

Beth Bovey-8156

From: Oscar Savage <Oscar@blg.nz>
Sent: Wednesday, 9 March 2022 10:36 am
To: RCInbox
Cc: Larnce Wichman
Subject: Water Permit
Attachments: Lake Grassmere Supplementary Information.pdf; Lake Grassmere Application form.pdf; 220119 OS Lake Grassmere Application Final v2.0 .pdf

Hello,

Please find attached an application and supporting information for a water permit to take seawater from the beach well at Lake Grassmere. Iwi Consultation is underway, and Iwi were provided a copy of the application report on the 18/02/22 . The response of Iwi will be provided to Council upon completion of the consultation process.

Please direct communication regarding this application to Anna as noted as agent on the application form.

Nga mihi | Kind Regards

Oscar Savage | Graduate Planner | Baseline Group Marlborough | 027 390 0204

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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.

For Office Use

ISO 9001
Document Number:
RAF0002-C11913

Lodgement Fee Paid \$

Receipt No.

Consent No.

Case Officer:

Date Received:

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

Name:
(full legal name)

Lanfar Holdings (No. 4) Limited

Company/Trust Number:
(if applicable)

480534

Electronic Address for Service: larnce@burkhart-fish.co.nz

Mailing Address:
(including post code)

7217 State Highway 1, Rd 1, Seddon, 7285

Phone: (Daytime) _____

Phone: (Mobile) 0272246683

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

Name:

Anna Bensemman

Electronic Address for Service:

Anna@blg.nz

Mailing Address:
(including post code)

PO BOX 950, Blenheim, 7240

Phone: (Daytime) _____

Phone: (Mobile) 027 9460445

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:

The applicant seeks a water permit to take coastal water as a discretionary activity.

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): Beach at Lake Grassmere, adjacent to the saltworks intake structure.

Legal description (i.e. Lot 1 DP 1234): Crown Land. 2,608,426.140 E: 5,943,204.362 N

(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:

N/A

Non Resource Management Act 1991 activities relating to this application:

N/A

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

N/A

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.)*

N/A

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) Oscar Savage

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

Signature of applicant or authorised agent:



Date:

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](#)



Schedule Four

Resource Management Act 1991

Information Required in Application for Resource Consent

1 Information must be specified in sufficient detail

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

2 Information required in all applications

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

3 Additional information required in some applications

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

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

4 Additional information required in application for subdivision consent

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

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

5 Additional information required in application for reclamation

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

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

Assessment of environmental effects

6 Information required in assessment of environmental effects

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

7 Matters that must be addressed by assessment of environmental effects

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

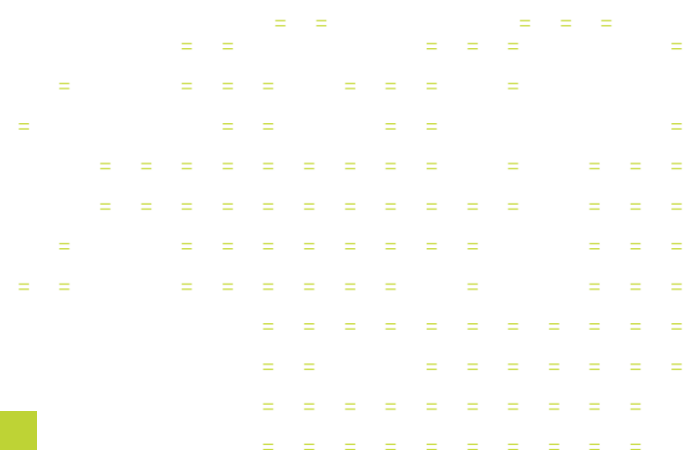
Section 88

Resource Management Act 1991

Making an Application

88 Making an application

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



Application for a Water Permit

Lake Grassmere



CLIENT	ADDRESS	REFERENCE
Lanfar Holdings (No. 4) Limited	Lake Grassmere, Seddon	BLM1627

Report Information

Reference: BLM1627

Title: Application for a Water Permit


Client: Lanfar Holdings (No. 4) Limited

Filename: 220119 OS Lake Grassmere Application

Version: 1

Date: **2/9/2022**

Prepared by: Oscar Savage



Reviewed by: Anna Bensemann



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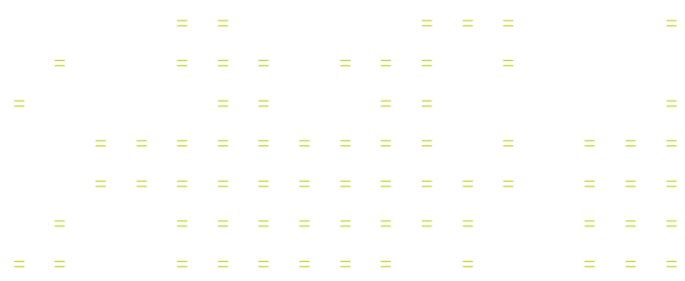
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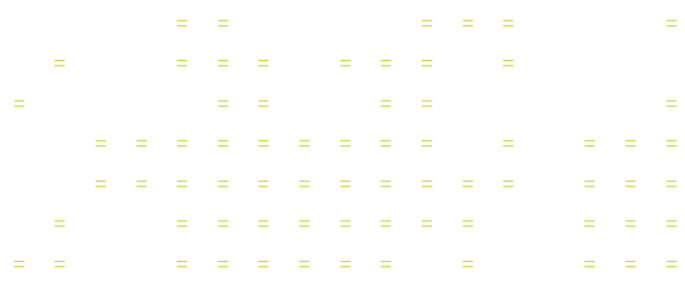
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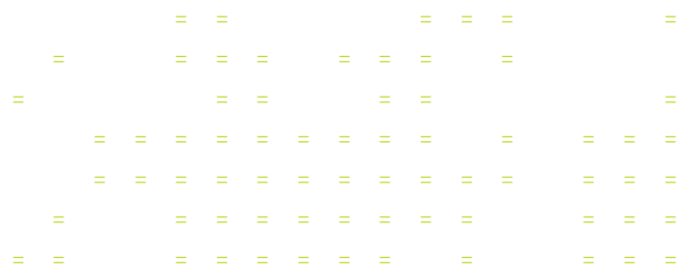
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Appendix 1: Beach Well Plan

Appendix 2: Site Plan

Appendix 3: New Zealand Oysters Consent U941340

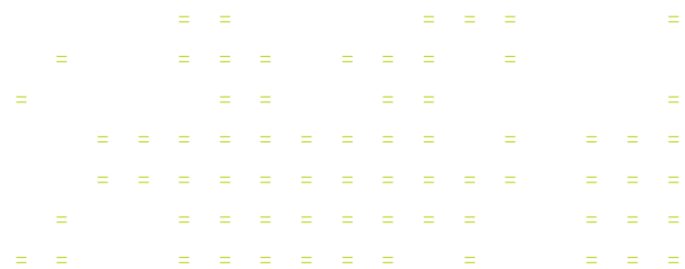


1 Summary of application details

1.1 Report purpose

This report is an application for a water permit, including an assessment of the actual and potential effects on the environment, to take coastal water from a well in the dune at Lake Grassmere. This application has been prepared in accordance with Schedule 4 of the Resource Management Act 1991 ('RMA' or 'the Act').

Applicant:	Lanfar Holdings (No. 4) Limited
Land Owner:	Crown Land
Site Address:	Beach at Lake Grassmere, Seddon (adjacent to Salt Works intake structure)
Co-ordinates :	2,608,426.140 E: 5,943,204.362 N
District Plan Zoning:	<i>Marlborough Environment Plan</i> Lake Grassmere Salt Works Zone
Proposed Activity:	The applicant seeks a water permit to take coastal water as a discretionary activity .
Duration:	Twenty (20) years



2 Application site and surrounding environment

2.1 Application site

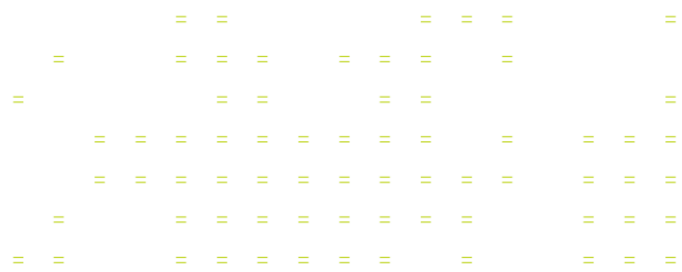
The application site is located at Lake Grassmere. The application site is within crown land on top of one of the beach dunes in front of Lake Grassmere Saltworks Ponds, and immediately south of the Saltworks intake structure. The site is on Crown land and therefore has no legal description or Record of Title, however, is access from the end of Kaparu Road around the northern side of the Saltworks. Access from the road to the site is via an existing and established access point to the beach frontage within the dune, co-located with the Salt Works access to their infrastructure.

The site contains a salt water well that was constructed as part of a salmon farm development in 1986 under consent number 7/00/0661. The well is 10.6 m deep and intakes salt water from below the mean high water line using infiltration pipes angled slightly down to the bottom of the well in order to be gravity fed. The well is circled in red on Figure 1 below and the infiltration pipes are indicated by red lines extending into the coastal marine area. The site slopes upwards away from the sea into the sand dune where the well is located at approximately 5 m above sea level. The dune is covered in vegetation consistent with a beach dune environment, which was established by the applicant when they purchased the well. The section of the dune containing the well is trafficable and paths that allow vehicle access have formed. The application site is within the schedule site area for the Salt Works infrastructure.



The application site is shown in Figure 1 below.

Figure 1: Aerial image of application site taken from Smart Maps Pro January 2022.



2.2 Well history and use

The well was constructed as part of a Salmon Farm in 1986 under consent number 7/00/0661. The well is drilled to a depth of 10.6 m and intakes seawater using 4 pipes 50 m in length set below the high tide line that are capable of gravity feeding approximately 200-300 litres per second into the well. A culvert was placed on the top of the well to function as a pumping chamber. The well was purchased by the applicant in 1990.

In 1994, New Zealand Oysters Limited was consented to take coastal water from the well to operate and bi valve hatchery under consent U941340, this application and decision is attached as Appendix 3.

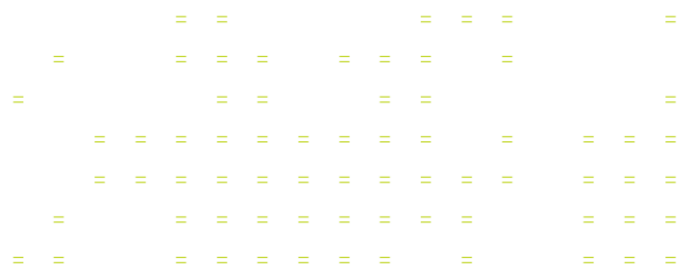
The well has been used by three users in recent years, the applicant Lanfar Holdings (No.4) Limited (Lanfar) who takes 10-12 m³ per week, Cloudy Bay Clams who continuously pump from the well at a rate of 10.6 litres per second and Fiordland Lobster Co who take 70 m³ three times per year.

The take of seawater has previously taken place in conjunction with the consent to establish the bore, however, it has recently come to the attention of the applicant that a resource consent to provide for the take and use of the sea water is required under Section 14(1) of the RMA, and current planning provisions.

2.3 Surrounding area

The surrounding area consists of the Salt Works and associated infrastructure surrounding Lake Grassmere. This site and surrounding area is in the Lake Grassmere Salt Works Zone. In this zone, Dominion Salt operate a solar salt farm in which they intake seawater and dry it to produce salt utilising Lake Grassmere. Approximately 21 m North of the saltwater well is the Saltworks intake pier which is a long structure extending into the sea to allow the Salt Works to intake seawater.

The site is located in Clifford Bay and is north of Marfells Beach and Mussel point. This is a large open bay to open seas, located on the east coast of the South Island. Marfells Beach is a common holiday destination for tourists as it offers swimming and fishing opportunities.



3 Description of the proposed activity

It is proposed to continue to take coastal water from the beach well in the dune in front of Lake Grassmere, the total volume abstracted will be up to 1,002 m³ per day. The location of the beach well is within the Lake Grassmere Salt Works Zone; however, the actual take is located within the Coastal Marine (Area) Zone. The details of the specific take and purposes is below. The Beach Well Plan and supporting information is attached as Appendix 1 and site plans showing the well location is attached as Appendix 2.

3.1 Cloudy Bay Clams

Cloudy Bay Clams continuously pump from the beach well at a rate of 10.6 litres per second. This is a direct pump, and all infrastructure is contained underground or within the well head. This is a total of 915,840 litres in any 24-hour period. For this take a volume of 920 m³ per day or 335,800 m³ per year is sought. Cloudy Bay Clams use the coastal water to flush through their shellfish depuration system and have an arrangement with Dominion Salt Limited to discharge the water into the salt works discharge channel.

3.2 Lanfar

Lanfar take from the well and pump directly into a mobile water tanker, which is then transported to a live lobster facility in Ward. This process take approximately one hour per week to undertake. This use is approximately 12 m³ per week, a total volume of 624 m³ per year is sought. The purpose of the water is to facilitate the storage of live lobster. Additionally, Lanfar access the well for pump and electrical maintenance.

3.3 Fiordland Lobster Co

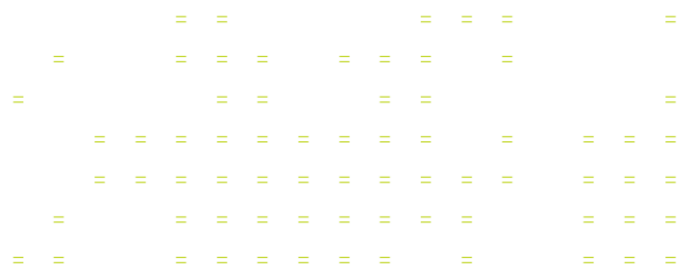
Fiordland Lobster Co abstract 70 m³ approximately 3 times per year using the same method of abstraction as Lanfar. For this take a volume of 210 m³ per year is sought. Fiordland Lobster Co also use the coastal water to aid in the storage and export of live lobster.

3.4 Cumulative take

Due to the variable nature of take, the applicant seeks consent to abstract up to 1,002 m³ per day in order to cover any of the uses estimated above for all parties, however an annual maximum volume of 336,445 m³ is sought.

3.5 Other matters

There are no other matters relating to the proposal which would require resource consents.



4 Planning framework

The Marlborough Environment Plan (MEP) contains the relevant planning framework relating to the proposed take of seawater from the application site.

4.1 Zoning

The application site is Lake Grassmere Salt Works Zone and Coastal Marine (Area) Zone in the MEP, as shown in Figure 2 below. The site is also contained in the Surface Water: East Coast Complex overlay and is a scheduled site for Salt Works Intake Area.



Figure 2: Excerpt from Planning Maps taken from Smart Maps Pro January 2022.

The application site is indicated by a red circle and arrow in Figure 2 above, the red line denote the intake pipes of the salt water well.

The following definitions from Part 2 of the RMA are relevant for determining the activity status of the proposal:

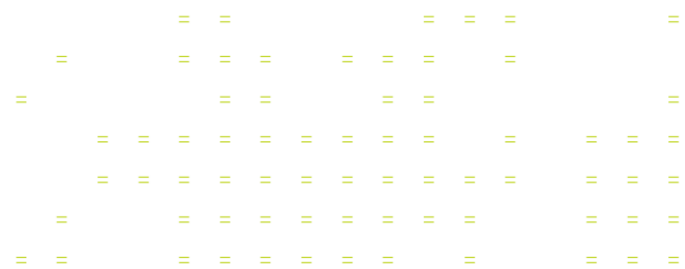
coastal water means seawater within the outer limits of the territorial sea and includes—

- (a)** seawater with a substantial fresh water component; and
- (b)** seawater in estuaries, fiords, inlets, harbours, or embayments

open coastal water means coastal water that is remote from estuaries, fiords, inlets, harbours, and embayments

4.2 Lake Grassmere Zone

The following is an assessment against the relevant rules of the MEP within the Lake Grassmere Salt Works Zone:



Rule	Proposal	Compliance
Chapter 22 Lake Grassmere Salt Works Zone		
22.5. Discretionary Activities		
Application must be made for a Discretionary Activity for the following:		
22.5.6. Any taking, use, damming or diversion of open coastal water not provided for as a Permitted Activity or limited as a Prohibited Activity.	The proposal seeks to take open coastal water that is not provided for as permitted or limited as prohibited.	Complies

Given the above assessment the proposed take of coastal water is assessed as a **discretionary activity** under Rule 22.5.6 of the MEP within the Lake Grassmere Salt Works Zone.

4.3 Coastal Marine Zone

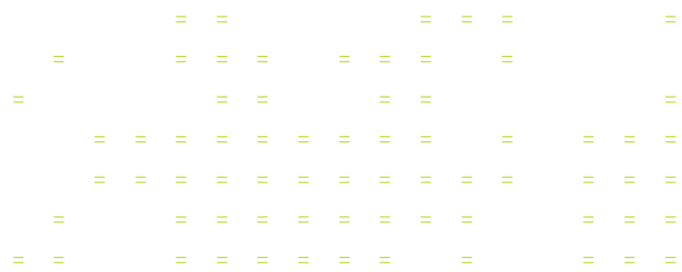
The following is an assessment against the relevant rules of the MEP within the Coastal Marine Zone:

Rule	Proposal	Compliance
Chapter 16 Coastal Marine Zone		
Permitted Activities		
16.1.20. Take and use of coastal water.	The proposal seeks to take coastal water	Complies
16.3. Standards that apply to specific permitted activities		
16.3.16. Take and use of coastal water.		
16.3.16.1. Except for the ordinary operation of a ship the take of coastal water must not be from within the following Ecologically Significant Marine Sites: (a) Whangarae Bay – No. 1.1; (b) Greville Harbour/Wharariki – No. 1.7; (c) Anakoha Bay Estuary – No. 2.25; (d) Tuna, Harvey and Duncan Bay Estuaries – No. 3.10; (e) Clova Bay – No. 3.14; (f) Kaiuma Estuary – No. 3.19; (g) Havelock-Mahakipawa Estuaries – No. 3.20; (h) Kenepuru Estuary – No. 3.21; (i) Okiwa Bay – No. 4.1; (j) Ngakuta Bay – No. 4.5; (k) Shakespeare Bay – No. 4.10; (l) Whatamongo Bay – No. 4.12; (m) Deep Bay – No. 5.7; (n) Wairau Lagoon – No. 8.2	The proposed abstraction of coastal water is not within any of the listed ecologically significant marine sites.	Complies

Given the above assessment the proposed take of coastal water is assessed as a **permitted activity** under Rule 16.3.16. of the MEP for the Coastal Marine Zone.

4.4 Activity status

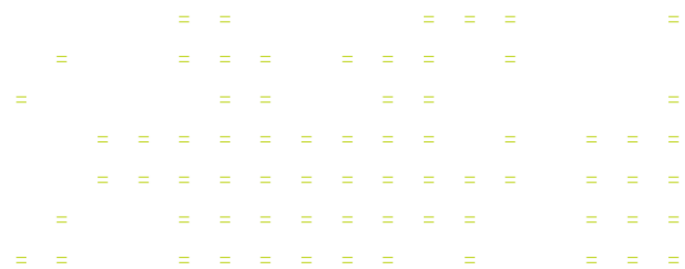
Overall, a water permit to take and use coastal water is sought for a **discretionary activity** under the MEP due to:



- Rule 22.5.6. (discretionary activity) take of coastal water within the Lake Grassmere Salt Works Zone that is not permitted or prohibited.

It is noted that if the take was being carried in the Coastal Marine (Area) Zone rather than the Lake Grassmere Salt Works Zone the activity would be **permitted** under the MEP due to:

- Rule 16.1.20 (permitted activity) take of coastal water.



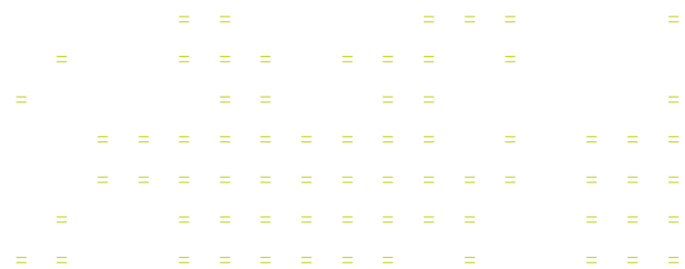
5 Assessment of relevant objectives and policies

Under Schedule 4 Clause 2(g) of the RMA, the following is an assessment of the activity against the relevant objectives and policies of the MEP and the Wairau Awatere Resource Management Plan (WARMP).

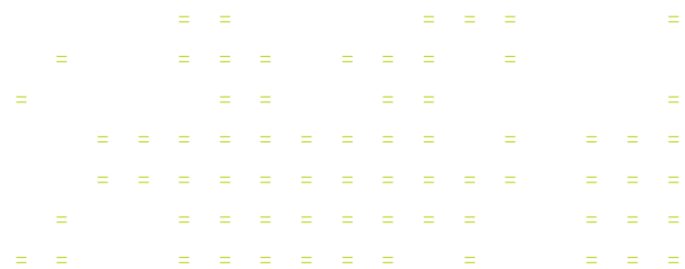
5.1 Marlborough Environment Plan

The following is an assessment of the proposed take against the applicable Objectives and Policies in Chapters 3 and 13 of the MEP:

Objective or Policy	Proposal	Consistency
Chapter 3 Marlborough’s Tangata Whenua Iwi		
<p><i>Policy 3.1.3 – Where an application for resource consent or plan change is likely to affect the relationship of Marlborough’s tangata whenua iwi and their culture and traditions, decision makers shall consider how:</i></p> <p><i>(a) the ability for tangata whenua to exercise kaitiakitanga is maintained;</i></p> <p><i>(b) mauri is maintained or improved where degraded, particularly in relation to fresh and coastal waters, land and air;</i></p> <p>...</p>	<p>The bore has been designed to avoid the uptake of fish or other marine life and does not include any discharges. The site of the bore does not impact or affect terrestrial flora or fauna, and does not inhibit access to the beach in any manner. Given these features, it is considered the proposal is consistent with this policy.</p>	Consistent
Chapter 13 Use of the Coastal Environment and Allocation of Coastal Space		
<p><i>Policy 13.2.1 – The appropriate locations, forms and limits of subdivision, use and development activities in Marlborough’s coastal environment are those that recognise and provide for, and otherwise avoid, remedy or mitigate adverse effects on the following values:</i></p> <p><i>(a) the characteristics and qualities that contribute to natural character, natural features and landscape of an area;</i></p> <p><i>(b) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;</i></p> <p><i>(c) the extensive area of open space within the coastal marine area available for the public to use and enjoy, including for recreational activities;</i></p> <p><i>(d) the importance of public access to and along the coastal marine area, including opportunities for enhancing public access;</i></p> <p><i>(e) the dynamic, complex and interdependent nature of coastal ecosystems;</i></p> <p><i>(f) the high level of water quality generally experienced in Marlborough’s coastal waters; and</i></p> <p><i>(g) those attributes that collectively contribute to individual and community expectations about coastal amenity values.</i></p>	<p>The proposed take of coastal water is able to be given effect to while avoiding adverse effects on the listed items of considerations. This is because the take occurs from a well that is already legally established, the effect of the actual abstraction has no adverse effects on the features listed in this policy.</p>	Consistent
<p><i>Policy 13.2.2 – In addition to the values in Policy 13.2.1, the following matters shall be considered by decision makers in determining whether subdivision, use and development activities in Marlborough’s coastal environment are appropriate at the location proposed and of an appropriate</i></p>	<p>The proposed take of coastal water contributes economic income to the region as it is used to facilitate the in lobster and shellfish industries. This is an efficient use of natural and physical</p>	Consistent



Objective or Policy	Proposal	Consistency
<p>scale, form and design:</p> <p>(a) the contribution the proposed subdivision, use or development activity makes to the social and economic wellbeing of people and communities;</p> <p>(b) the efficient use of the natural and physical resources of the coastal environment;</p> <p>(c) whether the efficient operation of established activities that depend on the use of the coastal marine area is adversely affected by the proposed subdivision, use or development activity;</p> <p>(d) whether there will be an increase in the risk of social, environmental or economic harm from coastal hazards as a consequence of the subdivision, use or development activity;</p> <p>(e) whether there will be a contribution to the restoration of the values of the coastal environment at the site, where these may have been adversely affected in the past;</p> <p>(f) whether the activity results, either individually or cumulatively, in sprawling or sporadic patterns of subdivision, use or development that would compromise the values and matters of Policies 13.2.1 and 13.2.2;</p> <p>(g) whether the proposed subdivision, use or development activity contributes to the network of regionally significant infrastructure identified in Policy 4.2.1;</p> <p>(h) whether the subdivision, use or development activity creates a demand for services or infrastructure that may result in a financial cost to the wider community and/or whether the safety and efficiency of the road network is affected; and</p> <p>(i) functionally, whether some uses and developments can only be located on land adjacent to the coast or in the coastal marine area.</p>	<p>resources in the coastal environment</p> <p>The proposed take does not adversely affect the operation of established activities in the surrounding environment as they have coexisted in the past with no known issues. The take cannot take place from a location outside the Zone as the take relies on infrastructure that exists only on the application site.</p>	
<p>Policy 13.2.3 - To enable periodic reassessment of whether activities and developments are affecting the values of the coastal marine area, to encourage efficient use of a finite resource and in consideration of the dynamic nature of the coastal environment:</p> <p>(a) lapse periods for coastal permits will be no more than five years; and</p> <p>(b) the duration of coastal permits granted for activities in the coastal marine area for which limitations on durations are imposed under the Resource Management Act 1991 will generally be limited to a period not exceeding 20 years.</p>	<p>The proposed duration of the sought water permit is 20 years.</p>	<p>Consistent</p>
<p>Policy 13.13.1 - Activities that result in little disturbance of the foreshore or seabed will be provided for as a permitted activity.</p>	<p>The proposed take of coastal water will result in little disturbance of the seabed, however, a small amount of disturbance of the dune top is anticipated when vehicles drive to access the well. This is an established area, previously compacted from other permitted uses in the area - namely the Salt Works operations.</p>	<p>Consistent</p>



Objective or Policy	Proposal	Consistency
<i>Policy 13.3.3 – Ensure that the use of recreational vessels and vehicles does not create a public nuisance, compromise the health and safety of other users or result in adverse effects on the coastal environment.</i>	The vehicle movements in the coastal environment associated with the take are able to comply with this policy as they do not compromise health and safety, or cause public nuisance. Adverse effects of operating heavy vehicle in the coastal environment is avoided as the area the vehicles need to drive on is hard packed as a result of the permitted and consented Salt Works operations.	
<i>Policy 13.13.3 – Control the use of motorised vehicles on the foreshore where this will impact on ecological values or safety of other foreshore users, where the foreshore acts as protection from the sea or on cultural, heritage and amenity values.</i>		
<p><i>Policy 13.13.7 – Proposals for an activity involving disturbance of the foreshore or seabed not otherwise provided for shall demonstrate that:</i></p> <p><i>(a) there will only be short-term adverse effects on plants, animals or their habitat and the area will be naturally recolonised by a similar community type;</i></p> <p><i>(b) the disturbance will be undertaken in a way that:</i></p> <p><i>(i) does not result in any significant increase in water turbidity or elevated levels of contaminants;</i></p> <p><i>(ii) does not result in significant adverse changes to bathymetry, foreshore contours, sediment particle size or physical coastal processes;</i></p> <p><i>(iii) does not have any off-site adverse effects; and</i></p> <p><i>(iv) is unlikely to cause or exacerbate shoreline instability or coastal erosion on adjacent coastal land.</i></p>	The proposed take can occur in a manner that does not cause any of the listed adverse effects.	Consistent

Overall, it is considered that the proposal is consistent with the objectives and policies of the MEP.

5.2 Objectives and Policies of the Wairau Awatere Resource Management Plan

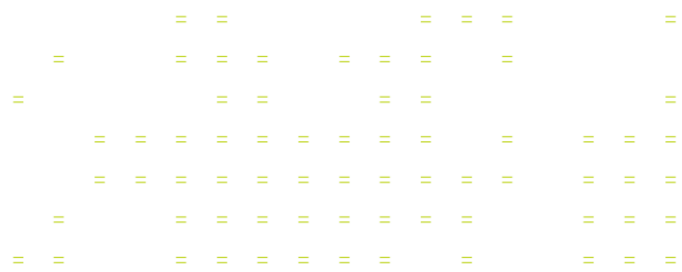
The following is an assessment of the proposed development against the applicable Objectives and Policies in Chapter 3 of the Wairau Awatere Resource Management Plan (WARMP):

Objective or Policy	Proposal	Consistency
Chapter 3 Coastal Marine		
<i>Policy 1.2 Avoid, as far as practicable, the adverse effects of coastal land and water use on coastal areas of significant conservation value.</i>	The proposed take of coastal water adjacent to Lake Grassmere is able to avoid adverse effects on conservation values.	Consistent

5.3 Regional Policy Statement

Given parts of the MEP are still under appeal it is useful to consider the provisions of the Marlborough Regional Policy Statement (MRPS) in relation to the proposal. Accordingly, the following assessment of the take of coastal water against the MRPS:

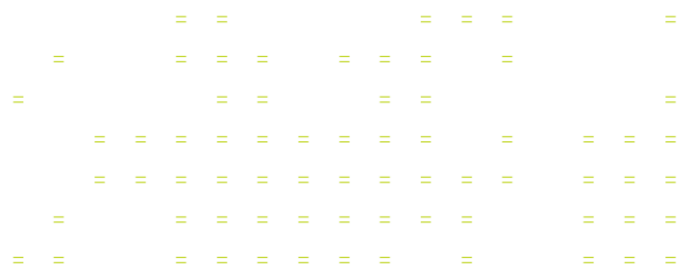
The Marlborough Regional Policy Statement contains policies and implementation methods that demonstrate a high value of coastal water quality. The desired outcomes of the policy direction regarding coastal water is the maintenance and enhancement of a sustainable marine ecosystem through the decrease in contamination and sedimentation as a result of land-based activities. The proposal is able to satisfy these requirements and is able to



maintain and enhance the quality of marine ecosystems. The existence of the land-based aspects of the proposal does not cause effects of sedimentation that affect marine ecosystems and the intake has been designed to reduce the potential to affect marine life.

5.4 Summary

On balance, it is considered the proposed take of coastal water is consistent with the relevant objectives and policies of the Marlborough Environment Plan, the Wairau Awatere Resource Management Plan, and the Marlborough Regional Policy Statement.



6 Assessment of environmental effects

In accordance with section 88 of the RMA and the Fourth Schedule, the following is an assessment of the actual and potential effects on the environment arising from the proposed take of coastal water. This assessment includes consideration of the relevant matters set out in Clauses 6 and 7 of the Fourth Schedule. As the proposed take of coastal water is a discretionary activity there are no matters to which Council's discretion is limited.

The potential effects of the take of coastal water can be categorised into the following key areas:

- Neighbourhood and community effects
- Physical, landscape or visual effects
- Effects on ecosystems
- Effect on natural and physical resources
- Risk from natural hazards
- Positive effects

6.1 Neighbourhood and community effects

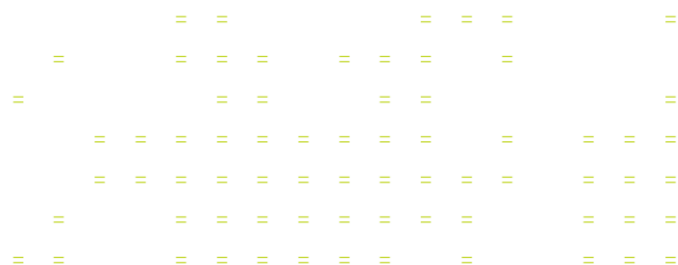
The take of coastal water from the beach well adjacent to Lake Grassmere has the potential adverse effects on the Coastal Environment. In order to use the take, the applicant needs to drive a tanker to the location of abstraction and once water has been abstracted, leave the vicinity. There are potential adverse effect on coastal amenity values associated with driving a heavy vehicle adjacent to the dune. This is mitigated by the proposal as the area of dune that is driven over is heavily modified and devoid of features that contribute towards coastal amenity values, and adjacent to existing permitted infrastructure along the coastline. The collection of infrastructure and associated vehicle use at a single point along the coastline avoids wide spread effects arising from the use of mobile machinery to and from the site. Given the relatively low abstraction rates, access to the site by means of mobile tankers is low and for short periods of time, therefore any actual effects arising from accessing the site will be less than minor. Furthermore, the access to the beach frontage, and the parking area adjacent to the well head and Salt Works intake structure does not exclude the public, meaning public vehicles are occasionally present in the area, having a similar effect as the mobile tanker on amenity values.

The take of coastal water has the potential effect of precluding other users from taking coastal water. The Salt Works has the only lawful intake structure in this area, and the proposed take has not affected the Salt Works intake given the separation between the two takes, and the nature of coastal takes. Furthermore, the well has been in use for over 35 years with no known impacts on the surrounding environment.

6.2 Physical, landscape or visual effects

The beach well was constructed as part of a salmon farm under consent number 7/00/0661. As the beach well was legally established and is existing infrastructure, the physical effect of constructing the well does not form part of this consent, and therefore has not been included in the consideration of this resource consent application. The proposal does not include any physical modification of land. For this reason, the physical, landscape and visual effects arising from the proposal will be less than minor.

The use of the site to access the take includes a mobile tanker to and from for part of the take, and this will occur at least once a week throughout the year in associated with Lanfar activities and in some weeks more often to support Fiordland Lobster Co. This use has the potential to impact on the natural character of the immediate area due to larger vehicles visible within the Coastal Environment Area. Given the duration to fill up the tanker is likely to be less than an hour in each case, and given other vehicles are able to access the area, the use will not appear



inconsistent with the natural character values of the area. The well head is located close to other lawful infrastructure avoiding appearing out of character along the coastline, and allowing the balance of the coastline to retain its uninterrupted appearance. Given this any effect on natural character values is considered to be negligible in this case.

6.3 Effects on ecosystems

The abstraction of water from the beach well causes additional water to be gravity fed into the well by the infiltration galleries (pipes) set below the mean high-water line. This has the potential to have adverse effects on ecosystems as fauna may be unintendedly taken into the well with no way to get out. This potential adverse effect is avoided by the proposal as the original design and construction of the beach well included wire screens over the infiltration galleries. The well head is also effectively screened in order to prevent contamination by any material gaining access and entering the well.

The driving of vehicles on the dune in order to access the take has potential adverse effects on any flora or fauna within the dune environment. This effect is avoided as the areas of the dune that are driven over are devoid of flora and fauna and limited to those areas previously formed in conjunction with public access and Salt Works operations. Due to this, the effect of the proposed take on ecosystems is considered to be minor.

6.4 Effect on natural and physical resources

The proposal seeks to take up to the equivalent of 1,002 m³ per day of coastal water from an area identified under the RMA as being open coastal water. This is a small amount of a plentiful resource that is used for a constructive purpose. The take point is located sufficiently beneath the surface of the water to not create a noticeable effect on the surface of the water or alter the natural coastal processes in this immediate area. This represents an efficient use of natural and physical resources. The effect on natural and physical resources will be minor.

6.5 Risks from natural hazards

The proposal is not anticipated to increase the extent to which people and property are exposed to the risk of natural hazards as the infrastructure is existing, and does not appear to have been affected by earthquakes or subsequent sea bed lift in this area. The risk from natural hazards arising from the proposal will be less than minor.

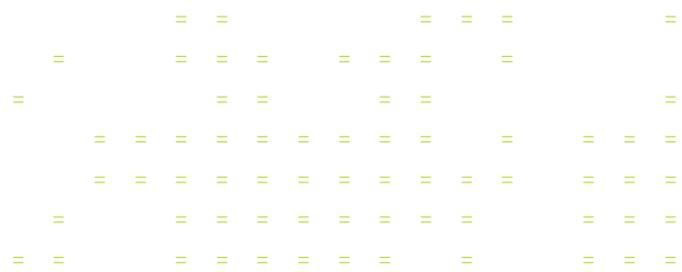
6.6 Positive effects

The take of coastal water will allow the applicant to continue their lobster and shellfish processing. These industries make a significant contribution to the regional economy and their ongoing functionality has a positive effect on Marlborough's economy, including provision of employment and ability for additional expenditure within the region by the applicant. This is considered to be a significant positive effect.

6.7 Potentially affected parties

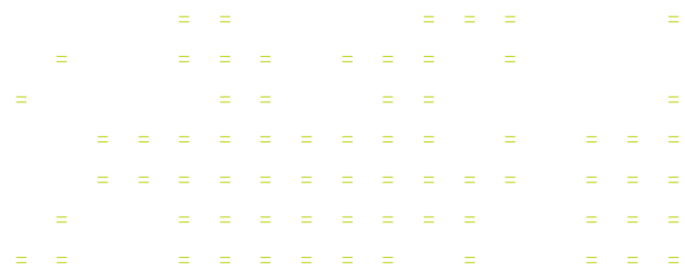
Under Schedule 4, clause 6(1)(f) of the RMA, an application for resource consent must identify the persons affected by the activity, any consultation undertaken and any response to the views of any person consulted.

In this case, the only potentially affected parties are Te Rūnanga o Kaikōura as local iwi for this area. These parties have been consulted through Ngāi Tahu. These parties have been consulted through Ngāi Tahu, and evidence of that consultation will be provided to Council in due course.



6.8 Effects summary

The proposed abstraction of costal water has potential adverse effects on the coastal environment in which the take enacted. These potential adverse effects have been mitigated by the design, location and rate of take of coastal water, and are considered to be minor. Additionally, the well has been in use for over 35 years without any evident adverse effects on the environment. The proposal contributes significantly to the region economically and is an efficient use of natural and physical resources.



7 Statutory framework

7.1 Part 2 of the RMA

The Resource Management Act (“RMA” or “the Act”) is the principal legislation for the management of the natural and physical resources of New Zealand. All resource consent applications are subject to the provisions of Part 2 of the Act, which sets out the purpose and principles that guide this legislation.

Section 5 of the RMA states that the purpose of the Act is “to promote the sustainable management of natural and physical resources”.

The term ‘sustainable management’ is defined in the RMA as meaning:

...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 well-being 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*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposed development is able to satisfy the purpose and principles of the Act, by adequately avoiding and mitigating any adverse effects on the environment arising from the take of coastal water

Section 6 of the Act requires certain matters to be recognised and provided for in relation to managing the use, development and protection of natural and physical resources. Of these matters of national importance, (a) is considered to be relevant to this proposal.

- 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 proposed take of coastal water is able to occur whilst allowing for the preservation of natural character as the effects of the take on the environment are minor. This is due to the driving of a vehicle to the well to abstract coastal water occurs infrequently on a small section of the dune that is trafficable and has existing vehicle tracks.

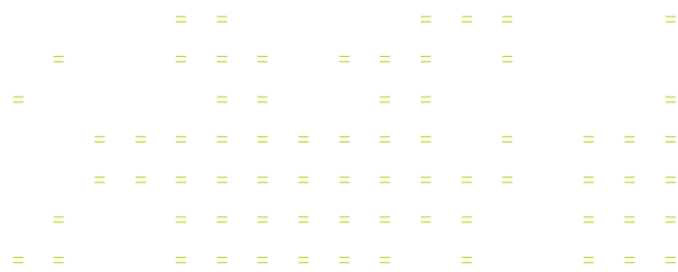
Section 7 of the Act lists other matters for which particular regard shall be given to. Subsections (a), (aa), (b), and (f) are considered to be relevant to the assessment of the consent application:

- (a) kaitiakitanga:*
- (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
- (f) maintenance and enhancement of the quality of the environment:*

The proposed take of coastal water will enable the economic activity in the region, by supporting lobster and shellfish industries. This is considered an efficient use of natural resources which is able to be undertaken while maintaining the quality of the environment. Kaitiakitanga or the ethic of stewardship is able to be fulfilled while undertaking the proposal as driving a vehicle on an already highly modified dune environment to abstract a small quantity of an almost unlimited resource does not preclude being an ethical steward of the environment.

Section 8 requires the Council to take into account principles of the Treaty of Waitangi. It states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).



It is considered that the proposal will not be inconsistent with the principles of the Treaty of Waitangi.

Section 14(1) of the RMA sets out that no person may take open coastal water in a manner that contravenes a National Environmental Standard or Regional Rule, unless expressly allow to by a resource consent. Given the take and use of coastal water was not provided for by the regional rule framework, a resource consent is required for the on-going take and use.

7.2 Other relevant documents

Under Schedule 4, Clause 2(g) of the RMA, the following is an assessment of the take of coastal water against the relevant provisions of any other relevant statutory documents (other than district plans or proposed district plans).

New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement's (NZCPS) objective is to safeguard the integrity, form, function and resilience of the coastal environment through the maintenance and enhancement of coastal water quality, and biological and physical processes. Objective one of the NZCPS seeks to enable people and communities to meet their economic, social and cultural wellbeing through the use of the coastal environment when such uses are unable to be undertaken elsewhere and can be carried out without compromising coastal values when undertaken in appropriate places, forms and limits. Policy 20 of the NZCPS details controls on vehicle access where environmental harm is resultant from vehicle access. This policy also states provision can be made for vehicle access where it is the only practicable to ensure the continuation of existing commercial activities. The proposed take of coastal water is able to remain consistent with the objectives and policies of the NZCPS. The proposal allows for people and communities to meet their economic wellbeing by facilitating the export of lobster. The take of coastal water for this activity occurs within a suitable form, limit and location to not cause significant adverse effects on the coastal environment. The vehicular access associated with the take of coastal water is consistent with the policy direction of the NZCPS as the activity is not able to be undertaken elsewhere, and is able to take place without causing adverse effects on the outstanding aspects of the coastal environment as listed in Policy 20.

Marine and Coastal Act (Takutai Moana) Act 2011

The Marine and Coastal Area Act deals with protected customary marine rights. Section 55 of this act precludes a consent authority from issuing a resource consent for an activity that will or likely will have adverse effects that are more than minor on the exercise of the protected customary right, unless the relevant written permission is given. While there are no recognised customary rights in Marlborough, there are applications for these rights that have special status granted by s62(3) of the act. S62 requires that applicants for customary marine title be notified, and their views sought before any application for resource consent is submitted that relates to a right conferred by a customary marine title. These parties will be identified and contacted to hear their views on the application.

7.3 Consideration of applications (Section 104-104B)

Section 104 sets out those matters that must be considered when assessing an application for a resource consent. Subject to Part 2 of the Act, Section 104(1) requires a consent authority to have regard to the following matters:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (ab) *any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
- (b) *any relevant standards of-*
 - (i) *a national environment standard;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*

- (iv) a New Zealand coastal policy statement;
- (v) regional policy statement or proposed regional policy statement;
- (iv) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Section 104B of the Act states in relation to the determination of applications for discretionary activities:

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under Section 108.

As the proposed take is provided for as discretionary, a water permit may be granted subject to appropriate conditions.

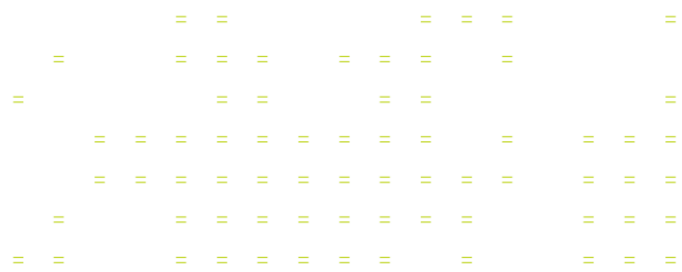
7.4 Notification

Public notification assessment

- None of the criteria listed in section 95A(3) that require public notification are relevant to this proposal.
- None of the criteria listed in section 95A(5) precluding public notification are relevant to this proposal.
- Pursuant to section 95A(8), the proposal is not subject to a rule or national environmental standard that requires public notification and, as assessed in this application, any potential or actual adverse effects are considered to be minor.
- Pursuant to section 95A(9)(b), there are considered to be no special circumstances relating to the application that warrant public notification.

Limited notification assessment

- None of the persons listed in section 95B(3) are considered to be affected persons in relation with this application.
- None of the criteria listed in section 95B(6) apply to this proposal.
- Under section 95B(7), and in accordance with section 95E, no persons are considered to be adversely affected by the proposal and therefore, no persons have been consulted.
- Pursuant to section 95B(10)(b), there are considered to be no special circumstances relating to the application that warrant limited notification.
- Pursuant to section 62(2) and (3) of the Marine and Coastal Area (Takutai Moana) Act 2011 the application has been provided to the applicants for customary marine title and protected customary rights for comment.



8 Conclusion

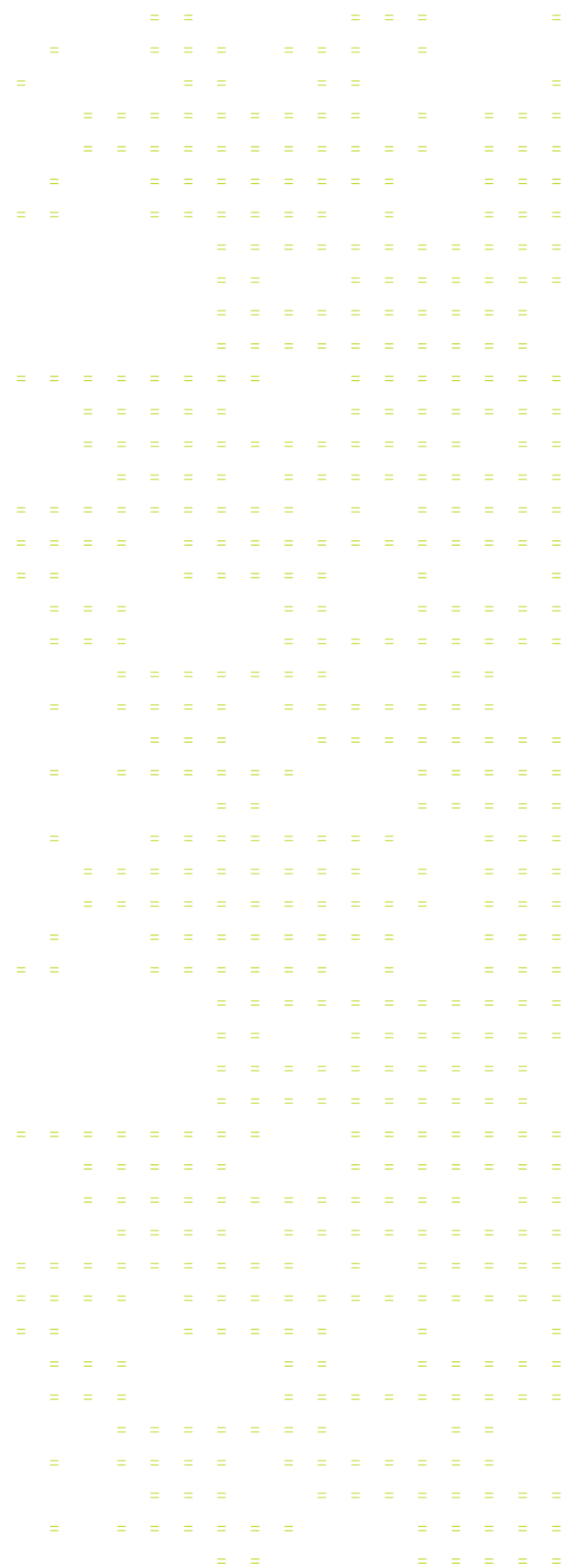
This application seeks a water permit to take coastal water from the beach well in front of Lake Grassmere.

The proposed activity is a **discretionary activity** under the MEP due to 22.5.6. take of water not provided for as permitted or limited as prohibited.

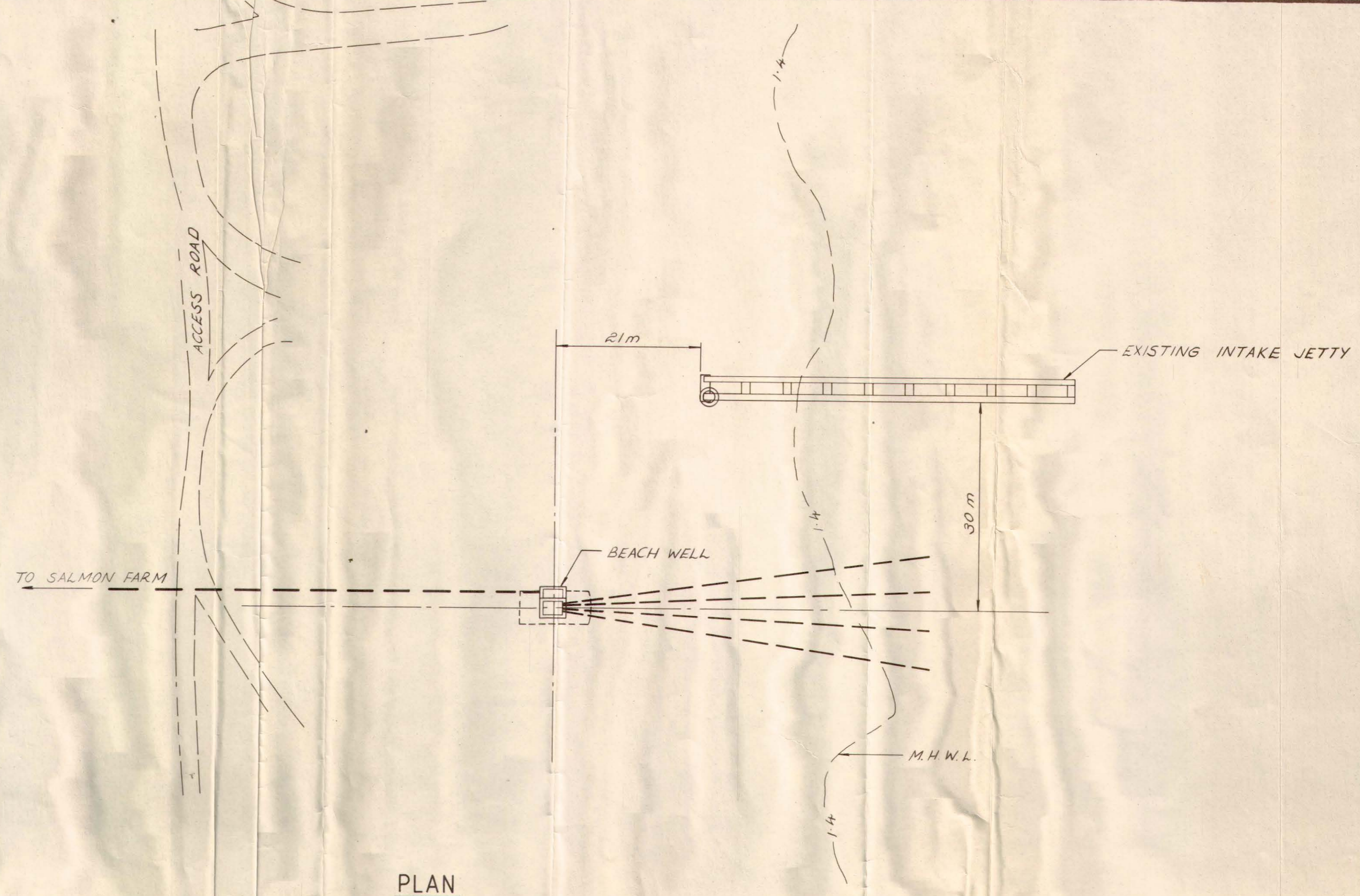
It has been demonstrated by the preceding assessment that the effects on the environment as a result of this proposal will be minor.

A water permit may be granted after limited notification.

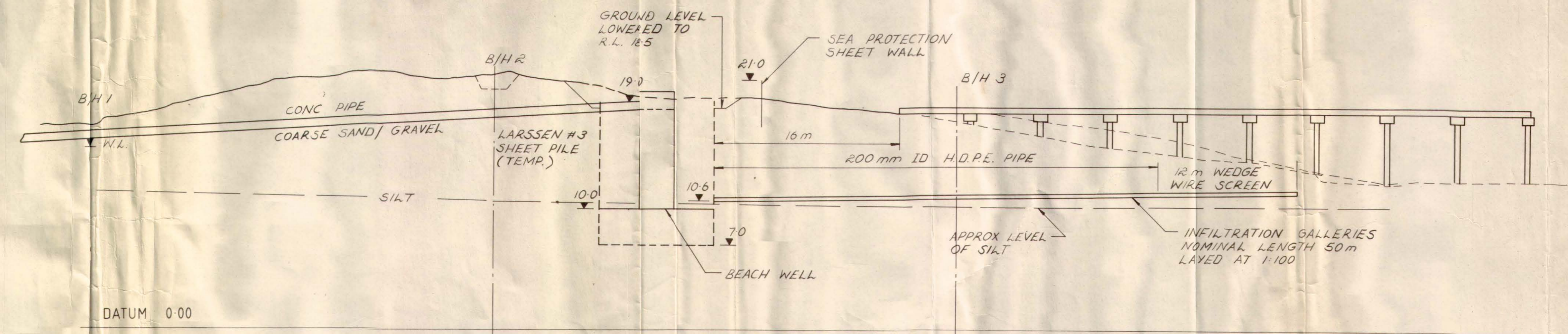
Appendix 1: Beach Well Plan



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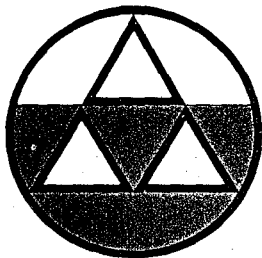
PLAN
1:500



CROSS SECTION
1:250

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ORIGINAL SIZE
A1

DESIGNED BY <i>M. Leach</i>		BY	CHECKED	DATE	R. B. FISHER DIRECTOR OF ROADING E. J. BURT CHIEF HIGHWAYS ENGINEER APPROVED D.C.E.	Ministry of Works and Development CIVIL ENGINEERING WELLINGTON CIVIL DESIGN OFFICE T.G. SHADWELL Commissioner	DOMINION SALT LTD. SALMON FARM DEVELOPMENT STAGE 2		ORIGINAL SCALES AS SHOWN	FILE 17 / 383		
DRAWN BY <i>S. SEATH</i>							BEACH WELL AND INFILTRATION GALLERIES PROPOSED GENERAL ARRANGEMENT		JOB 5 / 300 / 9	CODE 5504	SHEET	REVISION
DES. SUP.												
DWG. SUP.												
RECOMMENDED BY <i>R. Burt</i>		D.D.E.										
AMENDMENTS		BY	APPD.	DATE	D.D.E.							



TELEPHONE SEDDON 27021
TELEGRAMS 'SOLSALT'
TELEX SEASALT N.Z. 30435
PO. BOX 81 SEDDON

DOMINION SALT LTD.

LAKE GRASSMERE MARLBOROUGH NEW ZEALAND

18 August 1986

The Marlborough Harbour Board,
P.O. Box 84,
PICTON.

ATTENTION MR I.G. NICOL, SECRETARY

Dear Sir,

We wish to apply for a permit to install a four pipe beach well system in the foreshore at Lake Grassmere. This is to provide the total sea water supply to our experimental Salmon Farm as well as the water required for Solar Salt manufacture.

We would appreciate it if your Board would treat our application with urgency as we wish to commence work soon. The whole system needs to be complete and tested by early November, 1986.

This proposed system is in addition to that for which the permit No. 242 was issued on 13th February, 1986.

It is proposed to drive four pipes under the beach sands into the tidal zone to provide between 300 and 400 litres per second of filtered sea water at a pump chamber situated in the sand hill and that the water be pumped from that chamber via a buried pipe line to the Salmon Farm.

The construction method planned calls for a sheet piled driving chamber and that the filter pipes be driven under the beach area without disturbing the surface.

The proposal is generally as per the Ministry of Works and Development Drawing Job 5/300/9, enclosed.

The existing trial well system will be retained to supplement this system. The existing Intake pipe line and Jetty would be retained as a standby system and also would be used as a discharge thus increasing our capacity to discharge seawater and stormwater.

The work will be undertaken by various contractors and ourselves under the management of Ministry of Works and Development Engineers.

Yours faithfully,
DOMINION SALT LIMITED.

D.R. Langston
D.R. LANGSTON
WORKS MANAGER



MARLBOROUGH COUNTY COUNCIL

P.O. BOX 19

BLenheim, N.Z.

TELEPHONE 83-249

IN REPLY QUOTE REFERENCE APQ:CAM 7/00/661 Min. A6242

FOR ENQUIRIES ASK FOR Mr Morris

24 August 1984

COPIES SENT AS PER THE ATTACHED SCHEDULE

Dear Sir,

NOTIFIED PLANNING APPLICATION - DOMINION SALT LIMITED

Council at its meeting held on 24 August 1984 considered a recommendation from the Planning Committee on an application for consent to construct a salmon rearing facility at the sea intake to Lake Grassmere, such property being located at Lake Grassmere being Section 35, Blk XII, Clifford Bay S.D.

Council in adopting the recommendation resolved that pursuant to Section 74 of the Town and Country Planning Act 1977, consent be given to the application subject to the following conditions :

1. That overflow provisions be incorporated in the complex to ensure that surplus water is drained back to the sea without risk of accidental delivery into the Lake.
2. That the Company maintain the present practice of gauging the Lake each work day and keeping a weekly record which is to be available on request during normal working hours of the Grassmere Office.
3. That the consent include the staging of the pond construction over a period of 5 years.
4. Compliance by the company with the undertakings given to the objectors which were as follows :
 - a) That the pumping of seawater through the salmon farm system will not impose a detrimental effect on lake levels during flood conditions.
 - b) That all seawater pumping through the salmon farm during the normal winter months from April to August each year will be discharged directly back to sea.

- c) That daily monitoring of lake levels will continue as part of the Company's control procedures.
- d) That Company Management at Lake Grassmere will liaise with the property owners on flood discharge to the sea when flood conditions prevail and excessive lake levels are threatened.
- e) That these conditions as they affect the operation of the salmon farm will apply to any future owner of the farms affected.
- f) That the Company or any future owner of the salmon farm will carry forward the above undertakings to any future owner of the farms.

The grounds for the decision were that a facility such as the proposal was seen to have considerable economic and social benefits and was one that could not have been reasonably expected to be conducted when the scheme is drafted.

Members considered the environmental aspects were protected by the recirculating nature of the water usage and would represent a relatively small intrusion into the Lake Grassmere area.

Members also noted that as a result of discussions between the objectors and the applicant Company agreement had been reached to withdraw the objections.

Attention is drawn to Section 69 (1) of the Town and Country Planning Act 1977 which provides that the applicant and every body or person which or who objected may within one month after notification of the decision, appeal to the Planning Tribunal against the Council's decision or against any condition, restriction, or prohibition imposed in respect of that decision.

Notices of appeal must be set out as provided for in the first schedule to the Town and Country Planning Regulations 1978 and shall comply with Regulation 56 with regard to information to be supplied and persons or bodies upon whom notices of appeal must be served.

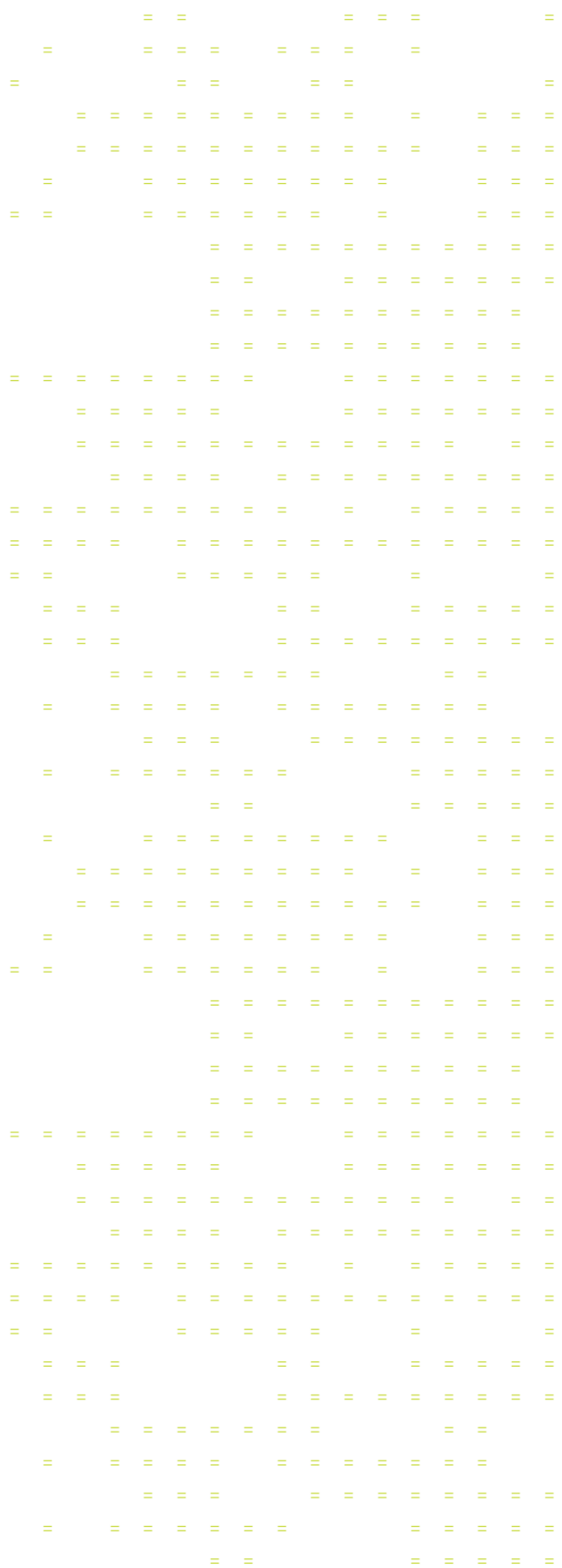
In accordance with the said Act this consent will generally lapse 2 years after the date on which it was granted, or 2 years after any appeal in respect of this application has been determined, and unless the person to whom it was granted has given effect to the consent within such period.

If there are any further enquiries regarding this consent, please contact Council's Assistant Executive Officer, Mr Morris.

Yours faithfully,

A.P. Quirk,
COUNTY SECRETARY.

Appendix 2: Site Plan





The accompanying material has been released by Council from its information repositories. Council does not accept any responsibility for the initial and ongoing accuracy to the material. It is the responsibility of the recipient to make such checks as the recipient considers appropriate to ensure accuracy. Services layers are schematic only and actual positions and level should be confirmed from Council's hard copy records.

Smart Maps Pro Print

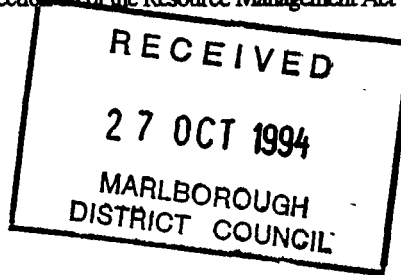
Appendix 3: New Zealand Oysters Consent U941340

MARLBOROUGH DISTRICT COUNCIL

Application for a Resource Consent

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

To: The General Manager
The Marlborough District Council
P O Box 443
BLENHEIM



FORM 5

1. FULL NAME AND ADDRESS

I, Mr/Ms/Mrs/Miss NZ OYSTERS LTD
(Postal Address) C/- M DAVISON RD 6 BLENHEIM

Telephone No. Private 035724722 Business 035724722 Fax 035724000

Name and Address for Service (If different from above, e.g. if agent is dealing with the application)
AS ABOVE

Telephone No. Private _____ Business _____ Fax _____

apply for the RESOURCE CONSENT described below :

The names and addresses of the owner and occupier (other than the applicant) of any land to which the application relates are : DOMINION SALT LTD

2. LOCATION

The location to which the application relates is : WATER INLET LAKE
SKASMORE

(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 & street address, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well known landmark, etc).

Grid Reference (NZMS 260 1:50,000 series) Map No P 2 9 NZMS 260

Easting

Northing

Legal Description LOTS 1-4 DP 8104 & SECS 27 31 32 33 35 50 44 31

(e.g Valuation Number, Property Number from rates invoice, Lot and DP Number)

SECS 63 66 72 & PTS. 26 SQ 3763 CT 58/270

3. TYPE OF CONSENT (Please tick appropriate box)

- | LAND USE | SUBDIVISION | DISCHARGE PERMIT | WATER PERMIT | COASTAL PERMIT |
|--|--|-----------------------------------|---|---|
| <input checked="" type="checkbox"/> Building | <input type="checkbox"/> Allotment Creation | <input type="checkbox"/> To Water | <input type="checkbox"/> Take Underground Water | <input type="checkbox"/> Occupancy |
| <input checked="" type="checkbox"/> Activity | <input type="checkbox"/> Boundary Adjustment | <input type="checkbox"/> To Air | <input type="checkbox"/> Take Surface Water | <input type="checkbox"/> Disturb Foreshore or Seabed |
| <input type="checkbox"/> Land Disturbance | <input type="checkbox"/> Flat Plan | <input type="checkbox"/> To Land | <input type="checkbox"/> Use Water | <input type="checkbox"/> Reclaim or Drain |
| <input type="checkbox"/> Burning | <input type="checkbox"/> Unit Title | | <input type="checkbox"/> Dam Water | <input type="checkbox"/> Remove Material |
| <input type="checkbox"/> Bore(Construction) | <input type="checkbox"/> Easement/ROW | | <input type="checkbox"/> Divert Water | <input type="checkbox"/> Plant Foreshore or Seabed |
| <input type="checkbox"/> Gravel Removal | | | | <input checked="" type="checkbox"/> Discharge to Seawater |
| <input type="checkbox"/> Dam(Construction) | | | | <input checked="" type="checkbox"/> Take Seawater |
| <input type="checkbox"/> River Surface or Bed Activity | | | | <input type="checkbox"/> Use Seawater |
| | | | | <input type="checkbox"/> Dam Seawater |
| | | | | <input type="checkbox"/> Divert Seawater |

CONTINUED ↗

4. DESCRIPTION

A description of the activity to which this application relates is :

~~TO TAKE SEAWATER TO PROPAGATE BIVALVES
 PLAT SYSTEMS (NO STRA COLUMNS) AND OTHERS +
 DISCHARGE WATER
 USING EXISTING BUILDING
 TO OPERATE AN AQUACULTURE HATCHERY IN AN EXISTING BUILDING
 BY TAKING SEAWATER FROM EXISTING INTAKE SYSTEMS AND USING
 THIS WATER TO RUN OPEN & CLOSED CIRCUIT SYSTEMS TO PROPAGATE
 MARINE SPECIES INCLUDING PLAT SYSTEMS. DISCHARGED WATER TO GO
 TO THE INCOMING WATER TO THE SALT WORKS. MARINE SPECIES WILL ALSO
 BE HELD IN TRAYS OR RACKS IN THE
 MAIN WATER INTAKE SYSTEM FOR ONGROWING~~

5. EFFECTS ON THE ENVIRONMENT

I attach an assessment of any effects that the proposed activity may have on the environment in accordance with Section 88 of, and the Fourth Schedule to, the Act.

6. OTHER INFORMATION

I attach other information (if any), required to be included in the application by the District or Regional Plan or Regulations.

7. SUBDIVISION CONSENT APPLICATION

(Where the application is for a subdivision consent) I attach information in accordance with Section 219 of the Act sufficient to adequately define :

- (a) The position of all new boundaries:
- (b) The areas of all new allotments (not required for cross-leases, company leases, or unit plans):
- (c) The location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under Section 230 of the Act:
- (d) The location and areas of any esplanade strips to be created under Section 232 of the Act:
- (e) The location and areas of any existing esplanade reserves, esplanade strips, or access strips:
- (f) The location and areas of land below mean high water springs of the sea or of any part of the bed of a river or lake which is to be vested in the Crown or location authority under Section 237A of the Act:
- (g) The location and areas of land to be set aside as new road.

8. COASTAL PERMIT (RECLAMATION) APPLICATION

I attach information in accordance with Section 88(7) of the Act to show the area proposed to be reclaimed, including its size and location, and the portion of that area (if any) to be set apart as an esplanade reserve.

Michael J. H. O'Connell for NZ Oysters Ltd 26/10/94
 Signature of applicant or person Date
 authorised to sign on behalf of applicant.

Marlborough District Council, Parker Street, P O Box 443, Blenheim, New Zealand
 TELEPHONE: (03) 578-5249, FACSIMILE: (03) 578-2818 or (03) 578-6866
 Picton Service Centre, High Street, Picton

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

This proposal is to operate an aquaculture hatchery in an existing building at the water intake for Lake Grassmere and to ongrow marine species in the existing water intake systems for the salt works.

The activities take place on the property of Dominion Salt Ltd and make use of existing facilities without the need for earthworks, buildings or any other significant construction etc. Nominal amounts of seawater are held then discharged into the incoming water systems. Contaminants in discharged water would be at very very low levels and virtually undetectable i.e. oyster spat faeces. Such discharges would have no effect on salt production or animal life in the area.

The visual effects will be an additional water tank plus some minor pipe work and storm water drainage pipes. Pump and motor noise will be virtually undetectable; mainly aquarium type pumps etc.

This facility will involve full time work for 1-2 people. The only effects on ecosystems will be to increase the numbers of the species being propagated (intended to be flat oysters but not limited to them).

Stock will be grown to specified sizes and either sold to marine farmers or held in the intake races for some or all ongrowing.

The activities take place in an isolated area with the nearest house being some kilometres away. There are no effects on the beach or Queens Chain.

Species
B/-valves
Paua

DISCHARGE PERMITS - COASTAL

Application Number

A. Is the application a renewal? (tick) Yes No

If Yes state previous Discharge Permit No.

B. Local Authority (tick)

- | | | | |
|---------------------|-------------------------------------|---------------------------|--------------------------|
| Marlborough Council | <input checked="" type="checkbox"/> | Kaikoura District Council | <input type="checkbox"/> |
| Nelson City Council | <input type="checkbox"/> | Tasman District Council | <input type="checkbox"/> |

1. If discharge is to surface water:
Name of receiving waters ~~GLIFFORD BAY~~ / LAKE STRATHMERE

2. Is discharge ~~Treated~~/Untreated

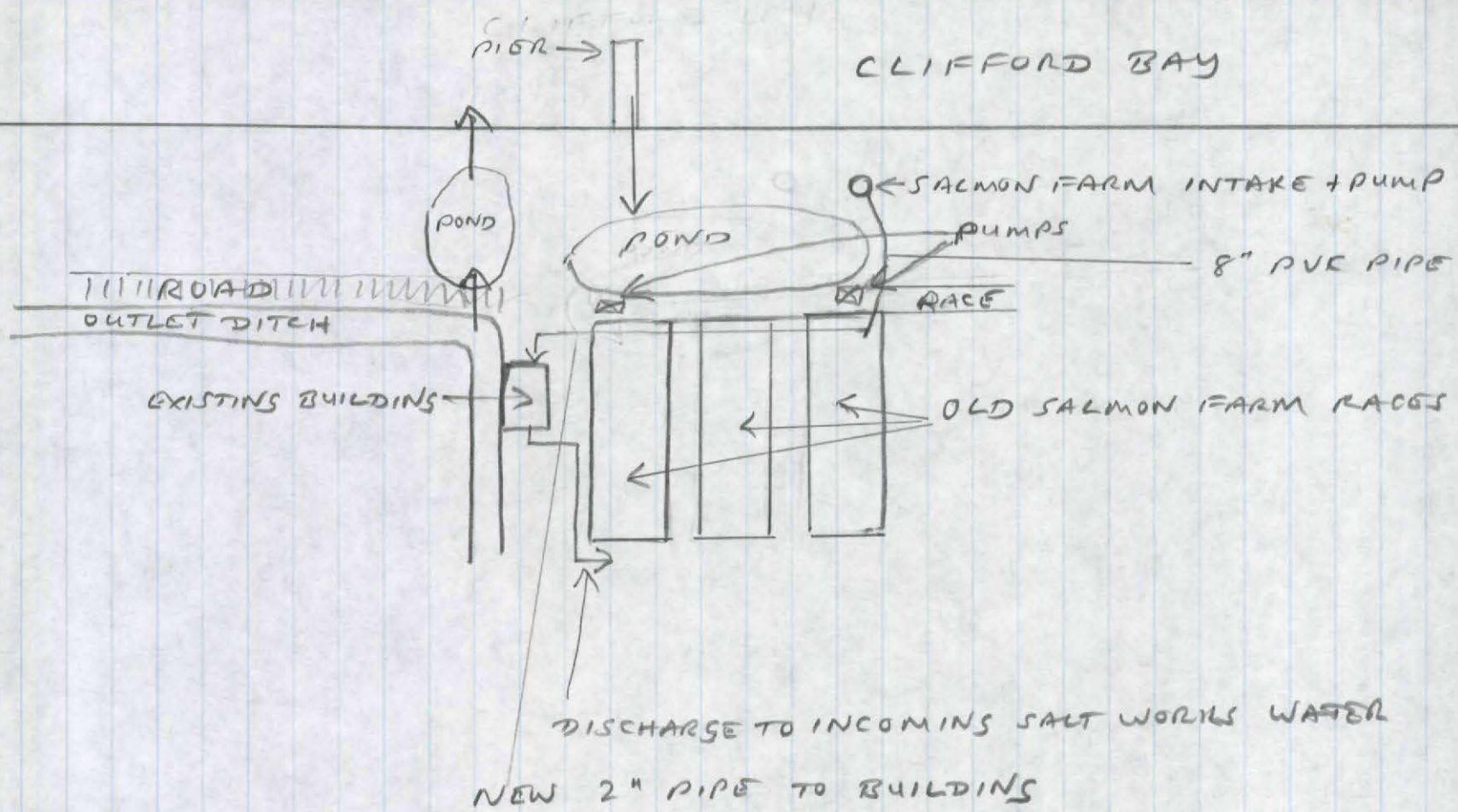
3. Is discharge ~~Continuous~~/Frequent/Intermittent

4. Describe any treatment process prior to discharge.
.....
..... NIL

5. Discharge to water:
Outfall configuration and location : 90mm STORM WATER PIPE
..... ~~TO BAY~~ INLET SYSTEM FOR SAIT WORK
(e.g. single 80mm I.D. pipe into 12m water at M.L.W.S.)

6. Other relevant details

Signature of applicant or authorised agent: Michael J Owen Date 26/10/94



WATER FOR HATCHERY COMES FROM OLD SALMON FARM INTAKE

WATER FOR SALT WORKS FLOWS THROUGH OLD SALMON FARM RACES OR TO SOUTH VIA RACE

The Resource Management Act 1991

Resource Consent
Application Number

Marlborough District Council

Written Approval of Person(s) likely to be Adversely Affected

PART A - To be Completed by Applicant

Applicants Name: NZ OYSTERS LTD

I have applied to the Marlborough District Council for a resource consent to: (Describe activity)

TAKE & DISCHARGE SEAWATER & PROPAGATE
FLAT OYSTERS & OR OTHER BIVALVES OR PAUA

The property to which this application relates is; (street address; legal description; locality; place name etc.)

PROPERTY OF DOMINION SALT LTD

PART B - To Be Completed by Person or Organisation Giving Approval

Name of person or organisation giving approval

(full name) DOMINION SALT LTD
(position if applicable) COMPANY SECRETARY
(address) PO BOX 446
BLINDEFIELD (daytime telephone)

I am the owner
occupier

Address (if different from above)
Legal description C/T 5B/270

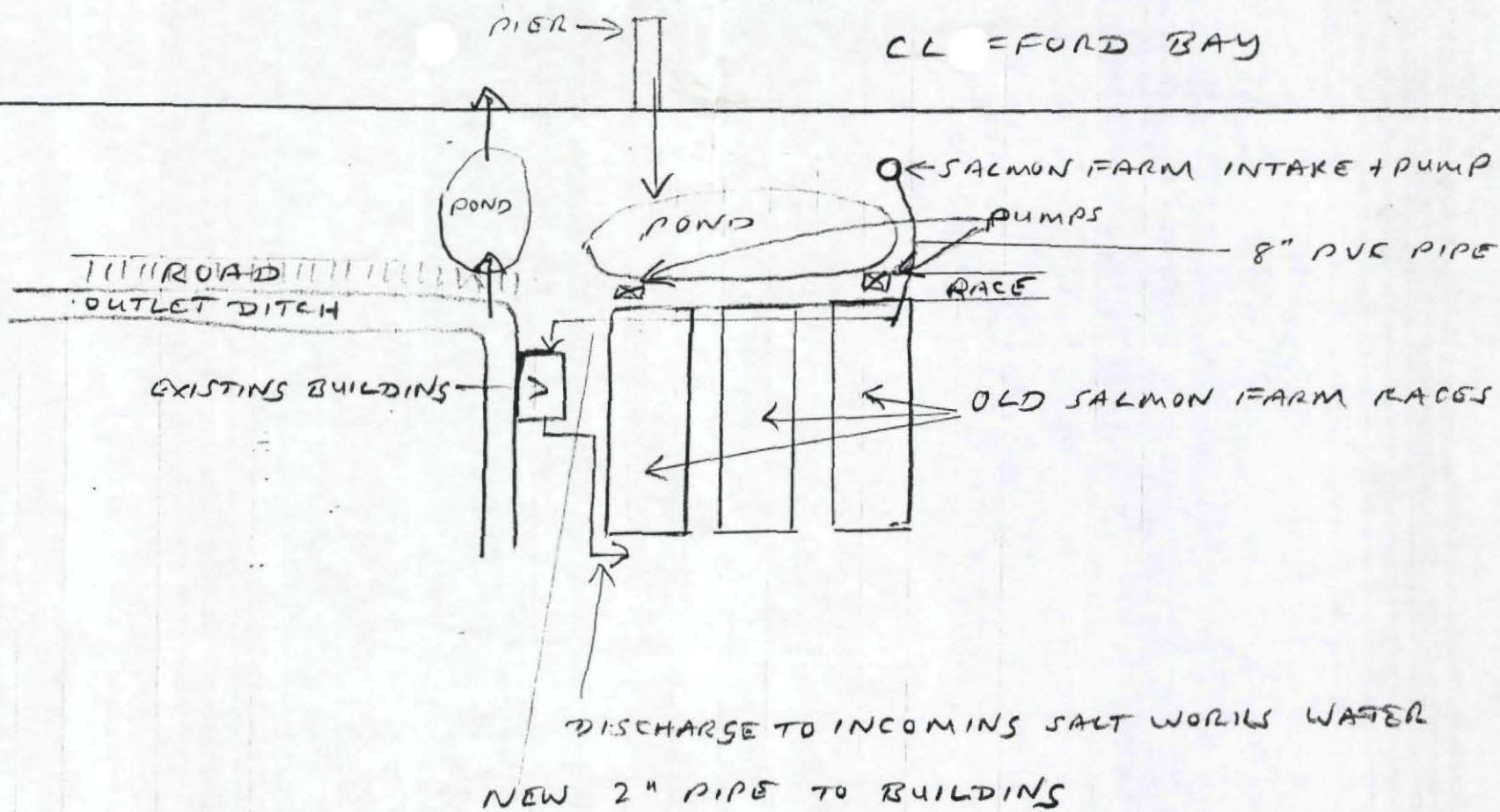
I hereby acknowledge:

- 1. I have been shown a copy of the above application, and assessment of effects on the environment, and;
- 2. I have been shown and have signed a copy of the site plan, or other relevant plan or drawing, which is attached hereto, and;
- 3. I do not oppose the proposed development and give my written approval in terms of the provisions of the Resource Management Act 1991, and;
- 4. I authorise the applicant to give this written approval to the Marlborough District Council, and;
- 5. I understand that in considering the application the Council will not take into account any actual or potential effect on my interests with respect to this proposal.

IT IS NOT APPROPRIATE TO IMPOSE CONDITIONS ON THIS FORM.

Please advise Council if you have concerns.

Signed: [Signature] Date 27/10/94
on behalf of: DOMINION SALT LTD



WATER FOR HATCHERY COMES FROM OLD SALMON FARM INTAKE

WATER FOR SALT WORKS FLOWS THROUGH OLD SALMON FARM RACES OR TO SOUTH VIA RACE

Works Manager
Dominion Salt Ltd.

Applicant's Name



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

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

Please complete all sections that apply.

GENERAL:

- 1. Do you currently hold a water permit that is due to expire? Yes / **No**
 If yes, please state the water permit number
 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) Clifford Bay
- 3. Freshwater Management Unit (FMU) N/A
- 4. Which class of water? Seawater
(A, B etc for surface water takes)
- 5. Maximum quantity of take litres per second (for surface water only)
 1,002 m³ Cubic metres per day (for surface water only)
 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 Well with intake gallery in ocean below high tide line
e.g. intake gallery, suction hose, diversion channel, etc.)
- 2. Intake Co-ordinates (NZTM) 2,608,426.140 E Easting
5,943,204.362 N Northing



DAMMING OR DIVERTING WATER:

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

USE WATER

GENERAL:

1. Purpose for which water is required, including area to be irrigated if applicable?
(Industrial, crop irrigation, etc)
 Aquaculture and Fisheries support.

2. Legal description for the site where water is to be used?
-

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

July	August	September	October	November	December

4. Maximum cumulative annual usage? 336,445 m³