



# **RESOURCE CONSENT APPLICATION**

---

**U151129**

**D R Smart**

128 Flaxmill Drive, Rarangi

**Submissions Close**

**5.00 pm Tuesday  
16 February 2016**

Received thru drop box



**RMco.**  
the resource management company  
a delicate balance

19 December 2015

Marlborough District Council  
PO Box 443  
Blenheim 7240

**RECEIVED**

**21 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**

**RMco Ltd**  
PO Box 820  
Blenheim 7240  
T: 03 577 9239  
E: paul@rmco.co.nz

Attention: Anna Eatherly

### Water Permit Application – D Smart

Dear Anna,

On 16 November David Smart submitted an application for a new water permit to replace one which is due to expire next year.

The application was returned to Mr Smart due to being incomplete on 18 November. The Council number allocated to the application is U151014.

Mr Smart subsequently engaged my services to complete the application which I submitted to Council on 10 December.

That application was again returned under s88 of the Act, this time as being incomplete due to an assessment of the requirements of s104(2A) being required and verification of the existing water meter accuracy and capability of being adapted to take a data logger.

Enclosed is the application with both matters addressed on a new page 5. The s104(2A) matter is addressed in 3.1, paragraph 1.

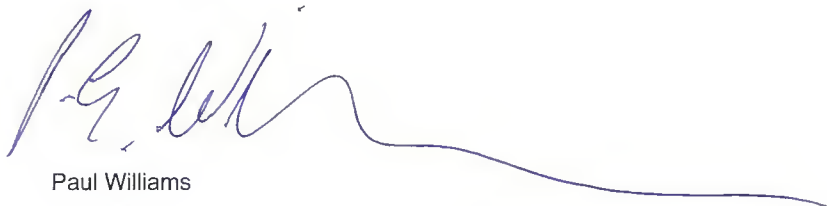
I had addressed the issue of the water meter in the covering letter on 10 December 2015 which is attached again and which stated that:

*"The existing water meter is a mechanical one which can't be adapted to take a data logger. Mr Smart is a relatively recent owner of the subject property. He is not aware that the water meter accuracy was verified on installation."*

For completeness and in case it is what your concern is about, I have included that comment in paragraph 1, 3.2, page 5 of the application document.

As the meter will need to be replaced with a new one that can take a datalogger, there seems to be no point in the wasting time and money verifying the accuracy of the existing water meter.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'P. Williams', followed by a long, horizontal, wavy line that extends across the page.

Paul Williams

**RECEIVED**

**21 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**



14 December 2015

Attention Paul Williams  
RMco Limited  
PO Box 820  
Blenheim 7240

Record No: 15243637  
File Ref: R450-004-13-15  
U151014  
Ask For: Glen Parker

Dear Paul

## **Return of Incomplete Resource Consent Application**

**Applicant:** David Roger Smart  
**Site Address:** 128 Flaxmill Drive, Rarangi  
**Consent Applied For:** Water Permit

Council received the above application on 10 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 section 104(2A) of the Resource Management Act 1991.
- Verification of the meter accuracy and if the water meter is capable of taking a datalogger.

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

A handwritten signature in black ink, reading 'Anna L. Eatherley'.

ANNA EATHERLEY  
MANAGER RESOURCE CONSENTS  
Encl

**RECEIVED**

**21 DEC 2015**

MARLBOROUGH  
DISTRICT COUNCIL

10 December 2015

Marlborough District Council  
PO Box 443  
Blenheim 7240

RMco Ltd  
PO Box 820  
Blenheim 7240  
T: 03 577 9239  
E: paul@rmco.co.nz

Attention: Anna Eatherly

### Water Permit Application – D Smart

Dear Anna,

On 16 November David Smart submitted an application for a new water permit to replace one which is due to expire next year.

The application was returned to Mr Smart due to being incomplete on 18 November. The Council number allocated to the application is U151014

Mr Smart subsequently engaged my services to complete the application which is attached.

The existing water<sup>meter</sup> is a mechanical one which can't be adapted to take a data logger. Mr Smart is a relatively recent owner of the subject property. He is not aware that the water meter accuracy was verified on installation.

Yours faithfully



Paul Williams

**RECEIVED**

**21 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**

**RECEIVED**

**10 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**



18 November 2015

Record No: 15226066  
File Ref: U151014  
R450-004-13-15  
Ask For: Glen Parker

David Roger Smart  
13 Argosy Place  
Blenheim 7201

Dear Mr Smart

## Return of Incomplete Resource Consent Application

**Applicant:** David Roger Smart  
**Site Address:** 128 Flaxmill Drive, Rarangi  
**Consent Applied For:** Water Permit

Council received the above application on 16 November 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 the activity against Part 2 of the Resource Management Act 1991.
- An assessment of the activity against the relevant policies and objectives of the Wairau/Awatere Resource Management Plan.
- An assessment of the activity against the NPS for Freshwater Management 2014.
- Verification of the meter accuracy and whether the meter can take a datalogger.

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 sincerely

ANNA EATHERLEY  
MANAGER RESOURCE CONSENTS

Encl

**RECEIVED**

**21 DEC 2015**

MARLBOROUGH  
DISTRICT COUNCIL

Take - 1685242  
5412436 Pn 252909  
Use - 1685294  
5412280

D R Smart

Resource Consent Application - Water Permit

December 2015

RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED

10 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

Job No 1487-D Smart-water permit



**COPY**



**MARLBOROUGH  
DISTRICT COUNCIL**

## Resource Consent Application

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

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-C11579

Lodgement Fee Paid \$ 945.00.

Receipt No. 1748106

Consent No. 0151014

Case Officer: Alan Parker

Date Received:

**RECEIVED**

**20 OCT 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**

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

Name:  
(full legal name)

DAVID ROGER SMART

Mailing Address:  
(including post code)

13 Argosy Place Blenheim 7201

Email Address:

davidrogersmart@hotmail.com

Phone: (Daytime)

0277177371

Phone: (Mobile)

0277177371

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

Name:

Paul Williams

Mailing Address:  
(including post code)

Rmco Ltd.  
PO Box 820  
Blenheim 7240.

Email Address:

paul@rmco.co.nz.

Phone: (Daytime)

577 9239

Phone: (Mobile)

0274 577 009.

**RECEIVED**

**21 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**

**RECEIVED**

**16 NOV 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**



3. Type of Resource Consent Applied For

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

4. Brief Description of the Activity

To Irrigate approx 5 hectares of  
Vineyard  
PENVAL of 4060526

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):

128 Flaxmill drive

Legal description (i.e. Lot 1 DP 1234):

Lot 1 DP 11609

PN 252909

(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):

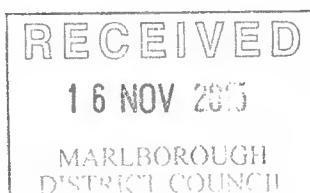
**Please attach the written approval of affected parties/adjoining property owners and occupiers.**

*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.

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)

Take-

## 10. Declaration

I (please print name)

David Roger Smart

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

Signature of applicant or authorised agent:

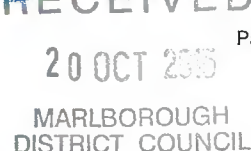
DR Smart

Date:

20/10/2015

## 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.





# **Schedule Four**

## **Resource Management Act 1991**

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

#### **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).

*Wairarapa (Awatere Resource Management Plan)*

(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**

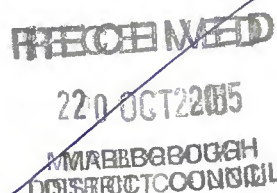
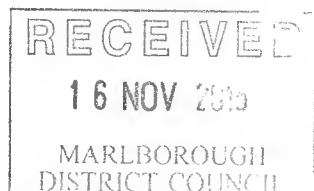
An application must also include any of the following that apply:

- (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.

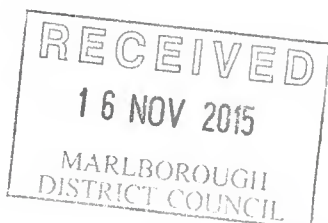
## Assessment of environmental effects

## 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**

---

#### **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.

**RECEIVED**  
**29 OCT 2015**  
MARLBOROUGH  
DISTRICT COUNCIL

**RECEIVED**  
**16 NOV 2015**  
MARLBOROUGH  
DISTRICT COUNCIL

## Contents

1	Executive Summary .....	4
2	Location.....	4
3	Receiving Environment.....	5
3.1	The Site.....	5
3.2	The Well and Water Resource .....	5
3.3	Statutory Acknowledgements.....	5
4	Water Permit Background .....	6
5	Activity Status.....	6
5.1	Resource Management Act.....	6
5.2	Wairau/ Awatere Resource Management Plan .....	6
6	Assessment.....	7
6.1	Actual & Potential Effects.....	7
6.2	Objectives & Policies of the Plan .....	9
6.3	National Environment Standard .....	9
6.4	National Policy Statement.....	10
6.5	Regional Policy Statement.....	10
7	Potentially Adversely Affected Persons & Consultation.....	10
8	Conclusions.....	10
	Appendix 1 – Location.....	0
	Appendix 2 – Aerial Photo.....	1
	Appendix 3 – Well Log, Pump Test & Meter Readings.....	2
	Appendix 4 - Water Permit Form.....	3

Appendix 5 - Analysis of Requirements of Schedule 4 of the Act.....4

Job No 1487-D Smart-water permit

**RECEIVED**  
**21 DEC 2015**  
MARLBOROUGH  
DISTRICT COUNCIL

**RECEIVED**  
**10 DEC 2015**  
MARLBOROUGH  
DISTRICT COUNCIL



## 1 Executive Summary

The applicant, David Roger Smart, owns a 5.33ha property located at 128 Flaxmill Drive, Rarangi. The property is developed into a vineyard.

An existing water permit U060526 provides for the taking of water from the Wairau Aquifer to irrigate 5ha of grapes on the property. This water permit is currently held under the name of Grow Marlborough Ltd and expires on 1 August 2016. The water permit was not transferred to Mr Smart when he purchased the property.

This application is for a new water permit in the name of Mr Smart to replace U060526 when it expires. The same volumes of water are sought as in the current water permit.

The existing water permit was granted with a range of conditions and in particular conditions to determine whether abstraction from the well would result in saltwater intrusion and mechanisms to deal with that if it did occur.

In the intervening period since the current water permit was granted, it is understood that there has been no new information from Council's sentinel wells or from wells of other abstractors in the area that indicates that saltwater intrusion may be occurring or may potentially occur with current water allocations.

There have been no known adverse effects on other wells or to the adjacent Hinepango wetland.

In conclusion, adverse effects of continued abstraction from the Wairau Aquifer via the subject well will be acceptable and the proposal is consistent with the promotion of the sustainable management of natural and physical resources as set out in Section 5 of the Resource Management Act 1991.

## 2 Location

The property is located at 128 Flaxmill Drive, Rarangi and immediately to the west of the Hinepango wetland.

The legal description of the land to be irrigated is Lot 1 DP11609.

Water for irrigation of the vineyard is drawn from the Wairau Aquifer via well P28w/3244 which is located on north-east corner of the property.

### 3 Receiving Environment

#### 3.1 The Site

The land is of flat contour and developed into a vineyard. There are no dwellings on the site. For the purposes of s104(2A) of the RMA, the value of this investment is estimated to be in the order of \$800,000.

The Hinepango wetland lies on the east boundary of the subject property and the Wairau River Diversion across an access road and river Reserve to the south. Vineyards lie to the north and west.

#### 3.2 The Well and Water Resource

Well P28w/3244 draws water from the northern boundary of the confined Wairau River Aquifer which is medium yielding in this location. This well is 29.5m deep and screened between 28m and 29.5m. The diameter of the bore is 100mm. The existing water meter is not capable of taking a data logger. Mr Smart is a relatively recent owner of the subject property. He is not aware that the water meter accuracy was verified on installation.

The well was pump tested on construction for 4.5 hours at an average of 40.39m<sup>3</sup>/hr flow rate, resulting in a 2.35m drawdown in the static water level. A copy of the well log is found in Appendix 3.

Adjacent wells on the west side of the wetland are mostly drawing water from the Wairau River Aquifer.

There are a number of wells in the vicinity drawing water from the Rarangi Shallow Aquifer which is found in the area in a shallow gravel layer extending to a depth of approximately 10m. This aquifer is underlain by lower permeability sands, silts and mud which thickens in a seawards direction (Dillons Point Formation).

This lower permeability strata acts as a confining layer to water in the underlying gravel deposits in which is found the confined Wairau Aquifer. At the location of the applicant's well, this layer is some 20m thick. The Dillon's Point formation acts as an aquitard, limiting water movement between the two aquifers.

#### 3.3 Statutory Acknowledgements

Statutory acknowledgements are set out in the document *Te Tau Ihu – Statutory Acknowledgements 2104* which is an attachment to the Wairau/ Awatere Resource Management Plan.

Rangitane o Wairau, Ngati Rarua and Ngati Toa have noted cultural, spiritual, historical and traditional associations with the land that is proposed to be irrigated and where the well is situated. These iwi and also the balance of the Te Tau Ihu Iwi have associations with the coastal waters offshore of the site.

While the above three iwi authorities have noted their general associations with the land including the subject site, no specific sites of cultural, spiritual, historical or traditional significance are identified at or near the specific site of this proposal in the statutory acknowledgement document.

## 4 Water Permit Background

Water permit U060526 was granted on 12 July 2006. It originally was granted for the irrigation of up to 12ha of vineyard on three titles from two wells. It now however only provides for the abstraction of up to 90 cubic metres per day of water from a single well (P28w/3244) to irrigate approximately 5ha of vineyard by means of trickle irrigation on Lot 1 DP11609.

This water permit is currently held under the name of Grow Marlborough Ltd and expires on 1 August 2016. The water permit was not transferred to Mr Smart when he purchased the property.

This permit is due to expire on 1 August 2016.

## Proposal Detail

This proposal is for a new water permit to take up to 90m<sup>3</sup> of water per day from well (P28w/3244) as in the current permit.

The water is to be used to irrigate five hectares of grapes by means of trickle irrigation on the same land, Lot 1 DP11609.

## 5 Activity Status

### 5.1 Resource Management Act

Section 14 of the Resource Management Act 1991 (the Act) requires that (paraphrased) no person may take, dam or use any water unless it is allowed by a regional rule or resource consent.

### 5.2 Wairau/ Awatere Resource Management Plan

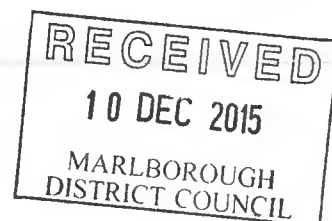
The subject land is zoned Rural 4 in the Wairau/ Awatere Resource Management Plan (the Plan).

### Water Take

General Rule 27.1.2.3 provides for any abstractions between 15 and 3000 m<sup>3</sup>/day/site from the Wairau Aquifer as a discretionary activity.

Job No 1487-D Smart-water permit

**RECEIVED**  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL



## Use of Water

The water is to be used for the irrigation of 5ha of vineyard. The Act requires that no person may use water unless expressly allowed in a rule in a regional plan. The only uses specifically provided for in the Plan are for domestic, stock, bore testing, firefighting and use from storage dams.

Section 87B of the Act determines that where Part 3 of the Act requires a resource consent, but where there is no relevant rule in a plan, the activity is to be dealt with as discretionary. The proposed use of abstracted water for irrigation is therefore a discretionary activity.

## 6 Assessment

### 6.1 Actual & Potential Effects

#### Effects on Neighbourhood, Community

There are a number of wells in the vicinity which draw water from the Rarangi Shallow Aquifer. These wells will not be affected by this proposed abstraction as water is to be drawn from the much deeper and confined Wairau Aquifer.

The nearest neighbouring well to P28w/3244 which draws water from the Wairau Aquifer is approximately 264m to the north-west (P28w/3908). The next nearest is well P28w/3257 at 316m to the south-west.

The locations of these wells are shown on the aerial photograph in Appendix 2.

Given these separation distances there will be no noticeable draw-down effects on the neighbouring wells as a result of abstraction of water from well P28w/3244.

#### Effects on the Locality, Landscape, Visual

The site is not noted as an outstanding natural feature or landscape in the Plan.

There will be no significant adverse effects on the locality landscape or visual qualities of the area. Irrigation of the vineyard will make the land greener, particularly over the summer months.

#### Effects on Ecosystems

The adjacent Henepango wetland is fed by water from the Rarangi Shallow Aquifer. The Dillon's Point formation separates the Wairau Aquifer from the Rarangi Shallow Aquifer and acts as an aquitard, limiting water movement between the two aquifers.

Whilst the water levels in Council's deep monitoring bore in the Wairau Aquifer (P28w/3667) have become slightly lower over time, there has been no corresponding decline in the shallow monitoring bore P28w/3668 in the Rarangi Shallow Aquifer.

Any adverse effects of the continued abstraction of water from well P28w/3244 on the adjacent Hinepango wetland, are therefore expected to be insignificant.

As a backstop, and as with other recent water permits in this area, it is expected that Council will impose a condition of consent linking maximum abstraction rates to the Council's Hinepango sentinel well.

#### Effects on Aesthetic, Recreational, Scientific, Historical, Spiritual, or Cultural Values

There are no particular aesthetic issues with this proposal and the site is not noted for any recreational values.

The site is not noted in the Plan as having any significant scientific or European historical significance. It is not noted in the document *Te Tau Ihu – Statutory Acknowledgements 2104* as having specific sites of cultural, spiritual, historical or traditional significance to Maori.

#### Effects of Discharge of Contaminants

No discharge of contaminants is proposed or will results from this proposal.

#### Risk Through Natural Hazards, Hazardous Substances, Hazardous Installations

There will be no risk of natural hazards. No hazardous substances will be used or hazardous installations proposed.

#### Effects on Water Resource

The Wairau Aquifer is medium yielding in this location. The proposed maximum water abstraction will be 90m<sup>3</sup>/day. The previous pump test and ongoing use of the well for irrigating the vineyard, indicate that the well will yield the proposed water requirement without significant adverse effects on the viability of the water resource.

There is potential for saltwater intrusion into the Wairau Aquifer at the coastal margins. The risk of salt water intrusion is however considered to be low because:

- the Aquifer at this location comprises of permeable high water yielding gravels that are hydraulically connected to a perennial source of recharge through its inland connection to the Wairau Aquifer and its associated recharge from the Wairau River;



- the low permeability marine sediments which cap the Wairau Aquifer thicken in a seawards direction and will likely provide a low permeability barrier between the Wairau Aquifer and the sea and;
- the water pressures in the Wairau Aquifer in the vicinity of the applicant's well are upwards, indicating a discharging water flow which will provide a strong hydraulic barrier to sea water intrusion.

In the intervening period since the current water permit was granted, it is understood that there has been no new information from Council's sentinel wells or from wells of other abstractors in the area that indicates that saltwater intrusion may be occurring or may potentially occur with the current water allocations.

However, as with other recent water permits in this area it is expected that Council will impose a condition of consent linking maximum abstraction rates to salinity levels in Council's Wairau Aquifer sentinel well.

## 6.2 Objectives & Policies of the Plan

While acknowledging the need to safeguard the life-supporting capacity of water resources, the Wairau/ Awatere Resource Management Plan is essentially permissive in its approach to water use. This is borne out in Clause 6.2.1, Objective 1 of the Plan:

*To **provide** for the taking, use, damming and diversion of fresh water in a manner which safeguards the life supporting capacity of the resource and avoids, remedies or mitigates any adverse effects on the environment"* (my emphasis in bold).

Clause 6.4.1 Policy 1.4 is:

*To encourage the use of groundwater resources in preference to surface water resources where groundwater is of sufficient quantity. This particularly applies to Gibson's Creek, Omaka River Valley Aquifers and the Fairhall River Gravels Aquifer.*

Comment: The pump test and abstraction of water from this well indicate that there is sufficient quantity of water in the Wairau Aquifer for continued abstraction from this well.

Clause 6.4.2, Policy 1.2 is:

*To allocate water on the basis of guidelines.*

Comment: The maximum guidelines set by the Plan for the irrigation of grapes is 22m<sup>3</sup>/ha/day. The water sought in this application equates to the equivalent of 18 m<sup>3</sup>/ha/day, which is less than the guideline.

## 6.3 National Environment Standard

There is no currently operative National Environmental Standard that is relevant to this proposal.

#### 6.4 National Policy Statement

The National Policy Statement for Freshwater Management 2014 (NPSFM) seeks to stop Councils from over-allocating water resources and institute methods to phase out over-allocation.

The Wairau Aquifer water is over-allocated. However, this application is for a water permit to replace an existing operative water permit on expiry and as such is not seeking for a new water allocation. The water sought in this application equates to the equivalent of 18 m<sup>3</sup>/ha/day, which is less than the guideline in the Plan. There is therefore no justifiable reason to 'claw back' water allocation with this application.

#### 6.5 Regional Policy Statement

I have reviewed this proposal against the provisions of the Marlborough Regional Policy Statement (RPS). There are no matters in that document that have not already been covered by the objectives and policies of the Plan.

### 7 Potentially Adversely Affected Persons & Consultation

Given the separation distances to other wells and water takes from the Wairau Aquifer, no parties are considered to be potentially affected and no consultation has been undertaken.

### 8 Conclusions

The adverse effects of ongoing abstraction of water from the Wairau Aquifer for the irrigation of this existing vineyard will be no more than minor.

The proposal is in not contrary with the objectives and policies of the Plan.

Overall the proposal is in accord with the purposes and principles of the Act as set out in Section 5.

Given the above, the applicant respectfully requests that approval to this proposal be granted.

Paul Williams  
Resource Management Consultant

December 2015

Job No 1487-D Smart-water permit

RECEIVED  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED  
10 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL



## Appendix 1 – Location



RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED

10 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

Appendix 2 – Aerial Photo



RECEIVED  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED  
10 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

Appendix 3 – Well Log, Pump Test & Meter Readings

RECEIVED  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED  
10 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL





9 Aston Street  
 BLENHEIM  
 Telephone 021-343 089  
 After hours 0-3-578 8270  
 Facsimile 0-3-578 8166

p28 W-3244  
 2595256 N  
 5974139 E



WATER WELL ENGINEERS TO MARLBOROUGH

## Drillers Water Well Log Form

Well Log No 485

Well Owner Blenheim Lifestyles Ltd

Contact Name Racwyn Simmonds

Driller John Butt

Map Sheet No p28





Altitude (m):

Drilling Date 19/10/1999

GPS East 174-01-12

South 41-26-06

Locality Lot 1

Depth From Surface (m)	Strata Thickness (m)	ROP (mh)	Static Level (m)	Strata Description	Strata Picture
0.00	0.25	0.00		Green grass, black topsoil & grey coarse gravel	
0.25	6.90	0.00		Grey fine gravel to coarse sand, & shellfish shells	
7.15	19.75	0.00		Grey marine sand	
26.90	2.90	0.00		Grey cobble, coarse gravel, coarse sand, good water bearing	

Casing above ground (mm): 300

inished Static  
 Water Level: 1.07

Test Pumping: 4.50 Hours

Draw Down (m): 2.35 Below Static Water Level

Flow Rate: 40.39 cubic mph

Step Test By: JB

No: 1 Screen Type Slotted Pvc

Top of Screen Leader (m): 27.99

Top Of Screen (m): 28.29

From:	To:	Slot Size	Length
28.29	29.49	4.00	1.20

Bottom Of Screen (m) 29.49

Length of Sump (m) 0.00

Remarks:

Casing NB Dia (mm): 100

Screen NB Dia (mm): 100

Ground Level

Leader Length (m): 0.30

Casing Length (m): 28.29

Total Screen Length (m): 1.20

Finished Depth of Well (m) 29.49

30/10/99 20:36:04

RECEIVED

21 DEC 2015

MARLBOROUGH  
 DISTRICT COUNCIL

RECEIVED

16 NOV 2015

MARLBOROUGH  
 DISTRICT COUNCIL

RECEIVED

Page 1 of 1

26 MAY 2006

MARLBOROUGH  
 DISTRICT COUNCIL



CAWTHRON

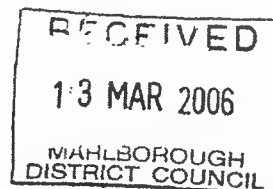
# Laboratory Report

Certificate of Analysis: Final

Cawthron Contract Number: 13176

Project Number: P60896

CL White  
6 Claverley Gardens  
Avonhead  
CHRISTCHURCH



Date Project Started: 22/02/2006 16:50

## Sample Details

laboratory ID: P60896-1  
Description: Olive Block  
Customer ID: Lot 1 DP11609

Sample Type: Water

Date Sampled: 22/02/2006 22:00  
Date Received: 22/02/2006 15:30

Analysis	Result	Units	Method
Total coliforms	<1	MPN/100mL	MIMMS 3rd Edn 11A1. D.W. Stds for NZ 2005
Faecal coliforms	<1	MPN/100mL	MIMMS 3rd Edn 11A1. D.W. Stds for NZ 2005
E.coli	<1	MPN/100mL	MIMMS 3rd Edn 11A1. D.W. Stds for NZ 2005
pH	8.4	-	APHA 20th Edn 4500H.B
Free Carbon Dioxide	<1	g/m <sup>3</sup>	APHA 20th Edn 4500-CO <sub>2</sub> C
Acidity	<1	g/m <sup>3</sup> as CaCO <sub>3</sub>	APHA 20th Edn 2310B
Alkalinity	97	g/m <sup>3</sup> as CaCO <sub>3</sub>	APHA 20th Edn 2320B
Chloride	32	g/m <sup>3</sup>	APHA 20th Edn 4110B
Nitrate-N	<0.02	g/m <sup>3</sup>	APHA 20th Edn 4110B
Conductivity 25°C	29	mS/m <sup>1</sup>	APHA 20th Edn 2510B
Calcium	3.8	g/m <sup>3</sup>	APHA 20th Edn 3120B Acid Preserved. ICP-OES
Copper	0.008	g/m <sup>3</sup>	APHA 20th Edn 3120B Acid Preserved. ICP-OES
Iron	0.60	g/m <sup>3</sup>	APHA 20th Edn 3120B Acid Preserved. ICP-OES
Magnesium	1.4	g/m <sup>3</sup>	APHA 20th Edn 3120B Acid Preserved. ICP-OES
Manganese	0.014	g/m <sup>3</sup>	APHA 20th Edn 3120B Acid Preserved. ICP-OES
Arsenic	0.002	g/m <sup>3</sup>	APHA 20th Edn 3114 B & C
Hardness	15	g/m <sup>3</sup> as CaCO <sub>3</sub>	APHA 20th Edn 2340B Calculation.

Results apply to samples as received

Our routine detection limits for chemical testing relate to samples with a clean matrix.

Reported detection limits may be higher for individual samples if there is insufficient sample or the matrix is complex.

< means less than, > means greater than

Date Generated: 9/3/06



This laboratory is accredited by IAQZ  
Unless specified all tests reported herein  
have been performed in accordance with  
the laboratory's scope of registration.

This document may only be reproduced with permission  
from Cawthron. Part reproduction or alteration of the  
document is prohibited.

Report Number: 131930

Project Number: P60896

V12.7



Cawthron

98 Halifax St East, Private Bag 2, Nelson, New Zealand. Ph. +64 3 543 2319, Fax +64 3 546 9154. [www.cawthron.org.nz](http://www.cawthron.org.nz)  
Grovetown Park SH 1, Private Bag 1007, Blenheim, New Zealand. Ph. +64 3 579 2270, Fax +64 3 579 2210.

Page  
1 of 2

RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED

16 NOV 2015

MARLBOROUGH  
DISTRICT COUNCIL



# Water Meter Readings

Meter number 1457  
 Meter name David Smart  
 Water permit number U060526

Date	Readings	Season
9/12/2013	73645	2013-14
8/01/2014	76644	"
10/02/2014	79409	"
14/03/2014	82419	"
18/11/2014	85918	2014-15
20/12/2014	88584	"
20/1/2015	90480	"
20/2/2015	93286	"
20/3/2015	96072	"
20/4/2015	99077	"

This is all the reading I have because I brought the place in 2013 and the previous owner didn't take any readings.

RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED

16 NOV 2015

MARLBOROUGH  
DISTRICT COUNCIL

Appendix 4 - Water Permit Form

**RECEIVED**

**21 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**

**RECEIVED**

**10 DEC 2015**

**MARLBOROUGH  
DISTRICT COUNCIL**



## Appendix 5 - Analysis of Requirements of Schedule 4 of the Act

Clause	Matter	Not applicable	Addressed in application
2(1)(a)	description of activity		✓
(b)	site description		✓
(c)	Name, address of owner or occupiers		✓
(d)	any other activities that are part of the proposal	✓	
(e)	other resource consents	✓	
(f)	an assessment of the activity against the matters set out in Part 2		
	Section 5 – purpose of the Act		✓
	Section 6 – matters of national importance		
	(a) natural character of the coastal environment, wetlands, lakes, rivers	✓	
	(b) outstanding natural features and landscapes		✓
	(c) significant indigenous vegetation and habitats		✓
	(d) public access to and along the coastal marine area, lakes, and rivers	✓	
	(e) relationship of Maori with ancestral lands, water, waahi tapu, and other taonga		✓
	(f) historic heritage		✓
	(g) customary rights	✓	
	<i>Section 7 – Other Matters</i>		
	(a) kaitiakitanga	✓	
	(aa) ethic of stewardship	✓	
	(b) efficient use of resources		✓
	(ba) efficiency of energy use	✓	
	(c) amenity values	✓	
	(d) intrinsic values of ecosystems	✓	
	(f) quality of the environment	✓	
	(g) any finite characteristics of natural and physical resources		✓
	(h) protection of the habitat of trout and salmon	✓	
	(i) effects of climate change	✓	
	(j) benefits from the use and development of renewable energy	✓	
	<i>Section 8</i>		
	principles of Treaty of Waitangi	✓	
(g)	assessment of the activity against any relevant provisions of documents in s104(1)(b):		
	(i) national environmental standard		✓
	(ii) other regulations:		✓
	(iii) national policy statement		✓
	(iv) New Zealand coastal policy statement	✓	
	(v) regional policy statement or proposed regional policy statement		✓
	(vi) plan or proposed plan		✓

RECEIVED  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED  
10 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

Applicants Name DAVID SMART



ISO 9001:20002  
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.

### 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

U060526

3. Purpose for which water is required?

(Industrial, crop irrigation, etc)

Vineyard irrigation

4. Source of water

(name of river, stream, aquifer, etc)

Wairau Aquifer

5. Maximum quantity of take

3.2 litres per second

90 cubic metres per day

630 cubic metres per week

### GROUNDWATER:

1. Well number (if existing well)

P28 w/3244

2. Depth from ground level to bottom of well

28-29 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.

RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED

16 NOV 2015

MARLBOROUGH  
DISTRICT COUNCIL

**SURFACE WATER:**

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

	CROP A				CROP B				CROP C				TOTALS			
CROP TYPE <i>e.g. corn, olives, etc</i>	Vineyard															
AREA <i>Number of hectares</i>	5 ha															
APPLICATION RATE <i>(m<sup>3</sup> / ha / day)</i>	18															
QUANTITY <i>Cubic metres per day</i>	90															
IRRIGATION PERIOD <i>Circle months which apply</i>	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 <i>Trickle, spray, etc</i>	Trickle															

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

RECEIVED

16 NOV 2015

MARLBOROUGH  
DISTRICT COUNCIL

Reset form

RECEIVED

21 DEC 2015

MARLBOROUGH  
DISTRICT COUNCIL

(6)	Information required in assessment of environmental effects		
	(a) possible alternative locations or methods if effects significant	✓	
	(b) actual or potential effects		✓
	(c) if hazardous substances and installations, an assessment of risks	✓	
	(d) discharge of any contaminants, a description of—		
	(i) nature of the discharge and the sensitivity of the receiving environment	✓	
	(ii) possible alternative methods of discharge	✓	
	(e) mitigation measures	✓	
	(f) persons affected, consultation undertaken		✓
	(g) monitoring required if scale and significance of effects warrants, how & by whom		✓
	(h) alternatives if more than minor effects on customary right	✓	
(7)(1)	Matters that must be addressed by assessment of environmental effects		
	(a) effects on neighbourhood, community	✓	
	(b) effects on the locality, landscape, visual	✓	
	(c) effects on ecosystems	✓	
	(d) effects on aesthetic, recreational, scientific, historical, spiritual, or cultural values	✓	
	(e) discharge of contaminants	✓	
	(f) risk through natural hazards, hazardous substances, hazardous installations	✓	

RECEIVED  
21 DEC 2015  
MARLBOROUGH  
DISTRICT COUNCIL

RECEIVED  
10 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			
Address for Service <i>(include post code)</i>			
Email			
Telephone <i>(day)</i>	Mobile	Facsimile	
Contact Person <i>(name and designation, if applicable)</i>			

### 2. Application Details

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

### 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)*




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](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.