



MARLBOROUGH  
DISTRICT COUNCIL

## RESOURCE CONSENT APPLICATION

U200104

# **Calmar Cherries Limited**

64 Alma Street North, Renwick

Submissions Close

5.00 pm Tuesday 17 March 2020

## Bea Gregory-5252

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**From:** Steve Wilkes <steve@wilkesrm.co.nz>  
**Sent:** Friday, 7 February 2020 12:24 PM  
**To:** RCInbox  
**Cc:** Martin Fletcher-7544  
**Attachments:** Appendix 1 - Location Plan.JPG; Appendix 2 - Site Plan.jpg; Appendix 3 - Irrigation Requirements.pdf; Appendix 4 - Title Documents.pdf; RAF0002-CI1913-Application\_for\_Resource\_Consent 1-signed.pdf; RAF0007-CI2067-Water Permit Supplementary Information Form.pdf; Application AEE.pdf

Greetings

RC application on behalf of Calmar Cherrys.

Fee to be paid by applicant. Martin please pay \$980 into the following account 02 0600 0202861 002

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)

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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-CI1913

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)*

Calmar Cherries Limited

Company/Trust Number:  
*(if applicable)*

Electronic Address for Service: martin.fletcher@marlborough.govt.nz

Mailing Address:  
*(including post code)*

64 Alma St, Renwick

Phone: (Daytime)

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 abstract & use water as per the attached application documents

### 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):

64 Alma St, Renwick

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

Lot 1 DP 11902

*(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: 7 Feb 20

### 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? *No*

If yes, please state the water permit number *U020530* .....

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

If yes, when was the meter last verified?

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

3. Freshwater Management Unit (FMU) *Wairau Aquifer* .....

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

5. Maximum quantity of take ..... litres per second (for surface water only)  
..... Cubic metres per day (for surface water only)  
*14,819* ..... cubic metres per year (for groundwater only)

### GROUNDWATER:

1. Well number (if existing well) .....
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? *Irrigation & ancillary*.....  
(Industrial, crop irrigation, etc)
- .....
2. Legal description for the site where water is to be used? *Lot 1 DP 11902*.....
- .....

## 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
4340	3570	2170	770		

July	August	September	October	November	December
			190	2310	3710

4. Maximum cumulative annual usage? 14819.....





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## Calmar Cherries Limited

### Application for Resource Consent

- Water Permit – Take and Use Wairau Aquifer FUM Water

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February 2020

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## Appendices

# 1 Introduction

The applicant is Calmar Cherries Limited.

The applicant owns the property located at 64 Alma Street North, Renwick.

The site is legally described as Lot 1 DP 11902.

The applicant holds resource consent U020530 which provides for the abstraction and use of underground water up to 15 l/s, 282 m<sup>3</sup>/day, and 1974 m<sup>3</sup>/week for the irrigation of 8.3 ha of cherry orchard and frost protection.

This application has been lodged due to a change in crop type from cherries to grapes on the subject land.

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
- 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 – Title Document.

## 2 The Proposal

Calmar Cherries Limited is seeking resource consent for the following specific activities:

- Water Permit – Take Water
  - *To abstract Wairau Aquifer FMU water up to 14,819 m<sup>3</sup>/year of Wairau Aquifer FMU water well P28w/1179 located on Lot 1 DP 11902.*

*The water will be used up to the maximum monthly rate (cubic metres per month) set out in the table below:*

<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>April</i>
<i>190</i>	<i>2,310</i>	<i>3,710</i>	<i>4,340</i>	<i>3,570</i>	<i>2,170</i>	<i>770</i>

- Water Permit - Use Water
  - *To use water for the irrigation of up to 7 hectares of vineyard located on Lot 1 DP 11902.*
  - *To use water for ancillary uses on Lot 1 DP 11902.*

The point of abstraction will remain unchanged from the well in which water permit U020530 is abstracted from, that being well P28w/1179. The location of the subject well is shown on the Site Plan contained in Appendix 2.

Water meter 853 is installed at well P28w/1179 and has been verified with Council holding a copy of that record.

Water permit U020530 is not due to expire until 20 September 2032. The applicant proposes to accept an expiry date of 20 September 2032, provided this application is processed on a non-notified basis.

This application is simply to allow for the reduction in an existing allocation in return for providing for vineyard irrigation. In total the proposal will result in a seasonal reduction of 10,561 m<sup>3</sup>/year in allocated Wairau Aquifer water.

Immediately following the grant of this application for resource consent, the applicant will surrender resource consent U020530.

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 abstraction volume sought is consistent with the irrigation demand for the property as determined by the IrriCalc model as per Appendix 3.

### **3 The Existing Environment**

The applicant owns land at 64 Alma Street North, Renwick (see Location Plan contained in Appendix 1).

The applicant is in the process of converting the cherry orchard into vineyard. The site also comprises a number of implement shed.

Ruakanakana Creek (previously known as Gibsons Creek) is located to the south of the applicant's property.

There is an existing irrigation well P28w/1179 located on the subject site, as shown on the Site Plan in Appendix 2. The well is approximately 9.9 metres deep and draws water from the medium to moderately yielding zone of the Wairau Aquifer.

The nearest known neighbouring well is located approximately 20 m distant from well P28w/1179.

## 4 Statutory Framework

### 4.1 The Resource Management Act 1991

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

### 4.2 The Wairau Awatere Resource Management Plan

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

General Rule 27.1.2.3.1 of this plan provides that any abstraction between 15 and 3000 m<sup>3</sup>/day/site from the Wairau Aquifer shall be assessed as a **discretionary** activity.

There are no rules for the use of water in the Plan for irrigation purposes, therefore the activity is considered in-nominate under the Resource Management Act, and is considered a **discretionary** activity.

### 4.3 The Proposed Marlborough Environment Plan

The subject site is within the Rural Environment Zone under the Proposed Marlborough Environment Plan (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.

## 5 Consultation and Notification

No consultation has been undertaken as the applicant accepts the expiry date of U020530 being 20 September 2032.

Consultation or notification is not considered necessary.

## 6 Assessment of Effects

### 6.1 Effects on the Wairau Aquifer

This application is simply to allow for the reduction in an existing allocation in return for providing for vineyard irrigation. In total the proposal will result in a seasonal reduction of allocated Wairau Aquifer water.

It is noted that the Wairau Aquifer is currently in a state of over-allocation however this proposal is not for an additional allocation of water.

While it is acknowledged that the applicant's abstraction authorised by U020530 may have led to effects, those effects are considered to be negligible as the applicant's abstraction of water has been undertaken in a manner consistent with the Plan's water allocation framework.

The proposal is entirely consistent with the MEP water allocation provisions and is within the MEP water allocation framework.

Continuing abstracting Wairau Aquifer FMU water is not anticipated to result in adverse effects on the environment, particularly since no additional quantity of water is being applied for from that authorised under the applicant's water permit U020530.

The water allocation regime contained within the 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 Aquifer is safeguarded.

This application is entirely consistent with the water allocation regime for the Wairau Aquifer as contained in the Plan and has been assessed as having no more than minor environmental effects on the Wairau Aquifer or its environs via virtue of resource consent U020530 being granted.

The actual and potential adverse effects of the proposed abstraction with regards to its contribution to the cumulative effect on the Wairau Aquifer are considered no more than minor.

## 6.2 Water Use Effects

Dripper irrigation is a very efficient method of water use as water application is targeted to the ground in the vicinity of the roots of individual plants and there is very limited evaporation or wind drift as a result.

The use of water to irrigate grapes is in accord with the provisions of the Plan in respect to the rural environment as expressed in Chapter 12 of the Plan. In particular it enables the use of the versatile soils of the Wairau Plains for intensive production in a sustainable manner.

The quantity applied for is considered appropriate and is consistent with the *IrriCalc* model to ensure sufficient irrigation water for the subject land. This is achieved through compliance with the monthly maximum irrigation volumes.

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.



Water meter readings will provide an accurate record from the beginning of a new consent period based on actual operational requirements.

### 6.3 Effects on Neighbouring Wells

There is no history of interference effects resulting from the applicant's current authorised abstraction.

### 6.4 Effects on Nearby Waterbodies

Ruakanakana Creek (previously known as Gibsons Creek) is located some 30 m to the south of well P28w/1179. No known or recorded adverse effects have occurred on Ruakanakana Creek from the abstraction of water for irrigation purposes from P28w/1179.

### 6.5 Any Alternative Locations or Methods

No alternative locations or methods have been considered as the applicant believes the activity proposed would give the best result in terms of efficient use while ensuring environmental effects are no more than minor.

### 6.6 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 Plan's water allocation guidelines and MDC's irrigation application rate guidelines.

The proposal is not anticipated to have any adverse landscape or visual effects as a vineyard and irrigation infrastructure are already in place on the applicant's land and that the taking and use of water is a common occurrence in rural Marlborough.

The proposal seeks the re-consenting of existing authorised activities. To the applicants knowledge there have not been any adverse recreational, scientific, historical, spiritual or cultural effects resulting from the exercise of their current resource consent.

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

There are no known / recorded archaeological sites or recognised customary activities associated with the subject sites. 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 cultural effects resulting from the exercise of developing the subject land into vineyards and the taking of underground water for irrigation.

There are no other potential effects anticipated.

## 7 Other Matters

### 7.1 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.

#### 7.1.1 Section 6 Matters of National Importance

There are no matters of national importance that are identified in Section 6 of the Act that are of relevance to this application.

#### 7.1.2 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.

#### 7.1.3 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.

## 7.2 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 Aquifer has a formal allocation regime. As this is to replace an existing consent, seeking a volume of water already allocated, this proposal is consistent with the Plans requirements. Consequently, the proposal is considered consistent with the NPSFW.

## 7.3 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 value of the investment the applicants have put into improving the productivity of their rural land includes irrigation infrastructure assets and systems, and establishing a cherry orchard and now committed to developing a vineyard.

Approximately 7 ha of vineyard is to be established at a cost of approximately \$50,000/ha. Development costs alone therefore equate to approximately \$350,000 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.

## 7.4 Marlborough Regional Policy Statement

The Plan has been written in accordance with the provisions of the Marlborough Regional Policy Statement (RPS). As such any matters raised through the policies and objectives of the Plan are the same matters raised in the RPS.

## 7.5 The Wairau Awatere Resource Management Plan

The relevant sections of the Wairau Awatere Resource Management Plan (the Plan) include:

Specifically, 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 1.2*              *To maintain groundwater levels and flows at levels which safeguard the life supporting capacity of the resource by setting and enforcing Sustainable Flow Regimes (SFRs) in m<sup>3</sup>/year.*

*Policy 1.3*              *To establish groundwater SFR's to:*

- *Prevent damage to the physical structure of the aquifer such as compaction in the Southern Valleys Water Management Zone.*
- *Prevent reductions in the quality of spring flows eg: Spring Creek from the Wairau Aquifer.*
- *Prevent a landward shift of the seawater/freshwater interface, eg: Rarangi Shallow Aquifer.*

- *Protect the instream habitat and ecology.*
- *Provide for the maintenance or enhancement of water quality.*

This application is within the SFR as set for the aquifer. 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 increase certainty for water users by issuing water permits for 30 year terms, subject to reviews of the resource every 5 or 10 years to ensure ongoing sustainable management of the water resource.*

*Objective 6.5.1.1      To achieve sustainable, equitable and efficient allocation of water during periods of low surface flows or low groundwater levels.*

*Policy 1.2              To include conditions on new water permits requiring users to reduce and suspend takes when specified flows or levels are reached.*

The applicant is consistent with these objectives and policies.

## 7.6 Proposed Marlborough Environment Plan

The proposed Marlborough Environment Plan (MEP) includes the following relevant provisions.

### ***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 5.2.11 – Set specific environmental flows and/or levels for Freshwater Management Units dominated by aquifers to:*

- (a) prevent physical damage to the structure of the aquifer;*
- (b) prevent headwater recession of spring flows;*
- (c) prevent a landward shift in the seawater/freshwater interface and the potential for saltwater contamination of the aquifer;*
- (d) maintain natural and human use values of rivers and wetlands where groundwater is physically connected and contributes significantly to flow in the surface waterbody;*

- (e) maintain groundwater quality; and*
- (f) prevent long-term decline in aquifer levels that compromises the matters set out in (a) to (e).*

*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 5.3.11 - 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 MEP gives effect to the objectives and policies through the various regional rules and establishes an allocation framework for freshwater that enables sustainable resource use.

This application results in the surrender of a significant volume of allocated Wairau Aquifer water and is within the Wairau Aquifer freshwater management unit allocation.



## **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 carried out sustainably through the implementation of policies and methods (including rules establishing standards for permitted activities) to address potential adverse effects on:*

*...*

*(c) water quality and water availability; ...*

The viticulture industry relies on access to and the use of freshwater for irrigation. The use of allocation frameworks for freshwater enables the sustainable use of freshwater. This application is within the Wairau Aquifer FMU allocation and is therefore considered consistent with the objectives and policies of the Proposed Marlborough Environment Plan.

## **8 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 is to be carried out by the consent holder by way of a water meter.

## 9 Conclusion

Calmar Cherries Limited is seeking resource consent for the following specific activities:

- Water Permit – Take Water
  - *To abstract Wairau Aquifer FMU water up to 14,819 m<sup>3</sup>/year of Wairau Aquifer FMU water well P28w/1179 located on Lot 1 DP 11902.*

*The water will be used up to the maximum monthly rate (cubic metres per month) set out in the table below:*

<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>April</i>
<i>190</i>	<i>2,310</i>	<i>3,710</i>	<i>4,340</i>	<i>3,570</i>	<i>2,170</i>	<i>770</i>

- Water Permit - Use Water
  - *To use water for the irrigation of up to 7 hectares of vineyard located on Lot 1 DP 11902.*
  - *To use water for ancillary uses on Lot 1 DP 11902.*

Water permit U020530 is not due to expire until 20 September 2032. The applicant proposes to accept an expiry date of 20 September 2032, provided this application is processed on a non-notified basis.

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

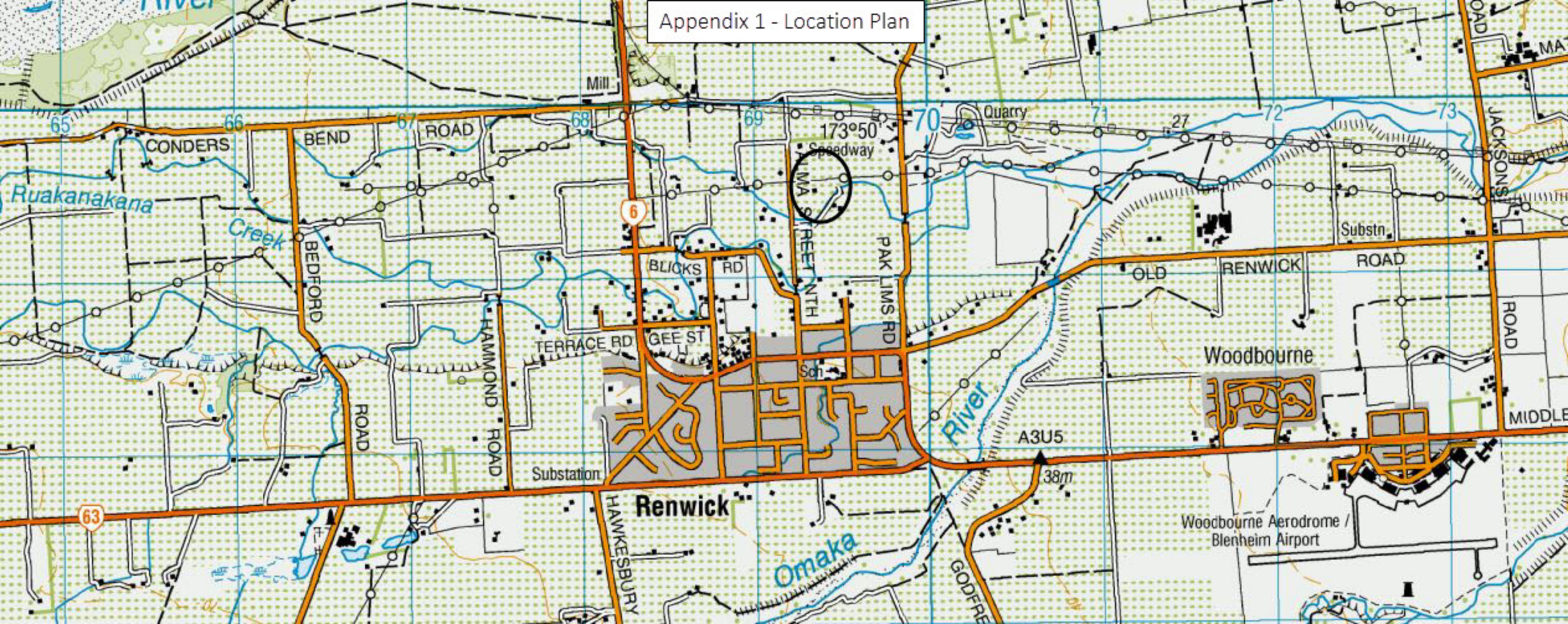
The proposal is considered consistent with Part 2 of the Act, the National Policy Statement for Freshwater Management, the relevant objectives and policies of the Marlborough Regional Policy Statement and the Wairau Awatere Resource Management Plan.

Accordingly, resource consent should be granted to this proposal.

## Appendix 1 – Location Map



Appendix 1 - Location Plan





## Appendix 2 – Site Plan

## Appendix 2 - Site Plan



ALMA STREET NORTH

irrigation bore  
P28w/1179

neighbouring  
domestic bore

P28w/2244



## 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





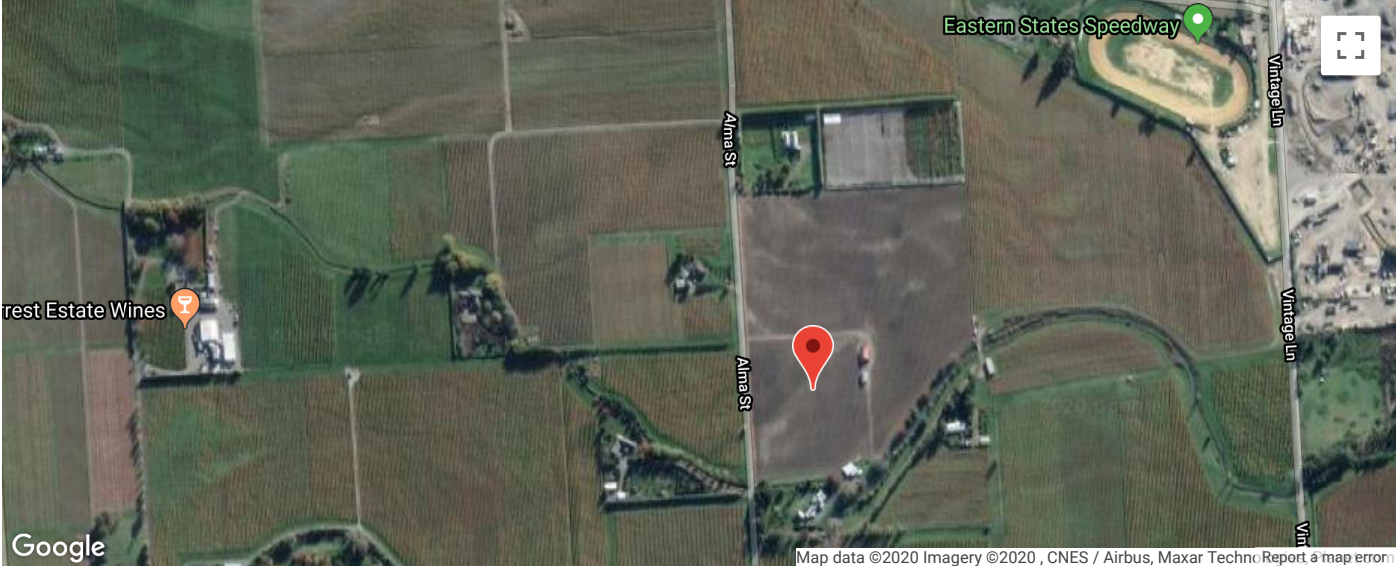


1

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

-41.500 , 173.830

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	-41.5	70	44	7	System Capacity	0.26 (l/s/ha)	1.82 (l/s)
Longitude	173.83			0	System Capacity	2.2 (mm/day)	
Council	Marlborough			0	Daily Volume	22 (m³/ha)	154 (m³)
Climate Site ID	P157122			0	7 Day Volume	(m³/ha)	(m³)
Distance to Climate Site (km)	2.81			0	28 Day Volume	(m³/ha)	(m³)
Rainfall (mm)	745			7	90% ile Annual Volume	2,017 (m³/ha)	14,119 (m³)
Total area =				7			

90 Percentile Monthly Volume												
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m³/h)	0	0	0	70	330	530	620	510	310	110	0	0
Total Area (m³)	0	0	0	490	2,310	3,710	4,340	3,570	2,170	770	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** **MB6B/1312**  
**Land Registration District** **Marlborough**  
**Date Issued** 14 August 2000

**Prior References**

MB4B/417 MB4B/418

**Estate** Fee Simple  
**Area** 8.3286 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 11902

**Registered Owners**

Calmar Cherries Limited

**Interests**

213449.5 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 14.8.2000 at 10.50 am

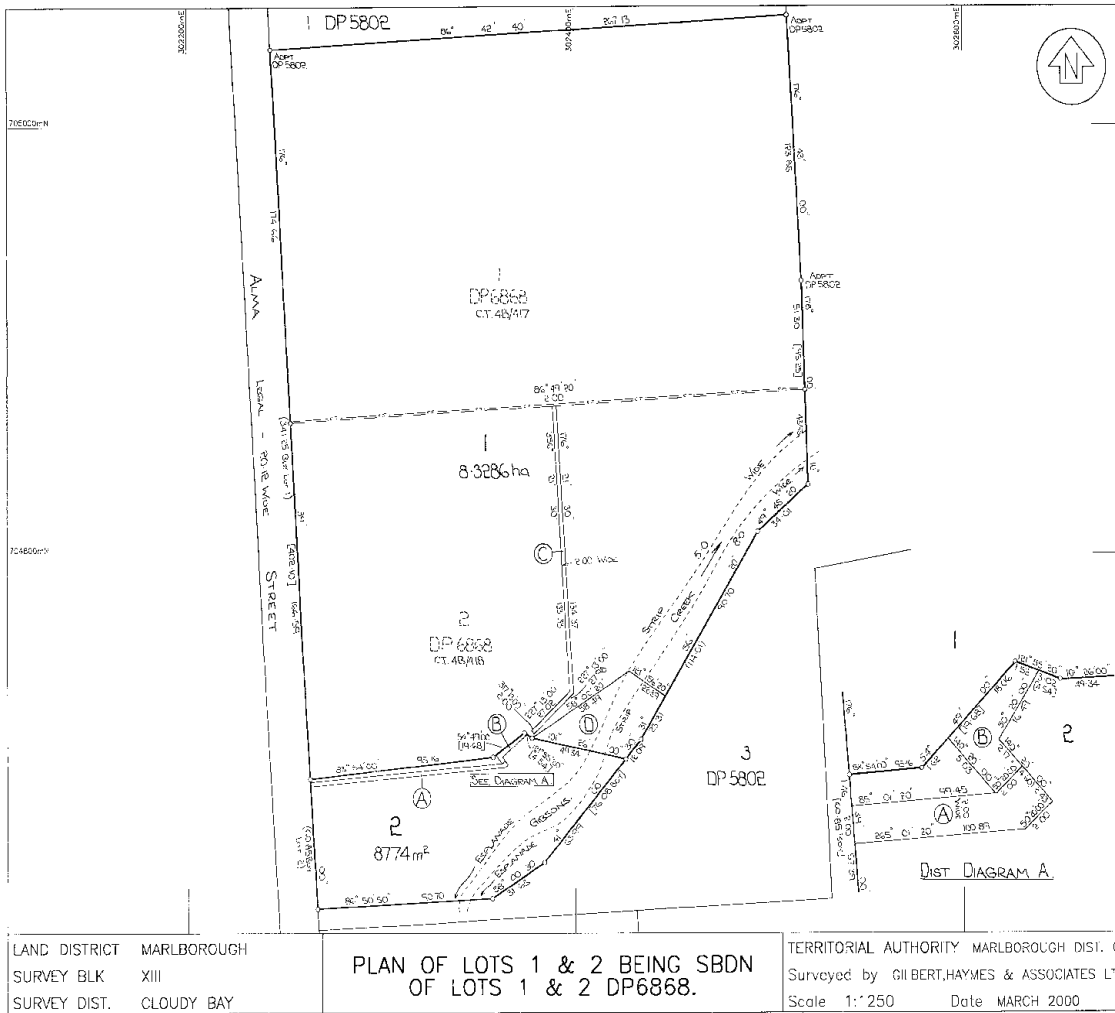
214251.1 Transfer creating the following easements - 26.9.2000 at 10.50 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Electricity easement	Lot 2 Deposited Plan 11902 - CT MB6B/1313	B DP 11902	Lot 1 Deposited Plan 11902 - herein	

Land Covenant in Transfer 214251.1 - 26.9.2000 at 10.50 am

214251.2 Mortgage to (now) Westpac New Zealand Limited - 26.9.2000 at 10.50 am

APPROVALS			
R.N. PERKINS		R.J. PERKINS	
M.N. MAYMAN			
REGISTERED OWNERS			
FOR LOCAL AUTHORITY CONSENT SEE DOC No. 212120			
NEW C's.I. ALLOCATED			
LOT 1	6B/1312		
LOT 2	6B/1313		
OPTIONAL EASEMENT IN GROSS			
PURPOSE	SHOWN	SERV TEN	DOM TEN
RIGHT TO CONVEY ELECTRICITY	A	LOT 2 HERON	MARLBOROUGH COUNCIL
EXISTING EASEMENT TO BE EXTINGUISHED			
PURPOSE	SHOWN	SERV TEN	DOC NO
RIGHT TO CONVEY WATER	C	LOT 1 HERON	132740.2
OPTIONAL EASEMENT			
PURPOSE	SHOWN	SERV TEN	DOM TEN
RIGHT TO CONVEY ELECTRICITY	B	LOT 2 HERON	LOT 1 HERON
NOTE:- AREA SHOWN AS 'D' IS SUBJECT TO LAND COVENANT.			
CLASS OF SURVEY:- LOT 1 = II, LOT 2 = II.			
Total Area 9.206 ha			
Comprised in C.T. 4B/417-418 R.N. & R.J. PERKINS M.N. MAYMAN			
GRAEME MCNICOL HAYMES being a person entitled to register as a registered surveyor, certify that:- (a) the surveys to which this document relates are accurate and were undertaken by me or under my direction in accordance with the Survey Act 1966 and the Survey Regulations 1968 (b) this document is accurate and has been created in accordance with that Act and those Regulations Dated at BLENHEIM this 21st day of MAY 2000. Signature: [Signature] of MAY 2000. Signature: [Signature]			
Field book 1585 p. 21-23. Traverse 889. 89 - 149. Reference Point 332.2481. DP/21/20/22/888/5065.			
Examined for A.S. by I. Sutherland 21/05/00			
Approved as to Survey [Signature]			
8/5/2000 Chief Surveyor			
Deposited this 18th day of May 2000			
Registrar General of Land			
File Received 20.5.00. Ref 4412/507			
DP11902 T			



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.