

RESOURCE CONSENT DECISION

Grenadier Limited

Decision on an application for a resource consent to **drill an exploration bore to retain as a monitoring well at 765 Muhunoa West Road, Ohau.**

Application Reference: APP-2020202949.00

Decision Date: 27 August 2020

Lapse Date: 27 August 2025

Application Summary

Proposal

Grandier Limited (hereafter the Applicant) have applied for a resource consent to drill and construct an exploration bore to retain as a monitoring well at 765 Muhunoa West Road, Ohau on the property legally described as Lot 1 DP 51446. The bore will be constructed at approximate map reference NZTopo50: BN33:833-979, at a depth of approximately 100m and a diameter of 150mm.

The Applicant indicates that bore construction will be undertaken by Nevill Webb & Sons Limited. The bore will be constructed in a manner which assumes it cannot access more than one aquifer and does not result in leakage from the ground surface to groundwater.

The following table summarises the activity associated with this resource consent application, and the authorisation number allocated to the activity.

Activity Summary

Activity Description	Status	Authorisation Number
Land Use Consent, Bore Construction	Rule 16-14: Controlled Activity	ATH-2020203699.00

The overall activity status of this application is considered to be a Controlled Activity under Rule 16-14 of the One Plan (2018). Resource consent applications under this rule will not be notified and written approval of affected persons are not required.

Assessment Summary

The application has been assessed against the following:

1.1 Environmental Effects (Section 104(1)(a))

Actual and Potential Environmental Effects

Water Quality Effects

Drilling of groundwater bores can potentially result in contamination of the groundwater resource from drilling fluids, or following construction if they are not sealed correctly. A condition has been recommended which requires the Applicant to install a backflow preventer to ensure this potential adverse effect is avoided.

In addition, if the bore is not sealed correctly there is potential for contaminated water from the ground surface to enter groundwater. Condition 7 has been recommended which requires the Applicant to case, screen and seal the bore, to minimise the likelihood of this occurring, and to minimise the potential for aquifer cross-contamination.

The bore is to be located approximately 300 metres away from the nearest waterway, which is the Ohau River. The bore is not located within a rare, threatened, or at-risk habitat.

CONCLUSION

Provided the bore is constructed in accordance with the consent application and conditions in the attached condition schedule, the potential effects of the proposed activity are considered to be less than minor.

1.2 Relevant Provisions (Section 104(1)(b))

Relevant Provisions

National Environmental Standard for Sources of Drinking Water (21 December, 2007)

OBJECTIVE 03 Resource Consent Activities with Potential to Affect Certain Drinking-Water Supplies

NATIONAL ENVIRONMENTAL STANDARD CONSIDERATIONS

The proposed bore is located approximately 4.6 km from the nearest source of drinking water (Kikopiri Marae that supplies a population of 20 people). Provided the bore is constructed in accordance with the consent application and recommended conditions in the attached condition schedule, it is considered the activity will be consistent with Objective 03 of the NES for Sources of Human Drinking Water (2007).

Regional Policy Statement (One Plan, 2018)

OBJECTIVE 5-2 Water Quality

POLICY 5-6 Maintenance of Groundwater Quality

POLICY 5-20 Overall Approach for Bore Management and Groundwater Allocation

REGIONAL POLICY STATEMENT CONSIDERATIONS

Policy 5-6 outlines the required management for land use activities to ensure existing groundwater quality is maintained or enhanced. Policy 5-20 outlines that new bores must be constructed in accordance with Policy 16-4 of the Regional Plan. Provided the bore is constructed in accordance with

the consent application and recommended conditions of consent, I am of the opinion that the proposed activity is consistent with the Regional Policy Statement.

Regional Plan (One Plan, 2018)

OBJECTIVE 16-1 Regulation of Takes, Uses and Diversions of Water

POLICY 16-4 Bore Construction and Management

POLICY 16-5 Effects of Groundwater Takes on Other Groundwater Takes

REGIONAL PLAN CONSIDERATIONS

Objective 16-1 relates to regulation on takes of water and groundwater use and allocation in Chapter 5. Policy 16-4 has regard to how and where the bores should be constructed and managed. The proposed bore is located approximately 1.3km from the nearest neighbouring bore. Therefore, there is minimal risk of aquifer cross-contamination. Provided the bore is constructed in accordance with the consent application and recommended conditions of consent, I am of the opinion that the proposed activity is consistent with the Regional Plan.

CONCLUSION

Overall, I am of the opinion that the proposed activity is consistent with the relevant Objectives and Policies of the One Plan (2018) and the NES for Sources of Human Drinking Water (2007).

1.3 Purpose and Principles (Resource Management Act Part 2)

Principles

Part 2 of the Resource Management Act 1991 outlines the purpose and principles of the Act. Following the Davidson Decision (*RJ Davidson Family Trust v Marlborough District Council [2018] NZCA 316*) the Court identified there is the ability to recourse to Part 2 when it is appropriate to do so. In this case, recourse to Part 2 is not required as it is not considered that there is any illegality, uncertainty or incompleteness in the relevant part of the One Plan 2018. Recourse to Part 2 would not provide any further guidance to the decision maker for this consent. Furthermore, no such issues have been identified and as such no further assessment against Part 2 of the Resource Management Act, 1991 is considered necessary for this consent.

Recommendation

It is recommended that the resource consent application by **Grenadier Limited** to drill an exploration bore to retain as a monitoring well at 765 Muhunoa West Road, Ohau be granted, subject to the conditions outlined in the attached condition schedule for the following reasons:

- a. I have assessed the activity and am satisfied the proposal will have less than minor actual or potential adverse effects on the environment;
- b. the activity is consistent with the relevant Objectives or Policies of the One Plan and the NES for Sources of Human Drinking Water (2007); and
- c. the activity is a Controlled Activity, and therefore, must be granted.



Bryony Hall

CONSENTS PLANNER

Decision

The Manawatū-Whanganui Regional Council Senior Consents Planner, grants resource consent for the reasons stated in the recommendation, to **Grenadier Limited** under sections 104, 104A, and 108 of the Resource Management Act 1991 to drill an exploration bore to retain as a monitoring well at 765 Muhunoa West Road, Ohau be granted, subject to the conditions outlined in the attached condition schedule for an unlimited term.



Sara Westcott

SENIOR CONSENTS PLANNER

Made Under Authority Delegated to the Senior Consents Planner

27 August 2020

1. Muhunoa West Water Supply Works

The following details the location, classifications and conditions associated with the activity.

Authorisation Number	ATH-2020203699.00
Activity Type	Land Use, Land
Activity Class	Controlled Activity
Primary Activity Purpose	Land Disturbance, Drilling, Bore (depth >20 metres)

Location

The following summarises the authorised location for the consented activity.

Activity Location Description	765 Muhunoa West Road, Ohau
Valuation Number	14810/112.04
Legal Description	Lot 1 DP 51446
Map References	LOC-2020805300 (Centroid: BN33:833-979)

Classifications

The following summarises the classifications associated with the application activity.

Groundwater Management Zone	Horowhenua
Water Management Zone	Ohau Catchment, Ohau, Lower Ohau (Ohau_1b)
Associated River	Ohau River (321000)

Activity Specific Conditions

Descriptive Specification

1. This consent authorises the drilling of a bore on the property legally described as **Lot 1 DP 51446** (hereafter referred to as the property) at approximate map reference NZTopo50 **BN33:833-979**.
2. The Consent Holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents first lodged with the Manawatū-Whanganui Regional Council on **19 August 2020**. Where there may be inconsistencies between information provided by the Applicant and conditions of the resource consent, the conditions of the resource consent apply.

ADVICE NOTE: Any variance from the location, design concepts and parameters, implementation and / or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

Pre-Development Assurance

3. The bore must be designed, drilled and constructed:
 - a. in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock;
 - b. allow for the installation and operation of a flow meter; and
 - c. include an access point which will enable groundwater levels to be monitored in the future, if required.

ADVICE NOTE: Please be aware that if the bore is drilled close to a waterway any take from the bore may be considered riparian (rather than groundwater). If you are unsure whether your proposed bore location may be riparian, please contact Horizons Regional Council Consents Team on 06 952 2824.

ADVICE NOTE: Please be aware that if a bore is drilled close to a pre-existing bore, there is the potential for adverse effects to neighbouring bores which could jeopardise the ability to gain consent to take water from the bore. If you are unsure whether your proposed bore location may be too close to an existing bore, please contact Horizons Regional Council Consents Team on 06 952 2824.

4. The bore shall be designed, constructed and operated in a manner that prevents:
 - a. contaminants from entering the bore from the land surface; and
 - b. the wastage of water in artesian situations.

5. The Consent Holder shall install a backflow preventer to ensure that bore drilling fluids or water abstracted during construction of the bore do not flow back into the groundwater aquifer.
6. The Consent Holder shall contact Manawatū-Whanganui Regional Council's Consent Monitoring Team at least **forty-eight (48) hours** prior to bore drilling commencing.

ADVICE NOTE: The Consents Monitoring Team can be contacted on 0508 800 800 or via email consents.monitoring@horizons.govt.nz.

Environmental Standard

7. The bore shall be cased, screened and sealed to ensure aquifer cross-connection, and leakage from the ground surface into ground water cannot occur.

Operational Restrictions

8. The Consent Holder shall ensure that bore drilling fluids and water abstracted during construction of the bore is prevented from entering any surface water body.

Post-Development Assurance

9. The bore must be maintained (cleaned/disinfected/decommissioned) in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock.
10. The Consent Holder must supply the information outlined in the Water Well Log Form attached to this resource consent to Manawatū-Whanganui Regional Council within **one (1) month** of the bore drilling being completed.

Lapsing

11. If this resource consent is not given effect to by **27 August 2025** it shall lapse pursuant to s125 of the Resource Management Act 1991.