fees as approved by Council from time to time in terms of Section 36 of the Resource Management Act 1991.

Grounds

1. The application is not inconsistent with the purpose and principles of the Resource Management Act 1991.

2. The application is not contrary to the objectives, policies and rules of the Proposed Marlborough Sounds Resource Management Plan.

3. The written approval of the identified affected party has been gained by the applicant.

4. That the Maritime Safety Authority and Council's Harbourmaster do not oppose the application.

Footnotes

1 Te Tau Ihu Iwi have made a claim in the Courts that they own the foreshore and/or seabed at this site and others. In the event that the claim is upheld by the Courts it is possible that the consent holder may need to reach agreement with Te Tau Ihu Iwi in relation to the exercise of this consent.

Accordingly the grant of this consent:

1. Is without prejudice to the claim of Te Tau Ihu Iwi to customary ownership of the foreshore and/or seabed at this site; and

2. Does not preclude the possibility that the consent holder may need to reach agreement with Te Tau Ihu Iwi in the exercise of this consent in the event that the claim to customary ownership is upheld by the Court.

2 Any interest in this permit may be transferred to any other person.

The transfer will have no effect until Council has received written notice of that transfer in accordance with Section 135 of the Act.

DELEGATION SCHEDULE ITEM NUMBER(S): 12 21(2)

DELEGATED COUNCIL COMMISSIONER/OFFICER(S)

APPROVED ☑ **DEFERRED FOR COMMITTEE DECISION** ☐

Roger St Leinster **Date:** 14 October 1998

Tracey Kendall

Resource Planner

Monday, 12 October 1998

Annotation History

Date	Reason for Amendment/Alteration
13/01/2021	Transfer **FROM** Stuart David Barnett and Valmai Lynne Barnett **TO** Camden Properties Limited.
12/07/2022	Transfer **FROM** Camden Properties Limited **TO** [redacted] and [redacted] as trustees of the 1980 Family Trust.