



MARLBOROUGH
DISTRICT COUNCIL

RESOURCE CONSENT APPLICATION

U180023

Foley Family Wines Limited

267 & 291 Hammerichs Road, Rapaura

Submissions Close

5.00 pm Thursday 1 March 2018

Bea Gregory-5252

From: MDC
Sent: Wednesday, 17 January 2018 2:38 p.m.
To: RCInbox
Subject: Application for Resource Consent: REF180109563
Attachments: REF180109563.pdf

A application for a Resource Consent has been received. Application lodgement number is REF180109563.

Submission details are attached.



PO Box 443, Blenheim 7240
Tel 03 520 7400 / Fax 03 520 7496
Email mdc@marlborough.govt.nz / www.marlborough.govt.nz

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

Marlborough District Council
15 Seymour Street
Blenheim 7201
PO Box 443
New Zealand

Telephone 00 64 3 520 7400
Facsimile 00 64 3 520 7496
Email mdc@marlborough.govt.nz
Website www.marlborough.govt.nz
GST No. 50-430-960



Reference Number:	REF180109563
Submitted On:	17/01/2018 14:37
Submitted By:	Helen Woodward

Important Information

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

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

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

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

Applicant Details

Select as many as are applicable

Is the applicant

Is the applicant • A company

Company name Foley Family Wines Ltd

Is the applicant

Main applicant name Foley Family Wines (attn Mat Duncan)

Main applicant electronic (email) address for service Mat.Duncan@ffw.co.nz

Main applicant mailing address PO Box 67, Renwick 7243

Main contact number 021 511 954

Alternative contact number 572 8200

Is there an agent working on behalf of the applicant? Yes

All communication regarding the application will be sent to the agent

Are you a business or an individual? Individual

Company name Not answered

First name Helen

Last name Woodward

Electronic (email) address for service h.woodward@xtra.co.nz

Mailing address PO Box 105, Blenheim 7240

Main contact number 5795669

Alternative contact number 0272111154

Agent reference Helen

Application Details

Types of resource consent applied for	• Water Permit
The location to which the application relates is	267 & 291 Hammerichs Road, Rapaura Lots 1 & 2 DP 7763, Pt Lot 3 DP 670
Brief description of the activity	The applicant seeks to replace and combine existing consents U010919 and U011238, to 1. Take groundwater from the Wairau Aquifer FMU to a maximum of 35,828 cubic metres/annum from well P28w/3493, located on Lot 1 DP 7763; And 2. Use groundwater to irrigate 21.2 hectares of vineyard located on Pt Lot 3 DP 670 and Lots 1 & 2 DP 7763. The existing consents U010919 and U011238 will be surrendered upon issue of a new combined consent.
I attach, in accordance with Schedule Four of the Resource Management Act 1991, an assessment of environmental effects in a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. (Applications now also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents)	
I attach an assessment of the proposed activity against the matters set out in Part 2 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.	
Please upload assessment	• FFW-rcapp-Hammerichs water application-17 Jan 2017.pdf(9350969 bytes)
Please upload plans (e.g. site plan, elevation plans, scheme plan etc) of the locality and activity points. Describe the location in a manner that will allow it to be readily identified, e.g. house number and street address, grid reference, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well known landmark, DP number, valuation number, property number	
Site/location plan	No files uploaded
Scheme plan	No files uploaded
Forest harvest plan	No files uploaded
Building plans	No files uploaded
Dam design drawings	No files uploaded
Certificate(s) of Title and legal documents	No files uploaded

Supplementary Forms

Please indicate which supplementary forms you are adding	• Water permits
Type of permit required	• Take underground water
Do you currently hold a water permit that is due to expire?	No
Purpose for which water is required?	Combining 2 existing water permits for Vineyard irrigation.
Source of water	Wairau Aquifer
Maximum quantity of take	
Litres per second	Not answered
Cubic metres per day	466
Cubic metres per week	Not answered
Groundwater	
Is the well existing?	Yes
Well Number	P28w/3943
Depth from ground level to bottom of well	28.9
Diameter of well	150
Has the pump test or well interference test been carried out on the well?	No

Water use purpose

Use Type	Irrigation
Crop type	Vineyard
Area	21.2
Application Rate	22
Quantity	466.4
Irrigation Period	<ul style="list-style-type: none">• Jan• Feb• Mar• Apr• Sep• Oct• Nov• Dec
Method	trickle

Technical Reports

Do you wish to upload any technical reports to be included in the application by the relevant Resource Management Plan, Act or regulations?

No

Benthic report	No files uploaded
Cultural effects assessment	No files uploaded
Dam construction report	No files uploaded
DSI	No files uploaded
Ecology report	No files uploaded
Economic report(s)	No files uploaded
Engineering report	No files uploaded
Erosion and sediment management plan	No files uploaded
Geotechnical report	No files uploaded
Landscape report	No files uploaded
PSI	No files uploaded
RAP	No files uploaded
Wastewater report	No files uploaded
Any other report not covered in the list above	No files uploaded

Written Approvals

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

Not answered

Please attach any written approval(s) that may have been obtained from affected parties/adjoining property owners and occupiers

No files uploaded

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

Brief reason for not consulting with neighbours

Adequate separation distances. Only combining 2 existing water permits.

Other Details

Are additional resource consents required in relation to this proposal?	No
Are there other activities which are part of the proposal to which the activity relates, for example permitted activities, or building consents etc?	No
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. <i>(This assessment should include more than stating a monetary value.)</i>	substantial 21ha area of established vineyard and infrastructure.
The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please record applicant name and either property number or consent type as a reference.	
The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee, an invoice will be issued (if actual costs are less, a refund will be made). Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.	
Do you require a GST receipt for a bank payment?	No
Please make invoice out to	Applicant
The application lodgement fee	Has been paid
Please give details of payment reference	part of receipt 182534
If you have a payment reference to upload, please upload it here	• MDC recpt.pdf (512667 bytes)
Notes	Not answered
I confirm that the information provided in this application and the attachments are accurate	Yes
Authorised by (your full name)	Helen Woodward
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).	
The information you have provided on this form is required so that your application can be processed and so that statistics can be collected by Council. The information will be stored on a public register and held by Council. Details may be made available to the public about consents that have been applied for and issued by Council. If you would like access to or made corrections to your details, please contact Council.	
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).	
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 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.	

Foley Family Wines Ltd Water Permit Application

1 Background

The subject properties are located at 267 and 291 Hammerichs Road. The properties are legally described as Pt Lot 3 DP 670 and Lots 1 & 2 DP 7763 of 14.6ha and 15.8 ha in area respectively. The allotments are part of a larger parent allotment. The location is shown on the map attached in Appendix 1. The applicant leases the two subject areas from the landowner (Dowling).

The applicant holds current water permits U010919, to take underground water from well P28w/3943 at a rate not exceeding 300 cubic metres per day to drip irrigate 13.5 hectares of vineyard on Lots 1 & 2 DP 7763; and U110238, to take underground water from well P28w/3943 at a rate not exceeding 160 cubic metres per day to drip irrigate 7.7 hectares of vineyard on Pt Lot 3 DP 670. The consents expire on 1 March 2032 and 1 June 2021 respectively.

Council was notified of the name changes from Grove Mill and NZ Wine Co Ltd, to Foley Family Wines. Copies of the correspondence are present on the property files.

Well P28w/3943 is located on Lot 1 DP 7763, at the east side of the property. The corrected well site is shown on the site map attached in Appendix 2. The 150mm diameter well is 28.9 metres deep and intercepts the Wairau Aquifer FMU. There are telemetered datalogged water meters recording water taken for each water take.

As there is a range of dry and wetter blocks, the applicant seeks more flexibility to utilise the water on each block to reflect the differing water requirements, thereby is seeking to combine both water permits and update them to reflect the annual allocations under the Proposed Marlborough environment Plan, as assessed by the "Irricalc" programme.

2 Proposal

The applicant seeks to replace and combine existing consents U010919 and U011238, to

1. Take groundwater from the Wairau Aquifer FMU to a maximum of 35,828 cubic metres/annum from well P28w/3493, located on Lot 1 DP 7763;

And

2. Use groundwater to irrigate 21.2 hectares of vineyard located on Pt Lot 3 DP 670 and Lots 1 & 2 DP 7763.

The existing consents U010919 and U011238 will be surrendered upon issue of a new combined consent.

The water meter at well P28w/3493 and the water meter on the pipeline to the front block are telemetered, with readings having being sent to Council. The applicant noted the 2016 water use

was excessive, due to issues with the telemetry sensors. This was rectified for the 2017 season where seasonal use was within the irricalc total annual allocation.

The “irricalc” assessment is attached as Appendix 3, indicating the total annual allocation, equating to the irrigation rate of 22 cubic metres/ha/day, being approximately the existing consented rate.

3 Statutory Framework

3.1 Resource Management Act 1991

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

3.2 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 sets out objectives and policies in relation to water quantity and requires all Regional Councils to 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.

This application is merely for the combining and annualising of an existing Wairau Aquifer allocation, in accordance with the Proposed MEP policies. The application is therefore considered not to be inconsistent with the NPSFW.

3.3 Marlborough Regional Policy Statement (MRPS)

The MRPS has been integrated into the Proposed Marlborough Environment Plan, which combines all local planning documents.

The application, being part of an existing allocation, is deemed to be consistent with the existing RPS objectives and policies and Proposed Marlborough Environment Plan provisions.

3.4 Wairau/Awatere Resource Management Plan

The subject site is zoned Rural 3 under this Plan.

General Rule 1.2.3.1 of this plan provides for the taking of water from the Wairau Aquifer of between 15 and 3000 cubic metres per day as a **discretionary** activity.

As there are no rules for the use of water for irrigation purposes, the proposal to use water for irrigation purposes falls to be in-nominate under the RMA and is dealt with as a discretionary activity.

3.5 Proposed Marlborough Environment Plan

The water provisions under the Wairau/Awatere RM Plan have now been superceded by the new Marlborough Environment Plan and declared as having immediate legal effect under Section 86B(3) of the RMA.

3.5.1 Rules

General Rule 2.5. Discretionary Activities

- **Rule 2.5.2. Any take of water not provided for as a Permitted Activity or Controlled Activity, or limited as a Prohibited Activity.**

In accordance with the above rule, the proposed take for irrigation purposes is deemed to be a discretionary activity.

- **Rule 2.5.3. Any use of water not provided for as a Permitted Activity or limited as a Prohibited Activity.**

In accordance with the above rule, the proposed take for irrigation purposes is deemed to be a discretionary activity.

Accordingly, the application as a whole falls to be dealt with as a discretionary activity.

4 Objectives and Policies

The Objectives and Policies of the Proposed MEP pertaining to freshwater allocation are set out in Chapter 5 (Allocation of Public Resources) – the relevant ones pertaining to updating and combining the existing consents, are assessed as follows.

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

The application site falls within the Wairau Aquifer FMU, with no management level specified in Appendix 6, schedule 3.

Policy 5.3.9 – Express any allocation of water for irrigation purposes on the following basis (summarised);

Take of groundwater - cubic metres/annum
Use of Water - monthly and annually

(except for the Brancott Freshwater Management Unit, Benmorven Freshwater Management Unit or Omaka Aquifer Freshwater Management Unit).

This application is made on this basis, being within the Wairau Aquifer FMU.

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

(a) not be less than 30 years when the take is from a water resource:

(i) that has a water allocation limit specified in Schedule 1 of Appendix 6; and

(ii) that has a minimum flow or level specified in Schedule 3 of Appendix 6; and

(iii) that is not over-allocated; or

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

(c) not be more than ten years when the take is from a water resource that has a default environmental flow established in accordance with Policies 5.2.7 and 5.2.14.

As the take forms part of the theoretically over-allocated Wairau Aquifer, a new 10 year term for the combined consents is considered appropriate.

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

One of the ways in which efficient use of water can be achieved is by ensuring that the allocation to the user does not exceed that which is reasonably required for the use. In the case of irrigation, the Council will provide users with a tool, "IrriCalc," to estimate water demand for the crop, based on the soil type(s) and climate that exist at the property.

This policy assists to give effect to Policy B4 of the NPSFM.

The application complies with the "irricalc" daily irrigation rate of 22 cubic metres/ha/day, considered to be an efficient use of water. The assessment is attached as Appendix 3. Accordingly, the application is consistent with this policy.

Policy 5.7.4 – Require water permit holders to measure their water take with a pulse emitting meter, to record water take and use with a data logger, and to transfer the recorded water take and use information by the use of telemetry. Alternative methods of measurement, recording or transfer that provide the Marlborough District Council with accurate water take and use data may be considered.

The applicant has installed a telemetered datalogger to their water meter.

Summary

In summary, the application, being merely combining two existing consents and updating the allocation to reflect the irricalc allocation, complying with electronic meter recording, is considered to be in accord with the relevant objectives and policies,

5 Effects on the Environment

The abstraction falls under the Wairau Aquifer FMU, in the Proposed MEP.

The combining of the two existing water permits, taking water from the same well P28w/3493 will

Incur no additional adverse effects on the environment. The allocation will comply with the “irricalc” allocation, being a reasonable and efficient use of water.

The allocation will continue to be abstracted from well P28w/3493, with adequate separation distances in excess of 150m from neighbouring wells, the closest being the Dowling well to the south-east as indicated on the well site map attached as Appendix 2a.

Water use will continue to be recorded via a telemetered water meter located at the well.

6 RMA Sec 104 (2A)

The value of the vineyard and infrastructure is in excess of \$2 million.

7 RMA Part 2

Part 2 of the Resource Management Act 1991 sets out the purpose of the Act as being the promotion of the sustainable management of natural and physical resources. Section 5(2) states: *“...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- 5(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment*

There will be no additional adverse effects on the environment from the proposed combining and annualising of the existing water permits. The allocation will comply with the “irricalc” allocation, being a reasonable and efficient use of water and is accordingly considered to be sustainable in accordance with Part 2 of the RMA, given it is consistent with the relevant objectives, policies and rules of the Proposed Marlborough Environment Plan.

The combining of the consents will enable more flexible use of water between blocks, thereby enabling security of supply and providing for their economic wellbeing.

Accordingly the application is considered to be sustainable in accordance with Part 2 of the RMA.

8 Consent Term

Given the disparity of terms of the existing consents of 2032 and 2021, it is considered appropriate to issue the combined consents for a new 10 year term, as provided for in the Proposed Marlborough Environment Plan.

9 Conclusion

The applicant seeks to replace and combine existing consents U010919 and U011238, to

1. Take groundwater from the Wairau Aquifer FMU to a maximum of 35,828 cubic metres/annum from well P28w/3493, located on Lot 1 DP 7763;

And

2. Use groundwater to irrigate 21.2 hectares of vineyard located on Pt Lot 3 DP 670 and Lots 1 & 2 DP 7763.

The existing consents U010919 and U011238 will be surrendered upon issue of a new combined consent.

The combining of the consents and annual allocation brings the consents into line with the Proposed Marlborough Environment Plan policies.

In summary, the application is considered to be in accord with the relevant Plan objectives and policies, combining two existing abstractions, complying with irricale volumes and complying with electronic meter recording with no additional adverse effects on the environment,

The proposal is assessed to be consistent with the relevant objectives, policies and rules of the National and Marlborough Regional Policy Statements and the Proposed Marlborough Environment Plan therefore the application is considered to be sustainable in accordance with Part 2 of the RMA 1991.

The applicant accordingly requests that consent be granted as applied for.

HELEN WOODWARD
RESOURCE MANAGEMENT CONSULTANT
15 January 2017

APPENDIX 1

Location Map



APPENDIX 2

Site Map



APPENDIX 2a

Well Site Map



APPENDIX 3

Irricalc Assessment

IRRIGATION REASONABLE USE DATABASE

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



Ministry for Primary Industries
Manatū Ahu Matua
Sustainable Farming Fund



LGA

AQUALINC
RESEARCH LIMITED

1

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

-41.479 , 173.905

Locate



Map data ©2017 GBRMPA, Google

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

Description

Latitude -41.479

Longitude 173.905

Council Marlborough

Climate Site ID P159123

Distance to
Climate Site
(km) 1.73

Rainfall (mm) 688

Plant Available Water Details

PAW(mm)

140

Indicative
Likelihood

59.9

Area
(hectares)

21.2

0

0

0

0

21.2

Irrigation Requirements

System Capacity

0.26

2.2

Daily Volume

7 Day Volume

28 Day Volume

90% ile Annual
Volume

Per Hectare

(l/s/ha)

(mm/day)

(m³/ha)

(m³/ha)

(m³/ha)

(m³/ha)

Total Area

5.51

466

35,828

90 Percentile Monthly Volume

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Per Hectare (m³/h)	0	0	0	0	310	530	550	460	290	0	0	0
Total Area (m³)	0	0	0	0	6,572	11,236	11,660	9,752	6,148	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

©2014-2015 Aqualinc Research Limited - PO Box 20-462, Bishopdale, Christchurch, New Zealand Phone: +64 3 964 6521 Fax: +64 3 964 6520

Bea Gregory-5252

From: Helen Woodward <h.woodward@xtra.co.nz>
Sent: Monday, 22 January 2018 2:19 p.m.
To: Victoria Bell-5174
Subject: RE: S88 acceptance and s92 request - U180023 Foley Family Wines Limited

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, please proceed as is,
Regards
Helen

*Helen Woodward
Resource Management Consultant
PO Box 105
Blenheim 7240
Ph 035795669
Mob 0272111154*

From: Victoria Bell-5174 [<mailto:Victoria.Bell@marlborough.govt.nz>]
Sent: 22 January 2018 1:39 PM
To: Helen Woodward <h.woodward@xtra.co.nz>
Subject: RE: S88 acceptance and s92 request - U180023 Foley Family Wines Limited

Hi Helen,

You are more or less correct re irrircalc, although ofcourse you are able to apply for any volume, it is just a matter of weather it will be granted or not. Untimely was just looking for some assessment/comments regarding the volume proposed vs that already consented. In light of your comments below, are you happy to proceed as is?

Thanks

Victoria Bell
Resource Management Officer



**MARLBOROUGH
DISTRICT COUNCIL**



Phone: 03 520 7400
DDI: 03 520 7497

15 Seymour Street, PO Box 443
Blenheim 7240, New Zealand
victoria.bell@marlborough.govt.nz
www.marlborough.govt.nz

From: Helen Woodward [<mailto:h.woodward@xtra.co.nz>]
Sent: Monday, 22 January 2018 1:19 p.m.
To: Victoria Bell-5174
Subject: RE: S88 acceptance and s92 request - U180023 Foley Family Wines Limited

Hi Victoria, with respect to your Sec 92 query regarding the annual use, the 2016/17 season record is the most indicative - they had issues with the telemetry recording and leaks in the infrastructure prior to that, which have been rectified.

I didn't think we could apply for more than irralc allowed, but if this differs from your view point, I would be happy to increase to the current situation, however, they do not require 97000 cubic metres/year esp given the vines are mature.

Regards
Helen

*Helen Woodward
Resource Management Consultant
PO Box 105
Blenheim 7240
Ph 035795669
Mob 0272111154*

From: Victoria Bell-5174 [<mailto:Victoria.Bell@marlborough.govt.nz>]
Sent: 22 January 2018 11:10 AM
To: Helen Woodward <h.woodward@xtra.co.nz>
Subject: S88 acceptance and s92 request - U180023 Foley Family Wines Limited

Good morning,

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

Additionally, please find attached a s92 request for further information

Any questions please do not hesitate to contact me.

Regards

Victoria Bell
Resource Management Officer



**MARLBOROUGH
DISTRICT COUNCIL**



Phone: 03 520 7400
DDI: 03 520 7497

15 Seymour Street, PO Box 443
Blenheim 7240, New Zealand
victoria.bell@marlborough.govt.nz
www.marlborough.govt.nz

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To: Marlborough District Council
PO Box 443
Blenheim 7240



**MARLBOROUGH
DISTRICT COUNCIL**

ISO 9001:2008
Document Number:
RAF0010-CI1921

SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

1. Submitter Details

Name of Submitter(s) in full _____

Electronic Address for Service (*email address*) _____

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

Primary Address for Service (*must tick one*)

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

Telephone (*day*) _____ Mobile _____ Facsimile _____

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

2. Application Details

Application Number _____ U _____

Name of Applicant (*state full name*) _____

Application Site Address _____

Description of Proposal _____

3. Submission Details (*please tick one*)

I/we support all or part of the application ☐

I/we oppose all or part of the application ☐

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

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

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

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)*

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.)*

☐

5. Signature

Signature _____ Date

Signature _____ Date _____

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.
- 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.

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.