



MARLBOROUGH  
DISTRICT COUNCIL

## RESOURCE CONSENT APPLICATION

U191018

**Jarrett John and  
Barbara Agnes  
Edwina Jenkins**

596 Kaituna-Tuamarina Road,  
Waikakaho Valley

Submissions Close

5.00 pm Wednesday 12 February 2020

## Bea Gregory-5252

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**From:** Steve Wilkes <steve@wilkesrm.co.nz>  
**Sent:** Monday, 25 November 2019 2:49 PM  
**To:** RCInbox  
**Cc:** jarrettbarbara@farmside.co.nz; Nick Winter  
**Subject:** Jenkins water permit  
**Attachments:** Appendix 1 - Location Plan.jpg; Appendix 2 - Site Plan.jpg; Appendix 3 - Irrigation Requirements 25 ha.pdf; Appendix 4 - Title Documents 001.pdf; Appendix 4 - Title Documents 002.pdf; Application AEE.pdf; RAF0002-CI1913-Application\_for\_Resource\_Consent 1-signed.pdf; RAF0007-CI2067-Water Permit Supplementary Information Form.pdf

Greetings

Please find attached a water permit application on behalf of Jenkins

The fee will be paid by the applicant. To that end Jarrett or Nick please pay the MDC fee deposit of \$980 into the following MDC account and ref it to Jenkins

02 0600 0202861 002

regards

*Steve Wilkes*

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Temple Chambers, 76 High Street, Blenheim 7201, New Zealand

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# Application for Resource Consent or Fast Track Resource Consent

This application is made under Section 88 or 87AAC of the Resource Management Act 1991

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

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

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



**MARLBOROUGH  
DISTRICT COUNCIL**

## For Office Use

ISO 9001  
Document Number:  
RAF0002-C11913

Lodgement Fee Paid \$

Receipt No.

Consent No.

Case Officer:

**Date Received:**

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

Name:  
*(full legal name)*

JJ & BAE Jenkins

Company/Trust Number:  
*(if applicable)*

Electronic Address for Service: jarrettbarbara@farmside

Mailing Address:  
*(including post code)* 596 Kaituna Tuamarina Road  
Marlborough 7273

Phone: (Daytime) 03 577 5254

Phone: (Mobile)

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

Name: WilkesRM Ltd

Electronic Address for Service: steve@wilkesrm.co.nz / cath@wilkesrm.co.nz

Mailing Address:  
*(including post code)* 76 High Street  
Blenheim 7201

Phone: (Daytime)

Phone: (Mobile) 021 668477

### 3. Type of Resource Consent Applied For

- ☐ Coastal Permit      ☐ Discharge Permit      ☐ Land Use      ☐ Subdivision      ☒ Water Permit
- ☐ Fast Track Application
- ☐ I opt out of the fast track consent process
- ☐ I do not opt out of the fast track consent process

### 4. Description of the Activity

*The activity to which the application relates is as follows:*

To continue to abstract & use Wairau River FMU water for irrigation and ancillary uses.

### 5. Supplementary Information Provided?

☒ Yes      ☐ No

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

### 6. Site Details

*The site to which the proposed activity is to occur is as follows:*

Location (address):

596 Kaituna Tuamarina Track

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

Lots 1,3,5,6 & 7 DP 411361

*(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).**

#### Owners/Occupiers of the Site

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

### Affected Persons

**Please attach the written approval of affected persons/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. Part 2 of the Resource Management Act 1991**

I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

**9. Section 104 of the Resource Management Act 1991**

I attach an assessment of the proposed activity against any relevant provisions of a document referred to in Section 104(1)(b) of the Resource Management Act 1991, including the information required by Clause 2(2) of Schedule 4 of the Resource Management Act 1991.

**10. Other Information**

Are there other activities which are part of the proposal to which the activity relates, for example permitted activities, or building consents, etc?

Permitted activities:

Non Resource Management Act 1991 activities relating to this application:

Additional consents that need to be applied for, or have been applied for:

**Section 124 or 165ZH(1)(c)**

If the application is affected by Section 124 or 165ZH(1)(c) of the Resource Management Act 1991 (which relate to existing resource consents), the value of the investment of the existing consent to the consent holder. *(This assessment should include more than stating a monetary value.)*

## 11. 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)

## 12. Declaration

I (please print name) S M Wilkes

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

Signature of applicant or authorised agent:



Date: 25 Nov 2019

### Notes to Applicant

You may apply for two or more resource consents that are needed for the same activity on the same form.  
You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any).

### 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.

### Environmental Protection Authority

If you lodge the application with the Environmental Protection Authority, you must also lodge a notice in form 16A at the same time.

If your application is to the Environmental Protection Authority, you may be required to pay actual and reasonable costs incurred in dealing with this matter (see section 149ZD of the Resource Management Act 1991).

### Fast Track Applications (relates to a land use consent for a controlled activity)

An electronic address for service must be provided if you are applying for a Fast Track consent.

Under the Fast Track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the council, unless the applicant opts out of that process at the time of lodgement.

A Fast Track application may cease to be a Fast Track application under Section 87AAC(2) of the Resource Management Act 1991.

Reset Form



## 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. Do you currently hold a water permit that is due to expire? Yes

If yes, please state the water permit number U070910 .....

If yes, is there an existing meter number? Yes .....

If yes, when was the meter last verified? 2016

2. Source of water (name of river, stream aquifer, etc) Wairau River .....

3. Freshwater Management Unit (FMU) Waikakaho .....

4. Which class of water? A .....  
(A, B etc for surface water takes)

5. Maximum quantity of take ..... litres per second (for surface water only)  
1200..... Cubic metres per day (for surface water only)  
..... cubic metres per year (for groundwater only)

### GROUNDWATER:

1. Well number (if existing well) P28w/4650 .....
2. Depth from ground level to bottom of well..... metres
3. Well Co-ordinates (NZTM) ..... Easting  
..... Northing

### SURFACE WATER:

1. Abstraction method .....  
e.g. intake gallery, suction hose, diversion channel, etc.)
2. Intake Co-ordinates (NZTM) ..... Easting



## 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 .....

## USE WATER

### GENERAL:

1. Purpose for which water is required, including area to be irrigated if applicable? .....  
(Industrial, crop irrigation, etc)  
Irrigation & ancillary uses .....
2. Legal description for the site where water is to be used? .....  
Lots 1, 3, 5, 6 and 7 DP 411361 .....

## CONSUMPTION SCHEDULE

Note: If the application contains an irrigation component this table should be completed using the figures available for irrigation through Irricalc: <http://mycatchment.info/>, notwithstanding the allocation under any previous consent. Please fill out the table below and attach a copy of the Irricalc figures used.

3. Maximum monthly rate (cubic metres per month) – combination of crop types where applicable:

January	February	March	April	May	June
39500	31500	23500	8000		

July	August	September	October	November	December
		8000	23500	31500	39500

4. Maximum cumulative annual usage? 176,025 .....





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## BA & JJ Jenkins

Application for Resource Consent

- Take and Use Class A Surface Water

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December 2019

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# 1 Introduction

The applicants are Jarrett John & Barbara Agnes Edwina Jenkins.

The applicants own land at 596 Kaituna – Tua Marina Road being Lots 1, 3, 5, 6 and 7 DP411361.

The applicants hold resource consent U070910 which provides for the abstraction of up to 1,200 cubic metres per day of underground water for the irrigation of up to 24 hectares of pasture and crops Lots 1, 3, 5, 6 and 7 DP 411361.

Resource U070910 expires on 1 April 2020.

The applicants seek the re-issue of U070910 with a new resource consent that provides for the take of up to 1,200m<sup>3</sup>/day of A Class Wairau River FMU water for the irrigation of 25 process crops & pasture. Water is also proposed to be used for miscellaneous uses.

The abstraction volume sought is consistent with the irrigation demand as determined by the Irricalc model and will allow for the irrigation of up to 25 ha of broad acre crops and pasture.

The property lies within the Waikakaho Freshwater Management Unit (FMU) however the abstracted water is considered to fall within the Wairau River FMU as there is no allocation framework for the Waikakaho River FMU.

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

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

Attached to this application are the following:

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

## 2 The Proposal

Jarrett John & Barbara Agnes Edwina Jenkins seek resource consent for the following specific activities:

- Water Permit – Take Water
  - *To abstract up to 1,200 cubic metres per day of Waikakaho River FMU water from well P28w/4650 for the following uses.*
- Water Permit – Use Water
  - *To use surface water for the irrigation of up to 25 hectares of broad acre process crops & pasture Lots 1, 3, 5, 6 and 7 DP 411361 as per the following monthly maximum volumes:*

	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
<i>m<sup>3</sup></i>	<i>8,000</i>	<i>23,500</i>	<i>31,500</i>	<i>39,500</i>	<i>39,500</i>	<i>31,500</i>	<i>23,500</i>	<i>8,000</i>

- Water Permit – Take Water
  - *To abstract up to 2500 cubic metres per year of Waikakaho River FMU water from P28w/4650.*
- Water Permit – Use Water
  - *To use water for miscellaneous uses Lots 1, 3, 5, 6 and 7 DP 411361.*

Water will be abstracted via the existing well P28w/4650. The intake site is shown on the attached Site Plan contained in Appendix 2. The well features a verified water meter.

The volume of water sought for miscellaneous purposes is consistent with standard industry practice whereby 100 m<sup>3</sup>/year/ha is considered appropriate for crop spraying, line flushing and the like.

### **3 The Existing Environment**

The applicant's property is located on the Kaituna – Tua Marina Track at the southern end of the Waikakaho Valley.

The property is currently a cropping and stock farm.

The subject well was installed in January 2007 under resource consent U060981. The well is 19.3 metres deep and screened between 17.3 and 19.3 metres below ground level. The diameter of the well is 150 millimetres.

The nearest abstractions are some 300 m distant and are used for domestic purposes only.

The Waikakaho River is an intermittently flowing river both temporally and spatially with some sections drying up whilst there may be surface flow both up and downstream of the dry reach.

There are only inconsistent meter readings from the previous resource consent and no irrigation was undertaken in the 2018/19 season. The water meter was verified for accuracy in December 2016.

Condition 7 of resource consent U070910 required that the consent holder shall measure and record water levels in well P28w/4650, and in the Waikakaho River on two occasions each year. It is understood that no such monitoring has been undertaken.

## 4 Statutory Framework

### 4.1 The Resource Management Act 1991

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

### 4.2 The Wairau Awatere Resource Management Plan

The site is zoned Rural 4 under the Wairau Awatere Resource Management Plan (WARMP) and not covered by any overlays.

General Rule 27.1.2.4 of the WARMP provides for the abstraction of greater than 500 m<sup>3</sup>/day/site as a non-complying activity.

There are no rules for the use of water in the WARMP for irrigation or miscellaneous purposes, therefore the activity is considered in-nominate under the RMA and is considered a discretionary activity.

### 4.3 The Proposed Marlborough Environment Plan

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

General Rules 2.5.2 and 2.5.3 of the MEP provide 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 as per Rules 2.5.2 and 2.5.3.

## 5 Consultation and Notification

As it is anticipated that this proposal will be publicly notified as per current MDC practice consequently no specific consultation has been undertaken.

## 6 Statutory Acknowledgements

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

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

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

## 7 Assessment of Effects

### 7.1 Potential Effects on the Freshwater Management Unit

The existing allocation falls within Waikakaho River Freshwater Management Unit (FMU). The MEP contains no allocation framework for that FMU however it is considered appropriate to consider the abstraction as a Wairau River FMU Class A allocation as was the case for the pre-existing water permit.

The MEP framework provides for the allocation of 650,000 m<sup>3</sup>/day of Wairau River FMU Class A water with Class A water being fully available when flow at the Barnetts Bank recorder is at or greater than 15 m<sup>3</sup>/s. Class A water is fully restricted when flow at Barnetts Bank recorder is at or below 8 m<sup>3</sup>/s.

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

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

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

This application is consistent with the MEP water allocation provisions.



Likewise, for the WAMP the water allocation regime contained within that Plan has been established to "provide for the taking, use, damming and diversion of fresh water in a manner which safeguards the life supporting capacity of the resource and avoids remedies or mitigates any adverse effects on the environment".

Therefore, if any resource consent application to abstract water is consistent with this regime then the abstraction will not lead to the occurrence of adverse effects on the environment and will ensure that the life supporting capacity of the Wairau River is safeguarded.

In terms of the effect of the abstraction on the Waikakaho River itself in the assessment of U070910 it was determined that the imposition of conditions requiring the applicant to cease abstracting water should the flow at the Council's Tua Marina monitoring site be at or below 8 cumecs will avoid, mitigate or remedy any adverse effects of the activity on the Wairau and/or Waikakaho Rivers, and instream ecology. There is no apparent evidence to suggest that adverse effects have occurred on either water resource. Consequently, it is considered appropriate to retain Wairau River low-flow trigger levels.

## 7.2 The Efficient Use of Water

The quantity applied for is considered to be appropriate and is consistent with the *IrriCalc* model to ensure sufficient irrigation water for the applicant's property. This is achieved through compliance with the monthly maximum irrigation rates.

Irrigation is only undertaken when required. Any irrigation undertaken is done so due to a need and to maximise the efficiency of the irrigation and the financial cost of doing so.

The allocation of water for ancillary use is based on local experience whereby an allocation of 100 m<sup>3</sup>/ha/year for uses such as crop spraying, irrigation line flushing etc is considered appropriate.

### 7.3 Potential Effects on Other Users

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

During the assessment and issue of U070910 there was considerable concern surrounding the potential interference effects on neighbouring wells. Those concerns expressed by way of opposing submissions were ultimately addressed and the submissions withdrawn.

To the applicant's knowledge there has been no history of interference effects arising from the exercise of water permit U070910.

### 7.4 Any Alternative Locations or Methods

No alternative locations or methods have been considered. The applicant believes the activity proposed would give the best result in terms of efficiency of use while ensuring environmental effects are not more than minor.

### 7.5 Any Other Potential Effect

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

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

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

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

There are no other potential effects anticipated.

## **8 Summary of Mitigation Measures**

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

- Instream values will be protected by way of low flow trigger levels;
- Efficiency of water use is achieved by way of compliance with the IrriCalc model: and
- There is no history of interference effects on other users arising.

## 9 Other Matters

### 9.1 Resource Management Act 1991

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

#### 9.1.1 Section 6 Matters of National Importance

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

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

The natural character of the Waikakaho & Wairau River freshwater management units and the surrounding environment at this location is dominated by the braided river itself, developed farmland and the Waikakaho River valley. This proposal will not impact upon these features.

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

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

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

There are no such areas at risk from this proposal.

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

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

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

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

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

There are no known historic sites relevant to this proposal.

*g) The protection of recognised customary activities.*

There are no recognised customary activities relevant to this proposal.

#### 9.1.2 Section 7 Other Matters

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

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

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

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

### 9.1.3 Section 8 Treaty of Waitangi

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

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

### 9.1.4 Section 104D – Non-Complying Activities

Section 104D of the RMA sets out particular restrictions for non-complying activities. In respect of these restrictions, this proposal will not be contrary to the objectives and policies of the Plan and adverse effects will not be more than minor. Consequently, the application passes both of the required ‘gateway’ tests and can be considered and determined by Council in accordance with Section 104 of the RMA.

### 9.1.5 Section 104(2A)

Section 104(2A) of the RMA requires that a Consent Authority, when considering an application affected by Section 124<sup>1</sup>, must have regard to the value of investment of the existing Consent Holder.

The developed property and associated infrastructure has a value in excess of \$1 million dollars.

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<sup>1</sup> Section 124 of the RMA relates to applications for resource consent that seek the ‘re-issue’ or ‘re-newel’ of an existing resource consent that is due to expire.

## 9.2 The National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management (NPSFW) sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits.

Amongst other matters the NPSFW requires that all Regional Councils ensure that the allocation of water resources above a pre-determined sustainable maximum volume does not occur and if any such 'over-allocation' exists then the Regional Council must undertake steps to reduce the over-allocation.

The Wairau River has a formal allocation regime as detailed above.

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

## 9.3 Marlborough Regional Policy Statement

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

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

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

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

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

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

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

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

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

*Policy 7.2.3 – Allocation of Water*

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

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

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

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

This proposal is therefore consistent with these objectives and policies.



## 9.4 The Wairau Awatere Resource Management Plan

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

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

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

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

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

As detailed the proposal is entirely consistent with the water allocation regime within the WAMP. That water allocation regime was developed to ensure established to "*provide for the taking, use, damming and diversion of fresh water in a manner which safeguards the life supporting capacity of the resource and avoids remedies or mitigates any adverse effects on the environment*".

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

*Objective 6.2.1.1            To provide for the taking, use, damming and diversion of fresh water in a manner which safeguards the life supporting capacity of the resource and avoids, remedies or mitigates any adverse effects on the environment.*

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

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

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

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

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

*Policy 1.3*                      *To set water permit volumes, initially and at either review or renewal, on the basis of water allocation guidelines or actual use as indicated by water meter readings.*

The volume of water proposed to be abstracted allows for irrigation application rates consistent with MDC's guidelines as contained in the WARMP.

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

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

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

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

## 9.5 Proposed Marlborough Environment Plan

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

### ***Chapter 4 – Use of Natural and Physical Resources***

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

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

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

*Policy 4.1.3      Maintain and enhance the quality of natural resources.*

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

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

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

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

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

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

*Policy 5.2.14      Where there is insufficient environmental data to establish an allocation limit for a river, use a default allocation limit of 50% of the seven day mean annual low flow for rivers with a mean flow greater than 5m<sup>3</sup>/s and 30% of the seven day mean annual low flow for rivers with a mean flow less than 5m<sup>3</sup>/s.*

- Policy 5.2.15      Protect flow variability of rivers by using, where identified as necessary, a system of flow sharing that splits allocation of available water between instream and out-of-stream uses.*
- Objective 5.3      Enable access to reliable supplies of freshwater.*
- Policy 5.3.6      Allocate water within any class on a first-in, first-served basis through the resource consent process until the allocation limit is reached for the first time.*
- Policy 5.3.7      Allocate water to irrigation users on the basis of a nine in ten year water demand for the crop/pasture.*
- Policy 5.3.11      Have regard to the potential for any take of water to adversely affect the ability of an existing water user to continue taking water and mitigate any adverse effects by limiting, where necessary, the instantaneous rate of take.*

The use of allocation frameworks for freshwater enables the sustainable use of freshwater. This application is within the Waikakaho River FMU and whilst no allocation volume has been set it is considered appropriate to impose Wairau River FMU Class A restrictions as previously was the case.

Policy 5.2.14 is not considered determinative as the Waikakaho River is ephemeral therefore any percentage of the mean annual low flow cannot be determined.

## ***Chapter 8 – Indigenous Biodiversity***

*Objective 8.1 – Marlborough’s remaining indigenous biodiversity in terrestrial, freshwater and coastal environments is protected.*

*Policy 8.3.6 – Where taking or diversion of water from waterbodies is proposed, water levels and flows shall remain at levels that protect the natural functioning of those waterbodies.*

The MEP has provided clear direction in terms of the abstraction and use of water. That direction by way of the water allocation framework provides for water to be abstracted subject to low flow trigger levels and maximum allocations so as to ensure that both the habitat values and the natural functioning of the river is protected.

## **Chapter 14 – Use of the Rural Environment**

*Objective 14.1 Rural environments are maintained as a resource for primary production activities enabling these activities to continue contributing to economic wellbeing, whilst ensuring the adverse effects of these activities are appropriately managed.*

*Policy 14.1.1 Enable the efficient use and development of rural environments for primary production.*

*Policy 14.1.4 Manage primary production activities to ensure they are sustainably carried out through the implementation of policies and methods (including rules establishing performance standards for permitted activities) to address potential adverse effects on:...*

*(c) Water quality and water availability:...*

The MEP gives effect to the objectives and policies through the various regional rules provided in Volume 2 of the MEP and establishes an allocation framework for freshwater that enables the sustainable use of that resource.

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

## **10 Proposed Monitoring**

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

Monitoring of the abstraction and use of water will primarily be achieved by way of telemetered water metering that is in place together with compliance with all applicable resource consent conditions.

## 11 Conclusion

Jarrett John & Barbara Agnes Edwina Jenkins seek resource consent for the following specific activities:

- Water Permit – Take Water
  - *To abstract up to 1,200 cubic metres per day of Waikakaho River FMU Class A water from well P28w/4650 for the following uses.*
- Water Permit – Use Water
  - *To use surface water for the irrigation of up to 25 hectares of broad acre process crops & pasture Lots 1, 3, 5, 6 and 7 DP 411361 as per the following monthly maximum volumes:*

	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
<i>m<sup>3</sup></i>	<i>8,000</i>	<i>23,500</i>	<i>31,500</i>	<i>39,500</i>	<i>39,500</i>	<i>31,500</i>	<i>23,500</i>	<i>8,000</i>

- Water Permit – Take Water
  - *To abstract up to 2500 cubic metres per year of Wairau River FMU Class A water from P28w/4650.*
- Water Permit – Use Water
  - *To use water for miscellaneous uses Lots 1, 3, 5, 6 and 7 DP 411361.*

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

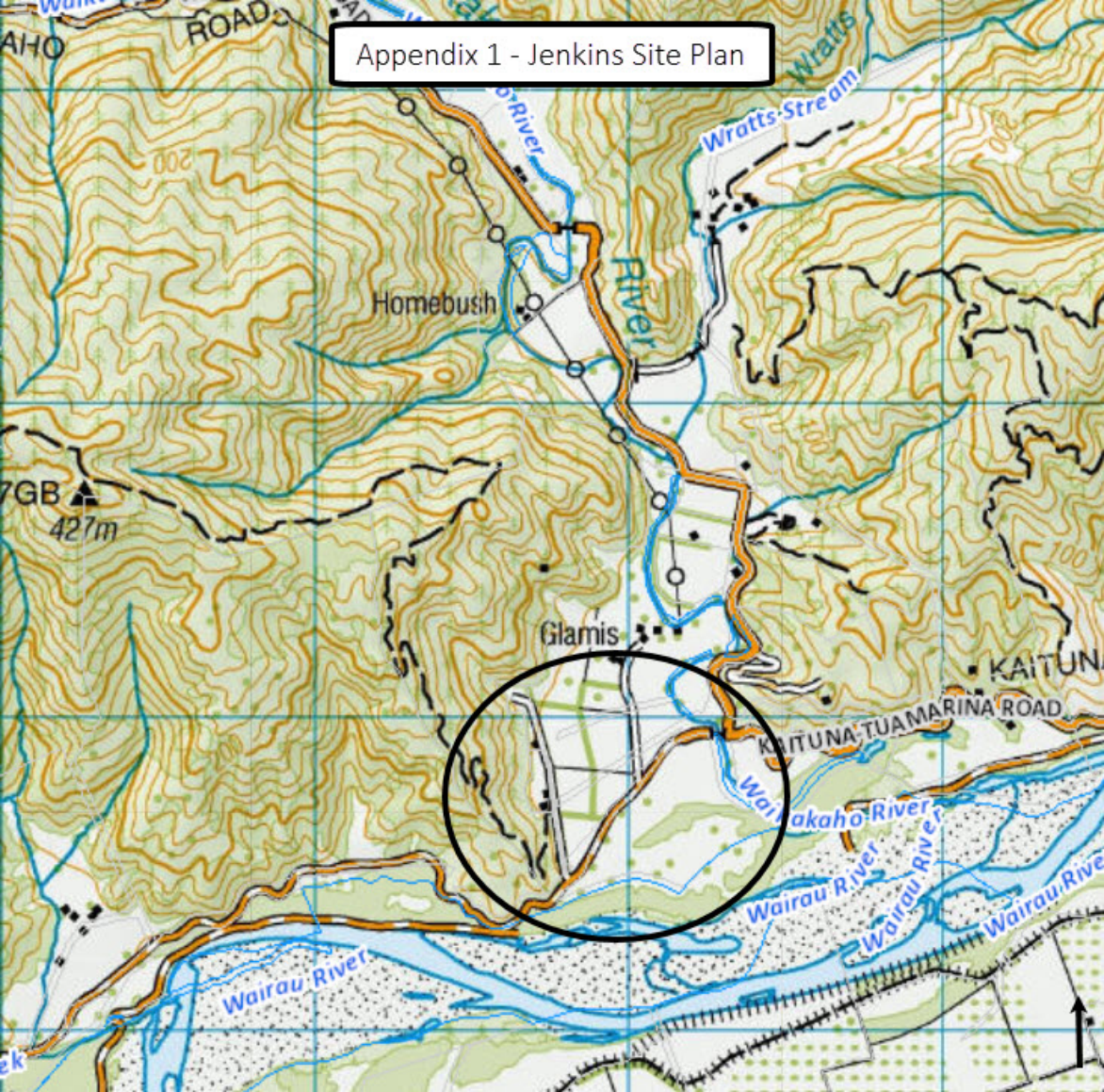
The proposal is consistent with the relevant provisions of Part 2 of the Act, the National Policy Statement for Freshwater Management 2014, the Marlborough Regional Policy Statement, the Wairau Awatere Resource Management Plan and the Proposed Marlborough Environment Plan.

Accordingly, resource consent should be granted to this proposal.

## Appendix 1 – Location Plan



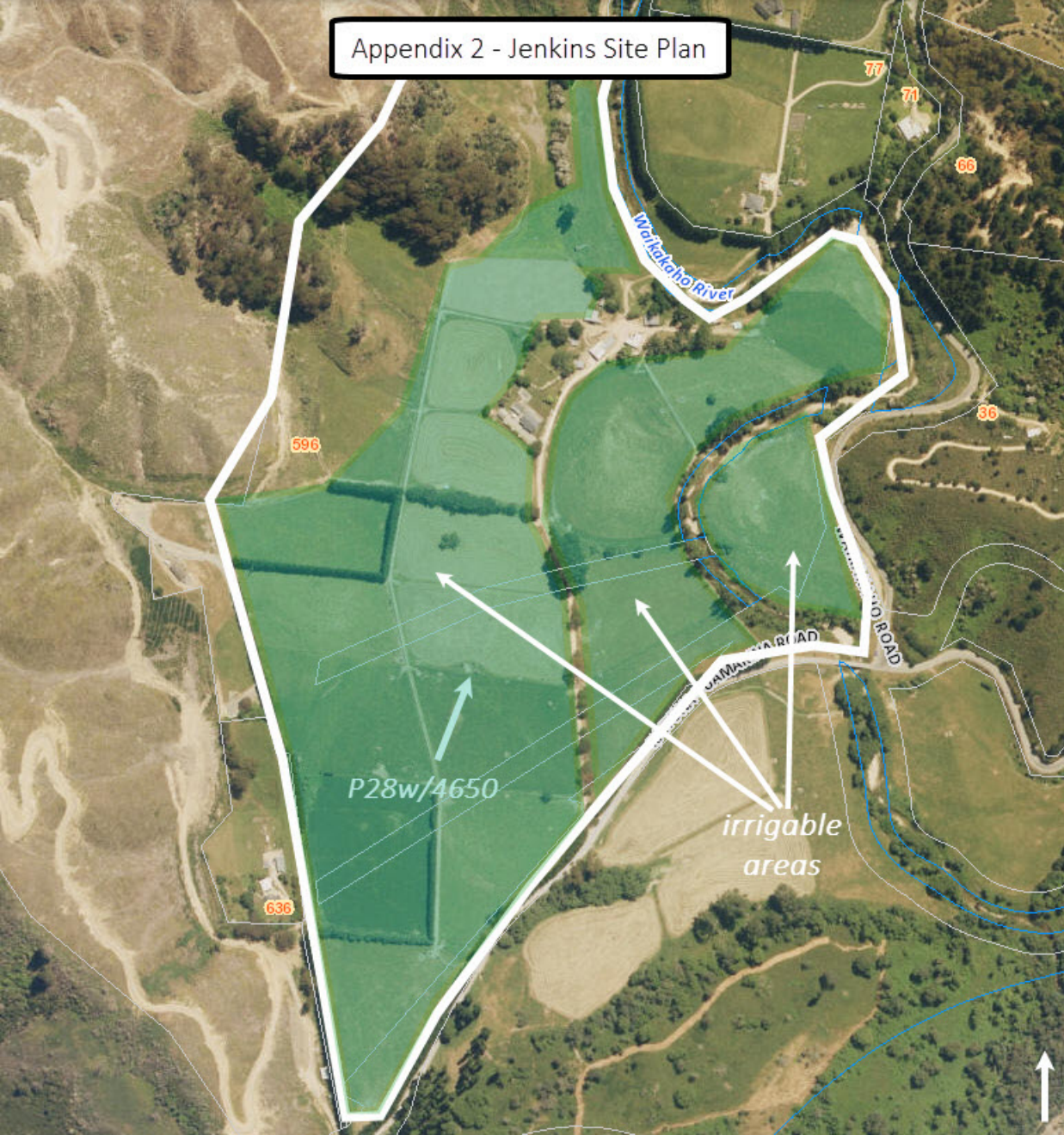
Appendix 1 - Jenkins Site Plan



## Appendix 2 – Site Plan



## Appendix 2 - Jenkins Site Plan



## Appendix 3 – Irrigation Requirements

# 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







1

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

-41.441 , 173.897

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				Plant Available Water Details		Irrigation Requirements			
Description				PAW(mm)	Indicative Likelihood	Area (hectares)	Per Hectare		Total Area
Latitude	-41.441	70	78.1	25			System Capacity	0.61 (l/s/ha)	15.25 (l/s)
Longitude	173.897			0			System Capacity	5.3 (mm/day)	
Council	Marlborough			0			Daily Volume	53 (m³/ha)	1,325 (m³)
Climate Site ID	P158124			0			7 Day Volume	(m³/ha)	(m³)
Distance to Climate Site (km)	2.56			0			28 Day Volume	(m³/ha)	(m³)
Rainfall (mm)	1169	Total area =		25			90% ile Annual Volume	6,961 (m³/ha)	174,025 (m³)

90 Percentile Monthly Volume												
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m³/h)	0	0	320	940	1,260	1,580	1,580	1,260	940	320	0	0
Total Area (m³)	0	0	8,000	23,500	31,500	39,500	39,500	31,500	23,500	8,000	0	0

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

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

Detailed Results

Save this Page

Background Information

## Appendix 4 – Certificate of Title



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **442349**  
**Land Registration District** **Marlborough**  
**Date Issued** 07 September 2010

**Prior References**

MB3D/23	MB4A/11	MB4A/13
MB5A/636	MB6A/222	

---

**Estate** Fee Simple  
**Area** 23.7505 hectares more or less  
**Legal Description** Lot 1-5 Deposited Plan 411361

**Registered Owners**

Jarrett John Jenkins and Barbara Agnes Edwina Jenkins

---

**Interests**

5503208.1 Encumbrance to The Marlborough District Council (Limited as to Duration) (affects the part formerly contained in CT MB6A/222) - 28.2.2003 at 9:00 am

Subject to a right (in gross) to convey electricity in gross over Lot 2 DP 411361 marked F on DP 411361 in favour of Marlborough Lines Limited created by Easement Instrument 7007042.1 - 29.8.2006 at 9:00 am

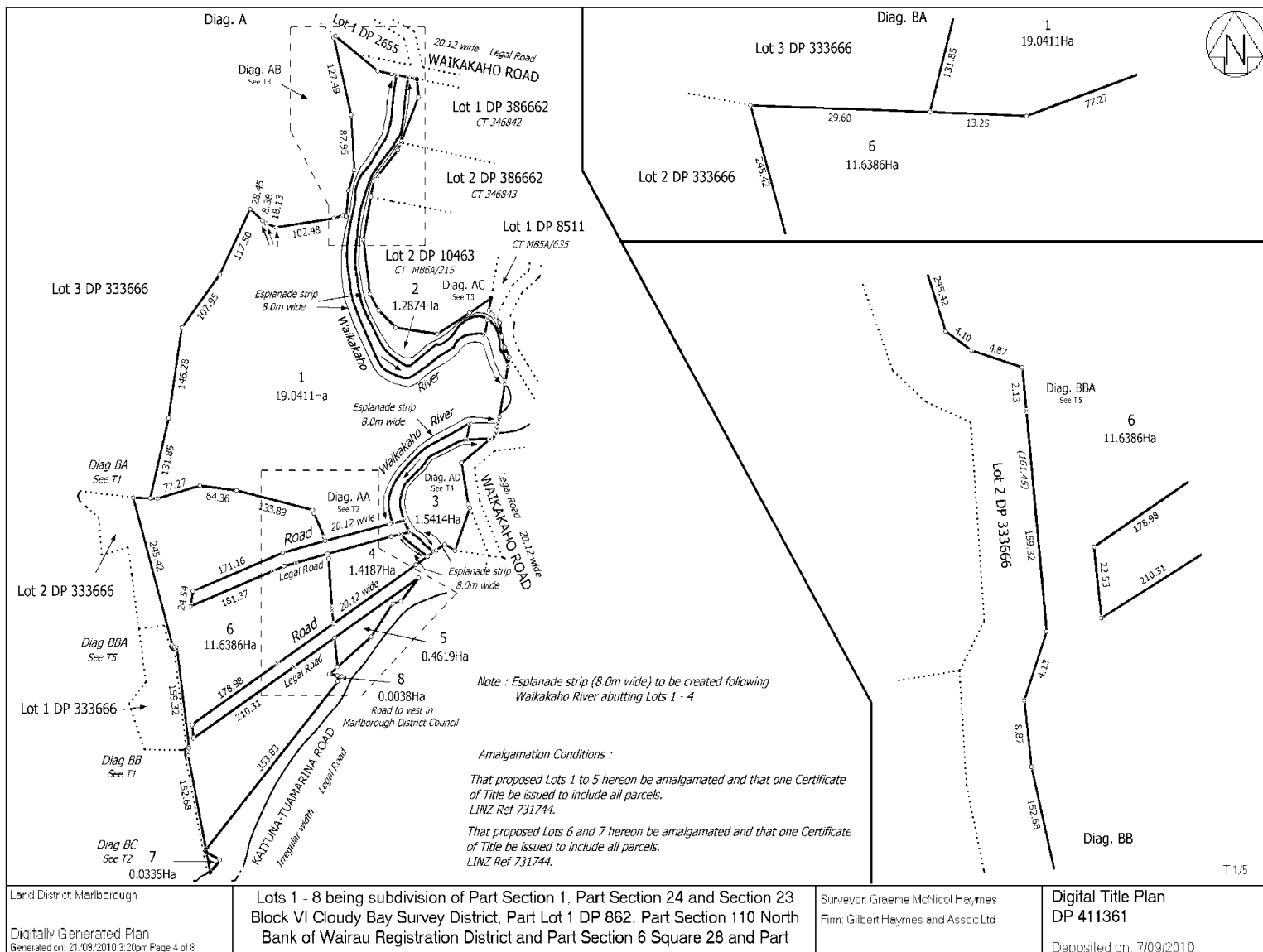
8573989.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 7.9.2010 at 4:32 pm

Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991(affects DP 411361 )

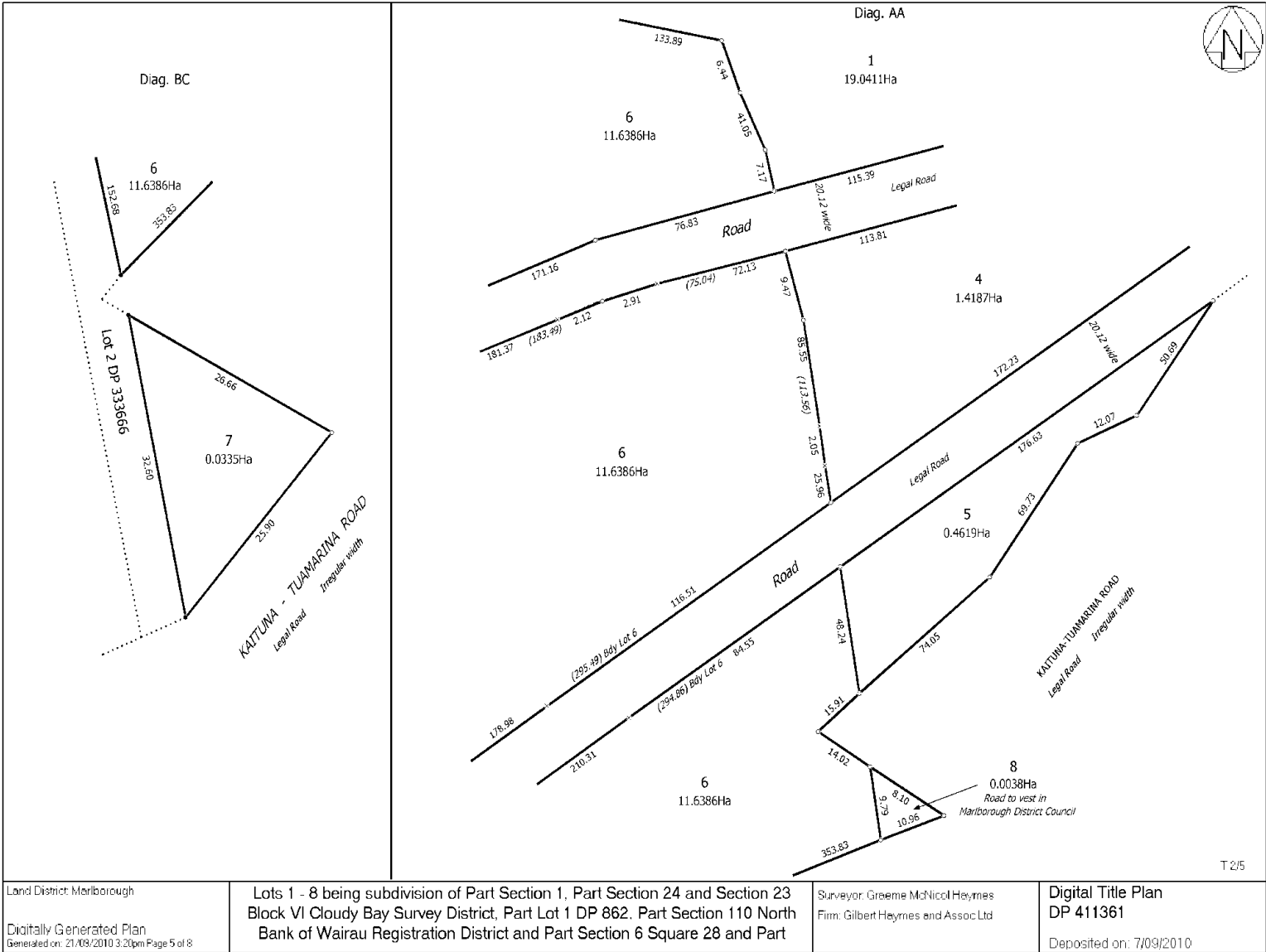
Appurtenant hereto is a right to convey electricity and water created by Easement Instrument 8573989.5 - 7.9.2010 at 4:32 pm

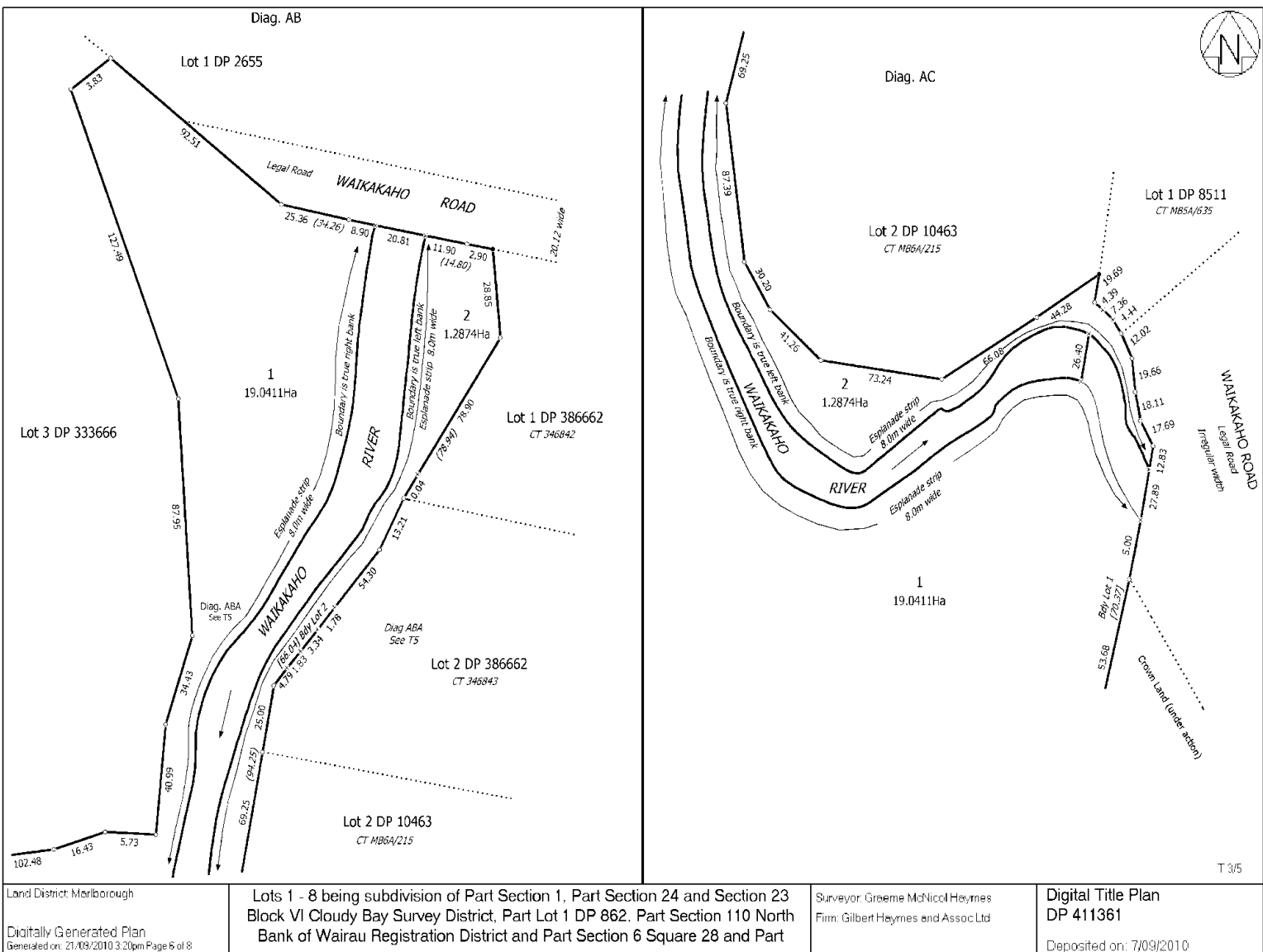
The easements created by Easement Instrument 8573989.5 are subject to Section 243 (a) Resource Management Act 1991

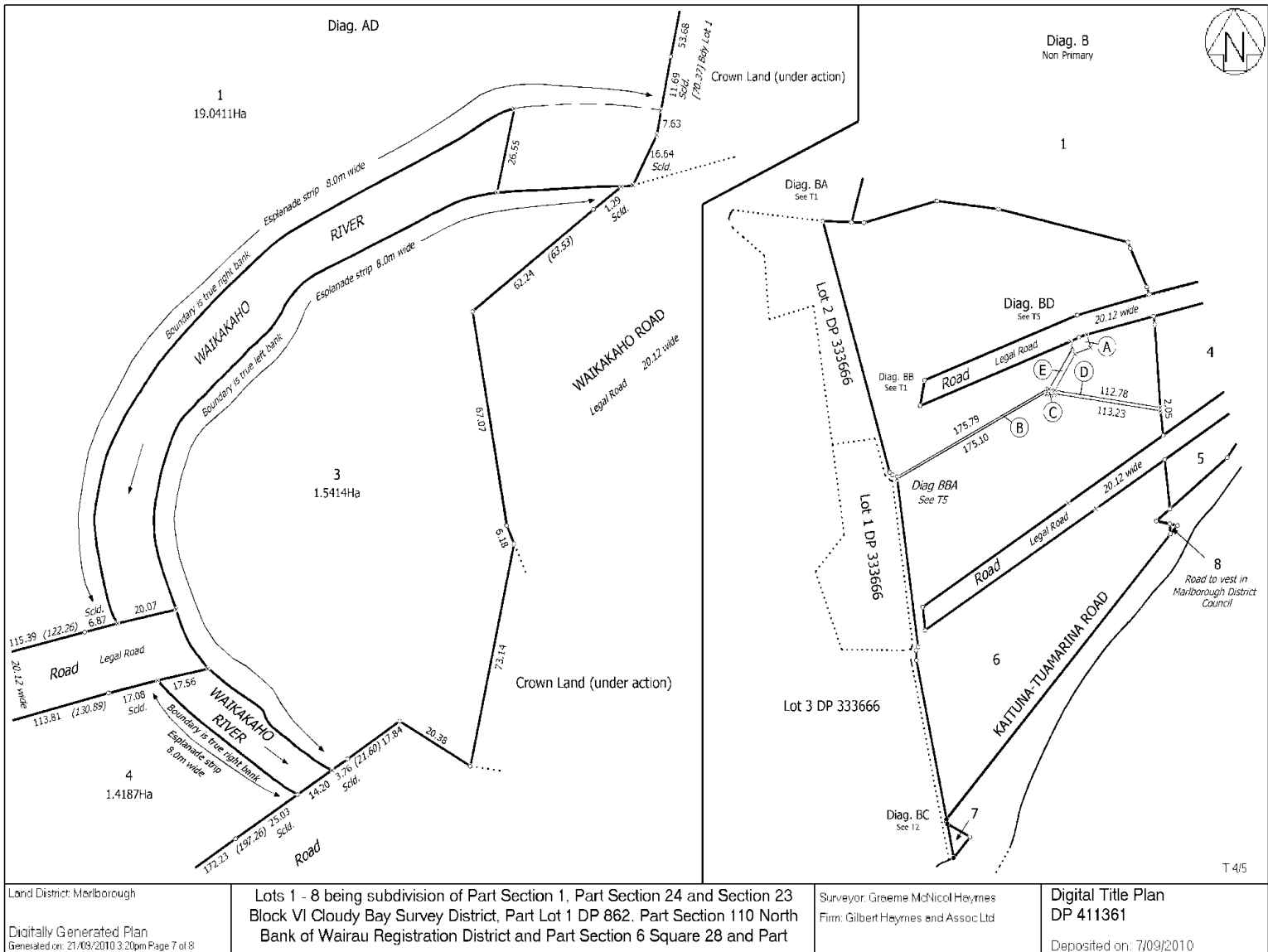
8573989.7 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 (affects Lots 1 - 4 DP 411361) - 7.9.2010 at 4:32 pm

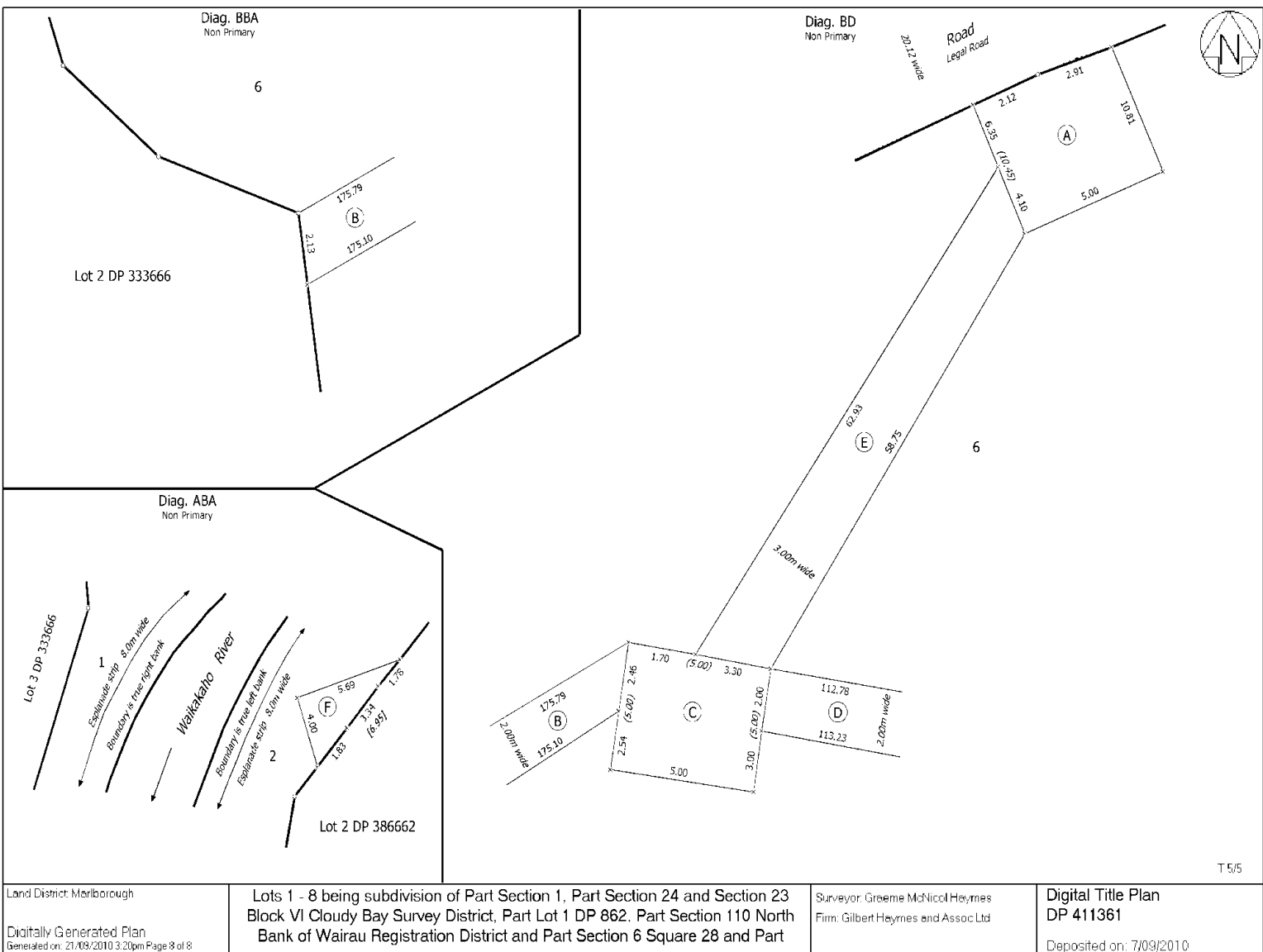














**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** 442350  
**Land Registration District** Marlborough  
**Date Issued** 07 September 2010

**Prior References**

MB4A/11 MB4A/12 MB6A/222

**Estate** Fee Simple

**Area** 11.6721 hectares more or less

**Legal Description** Lot 6-7 Deposited Plan 411361

**Registered Owners**

Jarrett John Jenkins and Barbara Agnes Edwina Jenkins

**Interests**

5503208.1 Encumbrance to The Marlborough District Council (Limited as to Duration) (affects the part formerly contained in CT MB6A/222) - 28.2.2003 at 9:00 am

8573989.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 7.9.2010 at 4:32 pm

Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991(affects DP 411361 )

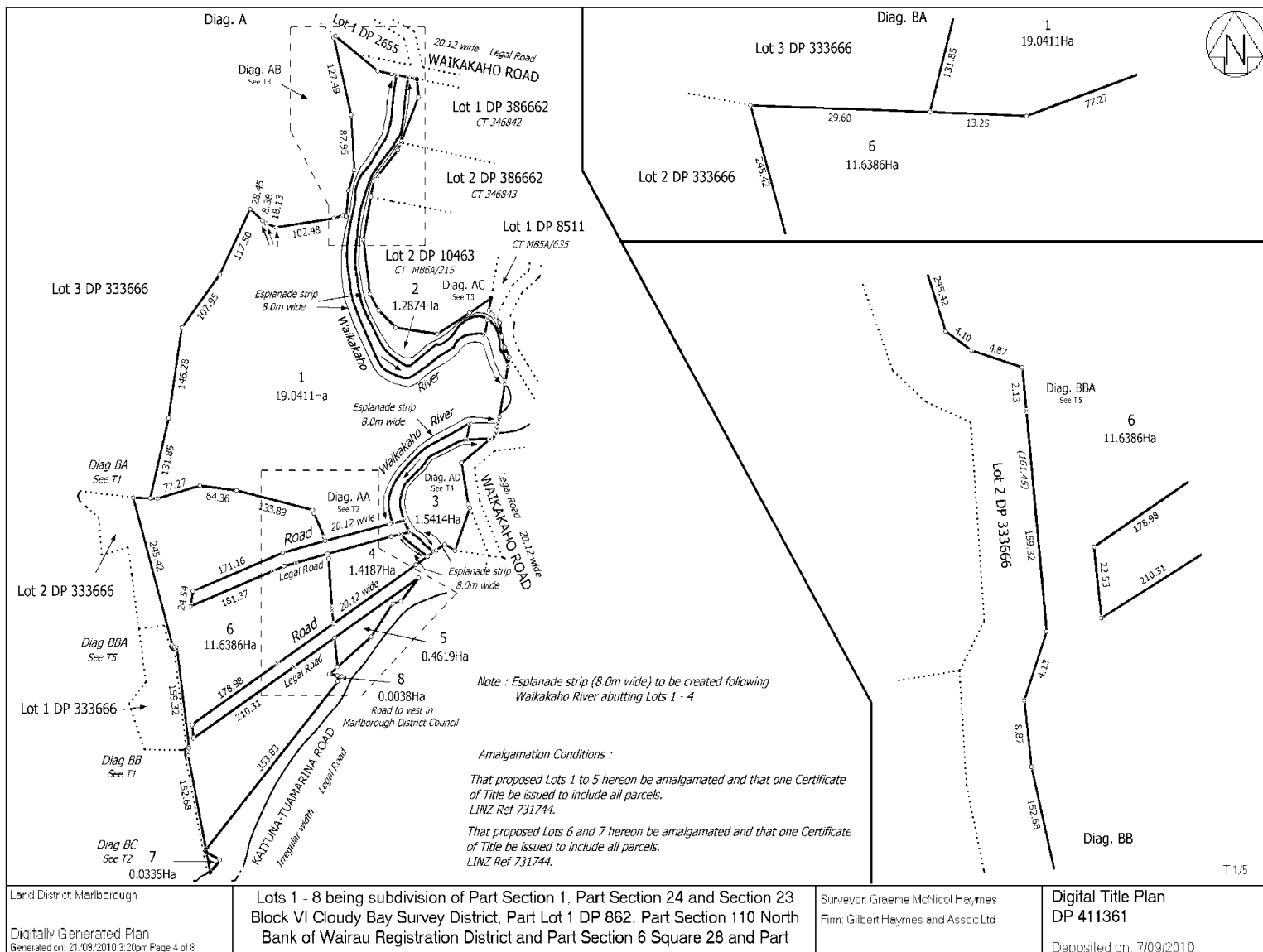
Subject to a right to convey electricity over Lot 6 DP 411361 marked E, C and a right to convey water over Lot 6 DP 411361 marked C, D both on DP 411361 created by Easement Instrument 8573989.5 - 7.9.2010 at 4:32 pm

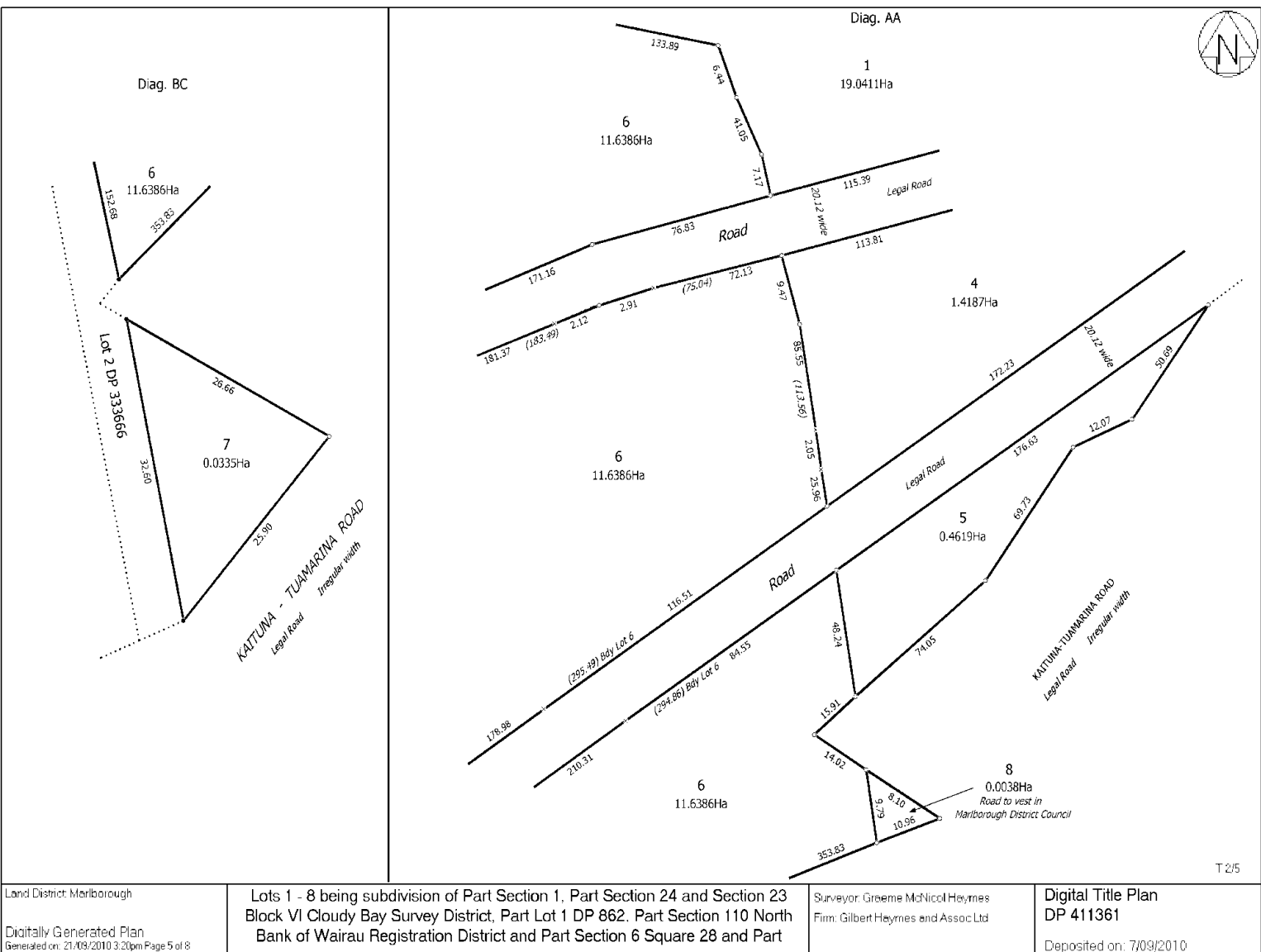
The easements created by Easement Instrument 8573989.5 are subject to Section 243 (a) Resource Management Act 1991

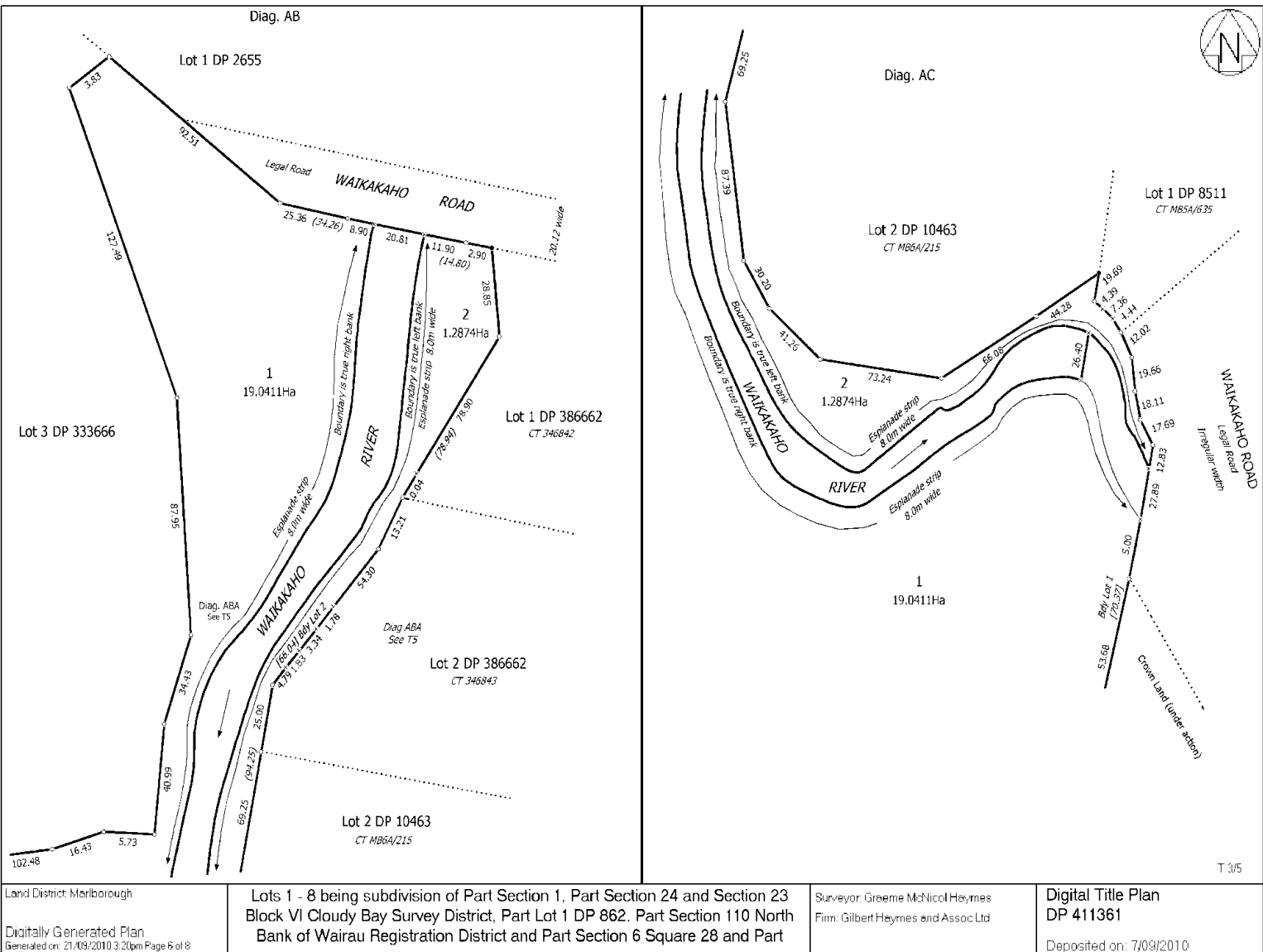
Subject to a right (in gross) to convey electricity over Lot 6 DP 411361 marked A on DP 411361 in favour of Marlborough Lines Limited created by Easement Instrument 8573989.6 - 7.9.2010 at 4:32 pm

The easements created by Easement Instrument 8573989.6 are subject to Section 243 (a) Resource Management Act 1991

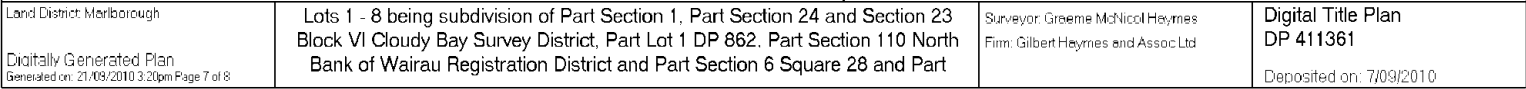
9409073.1 Mortgage to ASB Bank Limited - 24.5.2013 at 3:40 pm

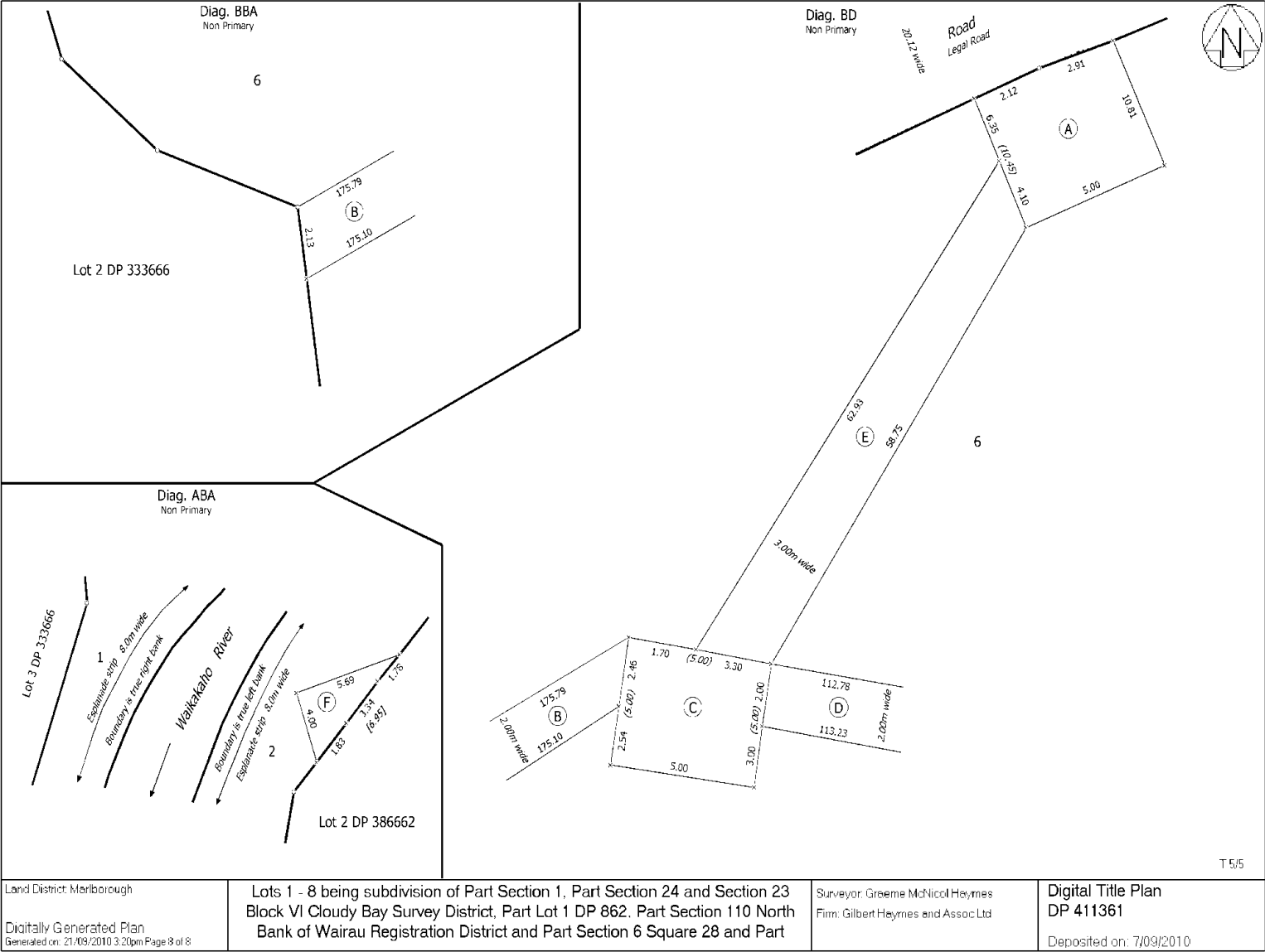












## Emma Hunter-8735

---

**From:** Rachel Anderson-5330  
**Sent:** Thursday, 12 December 2019 11:19 AM  
**To:** Victoria Rhind-5174  
**Subject:** RE: U191018 : Application - For comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Victoria

In FMU Overlay Map 2 it shows that there is a specific FMU for the Waikakaho, however we had insufficient information to set limits in Schedule 1 and 3 of Appendix 6 at the time of developing the MEP, so the default policies for limit setting (Policies 5.2.7, 5.2.8 and 5.2.14) are the starting point for Val. If he is able to determine an allocation limit and minimum flow that he would be comfortable using for any future application in this FMU then we can add them to Schedules 1 and 3 in a future plan change. If in Val's opinion, after considering the relevant policies, he determines that the best minimum flow to use is the Wairau River FMU limit, then that is fine but it would be good for you to get some text from him for your report/decision that lays out his rationale. With regards to the allocation, it would be counted as part of the allocation for the Waikakaho FMU, not the Wairau River FMU, and recorded under the applicable tab in CM record 16136430.

Ngā mihi

*Rachel Anderson*

Policy Portfolio Manager



*Te Kaunihera ā-rohe o Wairau*

Phone: 03 520 7400  
15 Seymour Street, PO Box 443  
Blenheim 7240, New Zealand  
[rachel.anderson@marlborough.govt.nz](mailto:rachel.anderson@marlborough.govt.nz)  
[www.marlborough.govt.nz](http://www.marlborough.govt.nz)

---

**From:** Victoria Rhind-5174  
**Sent:** Thursday, 12 December 2019 11:06 AM  
**To:** Rachel Anderson-5330  
**Subject:** FW: U191018 : Application - For comment

Good morning Rachel,

Please see Val's comments below re Waikakaho – I cannot see in the appendix that there is a specific FMU, is this being bought in? Are we happy to impose Wairau cut offs as opposed to the cut offs under 3.1 of appendix 6?

Thanks

Kind regards,

Victoria

**Victoria Rhind** BPlan (Hons) Int.NZPI  
**Environmental Planner**

<< OLE Object: Picture (Device Independent Bitmap) >>

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)



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---

**From:** Val Wadsworth-8454  
**Sent:** Thursday, 12 December 2019 10:56 AM  
**To:** Victoria Rhind-5174  
**Subject:** RE: U191018 : Application - For comment

Hi Victoria

No, there is a Waikakaho FMU, which we have yet to set limits and allocations for, but the Wairau conditions underlie to protect that resource too.

Cheers Val

---

**From:** Victoria Rhind-5174  
**Sent:** Tuesday, 10 December 2019 3:59 PM  
**To:** Val Wadsworth-8454  
**Subject:** RE: U191018 : Application - For comment

Thanks Val,

Which FMU should the site be within? It does not appear that it is considered within the Wairau River FMU as it stands

Kind regards,

Victoria

**Victoria Rhind** BPlan (Hons) Int.NZPI  
**Environmental Planner**

<< OLE Object: Picture (Device Independent Bitmap) >>

Phone: 03 520 7400  
DDI: 03 520 7497

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Blenheim 7240, New Zealand  
[victoria.bell@marlborough.govt.nz](mailto:victoria.bell@marlborough.govt.nz)  
[www.marlborough.govt.nz](http://www.marlborough.govt.nz)



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---

**From:** Val Wadsworth-8454  
**Sent:** Tuesday, 10 December 2019 11:39 AM  
**To:** Victoria Rhind-5174  
**Cc:** Peter Hamill-8634  
**Subject:** RE: U191018 : Application - For comment

Hi Victoria

- This consent is a renewal of U070910, which took some time to finalise due to inadequate information at the time of application. Our concerns were potential reduction of flows in the adjacent Waikakaho River.
- Conditions on granting included a telemetered water meter, and twice yearly level measurements.
- Water meter shows very very minor use in each year from 2016 to 2018, but no apparent use in 2019, so the status of the meter needs to be checked with compliance to make sure that it is still operational.
- The water level measurement condition does not appear to have been complied with throughout the term of the consent, unless it has been filed elsewhere. However given the minor use, it is unlikely that any effect would have shown on those observations anyway.
- Does this renewal mean they are going to exercise the consent to a fuller degree, in which case those potential effects need to be checked for.
- Does the non-compliance warrant shorter term?
- Peter Hamill may have some views too, as he was involved first time around

Val

-----Original Message-----

From: Victoria Bell-5174  
Sent: Wednesday, 27 November 2019 4:16 PM  
To: Val Wadsworth-8454  
Subject: U191018 : Application - For comment

Hi Val,

Please see attached.

To abstract up to 1,200 cubic metres per day of Wairau River FMU Class A water from well P28w/4650 located on Lot 6 DP 411361.

To use surface water for the irrigation of up to 25 hectares of broad acre process crops and pasture on Lots 1,3,5,6 and 7 DP 411361.

To abstract up to 2500 cubic metres per year of Wairau River FMU Class A water from well P28w/4650 located on Lot 6 DP 411361.

To use water for miscellaneous uses on Lots 1,3,5,6 and 7 DP 411361.

Do you have any questions or concerns?

Thanks

Kind regards,

Victoria

Victoria Bell BPlan (Hons) Int.NZPI

Environmental Planner

Phone: 03 520 7400

DDI: 03 520 7497

15 Seymour Street, PO Box 443

Blenheim 7240, New Zealand

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🌱 Please consider the environment before printing this email



13 December 2019

Record No:  
File Ref: U191018  
Case Officer: Victoria Rhind

Wilkes Resource Management Solutions  
Limited  
76 High Street  
Blenheim 7201

Dear Sir/Madam

## **Request for Further Information - U191018 - Jenkins, Jarrett John and Barbara Agnes Edwina - 596 Kaituna Tuamarina Road Waikakaho Valley**

Under section 92 of the Resource Management Act 1991, the Marlborough District Council requests further information for your application.

### **Requested Information**

The further information required is detailed below.

1. Please provide an updated assessment of effects to avoid confusion as the take is from the Waikakaho FMU rather than the Wairau River FMU.
2. Looking at the meter readings that have come through it appears very little water has been utilised and no water was used in 2019. Is this correct or have meter readings not been coming through?
3. Please confirm you are seeking water for crops and pasture only, as there is mention of vineyard in the application.
4. The previous consent has conditions required monitoring the flow in the Waikakaho River twice a year in February and October. Please provide the relevant monitoring data.
5. Please provide a plan showing the areas to be irrigated.

### **Responding to this Request**

Within 15 working days (27 January 2019) you must either:

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

The processing of your application has been put on hold pending the information being provided and assessed by the processing officer.

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 'VR' or 'Victoria Rhind', written in a cursive style.

VICTORIA RHIND  
**RESOURCE MANAGEMENT OFFICER**



## Emma Hunter-8735

---

**From:** Steve Wilkes <steve@wilkesrm.co.nz>  
**Sent:** Tuesday, 17 December 2019 7:55 AM  
**To:** Victoria Rhind-5174  
**Subject:** RE: Section 92 - Request for Further Information - U191018  
**Attachments:** Application AEE.pdf; Appendix 2 - Site Plan.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Victoria

Trust this is ok as replacement.

I am advised that no irrigation took place last summer and no monitoring of Waikakaho flows has been undertaken either.

regards

Steve Wilkes

t +64 3 578 5339 m +64 21 668 477  
Temple Chambers, 76 High Street, Blenheim 7201, New Zealand

[steve@wilkesrm.co.nz](mailto:steve@wilkesrm.co.nz)  
[www.wilkesrm.co.nz](http://www.wilkesrm.co.nz)



*Steve, Cath & Bec would like to thank you for your support over the past year. We wish you and your whanau a safe & happy Christmas and New Year. We will be taking a bit of a break ourselves but back into the swing of things from January 6, 2020.*

**NOTE:** We do not accept responsibility for any changes to this e-mail, or its attachments, made after we have transmitted it. We do not accept responsibility for attachments made by others to this e-mail.

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**Please consider the environment before printing this email.**

---

**From:** Victoria Rhind-5174  
**Sent:** Friday, 13 December 2019 2:17 PM  
**To:** Steve Wilkes  
**Subject:** Section 92 - Request for Further Information - U191018

Good afternoon,

Please find attached a section 92 request for the above consent.

Any questions please feel free to contact me

Kind regards,

Victoria

**Victoria Rhind BPlan (Hons) Int.NZPI  
Environmental Planner**



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)

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To: Marlborough District Council  
PO Box 443  
Blenheim 7240



**MARLBOROUGH  
DISTRICT COUNCIL**

ISO 9001:2008  
Document Number:  
RAF0010-CI1921

## SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

### 1. Submitter Details

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

Electronic Address for Service (*email address*) \_\_\_\_\_

Postal Address for Service (*or alternative  
method of service under section 352 of the Act*) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Primary Address for Service (*must tick one*)

Electronic Address (*email, as above*) ☐ or, Postal Address (*as above*) ☐

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 ☐

- ☐ I am a trade competitor for the purposes of section 308B of the Resource Management Act 1991
- ☐ I am directly affected by an effect of the subject matter of the submission that:
- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition
- ☐ I am NOT directly affected by an effect of the subject matter of the submission that:
- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition
- ☐ I am NOT a trade competitor for the purposes of section 308B of the Resource Management Act 1991

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

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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. Heard in Support of 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.)*

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## 5. Signature

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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## 6. Important Information

- Council must receive this completed submission before the closing date and time for receiving submissions for this application. The completed submission may be emailed to [mdc@marlborough.govt.nz](mailto:mdc@marlborough.govt.nz).
- The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.
- You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
- Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the section 42A hearing report.
- If you are making a submission to the Environmental Protection Authority, you should use form 16B.
- If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
- If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.
- Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
  - it is frivolous or vexatious;
  - it discloses no reasonable or relevant case;
  - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
  - it contains offensive language;
  - it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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## 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.