MARLBOROUGH
DISTRICT COUNCIL

## RESOURCE CONSENT APPLICATION

# U150097

# Marlborough Aquaculture Limited

Popoure Reach, South East Bay,
Central Pelorus East

## Submissions Close

## 5.00 pm Tuesday 14 April 2015

ISO 9001:2000
Document Number:
RAD0038-CI1307

Wisheart Macnab & Partners
BARRISTERS & SOLICITORS
73 Alfred Street | PO Box 138 | Blenheim 7240 | New Zealand
P: 03 578 7269 | F: 03 578 0173 | E: enquiries@wmp.co.nz | W: www.wisheartmacnab.co.nz



26 January 2015

Marlborough District Council
PO Box 443
Blenheim 7240

**BY HAND**

Re: **Marlborough Aquaculture Limited – Application for Coastal Permit**

We act for the abovenamed.

We attach the following:

1. Application
2. Assessment of Effects on the Environment
3. Locality Map
4. Site Plan
5. Structures Diagram
6. Ecological Report
7. Application fee $930.00.

Please acknowledge receipt.

Yours faithfully
**WISHEART MACNAB & PARTNERS**

.....
DJ Clark
david@wmp.co.nz

Encl

n:\wmp\djc\let\marlbaquaculture-southeastbayextappln-mdc.doc

# Resource Consent Application

This application is made under Section 88 of the Resource Management Act 1991

MARLBOROUGH DISTRICT COUNCIL

**Please read and complete this form thoroughly and provide all details relevant to your proposal.** Feel free to discuss any aspect of your proposal, the words used in this form or the application process with Council staff, who are here to help.

This application will be checked before formal acceptance. If further information is required, you will be notified accordingly. When this information is supplied, the application will be formally received and processed further.

You may apply for more than one consent that is needed for the same activity on the same form.

**For Office Use**

ISO 9001:2008
Document Number:
RAF0002-CI1248

Lodgement Fee Paid $ 930=

Receipt No. 1718697

Consent No.

Case Officer:

## 1. Applicant details *(If a trust, list full names of all trustees.)*

Name: Marlborough Aquaculture Limited

Mailing address: See below

Email Address:

Phone: (Daytime) Phone: (Mobile) Fax:

## 2. Agent Details *(If different from above or if your agent is dealing with the application.)*

Name: David Clark

Mailing address: PO Box 138
Blenheim 7240

Email Address: david@wmp.co.nz

Phone: (Daytime) 578 7269 Phone: (Mobile) Fax: 578 0173

## 3. Type of Resource Consent Applied for

☑ **Coastal Permit** ☐ **Discharge Permit** ☐ **Land Use** ☐ **Subdivision** ☐ **Water Permit**

## 4. Brief Description of the Activity

To change existing structures layout in existing marine farm and to extend marine farm on seaward side to enable the cultivation of Green Shell Mussels (Perna canliculus), Scallops (Pecten novaezelandiae), Blue Shell Mussels (Mytilus edulis), Flat Oysters (Tiostrea lutaria) and seawee species (Macrocystis pyrifera, Edklonia radiata, Gracilaria, Pterocladia lucida). To disturb the seabed with anchors, to erect the structures, to occupy the space, to cultivate and harvest the above species, including any ancillary and related discharges that occur.

**Date Received**

RECEIVED
- 3 FEB 2015
MARLBOROUGH DISTRICT COUNCIL

## 5. Property Details

The location to which the application relates is (address): Popoure Reach south of Capsize Point

Legal description (i.e. Lot 1 DP 1234): not applicable

*(Attach a sketch of the locality and activity points. Describe the location in a manner which will allow it to be readily identified e.g. house number and street address, Grid Reference, the name of any relevant stream, river, or other water body to which application may relate, proximity to any well known landmark, DP number, Valuation Number, Property Number. )*
***(Please attach a copy of the Certificate of Title.)***

The names and addresses of the owner and occupier of the land (other than the applicant): Crown Land - seabed

**Please attach the written approval of affected parties/adjoining property owners and**

*Note: That as a matter of good practice and courtesy you should consult your neighbours about your proposal. If you have not consulted your neighbours, please give brief reasons on a separate sheet why you have not.*

## 6. Assessment of Effects on the Environment (AEE) *(Attach separate sheet detailing AEE.)*

I attach, in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

**Note: Failure to submit an AEE will result in return of this application.**

## 7. Other Information

Are additional resource consents required in relation to this proposal? If so, please list and indicate if they have been obtained or applied for.

I attach any other information required to be included in the application by the relevant Resource Management Plan, Act or regulations.

## Declaration

I *(please print name)* David Clark agree

(i) That I am liable for all fees and charges relating to this application.
(ii) The lodgement fee is to be paid at the time of lodging the application for resource consent.
(iii) That payment is due within 30 days of the issue date of any additional charges.
(iv) That Council will charge me interest on any overdue invoices at 15% per annum from the date of issue of the invoice to the date of payment and Council may stop processing my application until an overdue invoice is paid in full. In the event of non-payment the applicant and/or agent will be liable for all legal and other costs of recovery.
(v) That where this application is completed and signed by an agent, all communication regarding this application will be with the agent.
(vi) The information provided in this application and the attachments to it are accurate.

Signature of applicant or authorised agent [signature] Date 26/01/2015

### *Privacy Information*

*The information you have provided on this form is required so that your application can be processed and so that statistics can be collected by Council. The information will be stored on a public register and held by Council. Details may be made available to the public about consents that have been applied for and issued by Council. If you would like access to or make corrections to your details, please contact Council .*

Reset Form

Marlborough District Council
PO Box 443
Blenheim 7240

RECEIVED
- 3 FEB 2015
MARLBOROUGH

Telephone: (03) 520 7400
Website: www.marlborough.govt.nz
mdc@marlborough.govt.nz

MARLBOROUGH DISTRICT COUNCIL

# Resource Management Act 1991

## FOURTH SCHEDULE

## Assessment of Effects on the Environment

**1. Matters that should be included in an assessment of effects on the environment**

Subject to the provisions of any policy statement or plan, an assessment of effects on the environment for the purposes of section 88 should include:

*(a) A description of the proposal:*

Application

(i) This is an application to change the structures layout within existing marine farm 8331 and to extend the marine farm seaward. In terms of the former, the Applicant seeks to change the existing long line layout essentially by using shorter longlines. The Applicants experience is that in deeper water such as at the subject site, shorter long lines are more efficient. In terms of the latter, the proposal is to extend the farm by adding two long lines to the central blocks and three long lines to the northern and two southern blocks by way of extension.

(ii) The particular permits that are sought are:

1. To cultivate and farm the species identified in the form attached by traditional means.
2. To disturb the seabed to place anchors.
3. To erect the structures.
4. To occupy space in the coastal marine area.
5. To effect discharges that relate to traditional growing and harvesting of the species identified.

(iii) The species are all currently being farmed in the Pelorus Sound and are naturally to be found there. There will be no introduced species and no introduced feed. The original marine farm at the site south of Capsize Point was applied for in 1995.

Applicant

(iv) The applicant is Marlborough Aquaculture Limited, a locally based marine farming company operating since the mid-1990s principally in the Pelorus Sound as well as elsewhere.

(v) Product from the farm is processed at Blenheim at Talley's factory.

(vi) The method of the activity is by standard long line method.

Activity Status

(vii) The application site is in the Coastal Marine Zone Two of the Marlborough Sounds Resource Management Plan ("MSRMP"). Changing longline structures within an existing marine farm previously authorised is a *controlled* activity. Extending a farm beyond 200 metres from mean low water mark is a *non-complying* activity.

Location

(viii) The location is Popoure Reach south of Capsize Point. The proposed farm is within the envelope of the CMZ 2 Zone that is provided for along that part of the coast line of Popoure Reach. The area of the coast line and the embayment have no name. The closest geographical feature is Capsize Point which lies approximately 600 metres to the north of the most northern part of the existing marine farm. There is a strip of Sounds Foreshore Reserve which runs along all of the land from Capsize Point to Pokokini to the South. All of the adjoining land (other than the Sounds Foreshore Reserve) is in private ownership. There is one holding (Lot 1 DP 11577) which runs from Capsize Point to the embayment to the south where Pokokini is. There is no public access to the adjoining land other than by sea. There is a private track which runs high on the face of the hill into Marys Bay and Old Homewood Bay. The track is not protected by easement and its use by anyone other than the land owner is dependent upon land owner permission. There are no houses or visible structures on this part of the coast line. The land is reverting scrub including wilding pine trees. The density of the wilding pines increases with proximity to the plantation in Marys Bay to the north. The land is subject to a notice under the Climate Change Response Act 2002 (forest land). The land itself rises relatively steeply from the shoreline to approximately 380 metres. The site has changed little in the ensuing period since the original application in 1995. The adjoining land is all zoned Rural One Zone under the MSRMP, save for the strip of Sounds Foreshore Reserve which is Conservation Zone.

Ecological Assessment

(ix) Attached to this assessment is an ecological report prepared by R J Davidson.

(x) As can be seen from the report there is no ecological reason identified in the report not to extend the farm as requested by the application.

(xi) None of that part of Popoure Reach near to the application site nor the adjoining land is identified as having any particular area of ecological value as identified in Appendix B of the MSRMP.

Assessment Criteria Under ("MSRMP")

(xii) The proposed activity is both a *controlled* activity and a *non-complying* activity. There are no specific assessment criteria in MSRMP for marine farming beyond 200 metres below mean low water mark. There are specific and general assessment criteria at rule 35.4.2.9.1 where the marine farm is within 200 metres from mean low water mark. The application has been assessed utilising the following assessment criteria:

(a) Objectives and Policies of the New Zealand Coastal Policy Statement ("NZCPS")

The NZCPS is now generally supportive of aquaculture and particularly where there has already been significant modification by existing grants of consent. The NZCPS does not distinguish between aquaculture inside or outside of 200 metres from man low water mark. There is nothing that the Applicant believes is in the NZCPS that would militate against consent.

(b) Policies and objectives of the MSRMP

There are no policies and objectives of the MSRMP which suggest that a marine farm application (or extension) should be not given approval simply because it is beyond the 200 metre mark. The MSRMP is generally supportive of marine farming in the Marlborough Sounds. It is a key industry and its vibrancy and vitality is important for the area. The MSRMP considers it a positive use in general terms subject to specific matters which are addressed in the following paragraphs.

(c) Amenity Values

Marine farming near Capsize Point is an activity which has occurred for many years. As noted above the applicants existing marine farm which is the subject of the application was originally applied for in 1995. At that time there were existing marine farms both to the north and south of the subject site. The adjoining land has no houses on it. This part of the coastline is exposed to the predominant wind (from the north and west). It is also exposed to winds from the south and west. For this reason it is not used for any of the boating activity which demands calm water. The existing marine farms are used by recreational fishers both within the farm and on the inshore. That will not be affected by the proposal. The proposed extension is relatively modest given some of the extensions that have been granted approval. As said above, as far as the proposed extension is concerned, each of the blocks is only to be increased by two to three longlines.

There is Sounds Residential Land in Marys Bay to the North. And in South East Bay to the South. The residential land in Marys Bay is not visible from the subject site. The residents land in South East Bay is distant from the site (about 1.6 kilometres at he closest).

(d) Demand for Services

The proposed activity will not create a demand for services which is at a cost to the wider community. The base for support and service is at Havelock. Those facilities already exist and this proposal will not generate any necessary expansion demand.

(e) Landscape/Character of the Surrounding Area

The adjoining land is not identified as being an Area Of Outstanding Landscape Value under the MSRMP. It lies within the Middle Pelorus Sound marine ecosystem and the Nydia Land ecosystem as set out in Appendix Two of the MSRMP.

There is a prominent ridge that separates Crail Bay from the Popoure Reach which rises to 540 metres. However that ridgeline is not visible from the subject site. There is secondary ridge at approximately 380 metres directly above the marine farm which would obscure vision of the prominent ridge line from the site.

The land is modified from its natural state. There is regenerating scrub on the adjoining land together with wilding pines. The wilding pines increase in number towards the northern end of the adjoining private land where the pine plantation in Marys Bay is.

(f) Significant Environmental Features

There are no special or significant environmental features present at the subject site. There are no areas of ecological value identified in the MSRMP anywhere within South East Bay or on the adjoining land.

(g) Historic Site/Archaeological Site/Wahi Tapu or other Taonga

The Applicant is not aware of any specific or special feature that will be adversely affected by the proposed activity.

(h) Hazardous Substances and Contaminants

The Applicant does not propose the use of any hazardous substances or the discharge of any contaminants other than those that are naturally occurring and biodegradable.

(i) Nature of Seafloor and Species found in the area

As to the sea floor and marine species, see the attached ecological report.

There is no identified King Shag habitat within the area.

(j) Navigational Issues

The benchmarks used for assessment of the proposed extension in navigation terms were:

1. Marine farm 8330 (immediately to the north) and 8333 (to the south). In terms of the former, this extends significantly further out into Popoure Reach than the proposed extension. In terms of the latter, the extension is consistent with the width of marine farm 8333. (This farm is more than 250 metres from mean low water mark).

2. The border between CMZ 1 and CMZ 2. Unlike marine farm 8330 which actually extends into CMZ 1, the proposed extension does not extend into CMZ 1. The purpose of CMZ 1 and CMZ 2 zones in the area was to establish a navigation corridor in this part of the Popoure Reach.

3. The proposed marine farm does not extend into that navigation corridor and therefore is not considered to have any adverse navigational issues other than a minor inconvenience. The proposal as said above, where it is closest to the navigational corridor is only to extend by two additional longlines. In the time that the marine farm has been there, there have been no issues at all with navigation. Neither Capsize Point nor the most seaward point between South East Bay and Yncyca Bay have navigation lighting. The only navigation lights in Popoure Reach are at Tawero Point and Turn Point. Any vessel travelling in darkness that has no other navigation means would utilise those two navigation lights of navigating Popoure Reach. Utilising them would mean that any such vessel (without any other navigation aid) would not pass near to the marine farm.

   For these reasons it is not considered that the extension would have any adverse navigational issues other than a minor inconvenience.

(k) There are no jetties, log loading sites or other point of access to the shore nearby. There is no anchorage or mooring area nearby. The closest moorings are in Marys Bay or near Pokokini. There is no known cable or water-ski lane.

(l) Aesthetic and Cultural Matters

The existing marine farm (and the proposed extension) is not proximate to any residence or land zoned for residential use or land subdivided for residential use. None of the landscape studies of the Marlborough Sounds (whether adopted by MDC or not) rank this particular are of the Popoure Reach as being outstanding or even high in landscape values.

Fishing

(m) There is sufficient area between the existing marine farm and the shore for any fishing activity to occur there. The proposed extension is over habitat that is not particularly likely to be targeted by fishermen. It is the type of habitat that marine farms in the Pelorus are generally sited over.

(n) Alienation of Public Space

This is considered to be insignificant in terms of the area and in light of levels of public use.

(o) Precedent Issues

The question here is whether the proposal introduces a new element of marine farming in the area or does something which is out of keeping with the existing pattern of development in the area. In terms of this matter farm 8333 is the same distance from shore as the proposed extension. The proposal does not extend the pattern of development further into the Popoure Reach than the farm at Capsize Point or Capsize Point itself.

(p) Term

A coastal permit is sought for a period of 20 years.

*(b) Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

For the reasons given above there is not considered any significant adverse effect on the environment.

*(c) Repealed*

*(d) An assessment of the actual or potential effect on the environment of the proposed activity:*

See above

*(e) Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use:*

Not applicable.

*(f) Where the activity includes the discharge of any contaminant, a description of-*

*(i) The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and*

See above

*(ii) Any possible alternative methods of discharge, including discharge into any other receiving environment:*

Not applicable.

*(g) A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:*

(i) Marlborough Aquaculture Limited has adopted the Mussel Environmental Management System which includes an environmental policy and environmental code of practice

(ii) The marine farm is lit by an approved method and that will continue

(iii) The applicant in addition to the Mussel Industry Environmental Management System incorporates its own farming practice which keeps the adverse effects of the operation of the marine farm to a minimum. There have been no breaches to the existing coastal permit.

*(h) An identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted:*

Contemporaneously with the application being lodged with Council, those persons considered to have an interest in the application will be provided with a copy of the application and consultation will occur. Those are considered to be the adjoining marine farmer, DOC and the land owner.

*(i) Where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.*

(i) Mussel farming by its very nature requires good quality water. There is an active shellfish quality assurance program and a marine bitoxin monitoring program.

(ii) It is anticipated the Council will impose the same or similar conditions to those which applied to the immediately adjoining recent grant of Coastal Permit. The applicant has no objection to those being imposed.

**1AA.** *To avoid doubt, clause 1(h) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not:*

(q) Oblige the applicant to consult with any person; or

(r) Create any ground for expecting that the applicant will consult with any person.

**1A. Matters that must be included in an assessment of effects on the environment.**

*An assessment of effects on the environment for the purpose of section 88 must include,*

*in a case where a recognised customary activity is, or is likely to be, adversely affected, a description of possible alternative locations or methods for the proposed activity (unless written approval for that activity is given by the holder of the customary rights order).*

This is considered by the applicant not to apply.

2. **Matters that should be considered when preparing as assessment of effects on the environment.**

Subject to the provisions of any policy statement or plan, any person preparing an assessment of the effects on the environment should consider the following matters:

*(a) Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects:*

Socioeconomic

There is a distinct benefit to the community from the Applicant's marine farming activity. Marine farming in the Pelorus Sounds provides employment for those in the local area and those in the wider area. Farming mussels provides for employment at Blenheim, Havelock and elsewhere. This is a recognised positive effect of marine farming.

Cultural

It is not considered there will be any cultural effects as a result of the activity being granted.

*(b) Any physical effect on the locality, including any landscape and visual effects:*

Visual landscape.

The MSRMP has recognised the possibility of marine farming at the subject site. It is a controlled activity. The Application is to extend seawards to a modest extent along with changing the existing farm layout.

Effects on Navigation

See above.

*(c) Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*

This topic has been dealt with above.

*(d) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations:*

There is significant recreational use of the Pelorus Sounds. The recreational use of the subject area is considered to be most likely by recreational fishers. That is

an existing activity that occurs at the site and is unlikely to be adversely affected by the proposed change of the structures and the modest extension. There is no issue as to commercial fishing.

(e) *Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants:*

There is no unreasonable emission of noise and treatment of contaminants is not appropriate.

As to the effect of marine farming on the benthos see the attached ecological report.

(f) *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations:*

This is not considered to be relevant to the current application.


Topomap 50 Sheet: BP28



# Locality Map

Proposed Extension to Marine Farm 8331
Popoure Reach South of Capsize Point
Pelorus Sound

Scale 1:50,000

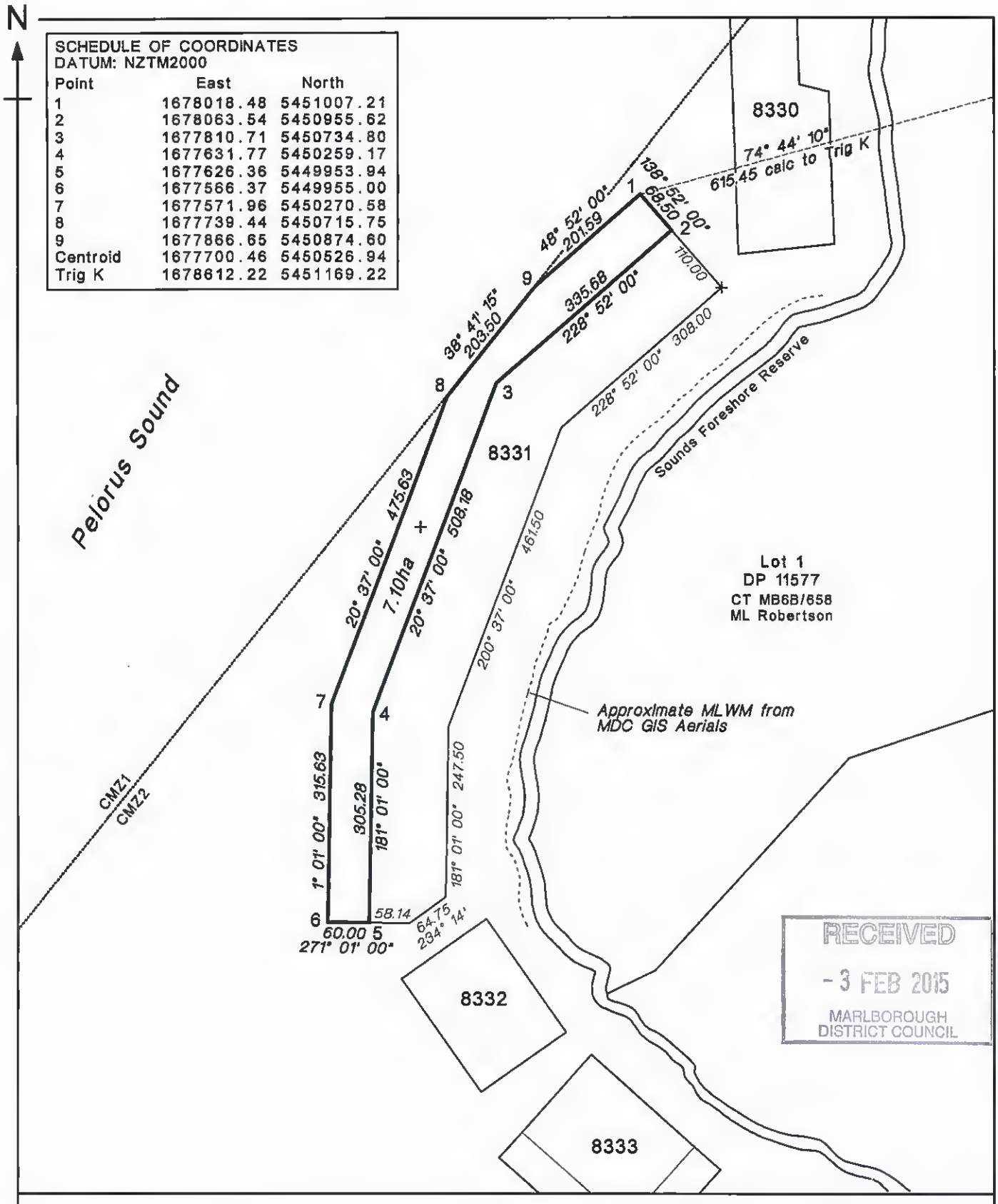
500 0 500 1000 1500 2000 2500 3000 3500 Meters



DPL
Draughting Plus Limited

Prepared
3 February 2015

MF_2346c




# Proposed Coastal Permit
# Extension to Marine Farm 8331
## *Popoure Reach South of Capsize Point*

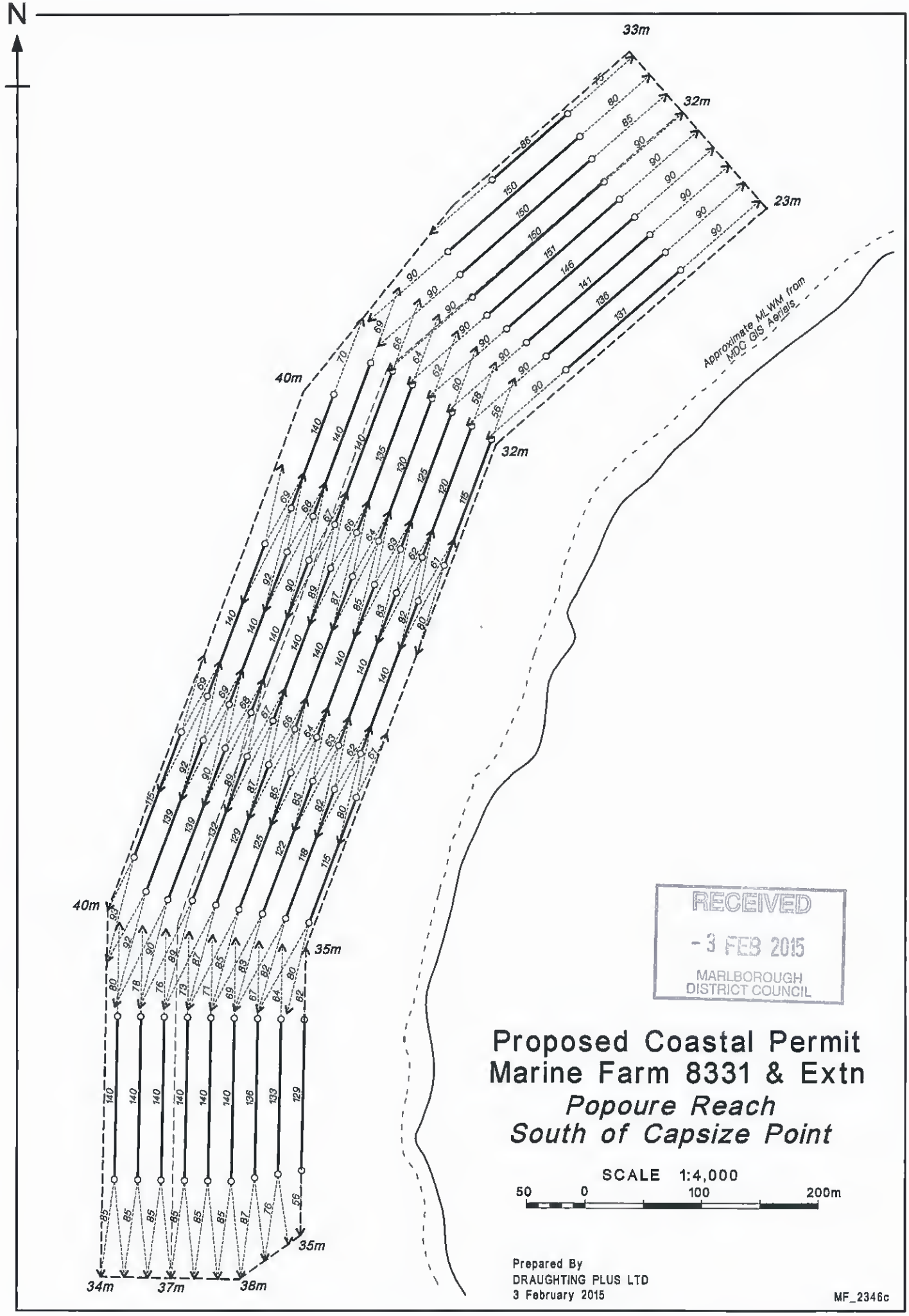
SCALE 1:7,500

50 0 100 200 300 400 metres

Prepared By
DRAUGHTING PLUS LTD
3 February 2015

MF_2346c

C:\General CADD 11\GxdMarine Farming\mf_2346b.gxd -- 02/03/2015 -- 03:24 PM -- Scale 1 : 7500




C:\General CADD 11\Gxd\Marine Farming\mf_2346b.gxd – 02/03/2015 – 03:24 PM – Scale 1 : 4000


*Davidson Environmental Limited*

# Ecological report for a proposed offshore extension to marine farm 8331 located in Popoure Reach, Pelorus Sound

Research, survey and monitoring report number 789

*A report prepared for:*
*Marlborough Aquaculture Limited*
*C/o Scott Madsen*
*120 Lindens Road RD 3*
*Blenheim 7273*



January 2014

Bibliographic reference:

Davidson, R.J. 2014. Ecological report for a proposed offshore extension to marine farm 8331 located in Popoure Reach, Pelorus Sound. Prepared by Davidson Environmental Ltd. for Marlborough Aquaculture Limited. Survey and monitoring report no. 789.



Prepared by:

Davidson Environmental Limited
P.O. Box 958, Nelson 7040
Phone 03 545 2600
Mobile 027 445 3352
e-mail davidson@xtra.co.nz

January 2014

## 1.0 Introduction

The aim of the present study was to provide benthic biological information in relation to a proposed extension to an existing marine farm (8331) located along the eastern shoreline of Popoure Reach south of Capsize Point (Figure 1, Plates 1 and 2). The proposed extension would add approximately 7.96 ha offshore from the 12 ha parent farm.

The present investigation describes the benthos, habitats and ecological attributes associated with the extension application. The report provides biological information using GPS with remote sensing technologies (drop camera, side imaging and vertical scan sonar).

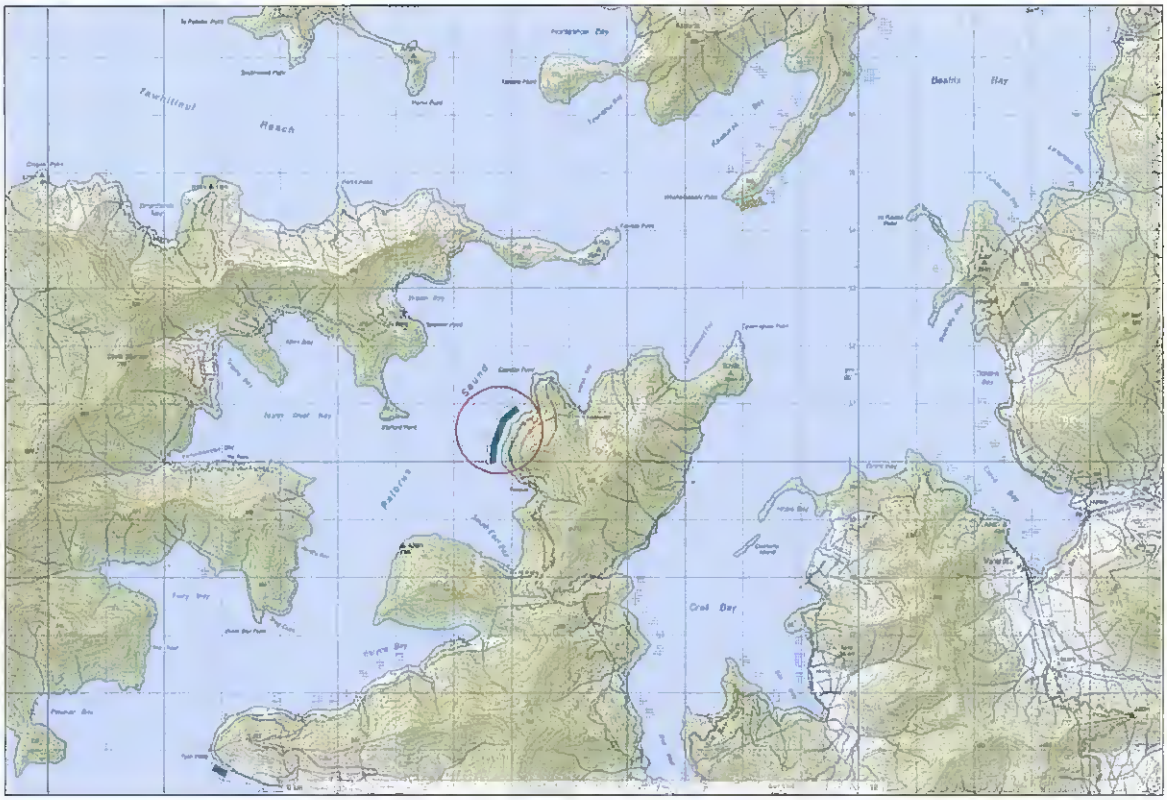


***Figure 1. Location of the parent marine farm (teal) and proposed extension (grey) located in Popoure Reach south of Capsize Point, Pelorus Sound.***

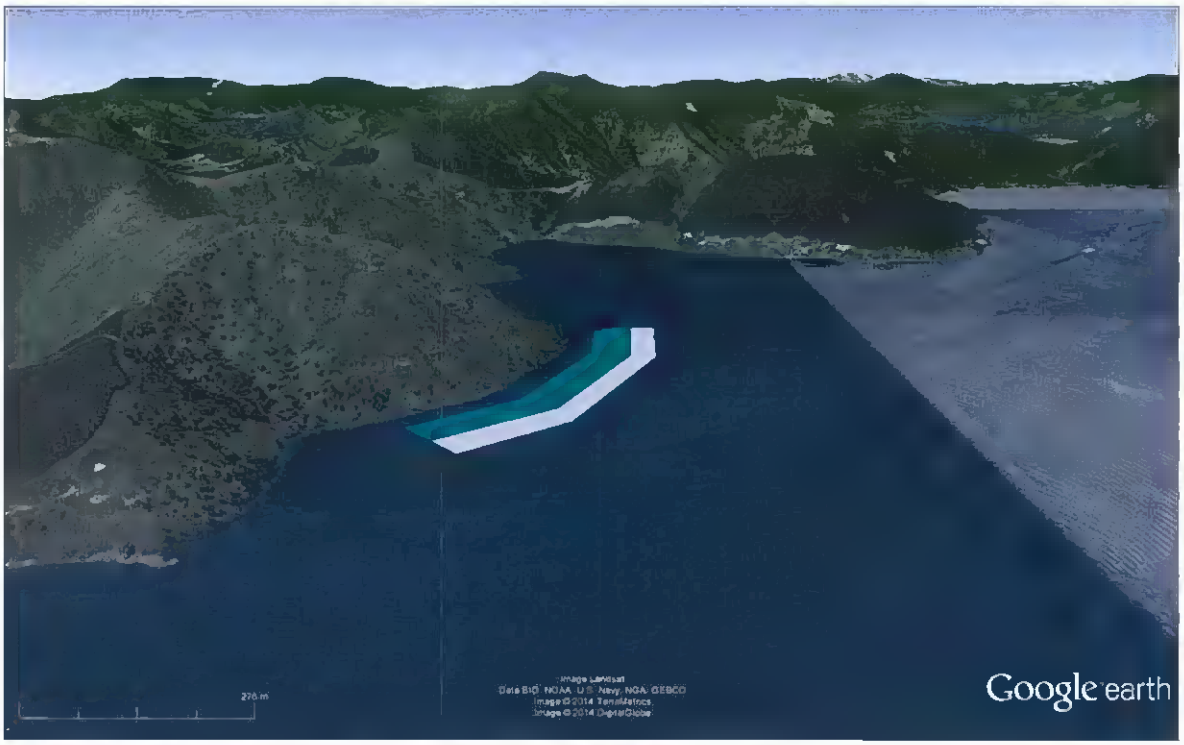



*Plate 1. Proposed marine farm extension (grey) and parent farm (teal) in Popoure Reach.*

*Plate 2. Looking south-ward towards the existing long-lines of the northern farm block. Photo taken at the north-western offshore end of the proposed extension.*

# 2.0 Background information

## 2.1 Study area

Capsize Point is a headland on the eastern shore of Popoure Reach, Pelorus Sound. Capsize Point is located approximately 2 km northeast of Stafford Point, 2.5 km southwest of Tawero Point, and approximately 31.5 km by sea from Havelock. Popoure Reach is the main Pelorus channel connecting central and inner sections of Pelorus Sound.

A number of existing consented marine farms are located west and north of the present farm (Figure 2).

***Figure 2. Location of the application and consented marine farms in the vicinity (white).***

## 2.2 Historical reports

Three biological reports were found in relation to this area. A benthic survey for an 11.25 ha marine farm application (U951216) was reported by Bolton and Richie (1995). The authors of the report stated:

"The rocky substrate supports a number of species. In total, 53 species (11 plant and 42 animal) species were seen.

Overall, this inshore area supports a moderate diversity of species. This moderate diversity can be attributed to several factors including:

- this site is approximately halfway out of Pelorus Sound and does not receive the large amounts of sediment from the Pelorus River/land runoff as do inner Pelorus Sound sites. At the same time, it is not an exposed open coast, as occurs in the very outer Marlborough Sounds.
- the site is along a headland and is subjected to tidal currents. These currents would sweep away any fine sediment that would otherwise settle, and at the same time supply those filter feeding organisms present with a continuous supply of food.

Beyond 20 metres from MLW, the rock substrate grades into dead shell mixed with sand. As the depth increases, the soft sediment grades from sand into soft mud and there is an increase in the amount of silt present.

This site faces directly into Popoure Reach, and is therefore in the main channel. The bottom slopes away steeply in this area. At 200 metres from MLW, the water depth is 45 metres. The shell based soft substrate in this area supports 24 species. The most common and widespread species associated with this habitat are snakestars and horse mussels.

The most notable species associated with this substrate is the brachiopod *Terebratella sanguinea*. This species occurs in a zone that is from 10 - 15 metres wide, between 55 and 80 metres from shore, at depths ranging from 21 - 28 metres. The brachiopods are most dense in the middle 6 - 7 metres of this zone, covering on average 75% of the bottom.

The trigger level for this species is a bed (of > 20 per $m^2$) in a distinct zone (based on guidelines outlined by the Department of Conservation, 1995). Hence this is an ecologically important area for this species. Horse mussels and the hydroid tree, *Hydrodendron racemosa*, is a trigger species but was seen in densities below the trigger level."

Davidson (1996) produced a report for Challenger Scallop Enhancement. The author stated:

"Overall observations and data collected from the proposed farm area suggested that:

1) substrata present within the study area were bedrock, outcropping rock, cobbles, pebbles, small boulders and various combinations of fine sand, broken shell and dead whole shell, shell debris and silt;

2) no reef structures or shallow abnormalities were observed extending perpendicular from the coast;

3) no outcropping rock, bedrock, boulder or cobble substrata were recorded within the boundaries of the proposed marine farm (i.e. 90 m to 200 m distance from shore);

4) small and isolated tubeworm mounds (*Galeolaria hystrix*) were observed outside the boundaries of the proposed marine farm;

5) areas at transects 1 and 2 offshore of 40 m to 50 m distance from shore were dominated by soft bottoms;

6) large brown algae was observed from the shallow subtidal zone along the shoreline adjacent to the proposed marine farm (5 m to 10 m in width); and

7) a zone of hydroids, bryozoans and brachiopods was observed from Transect 1, while a hydroid zone was observed from Transect 2. The extent of these zones were 20 m to 100 m distance from shore at Transect 1 and 20 m 60 m distance from shore at Transect 2.

Water currents were observed from both transects. Tidal water currents were strong, particularly in the early parts of the outgoing tide. The outgoing tide was observed from all depths but appeared strongest in depths greater than 18 m depth. Tides were observed flowing in an along-shore northerly direction. Based on the species observed from transect 1, it is expected that moderate to strong tidal water currents would regularly occur in this area at particular stages of the tide.

Shore Profiles

Subtidal shore profiles were initially dominated by hard substrata. A hard substrata zone comprising outcropping rock, small boulders, cobbles and pebble material dominated the shore to approximately 50 m distance from shore at Transect 1, while cobble and pebble material dominated the shore to approximately 40 m distance at Transect 2. At both transects, hard shores had a component of shell and fine sand below approximately 6 m depth. The benthos beyond these hard shore types were dominated by soft bottom substrata. Initially, a zone of relatively sorted broken shell and fine sand dominated soft bottom areas. At transect 1, this substrate type extended between 50 m to 60 m distance from shore, while at transect 2 it extended from approximately 40 m to 50 m distance from the low tide mark. With increasing depth, these shell soft substrates graded into dead whole shell, broken shell over a base of silt. These latter substrate types extended from approximately 60 m to 150 m distance and probably beyond at transect 1 and between 50 m to 90 m distance and probably beyond at transect 2.

From transects, scallop quadrats and dredges from areas within and adjacent to the proposed marine farm, a total of 35 conspicuous species of invertebrate, 5 algae, 3 ascidians and 5 species of bony fish were observed.

Five species of bony fish were recorded during the investigation of the study area. The number and composition of fish species were representative of rubble bank areas in the central sheltered Pelorus Sound. Most common reef fish were spotty and blue cod. Most cod were observed during the present study were below legal size. Reef fish were restricted to reef areas in soft bottoms immediately offshore of reef areas inshore of approximately 65

m distance from shore. Two species of triplefin and opal fish were also observed during the study.

Scallop Size

A total of 425 scallops were collected from the two dredge samples, while a total of 52 scallops were collected by divers from quadrat counts. The size frequency distribution of scallops from trawl 1 and 2 were similar, but a greater proportion of larger scallops were collected from trawl 1. This was reflected in the percentage legal scallops recorded from trawl 1 (81%) compared to trawl 2 (74%). This variation in the size composition of scallops may be a factor of trawl direction or differences in the distribution of scallops at the site. Unexpectedly, the mean size of scallops collected by divers was similar to trawl samples. This is a reflection of the dominance of large scallops (> 70 mm scallops) which were sampled by the commercial type dredge.

Scallop Density

The density of scallops collected from trawls and divers have been kept separate in this report. The density of scallops calculated from 29 diver quadrats were: mean = 0.12 individuals per $m^2$, standard error = 0.021. The density of scallops calculated from the two trawls were: Trawl 1, mean = 0.17 individuals per $m^2$; Trawl 2, mean = 0.07. The mean density of scallops from combined trawls was 0.12 per $m^2$, SE = 0.05. Densities calculated pooled diver counts and pooled dredge samples resulted in the same density value of 0.12 scallops per $m^2$. These densities are above those considered as constituting a scallop bed (see Table 1 In: Department of Conservation guidelines, 1995).

Horse mussel densities were calculated from 15 quadrats of 10 x 1 $m^2$ size. Quadrats were installed between 50 m to 150 m distance from shore and between depths of 15 m and 36 m on transect 1 and 2. Densities were: overall mean = 0.03 individuals per $m^2$, standard error = 0.019. These densities are well below those considered as constituting a horse mussel bed (Department of Conservation guidelines). No pattern to the distribution of horse mussels was apparent at the study site.

Lampshells (*Terebratella sanguinea*) were observed in high abundance from between 65 m to 100 m distance at transect 1. No distinct zone was observed at transect 2. Estimated densities from areas where lampshells were most common were up to approximately 40 individuals per $m^2$. Brachiopod densities were above the Department of Conservation guideline threshold for values of ecological or scientific interest (DoC 1995).

Five large hydroid species observed during the present study of the marine farm site and adjacent coast (*Hydrodendron* = *Solandaria*, two species of *Pennaria, Nemertesia cymodocea* and *Obelia* sp.). Individuals of these species (particularly one species of *Pennaria*), formed a hydroid zone between 20 m to 100 m distance from shore at transect 1 and 20 m to 60 m distance from shore at transect 2. Numbers of the largest species (*Hydrodendron* sp.) within this zone reached the Department of Conservation trigger level for the hydroid (*Hydrodendron* = *Solandaria*) as considerably more than three individuals observed during the study. The majority of *Hydrodendron* individuals were, however, observed between 20 m to 70 m distance from shore at both transects.

Most bryozoans mounds were dominated by the Separation Point "coral" (*Celleporaria agglutinans*). Mounds were observed in offshore areas between approximately 65 m to 100 m distance from shore at transect 1. Occasional mounds were also observed to 150 m distance from shore at transect 1 and appeared in both trawl samples. No mounds were observed from transect 2. Although the bryozoan mounds were relatively uncommon, they provide a habitat for many associated species including fish and invertebrates. The Department of Conservation guideline (1995) recognises a trigger level for bryozoans as >5% cover. This was not exceeded within the study area.

Soft bottom substrata and associated communities dominated the area under the proposed marine farm. Areas beyond approximately 60m distance from shore were dominated by dead whole shell on a silt base. Communities of particular biological importance were observed from inshore areas between 20 m to 100 m distance from shore at transect 1 and 20 m to 60 m distance from transect 2. Particular species reached the trigger levels for ecological importance outlined in the Department of Conservation guideline for ecological investigations of proposed marine farm areas in the Marlborough Sounds. Of particular note were zones of hydroids, brachiopods and bryozoans.

In areas offshore of 100 m distance from shore a relatively low variety of species in low abundance were observed compared to hard and soft shores inshore of 100 m distance. Scallops were, however, recorded in densities which have been regarded as representing a bed by the Department of Conservation Guideline (1995).

In conclusion, offshore areas beyond approximately 100 m distance from shore were dominated dead whole shell material on a base of silt sediments. Apart from scallops, there was a relatively low variety of species in low abundance recorded from these offshore areas. In contrast, inshore areas at both transects were characterised by coarser soft sediments and hard substrata habitats with a higher number of species in higher abundance's than were observed from offshore soft bottom areas. Areas of bryozoans, hydroids and brachiopods were recorded from these inshore soft bottom areas. Parts of these inshore areas and their high associated ecological values as defined by a Department of Conservation report (1995)."

A third report was produced by Grange and Handley (1999) for Marlborough Aquaculture Limited to extend both ends of the parent farm (U991071). The authors stated:

"DEPTH PROFILES

Both ends of the proposed extension had similar depth profiles. The sea floor sloped gently for the first 20 m from shore, then relatively constantly to around 100-120 m from MLW. From there, the slope decreased until the sea floor flattened out around 160 m from MLW.

The southern extension was deeper, reaching depths of approximately 40 m at the outer boundary, whereas the depths at the outer boundary at the northern extension were approximately 30 m.

Bedrock with cobbles and the occasional boulder characterised the inshore region, to depths of around a maximum of 10 m, some 20 m from MLW. The sediments from there graded into shelly sand with quantities of dead shell and shell gravel, which dominated to around 25 m deep, 70-100 m from MLW. These sediments became gradually finer with

depth, and by the inner boundary of the proposed extensions, the sediments were mud with some shell gravel still present.

SCUBA SURVEY

A total of 29 species of invertebrates and fish were recorded during the dive transects at both sites.

The rocks, boulders and cobbles provide attachment surfaces for several types of sessile or encrusting species including tubeworms, window oysters and sea squirts, as well as mobile gastropods and various echinoderms.

As the cobbles become less dense and the sediments are dominated by broken shell and sand, more species that burrow beneath the surface occur, including venus clams and turret shells. Also found here are starfish, kina, feather hydroids and nestling mussels.

Below 25 m, many of the same species are present but other species were also recorded in low numbers, including scallops, brachiopods and horse mussels. A total of 12 scallops were recorded in all combined transects, restricted to the depth range 16-27 m. Within this narrow depth range, densities of scallops were recorded at a maximum of < 1 per 10 $m^2$. Neither brachiopods nor horse mussels were recorded in denstities anywhere near approaching trigger levels (DoC, 1995). Only 4 live horse mussels were recorded and brachiopod densities were below 10 per $m^2$. Triplefins, spotties, and blue cod were recorded in low densities throughout the depth range 3-27 m.

CONCLUSIONS

The proposed extensions to the marine farm will lie in water depths of 32-39 m in the south and 25-30 m in the north. They will lie entirely over sandy mud sediments that support fewer species than the boulder/cobble habitats.

In general, all species recorded were common, widespread throughout the Marlborough Sounds, and expected to occur in the area. The species recorded support the earlier surveys of Bolton and Ritchie (1995) and Davidson (1996).

Feather hydroids were common and since they are unable to move away from the increased sedimentation associated with marine farming, could potentially be impacted. However, all colonies were recorded only to depths of 16 m, well inside the proposed extensions."

## 3.0 Methods

A benthic biological survey for the proposed extension was conducted on 20th January 2014 Prior to fieldwork, the proposed marine farm application and parent farm corners were plotted onto mapping software (TUMONZ Professional). The laptop running the mapping software was linked to a Lowrance LC X-$15_{MT}$ GPS receiver allowing real-time plotting of the corners of marine farm surface structures and to pinpoint drop camera stations in the field. This GPS system has a maximum error of +/- 5 m.

The depth at each corner of the proposed marine farm was surveyed using real-time GPS. The corner positions of marine farm surface structures associated with the parent farm were also plotted by positioning the vessel adjacent to corner floats. It should be noted that surface structures can move due to environmental variables such as tidal current and wind. The plot of surface structures is variable from day to day and over the duration of tidal cycles. These data should not therefore be regarded as a precise measurement of the position of surface structures, but rather an approximate position.

### 3.1 Sonar imaging

Sonar investigations of the area were conducted using a Lowrance HDS-10 Gen 1 and HDS-8 Gen2 linked with a Lowrance StructureScan™ Sonar Imaging LSS-1 Module. These units provide right and left side imaging as well as DownScan Imaging™. The unit also allows real time plotting of StructureMap ™ overlays onto the installed Platinum underwater chart.

Prior to the collection of underwater photographs, the boundaries of both the consent area and the marine farm surface structure area were investigated using the sonar. Any bottom abnormalities such as reefs, hard substrata or abrupt changes in depth were noted for inspection using the drop camera (see section 3.2).

## 3.2 Drop camera stations, site depths

A total of 17 drop camera photographs were collected during the survey. Photographs were collected from within the proposed extension area and along the inshore boundary of the parent farm (Figure 3).

At each site, a Sea Viewer underwater splash camera fixed to an aluminium frame was lowered to the benthos and an oblique still photograph was collected where the frame landed. The location of photograph stations was selected in an effort to obtain good coverage of the proposed application area. Additional photographs were taken when any features of particular interest (e.g. shell debris, reef structures, and cobbles) that were observed on the remote monitor on-board the survey vessel or from sonar and depth soundings. All photographs collected during the survey have been included in Appendix 1.

# 4.0 Results

## 4.1 Application corner depths

The depths along the inshore proposed extension boundary ranged from 32.3 m to 42 m (Figure 3). The offshore corner depths of the proposed extension ranged from 32.5 to 40.4 m (Table 1, Figure 3). Depths and locations of all drop camera stations have been listed in Table 2 and plotted in Figure 4.

All of the proposed extension was located in comparable depths suggesting the area was relatively flat. Deepest areas were located centrally with the sea floor rising at the northern and southern ends of the extension.

Presently there are four blocks of farm structures associated with the parent farm. All but one backbone of the existing marine farm surface structures were located within the parent farm. The offshore backbone of the northern block was located within the proposed extension (Figure 3).

***Table 1. Depths recorded from the corners of proposed consent corners. Depths adjusted to datum. Coordinates = NZTM (Northing/Easting).***

| Type | No. & Depth (m) | Coordinates |
|---|---|---|
| Consent corner | A. 38.1m | 1677684.7,5449953.0 |
| Consent corner | B. 34.7 | 1677737.1,5449990.9 |
| Consent corner | C. 34.5m | 1677741.4,5450238.5 |
| Consent corner | D. 32.5m | 1677903.9,5450670.1 |
| Consent corner | E. 22.7m | 1678135.8,5450872.8 |
| Extension corner | 1, 37m | 1677626.4,5449953.9 |
| Extension corner | 2, 42m | 1677631.8,5450259.3 |
| Extension corner | 3, 38m | 1677811.0,5450735.1 |
| Extension corner | 4, 32.3m | 1678063.7,5450955.8 |
| Extension corner | 5, 32.5m | 1678005.5,5451024.5 |
| Extension orner | 6, 39.5m | 1677781.2,5450821.7 |
| Extension corner | 7, 40.4m | 1677572.2,5450275.9 |
| Extension corner | 8, 33.6m | 1677565.8,5449954.0 |
| Structure corner | A, 39.5m | 1677633.0,5450066.3 |
| Structure corner | B, 36m | 1677716.2,5450069.0 |
| Structure corner | C, 33.6m | 1677722.5,5450195.0 |
| Structure corner | D, 41.2m | 1677657.3,5450209.9 |
| Structure corner | E, 41.8m | 1677681.9,5450316.7 |
| Structure corner | F, 29.5m | 1677756.8,5450305.4 |
| Structure corner | G, 27.5m | 1677812.0,5450455.6 |
| Structure corner | H, 29m | 1677823.3,5450501.3 |
| Structure corner | I, 38m | 1677741.1,5450469.0 |
| Structure corner | J, 39.6m | 1677753.5,5450522.2 |
| Structure corner | K, 39.6m | 1677815.7,5450706.5 |
| Structure corner | L, 32.4m | 1677898.5,5450652.8 |
| Structure corner | M, 32m | 1677963.2,5450764.3 |
| Structure corner | N, 36m | 1677889.9,5450821.6 |
| Structure corner | O, 33m | 1677988.9,5450910.8 |
| Structure corner | P, 29.4m | 1678036.7,5450835.5 |

## 4.2 Substratum, habitats and species

Substratum and habitat distribution relative to the proposed marine farm application were based on 17 drop camera images combined with depth soundings and sonar scans (Table 2, Appendix 1).

The proposed extension area was dominated by silt and clay sized particles (Plate 3). Silt and clay with a component of natural shell (dead whole and broken) was also observed in the central areas of the proposed extension (Table 2, Plate 4).

The area inshore of the parent farm was also dominated by silt and clay with natural shell (Plate 6). In this area natural shell was abundant and supported a variety of surface dwelling species (e.g. hydroids, snake stars, brachiopods, urchins). In contrast, areas within the extension supported relatively few surface dwelling (epibenthic) species. Occasional cushion seastars, hydroids and one scallop was observed from photos. No horse mussels were recorded from drop camera photos collected from the proposed extension area during the present study. It is however, probable that occasional horse mussels will be present, but their absence from photos suggests they are uncommon.

## 4.3 Mussel shell debris

Photos collected from areas under and close to existing backbones showed mussel debris levels were relatively low compared to many mussel farms in the Sounds (Plate 5). Level of shell ranged from low to moderate (Plate 5, Table 2). The presence of mussel shells at Photo 16, located inshore of backbones suggests there may have been a line previously located in this area. The extension area was largely free of mussel shell debris apart from a localised area of shell under the offshore northern backbones (Photo 3 in Appendix 1).

## 4.4 Sonar

The side imaging sonar run from along the inshore boundary of the parent farm and extension showed a relatively featureless benthos. No reef structures extended into the proposed extension (Figure 5). Mussel shell debris was observed from the sonar track, but was associated with the adjacent farm located to the north.

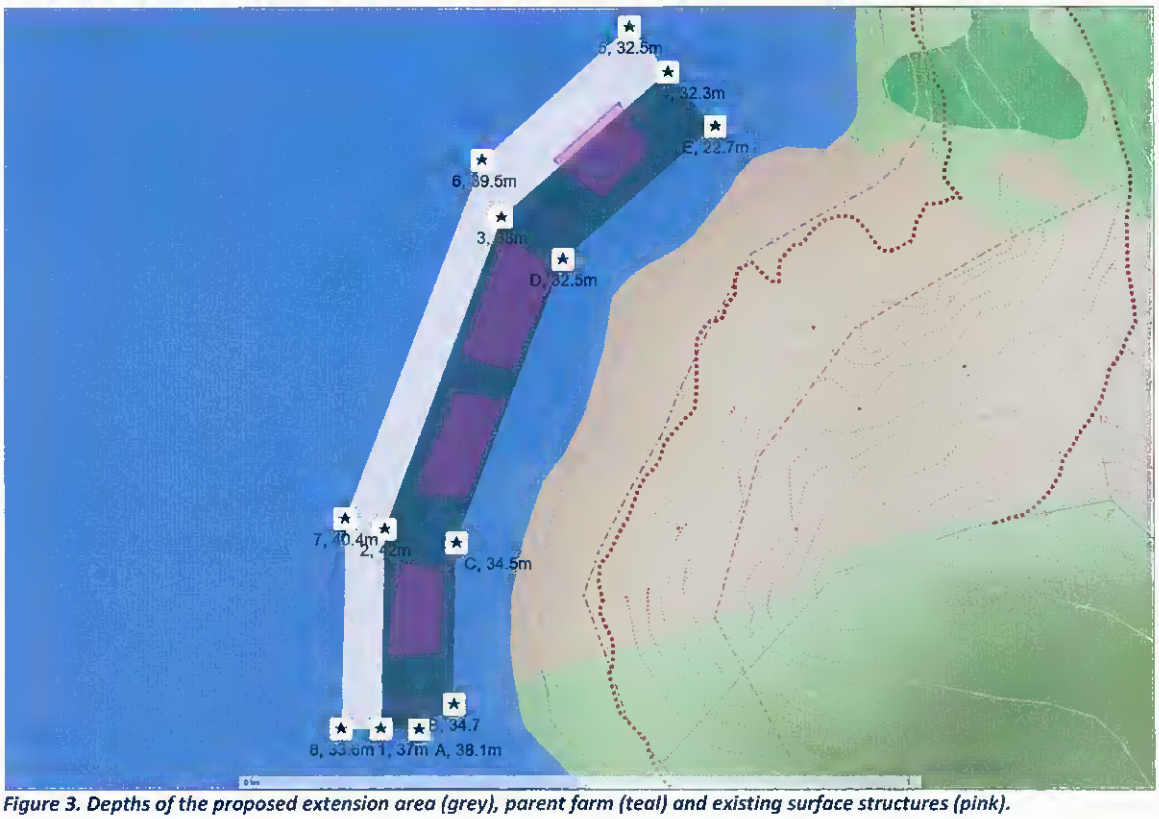



*Figure 3. Depths of the proposed extension area (grey), parent farm (teal) and existing surface structures (pink).*


*Plate 3. A representative example of silt and clay substratum recorded from the proposed extension (photo 1, 32.6 m).*


*Plate 4. Silt and clay with a small component of natural shell (photo 4, 37.8 m).*


*Plate 5. Silt and mussel shell debris associated with parent farm backbones (photo 16, 26 m).*

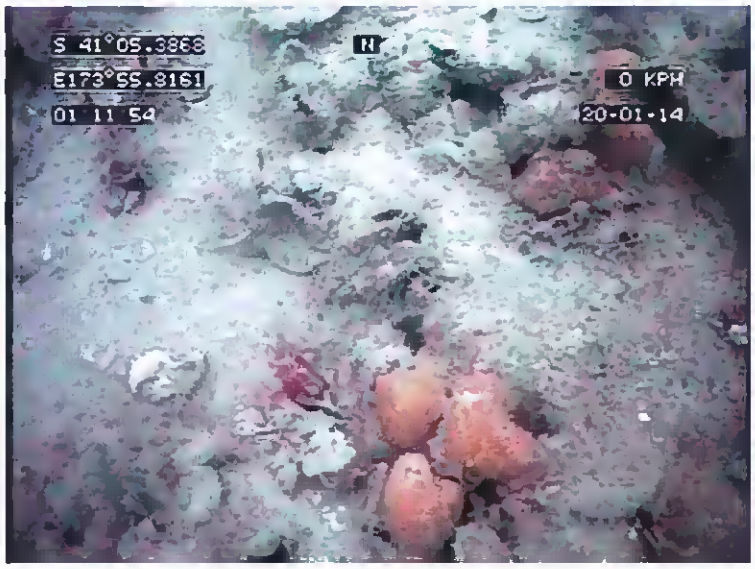



*Plate 6. Silt and clay with a strong component of natural shell inshore of theparent farm boundary (photo 17, 21.2 m).*

*Table 2. Coordinates of drop camera stations showing location relative to the marine farm application (NZTM). Colours are: blue = outside application and no farm structures, grey = inside application (under warps or in areas with no structures) teal = parent farm. Depth, substratum and biological feature data are also listed. Mussel debris in photos is ranked as: None = no mussel shell debris, Low = 1-30%, Moderate = 31-50%, Moderate to High = 51-75%, and High = 76-100% cover.*

| No. & Depth (m) | Coordinates | Location | Position | Substratum | Shell debris |
|---|---|---|---|---|---|
| 1, 32.6m | 1678039.9,5450947.2 | In proposed extension | No structures | Silt and clay | None |
| 2, 32.9m | 1677943.3,5450922.8 | In proposed extension | No structures | Silt and clay, natural shell | None |
| 3, 36.8m | 1677910.2,5450839.1 | In proposed extension | Under backbone | Silt and clay, natural and mussel shell | Low |
| 4, 37.8m | 1677828.7,5450827.1 | In proposed extension | No structures | Silt and clay, natural shell | None |
| 5, 38.8m | 1677790.1,5450751.3 | In proposed extension | No structures | Silt and clay | None |
| 6, 39.9m | 1677756.3,5450657.9 | In proposed extension | No structures | Silt and clay, natural shell | None |
| 7, 40.6m | 1677697.1,5450570.2 | In proposed extension | No structures | Silt and clay | None |
| 8, 41m | 1677711.4,5450487.4 | In proposed extension | No structures | Silt and clay, natural shell | None |
| 9, 41.4m | 1677625.2,5450398.6 | In proposed extension | No structures | Silt and clay | None |
| 10, 42m | 1677629.7,5450260.6 | In proposed extension | No structures | Silt and clay | None |
| 11, 39.4m | 1677577.7,5450152.3 | In proposed extension | No structures | Silt and clay | None |
| 12, 37.4m | 1677622.1,5450003.7 | In proposed extension | No structures | Silt and clay | None |
| 13, 24.9m | 1677750.6,5450126.6 | Inshore of parent farm | No structures | Silt and clay, natural shell | None |
| 14, 20.3m | 1677800.8,5450352.5 | Inshore of parent farm | No structures | Silt and clay, natural shell hash | None |
| 15, 23.8m | 1677877.6,5450542.5 | Inshore of parent farm | No structures | Silt and clay, natural shell hash | None |
| 16, 26m | 1678033.7,5450779.2 | Inshore of parent farm | No structures | Silt and clay, natural and mussel shell | Moderate |
| 17, 21.2m | 1678125.0,5450857.8 | Inshore of parent farm | No structures | Silt and clay, natural shell | None |


*Figure 4. Drop camera stations (triangles). Numbers are the photo number and water depth (m).*


Figure 5. Sonar imaging run from the extension and inshore of the parent farm. Red polygon = proposed extension.

# 5.0 Summary and conclusions

## 5.1 Substratum and biological values

All of the proposed extension area was characterised by soft substratum composed primarily of silt and clay (mud). Some natural shell material was also observed, but this material was observed in relatively small quantities. Silt and clay and silt and clay with shell are widespread and common in the Marlborough Sounds. Mud (silt and clay) has been traditionally targeted by marine farming activities. No biological communities of particular interest such as red algae ór horse mussels were recorded from the proposed extension area.

No hard substratum was located within the proposed extension. No known species or habitats considered ecologically significant were observed from within the application area (see Davidson *et al.* 2011 for significant areas in Marlborough).

Silt and shell hash communities as well as cobbles and bedrock have been recorded form inshore of the parent farm. These communities are swept by regular tidal currents and support a range of species. These diverse inshore communities and associated habitats were not recorded from the deep offshore extension area.

## 5.2 Impact

The applicant proposes to farm a variety of shellfish and the likely species farmed will be mussels. The impact of a mussel farm in the Marlborough Sounds has been well documented (see Keeley *et al.* 2009 for review) and it is probable that the present extensions, if established, will conform to the known range of impacts for this activity.

Based on existing studies on the impact of mussel farms in the Marlborough Sounds and around New Zealand, it is unlikely that impacts would be detectable beyond 10-20 m from the droppers. Based on the existing knowledge base on mussel farms impacts, it is unlikely the inshore habitats located along this shoreline would be impacted should the extension be granted.

## 5.3 Boundary modifications and monitoring

Based on ecological data collected during the present study, no adjustments to the proposed extension boundaries or the parent farm are suggested. Further, based on substratum and habitats found in the proposed extension area, no monitoring or staging is suggested.

# References

Bolton, L.A. and Ritchie, A.D. 1995. Ecological assessment of a site in South East Bay, Pelorus Sound. Unpublished report prepared for Marlborough Aquaculture Ltd.

Davidson, R.J. 1996. Subtidal ecological report on a proposed marine farm site in Popoure Reach, Pelorus Sounds. Survey and Monitoring Report No. 133. Prepared by Davidson Environmental Limited for Challenger Scallop Enhancement.

Davidson R. J.; Duffy C.A.J.; Gaze P.; Baxter, A.; DuFresne S.; Courtney S.; Hamill P. 2011. Ecologically significant marine sites in Marlborough, New Zealand. Co-ordinated by Davidson Environmental Limited for Marlborough District Council and Department of Conservation.

Grange, K. and Handley, S. 1999. Benthic biological survey of a proposed extension to marine farm U 951216, north of South-east Bay, Pelorus Sound. NIWA Client Report MUS00409. Unpublished report prepared for Marlborough Aquaculture Ltd.

Keeley, N.; Forrest, B.; Hopkins, G.; Gillespie, P.; Clement, D.; Webb, S.; Knight, B.; Gardner, J. 2009. Sustainable aquaculture in New Zealand: Review of the ecological effects of farming shellfish and other non-finfish species. Cawthron Report No. 1476. 150p.

**Appendix 1.** Drop camera photographs

Photo site 1


Photo 2


Photo site 3


Photo 4


Photo site 5


Photo 6

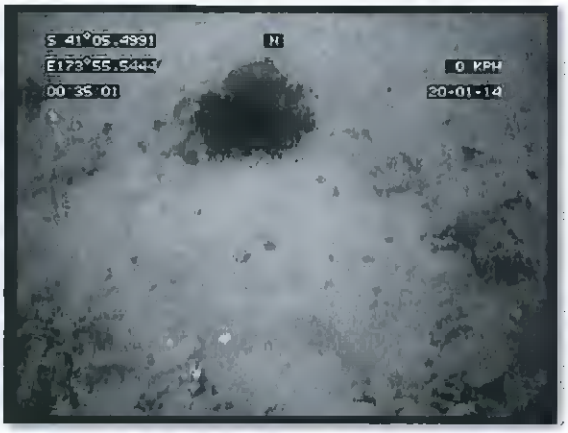


Photo site 7


Photo 8


Photo 9


Photo 10


Photo site 11


Photo 12

Photo 13


Photo 14

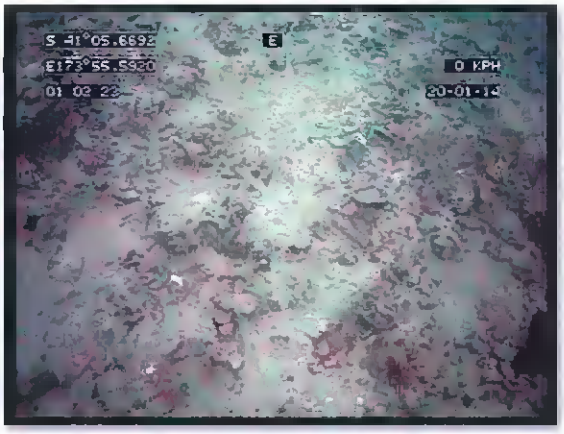



Photo 15

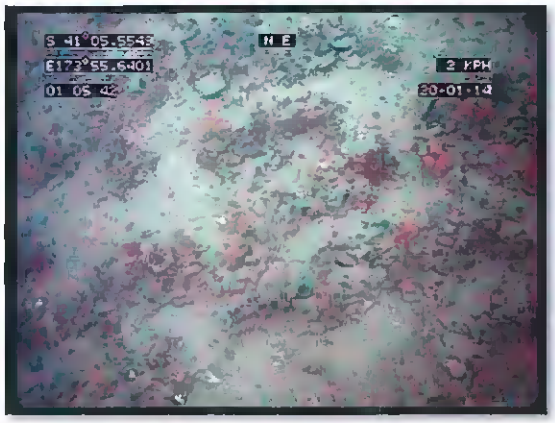



Photo 16


Photo 17

To: Marlborough District Council
PO Box 443
Blenheim 7240

MARLBOROUGH DISTRICT COUNCIL

ISO 9001:2008
Document Number:
RAF0010-CI1220

# SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

## 1. Submitter Details

Name of Submitter(s) in full .....

Address for Service *(include post code)* .....

.....

.....

Email .....

Telephone *(day)* Mobile Facsimile

Contact Person *(name and designation, if applicable)* .....

.....

## 2. Application Details

Application Number U.....

Name of Applicant *(state full name)* .....

Application Site Address .....

Description of Proposal .....

.....

.....

## 3. Submission Details *(please tick one)*

I/we support all or part of the application ☐

I/we oppose all or part of the application ☐

I/we are neutral to all or part of the application ☐

The specific parts of the application that my/our submission relates to are *(give details, using additional pages if required)*

.....

.....

.....

.....

The reasons for my/our submission are *(use additional pages if required)*

---

---

---

---

The decision I/we would like the Council to make is *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

---

---

---

---

## 4. Submission at the Hearing

I/we wish to speak in support of my/our submission ☐

I/we do not wish to speak in support of my/our submission ☐

OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I/we request that the Council delegate its functions, powers, and duties required to hear and decide the application to one or more hearings commissioners who are not members of the Council. *(Please note that if you make such a request you may be liable to meet or contribute to the costs of commissioner(s). Requests can also be made separately in writing no later than 5 working days after the close of submissions.)* ☐

## 5. Signature

Signature ---------- Date ----------

Signature ---------- Date ----------

## 6. Important Information

- Council must receive this completed submission before the closing date and time for submission for this application. The completed submission may be emailed to mdc@marlborough.govt.nz
- You must also send a copy of this submission to the applicant as soon as reasonably practicable, at the applicant's address for service.
- Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the hearing report.

## 7. Privacy Information

The information you have provided on this form is required so that your submission can be processed under the Resource Management Act 1991. The information will be stored on a public file held by Council. The details may also be available to the public on Council's website. If you wish to request access to, or correction of, your details, please contact Council.