



**MARLBOROUGH
DISTRICT COUNCIL**

RESOURCE CONSENT APPLICATION

U160950

Investavine Limited

60 Loddon Lane, Wairau Valley

Submissions Close

5.00 pm Monday

14 August 2017

Bea Gregory-5252

From: MDC
Sent: Friday, 19 August 2016 3:16 p.m.
To: RCInbox
Subject: Application for Resource Consent: REF160813564
Attachments: REF160813564.pdf

A application for a Resource Consent has been received. Application lodgement number is REF160813564.

Submission details are attached.



PO Box 443, Blenheim 7240

Tel 03 520 7400 / Fax 03 520 7496

Email mdc@marlborough.govt.nz / www.marlborough.govt.nz

Marlborough District Council
15 Seymour Street
Blenheim 7201
PO Box 443
New Zealand

Telephone 00 64 3 520 7400
Facsimile 00 64 3 520 7496
Email mdc@marlborough.govt.nz
Website www.marlborough.govt.nz
GST No. 50-430-960



Reference Number:	REF160813564
Submitted On:	19/08/2016 15:15
Submitted By:	WilkesRM Ltd

Important Information

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

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

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

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

Applicant Details

Select as many as are applicable

Is the applicant

Is the applicant • A company

Company name Investavine Limited

Is the applicant

Main applicant name Andrew Bonner

Main applicant mailing address 76 High Street, Blenheim 7201

Main applicant email address chris@toitowines.co.nz

Main contact number 027545355

Alternative contact number Not answered

Is there an agent working on behalf of the applicant? Yes

All communication regarding the application will be sent to the agent

Are you a business or an individual? Business

Company name WilkesRM Ltd

Contact person Steve Wilkes

Mailing address 76 High Street, Blenheim 7201

Email address steve@wilkesrm.co.nz

Main contact number 021668477

Alternative contact number Not answered

Agent reference Not answered

Application Details

Types of resource consent applied for	• Water Permit
---------------------------------------	----------------

Property Details

The location to which the application relates is	60 Lodden Lane, SH63
Brief description of the activity	Abstract and use Wairau River FMU Class A and C water

Assessment of Effects on the Environment (AEE)

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

Please upload Assessment of Effects on the Environment	• Water Permit AEE - 2016.pdf (524940 bytes)
--	--

Plans

Please upload plans (e.g. site plan, elevation plans, scheme plan etc) of the locality and activity points. Describe the location in a manner that will allow it to be readily identified, e.g. house number and street address, grid reference, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well known landmark, DP number, valuation number, property number

Site/location plan	• Appendix 1 - Location Plan.jpg (870597 bytes) • Appendix 2 - Site Plan.jpg (160432 bytes)
Scheme plan	No files uploaded
Forest harvest plan	No files uploaded
Building plans	No files uploaded
Dam design drawings	No files uploaded

Certificate of Title

Certificate(s) of Title and legal documents	• Appendix 4 Title MB5C.861.pdf (242213 bytes) • Appnedix 4 Title 713751.pdf (246630 bytes)
---	--

Supplementary Forms

Please indicate which supplementary forms you are adding	• Water permits
Type of permit required	• Take surface water
Do you currently hold a water permit that is due to expire?	Yes
What is the water permit number?	U150700
Purpose for which water is required?	vineyard irrigation &storage
Source of water	Wairau River FMU
Maximum quantity of take	
Litres per second	Not answered
Cubic metres per day	1896
Cubic metres per week	Not answered
Surface Water	
Abstraction Method	existing intake
Number of pumps to be used	Not answered
Rate of flow for pump	Not answered
Delivery pipe diameter	Not answered

Water use purpose

Use Type	Irrigation
Crop type	vineyard
Area	30
Application Rate	20
Quantity	600
Irrigation Period	<ul style="list-style-type: none"> • Jan • Feb • Mar • Apr • Oct • Nov • Dec
Method	trickle
Use Type	Storage
Quantity	1896
Irrigation Period	<ul style="list-style-type: none"> • Jan • Feb • Mar • Apr • May • Jun • Jul • Aug • Sep • Oct • Nov • Dec
Method	Not answered

Technical Reports

Do you wish to upload any technical reports to be included in the application by the relevant Resource Management Plan, Act or regulations?

Yes

Benthic report	No files uploaded
Cultural effects assessment	No files uploaded
Dam construction report	No files uploaded
DSI	No files uploaded
Ecology report	No files uploaded
Economic report(s)	No files uploaded
Engineering report	No files uploaded
Erosion and sediment management plan	No files uploaded
Geotechnical report	No files uploaded
Landscape report	No files uploaded
PSI	No files uploaded
RAP	No files uploaded
Wastewater report	No files uploaded
Any other report not covered in the list above	<ul style="list-style-type: none"> • Appendix 3 -Irrigation Requirements.pdf(648329 bytes)

Written Approvals

Please provide the names and addresses of the owner and occupier of the land (other than the applicant) Not answered

Please attach any written approval(s) that may have been obtained from affected parties/adjoining property owners and occupiers **No files uploaded**

Note: As a matter of good practice and courtesy you should consult your neighbours about your proposal. If you have not consulted your neighbours, please give brief reasons why you have not below

Brief reason for not consulting with neighbours Not answered

Other Details

Are additional resource consents required in relation to this proposal? No

The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please record applicant name and either property number or consent type as a reference.

The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee, an invoice will be issued (if actual costs are less, a refund will be made). Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.

Do you require a GST receipt for a bank payment? No

Please make invoice out to Applicant

The application lodgement fee Will be paid by applicant

Notes Not answered

I confirm that the information provided in this application and the attachments are accurate Yes

Authorised by (your full name) SM Wilkes

Privacy Information

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



Investavine Limited

Application for Resource Consent

- **Abstract & Use Wairau
River Water**

Final

2016

Table of Contents

1	Introduction.....	1
2	The Proposal.....	3
3	The Existing Environment.....	4
3.1	The Wairau River	4
3.2	Neighbouring Intakes	4
3.3	Landforms & Land Use	4
4	Statutory Framework	5
4.1	The Resource Management Act 1991	5
4.2	The Proposed Marlborough Environment Plan.....	5
4.3	The Wairau Awatere Resource Management Plan	5
5	Statutory Acknowledgements	6
6	Assessment of Effects.....	7
6.4	Any Other Potential Effect.....	9
8	Other Matters.....	10
8.1	Resource Management Act 1991	10
8.2	The National Policy Statement for Freshwater Management	12
8.3	Proposed Marlborough Environment Plan.....	13
8.5	The Wairau Awatere Resource Management Plan	17
10	Resource Consent Duration.....	20
11	Proposed Monitoring	20
12	Conclusion	21
	Appendices	

1 Introduction

The applicant is Investavine Limited.

Investavine Limited own land at 60 Lodden Lane, Wairau Valley that is currently developed with a 30 hectare vineyard.

Irrigation water is sourced from the Wairau River in accordance with resource consent U150700.

That water permit provides for the abstraction of up to 748 m³/day of Wairau River FMU Class B water for the purposes of irrigating up to 34 ha of vineyard on Lot 2 DP 400781, Lot 1 DP 8816 and Lot 1 DP 9548.

Resource consent U150700 is due to expire 1 May 2017.

To provide for greater security of supply the applicants are currently applying for resource consent to construct a 20,000 m³ storage reservoir on Lot 1 DP 9548. Those application documents have been drafted by Davidson Group (ref 26074).

It is proposed to use the 748m³/day of water as per U150700 together with an allocation of Wairau River FMU Class C water to fill the dam.

This application therefore seeks resource consent for:

- the re-allocation of 748 m³/day of Wairau River FMU Class A water;
- An additional allocation of Wairau River FMU Class C water of 15 l/s and 1296 m³/day; and
- To use water to irrigate up to 30 ha of existing and proposed vineyard and to place into storage.

This report provides an assessment of effects on the environment in accordance with the Fourth Schedule of the Resource Management Act 1991 (RMA) for the following activities:

- Water Permit – Take Surface Water;
- Water Permit – Use Surface Water.

Attached to this application are the following:

- Appendix 1 – Location Plan;
- Appendix 2 – Detailed Site Plan;
- Appendix 3 – Irrigation Requirements; and
- Appendix 4 – Title Documents.

2 The Proposal

Investavine Limited seek resource consent to abstract and use Wairau River FMU Class A and C water as follows:

- Water Permit – Take Surface Water
 - *To abstract Wairau River freshwater management unit Class A surface water from the up to a maximum rate of 600 m³/day.*
 - *To abstract Class C water from the Wairau River freshwater management unit up to a maximum rate of 1296 m³/day.*
- Water Permit – Use Surface Water
 - *To use Wairau River freshwater management unit Class A surface water for the irrigation of up to 30 ha of vineyard on Lot 2 DP 400781, Lot 2 DP 491922 and Lot 1 DP 9548 as per the following monthly maximum volumes:*

	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
<i>Total Area (m³)</i>	<i>600</i>	<i>7,200</i>	<i>12,600</i>	<i>14,400</i>	<i>12,900</i>	<i>7,500</i>	<i>2,400</i>

- *To use Wairau River freshwater management unit Class C surface water for placing into storage.*
- *To use Wairau River freshwater management unit Class A surface water for miscellaneous use outside of the irrigation season at a maximum rate of 748 m³/day and 3000 m³/non irrigation season.*

A water meter has been installed and verified to demonstrate compliance with the Resource Management and Reporting of Water Takes Regulations 2010. A copy of the meter verification will be supplied to Council.

It is proposed to continue to abstract water utilising the existing infiltration gallery as per U080431.

3 The Existing Environment

3.1 The Wairau River

At this location the Wairau River is typical of much of its length in the middle to lower reaches with a wide gravel bed of some 900 metres. Whilst the flow is typically concentrated into one dominant braid with secondary and tertiary braids at this location river flows split and travel either side of a large mid-stream island.

According to the MDC website, the average annual minimum flow is 12.04 m³/s at the Tua Marina recorder site and the mean flow is 103 m³/s.

According to bird surveys summarised in Barker (Birds using the Awatere, Pelorus, Waima/Ure and Wairau Riverbeds for Nesting 2004) seven key river-dependent bird species can be found breeding and nesting in the middle stretch of the Wairau River; the pied oystercatcher, pied stilt, banded dotterel, black-fronted dotterel, black billed gull, black-backed gull, black-fronted tern. Breeding and nesting seasons are generally through spring and summer.

Brown trout are the main sport fish in the river which is a highly valued recreation resource.

3.2 Neighbouring Intakes

The nearest neighbouring intake downstream is located in excess of 700 m distant.

3.3 Landforms & Land Use

The property to the north of SH63 consists of a series of alluvial terraces which are generally level, falling very gently to the north.

There are no notable landforms, ecosystems, species or sites with cultural, heritage or archaeological significance within the project footprint, as defined in the Wairau Awatere Resource Management Plan.

4 Statutory Framework

4.1 The Resource Management Act 1991

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

4.2 The Proposed Marlborough Environment Plan

The site is zoned Rural Environment under the Marlborough Environment Plan (the MEP).

General Rules 2.5.2 and 2.5.3 of the Proposed Marlborough Environment Plan provides for any take and use of water not listed as either a permitted, controlled or limited as a prohibited activity as discretionary activities.

The proposed Class A abstraction and use is not provided for as a permitted activity or controlled activity or limited as a prohibited activity and therefore requires discretionary activity consent as per Rules 2.5.2 and 2.5.3.

The abstraction of Class C water to storage is provided for as a controlled activity as per General Rule 2.4.1.

4.3 The Wairau Awatere Resource Management Plan

The subject site is zoned Rural 4 under the Wairau Awatere Resource Management Plan (the Plan).

General Rule 27.1.2.4 provides for the abstraction of greater than 500m³/day/site from the Wairau River as a non-complying activity.

There are no specific rules contained within the Plan for water use. Therefore an application for resource consent to use water is considered to be an in-nominate activity under the RMA. Such activities are in turn considered as discretionary activities.

5 Statutory Acknowledgements

A statutory acknowledgement is an acknowledgement by the Crown that recognises the mana of a tangata whenua group in relation to specified areas – particularly the cultural, spiritual, historical and traditional associations with an area.

It is recognised that the Crown has provided a Statutory Acknowledgement over the Wairau River to Ngati Rarua, Rangitane o Wairau and Ngati Toa.

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

It is understood that Council will notify the above iwi of this application. However, should additional consultation be appropriate the applicant will undertake such.

6 Assessment of Effects

6.1 Potential Effects on the Wairau River Freshwater Management Unit

The applicant's proposed abstraction falls within the MEP water allocation framework for the Wairau River Freshwater Management Unit.

That framework provides for the allocation of 650,000 m³/day of Wairau River FMU Class A water with Class A water being fully available when flow at the Barnetts Bank recorder is at or greater than 15 m³/s. Class A water is fully restricted when flow at Barnetts Bank recorder is at or below 8 m³/s or 7.32 m³/s at the Dip Flat recorder.

Wairau River FMU Class C water is available when flow is greater than 30 m³/s at Barnetts Bank.

The water allocation framework and the environmental limits set within the MEP have been put in place to:

- protect the mauri of the waterbody;
- protect instream habitat and ecology;
- maintain fish passage and fish spawning grounds;
- preserve the natural character of the river;
- maintain water quality;
- provide for adequate groundwater recharge where the river is physically connected to an aquifer or groundwater; and
- maintain amenity values.

Consequently, if an application for a water allocation is within the MEP water allocation framework and appropriate conditions of consent are imposed and complied with then the abstraction of that water can occur and adverse effects on the above listed values should not arise.

This application is consistent with the MEP water allocation provisions.

Likewise for the WAMP the water allocation regime contained within that Plan has been established 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". Therefore, if any resource consent application to abstract water is consistent with this regime then the abstraction will not lead to the occurrence of adverse effects on the environment and will ensure that the life supporting capacity of the Wairau River is safeguarded.

The Efficient Use of Water

The quantity applied for is considered to be appropriate and is consistent with the *IrriCalc* model to ensure sufficient irrigation water for the applicant's property. Irrigation is only undertaken when required. Any irrigation undertaken is done so due to a need and to maximise the efficiency of the irrigation and the financial cost of doing so.

6.2 Potential Effects on Other Users

One aspect that a water allocation framework cannot necessarily address is the potential for interference effects on existing consented resource users.

The nearest known authorised abstraction of Wairau River water is in excess of 700m distant from the applicant's intake site. This distance will ensure that any drawdown created by the abstraction, will not lead to any interference effects being realised.

6.3 Any Alternative Locations or Methods

No alternative locations or methods have been considered.

6.4 Any Other Potential Effect

The proposal is not anticipated to have any adverse effects on those in the neighbourhood or wider community (including any socio-economic or cultural effects) as the proposal is in accordance with the *Irricalc* water allocation model and MDC's irrigation application rate guidelines.

There are no known / recorded archaeological or recognised customary activities associated with the subject site. Consequently it is considered that the proposed activities will not lead to the occurrence of adverse effects on cultural or historic values.

To the applicants knowledge there has been no adverse recreational, scientific, historical, spiritual or cultural effects resulting from the exercise of their current resource consent.

As shown in the attached certificate of title there are no constraints that seek to limit the activities proposed.

There are no other potential effects anticipated.

7 Summary of Mitigation Measures

The mitigation measures in relation to this application to ensure the environmental effects are not more than minor, as discussed above, are summarised as follows:

- Instream values will be protected by way of low flow trigger levels; and
- Interference effects on other users will not arise.

8 Other Matters

8.1 Resource Management Act 1991

Part 2 of the RMA sets out its purpose and principles on which the RMA is founded and from which all other associated statutory framework is derived. The purpose of the RMA is to promote the sustainable management of natural and physical resources. The RPS and the Plan have been developed under the RMA and are generally considered to be the local implementation of the purpose and principles.

8.1.1 Section 6 Matters of National Importance

Matters of national importance are considered with relevance to this application:

- a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*

The natural character of the Wairau River freshwater management unit and the surrounding environment at this location is dominated by the braided river itself, developed farm land and the mountains of the Richmond Ranges. This proposal does not impact upon these features.

- b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*

There are no outstanding natural features at risk from this proposal.

- c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*

There are no such areas at risk from this proposal.

- d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.*

There is no effect on the current nature or location of public access as a result of the current or proposed take and use of water.

- e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

The proposal does not exclude Maori from the use of the Wairau River resource.

- f) The protection of historic heritage from inappropriate subdivision, use, and development.*

There are no historic sites relevant to this proposal.

- g) The protection of recognised customary activities.*

There are no recognised customary activities relevant to this proposal.

8.1.2 Section 7 Other Matters

Section 7 of the Act sets out other matters that Council is to have particular regard to in achieving the purpose of the Act. The matters of relevance to this application are outlined below:

Section 7(b) the efficient use and development of natural and physical resources

Section 7(c) the maintenance and enhancement of amenity values

This application is an efficient use of natural and physical resources. No adverse effects on amenity values are anticipated.

8.1.3 Section 8 Treaty of Waitangi

The application is consistent with the RMA planning framework and is therefore considered consistent with Section 8 in terms of Treaty of Waitangi considerations.

Based on the above assessment, it is considered that the proposal will meet the purpose and principles of the Act.

8.2 The 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 requires that all Regional Councils 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 Wairau River has a formal allocation regime as detailed above. Class A, B and C water remains available for allocation.

This proposal seeks the allocation of Wairau River Class A water consistent with the MEP requirements. Consequently, the proposal is considered consistent with the NPSFW.

8.3 Proposed Marlborough Environment Plan

The MEP contains a range of relevant objectives and policies as follows:

Chapter 4 – Use of Natural and Physical Resources

Objective 4.1 Marlborough’s primary production sector and tourism sector continue to be successful and thrive whilst ensuring the sustainability of natural resources.

Policy 4.1.1 Recognise the rights of resource users by only intervening in the use of land to protect the environment and wider public interests in the environment.

Policy 4.1.2 Enable sustainable use of natural resources in the Marlborough environment.

Policy 4.1.3 Maintain and enhance the quality of natural resources.

Chapter 5 – Allocation of Public Resources

Objective 5.2 Safeguard the life-supporting capacity of freshwater resources by retaining sufficient flows and/or levels for the natural and human use values supported by waterbodies.

Policy 5.2.4 Set specific environmental flows and/or levels for Freshwater Management Units dominated by rivers, lakes and wetlands to:

- (a) protect the mauri of the waterbody;*
- (b) protect instream habitat and ecology;*
- (c) maintain fish passage and fish spawning grounds;*
- (d) preserve the natural character of the river;*
- (e) maintain water quality;*
- (f) provide for adequate groundwater recharge where the river is physically connected to an aquifer or groundwater; and*

(g) *maintain amenity values.*

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

Policy 5.2.13 Limit the total amount of water available to be taken from any freshwater management unit and avoid allocating water (through the resource consent process) beyond the limit set.

Policy 5.2.15 Protect flow variability of rivers by using, where identified as necessary, a system of flow sharing that splits allocation of available water between instream and out-of-stream uses.

Objective 5.3 Enable access to reliable supplies of freshwater.

Policy 5.3.6 Allocate water within any class on a first-in, first-served basis through the resource consent process until the allocation limit is reached for the first time.

Policy 5.3.7 Allocate water to irrigation users on the basis of a nine in ten year water demand for the crop/pasture.

Policy 5.3.11 Have regard to the potential for any take of water to adversely affect the ability of an existing water user to continue taking water and mitigate any adverse effects by limiting, where necessary, the instantaneous rate of take.

Objective 5.7 The allocation and use of water do not exceed the rate or volume required for any given water use.

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

Policy 5.8.1 Encourage the storage of water as an effective response to seasonal water availability issues.

- Policy 5.8.2 Provide for the abstraction of surface water for storage purposes during periods of higher flow for subsequent use during periods of low flow (and therefore low water availability).*
- Policy 5.8.3 Water may be stored at times other than those specified in Policy 5.8.2 to provide water users with greater flexibility to manage water use on-site, provided that the rate of take does not exceed the authorised daily rate of take for irrigation purposes.*
- Policy 5.8.4 The annual volume of water taken for storage shall not exceed a volume equivalent to the authorised rate of take for irrigation purposes for two irrigation seasons for the property or properties to be served by the stored water.*

Chapter 14 – Use of the Rural Environment

- Objective 14.1 Rural environments are maintained as a resource for primary production activities enabling these activities to continue contributing to economic wellbeing, whilst ensuring the adverse effects of these activities are appropriately managed.*
- Policy 14.1.1 Enable the efficient use and development of rural environments for primary production.*
- Policy 14.1.4 Manage primary production activities to ensure they are sustainably carried out through the implementation of policies and methods (including rules establishing performance standards for permitted activities) to address potential adverse effects on:...*
- (c) Water quality and water availability:...*

The MEP gives effect to the objectives and policies through the various regional rules and establishes an allocation framework for freshwater that enables sustainable resource use.

This application is within the Wairau River freshwater management unit allocation and is considered consistent with the objectives and policies of the Proposed Marlborough Environment Plan.

8.4 Marlborough Regional Policy Statement

The RPS and the Plan have been developed under the RMA and are generally considered to be the local implementation of the purpose and principles.

Those provisions of the Regional Policy Statement (RPS) that are the most applicable to this proposal include:

Section 5 – Protection of Water Ecosystems includes the following objective and policies.

Objective 5.1.10 – Freshwater Habitat – The integrity of freshwater habitats and natural species diversity be maintained or enhanced.

The natural character of the Wairau River is maintained under the water allocation regime which this application falls under.

The integrity of the freshwater habitat is therefore considered as not being adversely affected by the proposal. The proposal is therefore consistent with this objective.

Section 7 – Community Wellbeing includes the following objective and policies.

Objective 7.1.9 – Provision for Activities - To enable present and future generations to provide for their wellbeing by allowing use, development and protection of resources provided any adverse effects of activities are avoided, remedied or mitigated.

Objective 7.2.2 – Sustainable Management of Water - Enable the sustainable management of surface water and groundwater.

Policy 7.2.3 – Allocation of Water

(a) Establish mechanisms for the allocation of surface water and groundwater from the Wairau, Awatere, Clarence and Pelorus/Kaituna catchments.

(b) *Include the following principles into water allocation mechanisms:*

- *sustainable management;*
- *equitable allocation;*
- *avoid, remedy or mitigate adverse effects;*
- *minimise conflicts between users; and*
- *ensure efficient and beneficial use.*

This application seeks to abstract and use water in manner consistent with these objectives and policies and the volumes sought for abstraction are in within the MDC guidelines / mechanisms for water allocation and will not result in the occurrence of adverse effects on the environment.

This proposal is therefore consistent with these objectives and policies.

8.5 The Wairau Awatere Resource Management Plan

The Wairau Awatere Resource Management Plan (the WAMP) contains objectives and policies relating to water resources.

Specifically, Chapter 4 – Flora and Fauna and their Habitats contains the following objectives and policies:

Objective 4.3.2.1 The protection and enhancement of freshwater and riparian ecosystems.

Policy 1.1 To provide for the protection and natural functioning of aquatic ecosystems by avoiding, remedying and mitigating the adverse effects of water abstraction from all rivers, including the setting of sustainable flow regimes for specified important rivers.

Policy 1.12 To avoid, remedy or mitigate the adverse effects of activities within river and lake beds to protect instream values, including fish passage and recreational values.

As detailed the proposal is entirely consistent with the Plans water allocation regime. That water allocation regime was developed to ensure established 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".

Chapter 6 – Fresh Water, Volume 1 of the Plan, contains the following objectives and policies:

Objective 6.2.1.1 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.

Policy 1.1 To maintain surface water flows at levels which safeguard the life supporting capacity of the resource by setting and enforcing Sustainable Flow Regimes (SFRs) in terms of specified river flows.

Policy 1.5 To set the SFR for fresh surface waters to:

- protect in-stream habitat and ecology.*
- improve fish passage and spawning grounds.*
- protect the natural character of freshwater resources.*
- maintain water quality.*
- protect cultural values.*
- provide for aquifer recharge.*

This application is within the SFR as set for the Wairau River. The SFR has been set to prevent adverse effects on the environment. Therefore the proposal is consistent with the above objective and supporting policies.

Objective 6.3.1.1 To achieve equitable allocation and use of surface water and groundwater resources.

Policy 1.3 To set water permit 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 volume of water proposed to be abstracted allows for irrigation application rates consistent with MDC's guidelines as contained in the WAMP.

Objective 6.4.1.1 To establish an efficient resource use regime and support sustainable management of the freshwater resource.

Policy 1.1 To enable more efficient use of fresh water resources through implementation of a triple class water permit system.

Policy 1.2 To allocate water on the basis of guidelines.

This application is entirely consistent with these objectives and policies as it is within the allocation that has been developed in order to provide for in-stream values of the Wairau River.

The volume of water abstraction applied for is consistent with the Council irrigation guidelines as contained in the Plan. The proposed abstraction can therefore be considered to be an equitable and efficient use of the water resource.

9 Proposed Monitoring

The Fourth Schedule of the Act, requires that 'where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom'.

Monitoring of the abstraction is to be carried out by the consent holder by way of compliance with all applicable conditions of consent.

10 Resource Consent Duration

The applicant seeks a 30 year term for this water permit application in accordance with Policy 5.3.14 of the MEP.

That policy promotes a 30 year term where the subject water resource has an allocation limit, established minimum flows / levels and is not in a state of over-allocation. The Wairau River satisfies all these criteria.

11 Proposed Monitoring

The Fourth Schedule of the Act, requires that 'where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom'.

Monitoring of the abstraction and use of Wairau River FMU water will be carried out by the consent holder and will include compliance with any applicable resource consent conditions.

12 Conclusion

Investavine Limited seek resource consent to abstract and use Wairau River FMU Class A and C water as follows:

- Water Permit – Take Surface Water
 - *To abstract Wairau River freshwater management unit Class A surface water from the up to a maximum rate of 600 m³/day.*
 - *To abstract Class C water from the Wairau River freshwater management unit up to a maximum rate of 1296 m³/day.*
- Water Permit – Use Surface Water
 - *To use Wairau River freshwater management unit Class A surface water for the irrigation of up to 30 ha of vineyard on Lot 2 DP 400781, Lot 2 DP 491922 and Lot 1 DP 9548 as per the following monthly maximum volumes:*

	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
<i>Total Area (m³)</i>	<i>600</i>	<i>7,200</i>	<i>12,600</i>	<i>14,400</i>	<i>12,900</i>	<i>7,500</i>	<i>2,400</i>

- *To use Wairau River freshwater management unit Class C surface water for placing into storage.*
- *To use Wairau River freshwater management unit Class A surface water for miscellaneous use outside of the irrigation season at a maximum rate of 748 m³/day and 3000 m³/non irrigation season.*

A water meter has been installed and verified to demonstrate compliance with the Resource Management and Reporting of Water Takes Regulations 2010. A copy of the meter verification will be supplied to Council.

It is proposed to continue to abstract water utilising the existing infiltration gallery as per U080431.

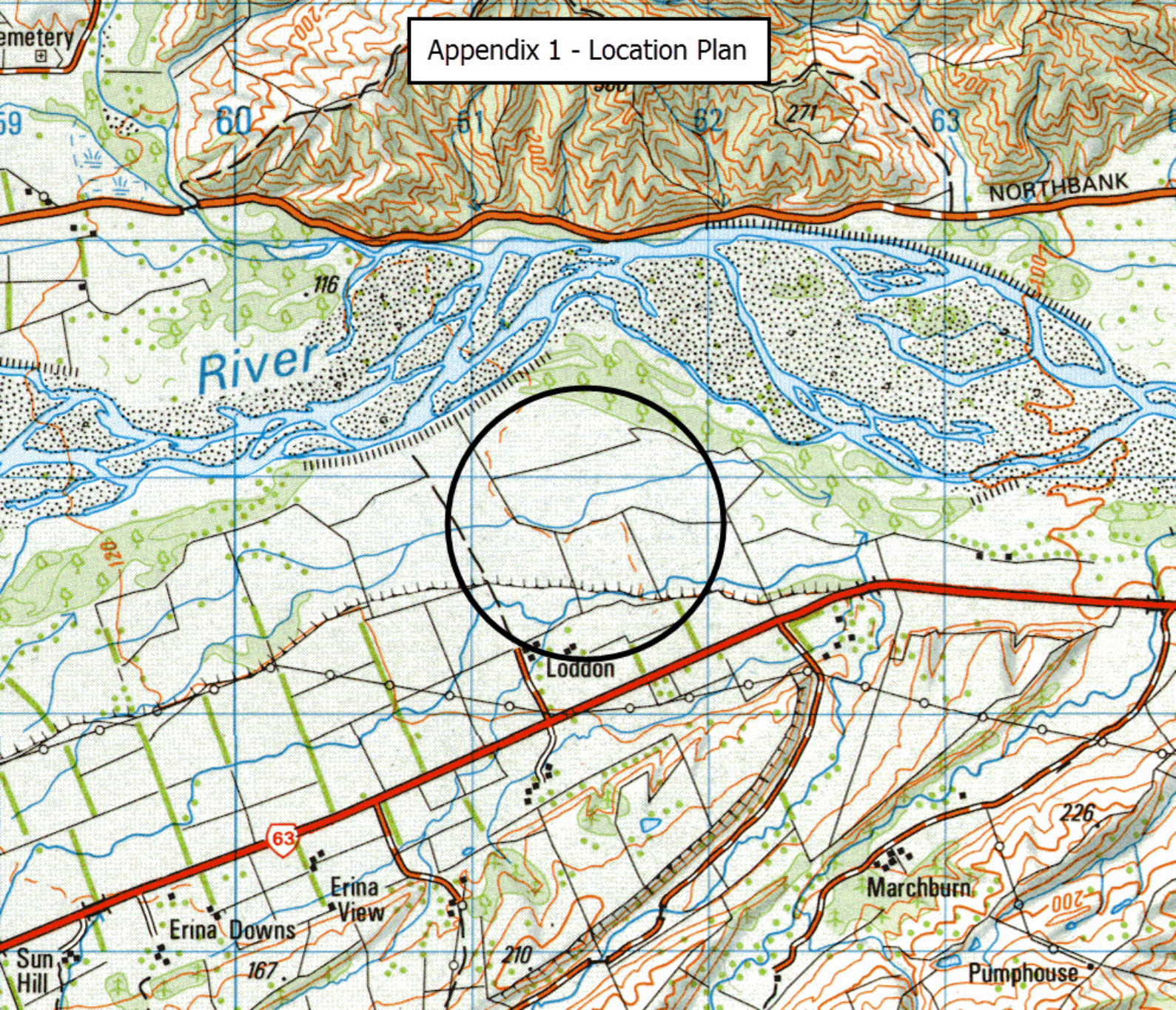
Any associated potential effects on the environment can be appropriately avoided, remedied or mitigated through the imposition of conditions of consent.

The proposal is consistent with the relevant provisions of Part 2 of the Act, the National Policy Statement for Freshwater Management 2014, the Proposed Marlborough Environment Plan, the Marlborough Regional Policy Statement and the Wairau Awatere Resource Management Plan.

Accordingly resource consent should be granted to this proposal.

Appendix 1 – Location Plan

Appendix 1 - Location Plan



Appendix 2 – Detailed Site Plan

Appendix 2 - Site Plan



Appendix 3 – Irrigation Demand

IRRIGATION REASONABLE USE DATABASE

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



Ministry for Primary Industries
Manatū Ahu Matua

Sustainable Farming Fund



AQUALINC
RESEARCH LIMITED

1

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

-41.533 , 173.620

Locate



Map data ©2016 Google Imagery ©2016 Cnes/Spot I Report a map error

2

Select
Crop

Grapes

3

Select
Plant Available Water

(a) Most likely PAW in this area

4

Select
Irrigation Method

Micro/Drip

5

Fetch Data

Farm Details

Description

Latitude -41.533

Longitude 173.62

Council Marlborough

Climate Site ID P153122

Distance to
Climate Site
(km) 0.98

Rainfall (mm) 1195

Plant Available Water Details

PAW(mm)

70

Indicative
Likelihood

33

Area
(hectares)

30

0

0

0

0

0

30

Irrigation Requirements

System Capacity

0.23

2

Daily Volume

20

7 Day Volume

28 Day Volume

90% ile Annual
Volume

Per Hectare

0.23

2

20

1,504

Total Area

6.9

600

45,120

90 Percentile Monthly Volume

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m ³ /h)	0	0	0	20	240	420	480	430	250	80	0	0
Total Area (m ³)	0	0	0	600	7,200	12,600	14,400	12,900	7,500	2,400	0	0

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

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

Detailed Results

Save this Page

Background Information

Appendix 4 – Title Documents



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier MB5C/861
Land Registration District Marlborough
Date Issued 18 May 1995

Prior References

MB5A/143

Estate Fee Simple
Area 9.9250 hectares more or less
Legal Description Lot 1 Deposited Plan 9548
Proprietors
Investavine Limited

Interests

Subject to Section 59 Land Act 1948

158477 Transfer creating the following easements

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 1 Deposited Plan 8816 - CT MB5B/124	A DP 8385	Lot 1 Deposited Plan 9548 - herein	
Convey water	Lot 2 Deposited Plan 8816 - CT MB5B/125	A DP 8385	Lot 1 Deposited Plan 9548 - herein	
Convey water	Lot 3 Deposited Plan 8816 - CT MB5B/126	A B & C DP 8385	Lot 1 Deposited Plan 9548 - herein	

159280 Encumbrance to Marlborough District Council - Produced 20.8.1991 and entered 20.8.1991 at 9.16 am

168403.1 Transfer creating the following easements

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 1 Deposited Plan 9548 - herein	A DP 8860	Part Lot 1 Deposited Plan 7981 - CT MB5A/144	

179772.2 Easement Certificate specifying the following easements - 18.5.1995 at 9.40 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 1 Deposited Plan 9548 - herein	B C DP 9548	Lot 2 Deposited Plan 9548 - CT MB5C/862	
Convey water	Lot 1 Deposited Plan 9548 - herein	A C DP 9548	Part Lot 1 Deposited Plan 8377 - CT MB5C/863	

The easements specified in Easement Certificate 179772.2 when created will be subject to Section 243(a)
Resource Management Act 1991

10412195.3 Mortgage to ANZ Bank New Zealand Limited - 29.4.2016 at 3:33 pm

Transaction Id 36226.001
Client Reference 36226.001

Search Copy Dated 16/08/16 3:36 pm, Page 2 of 2
Register Only

APPROVED

G.W. PARKINSON

REGISTERED OWNERS

FOR MARLBOROUGH DISTRICT COUNCIL
CONSENT SEE DEC N° L79288

EXISTING EASEMENT - 168495

SHOWN	PURPOSE	SERV TEN	DOM TEN
A & C	RIGHT TO CONVEY WATER	LOT 1 HEREON	P. LOT 1 D.P. 8377

MEMORANDUM OF EASEMENTS

SHOWN	PURPOSE	SERV TEN	DOM TEN
B & C	RIGHT TO CONVEY WATER	LOT 1 HEREON	LOT 2 HEREON
A & C	"	"	P. LOT 1 D.P. 8377

NEW C'ST ALLOCATED

LOT 1	5C/861
LOT 2	5C/862
BALANCE	5C/863

Total Area 22.147 ha

Comprised in G.T. 5A/143
G.W. & V.M. PARKINSON

GRACIE MENICOL HAYMES
Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1988 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1992 or any regulations made in substitution thereof

Dated at DUNEDIN this 2.04 day of MARCH 1995 Signature

Field Book 1471 p. 8-12 Traverse Book 74 p. 127-8
Reference Plans
Examined 1/5/95 Correct 1/5/95

Approved as to Survey
H. I. S. 1995 Chief Surveyor

Deposited this 18th day of MAY 1995
District Land Registrar

File Received 5.4.95 Instructions DP9548T

Scale 1:2000 Date MARCH 1995

PLAN OF LOTS 1 & 2 BEING SUBDN OF LOT 1 D.P. 8377

LAND DISTRICT MARLBOROUGH
SURVEY BLK. & DIST. II. AVON
NZMS 261 SHT 018 RECORD MAP No 73

W.A. ROBERTSON, SURVEYOR GENERAL, DEPARTMENT OF SURVEY AND LAND INFORMATION, NEW ZEALAND

Allinson

Detail Form D15 "Approved (LM) B43"



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 713751
Land Registration District Marlborough
Date Issued 23 December 2015

Prior References

401391 MB5B/124

Estate Fee Simple
Area 89.5790 hectares more or less
Legal Description Lot 2 Deposited Plan 400781 and Lot 2
Deposited Plan 491922

Proprietors

Investavine Limited

Interests

Subject to Section 59 Land Act 1948

Appurtenant to Lot 2 DP 400781 are rights to convey water created by Transfer 158477 - 2.7.1991 at 2:30 pm
159280 Encumbrance of part Lot 2 DP 400781 formerly Part Lot 1 DP 8377 to Marlborough District Council -
20.8.1991 at 9.16 am

Appurtenant to Lot 2 DP 491922 is a right to convey water specified in Easement Certificate 166459.3 - 23.12.1992
at 12:10 pm

The easements specified in Easement Certificate 166459.3 when created will be subject to Section 243(a)
Resource Management Act 1991

Appurtenant to part Lot 2 DP 400781 formerly Part Lot 1 DP 7981 is a right to convey water created by Transfer
168403.1 - 11.5.1993 at 9:05 am

Appurtenant to part Lot 2 DP 400781 formerly Part Lot 1 DP 8377 is a right to convey water specified in
Easement Certificate 179772.2 - 18.5.1995 at 9.40 am

The easements specified in Easement Certificate 179772.2 are subject to Section 243 (a) Resource Management
Act 1991

Appurtenant to Lot 2 DP 491922 is a right to convey electricity created by Transfer 182521 - 15.11.1995 at 10:30
am

7724852.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 25.2.2008 at 9:00 am
(affects Lot 2 DP 400781)

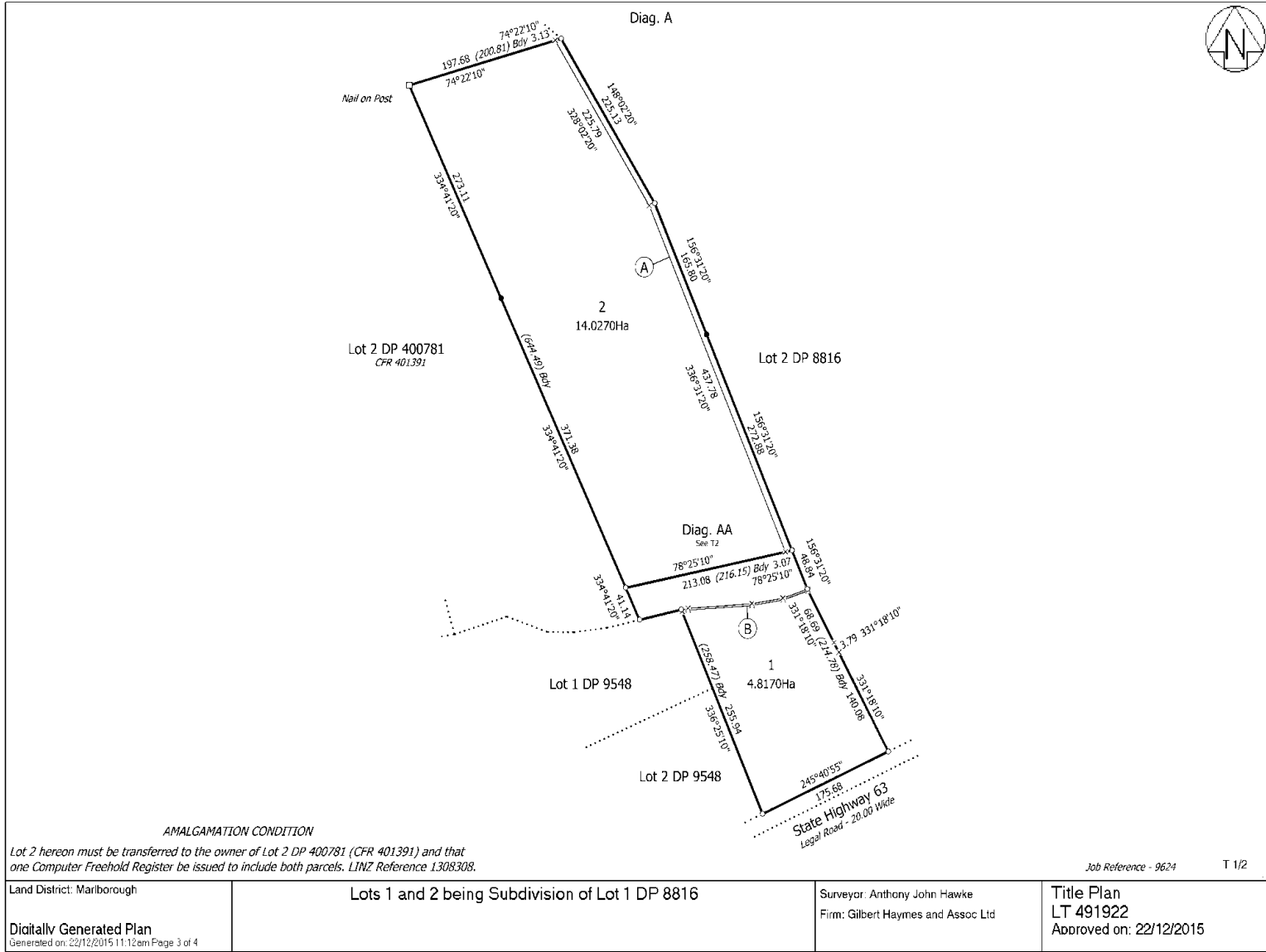
10281342.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 23.12.2015 at 12:34 pm
(affects Lot 2 DP 491922)

Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991 (affects DP 491922)

Subject to a right of way and a right to convey water over part Lot 2 DP 491922 marked A on DP 491922 created
by Easement Instrument 10281342.8 - 23.12.2015 at 12:34 pm

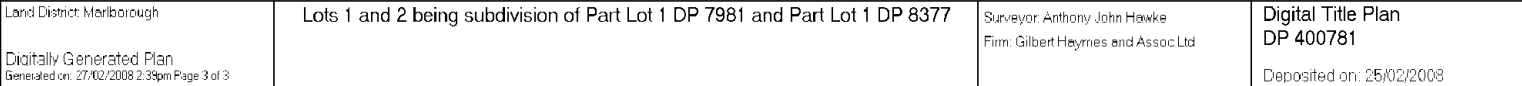
The easements created by Easement Instrument 10281342.8 are subject to Section 243 (a) Resource Management
Act 1991

10281342.9 Mortgage to ANZ Bank New Zealand Limited - 23.12.2015 at 12:34 pm



Job Reference - 9624

T 1/2



To: Marlborough District Council
PO Box 443
Blenheim 7240



**MARLBOROUGH
DISTRICT COUNCIL**

ISO 9001:2008
Document Number:
RAF0010-CI1220

SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

1. Submitter Details

Name of Submitter(s) in full

Address for Service *(include post code)*

Email

Telephone *(day)*

Mobile

Facsimile

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

2. Application Details

Application Number

U

Name of Applicant *(state full name)*

Application Site Address

Description of Proposal

3. Submission Details *(please tick one)*

I/we support all or part of the application

☐

I/we oppose all or part of the application

☐

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

☐

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



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

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

4. Submission at the Hearing

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

☐

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

☐

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

☐

5. Signature

Signature	_____	Date	_____
Signature	_____	Date	_____

6. Important Information

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

7. Privacy Information

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