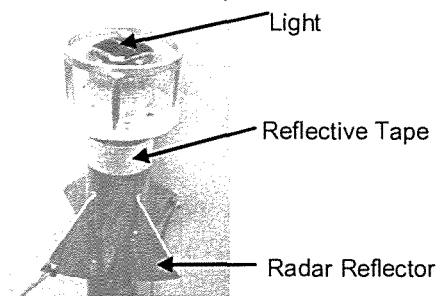


Marine Farm Lighting and Marking Plan – MFL032, MFL067, U991325 and MPE839 (Site no.8515)

I, Alexander van Wijngaarden, Harbourmaster of Marlborough District Council, hereby approve, under Maritime Delegation from the Director of Maritime New Zealand pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994, the lighting and marking associated with permits MFL032, MFL067, U991325 and MPE839 (Site no.8515), located in Crail Bay, Pelorus Sound as follows:

1. That each end of each longline display an orange buoy, as shall the middle of each of the seawardmost and landwardmost longlines.
2. That a yellow light, radar reflector and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'A' on the attached structures plan. The lights shall be solar powered and shall have the following characteristics: F1 (5) Y (20 secs) 1m 1M.



3. That radar reflectors and a band of reflective tape be displayed in the positions marked 'B' on the attached structures plan.
4. That a band of reflective tape 50 millimetres in width be displayed in the positions marked 'C' on the attached structures plan.

Interpretation:

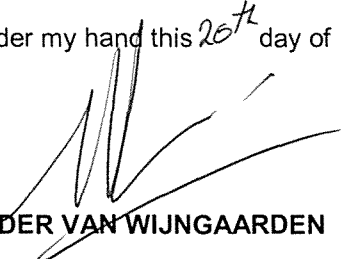
Light – a yellow light, group flash 5 every 20 seconds (minimum flash length not less than 0.5 seconds), height of light not less than 1 metre above the water, range at least 1 nautical mile.

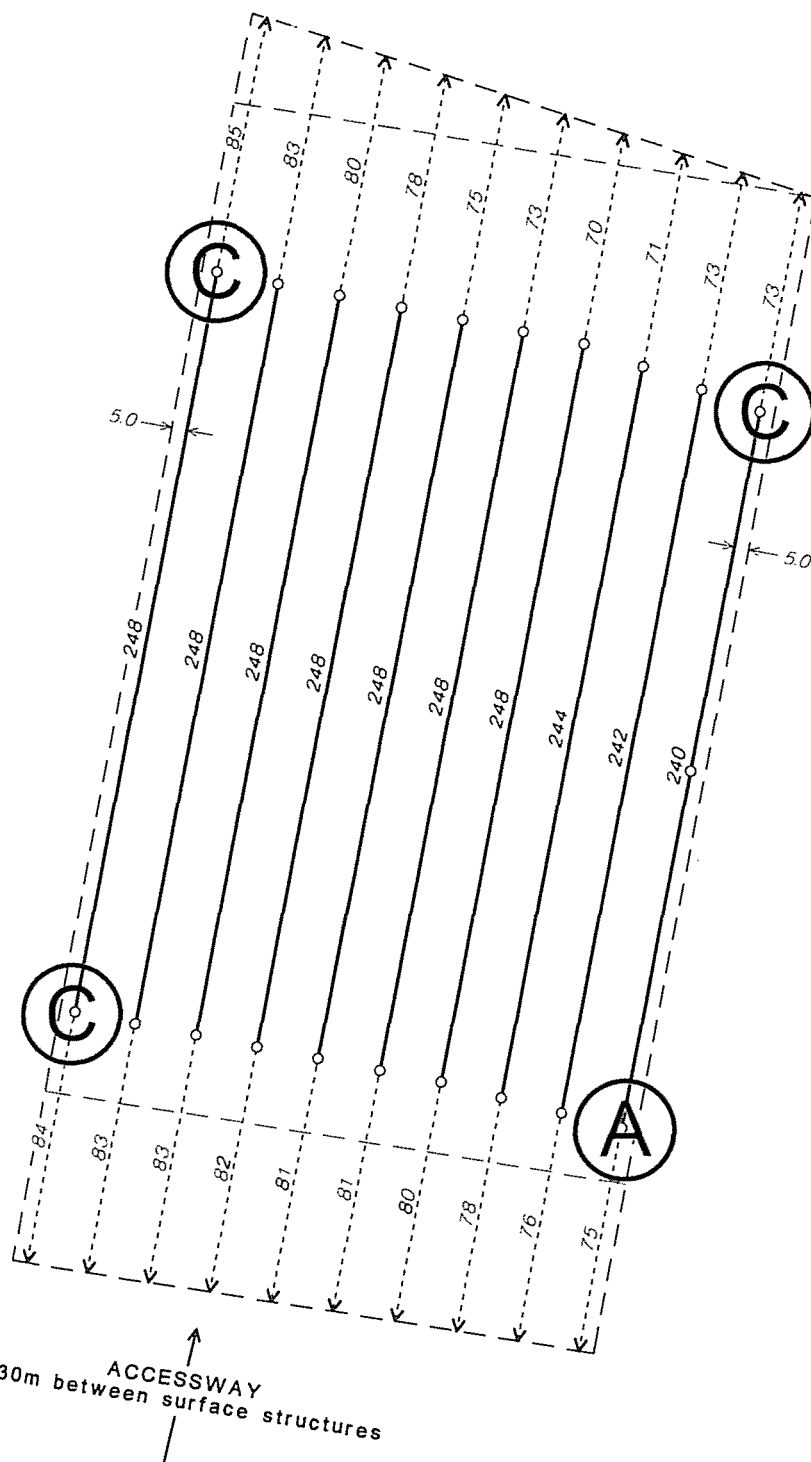
Radar reflector – to be set at not less than 1 metre above the waterline with a band of reflective tape set above this. The radar reflector should be visible on radar at a range of at least 500 metres.

Reflective tape – should be at least 50 millimetres in width and placed around the circumference of the support tube; the tape should be visible by torchlight at a range of at least 50 metres. Alternative reflectors may be substituted for reflective tape, provided that they are mounted where they are visible by torchlight from at least 50 metres all round.

5. Each end of the most landward and most seaward longlines shall carry the name of the consent holder, and the site number issued by Marlborough District Council (e.g. #8405), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.

Given under my hand this 26th day of SEPTEMBER 2016


ALEXANDER VAN WIJNGAARDEN



Crail Bay

REFERENCE

- Orange Float
- < Anchors
- - - - - Anchor Warp (32mm Rope)
- Backbone (24-28mm Rope)

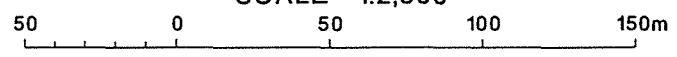
NOTE: Longline Spacing = 20.4m
 Total Longlines = 10
 Backbone Length = as shown
 Total Backbone Length = 2462m
 Warp Surface Loss = 70m - 85m

Structure Layout

Revalidation of Marine Farm Site 8515

MFL 032 & MPE 839

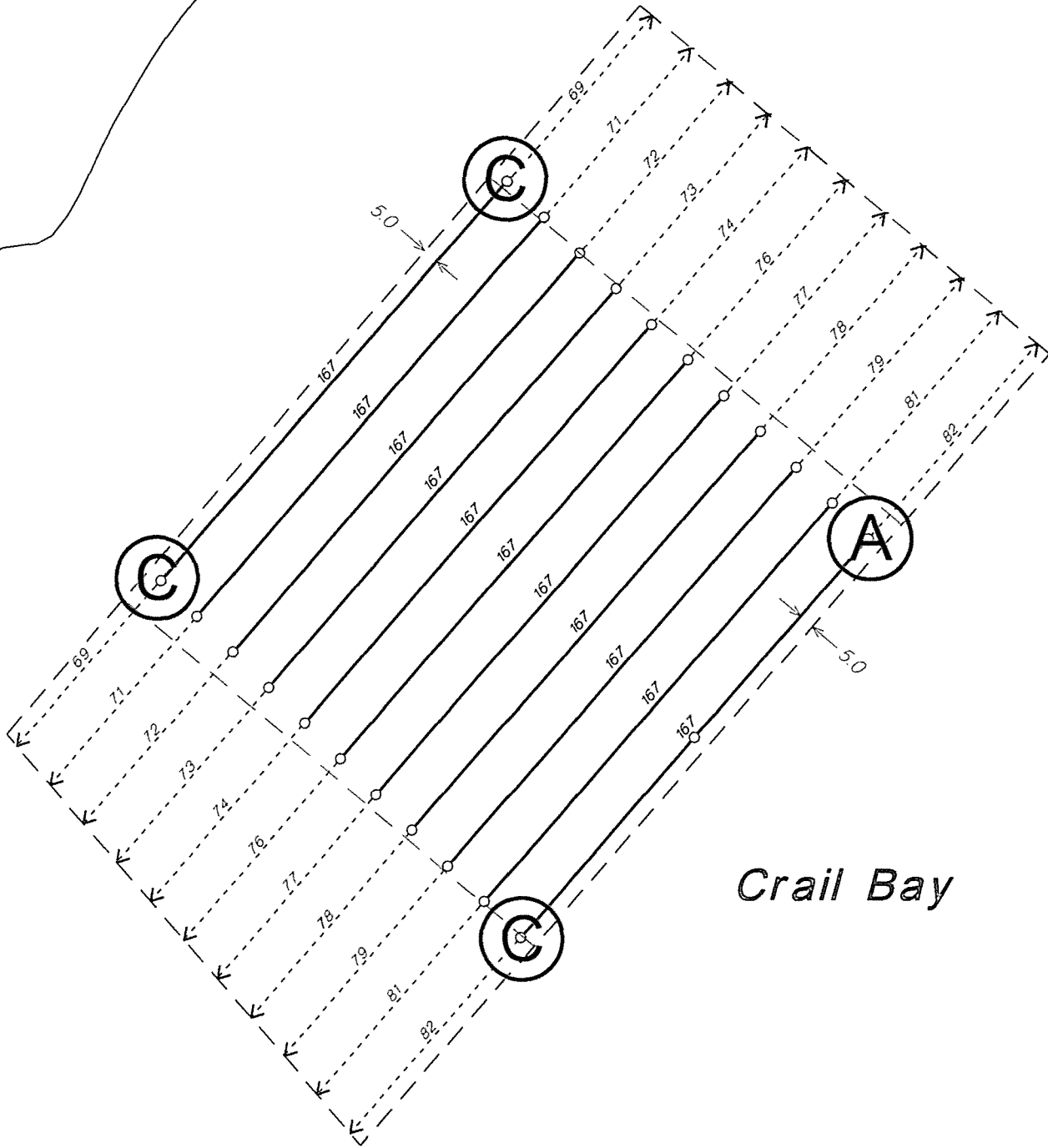
SCALE 1:2,500



Prepared by:
 DRAUGHTING PLUS LTD
 25 June 2009

RECEIVED
 26 JUN 2009
 WILBOROUGH
 DISTRICT CC MF0_1916a

[Handwritten signature] 20/09/2016



Crail Bay

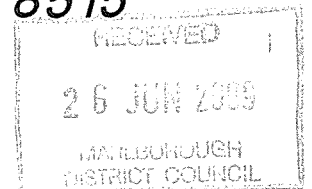
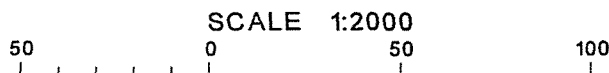
NOTES: Backbone Length = 167m
 Total Backbone Length = 1837m
 Total Longlines = 11
 Longline Spacing = 16m
 Warp Surface Loss = 69m - 82m

REFERENCE

- Orange Float
- < Anchor
- - - - - Anchor Warp (32mm Rope)
- Backbone (24-28mm Rope)

Structure Layout
Revalidation of Marine Farm Site 8515
MFL 067 & MPE 839

Prepared by;
 DRAUGHTING PLUS LTD
 25 June 2009



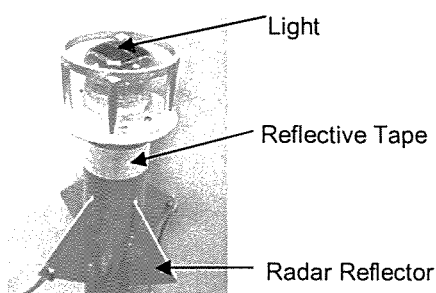
MF_1916b

26/09/2016

Marine Farm Lighting and Marking Plan – MPE 839, MFL032, MFL067 & U991325 (Site no.8515)

I, Alexander van Wijngaarden, Harbourmaster of Marlborough District Council, hereby approve, under Maritime Delegation from the Director of Maritime New Zealand pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994, the lighting and marking associated with coastal permit MPE839, MFL032, MFL067 & U991325, (Site no.8515), located in Crail Bay, Central Pelorus East as follows:

1. That each end of each longline display an orange buoy, as shall the middle of each of the seawardmost and landwardmost longlines.
2. That a yellow light, radar reflector and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'A' on the attached structures plan. The lights shall be solar powered and shall have the following characteristics: F1 (5) Y (20 secs) 1m 1M.



3. That radar reflectors and a band of reflective tape be displayed in the positions marked 'B' on the attached structures plan.
4. That a band of reflective tape 50 millimetres in width be displayed in the positions marked 'C' on the attached structures plan.

Interpretation:

Light - a yellow light, group flash 5 every 20 seconds (minimum flash length not less than 0.5 seconds), height of light not less than 1 metre above the water, range at least 1 nautical mile.

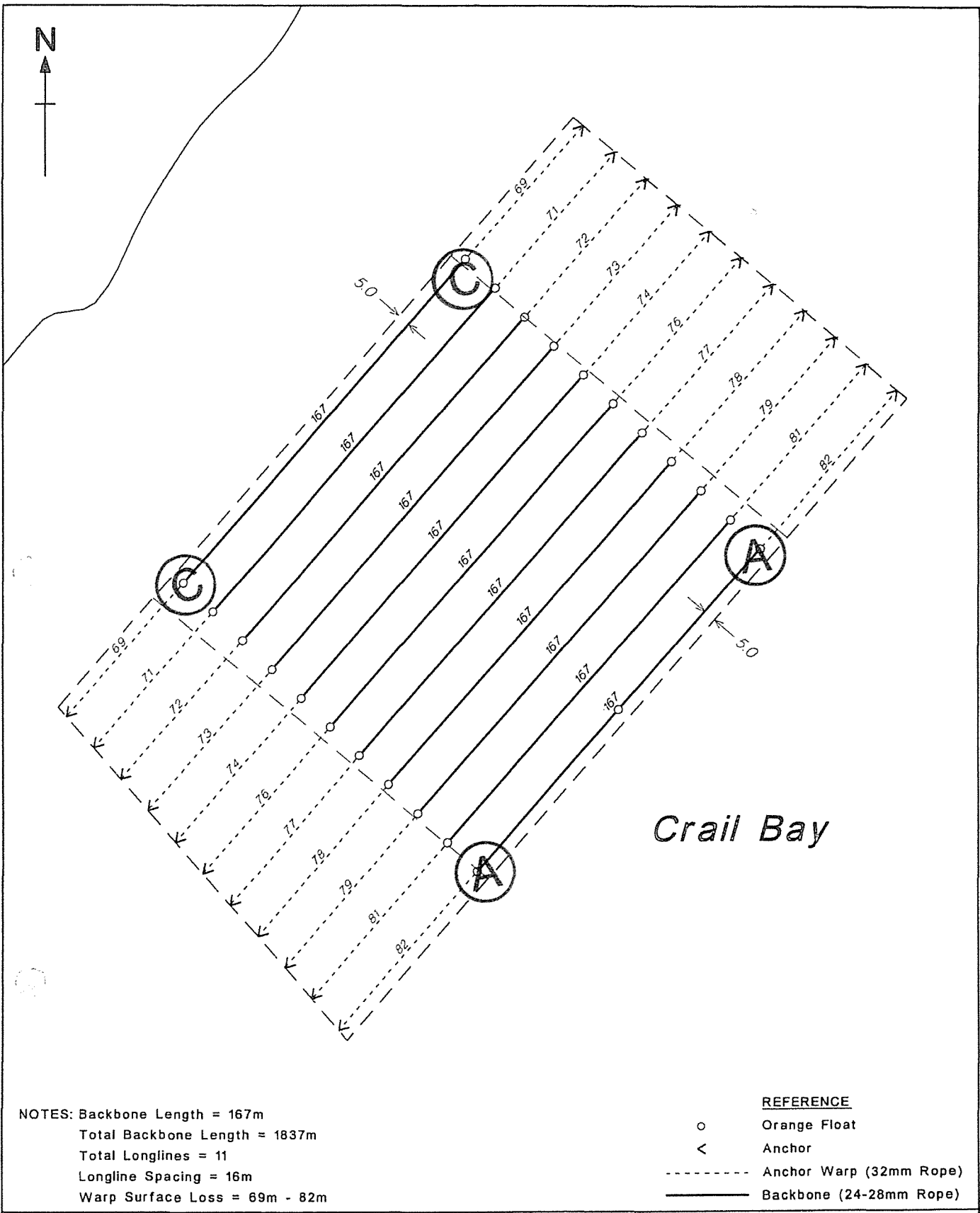
Radar reflector – to be set at not less than 1 metre above the waterline with a band of reflective tape set above this. The radar reflector should be visible on radar at a range of at least 500 metres.

Reflective tape – should be at least 50 millimetres in width and placed around the circumference of the support tube; the tape should be visible by torchlight at a range of at least 50 metres. Alternative reflectors may be substituted for reflective tape, provided that they are mounted where they are visible by torchlight from at least 50 metres all round.

5. Each end of the most landward and most seaward longlines shall carry the name of the consent holder, and the site number issued by Marlborough District Council (e.g. #8405), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.

Given under my hand this ^{11th} day of JUNE 2015

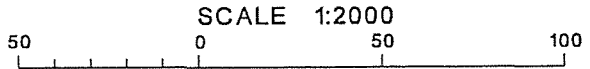

ALEXANDER VAN WIJNGAARDEN



NOTES: Backbone Length = 167m
 Total Backbone Length = 1837m
 Total Longlines = 11
 Longline Spacing = 16m
 Warp Surface Loss = 69m - 82m

REFERENCE
 ○ Orange Float
 < Anchor
 - - - - - Anchor Warp (32mm Rope)
 ——— Backbone (24-28mm Rope)

Structure Layout
Revalidation of Marine Farm Site 8515
MFL 067 & MPE 839

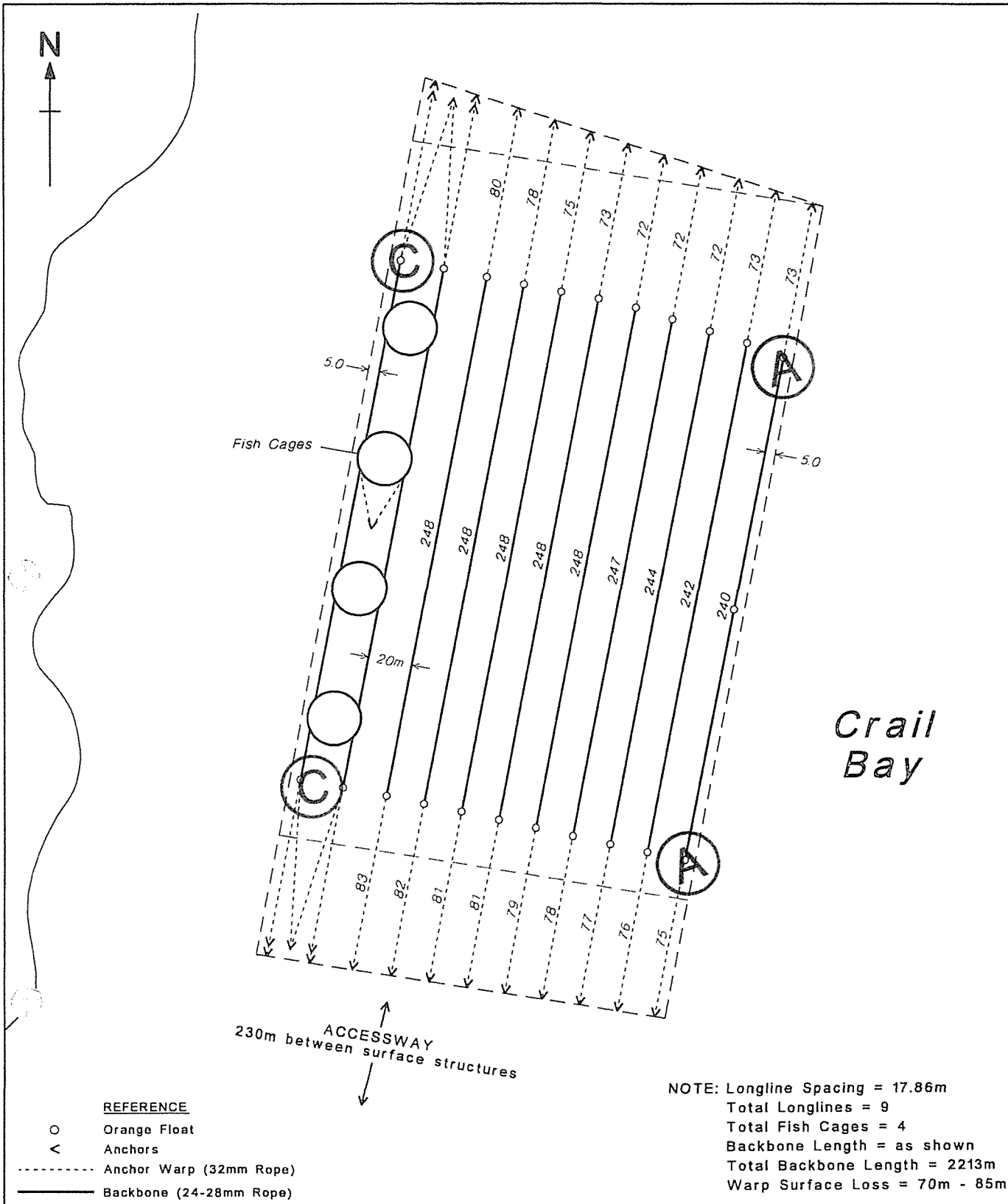


Prepared by:
 DRAUGHTING PLUS LTD
 25 June 2009

RECEIVED
 26 JUN 2009
 MARLBOROUGH
 DISTRICT COUNCIL

MF_1916b

Handwritten signature and date: 11/6/09

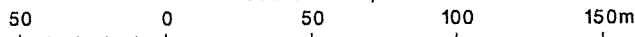


Variation of Structures - Option 1

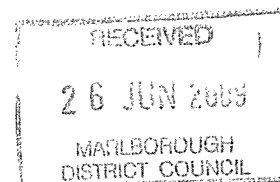
Marine Farm Site 8515

MFL 032 & MPE 839

SCALE 1:2,500

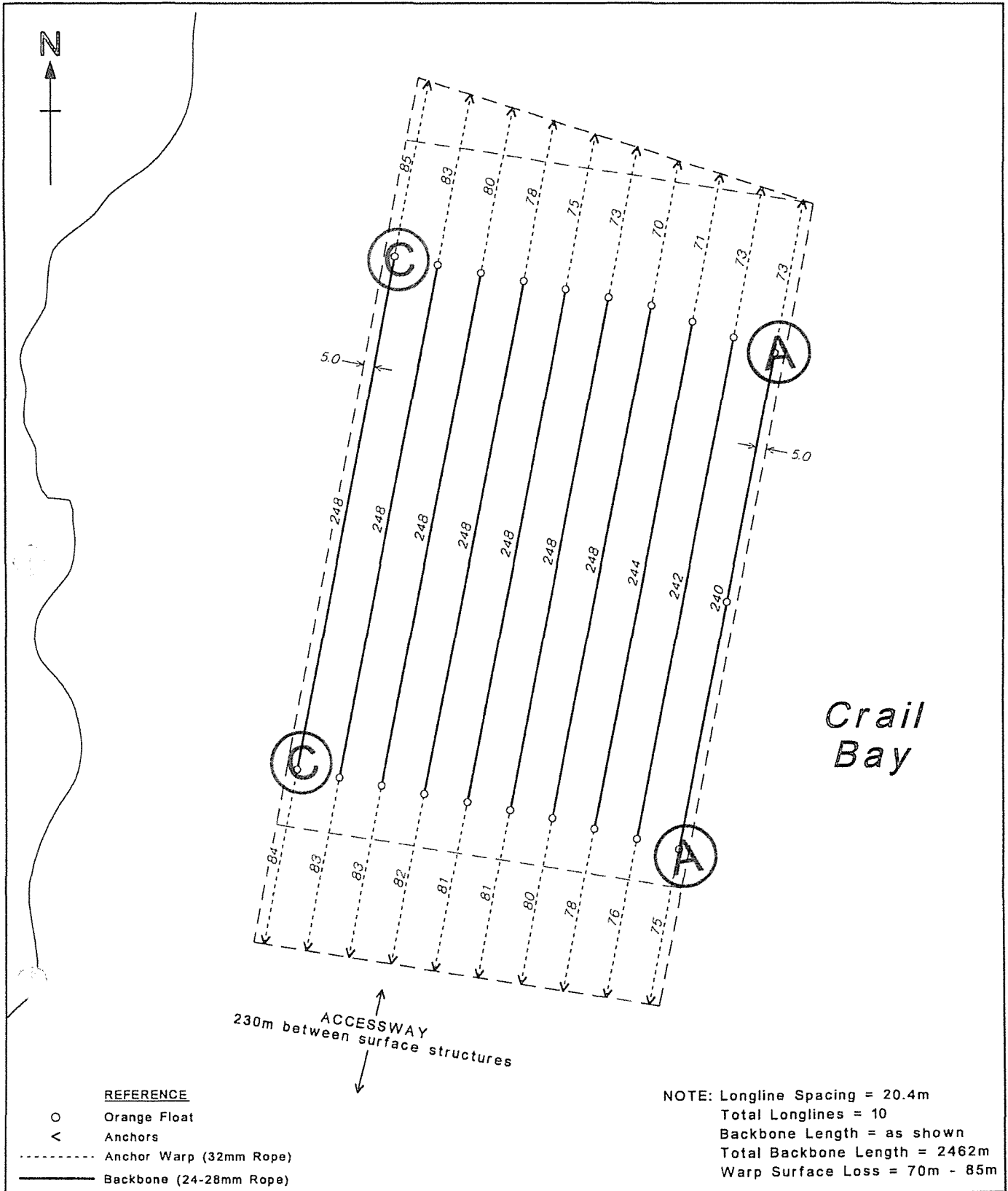


Prepared by:
 DRAUGHTING PLUS LTD
 25 June 2009



MF_1916c

AA 2/6/15

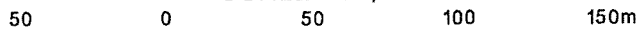


Variation of Structures - Option 2

Marine Farm Site 8515

MFL 032 & MPE 839

SCALE 1:2,500



Prepared by;
 DRAUGHTING PLUS LTD
 25 June 2009

RECEIVED
 26 JUN 2009
 MARLBOROUGH
 DISTRICT COUNCIL

MF_1916c

Handwritten signature and date: 11/6/15

**Section 53 of the
Aquaculture Law Reform (Repeals and Transitional Provisions)
Act 2004**

**In the Matter of an Application to Amend the Authorised Space to
Reflect the Actual Space Occupied by Surface Structures**

File Reference: MFL032, MFL067, MPE839 (U991325)

Consent Holder: Graeme Henry & Elizabeth Patricia CLARKE

MFL032, MFL067 & MPE839 are Coastal Permits to: Operate a 13.199 hectare marine farm

Location: Crail Bay, Site 8515

Proposal: To amend the permit co-ordinates as per the attached plan.

**Decision on
Application to Amend the Authorised Space to Reflect the Actual
Space**

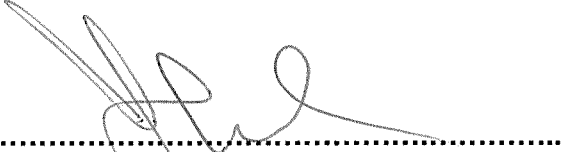
Pursuant to Section 53 of the Aquaculture Law Reform (Repeals and Transitional Provisions) Act 2004 the following decision has been made by the Marlborough District Council:

- The authorised space of MFL032, MFL067 and MPE839 is hereby amended to reflect the actual space identified by the co-ordinates specified on the plan attached, date stamped 26 June 2009.
- Pursuant to section 28(3) of the Aquaculture Law Reform (Repeals and Transitional Provisions) Act 2004 the authorised space of U991325 is hereby also amended.

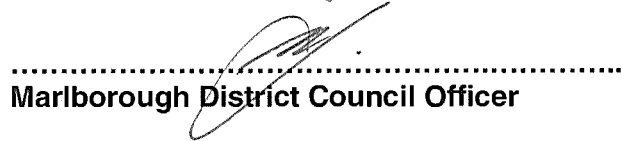
Other Matters

This decision is to be read in conjunction with the conditions of Coastal Permits MFL032, MFL067, MPE839 and U991325 and any subsequent review of those conditions.

Authorised under the Marlborough District Council's Instrument of Delegation by:



.....
Marlborough District Council Officer



.....
Marlborough District Council Officer

Dated this 11th day of September 2009

Record No: 09103901



Lot 3
DP 4028
CT 5D/1483
GH & EP Clarke

Pt Sec 2
Blk VI Orieri SD
CT 2B/780
DC Hemphill

Lot 4
DP 4028
CT 5D/1484
GH & EP Clarke

Lot 3
DP 10910
CT 6A/1007
AR Levine

Sounds Foreshore Reserve

8516

MARLBOROUGH DISTRICT
DATUM: New Zealand Map Grid
This site has not been surveyed
Cadastral Data from Land Information New Zealand Data

8514

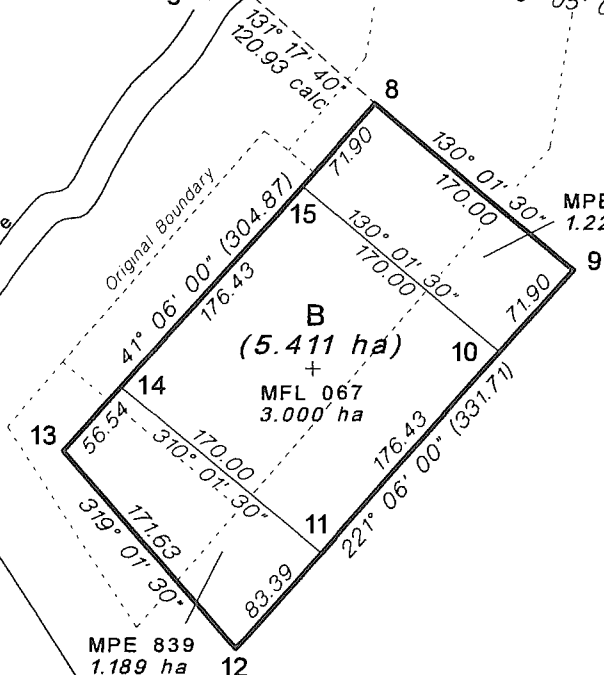
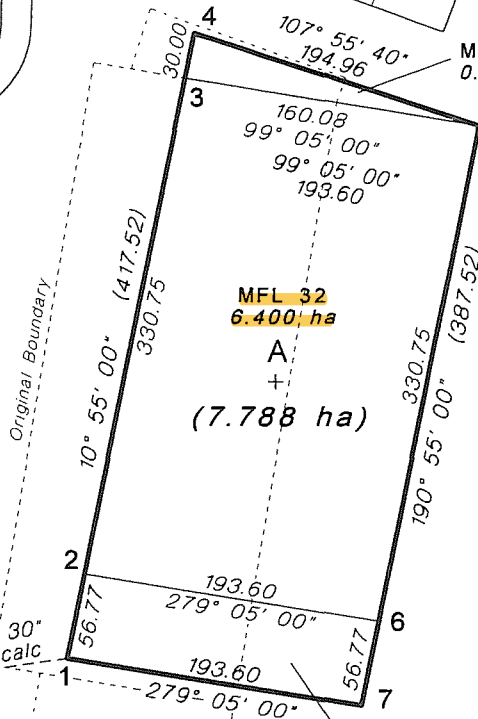
MPE 839
0.290 ha

Crail Bay

8515
(13.199 ha)

MPE 839
1.222 ha

MPE 839
1.189 ha



SCHEDULE OF COORDINATES

New Zealand Map Grid

Point	East	North
AREA A		
1	2591097.24	6011178.79
2	2591107.99	6011234.53
3	2591170.65	6011559.30
4	2591176.33	6011588.75
5	2591361.82	6011528.74
6	2591299.16	6011203.98
7	2591288.41	6011148.24
Centroid A	2591230.95	6011361.13
AREA B		
8	2591076.41	6011082.68
9	2591206.60	6010973.34
10	2591159.38	6010919.12
11	2591043.51	6010786.07
12	2590988.75	6010723.19
13	2590876.20	6010852.76
14	2590913.33	6010895.41
15	2591029.20	6011028.45
Centroid B	2591036.99	6010907.99
Trig U	2590985.56	6011162.48

Proposed Revalidation
Marine Farm Site 8515
(MFL 032 & 067 & MPE 839)

SCALE 1:5,000



4 June 2009
Prepared by
Draughting Plus Ltd

MF_1916a

**Deemed Coastal Permit - Review of Conditions
under Sections 20(3) or 21(3) of the Aquaculture Reform
(Repeals and Transitional Provisions) Act 2004**

**In the Matter of an Application to Vary, Add or Delete Conditions of
Coastal Permit**

File Reference: MFL032

Consent Holder: Graeme Henry and Elizabeth Patricia CLARKE

MFL032 is a Deemed Coastal Permit to: Occupy space in the coastal marine area

Location: Crail Bay, central Pelorus Sound east

Site No: 8588

Proposal: To vary, add or delete conditions of deemed Coastal Permit No 032 for the purpose of farming **green mussels** (*Perna canaliculus*), **salmon** (*Oncorhynchus tshawytscha*), **scallops** (*Pecten novaezelandiae*), **Pacific oysters** (*Crassostrea gigas*), **dredge oysters** (*Tiostrea chilensis*), and **yellowtail kingfish** (*Seriola lalandi*) in accordance with the provisions of the Act.

**Decision on
Application to Vary, Add or Delete Conditions of Coastal Permit**

Pursuant to Sections 20(3) or 21(3) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 the following decision has been made by the Marlborough District Council:

Conditions now state:

Coastal Permit - Occupancy and Activity

1. That this permit shall expire on 31 December 2024.
2. That without restricting the consent holder from reasonably undertaking the activities authorised by this resource consent, the consent holder shall not undertake the activities in such a way that would effectively exclude the public from the permit area.
3. That there shall be no feed artificially introduced into the marine farm unless a specific coastal permit for discharge is firstly obtained.

4. That the occupancy be limited to the area illustrated on the plans attached to this consent and confined to the area specified within the grid co-ordinates (Marlborough Circuit).

Coastal Permit - Structures

5. That the structures be limited to anchors, ropes, droppers, floats, cages, racks, lights and other necessary navigational aids associated with the marine farming of the approved species. All structures shall be situated and secured so as to remain within the boundaries of the consent area. The number of lines shall be at the discretion of the consent holder, but shall not exceed the total allowed, the separation distances between lines shall be no less than allowed, and lines shall be oriented as shown on the attached plan.
6. Where there are more than two blocks of longlines an accessway of no less than 50 metres in width, free of surface structures, be provided between blocks.
7. That the placement of marine farm lighting and marking shall be approved by the Harbourmaster under his Maritime Delegation from the Director of Maritime Safety pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994. The approved lighting plan is attached.
8. That each end of each of the landwardmost and seawardmost longlines carry the name of the consent holder, and the site number issued by Marlborough District Council (#8588), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.
9. That the consent holder maintain all structures to ensure that they are restrained, secure and in working order at all times so as to not create a navigational hazard and take whatever steps are reasonably necessary to retrieve any non-biodegradable debris lost in or from the permit area.
10. That each buoy within the approved area be permanently branded so as to clearly identify its ownership.
11. That upon the expiration, determination, forfeiture or surrender of the coastal permit the consent holder shall remove all structures, rafts, buoys, longlines, blocks, and all associated equipment from the site, and restore the area as far as is practicable to its original condition, and to the reasonable satisfaction of Council. If the consent holder fails to comply with this clause Council may arrange compliance on their behalf and at the consent holder's expense.
12. That in accordance with section 128 of the Resource Management Act 1991, the Marlborough District Council may review the conditions of this consent for the purpose of ensuring that any actual or potential effects on the environment arising from the exercise of this consent are avoided, remedied or mitigated.

Reasons for Decision

The grounds for approving these changes are that the majority of the existing conditions in the original licence are already provided for by the RMA (e.g. access), by the changes to Fisheries regulations (i.e. registration), or are no longer required (e.g. general provisions). The new conditions are consistent with the RMA and with those in current use.

As the review of conditions relates to existing structures and operations it will not adversely affect other users or values of the area, and will align all marine farms to consistent conditions and processes.

The proposal will not have any adverse effect on the environment.

Other Matters

1. Unless otherwise specified, this is the full text of the decision.

Appeal Information

2. If intending to object to this decision, the objection must be lodged with the Marlborough District Council within 15 working days of the receipt of this decision.

Authorised under the Marlborough District Council's Instrument of Delegation by:

E Davidson
.....
Marlborough District Council Commissioner

Dated this *17th* day of *November* 2006

Marine Farm Lighting and Marking Plan – MFL032

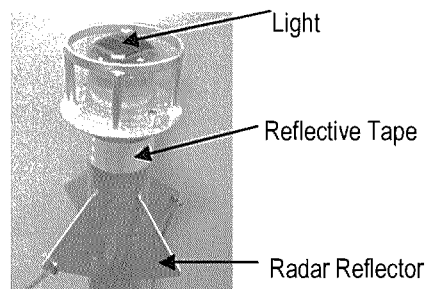
I, Alexander van Wijngaarden, Harbourmaster of Marlborough District Council, hereby approve, under Maritime Delegation from the Director of Maritime Safety pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994, the lighting and marking associated with coastal permit MFL032, located in Crail Bay, Central Pelorus Sound East as follows:

1. That each end of each longline display an orange buoy, as shall the middle of each of the seawardmost and landwardmost longlines.
2. That a yellow light, radar reflector and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'A' on the attached structures plan. The lights shall be solar powered and shall have the following characteristics:

Flash: Flashing (5) every 20 seconds. Length of flashes no less than 1 second. Interval between flashes, no less than 1 second.

Range: At least 1 nautical mile.

Height: Greater than 1.0 metre above the surface of the water.

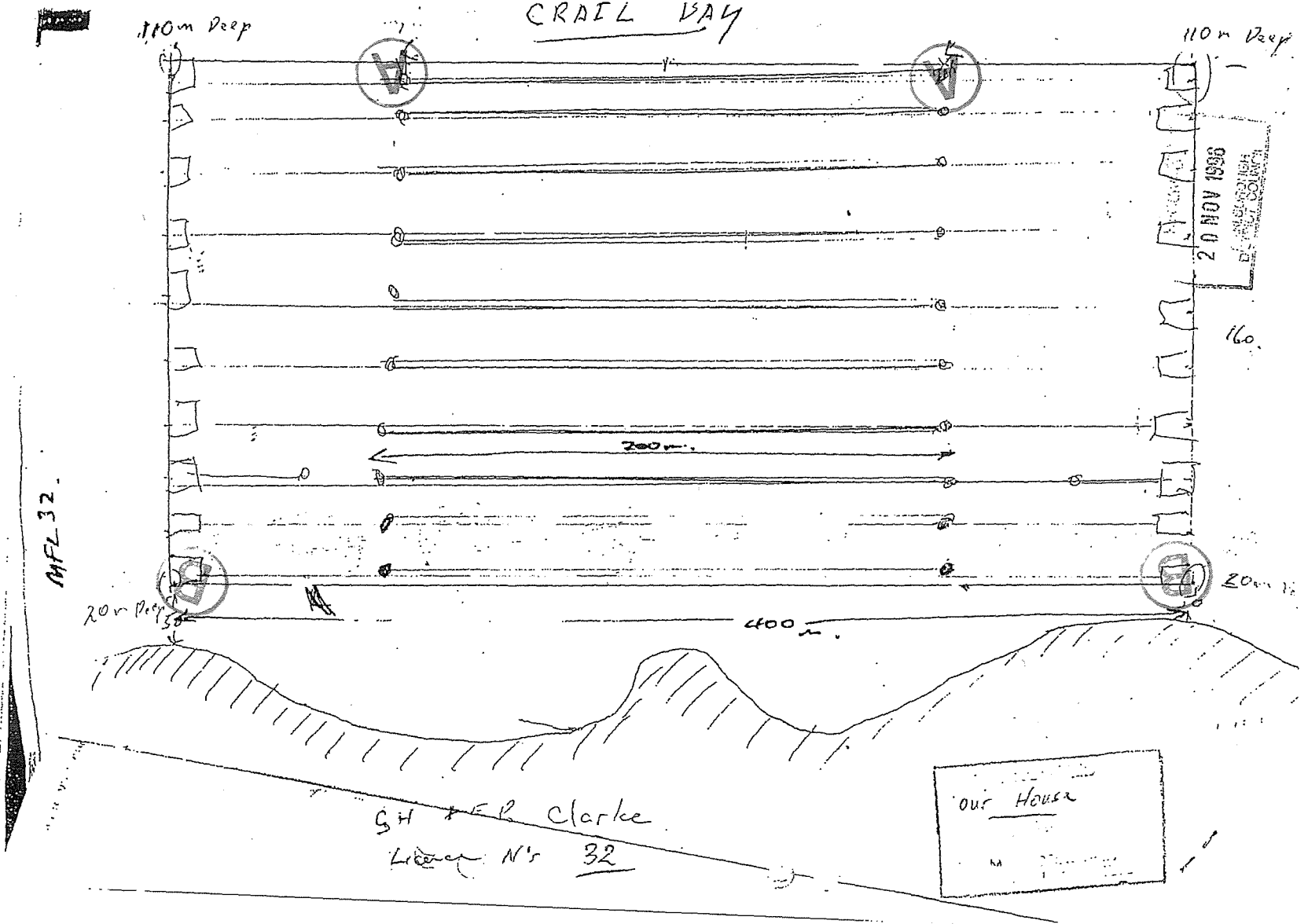


3. That radar reflectors and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'B' on the attached structures plan.

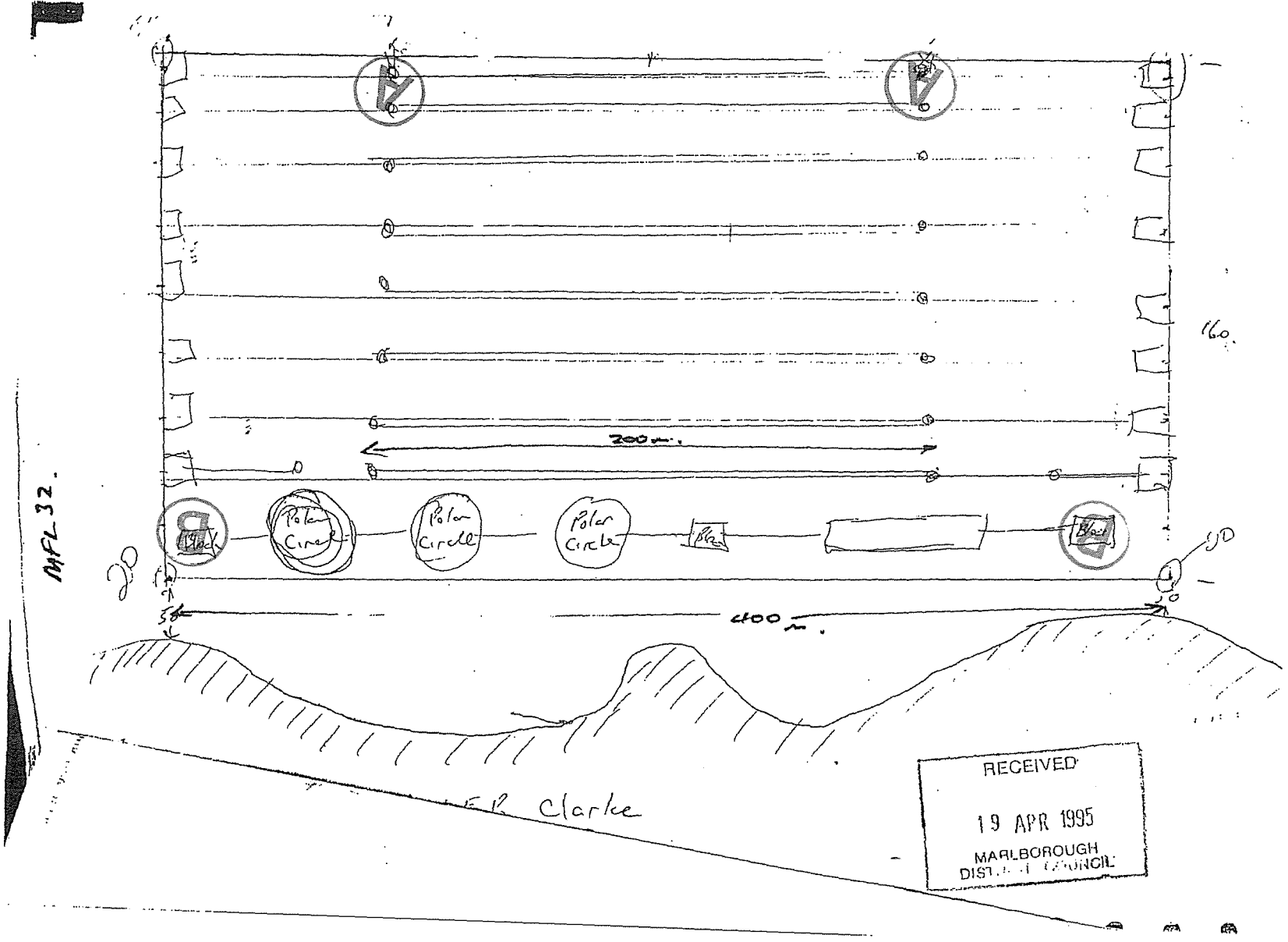
Given under my hand this 12th day of July 2006


ALEXANDER VAN WIJNGAARDEN

CRAIL BAY



12/7/98



[Handwritten signature]
12/1/95

**Section 357A of the
Resource Management Act 1991**

In the Matter of an Objection to Resource Consent Conditions

File Reference: MFL032

Consent Holder: Graeme Henry & Elizabeth Patricia CLARKE

MFL032 is a Deemed Coastal Permit to: Occupy space in the coastal marine area for a marine farm of 6.4ha in Crail Bay for the purpose of marine farming Green Shell Mussels (*Perna canaliculus*), Scallops (*Pecten novaezelandiae*), Dredge Oysters (*Tiostrea lutaria*), Pacific Oysters (*Crassostrea gigas*), Salmon (*Oncorhynchus tshawytscha*) and Yellowtail Kingfish (*Seriola lalandi*).

Location: Crail Bay, Central Pelorus East

Proposal: Objection pursuant to section 357A of the Resource Management Act 1991, to conditions of Deemed Coastal Permit MFL032

Proposal: To amend conditions 3, 5, 7 and 8 and to delete condition 11.

Condition #3 presently states: That there shall be no feed artificially introduced into the marine farm.

Condition #5 presently states: That the structures be limited to anchors, ropes, droppers, floats, cages, racks, lights and other necessary navigational aids associated with the marine farming of the approved species. All structures shall be situated and secured so as to remain within the boundaries of the consent area at all times. The number of lines shall be at the discretion of the consent holder, but shall not exceed the total allowed, the separation distances between lines shall be no less than allowed, and lines shall be oriented as shown on the attached plan.

Condition #7 presently states: That the placement of marine farm lighting and marking shall be approved by the Harbourmaster under his Maritime Delegation from the Director of Maritime Safety pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994. The approved lighting plan is attached.

Condition #8 presently states: That each end of each of the landwardmost and seawardmost longlines carry the name of the consent holder, and the site number issued by Marlborough District Council (#8588), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.

Condition #11 presently states: That the applicant notifies the Chief Hydrographer/ Topographer of Land Information New Zealand and the Marlborough District Council of the establishment of the revised marine farm structures within 3 months of their establishment.

**Decision on
Objection to a Resource Consent Decision**

Pursuant to Section 357D of the Resource Management Act 1991 the following decision has been made by the Marlborough District Council:

The objection lodged by G H & E P Clarke to amend conditions 3, 5, 7 and 8 and to delete condition 11 of Deemed Coastal Permit MFL032 for a marine farm of 6.4ha in Crail Bay for the purpose of marine farming Green Shell Mussels (*Perna canaliculus*), Scallops (*Pecten novaezelandiae*), Dredge Oysters (*Tiostrea lutaria*), Pacific Oysters (*Crassostrea gigas*), Salmon (*Oncorhynchus tshawytscha*) and Yellowtail Kingfish (*Seriola lalandi*), located at Crail Bay, Central Pelorus East is UPHeld IN PART in that conditions 3 and 5 have been amended, conditions 7 and 8 have been retained and condition 11 has been deleted.

Amended Condition #3 now states: That there shall be no feed artificially introduced into the marine farm unless a specific coastal permit for discharge is firstly obtained.

Amended Condition #5 now states: That the structures be limited to anchors, ropes, droppers, floats, cages, racks, lights and other necessary navigational aids associated with the marine farming of the approved species. All structures shall be situated and secured so as to remain within the boundaries of the consent area. The number of lines shall be at the discretion of the consent holder, but shall not exceed the total allowed, the separation distances between lines shall be no less than allowed, and lines shall be oriented as shown on the attached plan.

Condition #7 retained: That the placement of marine farm lighting and marking shall be approved by the Harbourmaster under his Maritime Delegation from the Director of Maritime Safety pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994. The approved lighting plan is attached.

Condition #8 retained: That each end of each of the landwardmost and seawardmost longlines carry the name of the consent holder, and the site number issued by Marlborough District Council (#8588), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.

Condition #11: Deleted.

Reasons for Decision

1. The Committee concluded that the amendments to conditions 3 and 5 were warranted in that the conditions became more practicable and enforceable under the Resource Management Act 1991.
2. In regard to Condition 11, the Committee believed it to be unnecessary to inform the Chief Hydrographer / Topographer of Land Information New Zealand and the Marlborough District Council because the farm had been in existence on this specific site for a number of years.

Other Matters

1. The Committee decided that, henceforth, the above amendments to conditions 3 and 5 be applied to draft standard conditions for marine farm coastal permits.
2. Additionally the Committee was of the opinion that condition 11 need only be applied to marine farm applications in the instance where the proposed marine farm has not formerly been in existence.

Authorised under the Marlborough District Council's Instrument of Delegation by:

E. Davidson

.....
Marlborough District Council Commissioner/Delegated Officer

Dated this *17th* day of *November* 2006

Certified Copy
For Chief Executive
Ministry of Fisheries

DATED 18 Oct 1977

D.W.B. CLARKE

-with-

HER MAJESTY THE QUEEN

MUSSEL FARM LICENCE NO. 32

(Under the Marine Farming Act 1971)

Registered in Marine Farming Register
of Leases/Licences on 21.10.77
Mussel

Extension of term of licence to expire on 30 September 2005 registered on 9 October 1992 at 01000 hours.

Glaasper
for Director-General

Variation to include scallop (*Pecten novaezelandiae*), Pacific oyster (*Crassostrea gigas*) and dredge oyster (*Tiostrea lutaria*) registered on 9 September 1993 at 0915 hours.

[Signature]
for Director-General

Variation to include yellowtail kingfish (*Seriola lalandi*) registered on 29 April 2003 at 1430 hours.

[Signature]
for Chief Executive

Assignment 175/1978 to GRAEME HENRY CLARKE and ELIZABETH PATRICIA CLARKE, both of Crail Bay, Marlborough Sounds, registered on November 10 1978 at 0900.

[Signature]
Director-General

Mortgage 176/1978 to THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND registered on November 10 1978 at 0902.

[Signature]
Director-General

Variation of Rural Banking and Finance Corporation of New Zealand mortgage registered on March 4 1981 at 1000 hrs.

[Signature]
for Director-General

Amended description attached on February 9 1982.

[Signature]
for Director-General

Variation to include SALMON registered on October 24 1984.

[Signature]
for Director-General

Discharge of mortgage to the Rural Banking and Finance Corporation of New Zealand registered on 28 November 1986 at 0900 hour.

[Signature]
for Director-General

LICENCE UNDER THE MARINE FARMING ACT 1971

Licensor

The Minister of Agriculture and Fisheries (hereinafter referred to as "the Licensor") is the controlling authority under the Marine Farming Act 1971 (hereinafter referred to as "the Act") of the area described in the schedule hereto (hereinafter referred to as "the area").

Licensee

Donald William Bruce Clarke of Blenheim, Supply Manager (together with executors, administrators, successors and permitted assigns hereinafter called "the Licensee").

Licence

The Licensor upon the execution of this instrument subject to the terms and conditions set out below has agreed to grant to the Licensee a Licence of the area for a term of fourteen years beginning on the 1st day of NOVEMBER, 1977 at an annual licence fee of SIXTY-FOUR DOLLARS (\$64.00) ~~twenty four dollars (\$24.00)~~ payable in advance on the FIRST day of NOVEMBER each calendar year, for the use of the area as a marine farm pursuant to the provisions of the Marine Farming Act 1971.

[Handwritten signature and date 9/13/82]

Conditions

1. THE LICENSEE HEREBY COVENANTS with the Licensor as follows:

(a) The Licensee will at all times comply with the provisions of the Act and Regulations thereunder.

(b) The Licensee shall pay the annual licence fee as and when described above to the Director-General of

Agriculture and Fisheries (in this instrument called the "Director-General") at the Head Office of the Ministry of Agriculture and Fisheries in Wellington.

(c) If the Licensee is at any time in arrears with payment of the annual licence fee he shall not remove from the area any fish, shellfish or marine vegetation farmed in that area except with the written consent of the Director-General.

(d) The licensee shall utilize and cultivate in a proper manner the area for the purpose of farming mussels and shall comply at all times with the Act and any regulations, notices and requirements made or issued pursuant to the Act.

(e) The Licensee shall not erect, place, moor or keep in the area any structure, raft, buoy or buoyed longline which is not first approved by the Ministry of Transport at Wellington and provided with such functioning beacons, lights, buoys, fog signals and other equipment as the Ministry of Transport may from time to time require.

(f) The Licensee shall on the expiration, determination, forfeiture or surrender of the licence, remove all structures, rafts, buoys, buoyed longlines and other plant from the area, and restore the area as far as is practicable to its original condition to the reasonable satisfaction of the Licensor.

(g) If the Licensee fails to comply with clause (f) of this licence the Licensor may at the expense of the Licensee, take such steps as are necessary to fulfil the Licensee's obligations under that clause.

(h) The Licensee shall take steps to ensure that the fish, shellfish or marine vegetation farmed in the area are not rendered unfit for human consumption by disease, infection by marine pests, or contamination by sewage.

(i) The Licensee will maintain in good order and repair all structures, rafts, buoys, buoyed longlines, beacons, noticeboards and other plant in the area and will not permit such to deteriorate through want of repair so as to be, become, or cause, in the opinion of the Licensor a hazard or potential hazard to navigation.

(j) The Licensee will permit and facilitate free access to, over and from any raft, structure, buoy or buoyed longline to any fisheries officer or any officer in the employment of the Crown authorised by the Director-General who may from time to time wish to enter and inspect the area to ensure that the provisions of the Act or of this licence are being complied with or not contravened.

(k) The Licensee shall not assign, sublet or part with the possession of the whole or any part of the area without the prior consent in writing of the Licensor and such consent shall not be unreasonably withheld.

2. THE LICENSOR HEREBY COVENANTS WITH the Licensee as follows:

The Licensor or any fisheries officer or officer of the Crown who under the terms of this licence or under the authority of some other statute enters and inspects the area shall cause as little interference as is reasonably possible with the use of the area or with any raft, structure, buoy, buoyed longline, mooring arrangements, mooring or navigational marks, or fish or marine vegetation of the species authorised to be farmed in terms of this licence.

Provisos

3. PROVIDED ALWAYS and it is hereby agreed and declared by and between the Licensor and Licensee that:

(a) The licence shall be liable to forfeiture without payment of compensation if the Licensee:

- (i) Cannot be found, or has abandoned the area, or has died and no personal representative has claimed the area within 12 months after his death; or
- (ii) Has not within a period of two years from the commencement of the licence, or within such further period as the Licensor may specify by notice in writing to the Licensee, begun to develop to the satisfaction of the licensor the area as a marine farm for the farming of the species specified in this licence; or
- (iii) Defaults in or is in breach of any term or condition of this licence.

(b) If after a period of seven years from the commencement of this licence the Licensee has not developed the whole of the area as a marine farm, such part of the area as shall then remain undeveloped shall be liable to forfeiture.

(c) If the licence, or part of the area, is liable to forfeiture and the Licensee has failed after notice has been given to him to remedy the default or breach, the Licensor may forfeit the licence without action and may thereupon re-enter and recover possession.

Dated this 18th day of May 1977

SCHEDULE

All that area containing 6.4 hectares, more or less, in front of Sounds Foreshore Reserve and Lots 3 and 4, D.P. 4028 situated in Block VI, Orieri Survey District, bounded by a line commencing at a point in Crail Bay being 46.19 metres distant along a bearing of $86^{\circ}13'30''$ from peg IX on D.P. Plan 4028, in Block VI, Orieri Survey District; thence along a bearing of $98^{\circ}33'$ for a distance of 160 metres to the north eastern corner; thence along a bearing of $188^{\circ}33'$ for a distance of 400 metres to the south eastern corner; thence along a bearing of $278^{\circ}33'$ for a distance of 160 metres to the south western corner; thence along a bearing of $8^{\circ}33'$ for a distance of 400 metres to the north western corner, the point of commencement.

The above area is more particularly shown on S.O. Plan 5923. This plan amends S.O. Plan 5413.

SCHEDULE

All that area containing 2.40 hectares more or less in front of Sounds Foreshore Reserve and Lots 3 and 4 DP 4028, situated in Block VI Orieri Survey District, bounded by a line commencing at a point in Crail Bay, being 46.19 metres distant on a bearing of $86^{\circ} 13' 30''$ from Peg IX on DP 4028; thence along a bearing of $98^{\circ} 33' 00''$ for a distance of 60.0 metres to the northeastern corner, thence along a bearing of $188^{\circ} 33' 00''$ for a distance of 400.0 metres to the southeastern corner, thence along a bearing of $278^{\circ} 33' 00''$ for a distance of 60.0 metres to the southwestern corner, thence along a bearing of $8^{\circ} 33' 00''$ for a distance of 400.0 metres to the point of commencement. The above area is more particularly shown on SO Plan 5413 (MAF 95).

Signed in place of the Minister of) ^{Agriculture}
 Fisheries for and on behalf of)
 Her Majesty the Queen, in the)
 presence of: *M. M. H. H. H.*)
Private Secretary
Wellington
 Signed by the above-named Licensee)
 in the presence of:)

[Handwritten Signature]

DATE /8/10/77

[Handwritten Signature]
 (S. NOAD)

ASST PURCHASING OFFICE
 7 WAIKURA ST
 BLENHEIM.

313,500 E.

313,750 E.

3

D. P. 4028

D.W.B. CLARKE
L.V. CLARKE
CT. 28/772.

RESERVE

(GAZ. 1962 P. 1456)

749,321
313,731

D. P. 4028

FORESHORE

SOUNDS

4

D. P. 4028

G. H. CLARKE
CT. 28/773

2.40ha.

S. O. 4449

PT 2

S. O. 226

CT. 28/780
D.C. HEMPHILL

748,931.01 N.
313,606.16 E

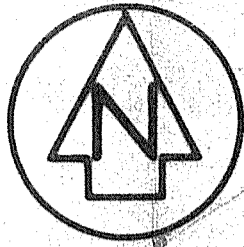
TRIG. U

748,931.01 N.
313,676.16 E.

748,931.01 N.
313,731.01 E.

AND DISTRICT MARLBOROUGH
URVEY BLK. & DIST. VI ORIERI S.D.
ZMS 177 SHEET NO. S. 16.

PLAN SHOWING AREA APPLIED
UNDER SEC. 5 MARINE FARMING



Approvals

26.56N.
35.63E

749,350N.

33' 00"

749,317.64N
313,794.96E

CRAIL BAY

749,100N.

Total Area

Comprised in

D. W. B. Clarke

I, **JOHN MACMILLAN GILBERT** of **BLenheim**

Registered Surveyor and holder of an annual practising certificate hereby certify that this plan has been made from Surveys executed by me or under my direction, that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966

Dated at **BLenheim** this **7TH** day of **JULY** 1976 Signature *J. Gilbert*

Field Book p. Traverse Book p.

Reference Plans **D. P. 4028**

Examined *J. Thompson* 17-8-76 Correct

Approved

30/8/76

G. Henderson
Chief Surveyor

Deposited this day of 19

District Land Registrar

File
Received 13.7.76
Instructions

SO5413

CERTIFIED
G. Henderson
CHIEF SURVEYOR
25.11.1976

922.09 N.
735.49 E

FOR
ACT 1971.

LOCAL AUTHORITY **MARLBOROUGH COUNTY**

Surveyed by **GILBERT MOORE & HAYMES**

Scale **1:1500** Date **JULY 1976**

Approvals

313900 E

749317.64 m N
313794.96 m E

749302.77 m N
313893.85 m E

749300 N

98° 33' 00"
100.00

CRAIL BAY

DATUM - GEODETIC 1949
MARLBOROUGH CIRCUIT COORDINAT
ORIGIN - GOULTER HILL 700,000
300,000
ORIGIN OF COORDINATES 1X DP4
749323.52 m N 313689.54 m E

4.0 ha
LICENCE NO 32

Total Area 4.0 ha
Applicant G.H + E.P CLARKE
Application No 662

Vernon Thomas Fraser Ayson of Blenheim
Registered Surveyor and holder of an annual practising certificate
hereby certify that this plan has been made from Surveys and
by me or under my direction, that both plan and Survey are
and have been made in accordance with the regulations under
Surveyors Act 1966

749000 N

Dated at Blenheim this 1 day
of Sept 1981 Signature *[Signature]*

Field Book — p — Traverse Book —
Reference Plans D.P 4028, 50 226

Examined S. Folster 8-10-81
Approved

19 10 81
Deposited this day of

1178/5
11/76
Received 4-9-81
Instructions

District Land
SO 59

748907.22 m N
313834.38 m E

100.00
° 33' 00"

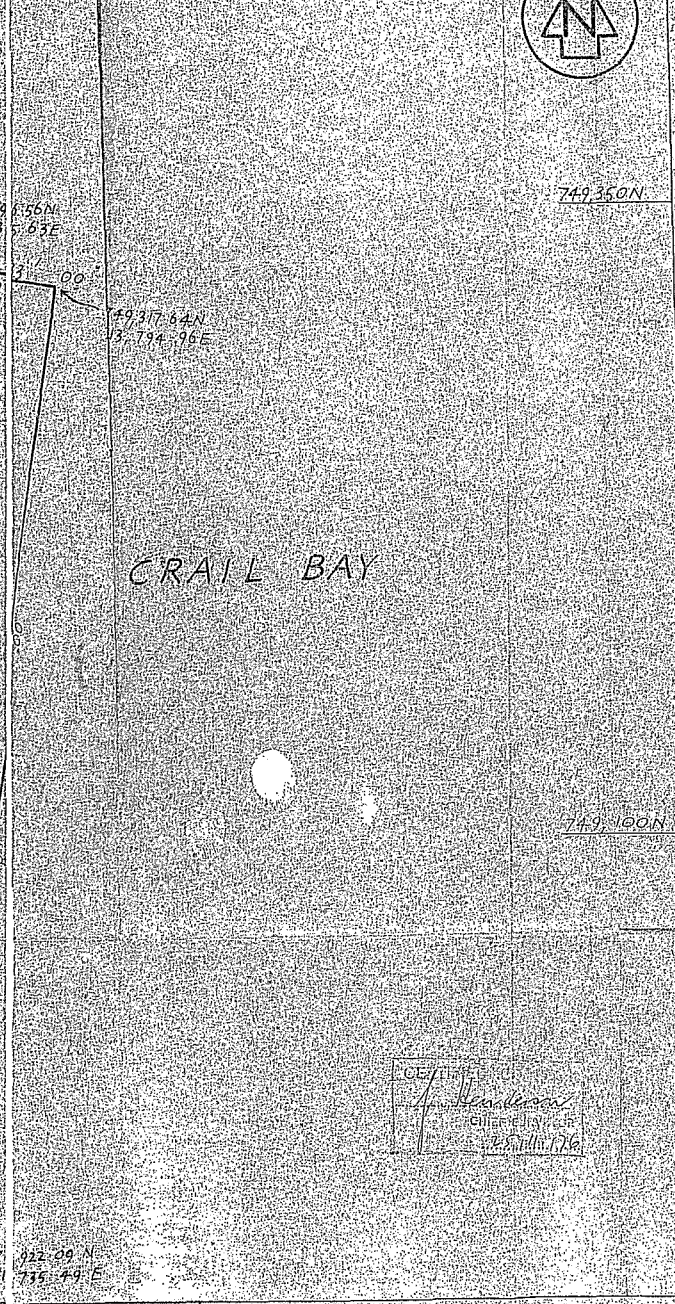
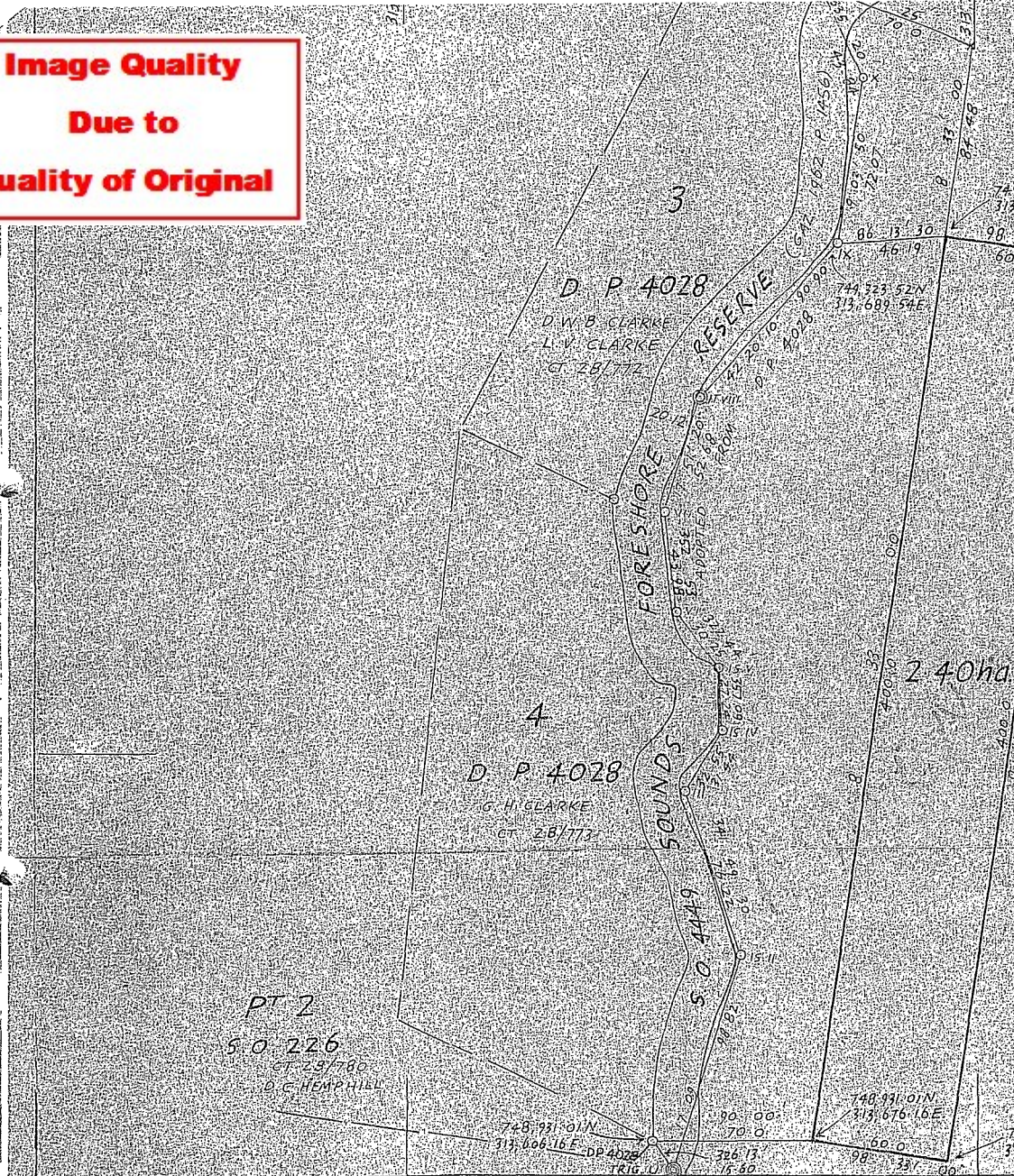
m N
m E

COMPUTED PLAN

FOR UNDER
ACT 1971

LOCAL AUTHORITY Marlborough County
Surveyed by Davidson Ayson & Assoc
Scale 1:1500
Date Sept 1981

**Image Quality
Due to
Quality of Original**



LAND DISTRICT MARLBOROUGH
SURVEY BLK. 8 DIST. VI ORIERI S.D.
NZMS 177 SHEET NO 516

PLAN SHOWING AREA APPLIED FOR
UNDER SEC 5 MARINE FARMING ACT 1971.

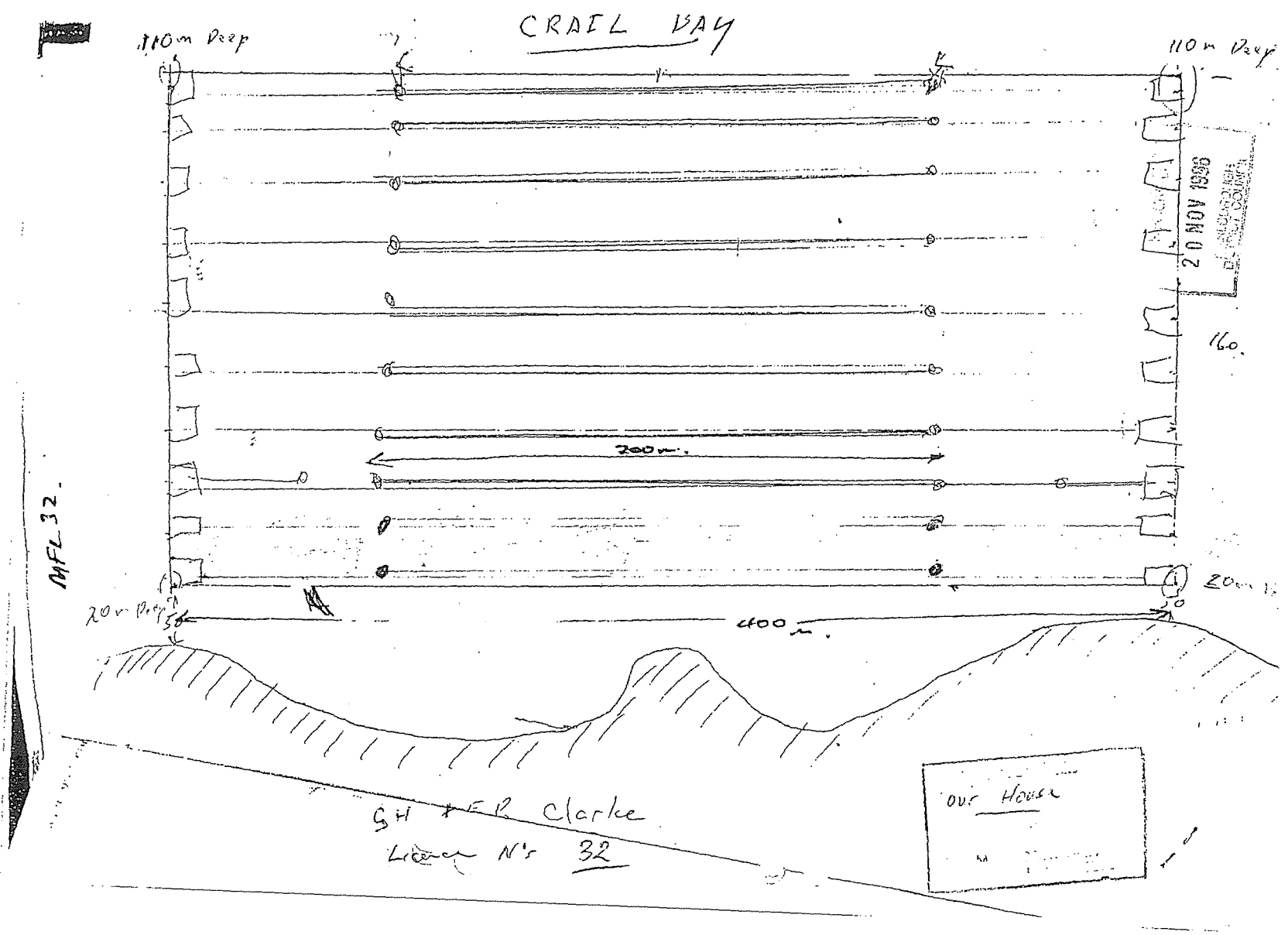
LOCAL AUTHORITY MARLBOROUGH COUNTY
Surveyed by GILBERT MOORE & HAYMES
Scale 1:1500 Date JULY 1976

Total Area	
Comprised in	D. W. B. Clarke
Registered	JOHN MACMILLAN GILBERT, B.L.S.
Registered Surveyor and holder of an annual practising certificate	
herely certify that this plan has been made from surveys by me or under my direction that both plan and surveys and have been made in accordance with the regulations Surveyors Act 1966	
Dated at	BLENHEIM this 7th day of JULY 1976 Signature <i>[Signature]</i>
Field Book	Reverse Book
Reference Plans	D.P. 4028
Examined & them correct	
Approved	<i>[Signature]</i> Chief Surveyor
30.7.76	
Deposited this	day of

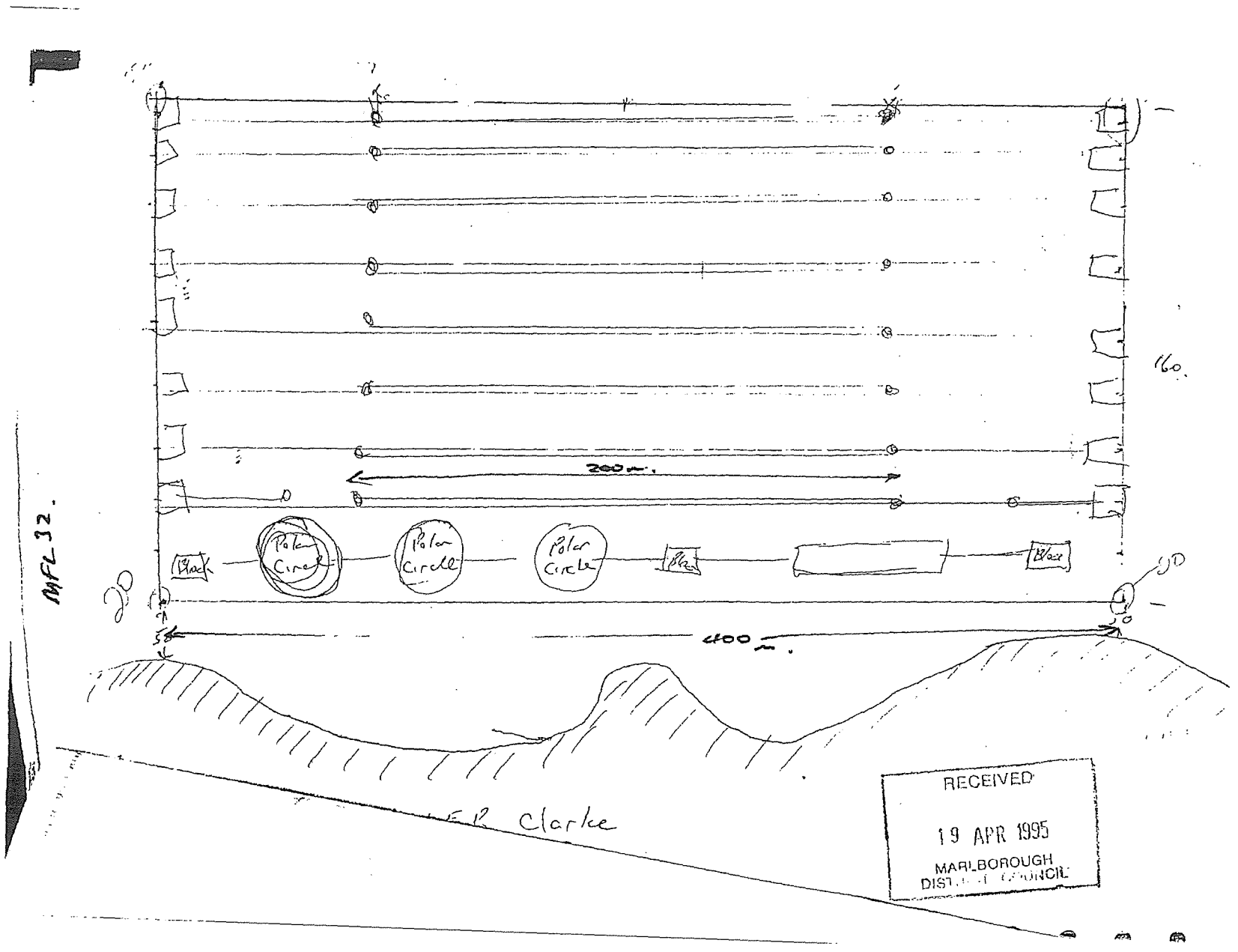
District Land No
File
Preserved in T.T.C. Instructions
S05413

Printed by Lithographers (New Zealand) Ltd., Wellington, New Zealand

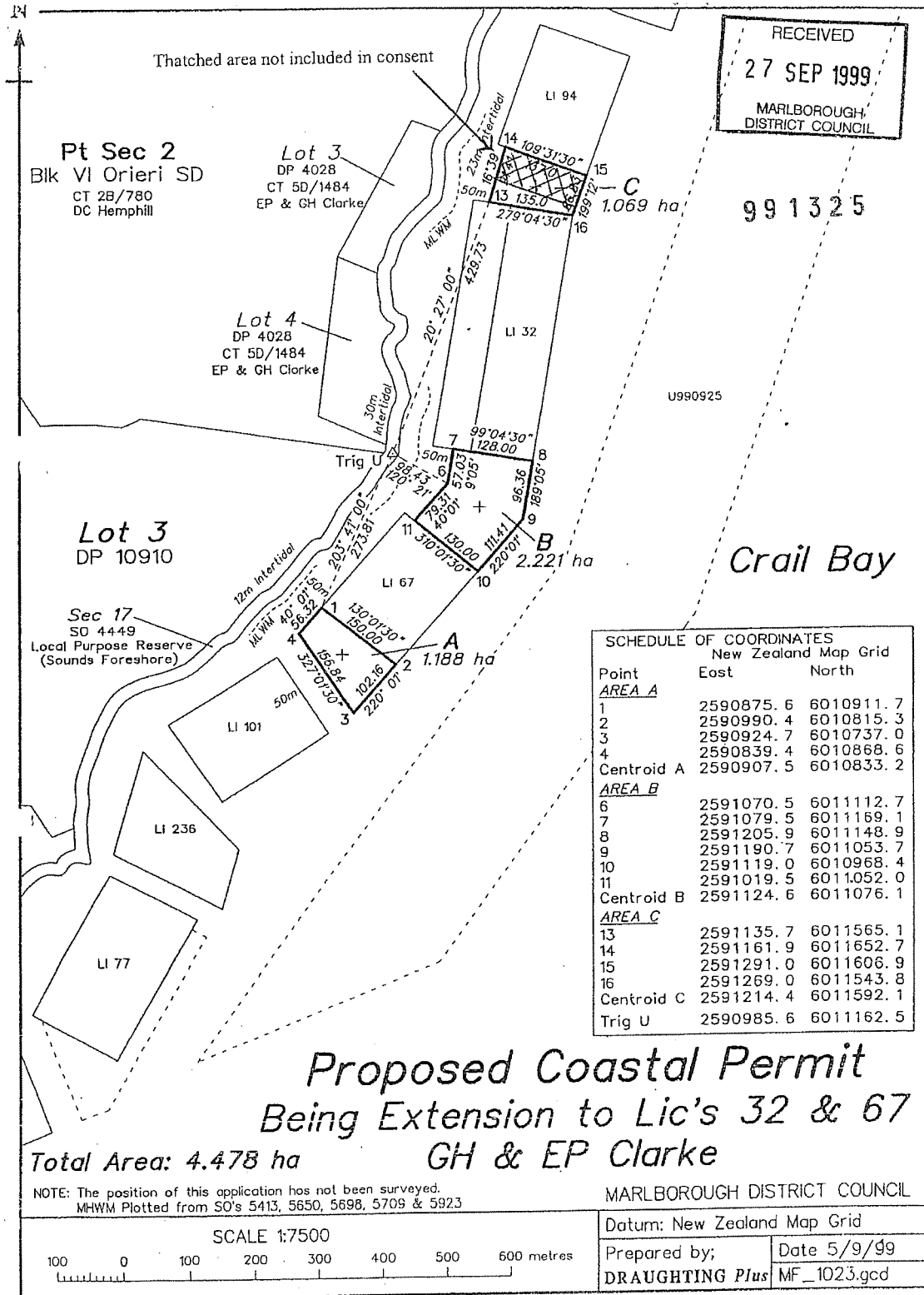
By Statutory Surveyor General, Department of Lands and Survey, Wellington



Structures and lighting plan (MFL032, alternate 'B'):



Location plan:



**Deemed Coastal Permit - Review of Conditions
under Sections 20(3) or 21(3) of the Aquaculture Reform
(Repeals and Transitional Provisions) Act 2004**

**In the Matter of an Application to Vary, Add or Delete Conditions of
Coastal Permit**

File Reference: MFL032

Consent Holder: Graeme Henry and Elizabeth Patricia CLARKE

MFL032 is a Deemed Coastal Permit to: Occupy space in the coastal marine area

Location: Crail Bay, central Pelorus Sound east

Site No: 8588

Proposal: To vary, add or delete conditions of deemed Coastal Permit No 032 for the purpose of farming green mussels (*Perna canaliculus*), salmon (*Oncorhynchus tshawytscha*), scallops (*Pecten novaezelandiae*), Pacific oysters (*Crassostrea gigas*), dredge oysters (*Tiostrea chilensis*), and yellowtail kingfish (*Seriola lalandi*) in accordance with the provisions of the Act.

**Decision on
Application to Vary, Add or Delete Conditions of Coastal Permit**

Pursuant to Sections 20(3) or 21(3) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 the following decision has been made by the Marlborough District Council:

Conditions now state:

Coastal Permit - Occupancy and Activity

1. That this permit shall expire on 31 December 2024.
2. That without restricting the consent holder from reasonably undertaking the activities authorised by this resource consent, the consent holder shall not undertake the activities in such a way that would effectively exclude the public from the permit area.
3. That there shall be no feed artificially introduced into the marine farm.

4. That the occupancy be limited to the area illustrated on the plans attached to this consent and confined to the area specified within the grid co-ordinates (Marlborough Circuit).

Coastal Permit - Structures

5. That the structures be limited to anchors, ropes, droppers, floats, cages, racks, lights and other necessary navigational aids associated with the marine farming of the approved species. All structures shall be situated and secured so as to remain within the boundaries of the consent area at all times. The number of lines shall be at the discretion of the consent holder, but shall not exceed the total allowed, the separation distances between lines shall be no less than allowed, and lines shall be oriented as shown on the attached plan.
6. Where there are more than two blocks of longlines an accessway of no less than 50 metres in width, free of surface structures, be provided between blocks.
7. That the placement of marine farm lighting and marking shall be approved by the Harbourmaster under his Maritime Delegation from the Director of Maritime Safety pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994. The approved lighting plan is attached.
8. That each end of each of the landwardmost and seawardmost longlines carry the name of the consent holder, and the site number issued by Marlborough District Council (#8588), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.
9. That the consent holder maintain all structures to ensure that they are restrained, secure and in working order at all times so as to not create a navigational hazard and take whatever steps are reasonably necessary to retrieve any non-biodegradable debris lost in or from the permit area.
10. That each buoy within the approved area be permanently branded so as to clearly identify its ownership.
11. That the applicant notifies the Chief Hydrographer / Topographer of Land Information New Zealand and the Marlborough District Council of the establishment of the revised marine farm structures within 3 months of their establishment.
12. That upon the expiration, determination, forfeiture or surrender of the coastal permit the consent holder shall remove all structures, rafts, buoys, longlines, blocks, and all associated equipment from the site, and restore the area as far as is practicable to its original condition, and to the reasonable satisfaction of Council. If the consent holder fails to comply with this clause Council may arrange compliance on their behalf and at the consent holder's expense.
13. That in accordance with section 128 of the Resource Management Act 1991, the Marlborough District Council may review the conditions of this consent for the purpose of ensuring that any actual or potential effects on the environment arising from the exercise of this consent are avoided, remedied or mitigated.

Reasons for Decision

The grounds for approving these changes are that the majority of the existing conditions in the original licence are already provided for by the RMA (e.g. access), by the changes to Fisheries regulations (i.e. registration), or are no longer required (e.g. general provisions). The new conditions are consistent with the RMA and with those in current use.

As the review of conditions relates to existing structures and operations it will not adversely affect other users or values of the area, and will align all marine farms to consistent conditions and processes.

The proposal will not have any adverse effect on the environment.

Other Matters

1. Unless otherwise specified, this is the full text of the decision.

Appeal Information

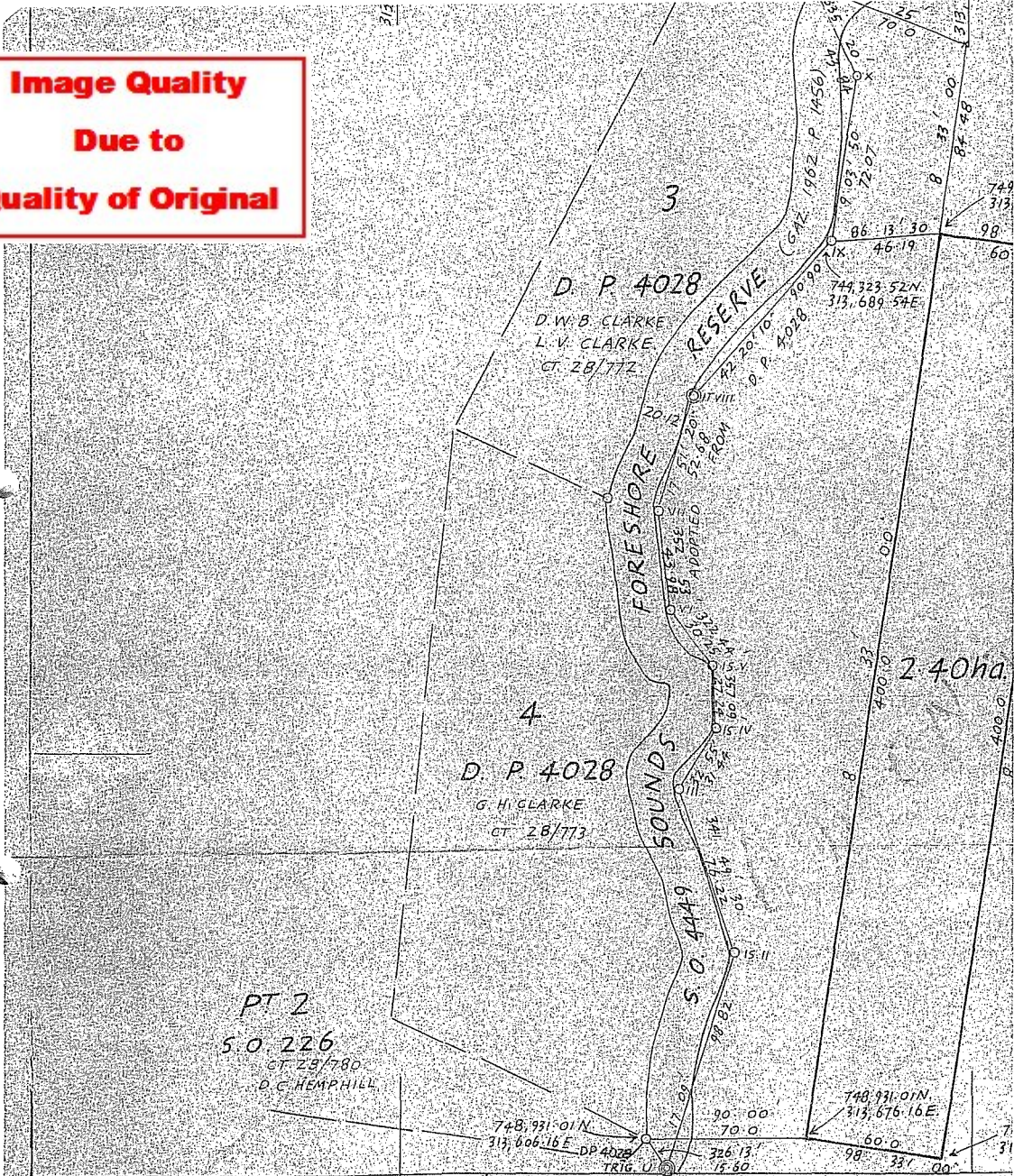
2. If intending to object to this decision, the objection must be lodged with the Marlborough District Council within 15 working days of the receipt of this decision.

Authorised under the Marlborough District Council's Instrument of Delegation by:

.....
Marlborough District Council Commissioner

Dated this day of 2006

**Image Quality
Due to
Quality of Original**



749,350N	Total Area
749,100N	Comprised in D. W. B. Clarke
	JOHN MACMILLAN GILBERT of BLE Registered Surveyor and holder of an annual practicing certificate herby certify that this plan has been made from Surveys by me or under my direction that both plan and Surveys and have been made in accordance with the regulations of Surveyors Act 1966. Dated at BLENHEIM this 7TH day of JULY 1976. Signature <i>[Signature]</i>
	Field Book p. Reverse Book Reference Plans D.P. 4028
	Examined & Approved 17-8-76 Correct
	Approved 30/8/76 <i>[Signature]</i> Chief Surveyor
	Deposited this day of

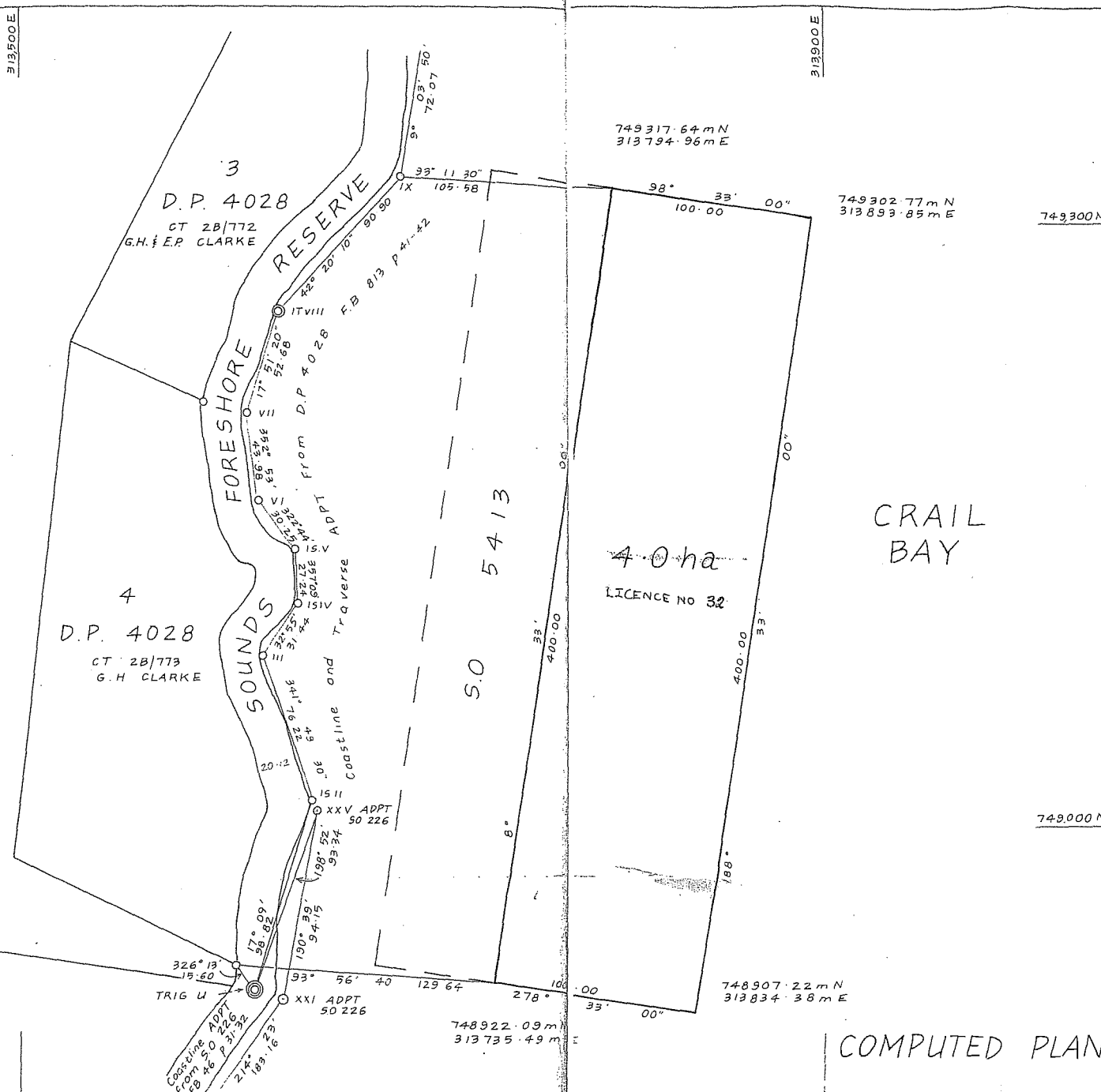
Chief Surveyor
[Signature]
J. S. J. 1. 1. 76

LAND DISTRICT **MARLBOROUGH**
SURVEY BLK & DIST. **VI ORIERI S.D.**
NZMS **177** SHEET NO **5.16**

PLAN SHOWING AREA APPLIED FOR
UNDER SEC 5 MARINE FARMING ACT 1971.

LOCAL AUTHORITY **MARLBOROUGH COUNTY**
Surveyed by **GILBERT MOORE & HAYMES**
Scale **1:1500** Date **JULY 1976**

District Land Registrar
File Received 13.7.76
Instructions **SO5413**



Approvals

DATUM - GEODETIC 1949
 MARLBOROUGH CIRCUIT COORDINATES
 ORIGIN - GOULTER HILL 700,000 N
 300,000 E
 ORIGIN OF COORDINATES 1X DP4028
 749323.52 m N 313689.54 m E

Total Area 4.0 ha
 Applicant G.H. & E.P. CLARKE
 Application N° 662

I, Vernon Thomas Fraser Ayson of Blenheim
 Registered Surveyor and holder of an annual practising certificate
 hereby certify that this plan has been made from Surveys executed
 by me or under my direction; that both plan and Survey are correct
 and have been made in accordance with the regulations under the
 Surveyors Act 1966
 Dated at Blenheim this 1 day
 of Sept 1981 Signature *[Signature]*

Field Book — p. — Traverse Book — p. —
 Reference Plans DP 4028, SO 226 + 5413

Examined *[Signature]* 8.10.81

Approved *[Signature]*
 19 10, 81 Chief Surveyor

Deposited this day of 19

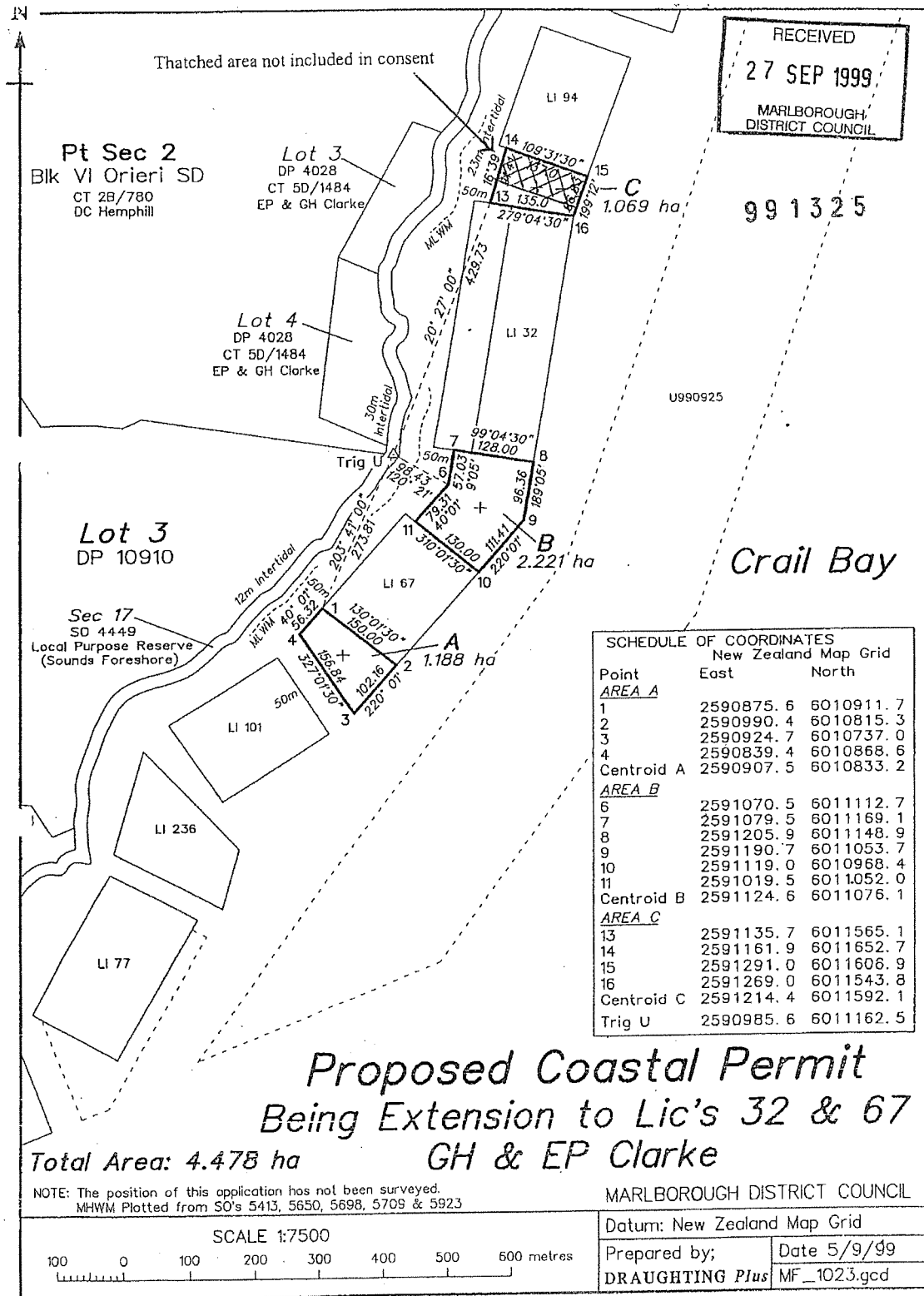
117815 District Land Registrar
 File 1176
 Received 4.9.81
 Instructions SO 5923

LAND DISTRICT MARLBOROUGH
 SURVEY BLK. & DIST. VI ORIERI
 NZMS 261 SHEET N°. P26(5.4)

PLAN SHOWING AREA APPLIED FOR UNDER
 SEC 5 MARINE FARMING ACT 1971

LOCAL AUTHORITY Marlborough County
 Surveyed by Davidson Ayson & Assoc
 Scale 1:1500 Date Sept 1981

Location plan:



RECEIVED
27 SEP 1999
MARLBOROUGH
DISTRICT COUNCIL

991325

U990925

Crail Bay

SCHEDULE OF COORDINATES		
New Zealand Map Grid		
Point	East	North
AREA A		
1	2590875.6	6010911.7
2	2590990.4	6010815.3
3	2590924.7	6010737.0
4	2590839.4	6010868.6
Centroid A	2590907.5	6010833.2
AREA B		
6	2591070.5	6011112.7
7	2591079.5	6011169.1
8	2591205.9	6011148.9
9	2591190.7	6011053.7
10	2591119.0	6010968.4
11	2591019.5	6011052.0
Centroid B	2591124.6	6011076.1
AREA C		
13	2591135.7	6011565.1
14	2591161.9	6011652.7
15	2591291.0	6011608.9
16	2591269.0	6011543.8
Centroid C	2591214.4	6011592.1
Trig U	2590985.6	6011162.5

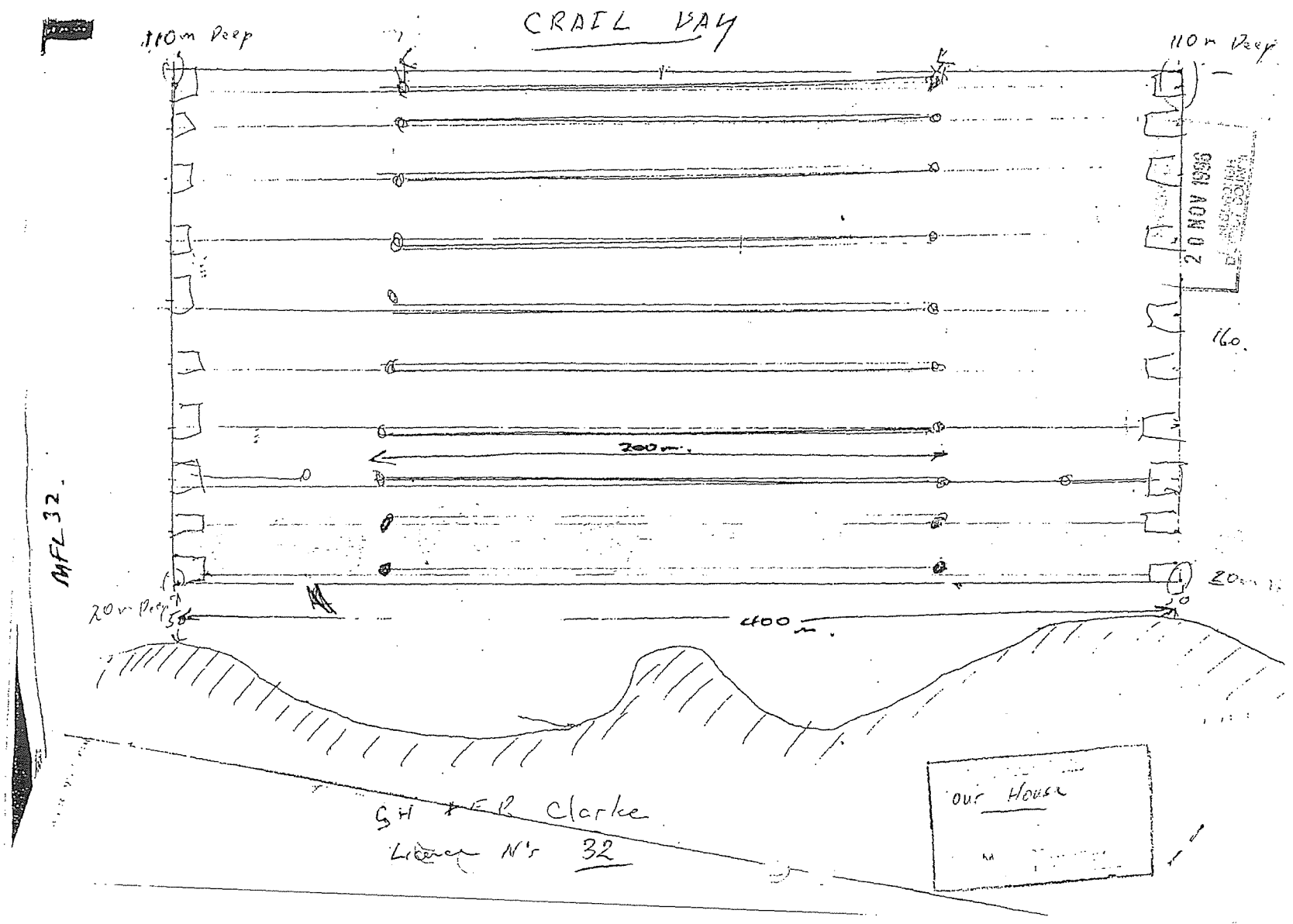
**Proposed Coastal Permit
Being Extension to Lic's 32 & 67
GH & EP Clarke**

Total Area: 4.475 ha

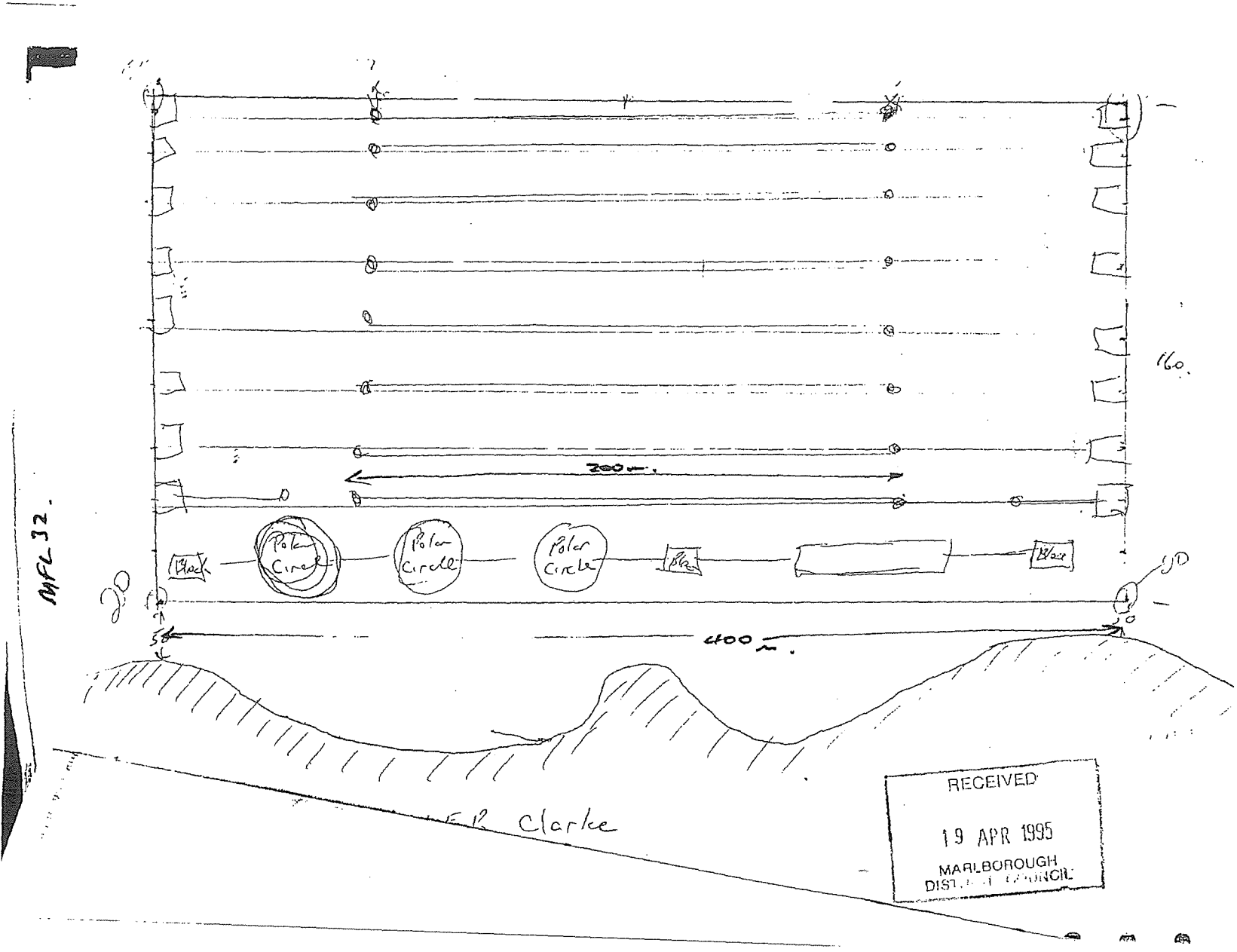
NOTE: The position of this application has not been surveyed.
MHW plotted from SO's 5413, 5650, 5698, 5709 & 5923

MARLBOROUGH DISTRICT COUNCIL

SCALE 1:7500		Datum: New Zealand Map Grid	
100 0 100 200 300 400 500 600 metres		Prepared by;	Date 5/9/99
		DRAUGHTING Plus	MF_1023.gcd



Structures and lighting plan (MFL032, alternate 'A'):



ANNOTATION HISTORY

Date	Reason for Amendment/Alteration
4/11/2011	Coastal Transfer – Change of Name from Graeme Henry and Elizabeth Patricia Clarke to Graeme Henry and Elizabeth Patricia Clarke (as trustees of the Crail Bay Trust)
20/09/2016	Section 127 to update the lighting plan