



**MARLBOROUGH  
DISTRICT COUNCIL**

## **RESOURCE CONSENT APPLICATION**

**U170272**

# **Talleys Group Limited**

742 Old Renwick Road, Rapaura

**Submissions Close**

**5.00 pm Monday 12 June 2017**

# Resource Consent Application

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



**MARLBOROUGH  
DISTRICT COUNCIL**

## For Office Use

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Receipt No. electron

Consent No. U170201

Case Officer: John Parker

Date Received:

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**28 MAR 2017**

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**27**

**28 APR 2017**

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Please read and complete this form thoroughly and provide all details relevant to your proposal. Feel free to discuss any aspect of your proposal, the words used in this form or the application process with Council staff, who are here to help.

This application will be checked before formal acceptance. If further information is required, you will be notified accordingly. When this information is supplied, the application will be formally received and processed further.

You may apply for more than one consent that is needed to cover several aspects of the activity on this form.

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

Name:  
(full legal name)

TALLEYS GROUP LTD.

Mailing Address:  
(including post code)

PO BOX 304  
BLENHEIM

Email Address:

mat.louise@bm.talleys.co.nz

Phone: (Daytime)

(03) 572 6111

Phone: (Mobile)

021 520 454.

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

Name:

John Bealing

Mailing Address:  
(including post code)

As above

Email Address:

bealingjohn@xtra.co.nz

Phone: (Daytime)

Phone: (Mobile)

029 548 1035

3. Type of Resource Consent Applied For

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

4. Brief Description of the Activity

TAKE UNDERGROUND FOR PROCESSING OF VEGETABLES  
+ MUSSELS.

1671668  
5405289

5. Supplementary Information Provided?

☒ Yes ☐ No

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

PN 528541

6. Property Details

The location to which the application relates is (address):

742 old Renwick Road.

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

Lot 1 DP445, Lot 7 DP2873, Lot 4, 5, 12 DP8657

(Attach a sketch of the locality and activity points. Describe the location in a manner which will allow it to be readily identified, e.g. house number and street address, Grid Reference, the name of any relevant stream, river, or other water body to which application may relate, proximity to any well known landmark, DP number, Valuation Number, Property Number.)

**Please attach a copy of the Certificate of Title that is less than 3 months old (except for coastal or water permits).**

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

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

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

7. Assessment of Effects on the Environment (AEE) (Attach separate sheet detailing AEE.)

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

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



## 8. Other Information

Are additional resource consents required in relation to this proposal? If so, please list and indicate if they have been obtained or applied for.

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

## 9. Fees

1. The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please put Applicant Name and either U-number, property number or consent type as a reference. If you require a GST receipt for a bank payment, please tick ☐
2. The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee an invoice will be issued (if actual costs are less, a refund will be made). Invoices are due for payment on the 20th of the month following invoice date. Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.
3. Please make invoice out to: ☒ Applicant ☐ Agent  
(if neither is ticked the invoice will be made out to Applicant)

## 10. Declaration

I (please print name)

Matthew Loose

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

Signature of applicant or authorised agent:

[Signature]

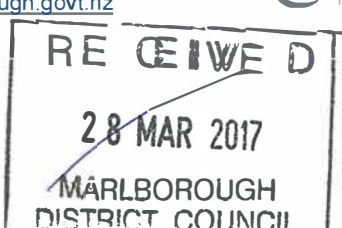
Date:

20.02.2017

## Privacy Information

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

Reset Form





# **Schedule Four**

## **Resource Management Act 1991**

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

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

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

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

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

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

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

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

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

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

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





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

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

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

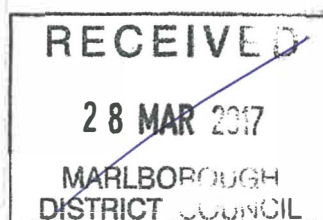
### **Assessment of environmental effects**

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

- (1) An assessment of the activity's effects on the environment must include the following information:
  - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
  - (b) an assessment of the actual or potential effect on the environment of the activity;
  - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
  - (d) if the activity includes the discharge of any contaminant, a description of—
    - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
    - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
  - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
  - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
  - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
  - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
  - (a) oblige the applicant to consult any person; or
  - (b) create any ground for expecting that the applicant will consult any person.

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

- (1) An assessment of the activity's effects on the environment must address the following matters:
  - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
  - (b) any physical effect on the locality, including any landscape and visual effects;
  - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
  - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
  - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
  - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.





## **Section 88**

### **Resource Management Act 1991**

### **Making an Application**

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

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



Applicant's Name

Talley's Group Ltd.

MARLBOROUGH  
DISTRICT COUNCIL

ISO 9001

Document Number: RAF0007-CI1666

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

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

Please complete all sections that apply.

### GENERAL:

1. Type of permit required:

Take surface water

☐

Dam water

☐

Take underground water

☒

Divert water

☐

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

If yes, please state the water permit number U011345

3. Purpose for which water is required? Factory vegetables + mussel processing  
(Industrial, crop irrigation, etc)

4. Source of water Waiau Aupurua  
(name of river, stream, aquifer, etc)

5. Maximum quantity of take 36 litres per second

3600m<sup>3</sup>/day cubic metres per day

25,200m<sup>3</sup> cubic metres per week

824,500m<sup>3</sup>/year

### GROUNDWATER:

1. Well number (if existing well) P28w/2187 P28w/0983

2. Depth from ground level to bottom of well 25 metres

3. Diameter of well 100 millimetres

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

If yes, please attach results.

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## SURFACE WATER:

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

## DAMMING OR DIVERTING WATER:

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

## CONSUMPTION SCHEDULE

	CROP A				CROP B				CROP C				TOTALS			
CROP TYPE <i>e.g. corn, olives, etc</i>																
AREA <i>Number of hectares</i>	See				Appendix 2											
APPLICATION RATE <i>(m<sup>3</sup> / ha / day)</i>																
QUANTITY <i>Cubic metres per day</i>																
IRRIGATION PERIOD <i>Circle months which apply</i>	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr	Jan	Feb	Mar	Apr
	May	Jun	Jul	Aug	May	Jun	Jul	Aug	May	Jun	Jul	Aug	May	Jun	Jul	Aug
	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec
METHOD <i>Trickle, spray, etc</i>																

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

## Water Permit Application Requirements

1. A full description of the proposal.

For example: To take underground water from well P28w/1234 up to a maximum rate of 500 cubic metres per day for the irrigation of up to 10 hectares of vineyard on Lot 1 DP 1000.  
OR

To take B Class Awatere River surface water from an existing intake (Grid Ref 1697139E 5393766N) up to a maximum rate of 500 cubic metres per day for the irrigation of up to 10 hectares of vineyard on Lot 1 DP 1100.

2. A site map. This map must include the site or sites of the abstraction, or the location of the well, the location and distances to the nearest neighbouring abstraction sites or wells, the location and distance to the nearest waterway if the abstraction is from a well and the location of the land to be irrigated.

Site maps are best done on aerial photos of the property. These can easily be obtained from the Marlborough District Council's website by using Smart Maps. Two maps may be required if there is a lot of detail around the abstraction site and for a wider picture of the property.

3. Are other consents required under this application? For example a consent may be required for a new well or consents may be required if you are installing a new intake in a waterway. If you already have consents for the intake or well, provide the consent numbers or the well number.
4. An assessment of the proposal against Part II of the Resource Management Act 1991.
5. An assessment of the proposal against the relevant objectives and policies of either the Wairau/Awatere Resource Management Plan or the Marlborough Sounds Resource Management Plan.
6. An assessment of the proposal against the National Policy Statement for Freshwater Management 2014.
7. A full and complete assessment of environmental effects. This must include the following:

- Possible effects on the instream flora and fauna, if the abstraction is from a waterway or wetland.
- Possible interference effects of the abstraction on neighbouring wells or intakes. If this is a renewal then say if there have been any interference effects on neighbour's wells or intakes during the existing consent period or if you have had any complaints from the neighbours about the abstraction.
- Possible effects of the abstraction on the aquifer if the abstraction is from a well.
- Possible stream depletion effects if the abstraction is from a well.
- Possible effects on the freshwater/saltwater interface if taken from a well near the coast.
- If the application is a renewal, all meter readings from the existing consent must be provided, whether the existing meter has been verified for accuracy within the last 5 years (provide a copy of the verification certificate) and a discussion of usage as shown by the meter records in relation to the amount of water requested (i.e. does usage during the existing consent period justify the amount of water being requested in this application). If little or no meter readings were taken during the existing consent period, an explanation must be provided for the lack of readings.



- The Marlborough District Council now requires all water meters to have telemetered dataloggers so you will need to say if the meter has already been installed with this system or when one will be installed.
  - If the application is a renewal, you must comment on compliance with all of the consent conditions of the existing consent, i.e. conditions that required the consent holder to undertake monitoring during the consent period.
  - If the abstraction is from a well, is stock and/or domestic water taken from the well?
  - State what mitigation measures will be taken to ensure the effects will be no more than minor. For example, complying with the low flow restrictions for the Wairau River B Class or complying with a well low level restriction condition. How will you ensure the abstraction does not adversely affect the instream flora and fauna and other existing users?
8. If the application is a renewal you must provide an assessment of the value you have invested in the property in relation to the existing water permit. For example may include irrigation infrastructure or investments in capital related to the crop being irrigated. This assessment must be a monetary value, but can just be an approximation.
9. You must identify any person or parties that could be adversely affected by this proposal and if any consultation with these parties has been undertaken.



First Application.

**APPLICATION BY**  
**TALLEY'S GROUP LTD**

**FOR A WATER RESOURCE CONSENT**

**Pursuant to Section 88 of the Resource Management Act**

This application seeks consent to take a maximum of 25,200 m<sup>3</sup> of water per week, and to use this water for seafood and vegetable processing.

**WATER PERMIT**

This application is for a maximum take of 25,200 m<sup>3</sup>/week (as for the existing Consent).

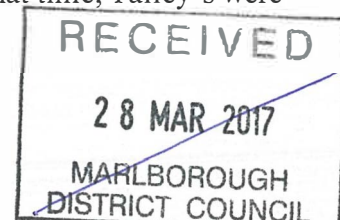
***1(a) Description of the Proposal***

The existing water permit (U011345) expires on 1 October 2017. This permit allows for the taking of up-to 25,200 m<sup>3</sup>/week. This permit draws underground water from the Wairau Aquifer, via two existing bores.

Well Numbers: - P28w/2187; Grid Reference P28:8169-6697  
P28w/0983; “ “ P28:8170-6697

This application is applying to have the existing RC extended for a further 20 years, for the same volume (25,200 m<sup>3</sup>/week) as is currently permitted.

Appendix 1 shows the potable water use drawn from the above bores for the period of the last RC. When this was applied for, additional water was sought as usage at that time (for the months of February and March) was running at 97% of the allowed take (on a month-as-a-whole basis). At that time, Talley's were



planning to increase factory throughput, which is what they proceeded to carry out.

Currently Talley's have further plans to extend the factory production, and will therefor need to increase the potable water used in the plant. As the figures in Appendix 1 show, the current water use shows a margin to allow this increased water usage to take place, before the peak consent allowance is reached. This margin has been created over the years by increasing the water-use efficiency of the plant. Talley's are prepared to continue with the move into greater seafood production by using this margin that they have created, but do give warning that should the increased water need be greater than the "margin" they currently have, then they will need to seek an increase water-take at some time in the future. Talley's current thinking is that the new development will require an extra 7000 m<sup>3</sup>/week (1000 m<sup>3</sup>/day) over and above present use.

The present pumping system uses two Goulds 8-JNLC-3-15kW submersible pumps (one down each well). Each of these pumps operates at about 75+ m<sup>3</sup>/h and at about 50 meters of pressure. This means that if both pumps were run together for 24 hours/day, they would be drawing about 3,600+ m<sup>3</sup>/day (25,200 m<sup>3</sup>/week). This is, once again, the amount of water applied for in this application.

The land is in the Rural Three Zone as shown in the Proposed Wairau/Awatere Resource Management Plan on Sheet 18. ?

**(b) Possible Alternative Locations or Methods of Undertaking the Activity**

No real alternatives are available to this proposal apart from maybe the long-term storage of unused allocation over the winter and early spring months for use at the peak periods of the year. This would be both very expensive, and the storage





times for the fresh water would no doubt create potential problems with Ministry of Health. Currently the aquifer is being used as the storage vessel, with the water contents being constantly renewed, thus maintaining high water quality.

(c) *Is this the Best Practical Option*

We believe that this is the only practical option.

(d) *An Assessment of the Effect on the Environment of this Activity.*

Since no additional water-take is being sought, then we feel that any effect on the environment will be minimal, and no more than the effect highlighted in our 2003 application, when an additional 7,000 m<sup>3</sup>/week was sought and granted. The additional water that will be used (albeit within the current consented volume), will cause only small water-table height reductions, which will be largely restricted to within the current Talley land boundary.

The positive effects of this processing facility in this region amounts to \$10million+ in annual wage payments per year and the growing of 1000+ hectares of crops & tonnes of shellfish processing.

The environmental effects of this additional water take are small. With 7 to 8 cumecs flowing into the aquifer and only about 4-5 cumecs being pulled out, this still leaves a surplus at most times. It is important that a balance also be kept in the overall allocation of water on the Plains. There is no point in allocating water throughout the region for the irrigation of crops, if insufficient is left to process these crops.

The water drawn for this factory is not just used once. It is firstly drawn to allow for the processing of the crops grown elsewhere in the district, and is then used



again to grow additional grass for beef cattle and for the growing of hay and silage on the surrounding Talley land. Water allocated for irrigation only gets used the once.

This report outlines how the water extraction is & will be used, and how the wastewater it produces will be applied in a manner that will ensure that Objectives 1 as outlined under Section 6.2.1 of the AWRMP is being met.

#### Objective 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.*

My understanding is that providing Talley's complies with all the conditions that are outlined in the issuing of the consent, then Objective 1 requirements will be met (as is the case for the present RC).

#### (e) ***Risks from Hazardous Substances***

Not applicable.

#### (f) ***Discharge of Contaminants***

Not applicable.

#### (g) ***Mitigation Methods and Contingency Plans***

This system plans to draw up to 700,000 m<sup>3</sup>/year of water from the Wairau aquifer. Only sufficient water will be extracted to process the volume of



crop/seafood grown/harvested under contract. If the crop isn't harvested and brought to the factory, then water will not be taken for its processing.

**(h) *Persons Interested or Affected***

Potentially only immediate and downstream neighbours could be affected, and this would really only happen if the underground aquifer water-takes were over allocated. Also when large water takes are being drawn, then there will be a drop in the immediate underground water-level height. This can sometimes affect other downstream water users. In this case, the nearest downstream extractor is at a distance where this effect would be minor.

Staff Comment from existing RC:

*The adverse effects of the increased water take would be no more than minor given the large separation distance between the applicant's wells and the neighbours' wells which will ensure drawdown cones will not intercept with each other.*

**(i) *Monitoring***

Monitoring, as is occurring at the moment, is recommended to continue. I.e. continued water meter readings taken on a weekly basis and submitted to Council.

**2.**

**(a) *Effects on Neighbours and the wider community***

This water take is similar to other properties drawing water for factory/irrigation requirements. With the water being used "effectively twice", its use is more



efficient than water “used once” for irrigation only. (Section 6.4 of the AWRMP)

**(b) *Physical Effects on the Locality***

None perceived.

**(c) *Effects on Ecosystems***

None Perceived.

**(d) *Effects on Natural and Physical Resources***

No lessening of the natural or physical resources anticipated that are not already covered by *Section 1.1.3, Maximum Total Abstractions for Ground Water Resources in the AWRMP*.

**(e) *Discharge of Contaminants***

Not Applicable

**(f) *Risk to Neighbours and Wider Community from Natural Hazards or Hazardous Substances***

Not Applicable



## Appendix 1

### Historic Water Use for the Talley Potable Water Bores. m<sup>3</sup>

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Water Used (000)	541	545	504	533	581	413	490	469	398	534	383	193	515	456
Ave./day	1483	1492	1381	1460	1591	1132	1343	1286	1091	1464	1048	530	1412	1250
Peak Month (000)	80	79	72	70	73	76	81	76	71	62	75	31	77	77
Peak Day		3139	2824	3089	4901	4038	5262	3120	6744	4679	4512	2309	4000	3274

**Note 1:** The Maximum take for March allowable under the present RC would amount to (if all of it was extracted) 111,600 m<sup>3</sup>. The largest figure used for March over the last 14 years was 581,000 m<sup>3</sup>.

**Note 2:** The Peak Day water use figure for 2014 is shown as 4000 m<sup>3</sup>. Because there was a problem with the water meter, this figure is an average for an 8 day period.





# **APPLICATION BY** **TALLEY'S GROUP LTD**

## **FOR A WATER RESOURCE CONSENT**

**Pursuant to Section 88 of the Resource Management Act**

### **Introduction & Proposal**

This application is for Talley Group Ltd, situated at 742 Old Renwick Road, with the legal description outlined in the attached RC Application Form. The water permit is to both take water and to use water (a maximum of 825,000 m<sup>3</sup>/year).

### **The existing RC is U001345.**

The water is to be used in the Factory for the processing of vegetables and mussels. This consent should enable the processing of present harvested crops and mussels, but also additional shellfish that is intended to be included over the coming years. This application is for no more water than the current consent already allows for. The current two bores will continue to be used to supply all of the water. These are:

P28w/2187;	Grid Reference P28:8169-6697
P28w/0983;	“ “ P28:8170-6697

The Talley Factory is sited in a rural setting, surrounded by grassed paddocks (their own), with neighbours properties largely planted in vineyards. The area is flat. (See also the aerial photograph attached).

## **STATUTORY FRAMEWORK**

### **Assessment of the Proposal against Part 2 of the RMA 1991.**

Part 2 of the RMA is to promote the sustainable management of natural & physical resources.

There are no matters of national importance in relation to Section 6 in this application.



Section 7(b) & (c) see the use of this water as being efficient (used twice), with no adverse amenity values are envisaged.

Section 8 in relation to the Treaty of Waitangi sees this application consistent with the RMA's planning framework.

**Assessment of the Proposal against the relevant parts of the Wairau/Awatere Resource Management Plan**

The subject site is zoned Rural 3 under the Wairau/Awatere Resource Management Plan (the Plan).

The Plan, especially Chapter 6 includes Objective 6.2.1.1, re the taking and use of fresh water, and its safe-guards, Policy 1.2 to maintain groundwater levels, & Policy 1.3 to establish groundwater SFR's.

This application lies within these SFR's and is therefore compliant with the Objective and the associated Policies.

General Rule **27.1.2.4. Non-Complying Activities** says:

Application must be made for a resource consent for a Non-Complying Activity for the following:

- Any freshwater abstraction not provided for as a Permitted, Controlled, Discretionary or Prohibited Activity shall be deemed to be a Non-Complying Activity.
- Any Permitted, Controlled or Discretionary Activity which cannot comply with the specified Conditions and/or Standards.
  - Abstractions greater than 500 m<sup>3</sup>/day/site for all freshwater resources except those listed below or those listed as Prohibited in Rule **27.1.2.5**, and the Wairau Aquifer.
  - Abstractions greater than 3000m<sup>3</sup>/day/site from the Wairau Aquifer.

This application shall therefore be assessed as a **non-complying** activity.

**The Proposed Marlborough Environment Plan**

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 proposal is not provided for as a permitted activity or controlled activity or limited as a prohibited activity and therefore requires **discretionary** activity consent.

**A 30 year consent duration is sought for this application.**

### **Consultation and Notification**

No consultation nor notification has been undertaken for this application.

**A site map is attached.**

### **Section 104(2A) Assessment**

This section considers the value of the investment of the existing Consent Holder. Talley's have operated a vegetable/seafood processing factory at this site for many years, with a financial investment running to many millions of dollars, and a commitment to local marine and vegetable farmers that runs into around 100 enterprises. The value to these suppliers and to the region as a whole would see Talley's as one of the principal employers in the Top of the South.

### **Water Meters**

MDC should now hold verification that the meters used on this site are both accurate (verified within the last 5 years) and digitally capable.

Section 14 of the RMA requires that no person may take or use water unless it is allowed by subsection (3).

Section 86B(3) of the RMA requires that a rule in a proposed plan has immediate legal effect if the rule:

- (a) protects or relates to water, air, or soil (for soil conservation);
- (b) Etc.

Therefore the water allocation rules in the Proposed Marlborough Environment Plan have immediate effect.

### **Schedule Four (RMA)**

### **Assessments of Effects on the Environment**



## 1. Information Required in Application for Resource Consent

### (a) *Description of the Proposal*

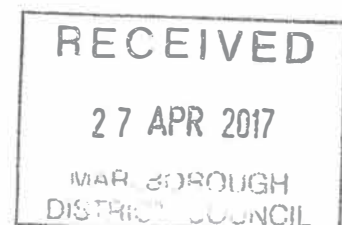
The existing water permit (U011345) expires on 1 October 2017.

This existing permit allows for the taking of up-to 25,200 m<sup>3</sup>/week, and to use this water for seafood and vegetable processing (as for the existing Consent).

This application is for a water permit that will allow this activity to continue, but with an increase in the throughput tonnage.

Appendix 1 shows the potable water use volumes drawn from the above bores for the period of the last RC. When this was applied for, additional water was sought as usage at that time was running at 97% of the allowed take (for the months of February and March, on a month-as-a-whole basis). At that time, Talley's were planning to increase factory throughput, which is what they proceeded to carry out.

Currently Talley's have further plans to extend the factory production, and will therefor need to increase the potable water used in the plant. As the figures in Appendix 2 show, the current water use indicates a margin exists between the allowable use and the actual use, which should allow this increased water usage to take place. This margin has been created over the years by increasing the water-use efficiency of the plant. Talley's are prepared to continue with the move into greater seafood production by using this margin



that they have created, but do give warning that should the increased water need be greater than the “margin” they currently have, then they will need to seek an increased water-take at some time in the future. Talley’s current thinking is that the new development will require an extra 6000 m<sup>3</sup>/week (1000 m<sup>3</sup>/day) over and above present use, for 11 months of the year (excluding one winter month). Note that the peak weekly potential demand for March could see the need for around 31,000 m<sup>3</sup>, where-as the current application is for only 25,200 m<sup>3</sup>. Talley’s will need to try and manipulate this shortfall (with either storage or water saving elsewhere in the factory at that time).

The present pumping system uses two Goulds 8-JNLC-3-15kW submersible pumps (one down each well). Each of these pumps operates at about 80+ m<sup>3</sup>/h and at about 50 meters of pressure. This means that if both pumps were run together for up to 24 hours/day, they would be drawing about 3,600+ m<sup>3</sup>/day (25,200 m<sup>3</sup>/week). This is, once again, the amount of water applied for in this application.

The land is in the Rural Three Zone as shown in the Proposed Wairau/Awatere Resource Management Plan on Sheet 18.

The current permit draws underground water from the Wairau Aquifer, via two existing bores.





This application seeks to continue to use these existing bores, which are sited within the factory compound. (See also attached site map).

Well Numbers: -

P28w/2187; Grid Reference P28:8169-6697

P28w/0983; “ “ P28:8170-6697

This application is applying to have the existing RC extended for a further 30 years, for a maximum yearly take of 825,000 m<sup>3</sup>, and for the monthly volumes as indicated in Appendix 2.

**(b) *Possible Alternative Locations or Methods of Undertaking the Activity***

No real alternatives are available to this proposal apart from maybe the long-term storage of unused allocation over the winter and early spring months for use at the peak periods of the year. This would be both very expensive, and the storage times for the fresh water would no doubt create potential problems with Ministry of Health for edible food production. Currently the aquifer is being used as the storage vessel, with the water contents being constantly renewed, thus maintaining high water quality.

**(c) *Is this the Best Practical Option***

A discharge permit is not part of this application.



**(d) *An Assessment of the Effect on the Environment of this Activity.***

Since no additional water-take is being sought, then we feel that any effect on the environment will be minimal, and no more than the

effect high-lighted in our 2003 application, when an additional 7,000 m<sup>3</sup>/week was sought and granted. The additional water that will be used (albeit within the current consented volume) will cause only small water-table height reductions, which will be largely restricted to within the current Talley land boundary.

The positive effects of this processing facility in this region amounts to \$10million+ in annual wage payments per year and the growing of 1000+ hectares of crops & tonnes of shellfish processing.

The environmental effects of this additional water take are small. With 7 to 8 cumecs flowing into the aquifer and only about 4-5 cumecs being pulled out, this still leaves a surplus at most times. It is important that a balance also be kept in the overall allocation of water on the Plains. There is no point in allocating water throughout the region for the irrigation of crops, if insufficient capacity is left to process these crops.

The water drawn for this factory is not just used once. It is firstly drawn to allow for the processing of the crops (grown elsewhere in the district), and is then used again to grow additional grass for beef cattle and for the growing of hay and silage on the surrounding Talley land. Much of the conserved grass is then transported to other properties for feeding out. This crop removal assists in the removal of Nitrogen, Phosphorus & Potassium from the Talley wastewater



disposal area, thereby reducing the added nutrient loading to these areas. Water allocated for irrigation only gets used the once.

This report outlines how the water extraction is & will be used, that will ensure that Objective 1 as outlined under Section 6.2.1 of the AWRMP is being met.

**Objective 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.*

My understanding is that providing Talley's complies with all the conditions that are outlined in the issuing of the consent, then Objective 1 requirements will be met (as is the case for the present RC).

The nearest waterbody to these two bores is the Opawa River which is about 300 m to the north of the two bores. Nobody has suggested over the period of the current RC that there has been any noticeable depletion effect on this river.

**(e) Other Related Activities**

No other Activities nor Consents are sought at present, and this consent application does not involve any hazardous substances.

**(f) This application does not involve any contaminants.**



**(g) *Mitigation Measures and Contingency Plans***

This system plans to draw up to 825,000 m<sup>3</sup>/year of water from the Wairau aquifer. Given that we submit that there will only be a minor effect on the environment (see (a) above), then we feel that no mitigation measures will be required, other than to say that only sufficient water will be extracted to process the volume of crop/seafood grown/harvested under contract. If the crop isn't harvested and brought to the factory, then water will not be taken for its processing.

**(h) *Persons Interested or Affected***

Potentially only immediate and downstream neighbours could be affected, and this would really only happen if the underground aquifer water-takes were over allocated. Also when large water-takes are being drawn, then there will be a drop in the immediate underground water-level height. This can sometimes affect other downstream water users. In this case, the nearest downstream bore is at a distance of more than 300 m, so there would be no significant interference effects.

Staff Comment made at the time of the existing RC application text states:

*The adverse effects of the increased water take would be no more than minor given the large separation distance between*



*the applicant's wells and the neighbours' wells which will ensure drawdown cones will not intercept with each other.*

**(i) Monitoring**

Monitoring, as is occurring at the moment is recommended to continue. I.e. continued water meter readings taken on a weekly basis and submitted to Council, from meters that comply with MDC requirements.

**2. Matters that should be considered when preparing an assessment of effects on the environment-**

**(a) *Effects on Neighbours and the wider community***

This water take is similar to other properties drawing water for factory/irrigation requirements. With the water being used “effectively twice”, its use is more efficient than where water is “used once” (as for irrigation only). (Section 6.4 of the AWRMP). The existing water-take has been in use for many decades, and to the applicants knowledge there has been no adverse spiritual, cultural, historic, recreational or scientific effects.

**(b) *Physical Effects on the Locality***

None perceived.

**(c) *Effects on Ecosystems***

None Perceived.

**(d) *Effects on Natural and Physical Resources***





No lessening of the natural or physical resources anticipated that are not already covered by *Section 1.1.3, Maximum Total Abstractions for Ground Water Resources in the AWRMP*.

**(e) Discharge of Contaminants**

Not Applicable

**(f) Risk to Neighbours and Wider Community from Natural Hazards or Hazardous Substances**

Not Applicable

**Appendix 1**

**Historic Water Use for the Talley Potable Water Bores.**  
**m<sup>3</sup>**

Water Used	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
By Year (000)	541	545	504	533	581	413	490	469	398	534	383	193	515	456
Ave./day	1483	1492	1381	1460	1591	1132	1343	1286	1091	1464	1048	530	1412	1250
Peak Month for Year (000)	80	79	72	70	73	76	81	76	71	62	75	31	77	77
Peak Day		3139	2824	3089	4901	4038	5262	3120	6744	4679	4512	2309	4000	3274

**Note 1:** The Maximum take for March allowable under the present RC would amount to (if all of it was extracted) 111,600 m<sup>3</sup>. The largest figure used for March over the last 14 years was 81,027 m<sup>3</sup> (in 2009).

**Note 2:** The Peak Day water use figure for 2014 is shown as 4000 m<sup>3</sup>. Because there was a problem with the water meter, this figure is an average for an 8 day period.



## Appendix 2

### Potential Weekly & Monthly Water Use for Factory (Including Water for New Seafood Processing)

	<b>Monthly <u>Past</u> Use (m<sup>3</sup>)</b>	<b>Future Weekly Potential Use (m<sup>3</sup>)</b>	<b>Future Monthly Potential Use (m<sup>3</sup>)</b>
<b>January</b>	60,000	25,200	86,000
<b>February</b>	65,000	25,200	89,500
<b>March</b>	80,000	31,000	106,500
<b>April</b>	60,000	25,200	86,000
<b>May</b>	55,000	Less than 25,200	81,000
<b>June</b>	35,000	“	61,000
<b>July</b>	10,000	“	10,000
<b>August</b>	10,000	“	36,000
<b>September</b>	30,000	“	56,000
<b>October</b>	55,000	“	81,000
<b>November</b>	40,000	“	66,000
<b>December</b>	40,000	“	66,000
<b>Year</b>	<b>540,000</b>	“	<b>825,000</b>

**Note 1:** Based on the data used, the peak week in March is likely to use 31,000 m<sup>3</sup> of water when the peak allowance is only 25,200 m<sup>3</sup>. The peak monthly volume sought (March) is likely to be nearly 96% of the peak monthly water allocation allowed (111,600 m<sup>3</sup>), but may exceed the peak weekly figure of 25,200m<sup>3</sup>.

**Note 2:** The above monthly ‘Past Water Use’ (column 2) amounts to just over 90% of the Peak Water Use volume of 581,000 m<sup>3</sup> used in 2007. Column 2 is used as the basis for arriving at the Future Monthly Potential Water Use which includes the additional seafood allowance (amounting to 1000 m<sup>3</sup>/day for 6 days a week and 11 months of the year). If these levels are reached, then water use would be at about 63% of the yearly maximum allowable take (based on a maximum take of 3,600 m<sup>3</sup>/day).







1 OVERALL SITE PLAN - EXISTING  
Scale 1:500 @ A1, 1:1000 @ A3



2 LOCATION PLAN - EXISTING  
Scale 1:5000 @ A1, 1:10000 @ A3



**Bore Sites**  
P28w/0983 P28: 8170-6697  
P28w/2187 P28: 8169-6697

Old Renwick Rd



A	RESOURCE CONSENT ISSUE	MVD	BAW	06-12-16	
Issue	Description	By	Chkd	Date	
<div> <b>stilesandhooker</b> ARCHITECTS + ENGINEERS</div> <p>Telephone: 07 839 1254 Fax: 07 839 1255 Email: admin@sandh.co.nz</p> <p>Address: 218 Collingwood St, PO Box 718, Hamilton 3240, New Zealand</p> <p>www.stilesandhooker.co.nz</p> <p>TELARC REGISTERED SUPPLIER ISO 9001</p>					
Client					
<div></div>					
Project					
MUSSEL FACTORY BLENHEIM					
Drawing Title					
EXTG. SITE & LOCATION PLAN					
Designed	BAW	Scale	As indicated	Drawn	MVD
Date	NOVEMBER 2015		Original Size	A1	
Job No	14-122		Drawing No	SP-02	
		Issue	A		

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE

Original Scale  
0 10mm 50mm 100mm

D:\Users\Michael\Documents\New 2017\14-122 Mussel Factory\Blenheim-2017\_mussel.rvt

6/12/2016 2:05:57 PM



To: Marlborough District Council  
PO Box 443  
Blenheim 7240

## SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

### 1. Submitter Details

Name of Submitter(s) in full \_\_\_\_\_

Address for Service *(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.