



## **RESOURCE CONSENT APPLICATION**

**U170778**

# **Edward Charles and Kathryn Jane Chapman- Cohen trading as Walnut Creek Partnership**

2174 State Highway 1, Spring Creek

## **Submissions Close**

**5.00 pm Friday 10 November 2017**

## Bea Gregory-5252

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**From:** MDC  
**Sent:** Thursday, 28 September 2017 6:07 p.m.  
**To:** RCInbox  
**Subject:** Application for Resource Consent: REF170922918  
**Attachments:** REF170922918.pdf

A application for a Resource Consent has been received. Application lodgement number is REF170922918.

Submission details are attached.



PO Box 443, Blenheim 7240

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GST No. 50-430-960



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Reference Number:	REF170922918
Submitted On:	28/09/2017 18:06
Submitted By:	Remac Consulting Ltd

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## Important Information

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

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

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

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

## Applicant Details

Select as many as are applicable

Is the applicant	• An individual
First name	Edward Charles and Kathryn Jane
Last name	Chapman-Cohen Trading as Walnut Creek Partnership
Is the applicant	
Is the applicant	
Main applicant name	Walnut Creek Partnership
Main applicant mailing address	PO Box 27, Spring Creek 7244
Main applicant email address	ed@remacconsulting.co.nz
Main contact number	027 444 0551
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	Remac Consulting
Contact person	Ed Chapman-Cohen
Mailing address	PO Box 169, Blenheim 7240
Email address	ed@remacconsulting.co.nz
Main contact number	03 577 1925
Alternative contact number	027 444 0551
Agent reference	R8248

# Application Details

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

The location to which the application relates is	2174 SH1, Spring Creek Pt Lot 10 DP 485
Brief description of the activity	the Applicant seeks the following consents to replace water permit U070821: •Water Permit – Take Groundwater - To take Northern Springs Sector FMU water from a surface water take on Spring Creek (grid ref: 1680247E 5410324N) or from existing well P28w/2739, up to a maximum rate of 17,462 cubic metres per year. •Water Permit – Use Groundwater - To use water for the irrigation of up to 2.4 ha of stonefruit, pasture or arable crops on Pt Lot 10 DP 485.

## Assessment of Effects on the Environment (AEE)

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

Please upload Assessment of Effects on the Environment	• <a href="#">R8248 Walnut Creek Partnership - Water Permit RCA to Replace U070821 - 28.9.17.pdf</a> (342541 bytes)
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## Plans

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

Site/location plan	• <a href="#">Appendix 1 - Site Plan R8248 sheet R1 issue A..pdf</a> (631942 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	No files uploaded
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# Supplementary Forms

Please indicate which supplementary forms you are adding

# 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	• <a href="#">Appendix 2 - Irrigalc Irrigation Requirements - Walnut Creek Partnership, SH1, Spring Creek.pdf</a> (317394 bytes)

## Written Approvals

Please provide the names and addresses of the owner and occupier of the land (other than the applicant) N/A

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? Yes

Please make invoice out to Applicant

The application lodgement fee Has been paid

Please give details of payment reference Not answered

If you have a payment reference to upload, please upload it here • [R8248 - Record RC Application Fee Payment - 28.9.17.pdf](#)(40648 bytes)

Notes Not answered

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

Authorised by (your full name) Ed Chapman-Cohen

## 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.

**Our Ref: R8248**

28 September 2017

**APPLICATION FOR WATER PERMIT TAKE AND USE WATER  
REPLACEMENT OF U070821  
WALNUT CREEK PARTNERSHIP  
PT LOT 10 DP 485  
2174 STATE HIGHWAY 1, SPRING CREEK**

**1. SITE DESCRIPTION**

The Applicant; Walnut Creek Partnership, own a 3.3 ha property at 2174 state Highway 1, Spring Creek, being; Pt Lot 10 DP 485.

The property is bounded to the west by Spring Creek, State Highway 1 to the east and rural properties to the north and south. There is a driveway, dwelling, curtilage, sheds and yards located in the south-western corner of the subject property occupying approximately 0.2 ha. The balance of the land is currently utilised for arable crops and pasture.

Refer Appendix 1: Remac Consulting Ltd - *Site Plan* - R8248 Sheet R1 issue 'A'.

There is an existing bore (P28w/2739) immediately adjacent to the shed in the SE corner, from which the Applicants draw a domestic and stock water supply. This well is currently not fitted with a water meter.

The Applicants hold current water permit U070821 which allows the take of surface water from Spring Creek up to a maximum rate of 137 m<sup>3</sup> per day, and use of that water to irrigate 2.4 ha of crops on Pt Lot 10 DP 485. This consent expires on 1 October 2017.

According to the Marlborough District Council GIS database, the nearest neighbouring well to the subject property, being; P28w/2890 is located near the northern boundary of Lot 2 DP 11607, on the western side of Spring Creek.

Under the Wairau Awaere Resource Management Plan (the Plan) the subject property is within the Rural 3 Zone and the underlying water source is the Wairau Aquifer.

Under the Proposed Marlborough Environment Plan (the Proposed Plan), the subject property is located in the Rural Environment Zone and identified as being within the Northern Springs Freshwater Management Unit.

Council Groundwater Scientist advises that the area is within a semi-confined section of the Wairau Aquifer, as identified in the 2011 Council publication, Groundwaters of Marlborough.

**2. DESCRIPTION OF PROPOSED ACTIVITY**

The Applicant proposes to replace the existing surface water take with a surface water or groundwater take, which would be via an existing well within Pt Lot 10 DP 485.

No additional water volume is sought. However, the Applicant wishes to ensure the permit can be utilised in the event a different crop type is planted, potentially grapes or stonefruit. Should this occur, the water take would be from the existing well located on the property (P28w/2739) rather than the direct surface water take.



2 October 2017

ISO 9001  
Document Number:  
RAD0082-CI1238  
S88 RMA 1991  
Acceptance letter

Remac Consulting Limited  
PO Box 169  
Blenheim 7240

Record No:  
File Ref: U170778  
Case Officer: Victoria Bell

Dear Ed

**Receipt of application for resource consent - U170778 -  
Chapman-Cohen, Edward Charles and Kathryn Jane trading  
as Walnut Creek Partnership - 2174 State Highway 1 Spring  
Creek**

Your application has been checked and has been accepted as a complete application under section 88 of the Resource Management Act 1991.

The Council acknowledges receipt on 28 September 2017 of the following application(s) for resource consent:

- To take Wairau Aquifer - Northern Springs Sector FMU water from a surface water take on Spring Creek (grid ref: 1680247E, 5410324N) or from an existing well P28w/2379, up to a maximum rate of 12,330 cubic metres per year on Pt Lot 10 DP 485.
- To use water for the irrigation of up to 2.4 hectares of stonefruit, pasture or arable crops on Pt Lot 10 DP 485.

Please check that the summary of your application as detailed above is correct. Please notify me without delay if any details are incorrect.

We have also received the lodgement fee for processing the application, thank you. A partial refund or an invoice of the outstanding costs will be sent following completion of our processing in accordance with Council's fees and charging policy.

Once satisfied I have all the information required, it will be decided how your application will be processed. Either your application will be publicly notified (notified), notified on a limited basis (limited notification) or will be processed without public notification.

If it is to be publicly or limited notified, you will be advised.

If your application is to proceed on a non-notified basis, Council is required to issue a decision on your application within 20 working days from the date you lodged your application provided no further information was requested.

If further information is required then a formal request will be sent to you in writing.

Please do not hesitate to contact me if you have any questions or concerns regarding the above matters.

Yours faithfully

VICTORIA BELL  
**RESOURCE MANAGEMENT OFFICER**

Accordingly, the Applicant seeks the following consents:

- **Water Permit – Take Groundwater**

To take Northern Springs Sector FMU water from a surface water take on Spring Creek (grid ref: 1680247E 5410324N) or from existing well P28w/2739, up to a maximum rate of 17,462 cubic metres per year.

- **Water Permit – Use Groundwater**

To use water for the irrigation of up to 2.4 ha of stonefruit, pasture or arable crops on Pt Lot 10 DP 485.

As required under the Proposed Marlborough Environment Plan, the water requirement has assessed using 'Irricalc' which determined the demand for the irrigation of 2.4 ha of arable land as being 127 m<sup>3</sup> per day, or 17,462 m<sup>3</sup> per year.

Refer to Appendix 2; *Irricalc - Irrigation Requirements: Walnut Creek Partnership, SH1, Spring Creek.*

The Applicant volunteers the following conditions of consent:

**Water Take**

- i. ***This consent shall expire on (10 years from date of issue).***
- ii. ***The maximum abstraction rate authorised by this consent is 17,462 m<sup>3</sup> per year. A year is defined as from 1 July to the following 30 June.***
- iii. ***The Consent Holder shall install and maintain a water meter or meters to measure water abstraction that are able to provide data in a form suitable for electronic storage. The meters or meters are to exclusively record all water taken pursuant to this consent with an accuracy of plus or minus five percent.***
- iv. ***Within three months of the new meter installation, the meter shall be verified by a certified installer. A copy of the verification certificate shall be provided to the Marlborough District Council within 1 month of the verification.***
- v. ***The meter shall at all times be maintained in a fully workable condition.***
- vi. ***The consent holder shall install and maintain a data logger or data loggers to record and store all water abstraction data at daily intervals. The datalogger or data loggers are to be installed and operational by xxxx.***
- vii. ***Council staff will perform an audit role in respect of water abstraction records and may call to take readings from time to time.***
- viii. ***In accordance with Section 128 of the Resource Management Act 1991, from the date of consent until expiration, the Marlborough District Council may review the conditions of consent at any time from 1 June to 31 August in each year for the following purposes:***
  - a) ***For the purpose of dealing with any adverse effects on the Northern Springs Sector FMU, Spring Creek, or on any neighbouring wells or intake structures existing at the time this consent was granted, that may arise as the result of the exercising of this consent or as the result of the cumulative effect of this consent combined with the exercise of other resource consents, which may become apparent from monitoring***



*undertaken pursuant to this consent or by the Marlborough District Council Officers.*

- b) To bring the consent conditions in line with any regional plan which sets rules relating to a maximum or minimum level of flows or rates of abstraction or minimum standards of water quality if in the Marlborough District Council's opinion it is appropriate to review the conditions in order to enable the levels, flows, rates or standards set by such rules to be met.*

### Water Use

- i. Water can be used up to the maximum monthly rate (cubic meters per month) as set out in the table below:*

January	February	March	April	May	June
3792	3024	2256	768	0	0

July	August	September	October	November	December
0	0	1512	1512	3024	3792

- ii. The maximum cumulative annual usage shall not exceed 17,462 cubic meters per year. A year is defined as from 1 July – to the following 30 June.*
- iii. In accordance with section 128 of the Resource Management Act 1991, from the date of consent until the date this consent expires, the Marlborough District Council may at any time from 1 June to 31 August in each year, review the conditions of consent to bring the consent conditions in line with any regional plan which is made operative, which sets rules or guidelines relating to rates of usage.*

### **3. REQUIREMENT FOR RESOURCE CONSENT**

Section 14 of the Resource Management Act 1991 specifies that no person may take or use water in a manner that contravenes a rule in a regional plan unless allowed by a water permit.

Under Section 86B(3)(a) of the Act, if a proposed plan rule protects or relates to water it has immediate legal effect.

Therefore, despite the Proposed Plan not being operative, the provisions of both Plans must be taken into account.

#### **Wairau Awatere Resource Management Plan**

Rule 27.1.2.3.1 of the operative Plan provides for any abstractions between 15 and 3000 m<sup>3</sup>/day/site from the Wairau Aquifer, as a **discretionary** activity.

The use of water is not provided for in the Plan, therefore in accordance with section 87B of the Resource Management Act 1991, use of water is a **discretionary** activity.

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

The General Rules of the Proposed Plan provide for the proposed take and use of water as a **discretionary** activity under Rules 2.5.2 and 2.5.3.

#### **4. ASSESSMENT OF ENVIRONMENTAL EFFECTS**

The annual volume of water able to be taken under the current U070821 permit is 50,005 m<sup>3</sup>, no additional water is sought. In fact under Proposed Plan Rules the maximum water take will reduce to 17,462 m<sup>3</sup> per year.

A change from a surface water take to a groundwater take via existing well P28w/2739 may occur if crop types change from pasture and crops to stonefruit or grapes.

On the basis of ground water conditions and close proximity of well P28w/2739 to Spring Creek (42 m), an abstraction via the well is effectively the same as an abstraction direct from Spring Creek as currently consented.

While the current arable crop and pasture regime remains, there will be no change to the method of abstraction, being via a surface water take using a portable pump. However, if the Applicant were to change the crop to stonefruit grapes or, then the abstraction from the existing well would be a more efficient method.

The proposed consent will not create any new / additional pressure or adverse effects on the Northern Springs FMU water resource beyond the current situation.

There are no neighbouring wells or downstream intakes in close proximity. The Applicants are not aware of any complaints or issues relating to the abstraction of water under the current permit.

Overall, the proposal will not generate any adverse environmental effects that can be considered more than minor.

##### **4.1 Potentially Affected Parties**

The Applicant acknowledges the cultural, historical and spiritual significance of the waters and adjoining land of the Wairau River and its tributaries to Ngati Rarua, Rangitane o Wairau and Ngati Toa Rangatira as described in the Te Tau Ihu Statutory Acknowledgements Document.

The proposed water take will not result in any land disturbance, drainage or watercourse diversion works within or near the Wairau River or its tributaries. The proposed water take will not result in any change of land use adjacent to the Wairau River or its tributaries that could potentially affect water quality. The proposal does not seek any additional take over what has already been consented. This application will not alter, change or affect the sustainable life force of the Wairau River or its tributaries.

The Applicant is aware that the Council will forward notice of this application to Ngati Rarua, Rangitane o Wairau and Ngati Toa Rangatira for their consideration. The Applicant is willing to discuss with iwi any matters raised through that process.

#### **5. ASSESSMENT OF STATUTORY FRAMEWORK**

##### **5.1 Wairau Awatere Resource Management Plan (the Plan) - Relevant Objectives and Policies**

The relevant provisions of the operative Wairau Awatere Resource Management Plan have been assessed as follows:

Objective 6.2.1 seeks to provide for the take and use 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. This objective is supported by Policy 6.2.1.1.1 and 6.2.1.1.2 which address the maintenance of surface water flows and groundwater levels and flows by setting and enforcing Sustainable Flow Regimes.

The Plan recognises as an issue that competing and increasing demand for fresh water resources may lead to inequitable allocation. This has led to the development of water allocation guidelines based on the type of crop to be irrigated as set out in Volume 1, Chapter 6 of the Plan.

The Plan sets out water allocation guidelines, which include 50 m<sup>3</sup> per ha per day for field crops, and 22 m<sup>3</sup> per ha per day for grapes. Stonefruit have a water allocation guideline of 53.5 m<sup>3</sup> per ha per day. This application seeks to take 127 m<sup>3</sup> per day (which is less than already consented under U070821) to irrigate of 2.4 ha of arable crops on Pt Lot 10 DP 485. This equates to 53 m<sup>3</sup> per ha.

Objective 6.3.1 reinforces the Plan requirement to achieve equitable allocation and use of groundwater resources and is supported by the following relevant policies:

*Policy 6.3.1.1.3 To issue water permits to take and use water for a period of 10 years where water resources are either fully allocated or over-allocated relative to the allocation limits set in this Plan or where water is to be taken from a resource for which no SFR has been established in the Plan.*

*Policy 6.3.1.1.4: 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.*

*Policy 6.3.1.1.8: To require water metering by an accepted method as a condition of all water permits involving the taking and use of water.*

The Applicant is aware of the 10-year restriction on the duration of water permits.

Any water taken under a permit granted through this application will be monitored by verified water meter / s, data logger and telemetry system as per conditions of consent.

Objective 6.4.1 requires an efficient resource use regime to be established, ensuring the sustainable management of the freshwater resource. Relevantly, this is supported by Policy 6.4.1.1.4 which specifically encourages the use of groundwater resources in preference to surface water resources, where the choice exists and groundwater is of sufficient quantity, and the adverse effects associated with the use of groundwater systems will be less. The Plan states that this approach is justified because groundwater resource have a built in storage.

Objective 6.5.1 seeks to achieve sustainable, equitable and efficient allocation of water during periods of low groundwater levels, and is supported by Policy 6.5.1.1.2 which aims to include conditions on new water permits requiring users to reduce and suspend takes when specified flows or levels are reached.

The Applicant understands that water take restrictions may be imposed during extreme conditions.

## **5.2 Proposed Marlborough Environment Plan (the Proposed Plan) – Relevant Objectives and Policies**

The relevant provisions of the Proposed Plan have been assessed 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 4.1.2 – Enable sustainable use of natural resources in the Marlborough environment.*

The Proposed Plan discusses the use of allocation frameworks for freshwater which will assist to enable the sustainable use and development of this resource. These are developed more fully in Chapter 5.

## **Chapter 5 – Allocation of Public Resources**

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

*Policy 5.1.1 – Define and use freshwater management units to apply appropriate management to the taking and use of water within each water resource.*

*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 5.2.11 – Set specific minimum levels for Freshwater Management Units dominated by aquifers to:*

- a) prevent physical damage to the structure of the aquifer;*
- b) prevent headwater recession of spring flows;*
- c) prevent a landward shift in the seawater / freshwater interface and the potential for saltwater contamination of the aquifer;*
- d) maintain natural and human use values of rivers and wetlands where groundwater is physically connected and contributes significantly to flow in the surface waterbody;*
- e) maintain groundwater quality; and*
- f) prevent long-term decline in aquifer levels that compromise the matters set out in a) – e).*

The Proposed Plan acknowledges that it is essential that the management applied to any water resource reflects the hydrological and environmental conditions of that defined catchment or aquifer (Freshwater Management Unit). This application is replacing an existing water permit, and therefore does not seek any new or additional allocation of water from the Northern Springs Freshwater Management Unit.

*Policy 5.3.14 – The duration of water permits to take water will reflect the circumstances of the take and the actual and potential adverse effects, but should generally:*

- b) not be more than ten years when the take is from an over-allocated water resource as specified in Policy 5.5.1.*

The Wairau Aquifer, within which the Northern Springs FMU is located, is identified under Policy 5.5.1 as being over allocated. The Applicants acknowledge that any permit granted will be for a ten year term.

*Objective 5.6 – Ensure that the taking of groundwater does not cause significant adverse effects on river flow.*

This policy recognises that taking groundwater in proximity to rivers can individually or collectively reduce flows in the rivers. The proposal will reduce the existing permitted water take volume by 32,543 m<sup>3</sup> per year.

### **5.3 Marlborough Regional Policy Statement (RPS)**

The purpose, intent and provisions set out in the RPS have been incorporated into the provisions of the Proposed Plan.

#### **5.4 National Policy Statement for Freshwater Management (NPSFW)**

The NPSFW supports improved freshwater management through directing regional councils to establish objectives and set limits for fresh water in their plans. Councils are required to account for all water taken out of rivers, lakes and groundwater and take steps to prevent or reduce over allocation of these water resources.

The Applicant understands that limits will be imposed on this consent should it be granted, including restrictions, and monitoring requirements. The monitoring data collected will also enable the Council to better assess the water resource and provide long term certainty for all parties.

Therefore, the proposal is considered to be consistent with the NPSFW.

#### **5.5 Part II - Resource Management Act 1991 (the Act)**

Part 2 of the Act contains Sections 5 - 8 which set out the purpose and principles on which the Act is founded and from which all other associated statutory framework is derived.

Section 5 states the purpose of the Act is to promote the sustainable management of natural and physical resources. For this application, sustainable management means enabling the Applicant to continue to irrigate arable crops, but to enable a change in abstraction method from surface water take to groundwater take via an existing nearby well should crop type change. No additional water is sought.

The proposal will not generate any adverse effects on the environment that can be considered more than minor and therefore does not conflict with any of the matters of national importance or other matters set out under Sections 6 and 7 of the Act.

Section 8 requires the principles of the Treaty of Waitangi to be taken into account by all persons exercising functions and powers under the Resource Management Act, in relation to managing the use, development, and protection of natural and physical resources. It is not considered that the proposal will compromise any of the principles of the Treaty.

Overall the proposal will be in accordance with the purpose and principles of the Act.

#### **REMAC CONSULTING**



**E.C Chapman-Cohen**

#### **APPENDICES**

1. Remac Consulting Ltd - *Site Plan* - R8248 Sheet R1 issue 'A'.
2. Irricalc - *Irrigation Requirements: Walnut Creek Partnership, SH1*.





Total Property Area: 3.3 ha.

Irrigable Area: 2.4 ha.

Nearest Neighbouring Well:  
P28w/2890, located 115 m  
northwest from P28w/2739  
on Lot 2 DP 11607.

Nearest Surface Water:  
Spring Creek, located 42 m  
west of well P28w/2739.

NOTE: Position of features and boundaries are indicative only.



PO Box 169  
Blenheim 7240  
New Zealand

t: 03 577 1925 / m: 0274 440 551  
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#### WALNUT CREEK PARTNERSHIP

2174 SH1 SPRING CREEK – PT LOT 1 DP 485  
APPLICATION TO TAKE & USE WATER – REPLACE U070821  
**SITE PLAN**

Original size **A4**

Drawing No **R8248**

Sheet **R1**

Issue **A**

Date **18.6.2017**



# 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



LGA

AQUALINC  
RESEARCH LIMITED

1

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

-41.455, 173.962

Locate



2

Select Crop

Arable-Marlborough

3

Select Plant Available Water

(a) Most likely PAW in this area

4

Select Irrigation Method

Travelling Irrigator

5

Fetch Data

## Farm Details

Description

Latitude -41.455

Longitude 173.962

Council Marlborough

Climate Site ID P160123

Distance to Climate Site (km) 2.47

Rainfall (mm) 662

## Plant Available Water Details

PAW(mm)

100

Indicative Likelihood

63.3

Area (hectares)

2.4

0

0

0

0

0

Total area = 2.4

## Irrigation Requirements

	Per Hectare	Total Area
System Capacity	0.61 (l/s/ha)	1.46 (l/s)
System Capacity	5.3 (mm/day)	
Daily Volume	53 (m <sup>3</sup> /ha)	127 (m <sup>3</sup> )
7 Day Volume		
28 Day Volume		
90% ile Annual Volume	7,276 (m <sup>3</sup> /ha)	17,462 (m <sup>3</sup> )

## 90 Percentile Monthly Volume

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m <sup>3</sup> /h)	0	0	630	630	1,260	1,580	1,580	1,260	940	320	0	0
Total Area (m <sup>3</sup> )	0	0	1,512	1,512	3,024	3,792	3,792	3,024	2,256	768	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

## Bea Gregory-5252

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**From:** Victoria Bell-5174  
**Sent:** Monday, 2 October 2017 2:34 p.m.  
**To:** 'ed@remacconsulting.co.nz'  
**Subject:** U170778 S88 acceptance and s92 request  
**Attachments:** 17184273 S88 acceptance letter.pdf; Section 92 - Request for Further Information (2).pdf

Good afternoon,

Thank you for the above resource consent application. Please find attached a letter outlining this application has been accepted for processing.

Please note that the existing consent U070821 expired on the 1<sup>st</sup> of October. Additionally, while you have referred to grapes in the application, it does not appear you have applied for a consent for irrigation of grapes, therefore this has not been included. If the crop was to change to grapes a new consent would be required. Can you please confirm this is your understanding also?

Additionally, please find attached a s92 request for further information.

Any questions please do not hesitate to contact me.

Regards

**Victoria Bell**  
**Resource Management Officer**



**MARLBOROUGH  
DISTRICT COUNCIL**



Phone: 03 520 7400  
DDI: 03 520 7497

15 Seymour Street, PO Box 443  
Blenheim 7240, New Zealand  
[victoria.bell@marlborough.govt.nz](mailto:victoria.bell@marlborough.govt.nz)  
[www.marlborough.govt.nz](http://www.marlborough.govt.nz)





2 October 2017

ISO 9001  
Document Number:  
RAD0084-CI1231

Remac Consulting Limited  
PO Box 169  
Blenheim 7240

Record No:  
File Ref: U170778  
Case Officer: Victoria Bell

Dear Sir/Madam

## **Request for Further Information - U170778 - Chapman-Cohen, Edward Charles and Kathryn Jane trading as Walnut Creek Partnership - 2174 State Highway 1 Spring Creek**

Thank you for your resource consent application. Prior to notifying the application, pursuant to section 92(1) of the Resource Management Act 1991 (the 'Act'), the following information is requested so that I can better understand the nature of the activity proposed, the effects of the activity on the environment and the way in which any adverse effects of the activity may be mitigated:

### **Requested Information**

The further information required is detailed below.

1. I note you have applied for 17,462 cubic metres of water. The existing consent only had a 90 day multiplier, therefore was limited to 12,330 cubic metres. Given the aquifer is over allocated; the lower of the two volumes is in line with the existing consent. Please confirm the suitability of this.
2. U070821 required meter readings to be submitted to the Council, if available can you please provide these.
3. Please confirm if the current well is able to have a water meter installed, if this was to be conditioned.

### **Responding to this Request**

Within 15 working days (24 October 2017) you must either:

- Provide the requested information; or
- Provide written confirmation that you can not provide the requested information within the timeframe, but do intend to provide it (Council will provide a revised timeframe); or
- Provide written confirmation that you do not agree to provide the requested information.

The processing of this application will be put on hold until you respond to the Council. The time taken by you to provide the further information, or to respond to this request, is excluded from the calculation of working days for processing your consent.

If you have not provided the requested information within the agreed timeframes, or if you do not provide all the requested information, the Council will publicly notify your application pursuant to section 95C of the Resource Management Act 1991.

If you have any questions regarding this request, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to be 'VB' or similar, written in a cursive style.

VICTORIA BELL  
**RESOURCE MANAGEMENT OFFICER**

## Bea Gregory-5252

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**From:** Victoria Bell-5174  
**Sent:** Tuesday, 3 October 2017 2:00 p.m.  
**To:** 'Ed Chapman-Cohen'  
**Subject:** RE: RE: U170778 S88 acceptance and s92 request

Hi Ed,

Thanks for your email. Due to condition 1 of these consents I am still of the opinion the previous consent is restricted to the 12,300m<sup>3</sup> however I will proceed with my notification determination on the basis of the 17,462m<sup>3</sup> you have applied for.

Regards

**Victoria Bell**  
Resource Management Officer



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DDI: 03 520 7497

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[www.marlborough.govt.nz](http://www.marlborough.govt.nz)

---

**From:** Ed Chapman-Cohen [<mailto:ed@remacconsulting.co.nz>]  
**Sent:** Monday, 2 October 2017 4:49 p.m.  
**To:** Victoria Bell-5174  
**Subject:** RE: RE: U170778 S88 acceptance and s92 request

Hi Victoria,

The U070821 consent does not include any conditions or notices that specifically restrict the take and use of water to 12,330m<sup>3</sup> a year over Dec, Jan and Feb.

We wish the application to proceed on the basis of an annual take and use of 17,462 m<sup>3</sup> as determined by Irricalc.

Regards,

Ed Chapman-Cohen  
**REMAC** - T: 03 577 1925 M: 027 444 0551 [www.remacconsulting.co.nz](http://www.remacconsulting.co.nz)

---

**From:** Victoria Bell-5174 [<mailto:Victoria.Bell@marlborough.govt.nz>]  
**Sent:** Monday, 2 October 2017 4:17 p.m.  
**To:** Ed Chapman-Cohen <[ed@remacconsulting.co.nz](mailto:ed@remacconsulting.co.nz)>  
**Subject:** RE: RE: U170778 S88 acceptance and s92 request

Hi Ed,

Thanks for this.

In relation to changing crops to grapes, I think this would need to be treated as a new consent/variation at the time to allow us to consider the effects etc.

Sorry in relation to point 1, I didn't make myself very clear. Your existing consent allows for the take of 12,330m<sup>3</sup> a year as it was limited to Dec, Jan and Feb rather than through the year. As the FMU is over allocated I am ultimately only able to allocate that same amount (12330). If you wish to still apply to take 17,462m<sup>3</sup> it may be something that the Council would refuse. Please let me know your thoughts/course of action you wish to take.

Thanks

**Victoria Bell**  
**Resource Management Officer**



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DDI: 03 520 7497

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[www.marlborough.govt.nz](http://www.marlborough.govt.nz)

---

**From:** Ed Chapman-Cohen [<mailto:ed@remacconsulting.co.nz>]  
**Sent:** Monday, 2 October 2017 4:00 p.m.  
**To:** Victoria Bell-5174  
**Subject:** CM: RE: U170778 S88 acceptance and s92 request

Hi Victoria,

Thanks for your below message and letter requesting further information.

RE the use of water for irrigation of grapes, if possible we would like to include that use in the consent. We are happy to volunteer conditions specifying that:

- We will notify Council if grapes are established and,
- As of date of notification of crop type change to grapes our annual consented water take volume shall be adjusted for grape irrigation rates according to Irricalc.

If this is not possible, then yes we understand that a new consent will be required if grapes are established.

We respond to the points in your letter as follows:

1. We wish to retain the proposed annual take and use of 17,462 m<sup>3</sup> as applied for and as determined by Irricalc.
2. Attached are some meter records provided to us by the former leasee of the subject land. Note we only took ownership of the property last year so we can't vouch for their completeness or accuracy.
3. Yes, the existing well can be fitted with a water meter, but there would need to be some pipework undertaken first. The intention is to only utilise the well (with an upgraded headworks and installed meter) in the event a different crop type is established e.g grapes or stonefruit. Should this occur, the water take would be from the existing well rather than the current direct surface water take.

Regards,

Ed Chapman-Cohen  
**REMAC** - T: 03 577 1925 M: 027 444 0551 [www.remacconsulting.co.nz](http://www.remacconsulting.co.nz)

---

**From:** Victoria Bell-5174 [<mailto:Victoria.Bell@marlborough.govt.nz>]  
**Sent:** Monday, 2 October 2017 2:34 p.m.  
**To:** Ed Chapman-Cohen <[ed@remacconsulting.co.nz](mailto:ed@remacconsulting.co.nz)>  
**Subject:** U170778 S88 acceptance and s92 request

Good afternoon,

Thank you for the above resource consent application. Please find attached a letter outlining this application has been accepted for processing.

Please note that the existing consent U070821 expired on the 1<sup>st</sup> of October. Additionally, while you have referred to grapes in the application, it does not appear you have applied for a consent for irrigation of grapes, therefore this has not been included. If the crop was to change to grapes a new consent would be required. Can you please confirm this is your understanding also?

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Regards

**Victoria Bell**  
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To: Marlborough District Council  
PO Box 443  
Blenheim 7240



**MARLBOROUGH  
DISTRICT COUNCIL**

ISO 9001:2008  
Document Number:  
RAF0010-CI1220

## SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

### 1. Submitter Details

Name of Submitter(s) in full

Address for Service *(include post code)*

Email

Telephone *(day)*

Mobile

Facsimile

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

### 2. Application Details

Application Number

U

Name of Applicant *(state full name)*

Application Site Address

Description of Proposal

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

I/we support all or part of the application

☐

I/we oppose all or part of the application

☐

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

☐

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



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

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

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#### 4. Submission at the Hearing

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

☐

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

☐

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

☐

#### 5. Signature

Signature	_____	Date	_____
Signature	_____	Date	_____

#### 6. Important Information

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

#### 7. Privacy Information

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