

RESOURCE CONSENT APPLICATION

U170740

Bradley Dane, Tamsin Aroha and Timothy Melton Clark

208 Neal Road, Rarangi

Submissions Close 5.00 pm Friday 27 October 2017

Chris Hines-5483

From: MDC

Sent: Tuesday, 12 September 2017 3:19 p.m.

To: RCInbox

Subject: Application for Resource Consent: REF170909142

Attachments: REF170909142.pdf

A application for a Resource Consent has been received. Application lodgement number is REF170909142.

Submission details are attached.



PO Box 443, Blenheim 7240 Tel 03 520 7400 / Fax 03 520 7496

 $\textbf{Email}~\underline{mdc@marlborough.govt.nz} \, / \, \underline{www.marlborough.govt.nz} \, / \, \underline{www.marlborough.govt$

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Reference Number:	REF170909142
Submitted On:	12/09/2017 15:18
Submitted By:	RMco 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

Email address	paul@rmco.co.nz
Main contact number	577 9239
Alternative contact number	0274 577 009
Agent reference	Not answered

Application Details

Types of resource consent applied for	• Water Permit
Property Details	
The location to which the application relates is	208 Neal Road, Rarangi Lot 1 DP8011
Brief description of the activity	To take up to 6,665 cubic metres of water per year from the Wairau Aquifer for the irrigation of 2.5ha of grapes. This is a water permit to replace an existing water permit (U071244) on expiry.

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 • Clark-water permit-re.pdf(973348 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	No files uploaded
Scheme plan	No files uploaded
Forest harvest plan	No files uploaded
Building plans	No files uploaded
Dam design drawings	No files uploaded
Certificate of Title	

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

Supplementary Forms

Please indicate which supplementary forms you are adding	• Water permits
Type of permit required	Take underground water
Do you currently hold a water permit that is due to expire?	Yes
What is the water permit number?	U071244
Purpose for which water is required?	Irrigate 2.5ha grapes
Source of water	Wairau Aquifer
Maximum quantity of take	
Litres per second	0.65
Cubic metres per day	56.45
Cubic metres per week	395.2
Groundwater	
Is the well existing?	Yes

Well Number	P28w/ 4767
Depth from ground level to bottom of well	28.18
Diameter of well	100
Has the pump test or well interference test been carried out on the well?	Yes
Upload results	• Well log.pdf(166640 bytes)
Water use purpose	
Use Type	Irrigation
Crop type	grapes
Area	2.5
Application Rate	22.6
Quantity	56.45
Irrigation Period	• Jan • Feb • Mar • Apr • Oct • Nov • Dec

trickle

Technical Reports

Do you wish to upload any technical reports to be included in the

Method

application by the relevant Resource Management Plan, Act or regulations?	No
Benthic report	No files uploaded
Cultural effects assessment	No files uploaded
Dam construction report	No files uploaded
DSI	No files uploaded
Ecology report	No files uploaded
Economic report(s)	No files uploaded
Engineering report	No files uploaded
Erosion and sediment management plan	No files uploaded
Geotechnical report	No files uploaded
Landscape report	No files uploaded
PSI	No files uploaded
RAP	No files uploaded
Wastewater report	No files uploaded
Any other report not covered in the list above	No files uploaded

Written Approvals

Please provide the names and addresses of the owner and occupier of the land (other than the applicant)	Not answered
Please attach any written approval(s) that may have been obtained from affected parties/adjoining property owners and occupiers	No files uploaded

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

Brief reason for not consulting with neighbours Not affected

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	Has been paid
Please give details of payment reference	Not answered
If you have a payment reference to upload, please upload it here	No files uploaded
Notes	The applicants originally prepared their own application (U170519) which was not accepted due to lack of information. The lodgement fee was paid at the time that the original application was lodged. This application corrects those information requirements.
I confirm that the information provided in this application and the attachments are accurate	Yes
Authorised by (your full name)	Paul Edwin Williams

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.



Bradley Dane Melton Clark, Tamsin Aroha Clark & Timothy Melton Clark

Resource Consent Application for a New Water Permit to Replace an Existing One

August 2017



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1 Executive Summary

The subject land is located at 208 Neal Road.

The applicants are the holders of current water permit U071244 provides for the take of up to 66 cubic metres of Wairau Aquifer sub-surface water to irrigate 3ha of vineyard.

This water permit is due to expire on 1 April 2018.

It is proposed to replace this water permit with a new water permit. An application has already been submitted by the applicant but was returned due to incomplete information. That application number was U170519.

Less water is being sought than is currently permitted, as a lesser area of grapes was developed than originally proposed. The abstraction is within the current allocation of water from the Wairau Aquifer.

The nearest well is distant. There are no known effects of abstraction from the subject well on the ability of others in the vicinity to draw water via their wells.

The proposal is in accord with the objectives and policies of the Wairau/ Awatere Resource Management Plan (WARMP) and the Marlborough Environment Plan (MEP).

The adverse effects of this proposal will be minor 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 land to be irrigated is located at 208 Neal Road. The legal description is Lot 1 DP8011.

Water is abstracted from well P28w/4767.

A plan in Appendix 1 shows the general location of the property.

An aerial photograph in Appendix 2 shows the boundaries of the property to be irrigated, the area in vineyard and the location of the well.



3 Receiving Environment

3.1 The Site

The site is flat land comprising of 4ha in total with 2.5ha in grapes.

Surrounding land uses include viticulture, pastoral and tree crops.

3.2 Value of Investment

For the purposes of s104(2A) of the Resource Management Act, the value of the investment of the vineyard which relies on the water is estimated to be in the order of \$460,000.

3.3 Water Resource & Infrastructure

Well P28w/4767 draws water from the Wairau Aquifer Coastal Central Freshwater Management Unit. It is a medium yielding aquifer at this location.

Well P28w/4024 is 28.18m deep and screened between 26.95m and 28.18m. The diameter of the bore is 100mm. At the time of construction, the well was pump tested for 3 hours at an average rate of 8.06m³/hr, resulting in a drawdown of 0.45m below static water level.

A mechanical water meter has been installed which is not capable of storing data in electronic format. The only water meter readings are:

25/10/15 66,093.131 16/12/16 75,104.079 30/08/17 79,067

It is expected that a condition of consent will require installation of data logger-capable water meter.

3.4 Statutory Acknowledgements

Statutory acknowledgements are set out in the document *Te Tau Ihu – Statutory Acknowledgements 2014* 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.

4 Proposal Detail

This application is for a water permit to replace the applicant's existing portion of water permit U071244 on expiry.

Less water is proposed to be allocated and no change of use of water is proposed. The current water permit provides for a maximum of 22m³/ha per day over 3ha of grapes which equates to a maximum of 66m³/day.

This proposal is based on the water use model *Irricalc* which in this area provides for a maximum of 24m³/ha/day. Only 2.5ha of grapes was established. At 24m³/ha/day, the maximum proposed irrigation is equivalent to 60m3/day.

4.1 Take of Water

It is proposed to take up to 6,665m3 of water per year from the Wairau Aquifer via well P28w/4767.

4.2 Use of Water

It is proposed to use the abstracted water for the irrigation of 2.5ha of grapes by means of dripper irrigation.

Monthly use rates in accordance with the allocation model Irricalc are set out in the table in Appendix 3.

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 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 3 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 m³/day/site from the Wairau Aquifer as a Discretionary Activity.

Water Use

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 water for irrigation is therefore a Discretionary Activity.

5.3 Marlborough Environment Plan

The land is in the Rural Environment zone in the Marlborough Environment Plan (MEP).

This abstraction point is mapped as being within the in the Wairau Aquifer Coast Central Freshwater Management Unit (FMU).

The land is mapped mostly as having free draining soils which is reflected in a maximum design irrigation rate for grapes of 24m³/ha/day in water use model *Irricalc*. The west end of the site which is not planted in grapes is mapped as having drainage impeded soils.

Adjacent to Neal Road, the property is mapped as having a Level 1 Flood Hazard and at the west end adjacent to the Pukaka Drain it is mapped as a level 2 Flood Hazard.

The area is also part of the broad-scale overlay mapping of a *Threatened Environment*.

Water Take

The water take is from the Wairau Aquifer Coast Central FMU. The allocation for the Wairau Aquifer as a whole is specified in Appendix 6, Schedule 1 as 73,006,000m³/year.

Rule 2.5.2 provides that a water take such as proposed as a Discretionary Activity.

Water Use

Rule 2.5.3 provides for a water use such as proposed as a Discretionary Activity.



6 Assessment

An overview analysis of the requirements of Schedule 4 of the Act is found in Appendix 5.

6.1 Actual & Potential Effects

Effects on Neighbourhood, Community

The nearest well drawing from the Wairau Aquifer (P28w4472) is approximately 64m to the south (see aerial photo in Appendix 2). Given this separation distance, the proposed abstraction will not adversely affect the ability to draw water from the neighbouring well.

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 adverse effects of this ongoing water take and use on the locality, landscape or visual qualities of the area.

Effects on Ecosystems

Water is to be drawn from the Wairau Aquifer and applied to an existing vineyard. There will be no noticeable effects on ecosystems.

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 2014* as having specific sites of cultural, spiritual, historical or traditional significance to Maori.

Up to 208 Neal Road

Effects of Discharge of Contaminants

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

Effects on Water Resources

Potential issues of this abstraction of water from the Wairau Aquifer are seawater intrusion.



Observations from the MDC sentinel wells along the Cloudy Bay coast indicate that seawater intrusion is currently not occurring. However it is expected that any consent issued would be subject to precautionary conditions limiting abstraction in the event that seawater intrusion did occur, with reference to groundwater environmental electrical conductivity and elevation thresholds at the MDC sentinel well P28w/1733.

Risk Through Natural Hazards, Hazardous Substances, Hazardous Installations

No hazardous substances are involved with this proposal.

While the site is mapped as a Level 1 & 2 Flood Hazard in the MEP, the take and use of water for irrigation will not exacerbate flooding events.

6.2 Objectives & Policies – Wairau/ Awatere Resource Management 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 1.2 - To allocate water on the basis of guidelines.

<u>Comment</u>: The maximum guidelines set in the Plan for the irrigation of pasture is 22m³/ha/day. The maximum water sought in this application is 24m³/ha/day which has been justified through the recently water use model, *Irricalc*.

6.3 Objectives & Policies – Marlborough Environment Plan

Use of Natural Resources

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

The commentary to this policy states that: As a principle, the Council will continue to enable access to natural resources where the subsequent use of those resources has no more than minor adverse effect on the immediate or surrounding environment.

Comment: This application is for less water than previously granted under the existing water permit.

Allocation of Public Resources

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.





<u>Comment</u>: The Wairau Aquifer is currently over-allocated (Policy 5.5.1), however this application is to replace an existing water permit and does not add to that over-allocation.

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

<u>Comment</u>: The reasonable use requirements as evaluated using the modelling programme *Irricalc* is for a maximum annual volume 6,665m³ per year with monthly maximums as set out in Appendix 4.

6.4 National Environmental Standards

There are no National Environmental Standards that are relevant to this proposal.

6.5 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 less water than previously granted under the existing water permit and therefore slightly reduces that over-allocation. Council has instigated other measures to address the over-allocation issue.

6.6 Regulations

The Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 require water meter data to be provided in a form that is suitable for electronic storage. It is expected that a condition of consent will be that a water meter with data-logging capability will be required to be installed.

6.7 Regional Policy Statement

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

7 Potentially Adversely Affected Persons & Consultation

This application is for a water permit to replace water permit U071244. No additional water or change of use of water is proposed.



The well is a considerable distance from the nearest well and will therefore will not affect water abstraction from that neighbouring well.

No consultation therefore is considered to be required or been undertaken.

8 Conclusions

This application is for a water permit to replace an existing water permit. No new water is proposed to be taken or used.

The proposed maximum rate of take is in accord with the reasonable use test under the Irricalc model.

The well is a considerable distance from the nearest well and will therefore not affect water abstraction from that neighbouring well.

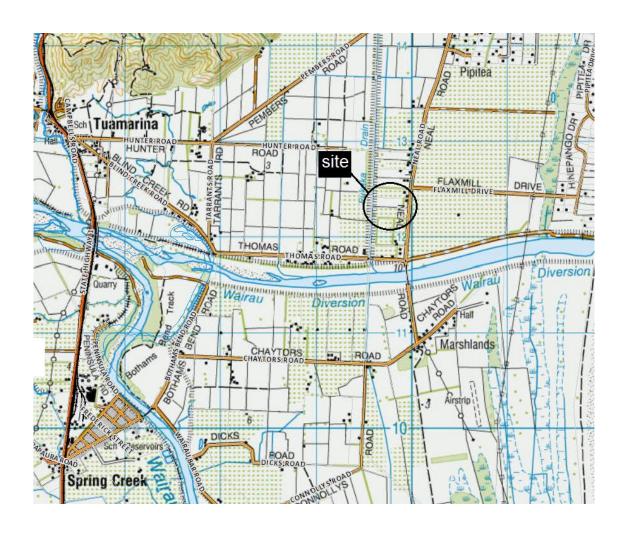
The proposal is in accord with the relevant objectives and policies of the Plans.

Given the above, the applicant respectfully requests that consent be granted.

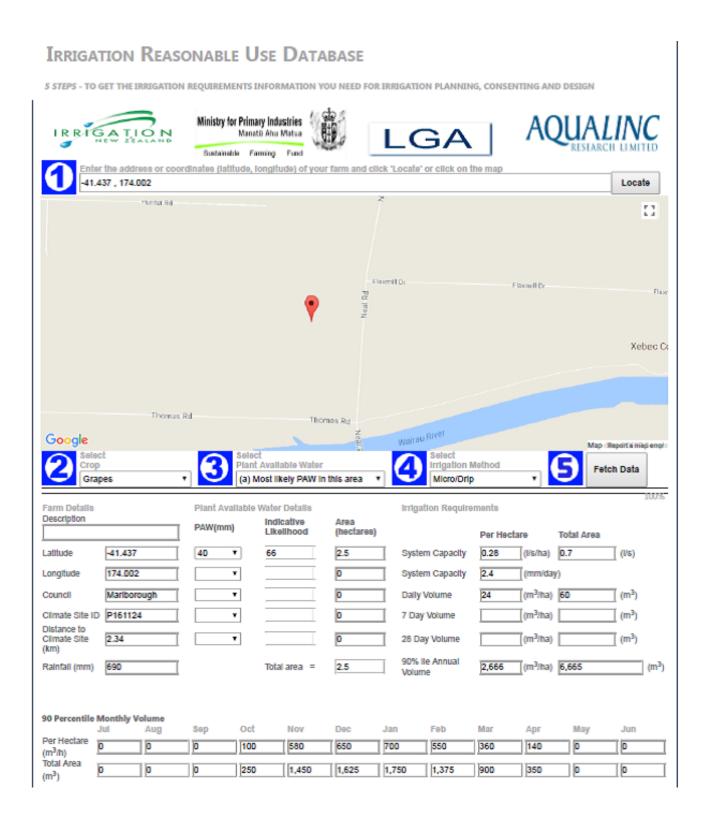
Paul Williams

Resource Management Consultant

September 2017







Appendix 4 – Water Permit Form

Appendix 5 – Analysis of Requirements of Schedule 4 of the Act

Clause	Matter	Not	Addressed			
		relevant	in			
		or	application			
2(1)(a)	description of activity	applicable	1			
	site description		1			
(b)	Name, address of owner or occupiers					
(c)	•	1				
(d)	any other activities that are part of the proposal	<i>,</i>				
(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	<u> </u>	T			
	(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	✓				
	Section 7 – Other Matters					
	(a)kaitiakitanga	✓				
	(aa) ethic of stewardship	✓				
	(b) efficient use of resources	1				
	(ba) efficiency of energy use	1				
	(c) amenity values	✓				
	(d) intrinsic values of ecosystems	1				
	(f) quality of the environment	1				
	(g) any finite characteristics of natural and physical resources	1				
	(h) protection of the habitat of trout and salmon	1				
	(i) effects of climate change	1				
	(j) benefits from the use and development of renewable energy	1				
	Section 8					
	principles of Treaty of Waitangi	1				
(g)	assessment of the activity against any relevant provisions of documents in s104(1)(b):					
,	(i) national environmental standard	√				
	(ii) other regulations:	†	1			
	(iii) national policy statement		1			
	(iv) New Zealand coastal policy statement	1				
	(v) regional policy statement or proposed regional policy statement	+ -	1			

	(vi) plan or proposed plan		1				
(3)	Additional information required in some applications						
	(a) demonstration of compliance of permitted activity parts of proposal	✓					
	(b) assessment of the value of the investment of the existing consent holder		✓				
	(b) assessment against Marine and Coastal Area (Takutai Moana) Act 2011	✓					
(6)	Information required in assessment of environmental effects						
	(a) possible alternative locations or methods if effects significant	✓					
	(b) actual or potential effects		1				
	(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	✓					
	persons affected, consultation undertaken		✓				
	(g) monitoring required if scale and significance of effects warrants, how & by whom		1				
	(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		1				
	(c) effects on ecosystems		✓				
	(d) effects on aesthetic, recreational, scientific, historical, spiritual, or cultural values		1				
	(e) discharge of contaminants		1				
	(f) risk through natural hazards, hazardous substances, hazardous installations		1				



4 Springswood Grove **BLENHEIM** Telephone 021-343 089 After hours 0-3-578 8270 Facsimile 0-3-578 8166



WATER WELL ENGINEERS TO MARLBOROUGH

Log No 1164

Well Owner Mr B Hennessy

194 Neal Road

Rarangi

Contact Name Bill

Driller John Butt

Map Sheet No

Altitude (m):

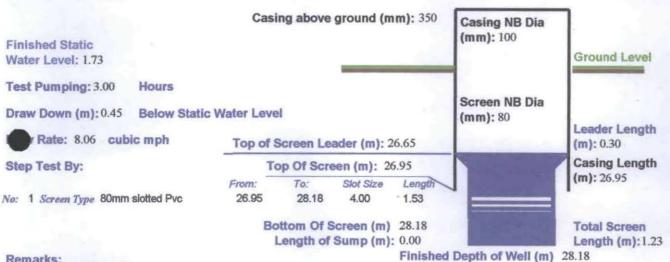
Drilling Date 18/10/2007

Grid Ref East:

South

Locality Neal Rd Grid ref 2593958-5973963

Depth To Fop (m)	Strata Bottom (m)	Strata Thickness (m)	Static Level (m)	Strata Description	Strata Picture
0.00	7.50	7.50		Grey fine gravel to coarse sand, and shellfish shells	
7.50	24.10	16.60		Grey marine sand	
24.10	28.30	4.20		Grey coarse gravel, some grey fine sand, water bearing	



Remarks:

Took a lot of development, very fine sand.

1/11/2007 10:30:40 p.m.



Page 1 of 2

To: Marlborough District Council PO Box 443 Blenheim 7240



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					
Submission Details (places tick and)					
3. Submission Details (please tick one)					
/we support all or part of the application					
/we oppose all or part of the application					
we are neutral to all or part of the application					
The specific parts of the application that my/our s pages if required)	ubmission relates to are (give details, using additional				



The reasons for my/our submission are (use additional pages if required)				
applio	decision I/we would like the Council to make is (give details includin ication you wish to have amended and the general nature of any coles 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			
Coun or mo such	IONAL: Pursuant to section 100A of the Resource Management Act ncil delegate its functions, powers, and duties required to hear and core hearings commissioners who are not members of the Council. (a a request you may be liable to meet or contribute to the costs of coalso be made separately in writing no later than 5 working days after	decide the application to one Please note that if you make ommissioner(s). Requests		
5.	Signature			
C:	_	Data		
Signa		Date		
Signa	ature	Date		
6.	Important Information			
	Council must receive this completed submission before the closing date an completed submission may be emailed to mdc@marlborough.govt.nz	d time for submission for this application. The		
	 You must also send a copy of this submission to the applicant as soon as r address for service. 	easonably practicable, at the applicant's		
	Only those submitters who indicate that they wish to speak at the hearing v	vill be sent a copy of the hearing report.		
7.	Privacy Information			
Act 19	Information you have provided on this form is required so that your submission can be 1991. The information will be stored on a public file held by Council. The details may a te. If you wish to request access to, or correction of, your details, please contact Cou	also be available to the public on Council's		

 $O: Templates forms \\ Reg Quality Systems \\ I Resource Mgmt Control Chapter (R) \\ AF Application Forms \\ RAF0010-C11220-Submission on Application for Resource Consent-1. doc$