

**Submission on Plan Change 61 -  
Minor Amendments  
to the Wairau/Awatere Resource Management Plan**



21 DEC 2012

MARLBOROUGH

Submissions close 5.00 pm Friday, 21 December 2012

**1. Submitter Details**

Full Name	WilkesRM Solutions Ltd		
Organisation (if applicable)			
Contact Person (if applicable)	Steve Wilkes		
Postal Address	WilkesRM Ltd		
	Temple Chambers		
	76 High Street, Blenheim, 7201	Post Code	
Email	steve@wilkesrm.co.nz		
Telephone	Business 5,772,162	Home	
	Fax	Mobile	21,668,477
Address for Service			
(if different from above)			
		Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)			Date 21/12/12

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?

Yes  No

**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: pc61@marlborough.govt.nz

For Office Use  
Submission No:

78

**5. The specific parts of the proposed plan change the submission relates to are as follows:**

see attached

*Continue on a separate sheet if necessary*

**6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)**

I support in part Proposed Plan Change 61 - Item 10 insofar as the Wairau Awatere Resource Management Plans current definition of 'winery' does not include the processing / production of wine as per the attached statement.

*Continue on a separate sheet if necessary*

**7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)**

That the following definition of a "winery" be adopted:

"Winery - a facility for the processing of grapes or other fruit for the production of wine, or juice for the subsequent production of wine, and the blending and storage of wine".

*Continue on a separate sheet if necessary*

## **Plan Change 61 – Submission**

### **1. Introduction**

There are some 45 wineries currently operating within Marlborough. Of that by far the majority (some 37 wineries or 82% of all Marlborough wineries) are located on land zoned Rural as per the Wairau Awatere Resource Management Plan (the Plan).

The need for the Plan to appropriately provide for existing winery expansion and new wineries is vital for ensuring the long term sustainability of the internationally recognised Marlborough viticulture industry. It is therefore of great importance that the Plan definition of a winery reflects those practices that are currently carried out within existing wineries.

Whilst the submission is lodged by Steve Wilkes of WilkesRM Solutions Ltd it is has been drafted in consultation with and is supported by the following parties:

- William Hoare, General Manager Fromm Winery;
- Mike Brown, CEO Kono Beveridges (Tohu Wines);
- Royce McKean, CEO Tiki Wines;
- Steve Lock, Marisco Wines Limited;
- Geoff Matthews, General Manager Wither Hills Vineyards;
- Ben Halliday, General Manager Marlborough Vintners; and
- Dan Taylor, General Manager Forrest Wines.

### **5. The specific parts of the proposed plan change this submission relates to are as follows:**

Item 10 – Wineries, distilleries, and breweries in rural environments

### **6. The submission is:**

A revised definition of the term “winery” is necessary as the current Plans definition doesn’t specifically address the bulk wine market (being sale and movement of bulk wine between wineries as opposed to the export of bulk wine) or the efficient use of fermentation capacity within the industry from crushing grapes to juice and then movement between wineries.

PC61 seeks to re-define winery as *“a facility for the processing of grapes or other fruit for the production of wine, or juice from the subsequent production of wine, premises for the retail sale of wine. Associated wine promotional material and associated dining facilities.”*

The proposed change to the definition of winery is generally supported by the submitter however it is considered that the revised definition, whilst a significant improvement and advance on the current definition, does not sufficiently define the actual processes that occur within wineries throughout Marlborough.

In addition the revised definition wording "or juice from the subsequent production of wine" appears is confusing and the meaning is unclear – juice is not produced from the subsequent production of wine, rather wine is produced from juice.

PC61 should re-define a winery as being:

"a facility for the processing of grapes or other fruit for the production of wine, or juice for the subsequent production of wine, and the blending and storage of wine".

I believe a pre-hearing meeting would be of benefit to discuss this submission.

**Submission on Plan Change 61 -  
Minor Amendments  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Friday, 21 December 2012**

**1. Submitter Details**

Full Name	Heather Jillian LETBE		
Organisation (if applicable)	N/A		<div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>                  21 DEC 2012                  MARLBOROUGH                  DISTRICT COUNCIL             </div>
Contact Person (if applicable)			
Postal Address	31 David Street Blenheim		
		Post Code	□ □ □ □
Email	N/A		
Telephone	Business	N/A	Home 03 578 6791
	Fax	N/A	Mobile N/A
Address for Service			
(if different from above)			
		Post Code	□ □ □ □

Signature (of submitter or person authorised to sign on behalf of submitter) Heather Letbe Date 21/12/12

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496  
Email: pc61@marlborough.govt.nz

For Office Use  
Submission No:

5. The specific parts of the proposed plan change the submission relates to are as follows:

I have read the proposed plan changes and support the changes.

Continue on a separate sheet if necessary

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

Would like to see some clarification of what consists of a Hazard rather than removal altogether but other than that support the ~~the~~ changes the Council proposes.

Continue on a separate sheet if necessary

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

Continue on a separate sheet if necessary

1. The specific parts of this Plan that our submission relates to are:	2. Our submission is that:	3. We seek the following decisions:
Marlborough Sounds RMP Plan Change 26	We support the proposed changes for the reasons outlined in the report.	Retain proposed change.
Item 2 Setback from water bodies	We support the proposed changes for the reasons outlined in the report.	Retain proposed change.
Item 8 Include drainage channels in the rules requiring discharge setbacks from water bodies	We support the proposed changes for the reasons outlined in the report.	Retain proposed change.
Wairau/Awatere RMP Plan Change 61 Item 1 Policy on term of water permits to take and use water	We support the proposed changes for the reasons outlined in the report.	Retain proposed change.
Item 3 Setback from water bodies for reasons other than avoiding flood hazard	We support the proposed changes for the reasons outlined in the report.	Retain proposed change.
Item 8 Include rules for the damming of water	We are neutral on this issue, but see that it is a logical step to include the damming of water as an effect of constructing the dam. However, Council would need to ensure that the consequences of constructing a dam then considered the effects of damming water behind it.	Neutral on proposal for change. If it is changed, ensure factors are present in the plan to consider the effects of damming the water, e.g. inundation effects, riparian, etc.
Item 9 Subdivisions in the Conservation Zone	Support proposed change for reasons outlined.	Retain proposed change.
Item 12 Include drainage channels in the rules requiring discharge setbacks from water bodies	Support proposed change for reasons outlined.	Retain proposed change.

We wish to be heard in support of our submission. Please note that I am on annual leave between 21 December 2012 and 11 February 2013.

Signed: Debs Martin, Regional Field Officer

Date: 21 December 2012

**Marlborough District Council**  
**Marlborough Sounds Resource Management Plan Change No 26**  
**&**  
**Wairau/Awatere Resource Management Plan Change No 61**

**By**

**Royal Forest and Bird Protection Society NZ (Inc), Central Office**  
**(incorporating Marlborough branch)**

Contact Person: Debs Martin  
Address: PO Box 266, Nelson 7040  
Phone: 03-989-3355  
Email: d.martin@forestandbird.org.nz

The Royal Forest and Bird Protection Society Incorporated ("Forest and Bird") has campaigned for nearly 90 years for the protection of New Zealand's native species and the habitats on which they depend. Around 80,000 members and supporters nation wide support the Society's objectives of secure protection for native species, ecosystems, and landforms.

The constitutional purpose of Forest and Bird is to:

*"To take all reasonable steps within the power of the Society for the preservation and protection of the indigenous flora and fauna and natural features of New Zealand, for the benefit of the public including future generations."*

**General Comments:**

We note these changes are considered minor amendments for consistency. We restrict our submissions therefore to minimal comments and only with respect to issues that are of primary importance to our Society.



**Submission on Plan Change 61 -  
Minor Amendments  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Friday, 21 December 2012**

**1. Submitter Details**

Full Name	Marcus Pickens & Dominic Pecchenino (Chairman)		
Organisation (if applicable)	Marlborough Winegrowers Association Incorporated		
Contact Person (if applicable)	Marcus Pickens		
Postal Address	PO Box 511		
	Blenheim		
		Post Code	7, 2, 4
Email	marcus@wine-marlborough.co.nz		
Telephone Business	35,779,299	Home	
Fax	35,779,298	Mobile	21,831,820
Address for Service			
(if different from above)			
		Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)	Marcus Pickens	Date	20.12.12

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496  
Email: pc61@marlborough.govt.nz

For Office Use  
Submission No:

81.

**5. The specific parts of the proposed plan change the submission relates to are as follows:**

Item 10 Wineries, distilleries, and breweries in rural environments.

It is the intent of Plan Change 61, item 10 to delete the current definition of a winery from Chapter 26 and replace it with the following:

WINERY - a facility for the processing of grapes or other fruit for the production of wine, or juice from the subsequent production of wine, premises for the retail sale of wine, associated wine promotional material and associated dining facilities.

*Continue on a separate sheet if necessary*

**6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)**

As the wine industry representative body for Marlborough, Marlborough Winegrowers Association Inc. (MWGA) believes that the definition should be widened to include the following points.

A winery is a facility for:

- The receipt of grapes and other products associated with the production wine;
- The processing of grapes or other fruit or juice for the production of wine;
- The blending and storing of wine;
- The dispatch of wine;

There is uncertainty regarding the commercial activities that some wineries undertake and what part of the Wairau/Awatere Resource Management Plan these activities are defined within. It is noted that the commercial activities are also included in the proposed Marlborough District Council new Definition of a Winery that is listed above in Point 5. MWGA would like further clarification on the following aspects of Winery activities and where they sit. Our definition would be widened so the commercial activities include "The consumer tasting of wine(s), premises for the retail sale of wine, associated wine promotional activities and associated dining facilities".

*Continue on a separate sheet if necessary*

**7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)**

Amend Item 10 Wineries, distilleries, and breweries in rural environments and the definition within this to include the above activities which are important aspects of a winery operation.

*Continue on a separate sheet if necessary*

**Submission on Plan Change 61 -  
Minor Amendments  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Friday, 21 December 2012**

**1. Submitter Details**

Full Name	Marcus Pickens & Dominic Pecchenino (Chairman)		
Organisation (if applicable)	Marlborough Winegrowers Association Incorporated		
Contact Person (if applicable)	Marcus Pickens		
Postal Address	PO Box 511		
	Blenheim		
		Post Code	7, 2, 4
Email	marcus@wine-marlborough.co.nz		
Telephone	Business	35,779,299	Home
	Fax	35,779,298	Mobile
			21,831,820
Address for Service			
(if different from above)			
		Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)	Marcus Pickens	Date	20.12.12

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: pc61@marlborough.govt.nz

For Office Use  
Submission No:

**5. The specific parts of the proposed plan change the submission relates to are as follows:**

Item 1: Policy on term of water permits to take and use water.

It is the intent of Plan Change 61, Item 1, to remove the RMA provision for 30 year water permit terms and introduce 10-year water permits by changing the existing Policy 1.3 to read:  
"To issue water permits to take and use water for a period of 10 years where water resources are either fully allocated or over-allocated relative to the allocation limits set in this Plan or where water is taken from a resource for which no SFR has been established in the Plan".

*Continue on a separate sheet if necessary*

**6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)**

This submission opposes the that the maximum period of a Resource Consent to take and use water is limited to 10 years. As the wine industry representative body for Marlborough, Marlborough Winegrowers Association Inc. (MWGA) believes that the proposed change to shorten consent terms will put wine industry participants using this resource under undue financial pressure. There is significant financial investment in the establishment of water infrastructure and significant development costs to establish viticultural enterprises. Such developments are long term investments and as such require long term water certainty over a 20 - 30 year time frame to underpin these investments.

MWGA notes that the third report of the Land and Water forum has signalled that Councils should grant consents for a minimum of 20 years and that longer durations should become the norm. MWGA believes that a shorter consent term will in many cases increase the frequency of renewals (depending on consent number and cycles) and this is a costly and time consuming process.

*Continue on a separate sheet if necessary*

**7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)**

Delete entirely Item 1 "Term of Water Permits for the Taking of Water from the Proposed Plan Change - Schedule of Changes"

That no further action on this item be contemplated until the completion of the Water Allocation Plan Review.

Further consultation with The Marlborough Water Forum is undertaken and MWGA is kept informed of progress.

*Continue on a separate sheet if necessary*

**Submission on Plan Change 61 -  
and Amendments  
to the Wairau/Awatere Resource Management Plan**



**MARLBOROUGH  
DISTRICT COUNCIL**

**Submissions close 5.00 pm Friday, 21 December 2012**

**Submitter Details**

Full Name	Graeme Orchard		
Organisation (if applicable)	G.S. & F.W. Orchard Ltd		
Contact Person (if applicable)	Graeme Orchard		
Postal Address	25 Camerons Rd.,		
	RD 1.,		
	SEDDON	Post Code	7285
Email	gforchard@xtra.co.nz		
Telephone	Business 274,187,670	Home	35,757,189
	Fax	Mobile	274,187,670
Address for Service			
(if different from above)			
		Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)			Date 21/12/2012

**Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) the First schedule of the RMA for further information.

**Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?  Yes  No

**Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: pc61@marlborough.govt.nz

For Office Use  
Submission No:

82

The specific parts of the proposed plan change the submission relates to are as follows:

---

m 1. Leave term as 30 years.

---

*Continue on a separate sheet if needed*

**My submission is:** *(state the nature of your submission whether you support or oppose (in full or in part) specific provisions)*

---

My submission opposes that the maximum period of a Resource Consent to take and use water is limited to 10 years. Part from the huge cost involved in renewing water consents, Ten years does not allow for certainty in on going planning for future diversification and land development which can only be implemented with the knowledge that irrigation is a certainty a 10 year period.

*Continue on a separate sheet if needed*

**The decision I seek from Council is:** *(where amendments are sought, provide details of what changes you would like to see)*

---

m 1. Not further action to be taken on this until the completion of the water allocation plan review.

*Continue on a separate sheet if needed*