



**MARLBOROUGH  
DISTRICT COUNCIL**

## **RESOURCE CONSENT APPLICATION**

**U181039**

**Erina Downs**

**Marlborough Limited**

2117 State Highway 63, Wairau Valley

**Submissions Close**

**5.00 pm Monday 4 March 2019**

## Bea Gregory-5252

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**From:** Cath Hammond <cath@wilkesrm.co.nz>  
**Sent:** Thursday, 13 December 2018 1:35 PM  
**To:** RCInbox  
**Subject:** Resource consent application - Erina Downs Marlborough Ltd  
**Attachments:** Appendix 1 - Location Plan.JPG; Appendix 2 - Site Plan.jpg; Appendix 3 - Irrigation Requirements grapes.pdf; Appendix 3 - Irrigation Requirements pasture.pdf; Appendix 4 - Title 682407.pdf; Appendix 4 - Title 682408.pdf; Application AEE.pdf; RAF0007-Water\_Permit\_Supplementary-Information\_Form.ashx.pdf; Resource Consent Application Form.pdf

Hello

I would like to lodge the attached resource consent application please.

Can a receipt for the lodgement fee payment please be sent to [susanandoliver@xtra.co.nz](mailto:susanandoliver@xtra.co.nz)

Kind regards

*Cath Hammond*

m +64 274 281 847

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

[cath@wilkesrm.co.nz](mailto:cath@wilkesrm.co.nz)

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



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# Resource Consent Application

This application is made under Section 88 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.

## For Office Use

ISO 9001:2008  
Document Number:  
RAF0002-C11579

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)*

Erina Downs Marlborough Limited

Mailing Address:  
*(including post code)*

83 Hawkesbury Road  
RD2  
Blenheim 7272

Email Address: susanandoliver@xtra.co.nz

Phone: (Daytime) 03 5722739

Phone: (Mobile) 027 215 2005

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

Name: Catherine Hammond - WilkesRM

Mailing Address:  
*(including post code)*

Temple Chambers  
76 High Street  
Blenheim 7201

Email Address: cath@wilkesrm.co.nz

Phone: (Daytime)

Phone: (Mobile) 0274281847

### 3. Type of Resource Consent Applied For

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

### 4. Brief Description of the Activity

To abstract and use Wairau River A Class FMU water for irrigation and ancillary purposes.

### 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. Property Details

The location to which the application relates is (address): Wairau River as per application documents

Legal description (i.e. Lot 1 DP 1234): As per application documents

*(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.

N/a

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) Catherine Hammond

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

Signature of applicant or authorised agent:

C. Hammond

Date: 6/12/2018

### 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

Applicant's Name ..... Erina Downs Marlborough Limited .....



**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 ..... U140949 .....

3. Purpose for which water is required? ..... Vineyard irrigation & ancillary uses .....  
(Industrial, crop irrigation, etc)

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

5. Maximum quantity of take ..... litres per second  
..... 8730 ..... cubic metres per day  
..... cubic metres per week

### GROUNDWATER:

1. Well number (if existing well) .....

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

3. Diameter of well .....millimetres

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

If yes, please attach results.



**SURFACE WATER:**

1. Abstraction method Infiltration gallery  
(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>	Vineyard				Pasture & crops											
AREA <i>Number of hectares</i>	216 ha				80ha											
APPLICATION RATE (m <sup>3</sup> / ha / day)																
QUANTITY <i>Cubic metres per day</i>																
IRRIGATION PERIOD <i>Circle months which apply</i>	<del>Jan</del>	<del>Feb</del>	<del>Mar</del>	<del>Apr</del>	<del>Jan</del>	<del>Feb</del>	<del>Mar</del>	<del>Apr</del>	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	<del>Oct</del>	<del>Nov</del>	<del>Dec</del>	Sep	<del>Oct</del>	<del>Nov</del>	<del>Dec</del>	Sep	Oct	Nov	Dec	Sep	Oct	Nov	Dec
METHOD <i>Trickle, spray, etc</i>	Trickle				Spray											

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



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## Erina Downs Marlborough Ltd

### Application for Resource Consent

- Water Permit - Take and Use  
Wairau River FMU Class A  
Water

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November 2018



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## Appendices

# 1 Introduction

The applicant is Erina Downs Marlborough Limited (Erina Downs).

The applicant owns the property known as Erina Downs located in the Wairau Valley. The property details specific to this application are:

Allotments north of State Highway 63:

- Lot 1 DP 483494
- Sec 2 Sec 11S Erina Settlement
- Pt Sec 1 SO 1515

Allotments south of State Highway 63:

- Pt Sec 2S Erina Settlement
- Sec 3S Erina Settlement

The applicant holds existing water permit U140949 which provides for the following:

Water Permit (Take Water)

- To take Wairau River B Class surface water via an infiltration gallery up to a maximum rate of 8730 cubic metres per day; and

Water Permit (Use Water)

- To use B Class Wairau River water for the irrigation of 215 hectares of vineyard and/or 80 hectares of broad acre on Pt Sec 1 SO 1515, Sec 2 of Sec 11S Erina Settlement, Sec 12S Erina Settlement, Pt Sec 2S Erina Settlement, and Sec 3S Erina Settlement.

The applicant also holds resource consent U150533 to take and store up to 72,000 m<sup>3</sup> of C Class water in a dam. U150533 is not due to expire until 1 September 2025.

Water is abstracted via an infiltration gallery located within the Erina Downs property approximately 60 metres south from the northern boundary of the property.

Resource consent U140949 is due to expire on 1 October 2019 therefore the applicant seeks Wairau River Class A FMU water for placing into storage for irrigation and ancillary purposes.

The abstraction volume sought is consistent with the irrigation demand for the property as determined by the *Irricalc* model as per Appendix 3 and will allow for the irrigation of up to 216 ha of vineyard and up to 80 ha of vineyard.

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

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

Attached to this application are the following:

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

## 2 The Proposal

Erina Downs Marlborough Limited seeks resource consent for the following specific activities:

- Water Permit – Take Surface Water
  - *To abstract Wairau River Class A FMU water up to a maximum rate of 8,730m<sup>3</sup>/day from an infiltration gallery located on Sec 2 Sec 11S Erina SETT for placing into storage and for the following uses.*
  - *To abstract Wairau River Class A FMU water outside of the irrigation season up to 8,730m<sup>3</sup>/day and up to 29,600m<sup>3</sup>/year from an infiltration gallery located on Sec 2 Sec 11S Erina SETT.*

- Water Permit – Use Surface Water
  - *To use water for the irrigation of up to 216 ha of vineyard on Lot 1 DP 483494, Sec 2 Sec 11S Erina Settlement, Pt Sec 1 SO 1515, Pt Sec 2S Erina Settlement, and Sec 3S Erina Settlement as per the following monthly maximum volumes:*

	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>
<i>m<sup>3</sup></i>	4,320	66,960	99,360	110,160	82,080	34,560

- *To use water for the irrigation of up to 80 ha of broad acre pasture and crops on Pt Sec 2S Erina Settlement and Sec 3S Erina Settlement as per the following monthly maximum volumes:*

	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>
<i>m<sup>3</sup></i>	84,000	84,000	126,400	126,400	126,400	84,000	41,600

- *To use Wairau River water for ancillary uses on Lot 1 DP 483494, Sec 2 Sec 11S Erina Settlement, Pt Sec 1 SO 1515, Pt Sec 2S Erina Settlement, and Sec 3S Erina Settlement up to a maximum rate of 8,730 m<sup>3</sup>/day and up to 29,600 m<sup>3</sup>/year.*

Water will be abstracted via an existing infiltration gallery authorised by resource consent U090496. The gallery has been installed within the applicant's property, away from the riverbed.

An existing water meter is installed at the intake and has been verified for accuracy.

The volume of water sought for ancillary 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.

The applicant is aware of the TrustPower hydroelectric power scheme and volunteers the following conditions of consent:

*Following the establishment of the Marchburn Recorder (by Trustpower Limited) and the water permits authorising water abstraction for the purposes of electricity generation held by Trustpower Limited under resource consent U050729 are exercised, the consent holder shall cease the abstraction of water authorised by this consent should the flow in the Wairau River as measured at the Marchburn recorded, be at or below 16 cubic metres per second.*

### 3 The Existing Environment

The applicant's property is located in the Wairau Valley on both sides of State Highway 63 and is bounded to the north by the Wairau River.

The irrigable land comprises river terraces and generally flat land.

The nearest intake is located in excess of 1000 metres downstream of the applicant's intake.

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

## 4 Statutory Framework

### 4.1 The Resource Management Act 1991

Section 14 of the Resource Management Act 1991 (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 and not covered by any overlays.

Chapter 27 of the Wairau Awatere Resource Management Plan (the WARMP) contains the relevant rules as follows:

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

There are no rules for the use of water in the WARMP for irrigation 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 Marlborough Environment Plan (the MEP).

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

## 5 Consultation and Notification

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 to Ngati Toa, Ngati Rarua and Rangitane.

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 Wairau River Freshwater Management Unit

The applicant's proposed abstraction falls within the MEP water allocation framework for the Wairau River Freshwater Management Unit. That framework provides for the allocation of 650,000 m<sup>3</sup>/day of Class A water with Class A water being fully available when flow at the Barnettts Bank recorder is at or greater than 15 m<sup>3</sup>/s. Class A water is fully restricted when flow at Barnettts Bank recorder is at or below 8 m<sup>3</sup>/s or 7.32 m<sup>3</sup>/s at the Dip Flat recorder.

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.

## 7.2 The Efficient Use of Water

The quantity applied for is considered to be appropriate and is consistent with the *IrrCalc* 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 of vineyards whereby an allocation of 100 m<sup>3</sup>/ha/year for uses such as crop spraying, line flushing etc is considered appropriate.

## 7.3 Potential Effects on Other Users

It is considered that there is sufficient separation distance from the nearest authorised intake being over 1 kilometre downstream to ensure interference effects do not arise.

This application not only falls within the MEPs water allocation regime but additionally a condition of consent is volunteered that seeks to ensure the pre-existing consents held by Trustpower Ltd are not adversely impacted upon.

## 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; and
- Interference effects on other users will not arise.

In addition, to the above measures, the applicant volunteers the following conditions of consent:

- A 10 year term;
- A s128 review condition requiring the review of trigger levels once the proposed Marlborough Environment Plan becomes operative; and
- An advice note be imposed highlighting that the trigger levels may be reviewed and changed following the MEP becoming operative.

## 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 Wairau River freshwater management unit and the surrounding environment at this location is dominated by the braided river itself, developed farm land and the mountains of the Richmond Ranges. This proposal 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 Wairau River resource.

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

There are no historic sites relevant to this proposal.

*g) The protection of recognised customary activities.*

There are no recognised customary activities relevant to this proposal.

#### 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. Consequently, the application passes at least one 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.

Erina Downs have invested in excess of \$5 million dollars for the development of vineyards, irrigation infrastructure, assets and systems, and establishing pasture/cropping land.

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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 Wairau River Class A 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 Wairau River is maintained under the water allocation regime which this application falls under.

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

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

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

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

*Policy 7.2.3 – Allocation of Water*

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

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

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

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

This proposal is therefore consistent with these objectives and policies.



## 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 Plans water allocation regime. That water allocation regime was developed to ensure established to "*provide for the taking, use, damming and diversion of fresh water in a manner which safeguards the life supporting capacity of the resource and avoids remedies or mitigates any adverse effects on the environment*".

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

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

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

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

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

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

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

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

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

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

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

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

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

## 9.5 Proposed Marlborough Environment Plan

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

The Proposed Marlborough Environment Plan (the MEP) contains the following relevant objectives and policies.

### ***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 5.2.13 – 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.*

*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 5.3.8 – Approve water permit applications to continue taking and using surface water when:*

- (a) a specific minimum flow and allocation limit for the source Freshwater Management Unit is established in the Marlborough Environment Plan;*

- (b) the Freshwater Management Unit is not over-allocated in terms of the limits set in the Marlborough Environment Plan;*
- (c) there is to be no change to the intended use of water, or if there is a change in use, this results in a decrease in the rate of take of water;*  
*and*
- (d) the application is made at least three months prior to the expiry of the existing water permit.*

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

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

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

The use of allocation frameworks for freshwater enables the sustainable use of freshwater. This application is within the Wairau River FMU allocation and is therefore considered consistent with the objectives and policies of the Proposed Marlborough Environment Plan.

Of particular relevance is Policy 5.3.8. This policy confirms that water permit applications to continue to take and use surface water will be approved (our emphasis) when four criteria are met. In this instance all four criteria are met in full.

## **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 from the Wairau River. 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 together with compliance with all applicable resource consent conditions.

## 11 Conclusion

Erina Downs Marlborough Limited seeks resource consent for the following specific activities:

- Water Permit – Take Surface Water
  - To abstract Wairau River Class A FMU water up to a maximum rate of  $8,730\text{m}^3/\text{day}$  from an infiltration gallery located on Sec 2 Sec 11S Erina SETT for placing into storage and for the following uses.
  - To abstract Wairau River Class A FMU water outside of the irrigation season up to  $8,730\text{m}^3/\text{day}$  and up to  $29,600\text{m}^3/\text{year}$  from an infiltration gallery located on Sec 2 Sec 11S Erina SETT.

- Water Permit – Use Surface Water
  - To use water for the irrigation of up to 216 ha of vineyard on Lot 1 DP 483494, Sec 2 Sec 11S Erina Settlement, Pt Sec 1 SO 1515, Pt Sec 2S Erina Settlement, and Sec 3S Erina Settlement as per the following monthly maximum volumes:

	Oct	Nov	Dec	Jan	Feb	Mar
$\text{m}^3$	4,320	66,960	99,360	110,160	82,080	34,560

- To use water for the irrigation of up to 80 ha of broad acre pasture and crops on Pt Sec 2S Erina Settlement and Sec 3S Erina Settlement as per the following monthly maximum volumes:

	Oct	Nov	Dec	Jan	Feb	Mar	Apr
$\text{m}^3$	84,000	84,000	126,400	126,400	126,400	84,000	41,600

- To use Wairau River water for ancillary uses on Lot 1 DP 483494, Sec 2 Sec 11S Erina Settlement, Pt Sec 1 SO 1515, Pt Sec 2S Erina Settlement, and Sec 3S Erina Settlement up to a maximum rate of  $8,730\text{ m}^3/\text{day}$  and up to  $29,600\text{ m}^3/\text{year}$ .



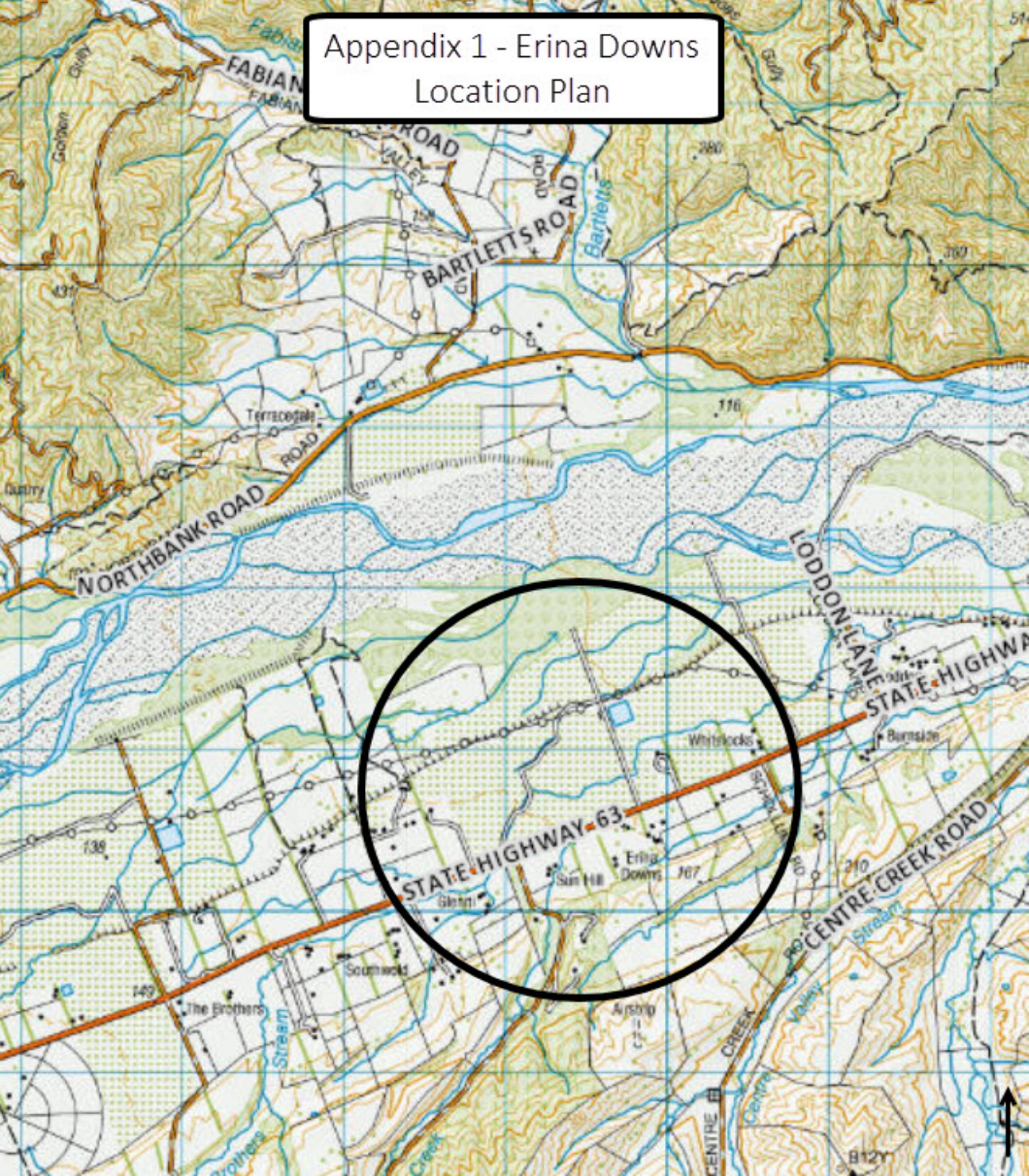
Any associated potential effects on the environment can be appropriately avoided, remedied or mitigated through the imposition of conditions of consent.

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 Awarere Resource Management Plan and the Proposed Marlborough Environment Plan.

Accordingly resource consent should be granted to this proposal.

## Appendix 1 – Location Plan

Appendix 1 - Erina Downs  
Location Plan



## Appendix 2 – Site Plan



## Appendix 2 - Erina Downs 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



1

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

-41.544 , 173.594

Locate



2

Select Crop

Grapes

3

Select Plant Available Water

(a) Most likely PAW in this area

4

Select Irrigation Method

Micro/Drip

5

Fetch Data

Farm Details				Plant Available Water Details		Irrigation Requirements			
Description				PAW(mm)	Indicative Likelihood	Area (hectares)	Per Hectare		Total Area
Latitude	-41.544	80	25.8	216			System Capacity	0.26 (l/s/ha)	56.16 (l/s)
Longitude	173.594			0			System Capacity	2.2 (mm/day)	
Council	Marlborough			0			Daily Volume	22 (m³/ha)	4,752 (m³)
Climate Site ID	P152122			0			7 Day Volume	(m³/ha)	(m³)
Distance to Climate Site (km)	2.64			0			28 Day Volume	(m³/ha)	(m³)
Rainfall (mm)	697	Total area =		216			90% ile Annual Volume	1,518 (m³/ha)	327,888 (m³)

90 Percentile Monthly Volume												
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m³/h)	0	0	0	20	310	460	510	380	160	0	0	0
Total Area (m³)	0	0	0	4,320	66,960	99,360	110,160	82,080	34,560	0	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



# IRRIGATION REASONABLE USE DATABASE

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

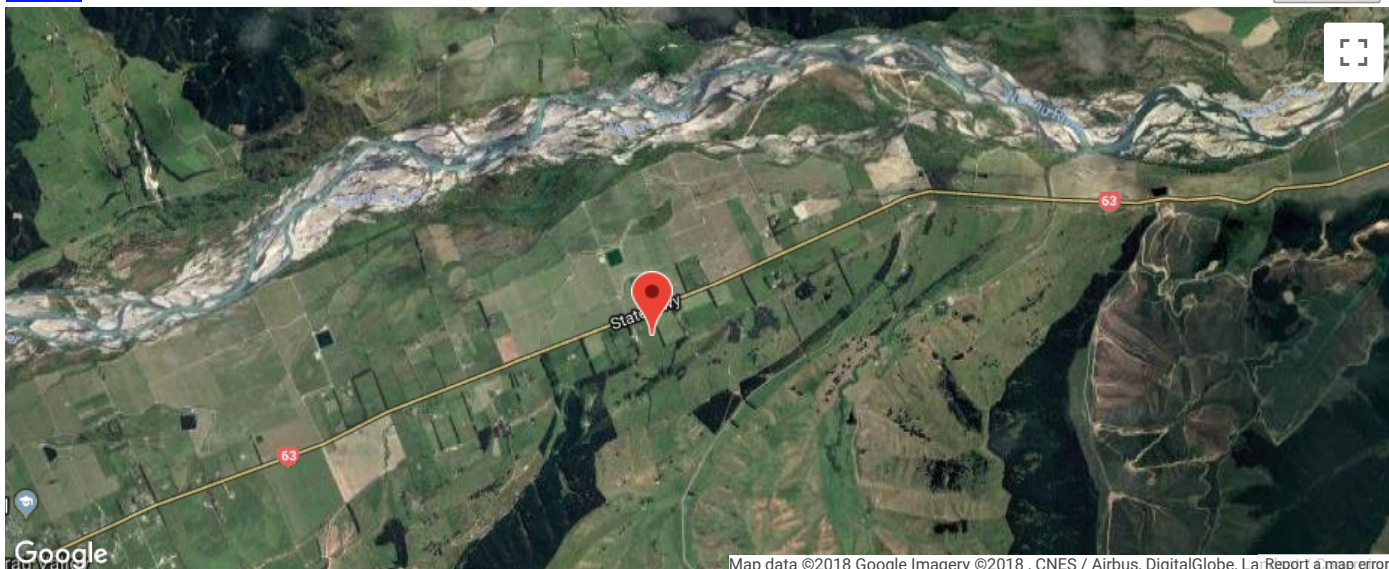


**1**

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

-41.546 , 173.600

Locate



Map data ©2018 Google Imagery ©2018, CNES / Airbus, DigitalGlobe, La Report a map error

**2**

Select Crop

Pasture

**3**

Select Plant Available Water

(a) Most likely PAW in this area

**4**

Select Irrigation Method

80% Efficient Irrigator

**5**

Fetch Data

## Farm Details

Description

Latitude -41.546

Longitude 173.6

Council Marlborough

Climate Site ID P153122

Distance to Climate Site (km) 3.13

Rainfall (mm) 697

## Plant Available Water Details

PAW(mm)

80

Indicative Likelihood

25.8

Area (hectares)

80

0

0

0

0

0

80

## Irrigation Requirements

System Capacity

0.61

5.3

Daily Volume

7 Day Volume

28 Day Volume

90% ile Annual Volume

Per Hectare

0.61

5.3

53

6,825

Total Area

48.8

4,240

546,000

## 90 Percentile Monthly Volume

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m <sup>3</sup> /h)	0	0	0	1,050	1,050	1,580	1,580	1,580	1,050	520	0	0
Total Area (m <sup>3</sup> )	0	0	0	84,000	84,000	126,400	126,400	126,400	84,000	41,600	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** **682407**  
**Land Registration District** **Marlborough**  
**Date Issued** 06 September 2016

**Prior References**

MB5A/1114                      MB5A/268                      MB5C/176  
MB5C/233

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<b>Estate</b>	Fee Simple
<b>Area</b>	198.9867 hectares more or less
<b>Legal Description</b>	Lot 1 Deposited Plan 483494 and Section 2 of 11S Erina Settlement and Part Section 1 Survey Office Plan 1515 and Part Section 1 Survey Office Plan 6998 and Section 2 Survey Office Plan 6998

**Registered Owners**

Erina Downs Marlborough Limited

---

**Interests**

Subject to Section 11 Crown Minerals Act 1991 (affects Section 2 of 11S Erina Settlement and Lot 1 DP 483494 part formerly Section 12S Erina Settlement)

Subject to Part IV A Conservation Act 1987 (affects Lot 1 DP 483494, Section 2 of 11S Erina Settlement, Part Section 1 SO 6998 and Section 2 SO 6998)

Subject to Section 8 Atomic Energy Act 1945 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 3 Geothermal Energy Act 1953 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 6 and 8 Mining Act 1971 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 5 Coal Mines Act 1979 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 3 Petroleum Act 1937 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 261 Coal Mines Act 1979 (affects Part Section 1 SO 1515, Part Section 1 SO 6998, Section 2 SO 6998 and Lot 1 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 168A Coal Mines Act 1925 (affects Part Section 1 SO 1515)

93278.2 Mortgage to (now) Westpac New Zealand Limited - 7.12.1978 at 10:46 am (affects Section 2 of 11S Erina Settlement and Lot 1 DP 483494 part formerly Section 12S Erina Settlement)

123208 Land Improvement Agreement pursuant to Section 30 Soil Conservation and Rivers Control Act 1941 - 29.1.1985 at 1.34 pm (affects Part Section 1 SO 1515)

Subject to a right of way over Part Section 1 SO 6998 marked B on DP 9332 created by Transfer 177675.2 - 22.12.1994 at 9.46 am

Appurtenant to Part Section 1 SO 6998 is a right of way created by Transfer 177675.2 - 22.12.1994 at 9.46 am

The easements created by Transfer 177675.2 are subject to Section 243 (a) Resource Management Act 1991

**Identifier****682407**

202028.1 Variation of Mortgage 93278.2 - 20.1.1999 at 11.10 am

202377.1 Gazette Notice 1996 page 4513 declaring State Highway 63 adjoining the within land to be a Limited Access Road - 8.2.1999 at 9.20 am (affects Lot 1 DP 483494, Section 2 of 11S Erina Settlement, Section 2 SO 6998 and Part Section 1 SO 6998)

203340.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Section 2 SO 6998 and Lot 1 part formerly Section 3 SO 6998)

203341.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Section 2 SO 6998 and Lot 1 part formerly Section 3 SO 6998)

203340.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Section 2 SO 6998 and Lot 1 part formerly Section 3 SO 6998)

203340.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Section 2 SO 6998 and Lot 1 part formerly Section 3 SO 6998)

203340.4 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Section 2 SO 6998 and Lot 1 part formerly Section 3 SO 6998)

203373.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 17.3.1999 at 9.05 am (affects Part Section 1 SO 6998)

203373.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 17.3.1999 at 9.05 am (affects Part Section 1 SO 6998)

5219861.1 CAVEAT BY THE MARLBOROUGH DISTRICT COUNCIL (LIMITED EFFECT) - 14.5.2002 at 12:10 pm (affects Lot 1 DP 483494, Section 2 of 11S Erina Settlement, Section 2 SO 6998 and Part Section 1 SO 1515)

6674157.10 CAVEAT BY TRUSTPOWER LIMITED - 5.12.2005 at 9:00 am (affects Lot 1 DP 483494 part formerly Section 12S Erina Settlement and Section 2 of 11S Erina Settlement)

7495687.1 Variation of Mortgage 93278.2 - 9.8.2007 at 9:00 am

Subject to a right (in gross) to convey electricity over part Lot 1 DP 483494 marked A and C on DP 483494 and over part Section 2 SO 6998 marked D, over Part Section 1 SO 1515 marked C and over Part Section 1 SO 6998 marked N all on DP 441457 in favour of Marlborough Lines Limited created by Easement Instrument 8765585.1 - 16.5.2011 at 9:33 am

9930611.2 Easement Instrument granting a Profit a Prendre over part Lot 1 DP 483494 marked A, C, G, H, J, K and I on DP 483494 and over Part Section 1 SO 6998 marked A, over Part Section 1 SO 1515 marked B and C, over part Section 2 SO 6998 marked D and over part Section 2 of 11S Erina Settlement marked E and F all on DP 488881 for a term of 30 years commencing on 1.7.1014 and expiring on 30.6.2044 in favour of Constellation Brands New Zealand Limited - 27.1.2015 at 1:10 pm

10263871.4 Variation of Mortgage 93278.2 - 27.11.2015 at 4:57 pm

Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991(affects DP 483494)

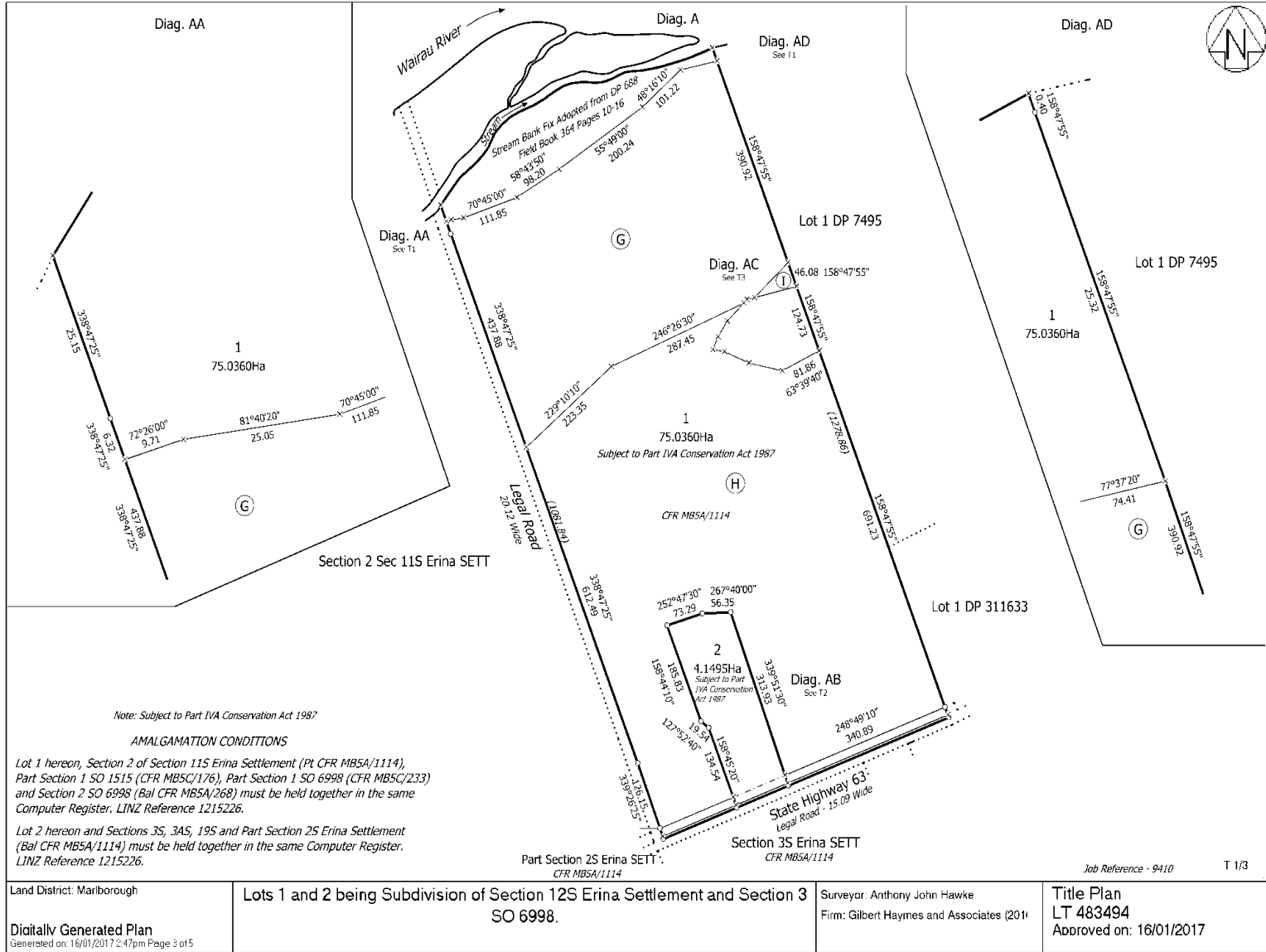
10330229.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 6.9.2016 at 9:28 am

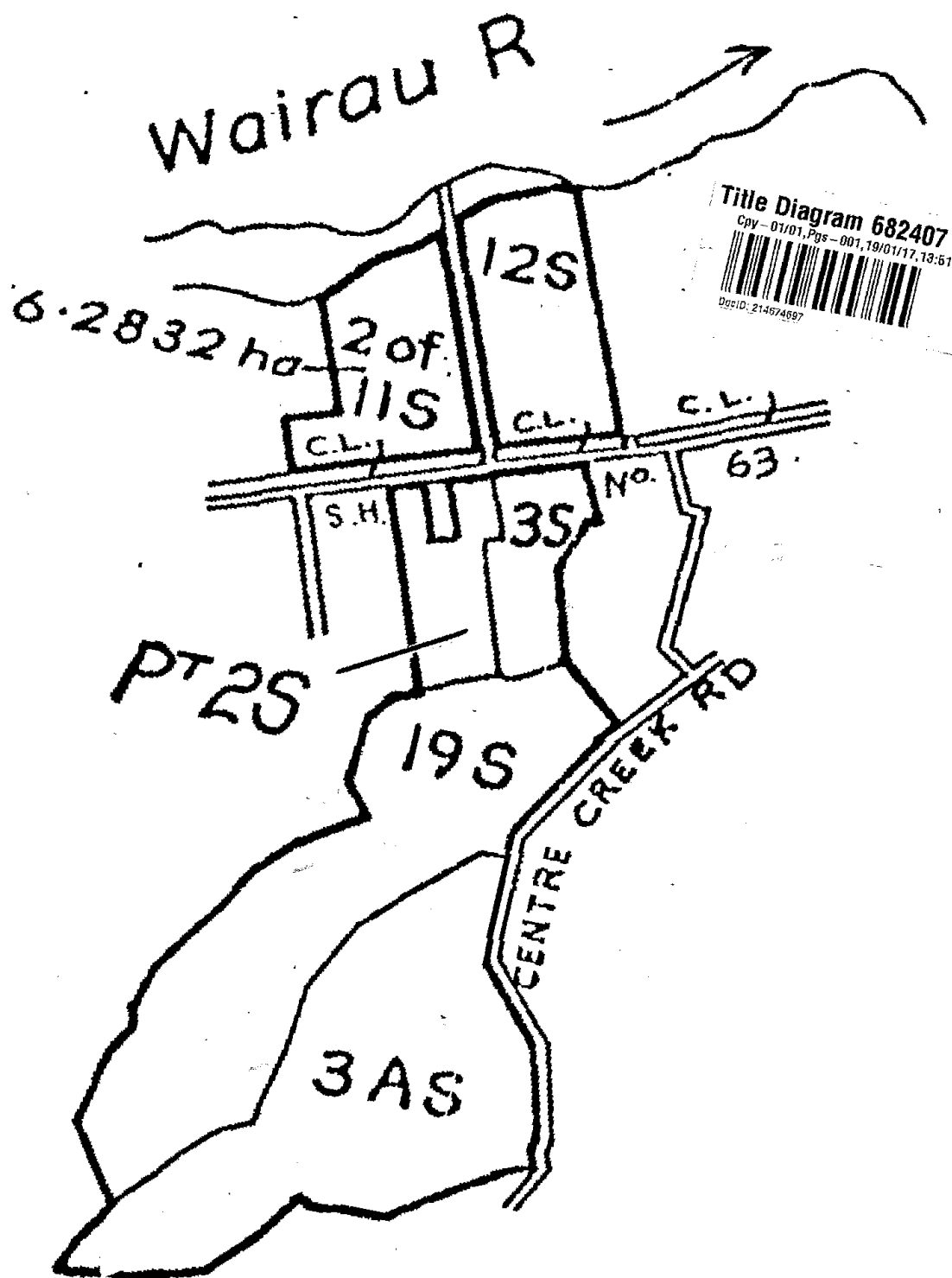
Subject to a right to convey water and electricity over part Section 1 SO 1515 marked A on DP 510947 created by Easement Instrument 10847145.1 - 5.4.2018 at 8:59 am

		<p>Approvals</p> <p>Datum: Geodetic 1949 Circuit: Marlborough Origin: Goulter Hill 700 000 mN 300 000 mE</p>
<p>Alloc. No. 028/42</p> <p>LAND DISTRICT MARLBOROUGH</p> <p>Survey Blk. &amp; Dist. II AVON</p> <p>NZMS 261 Sheet 028 Record Map No. 2-2</p>		<p>Total Area 3.7535 ha</p> <p>Comprised in Crown Land</p> <p>I, <i>[Signature]</i> Registrar and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 45 of the Survey Act 1980 hereby certify that this plan has been made from surveys executed by me or under my directions, that the plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in modification thereof.</p> <p>Dated at this day of 19</p> <p>Field Book DP 4948 Reference Plans SO 6315, 1515, 1209 CP 688 Examined <i>[Signature]</i> 3-8-91 Correct <i>[Signature]</i> 3-8-91</p> <p>Approved as to Survey 10/17/1991 <i>[Signature]</i> Chief Surveyor</p> <p>Deposited this day of 19</p> <p>District Land Registrar</p> <p>File 6275 C/060 Received 15-5-91 Instructions 721/4/4</p>
<p>Sections 1-3</p> <p>TERRITORIAL AUTHORITY MARLBOROUGH DIST. CL</p> <p>Computed by DOST-I</p> <p>Scale 1:3000 Date MAY 1991</p>		<p>COMPUTED PLAN</p>

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

DOST FORM D1E



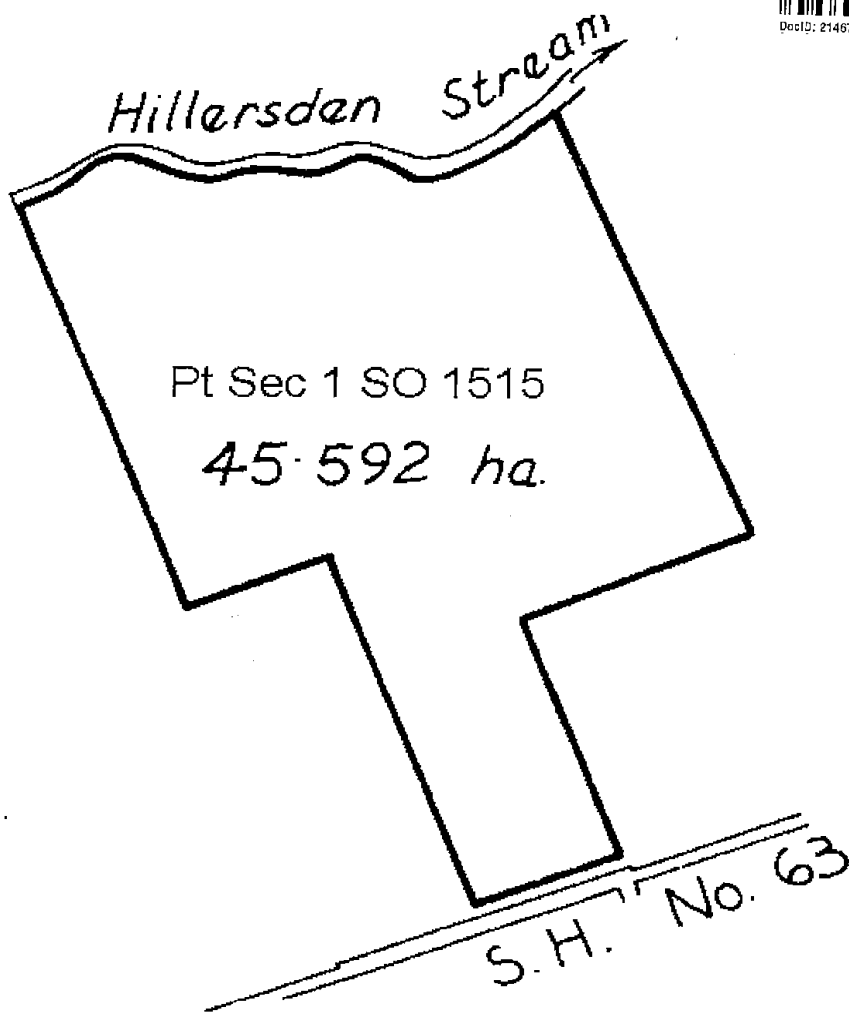


Title Diagram 682407

Cpy - 01/01, Pgs - 001, 24/01/17, 08:25



DocID: 214678207



Title Diagram 682407

Cpy - 01/01, Pgs - 001, 24/01/17, 08:27



DocID: 214678211

Pt Sec 1 SO 6998

2842 m<sup>2</sup>

STATE HIGHWAY No. 63





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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **682408**  
**Land Registration District** **Marlborough**  
**Date Issued** 06 September 2016

**Prior References**

MB5A/1114 MB5A/268

---

<b>Estate</b>	Fee Simple
<b>Area</b>	483.5341 hectares more or less
<b>Legal Description</b>	Lot 2 Deposited Plan 483494 and Section 3S Erina Settlement and Part Section 2S Erina Settlement and Section 19S, 3AS Erina Settlement

**Registered Owners**

Erina Downs Marlborough Limited

---

**Interests**

Subject to Section 11 Crown Minerals Act 1991 (affects Sections 3S, 3AS, 19S and Part Section 2S Erina Settlement and Lot 2 DP 483494 part formerly Section 12S Erina Settlement)

Subject to Part IV A Conservation Act 1987

Subject to Section 8 Atomic Energy Act 1945 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 3 Geothermal Energy Act 1953 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 6 and 8 Mining Act 1971 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 5 Coal Mines Act 1979 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 3 Petroleum Act 1937 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

Subject to Section 261 Coal Mines Act 1979 (affects Lot 2 DP 483494 part formerly Section 3 SO 6998)

93278.2 Mortgage to (now) Westpac New Zealand Limited - 7.12.1978 at 10:46 am (affects Sections 3S, 3AS, 19S and Part Section 2S Erina Settlement and Lot 2 DP 483494 part formerly Section 12S Erina Settlement)

202028.1 Variation of Mortgage 93278.2 - 20.1.1999 at 11.10 am

202377.1 Gazette Notice 1996 page 4513 declaring State Highway 63 adjoining the within land to be a Limited Access Road - 8.2.1999 at 9.20 am

203343.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Sections 3S, 3AS, 19S and Part Section 2S Erina Settlement)

203340.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Lot 2 part formerly Section 3 SO 6998)

203341.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Lot 2 part formerly Section 3 SO 6998)

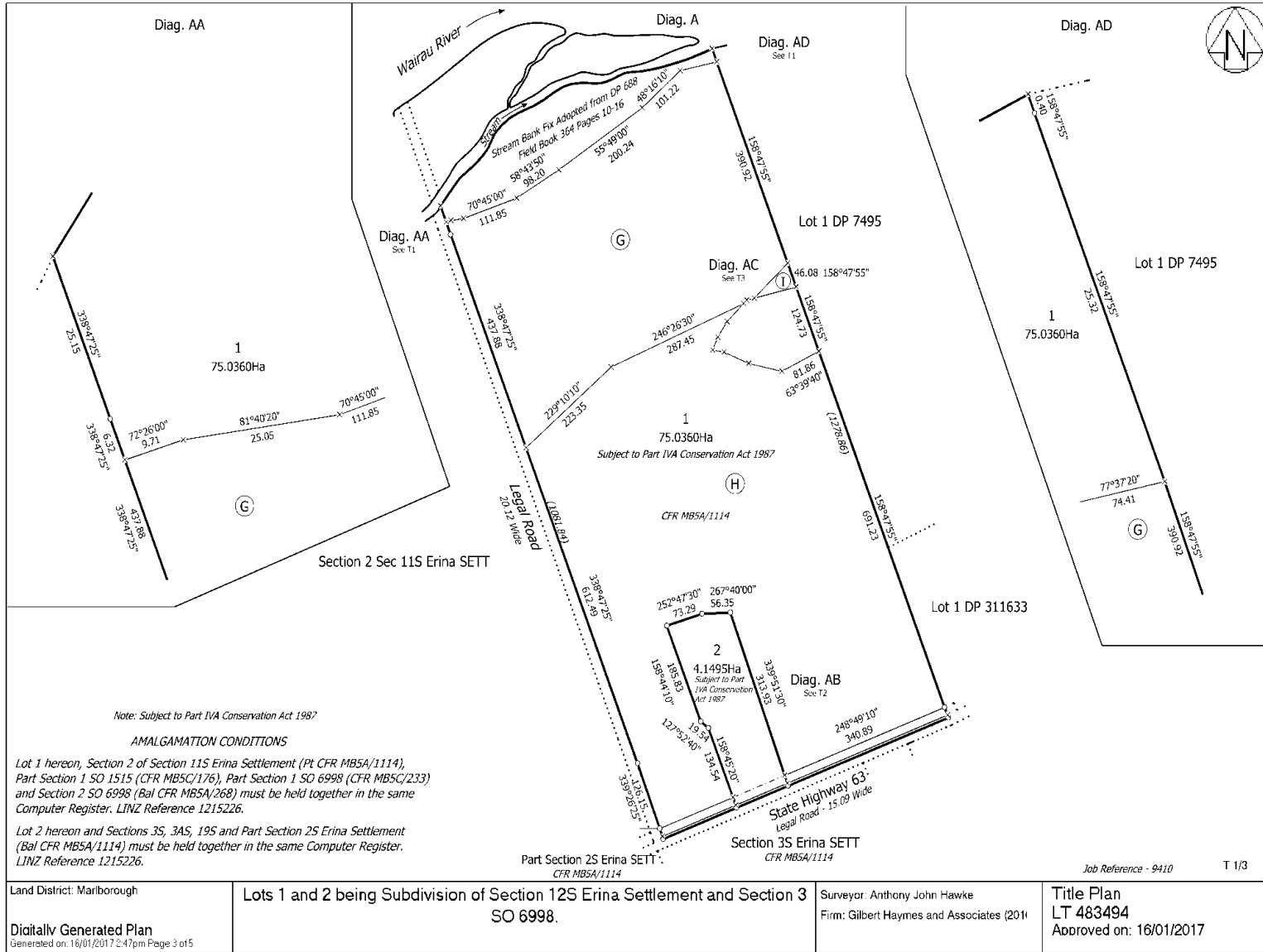
203340.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Lot 2 part formerly Section 3 SO 6998)

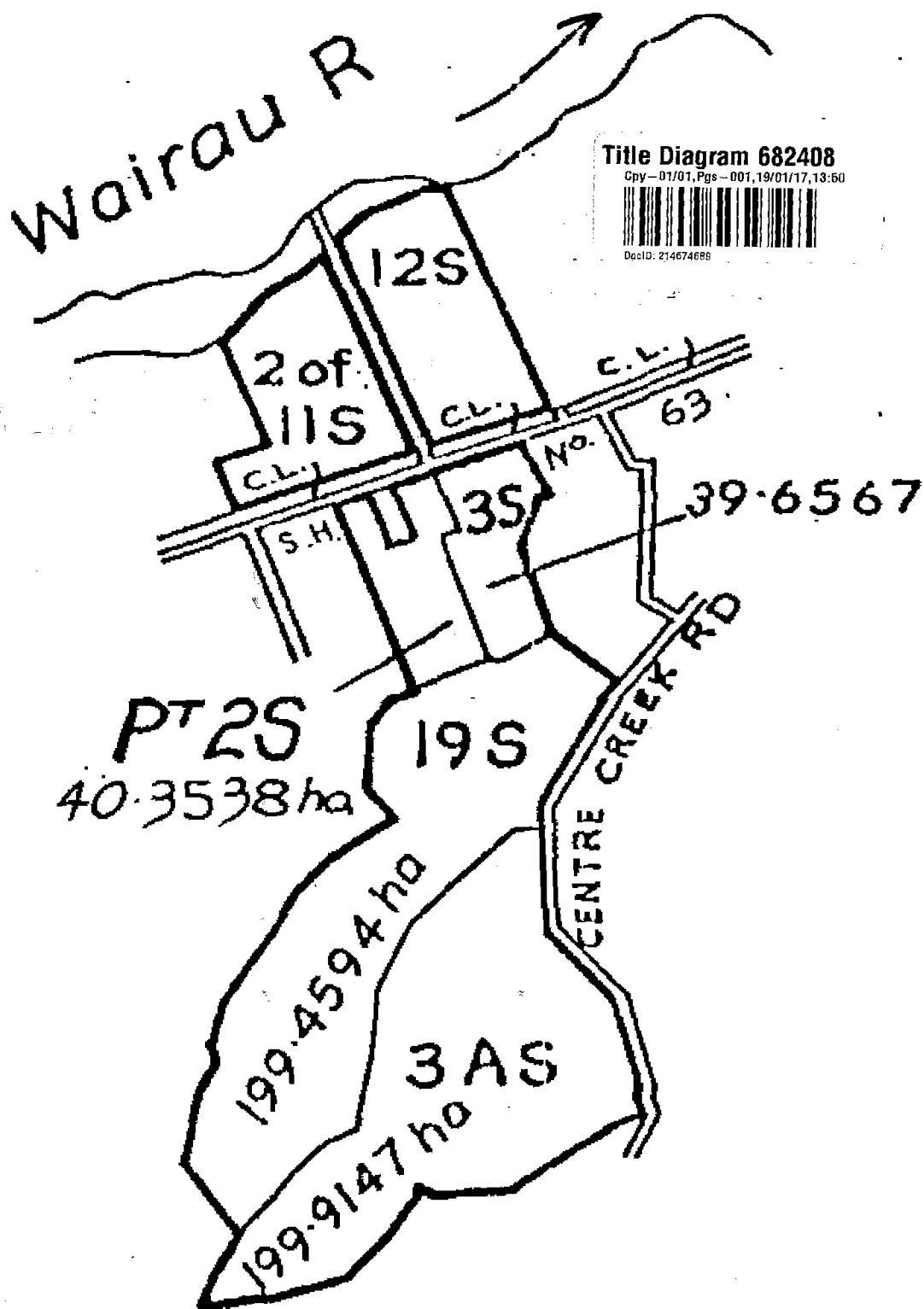
203342.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Sections 3S, 3AS, 19S and Part Section 2S Erina Settlement)

203340.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 16.3.1999 at 9.10 am (affects Lot 2 part formerly Section 3 SO 6998)

**682408**

10330229.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 6.9.2016 at 9:28 am





**From:** [Rachel Neal-5419](#)  
**To:** [Victoria Bell-5174](#)  
**Subject:** RE: Meter 2682  
**Date:** Monday, 7 January 2019 9:41:09 AM  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.png](#)

---

Hi Victoria,

I'm not familiar with this one but have had a quick look.



The email about the telemetry being shutoff is not a problem as a data was still being provided and there is up to date data for meter 2136 in Hilltop.

In regards to 2682 – The spreadsheet comment says [New B Class to storage](#). It may be that they haven't set up telemetry for this yet? If it is recording water going into storage we will need this data.

Do you have details of the set up? Does meter 2136 record all water taken? If so we will need the data from 2682 to create a virtual measurement to show how much water is used for direct irrigation and how much goes into storage?

Thanks,

Rachel

---

**From:** Victoria Bell-5174  
**Sent:** Monday, 7 January 2019 8:54 a.m.  
**To:** Rachel Neal-5419  
**Subject:** Meter 2682

Hi Rachel,

I have the consent U181039 replacing U140949. I note they have the meter number 2682 on procon – however no information in hilltop about this. I see under the monitoring on the U14 file they had the meter number 2136 which seems to have been shut off in 2016.

Do you know anything about this? Should I be asking them for meter readings for 2682?

Kind regards,

Victoria

**Victoria Bell** BPlan (Hons) Int.NZPI  
**Resource Management Officer**  
**MDCOMBLUERGB**



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)

 Please consider the environment before printing this email



7 January 2019

Wilkes Resource Management Solutions  
Limited  
76 High Street  
Blenheim 7201

Record No:  
File Ref: U181039  
Case Officer: Victoria Bell

Dear Cath

## **Receipt of application for resource consent - U181039 - Erina Downs Marlborough Limited - State Highway 63 Wairau Valley**

The Council acknowledges receipt on 13 December 2018 of the following application(s) for resource consent:

To take Wairau River Class A FMU water up to a maximum rate of 8,730 cubic metres per day from an infiltration gallery located on Sec 2 Sec 11S Erina SETT.

To use water for the irrigation of up to 216 hectares of vineyard and 80 hectares of pasture and crops on Lot 1 DP 483494, Section 2 Section 11S Erina SETT, Pt Section 1 SO 1515, Pt section 2S Erina SETT and Sec 3S Erina SETT.

To take Wairau River Class A FMU water up to a maximum rate of 8,730 cubic metres per day and 29,600 cubic meters per year outside of irrigations season from an infiltration gallery located on Sec 2 Sec 11S Erina SETT.

To use water for ancillary uses on Lot 1 DP 483494, Section 2 Section 11S Erina SETT, Pt Section 1 SO 1515, Pt section 2S Erina SETT and Sec 3S Erina SETT outside of irrigation season.

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

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

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

Pursuant to section 92(1) of the Resource Management Act 1991 (the 'Act'), the following information is requested so that I can better understand the nature of the activity proposed, the effects of the activity on the environment and the way in which any adverse effects of the activity may be mitigated:

### **Requested Information**

The further information required is detailed below.

1. Please confirm the meter number for the water take. I note that meter #2682 listed on U140949 does not appear to be operational, with the pervious meter #2136 operating although there is an email on the file that this one would be discontinued? When was the operating meter last verified? Please provide information on how the site is irrigated. Does all water pass through the dam or is there direct irrigation also? Please provide details around the meter set up as I note that U150533 has a different meter number also.

2. In terms of the use of water onsite allowed by irricalc, how does this relate to U150533 and the proposed take.

### **Responding to this Request**

Within 15 working days (*31 January 2018*) 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



VICTORIA BELL  
**RESOURCE MANAGEMENT OFFICER**

**Encl**

## Bea Gregory-5252

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**From:** Cath Hammond <cath@wilkesrm.co.nz>  
**Sent:** Wednesday, 23 January 2019 2:27 PM  
**To:** Victoria Bell-5174  
**Subject:** RE: S88 acceptance & S92 letter - U181039 - Erina Downs  
**Attachments:** 2015.1.1 U140949 Meter 2136 Erina Flowmeter Datalogger Installation Commission.pdf; 2015.1.1 U150533 Meter 2653 Erina Flowmeter Datalogger Installation Commission.pdf; 2016.3.14 U140949 Meter 2136 Erina Downs Class B Verification Document.pdf; 2016.3.14 U150533 Meter 2653 C Class Verification Document.pdf

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

Hi Victoria,

Please find attached verification certificates for the Erina Downs Vineyard water meters.

There are two meters, one for the current class B irrigation for water that is irrigated direct from the infiltration trench into the vineyard and the other for class C for dam filling.

The dam is only used when Class B is shut off.

U150533 is for a C Class abstraction.

I hope this helps.

Regards

*Cath Hammond*

m +64 274 281 847

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

[cath@wilkesrm.co.nz](mailto:cath@wilkesrm.co.nz)

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



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**From:** Victoria Bell-5174 [<mailto:Victoria.Bell@marlborough.govt.nz>]  
**Sent:** Monday, 7 January 2019 2:38 p.m.  
**To:** Cath Hammond  
**Subject:** S88 acceptance & S92 letter - U181039 - Erina Downs

Good morning,

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



Please also find attached a request for further information.

Any questions please do not hesitate to contact me.


Kind regards,  
Victoria

**Victoria Bell BPlan (Hons) Int.NZPI**  
**Resource Management Officer**



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)

 Please consider the environment before printing this email

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This email, including any attachments, is confidential and may contain legally privileged material and is only for the use of the intended recipient. If you are not the intended recipient then any use, dissemination, distribution or copying of this message is strictly prohibited. If you have received this email in error please notify us immediately and delete the original message. This email does not necessarily represent the views of the Marlborough District Council. Thank you.

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This e-mail message has been scanned by **SEG Cloud**

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# Flowmeter, Datalogger Installation and Commissioning Form

[Reset Form](#)

## Consent Details:

Consent Holder:

Consent number:

Well number(s):

Meter number:  (Marlborough District Council number not meter serial number)

Installation date:

## Flowmeter Details:

Make:

Model/Type:

Serial number:

Meter size:  (mm diameter)

Pulse output: Yes ☒ No ☐ Volume per pulse  m<sup>3</sup>

Meter reading column (start):  m<sup>3</sup> (state units if different)

## Datalogger Details:

Installed: Yes ☒ No ☐

Make:

Model:

Serial number:

Telemetry installed: Yes ☒ No ☐

Data hosted by:

Contact details of host:

## Installation Details:

Has the meter been installed to manufacturer's specifications? Yes ☒ No ☐

Is there a straight, unobstructed and accessible length of pipe in the system of at least 15 diameters to verify the flow with a clamp-on-flow meter? Yes ☐ No ☒

Is there an outlet downstream of the meter where a volumetric or similar test can be performed? Yes ☒ No ☐

[Next Page](#)

**Accuracy Details:**

Do you have a WET calibration certificate?    Yes    ☒    No    ☐    *(If yes, then please submit the certificate.)*

**Please note:**

A WET calibration certificate does not exempt the installation from an on site verification pump test and accompanying Marlborough District Council verification certificate.

**Certification:**

- ☒ I/we certify that the above flowmeter has been installed in accordance with manufacturer's specifications.
- ☐ I/we certify that the above flowmeter has been installed in such a way that an ultrasonic meter can be attached for verification purposes.
- ☒ I/we certify that the above flowmeter has been installed in such a way that a volumetric, or similar test can be carried out for verification purposes.
- ☒ I/we certify that the above data logger has been installed in accordance with manufacturer's specifications.
- ☒ That a WET calibration certificate from the manufacturer is attached to this form.
- ☐ That a Marlborough District Council water meter verification certificate is attached to this form.
- ☐ That an as-built diagram of the installation is attached to this form.
- ☒ That digital photos of the installation are attached to this form.
- ☒ That GPS coordinates are included (NZTM standard e.g. 167969.1 - 5404027.1)

Easting

Northing

Installed by: Signed: Company: Date: [Print Form](#)

**Please return to:**    **Environmental Monitoring Officer**  
**Marlborough District Council**  
**PO Box 443**  
**Blenheim 7240**



**Or email to:**    **water@marlborough.govt.nz**

**Phone 520 7400    Fax 520 7496**

[Reset Form](#)

# Flowmeter, Datalogger Installation and Commissioning Form

[Reset Form](#)

## Consent Details:

Consent Holder:

Consent number:

Well number(s):

Meter number:  (Marlborough District Council number not meter serial number)

Installation date:

## Flowmeter Details:

Make:

Model/Type:

Serial number:

Meter size:  (mm diameter)

Pulse output: Yes ☒ No ☐ Volume per pulse  m<sup>3</sup>

Meter reading column (start):  m<sup>3</sup> (state units if different)

## Datalogger Details:

Installed: Yes ☒ No ☐

Make:

Model:

Serial number:

Telemetry installed: Yes ☒ No ☐

Data hosted by:

Contact details of host:

## Installation Details:

Has the meter been installed to manufacturer's specifications? Yes ☒ No ☐

Is there a straight, unobstructed and accessible length of pipe in the system of at least 15 diameters to verify the flow with a clamp-on-flow meter? Yes ☐ No ☒

Is there an outlet downstream of the meter where a volumetric or similar test can be performed? Yes ☒ No ☐

[Next Page](#)



**Accuracy Details:**

Do you have a WET calibration certificate?    Yes    ☒    No    ☐    *(If yes, then please submit the certificate.)*

**Please note:**

A WET calibration certificate does not exempt the installation from an on site verification pump test and accompanying Marlborough District Council verification certificate.

**Certification:**

- ☒ I/we certify that the above flowmeter has been installed in accordance with manufacturer's specifications.
- ☐ I/we certify that the above flowmeter has been installed in such a way that an ultrasonic meter can be attached for verification purposes.
- ☒ I/we certify that the above flowmeter has been installed in such a way that a volumetric, or similar test can be carried out for verification purposes.
- ☒ I/we certify that the above data logger has been installed in accordance with manufacturer's specifications.
- ☒ That a WET calibration certificate from the manufacturer is attached to this form.
- ☐ That a Marlborough District Council water meter verification certificate is attached to this form.
- ☐ That an as-built diagram of the installation is attached to this form.
- ☒ That digital photos of the installation are attached to this form.
- ☒ That GPS coordinates are included (NZTM standard e.g. 167969.1 - 5404027.1)

Easting

Northing

Installed by:

Signed:

Company:

Date:

[Print Form](#)

**Please return to:**    **Environmental Monitoring Officer**  
**Marlborough District Council**  
**PO Box 443**  
**Blenheim 7240**



**Or email to:**    **water@marlborough.govt.nz**

**Phone 520 7400    Fax 520 7496**

[Reset Form](#)



Flow Verification Report  
Consent Number: U140949  
Meter Number: 2136  
Verified by: Brad Duncan

Date: 18/03/2016 11:00:22 AM

## Verification Report

Verification	Pass
Recommendations	

## Test Results

Test	Duration	Target Vol [L]	Ref Vol [L]	Flow rate [L/s]	Error [%]
1	00:15:01	31000.0	30700.0	34.1	0.98%
2	00:05:00	8000.0	7871.9	26.2	1.63%
4	00:05:24	6000.0	5926.7	18.3	1.24%
				Average Error	1.28%

## Target Meter Configuration

Type	Mechanical
Make	Bermad
Model	TurboBar
Size	150
Last Verified	1/01/2015
Litres per pulse	1000
Current Meter Reading	12046

## Reference Meter Configuration

Type	Mag Meter
Make	Khrone
Model	OptiFlux 1000
Size	100
Last Verified	2/06/2015
Litres per pulse	100

## Consent Information

Consent Holder	Erina Downs Marlborough Ltd
Consent Number	U140949
Address	S.H.63 Wairau Valley, Marlborough
Meter Number	2136
Well Number(s)	-
Northing	5401341
Easting	1649811



**MARLBOROUGH  
DISTRICT COUNCIL**

Flow Verification Report  
Consent Number: U150533  
Meter Number: 2653  
Verified by: Brad Duncan

Date: 18/03/2016 2:42:12 PM



## Verification Report

Verification	Pass
Recommendations	

### Test Results

Test	Duration	Target Vol [L]	Ref Vol [L]	Flow rate [L/s]	Error [%]
1	00:15:21	38000.0	39608.3	43.0	-4.06%
2	00:05:24	10000.0	10400.0	32.1	-3.85%
3	00:05:03	8000.0	8328.1	27.5	-3.94%
				Average Error	-3.95%

### Target Meter Configuration

Type	Mechanical
Make	Bermad
Model	TurboBar
Size	150
Last Verified	1/01/2015
Litres per pulse	1000
Current Meter Reading	6003

### Reference Meter Configuration

Type	Mag Meter
Make	Khrone
Model	OptiFlux 1000
Size	100
Last Verified	2/06/2015
Litres per pulse	100

### Consent Information

Consent Holder	Constellation Brands New Zealand Ltd
Consent Number	U150533
Address	S.H.63 Wairau Valley, Marlborough
Meter Number	2653
Well Number(s)	-
Northing	5401341
Easting	1649811

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.