

## **RESOURCE CONSENT APPLICATION**

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**U160076**

**David Arthur and  
Stephanie Isobel Hole**

Hawkesbury Road, Hawkesbury

**Submissions Close**

**5.00 pm Tuesday 5 April 2016**



## Hawkesbury Heights Limited

47 Kahu Way, R D 2

BLLENHEIM 7272

Phone: Kevin 020 401 49821

Email: [hawkesburyheights@xtra.co.nz](mailto:hawkesburyheights@xtra.co.nz)

28<sup>th</sup> January 2016

Mr Glenn Parker  
Marlborough District Council  
P O Box 443  
Blenheim 7240

Dear Sir,

**RE: Resource Consent Application U151109 – Water Permit**

I refer to the previous application lodged by David & Stephanie Hole on 14<sup>th</sup> December 2015 for which a payment was made of \$945.00 (Receipt 1754919).

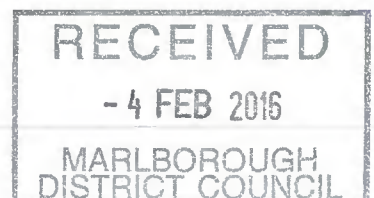
As per your conversation with Kevin Bright, we have taken over the coordination of this Resource Consent Application on behalf of all the SVIS unit holders within the Hawkesbury Heights Water Group.

We have prepared a new more complete RC application and this is attached.

I trust that all information you require is now provided, however if further information is required please don't hesitate to come back to me.

Yours sincerely,

Nicola Bright  
Hawkesbury Heights Ltd



# 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 to cover several aspects of the activity on this form.

## For Office Use

ISO 9001:2008  
Document Number:  
RAF0002-CI1579

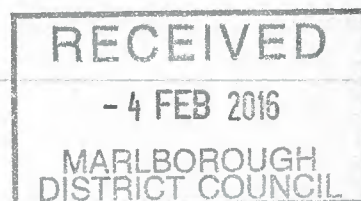
Lodgement Fee Paid \$

Receipt No.

Consent No.

Case Officer:

Date Received:



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

Name:  
(full legal name)

Hole, David Arthur & Stephanie Isobel

Mailing Address:  
(including post code)

594 Hawkesbury Road  
RD 2  
Blenheim 7272

Email Address: acacia@silkweb.net.nz

Phone: (Daytime) 03-5727277

Phone: (Mobile) 027 444 1871

## 2. Agent Details (If your agent is dealing with the application, all communication regarding the application will be sent to the agent.)

Name: Kevin & Nicola Bright - Hawkesbury Heights Trust

Mailing Address:  
(including post code)

47 Kahu Way  
RD 2  
Blenheim 7272

Email Address: hawkesburyheights@xtra.co.nz

Phone: (Daytime) 03-5728588

Phone: (Mobile) 020 403 79715

### 3. Type of Resource Consent Applied For

☐ Coastal Permit      ☐ Discharge Permit      ☐ Land Use      ☐ Subdivision      ☒ Water Permit

### 4. Brief Description of the Activity

The applicant seeks a water right to take 140 cubic metres/day from existing wells P28w/3206, P28w/3207 & P28w/3208 as a back up irrigation water supply when the SVIS is unavailable.

NB: This application is late as the prior consent U041068 was lapsed due to a Council clerical error, hence the applicant was not notified that it was due for renewal. (Please refer to Dave Lane as he is aware of the situation).

### 5. Supplementary Information Provided?

☒ Yes      ☐ No

*Council has supplementary forms for some activities, such as moorings, water permits, domestic wastewater, discharge permits, to assist applicants with providing the required information.*

### 6. Property Details

The location to which the application relates is (address): Several properties involved, refer to the supporting docs

Legal description (i.e. Lot 1 DP 1234): for details of PN & DP

*(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 that is less than 3 months old (except for coastal or water permits).**

The names and addresses of the owner and occupier of the land (other than the applicant):  
Kevin & Nicola Bright - Hawkesbury Heights Trust - 47 Kahu Way, RD2, Blenheim  
Mt Riley Wines - 10 Malthouse Road, RD4, Blenheim  
Dr. Maree Hunt - 34 Kahu Way, RD2, Blenheim

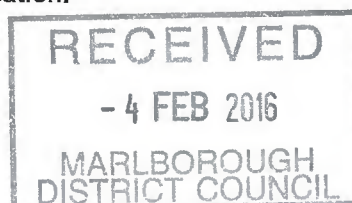
**Please attach the written approval of affected parties/adjoining property owners and occupiers.**

*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 on a separate sheet why you have not.*

### 7. Assessment of Effects on the Environment (AEE) *(Attach separate sheet detailing 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 also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents.

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



## 8. 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. ☒ Yes ☐ No

## 9. Fees

1. 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 put Applicant Name and either U-number, property number or consent type as a reference. If you require a GST receipt for a bank payment, please tick ☐
2. 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). Invoices are due for payment on the 20th of the month following invoice date. 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.
3. Please make invoice out to: ☒ Applicant ☐ Agent  
(if neither is ticked the invoice will be made out to Applicant)

## 10. Declaration

I (please print name) Nicola Jane Bright, Kevin Noel Bright (Trustees in the Hawkesbury Heights Trust)

confirm that the information provided in this application and the attachments to it are accurate.

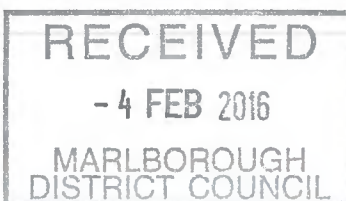
Signature of applicant or authorised agent:



Date: 28.1.2016

### 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







# **Schedule Four**

## **Resource Management Act 1991**

### **Information Required in Application for Resource Consent**

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#### **1 Information must be specified in sufficient detail**

Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

#### **2 Information required in all applications**

- (1) An application for a resource consent for an activity (the **activity**) must include the following:
- (a) a description of the activity;
  - (b) a description of the site at which the activity is to occur;
  - (c) the full name and address of each owner or occupier of the site;
  - (d) a description of any other activities that are part of the proposal to which the application relates;
  - (e) a description of any other resource consents required for the proposal to which the application relates;
  - (f) an assessment of the activity against the matters set out in Part 2;
  - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).
- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—
- (a) any relevant objectives, policies, or rules in a document; and
  - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
  - (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).
- (3) An application must also include an assessment of the activity's effects on the environment that—
- (a) includes the information required by clause 6; and
  - (b) addresses the matters specified in clause 7; and
  - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

#### **3 Additional information required in some applications**

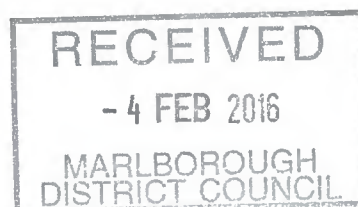
An application must also include any of the following that apply:

- (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
- (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));
- (c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).

#### **4 Additional information required in application for subdivision consent**

An application for a subdivision consent must also include information that adequately defines the following:

- (a) the position of all new boundaries;
- (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan;
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips;
- (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips;
- (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A;
- (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A);
- (g) the locations and areas of land to be set aside as new roads.



## **5 Additional information required in application for reclamation**

An application for a resource consent for reclamation must also include information to show the area to be reclaimed, including the following:

- (a) the location of the area;
- (b) if practicable, the position of all new boundaries;
- (c) any part of the area to be set aside as an esplanade reserve or esplanade strip.

### **Assessment of environmental effects**

## **6 Information required in assessment of environmental effects**

- (1) An assessment of the activity's effects on the environment must include the following information:

- (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
- (b) an assessment of the actual or potential effect on the environment of the activity;
- (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
- (d) if the activity includes the discharge of any contaminant, a description of—
  - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
  - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
- (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
- (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
- (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
- (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

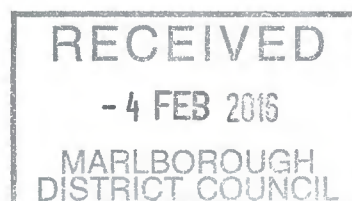
- (a) oblige the applicant to consult any person; or
- (b) create any ground for expecting that the applicant will consult any person.

## **7 Matters that must be addressed by assessment of environmental effects**

- (1) An assessment of the activity's effects on the environment must address the following matters:

- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
- (b) any physical effect on the locality, including any landscape and visual effects;
- (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
- (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
- (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
- (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.





## **Section 88**

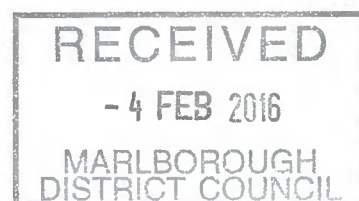
### **Resource Management Act 1991**

### **Making an Application**

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#### **88 Making an application**

- (1) A person may apply to the relevant consent authority for a resource consent.
- (2) An application must—
  - (a) be made in the prescribed form and manner; and
  - (b) include the information relating to the activity, including an assessment of the activity's effects on the environment, as required by Schedule 4.
- (2A) An application for a coastal permit to undertake an aquaculture activity must include a copy for the Ministry of Fisheries.
- (3) A consent authority may, within 10 working days after an application was first lodged, determine that the application is incomplete if the application does not—
  - (a) include the information prescribed by regulations; or
  - (b) include the information required by Schedule 4.
- (3A) The consent authority must immediately return an incomplete application to the applicant, with written reasons for the determination.
- (4) If, after an application has been returned as incomplete, that application is lodged again with the consent authority, that application is to be treated as a new application.
- (5) Sections 357 to 358 apply to a determination that an application is incomplete.





Applicant's Name Hole, David Arthur & Stephanie Isobel



**MARLBOROUGH  
DISTRICT COUNCIL**

ISO 9001  
Document Number: RAF0007-CI1666

## INFORMATION TO SUPPORT AN APPLICATION for Water Permits (mandatory information)

This additional application form is required to be provided to supplement the Application for a Resource Consent. It is recommended you read the *Guidelines for Submitting a Water Permit Application*. This form does not include any information necessary to support a Land Use Consent application that may also be required in association with your water permit – e.g. construction of a bore, intake structure, dam etc.

Please complete all sections that apply.

### GENERAL:

1. Type of permit required:

Take surface water

☐

Dam water

☐

Take underground water

☒

Divert water

☐

2. Do you currently hold a water permit that is due to expire? Yes / No

If yes, please state the water permit number U041068

3. Purpose for which water is required? Irrigation of Vineyard, Crop, Pasture,  
(Industrial, crop irrigation, etc)  
Native + Exotic Plantings.

4. Source of water Omaka Aquifer  
(name of river, stream, aquifer, etc)

5. Maximum quantity of take .....litres per second  
140 .....cubic metres per day  
.....cubic metres per week

### GROUNDWATER:

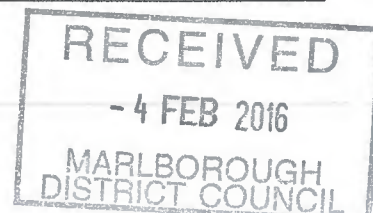
1. Well number (if existing well) P28W/3206 ①  
P28W/3207 ②  
P28W/3208 ③

2. Depth from ground level to bottom of well ① & ② = 150m ③ = 144m. metres

3. Diameter of well 100 millimetres

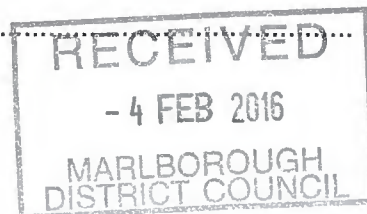
4. Has a pump test or well interference test been carried out on the well? Yes / No

If yes, please attach results.



## SURFACE WATER:

1. Abstraction method Submersible Pumps x 3  
(e.g. intake gallery, suction hose, diversion channel, etc.)
2. Number of pumps to be used? 3
3. Rate of flow for pump 1.4 litres per second.
4. Delivery pipe diameter 50 millimetres



## DAMMING OR DIVERTING WATER:

1. Please advise reason and purpose .....
2. Is the dam or diversion permanent / temporary? (circle one)
3. If temporary, give duration details .....

## CONSUMPTION SCHEDULE

Lot 2 DP 353790

LOT 4 DP 374825

LOT 3 DP 353790

LOT 7 DP 463618

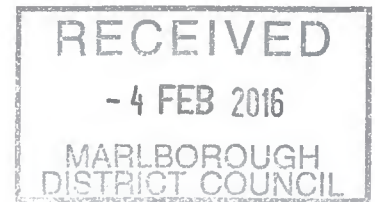
LOT 5 DP 463618

	CROP A				CROP B				CROP C				TOTALS			
CROP TYPE e.g. corn, olives, etc	GRAPES				GRAPES				PASTURE PEONIES TREES							
AREA Number of hectares	6 ha				7 ha				11 ha				24 ha			
APPLICATION RATE (m <sup>3</sup> / day)	35 m <sup>3</sup> /day				40.88 m <sup>3</sup> /day				64.12 m <sup>3</sup> /day				140 m <sup>3</sup> /day			
QUANTITY Cubic metres per day																
IRRIGATION PERIOD Circle months which apply	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr
	May	Jun	Jul	Aug	May	Jun	Jul	Aug	May	Jun	Jul	Aug	May	Jun	Jul	Aug
	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec
METHOD Trickle, spray, etc	TRICKLE				TRICKLE				SPRAY							

Conversion formulae – 1,000 litres = 1 cubic metre (m<sup>3</sup>) = 220 gallons 1 acre = 0.4047 hectare

**Hole, David Arthur & Stephanie Isobel**

**Water Permit Application**



## **1. Background**

The applicant previously held a Resource Consent – Water Permit U041068 allowing the users of the SVIS on the Hawkesbury Heights subdivision a water right to take 140 cubic metres/day in the advent of the shut down of the SVIS. This permit was a 10 year permit which would have expired in December 2014, without renewal. However due to a clerical error at Council we were not notified of the need to renew and we inadvertently missed the deadline for the renewal and the water right lapsed accordingly. The reasons for lapsing the water permit were stated that due to the water right not being given effect to (used) it had lapsed. The use of the water right was ONLY allowable in an "emergency" situation when the SVIS was shut down and as that had not happened in the period of the consent 2004 – 2014 there had been no use of the water right.

As the renewal date has passed a new application is now required to apply for the right to take water for irrigation of grapes, crops, pasture, native and exotic plantings.

Other users of the shared stock and domestic allocation of 110 cubic metres/day have not been involved in this process as there has not been any effect on them accordingly. This application relates only to those SVIS unit holders as outlined in our application.

There are five properties involved in this application as follows:

PN 529817 - Lot 2 DP 353790 – 6.0 ha Grapes  
PN 531895 - Lot 4 DP 374825 – 7.0 ha Grapes  
PN 529818 - Lot 3 DP 353790 }  
PN 537032 - Lot 7 DP 463618 } – Totalling 11.0 ha Pasture, Crops, Trees & Peonies.  
PN 537033 - Lot 5 DP 463618 }

There are three wells providing the source of supply as follows:

P28w-3206 – 150m  
P28w-3207 – 150m  
P28w-3208 – 144m

All wells are a diameter of 100mm and use submersible pumps for extraction of water at a rate of 1.4 litres/second for delivery via a 50mm pipe.

There is an existing meter in place to record any use under the water permit.

## **2. Proposal**

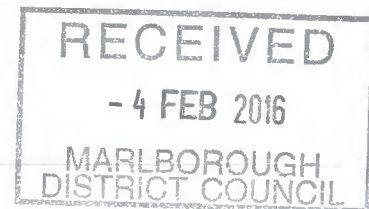
The applicant seeks consent for the abstraction of ground water to a maximum of 140 m<sup>3</sup>/day from the wells P28w-3206, P28w-3208 & P28w-3208, in the event of a SVIS shut down for the purpose of

1. Irrigation of 13 ha combined area of grapes
2. Irrigation of 11 ha combined area of pasture, crops, trees, peonies

The applicant previously held resource consent U041068, authorising the take and use of 140 m<sup>3</sup>/day in the event of a SVIS shutdown, to irrigate the above listed areas, which has subsequently lapsed as outlined in Section 1.

A water meter is in place to record any water used, and is monitored by the property owners.

The applicant proposes that the need to put into affect this resource consent be waived in this instance. This water permit will only be used in emergency situations and as happened with the previous consent there was no need to use it as the SVIS had not shut down. Council cancelled the permit based on the grounds that it wasn't used however we were not permitted to take the water if the SVIS was operational.



### **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.

The setting aside of 140 cubic metres/day of the allocation to be only used in the event of an "emergency" i.e. SVIS shut down, to irrigate vineyard, crops, pasture and native and exotic plantings and is considered to be consistent with the NPSFW.

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

The MRPS is the overarching document containing an overview of objectives and policies that direct those of the Wairau/Awatere Resource Management Plan.

The application is deemed to be consistent with WARMP objectives and policies as assessed below, and is accordingly considered to be consistent with the RPS objectives and policies.

#### **3.4 Wairau/Awatere Resource Management Plan**

The subject site is zoned Rural 3 & 4, generally with the flat land considered to be Rural 3 and the hill land considered to be Rural 4, under this plan.

General Rule 27.1.2.3.1 provides for the taking of between 15 and 3000 m<sup>3</sup> of water per day from aquifers other than the Wairau Aquifer as a discretionary activity.



As there are no rules for the use of water for irrigation purposes, the proposal to use water for irrigation purposes falls to be in-nominate under the RMA and is dealt with as a discretionary activity.



#### **4. Objectives & Policies**

The relevant objectives and policies in Volume 1 of the proposed Wairau/Awatere Resource Management Plan are found in chapter 6 (Freshwater).

Objective 6.3.1 is *to achieve equitable allocation and use of surface water and groundwater resources.*

Supporting Policy 1.4 is *to set water volumes, initially and at either review or renewal, on the basis of water allocation guidelines or actual use as indicated by water meter readings.*

The maximum irrigation rate of 22 cubic metres/ha/day reflects the Council guidelines for vineyard irrigation (155 cubic metres/ha/week) as set out in Issue 6.3 and is therefore considered to be an efficient use of water. It is considered to be an appropriate allocation for the soils on the site which range from Renwick well draining loam on the flats to Wither moderately draining silt loam over pan on the hills.

The maximum irrigation rate may be required only for a short period of the irrigation season, depending on the availability of the SVIS scheme, as an emergency back up supply.

The meter readings show that there had been no use of the "emergency" supply up until the Resource Consent was withdrawn due to a clerical error by the council. In the 2015 growing season there was a short interval when the SVIS scheme was unavailable and the use of the emergency back up supply was used in order to protect the grape vines in the latter stages of the season and just prior to harvest.

Policy 1.7 is *to ensure that new bores, intakes and dams are located and operated to avoid, remedy or mitigate interference effects on other water users.*

Although the subject wells are not new, they are all in excess of 200 metres from neighbouring wells. Raupo Stream follows the boundary between Lot's 3, 4, & 5. In all of the time that the previous water permit has been in place there has been no noticeable effect on the levels of water contained in the Raupo Stream.

The wells have been supplying the water under the previous consent without discernible interference effects on other water users.

Policy 1.8 is *to require water metering by an accepted method as a condition of all water permits involving the taking and use of water.*

Water meters were installed initially to measure any water used under the previous permit U041068. Up until early 2015 no water had been used from the permitted emergency supply as there had been no need to.

#### **Summary**

Accordingly, given the proposed allocation falls within Council guidelines and reflects a maximum use in an emergency situation, i.e. only in the advent of a SVIS scheme shutdown, adequate



separation distances, and accepted method of water metering, it is considered that the proposed activity is consistent with the relevant objectives and policies of the Plan.

## 5. Assessment of environmental effects

The source of the supply for this water permit application is the Omaka Aquifer.

The previous Resource Consent granted allowed for an emergency supply of 140 cubic meters/day to be available as a back up supply to the SVIS for the purposes of irrigation of grapes, crops, pasture and native & exotic plantings. At the time of granting of this previous resource consent it was considered there were no effects on the environment.

As the situation on the properties hasn't changed it is assumed there is still no significant environmental effects. In fact, as the water supply is only to be used in emergency situations the environmental impact would be much larger if the applicant was not able to access this water supply.

Before the subdivision of the Holes property the water take approved was 250m<sup>3</sup> per day. Subdivision into 11 lots meant that 110m<sup>3</sup> over 11 properties i.e. 10m<sup>3</sup>/day per property for stock and domestic supply. The balance of 140m<sup>3</sup> per day for back up emergency irrigation supply.

As such, the property owners have been using far less water than the property was originally permitted to take, thereby maintaining good water levels within the three wells that access the source of the water.

There has never been any effect noted on surrounding wells as these are all a good distance from any of the three wells drawing water for the purposes of the existing stock & domestic water supply.

In the original application it was noted by Council's Groundwater Scientist that the area in question is historically a water short area. With the initial application, he had reservations about the ability of the aquifer to provide for 12 lots. Subsequent amendments to the application have addressed his concerns and he is satisfied with the allocation of 110m<sup>3</sup> for domestic and irrigation purposes and 140m<sup>3</sup>/day for an emergency reserve.

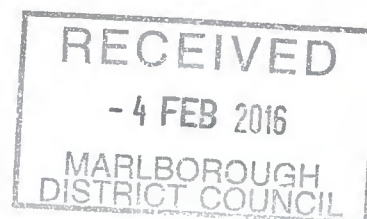
## 6. RMA Sec 104 (2A)

The total value of the investment for all property owners involved with this application including land, improvements and infrastructure is in excess of \$4 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 application is considered to be sustainable in accordance with Part 2 of the RMA, given it is assessed not to be inconsistent with the relevant objectives, policies and rules of the Wairau/Awatere Resource Management Plan.

The applicant requires continuity of water supply in order to maintain the established vineyards, crops, pastures, peonies and trees, thereby continuing to provide for their economic wellbeing.

## **8. Conclusion**

The applicant seeks consent for the abstraction of groundwater to a maximum of 140 m<sup>3</sup>/day from wells P28w-3206, P28w-3207 & P28w-3208, for the purpose of irrigating 13 ha of vineyard and 11 ha of pasture, crops, trees & peonies, in the event of a SVIS shut down, at the properties as follows:

PN 529817 - Lot 2 DP 353790 – 6.0 ha Grapes

PN 531895 - Lot 4 DP 374825 – 7.0 ha Grapes

PN 529818 - Lot 3 DP 353790 }

PN 537032 - Lot 7 DP 463618 } – Totalling 11.0 ha Pasture, Crops, Trees & Peonies.

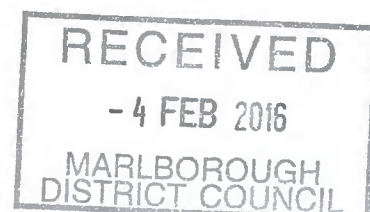
PN 537033 - Lot 5 DP 463618 }

This allocation is considered to have nil effects on neighbouring wells due to the adequate separation distance. Accordingly, the effects on the environment arising from the proposed activity are considered to be no more than minor.

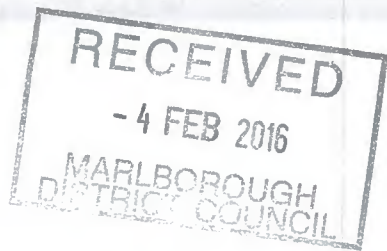
The proposed activities are assessed to be consistent with the relevant objectives, policies and rules of the National and Marlborough Regional Policy Statements and the Wairau/Awatere Resource Management Plan and therefore the application is considered to be sustainable in accordance with Part 2 of the RMA 1991.

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

***Prepared for and on behalf of the  
Hawkesbury Heights Water Group SVIS unit holders.***







Map showing:

Three wells used to source water supply

Distance to nearest neighbours wells – over 200m distance





15 December 2015

David Arthur and Stephanie Isabel Hole  
594 Hawkesbury Road  
RD 2  
Blenheim 7272

Record No: 15245732  
File Ref: U151109  
R450-004-13-15  
Ask For: Glen Parker

Dear Sir/Madam

## Return of Incomplete Resource Consent Application

**Applicant:** D A and S I Hole  
**Site Address:** 594 Hawkesbury Road, Blenheim  
**Consent Applied For:** Water Permit

Council received the above application on 14 December 2015.

Council has undertaken an initial check of your application to ensure that you have supplied all of the information required to accept the application for processing under the new section 88(3) of the Resource Management Act 1991 (as reformed by the Resource Management Amendment Act 2013).

Unfortunately Council is unable to accept your application in its current form. The application needs the following information:

- An assessment of environmental effects.
- An adequate site map (needs to show the location of the abstraction site, locations and distances to neighbouring intake sites, and locations and distances to neighbouring waterways).
- An assessment of the proposal against Part 2 of the Resource Management Act 1991.
- An assessment of the proposal against the relevant objectives and policies of the Wairau/Awatere Resource Management Plan.
- A section 104(2A) assessment.
- An assessment of the proposal against the NPS for Freshwater Management 2014.

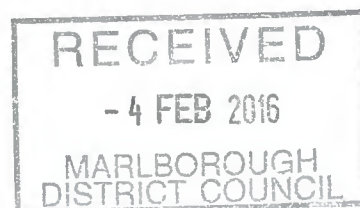
Your application is therefore unable to be accepted and is returned. Enclosed are instructions to access Council's Resource Management Plans on line and two excerpts from the Resource Management Act 1991 (Section 88 and Schedule 4). Further information is available on the Ministry for the Environment website.

You may formally object to the return of this application - please refer to section 357 of the Resource Management Act 1991. The objection **must** be made in writing and received by Council within 15 working days of receipt of this letter and must state your reasons for objecting.

Yours faithfully

ANNA EATHERLEY  
MANAGER RESOURCE CONSENTS

Encl





# 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 to cover several aspects of the activity on this form.

## For Office Use

ISO 9001:2008  
Document Number:  
RAF0002-CI1579

Lodgement Fee Paid \$ 945.00

Receipt No. 1754919.

Consent No. 0151109

Case Officer: Alan Parker

Date Received:

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14 DEC 2015

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

Name:  
(full legal name)

HOLE, DAVID ARTHUR + STEPHANIE ISOBEL

Mailing Address:  
(including post code)

594 Hawkesbury Rd RD2 BLENHEIM 7272

Email Address:

acacia@silkwweb.net.nz

Phone: (Daytime) 03 5727277

Phone: (Mobile) 027 444 1871

## 2. Agent Details (If your agent is dealing with the application, all communication regarding the application will be sent to the agent.)

Name:

Mailing Address:  
(including post code)

Email Address:

Phone: (Daytime)

Phone: (Mobile)

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3. Type of Resource Consent Applied For

☐ Coastal Permit ☐ Discharge Permit ☐ Land Use ☐ Subdivision ☒ Water Permit

4. Brief Description of the Activity

To take 140m<sup>3</sup> per day from existing wells as back up irrigation water when SVIS is unavailable  
NB This application is late as consent was lapsed due to Council clerical error hence we were not notified that it was due.  
(Dave Lane, knows situation)

5. Supplementary Information Provided?

☒ Yes ☐ No

Council has supplementary forms for some activities, such as moorings, water permits, domestic wastewater, discharge permits, to assist applicants with providing the required information.

6. Property Details

The location to which the application relates is (address): **PN 537033** 594 Hawkeesbury Rd PD2 Blenheim 7272

Legal description (i.e. Lot 1 DP 1234): **PN 529817** Lot 2 DP 353790, **PN 531895** Lot 4 DP 374825, **PN 537032** Lots 5-7 DP 463618

(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 that is less than 3 months old (except for coastal or water permits).**

The names and addresses of the owner and occupier of the land (other than the applicant):

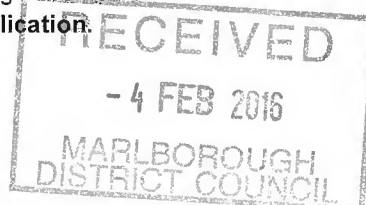
**Please attach the written approval of affected parties/adjoining property owners and occupiers.**

*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 on a separate sheet why you have not.*

7. Assessment of Effects on the Environment (AEE) (Attach separate sheet detailing 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 also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents.

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



## 8. 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.

No

Take-1666269  
5398660

Use-1666210  
5398657

I attach any other information required to be included in the application by the relevant Resource Management Plan, Act or regulations. ☐ Yes ☒ No

## 9. Fees

1. 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 put Applicant Name and either U-number, property number or consent type as a reference. If you require a GST receipt for a bank payment, please tick ☐
2. 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). Invoices are due for payment on the 20th of the month following invoice date. 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.
3. Please make invoice out to: ☒ Applicant ☐ Agent  
(if neither is ticked the invoice will be made out to Applicant)

## 10. Declaration

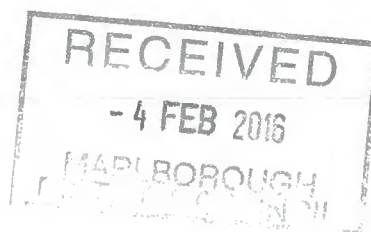
I (please print name) Stephanie Hole David Hole  
confirm that the information provided in this application and the attachments to it are accurate.

Signature of applicant or authorised agent: [Signature]

Date: 10-12-15

### 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.





# **Schedule Four**

## **Resource Management Act 1991**

### **Information Required in Application for Resource Consent**

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#### **1 Information must be specified in sufficient detail**

Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

#### **2 Information required in all applications**

- (1) An application for a resource consent for an activity (the **activity**) must include the following:
  - (a) a description of the activity;
  - (b) a description of the site at which the activity is to occur;
  - (c) the full name and address of each owner or occupier of the site;
  - (d) a description of any other activities that are part of the proposal to which the application relates;
  - (e) a description of any other resource consents required for the proposal to which the application relates;
  - (f) an assessment of the activity against the matters set out in Part 2;
  - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).
- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—
  - (a) any relevant objectives, policies, or rules in a document; and
  - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
  - (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).
- (3) An application must also include an assessment of the activity's effects on the environment that—
  - (a) includes the information required by clause 6; and
  - (b) addresses the matters specified in clause 7; and
  - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

#### **3 Additional information required in some applications**

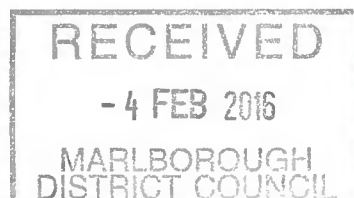
An application must also include any of the following that apply:

- (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
- (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));
- (c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).

#### **4 Additional information required in application for subdivision consent**

An application for a subdivision consent must also include information that adequately defines the following:

- (a) the position of all new boundaries;
- (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan;
- (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips;
- (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips;
- (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A;
- (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A);
- (g) the locations and areas of land to be set aside as new roads.



Applicants Name HOLE DAVID ARTHUR & STEPHANIE ISOBEL



**MARLBOROUGH DISTRICT COUNCIL**

ISO 9001:2000  
Document Number: RAF0007-CI987

## INFORMATION TO SUPPORT AN APPLICATION for Water Permits (mandatory information)

This additional application form is required to be provided to supplement the Application For A Resource Consent. It is recommended you read the Council's brochures *Guidelines for Applying for a Resource Consent* and *Guidelines for Applying for a Water Permit*.

This form does not include any information necessary to support a Land Use Consent application that may also be required in association with your water permit – e.g. construction of a bore, intake structure, dam etc. Further information on these activities is available in the Council's brochure *Guidelines for Applying for a Land Use Consent*.

Please complete all sections that apply.

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### GENERAL:

1. Type of permit required:

Take surface water

☐

Dam water

☐

Take underground water

☒

Divert water

☐

2. Do you currently hold a water permit that is due to expire? Yes No

If yes, please state the water permit number U041068

3. Purpose for which water is required? Crop & Pasture Irrigation  
(Industrial, crop irrigation, etc)

Viticultural, Native plantings & Exotic

Source of water aquifer omaka valley  
(name of river, stream, aquifer, etc)

5. Maximum quantity of take ..... litres per second

140 ..... cubic metres per day

..... cubic metres per week

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### GROUNDWATER:

1. Well number (if existing well) (1) P28W-3206, (2) P28W-3207, (3) P28W-3208

2. Depth from ground level to bottom of well (1) 150, (2) 150, (3) 144 metres

3. Diameter of well 100 millimetres

4. Has a pump test or well interference test been carried out on the well? Yes No

If yes, please attach results.



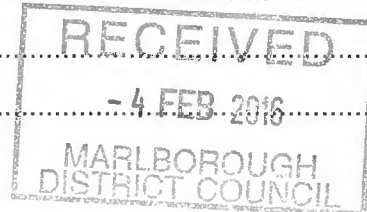


## SURFACE WATER:

1. Abstraction method submersible pumps x 3  
(e.g. intake gallery, suction hose, diversion channel, etc.)
2. Number of pumps to be used? 3
3. Rate of flow for pump x 3 1.4 litres per second.
4. Delivery pipe diameter 50 millimetres

## DAMMING OR DIVERTING WATER:

1. Please advise reason and purpose N/A
2. Is the dam or diversion permanent / temporary? (circle one)
3. If temporary, give duration details



## CONSUMPTION SCHEDULE

LOT 3 DP 353790 LOT 7 DP 463618  
LOT 2 DP 353790 LOT 4 DP 374825 LOT 5 DP 463618

	CROP A	CROP B	CROP C	TOTALS
CROP TYPE e.g. corn, olives, etc	GRAPES	GRAPES	Pasture Trees Peonies	
AREA Number of hectares	6.0	7.0	11.0	24 ha
APPLICATION RATE (m <sup>3</sup> / day)	35m <sup>3</sup>	40.88m <sup>3</sup>	64.12m <sup>3</sup>	140m <sup>3</sup>
QUANTITY Cubic metres per day				
IRRIGATION PERIOD Circle months which apply	<div>Jan Feb Mar Apr</div> <div>May Jun Jul Aug</div> <div>Sep Oct Nov Dec</div>	<div>Jan Feb Mar Apr</div> <div>May Jun Jul Aug</div> <div>Sep Oct Nov Dec</div>	<div>Jan Feb Mar Apr</div> <div>May Jun Jul Aug</div> <div>Sep Oct Nov Dec</div>	<div>Jan Feb Mar Apr</div> <div>May Jun Jul Aug</div> <div>Sep Oct Nov Dec</div>
METHOD Trickle, spray, etc	Trickle	Trickle	Spray	

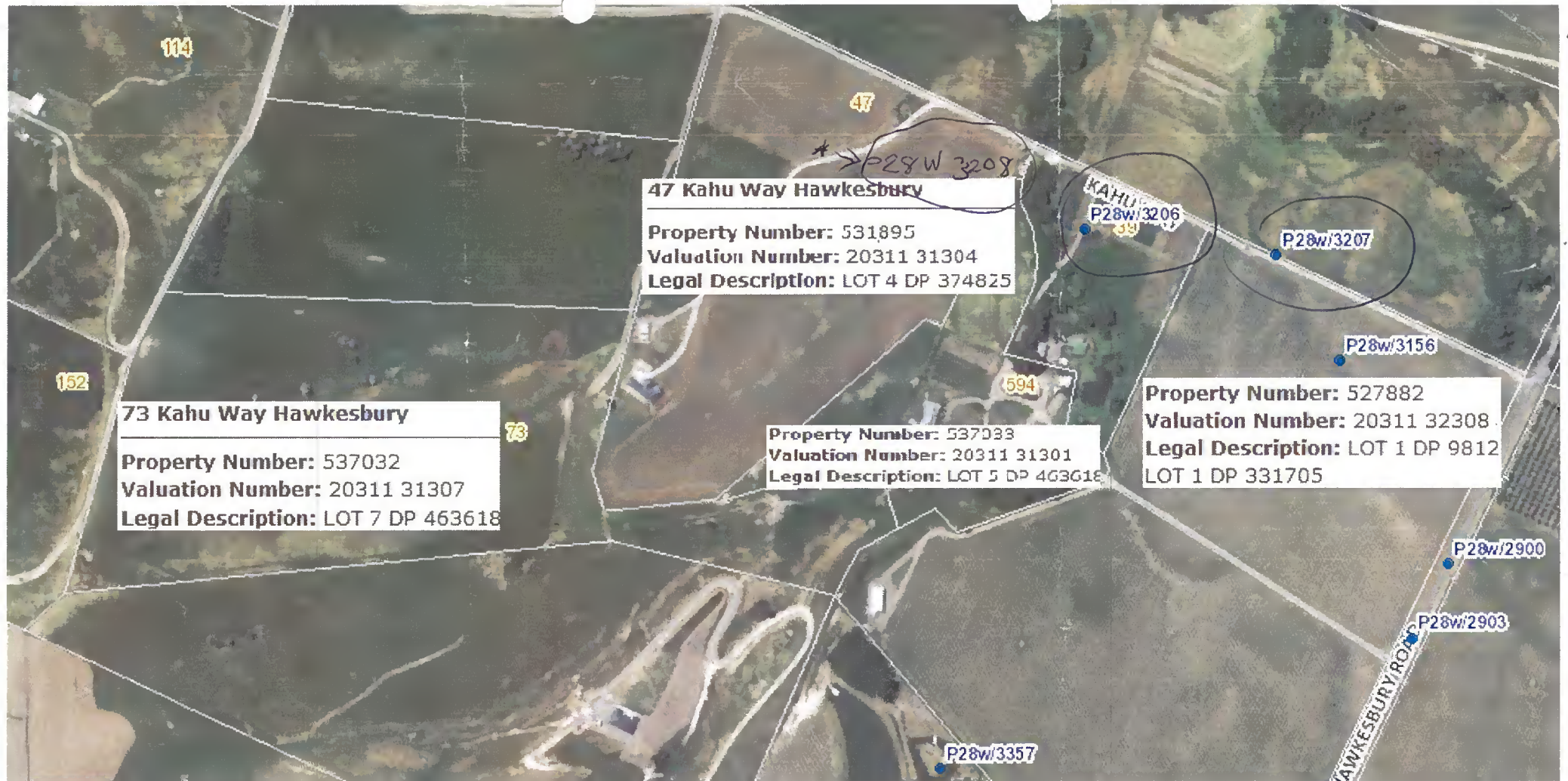
Conversion formulae – 1,000 litres = 1 cubic metre (m<sup>3</sup>) = 220 gallons 1 acre = 0.4047 hectare

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47 Kahu Way Hawkesbury

Property Number: 531895

Valuation Number: 20311 31304

Legal Description: LOT 4 DP 374825

73 Kahu Way Hawkesbury

Property Number: 537032

Valuation Number: 20311 31307

Legal Description: LOT 7 DP 463618

Property Number: 537033

Valuation Number: 20311 31301

Legal Description: LOT 5 DP 463618

Property Number: 527882

Valuation Number: 20311 32308

Legal Description: LOT 1 DP 9812

LOT 1 DP 331705

P28w/3156

P28w/2900

P28w/2903

P28w/3357

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Notes to support Application to renew Backup water permit on U041068

As part of our water consent issued in December 2004, the users of the SVIS on the Hawkesbury Heights Subdivision were given the right to take 140m<sup>3</sup> of water from the domestic wells as back-up for irrigation, should at any stage SVIS be down. This was a 10 year permit.

This would have expired in December 2014, but as we were not notified by the council a year in advance of this, and we were aware this was standard procedure of the Council, we inadvertently missed the deadline.

When we did realize we were passed the expiry date we approached the council, to do the renewal to be told, that due to a clerical error this permit had been taken from the Subdivision, as it had not been used! We had followed our consent to the t, and as SVIS had not been down for any appreciable time until early 2015, the SVIS unit holders had not used the water for irrigation.

The report including this clerical error also stated that there were no meters to measure this use. This is incorrect. The meters have been present since inception.

The owner and manager of WaterForce in Marlborough Greg Hole, has approached the Council through Dave Lane, on behalf of the Subdivision SVIS unit holders, who spoke with Glen Parker in Consents. The reply that was forwarded to us was that this permit would be reinstated forthwith on application.

We have not approached the non SVIS users on the subdivision, as nothing will change for them from the understanding that they had regarding the water use on the Subdivision at the time of purchase of their Lot.

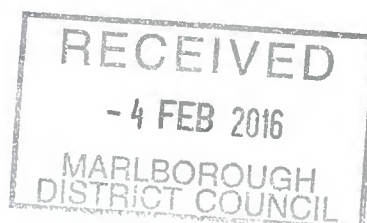
We hope we have completed enough of the paperwork, for this to be exercised, as a lot of the form seems to pertain to new permits.

We remain

Yours faithfully

David & Stephanie Hole

On behalf of the afore mentioned SVIS unit holders who are affected by this consent.



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14 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

To: Marlborough District Council  
PO Box 443  
Blenheim 7240

## SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

### 1. Submitter Details

Name of Submitter(s) in full	<hr/>		
Address for Service <i>(include post code)</i>	<hr/>		
	<hr/>		
	<hr/>		
Email	<hr/>		
Telephone <i>(day)</i>	Mobile	Facsimile	
Contact Person <i>(name and designation, if applicable)</i>	<hr/>		
	<hr/>		

### 2. Application Details

Application Number	<hr/> U
Name of Applicant <i>(state full name)</i>	<hr/>
Application Site Address	<hr/>
Description of Proposal	<hr/>
	<hr/>
	<hr/>

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

I/we support all or part of the application	<input type="checkbox"/>
I/we oppose all or part of the application	<input type="checkbox"/>
I/we are neutral to all or part of the application	<input type="checkbox"/>

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

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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.