



**MARLBOROUGH  
DISTRICT COUNCIL**

## **RESOURCE CONSENT APPLICATION**

**U161060**

**Ian Morris & Donna  
Frances Anderson and  
Andrew Colin James  
Graham**

350 Brancott Road, Fairhall

**Submissions Close**

**5.00 pm Monday 7 November 2016**

## Bea Gregory-5252

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**From:** MDC  
**Sent:** Friday, 23 September 2016 11:37 a.m.  
**To:** RCInbox  
**Subject:** Application for Resource Consent: REF160910715  
**Attachments:** REF160910715.pdf

A application for a Resource Consent has been received. Application lodgement number is REF160910715.

Submission details are attached.



**MARLBOROUGH  
DISTRICT COUNCIL**

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GST No. 50-430-960



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Reference Number:	REF160910715
Submitted On:	23/09/2016 11:36
Submitted By:	Helen Woodward

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## Important Information

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

Please provide all details relevant to your proposal. Feel free to discuss any aspect of your proposal or the application process with Council's duty planner, who is here to help. Duty planner hours are 9.00 am to 3.00 pm Monday to Friday.

This application will be checked before formal acceptance. If the application is incomplete, we are unable to accept it for processing and it will be returned to you.

If this activity requires more than one consent type, (eg both land use and discharge) you may apply for all within this application.

## Applicant Details

Select as many as are applicable

Is the applicant

Is the applicant

Is the applicant

• A trust

Trust name

IM and DF Family Trust

List full names of all trustees

First names

Ian Morris

Last name

Anderson

List full names of all trustees

First names

Donna Francis

Last name

Anderson

List full names of all trustees

First names

Andrew Colin James

Last name

Graham

Main applicant name

Ian Anderson

Main applicant mailing address

350 Brancott Road, Fairhall 7272

Main applicant email address

[rivenhall@xtra.co.nz](mailto:rivenhall@xtra.co.nz)

Main contact number

5728402

Alternative contact number

021635625

Is there an agent working on behalf of the applicant?

Yes

All communication regarding the application will be sent to the agent	
Are you a business or an individual?	Individual
Company name	Not answered
First name	Helen
Last name	Woodward
Mailing address	PO Box 105, Blenheim 7240
Email address	h.woodward@xtra.co.nz
Main contact number	5795669
Alternative contact number	0272111154
Agent reference	Not answered

## Application Details

Types of resource consent applied for	• Water Permit
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### Property Details

The location to which the application relates is	350 Brancott Rd, Fairhall Lots 5 & 6 DP 7652 and Sec 19 Blk 1 Taylor Pass SD and Lot 1 DP 11937
Brief description of the activity	1.Take groundwater from the Brancott FMU to a maximum of 32,032 cubic metres/annum from well P28w/3217, located on Lot 6 DP 7652 only when the SVIS is either restricted or unavailable. And 2.Use groundwater from the Brancott FMU to irrigate 16 hectares of vineyard on Lots 5 & 6 DP 7652 and Sec 19 Blk 1 Taylor Pass SD and Lot 1 DP 11937, only when the SVIS is either restricted or unavailable. The applicant currently holds water permit U070111, which is due to expire 1 April 2017.

### Assessment of Effects on the Environment (AEE)

I attach, in accordance with Schedule Four of the Resource Management Act 1991, an assessment of environmental effects in a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. (Applications now also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents)

Please upload Assessment of Effects on the Environment	• <a href="#">Anderson water permit application-Sept 2016.pdf</a> (846761 bytes)
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### Plans

Please upload plans (e.g. site plan, elevation plans, scheme plan etc) of the locality and activity points. Describe the location in a manner that 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 the application may relate, proximity to any well known landmark, DP number, valuation number, property number

Site/location plan	No files uploaded
Scheme plan	No files uploaded
Forest harvest plan	No files uploaded
Building plans	No files uploaded
Dam design drawings	No files uploaded

### Certificate of Title

Certificate(s) of Title and legal documents	No files uploaded
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## Supplementary Forms

Please indicate which supplementary forms you are adding	• Water permits
Type of permit required	• Take underground water

Do you currently hold a water permit that is due to expire?	Yes
What is the water permit number?	U070111
Purpose for which water is required?	irrigation of grapevines
Source of water	Brancott FMU
Maximum quantity of take	
Litres per second	Not answered
Cubic metres per day	Not answered
Cubic metres per week	Not answered
Groundwater	
Is the well existing?	Yes
Well Number	P28w/3217
Depth from ground level to bottom of well	141
Diameter of well	150
Has the pump test or well interference test been carried out on the well?	No

## Water use purpose

Use Type	Irrigation
Crop type	grape vines
Area	16
Application Rate	20
Quantity	Not answered
Irrigation Period	<ul style="list-style-type: none"> <li>• Jan</li> <li>• Feb</li> <li>• Mar</li> <li>• Apr</li> <li>• Oct</li> <li>• Nov</li> <li>• Dec</li> </ul>
Method	dripper

## Technical Reports

Do you wish to upload any technical reports to be included in the application by the relevant Resource Management Plan, Act or regulations?	No
Benthic report	No files uploaded
Cultural effects assessment	No files uploaded
Dam construction report	No files uploaded
DSI	No files uploaded
Ecology report	No files uploaded
Economic report(s)	No files uploaded
Engineering report	No files uploaded
Erosion and sediment management plan	No files uploaded
Geotechnical report	No files uploaded
Landscape report	No files uploaded
PSI	No files uploaded

RAP	No files uploaded
Wastewater report	No files uploaded
Any other report not covered in the list above	No files uploaded

## Written Approvals

Please provide the names and addresses of the owner and occupier of the land (other than the applicant)	Not answered
Please attach any written approval(s) that may have been obtained from affected parties/adjoining property owners and occupiers	No files uploaded
Note: 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 why you have not below	
Brief reason for not consulting with neighbours	Continuation of an existing consent.

## Other Details

Are additional resource consents required in relation to this proposal?	No
The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please record applicant name and either property number or consent type as a reference.	
The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee, an invoice will be issued (if actual costs are less, a refund will be made). Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.	
Do you require a GST receipt for a bank payment?	Yes
Please make invoice out to	Applicant
The application lodgement fee	Has been paid
Please give details of payment reference	Not answered
If you have a payment reference to upload, please upload it here	No files uploaded
Notes	Lodgement fee direct credited = ref PN19996
I confirm that the information provided in this application and the attachments are accurate	Yes
Authorised by (your full name)	Helen Woodward

## 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 made corrections to your details, please contact Council.

## **IM & DF Anderson Family Trust Water Permit Application**

### **1 Background**

The applicant owns the rural property at 350 Brancott Road, Fairhall.

The property is legally described as Lots 5 & 6 DP 7652 and Sec 19 Blk 1 Taylor Pass SD and Lot 1 DP 11937, of approximately 23.5 ha in area.

The applicant currently holds water permit U070111, to take groundwater from well P28w/3217 to a maximum rate of 120m<sup>3</sup>/day for the purposes of irrigating 16 ha of vineyard, subject to being used only when the SVIS is either restricted or unavailable

This consent is due to expire 1 April 2017.

The irrigation supply well, located on Lot 6 DP 7652, is 141 metres deep of 150 mm diameter and intercepts the Brancott Aquifer. The well was installed in 1997.

The well site is shown on the site map attached in Appendix 1.

### **2 Proposal**

The applicant seeks consent to:

1. Take groundwater from the Brancott FMU to a maximum of 32,032 cubic metres/annum from well P28w/3217, located on Lot 6 DP 7652 only when the SVIS is either restricted or unavailable.

And

2. Use groundwater from the Brancott FMU to irrigate 16 hectares of vineyard on Lots 5 & 6 DP 7652 and Sec 19 Blk 1 Taylor Pass SD and Lot 1 DP 11937, only when the SVIS is either restricted or unavailable.

The applicant currently holds water permit U070111, which is due to expire 1 April 2017.

The allocation has been calculated via "Irricalc" as required by the Proposed Marlborough Environment Plan. The irrigation assessment is attached in Appendix 3.

## **3 Statutory Framework**

### **3.1 Resource Management Act 1991**

Section 14 of the RMA requires that no person may take, use, dam, or divert any water unless the take, use, damming or diversion is allowed by a rule in a regional or proposed regional plan or by resource consent.

### **3.2 National Policy Statement for Freshwater Management**

The National Policy Statement for Freshwater Management (NPSFW) sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits.

Amongst other matters the NPSFW sets out objectives and policies in relation to water quantity and requires all Regional Councils to ensure that the allocation of water resources above a pre-determined sustainable maximum volume does not occur, and if any such “over-allocation” exists then the Regional Council must undertake steps to reduce the over-allocation.

Given this application is for the continuation of an existing Brancott Aquifer allocation, which will not increase demand on the aquifer, therefore the application is considered to be consistent with the NPSFW.

### **3.3 Marlborough Regional Policy Statement (MRPS)**

The MRPS has been integrated into the Proposed Marlborough Environment Plan, which combines all local planning documents.

The application, being for the continuation of an existing allocation, is deemed to be consistent with the existing RPS objectives and policies and Proposed Marlborough Environment Plan provisions.

### **3.4 Proposed Marlborough Environment Plan**

The water provisions under the Wairau/Awatere RM Plan have now been superceded by the new Marlborough Environment Plan and declared as having immediate legal effect under Section 86B(3) of the RMA.

#### **3.4.1 Rules**

##### **General Rule 2.5. Discretionary Activities**

- **Rule 2.5.2. Any take of water not provided for as a Permitted Activity or Controlled Activity, or limited as a Prohibited Activity.**



In accordance with the above rule, the proposed take for irrigation purposes is deemed to be a discretionary activity.

- **Rule 2.5.3. Any use of water not provided for as a Permitted Activity or limited as a Prohibited Activity.**

In accordance with the above rule, the proposed take for irrigation purposes is deemed to be a discretionary activity.

Accordingly, the application as a whole falls to be dealt with as a discretionary activity.

## **4 Objectives and Policies**

The Objectives and Policies of the Proposed MEP pertaining to freshwater allocation are set out in Chapter 5 (Allocation of Public Resources) as follows.

**Objective 5.1 – Water allocation and water use management regimes reflect hydrological and environmental conditions within each water resource.**

**Policy 5.1.2 – Recognise that the taking of water and the use of water are two distinct activities and where resource consent application is to be granted, separate water permits for each activity will be granted.**

The take and use activities have been applied for as separate entities, but given the take and use of water are linked, it is appropriate to bundle both activities in the same application.

**Policy 5.2.5 – With the exception of water taken for domestic needs or animal drinking water, prevent the taking of water authorised by resource consent when flows and/or levels in a Freshwater Management Unit are at or below a management flow and/or level set as part of an environmental flow and/or level set in accordance with Policy 5.2.4.**

The application site falls within the Brancott FMU. The management levels specified in Appendix 6, schedule 3 are set as follows:

Minimum level 36.5m amsl at P28w/1323.

**Policy 5.3.9 – Express any allocation of water for irrigation purposes on the following basis (summarised);  
Brancott Freshwater Management Unit, Benmorven Freshwater Management Unit or Omaka Aquifer Freshwater Management Unit:**

**Take of groundwater - cubic metres/annum  
Use of Water - annually**

This application, being within the Brancott FMU, is made on this basis.

**Policy 5.3.14 – The duration of water permits to take water will reflect the circumstances of the take and the actual and potential adverse effects, but should generally:**  
**(a) not be less than 30 years when the take is from a water resource:**  
**(i) that has a water allocation limit specified in Schedule 1 of Appendix 6; and**

- (ii) that has a minimum flow or level specified in Schedule 3 of Appendix 6; and
- (iii) that is not over-allocated; or
- (b) not be more than ten years when the take is from an over-allocated water resource as specified in Policy 5.5.1; or
- (c) not be more than ten years when the take is from a water resource that has a default environmental flow established in accordance with Policies 5.2.7 and 5.2.14.

The take is part of the theoretically over-allocated Brancott Aquifer. Being the continuation of an existing, established take, it will not add to the over-allocation. As the take will only be required during restrictions or unavailability of the Southern Valleys Irrigation Scheme, it will only be used sporadically and therefore should allow the aquifer to recharge.

**Policy 5.7.2 – To allocate water on the basis of reasonable demand given the intended use.**

*One of the ways in which efficient use of water can be achieved is by ensuring that the allocation to the user does not exceed that which is reasonably required for the use. In the case of irrigation, the Council will provide users with a tool, “IrriCalc,” to estimate water demand for the crop, based on the soil type(s) and climate that exist at the property. This policy assists to give effect to Policy B4 of the NPSFM.*

The application is based on the “irricalc” calculations, for an annual take and use. Accordingly, the application is consistent with this policy.

**Policy 5.7.4 – Require water permit holders to measure their water take with a pulse emitting meter, to record water take and use with a data logger, and to transfer the recorded water take and use information by the use of telemetry. Alternative methods of measurement, recording or transfer that provide the Marlborough District Council with accurate water take and use data may be considered.**

The applicant will install a telemetered datalogger and a verified water meter following issue of a new consent.

## **Summary**

In summary, the application is considered to be in accord with the relevant objectives and policies, being for the continuation of an existing abstraction, within the existing Brancott Aquifer allocation, complying with “reasonable use” irrigation rates based on “irricalc” software. Furthermore the applicant will install a datalogged verified water meter connected to telemetry following issue of a new consent.

## **5 Effects on the Environment**

### **5.1 Water Take**

The source of supply for the abstraction is the Brancott FMU.

The abstraction is part of the existing allocation and accordingly will not add to the theoretical over-allocation of the aquifer. The take is used sporadically only with SVIS restrictions or unavailability, thereby reducing demand on the aquifer.

The water take and use has been calculated using the “irricalc” reasonable use assessment, and therefore considered to be an efficient use of water.

The abstraction has been operating without any reported adverse effects on the well over the last consent term, during which time there has been a mix of dry and wet seasons.

The applicant's well is in excess of 200 metres from neighbouring wells to the east and south, as indicated on the well site map attached as Appendix 2. There have been no adverse drawdown effects to date brought to the applicant's attention during the last consent period and none are expected with future use.

In summary, the continuation of the sporadically used water take, being part of the existing Brancott Aquifer allocation, will incur no additional drawdown effects on the aquifer. No adverse effects on the neighbouring wells, have been brought to the applicant's notice during the last consent term and none are expected with future use, subject to being used only during SVIS restrictions or unavailability.

## 5.2 Water Use

Water use has been calculated using the "irricalc" reasonable use test model, which provides annual use assessment to estimate water demand for the crop, to meet 90% availability, based on the likely soil type(s) and climate that exist at the property.

All use will be monitored electronically via a datalogged and telemetered water meter, verified for accuracy, to be installed following issue of a new consent.

Accordingly, the proposed continuation of the use of water, based on the "irricalc" reasonable use parameters is considered to be an efficient use of water.

## 6 RMA Sec 104 (2A)

The RV for the land and capital infrastructure is in excess of \$5 million.

## 7 RMA Part 2

Part 2 of the Resource Management Act 1991 sets out the purpose of the Act as being the promotion of the sustainable management of natural and physical resources. Section 5(2) states: *"...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- 5(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment*

The continuation of the existing take and use of water is considered to be sustainable in accordance with Part 2 of the RMA, given it is consistent with the relevant objectives, policies and rules of the Proposed Marlborough Environment Plan, being part of the existing Brancott Aquifer allocation, with

no more than effects on the environment experienced in the last consent term, due to adequate separation distances to neighbouring wells.

The applicant requires continuity of water supply in order to maintain the established vineyard, thereby protecting their significant investment, and providing for their economic wellbeing.

Accordingly the application is considered to be sustainable in accordance with Part 2 of the RMA.

## 8 Conclusion

The applicant seeks consent to:

1. Take groundwater to a maximum of 32,032 cubic metres/annum from well P28w/3217, located on Lot 6 DP 7652 only when the SVIS is either restricted or unavailable.

And

2. Use groundwater to irrigate 16 hectares of vineyard on Lots 5 & 6 DP 7652 and Sec 19 Blk 1 Taylor Pass SD and Lot 1 DP 11937, only when the SVIS is either restricted or unavailable.

The applicant currently holds water permit U070111, which is due to expire 1 April 2017.

The continuation of the established water take, being part of the existing Brancott Aquifer allocation, in accordance with the “irricalc” values, will incur no additional drawdown effects on the aquifer, particularly as the take is only used sporadically during SVIS restrictions or unavailability. No adverse effects on the neighbouring wells have been brought to the applicant’s notice during the last consent term and none are expected with future use. The water use is considered to be efficient, being calculated on the basis of reasonable use.

Furthermore the applicant will install a telemetered/datalogged, verified water meter to record daily use.

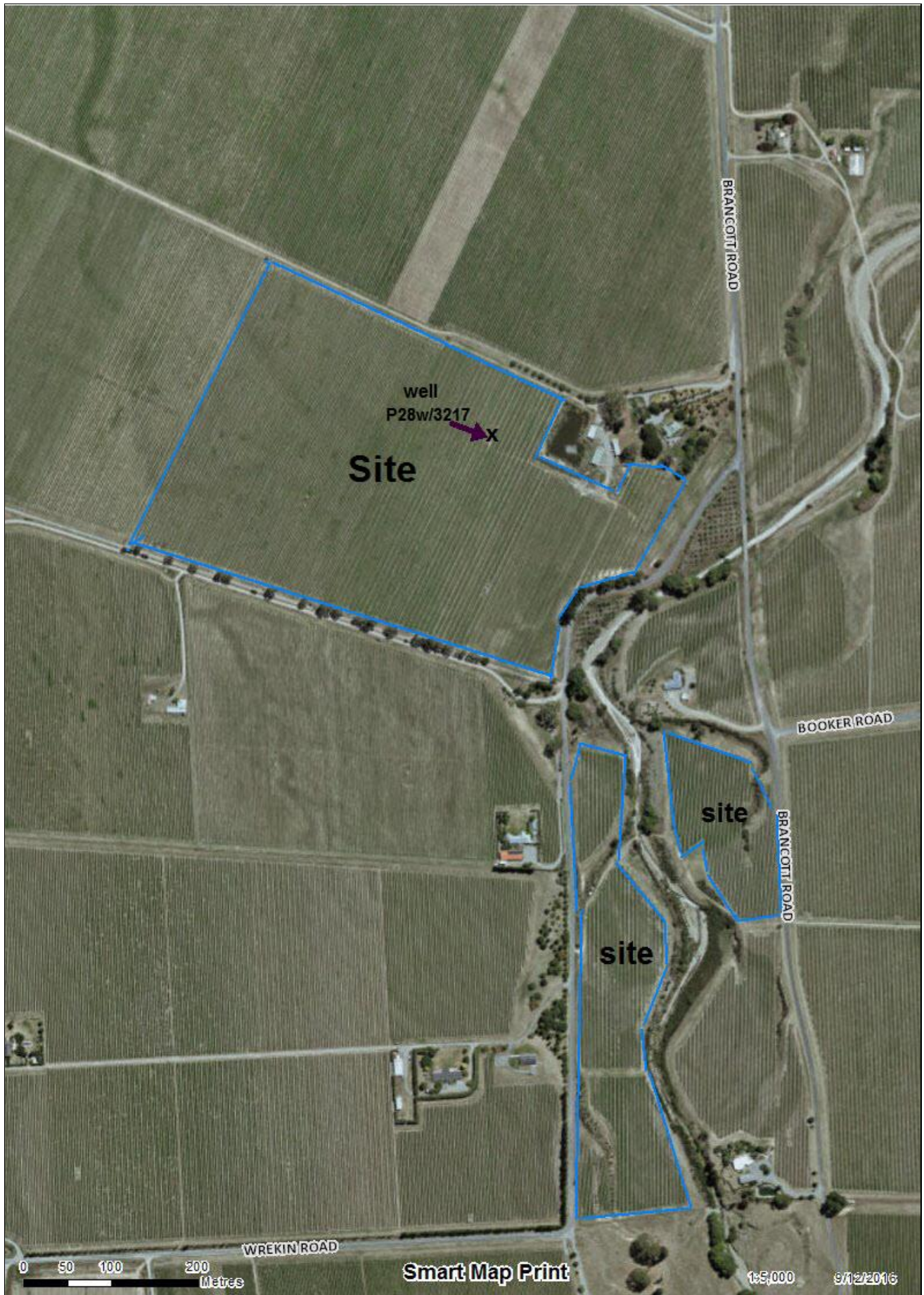
The proposed continuation of the take and use of Brancott FMU water, is assessed to be consistent with the relevant objectives, policies and rules of the National and Marlborough Regional Policy Statements and the Proposed Marlborough Environment Plan therefore the application is considered to be sustainable in accordance with Part 2 of the RMA 1991.

The applicant accordingly requests that a replacement water permit be granted as applied for.

**HELEN WOODWARD**  
**RESOURCE MANAGEMENT CONSULTANT**  
**26 September 2016**

## **APPENDIX 1**

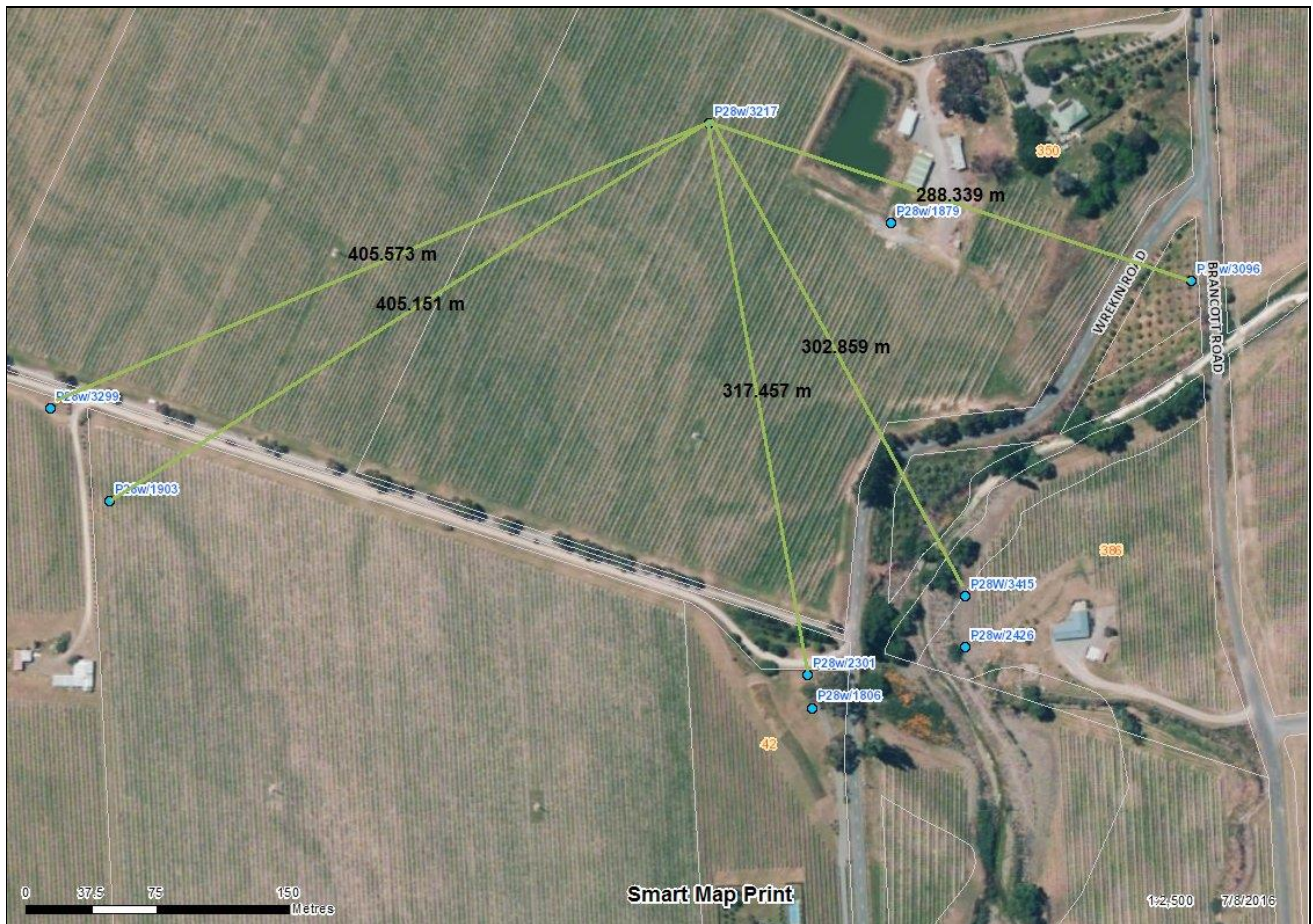
### **Site Map**





## APPENDIX 2

### Well Map




## **APPENDIX 3**

### **Irricalc Irrigation Requirements**




# IRRIGATION REASONABLE USE DATABASE


5 STEPS - TO GET THE IRRIGATION REQUIREMENTS INFORMATION YOU NEED FOR IRRIGATION PLANNING, CONSENTING AND DESIGN



Ministry for Primary Industries  
Manatū Ahu Matua

Sustainable Growing Food






1

Enter the address or coordinates (latitude, longitude) of your farm and click 'Locate' or click on the map

-41.560 , 173.849

Locate



Map data ©2016 Google

2

Select Crop  
Grapes

3

Select Plant Available Water  
(a) Most likely PAW in this area

4

Select Irrigation Method  
Micro/Drip

5

Fetch Data

Farm Details		Plant Available Water Details		Irrigation Requirements			
Description <b>I Anderson</b>		PAW(mm)	Indicative Likelihood	Area (hectares)		Per Hectare	Total Area
Latitude	-41.56	60	58.2	16	System Capacity	0.23 (l/s/ha)	3.68 (l/s)
Longitude	173.849			0	System Capacity	2 (mm/day)	
Council	Marlborough			0	Daily Volume	20 (m <sup>3</sup> /ha)	320 (m <sup>3</sup> )
Climate Site ID	P157121			0	7 Day Volume		
Distance to Climate Site (km)	2.6			0	28 Day Volume		
Rainfall (mm)	689	Total area =		16	90% ile Annual Volume	2,002 (m <sup>3</sup> /ha)	32,032 (m <sup>3</sup> )

**90 Percentile Monthly Volume**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m <sup>3</sup> /ha)	0	0	0	40	260	500	580	500	360	180	0	0
Total Area (m <sup>3</sup> )	0	0	0	640	4,160	8,000	9,280	8,000	5,760	2,880	0	0

These estimates of irrigation requirements are based on the assumption that the crop you selected can be grown and irrigated at the site you have selected. Constraints such as topography and crop-specific climate requirements are not taken into account.

Irrigation requirements may be less than reported here if your soils are poorly drained or the water table is close to the soil surface.

Detailed Results

Save this Page

Background Information

©2014-2015 Aqualinc Research Limited - PO Box 20-462, Bishopdale, Christchurch, New Zealand Phone: +64 3 964 6521 Fax: +64 3 964 6520

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)*

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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)*

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#### 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](mailto: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.