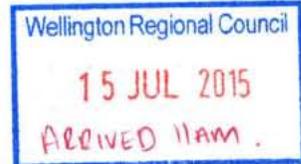


15 July 2015

Jeremy Rusbatch
Consents Management
Greater Wellington Regional Council
PO Box 11646
Manners Street
Wellington 6142

FILE REF:	
WGN / 16 / 00 / 11 / 11	
- v1	
Doc. No. 1507504	
Referred to	int
A. CROSS	
J. RUSBATCU	
ANZ CHQ	
(SPENCER HOLMES LTD)	
FOR \$1224.75	
SENT TO AIC'S	

PO Box 588
Level 6, 8 Willis Street
Wellington 6140, New Zealand
Phone 04 472 2261
Email admin@spencerholmes.co.nz



Dear Sir,

Re: Unilever - Water Permit Renewal and Transfer

Please find enclosed on behalf of the applicant, Prime Property Group, two copies of an application for water permit renewal and transfer.

This application is made pursuant to section 88 of the Resource Management Act 1991, and incorporates all information required by Form 9 and Schedule 4 to the Act.

A cheque for 1224.75 is enclosed, being payment of the processing fee required by Council. We trust the attached information is satisfactory and look forward to your favourable response.

If you have any further queries, please do not hesitate to contact me on (04) 472 2261.

Yours faithfully
Spencer Holmes Limited

Ian Leary
Director - Survey and Planning

[Redacted]

Enc: Consent Application
cc: [Redacted]



***Application
for
Renewal
of a
Water Permit***

***476-496 Jackson Street
Petone***



Form 1: Application for resource consent

All sections must be completed in full and accompanied by the initial fixed application fee (see section 12) and the relevant activity form (see section 7). Failure to do so may result in your application not being accepted and/or returned. Please note that all information provided in your application is available to the public.

You can lodge your application in any of the following ways:

- By post to PO Box 11646, Wellington or PO Box 41, Masterton
- In person at our Wellington office (Shed 39, 2 Fryatt Quay, Pipitea) or Masterton office (34 Chapel Street)
- By email to info@gw.govt.nz (a signed PDF copy is required)

Office use only:	
FILE REF:	
Doc. No.	
Referred to	Int

1. Applicant's details

Applicant(s) name(s) and address ie, whose name will be on the consent. Note if a private or family trust is the applicant, all the trustees are required to provide contact details and sign the application form (see 4. below)

Name: **PRIME PROPERTY GROUP** T: Business: **04 499 1773** T: Private: _____
 Address: **P.O. Box 11785** Fax: _____ T: Mobile: _____
 Address: **WELLINGTON** Email address: _____

The applicant is the:

- Owner Occupier Lessee Prospective Purchaser The Crown
 Network Utility Operator Other Please specify: _____

2. Agent's details

Agent's name and address Please note that all correspondence will be sent to the Agent as the first point of contact during the application process, unless instructed otherwise

Name: **SPENCER HOLMES LTD** T: Business: _____ T: Private: _____
 Address: **P.O. Box 588** Fax: _____ T: Mobile: _____
 Address: **WELLINGTON** Email address: _____

3. Property owner's details (if different from above)

Name: _____ T: Business: _____ T: Private: _____
 Address: _____ Fax: _____ T: Mobile: _____
 Address: _____ Email address: _____

If your proposed activity will take place on land not owned by the applicant, the written approval of the property owner must be provided on a **completed and signed form 1B**.

4. Partnership/unincorporated entity details

For partnerships or unincorporated entities (such as private trusts or unincorporated bodies or societies) you **must** provide details of all authorised partners, trustees or members. Any consent granted will then include these names, and all individuals will be legally responsible for the consent and any associated costs. Should these persons change, then you must notify us.

Full name of person:

Status (eg, partner, trustee):

Address:

Email address:

Phone:

Full name of person:

Status (eg, partner, trustee):

Address:

Email address:

Phone:

Full name of person:

Status (eg, partner, trustee):

Address:

Email address:

Phone:

Include details of any further partners/trustees/members on a separate page if necessary

5. Location of proposed activity

Describe the location of activity and/or property address

*SEE ATTACHED
APPLICATION*

Map reference: NZTM:

Valuation reference [from rates]:

Include the name of any relevant stream, river or other waterbody to which the application may relate, proximity to any well known landmark, etc. (Note: a location map is required in your activity form.)

Legal description [from rates notice] [eg, Lot 9 DP58809 Block XI]

6. Description of proposed activity

SEE ATTACHED APPLICATION

7. Consents from the Greater Wellington Regional Council – activity forms you need to fill in

Consent(s) being applied for. You will need to fill in an activity form for each of the following activities: Make sure you attach the forms for your activity

Water:

- Dam/Divert (Form 2a)
- Take and use surface water (Form 2b)
- Take and use groundwater (Form 2c)

Discharge to Land:

- General discharges (Form 3a)
- Agricultural discharge (Form 3b)
- On-site wastewater (Form 3c)

Discharge to Water:

- General discharges (Form 4a)

Discharge to Air:

- Air discharge (Form 5a)

Land Use:

- General river/stream works (Form 6a)
- Bore/well construction (Form 6b)
- Bridge/culvert/pipe (Form 6c)
- Erosion protection structures (Form 6d)
- Land clearing/tracking/logging soil disturbance (Form 6e)

Coastal:

- General coastal (Form 7a)
- Boatshed (Form 7b)
- Swing mooring (Form 7c)

8. Consents from local authorities

Territorial authority in which land is situated:

- | | | | |
|-------------------------|-------------------------------------|----------------------------------|--------------------------|
| Wellington City Council | <input type="checkbox"/> | Kapiti Coast District Council | <input type="checkbox"/> |
| Hutt City Council | <input checked="" type="checkbox"/> | Masterton District Council | <input type="checkbox"/> |
| Upper Hutt City Council | <input type="checkbox"/> | South Wairarapa District Council | <input type="checkbox"/> |
| Porirua City Council | <input type="checkbox"/> | Carterton District Council | <input type="checkbox"/> |

Do you require any other resource consents from your local council? Yes No

If yes, please list:

Have these consents been applied for? Yes No *N/A.*

9. Other documentation

Please list any documents in addition to your application forms that form part of your application. Note: if multiple other documents exist, please attach a separate sheet of paper.

- No other documents *SEE ATTACHED APPLICATION*
- Reports Title
- Plans Title
- Other documents Title
- Title

10. Pre-application advice

Please list any pre-application meetings or advice (verbal and/or written) you have had with GWRC below:

- Meeting(s) – with who and when?
- Verbal advice – from who and when?
- Written advice – from who and when?
- Other (eg, submitted draft application/AEE)

KIRSTY VAN REENAN / JEREMY RUSBATCH
MARCH / APRIL 2015

11. Consultation and written approval of affected persons

Consultation with all persons potentially affected by your activity prior to lodging your application may result in considerable time and cost savings.

Non-notified applications

Non-notified consents are for activities which have minor effects on the environment. For your activity to be considered on a non-notified basis you must consult and obtain written approval from all persons potentially affected by your activity (eg, neighbours, iwi, Fish and Game Council, Department of Conservation). If you are unsure who may be an affected party, please call us. **Non-notified consents are significantly cheaper and quicker to process.**

Limited notified and fully notified applications

Notified consents (either limited notified or fully notified consents) are for activities which do not meet requirements in the RMA for processing on a non-notified basis.

Please provide any consultation details and written approvals obtained in the space provided below.

Consultation details

Have you consulted with iwi? Yes No

If so, who did you consult? WELLINGTON TENNIS TRUST & NEIGH TOA

Who else have you consulted? SHANDON GOLF CLUB, HUNT CITY COUNCIL

What was their response? NO RESPONSE FROM ALL PARTIES EXCEPT HCC WHO HAVE PROVIDED SUPPORT LETTER

How have you addressed any concerns they may have had?

Written approval of affected parties

If you have obtained the signature of affected persons please give their details below. Please note that for us to accept the approvals **they must each complete and sign form 1B.**

Name	Address	Contact details (phone, email etc)

12. Fees and charges

Non-notified initial fixed application fees including GST (please tick one or more)

Discharge permit	<input type="checkbox"/> Land \$ 991.88	<input type="checkbox"/> Water (other) \$1,520.88	<input type="checkbox"/> Air \$1,058.00
Water permit	<input type="checkbox"/> Take (new) \$1,587.00	<input checked="" type="checkbox"/> Take (renewal) \$ 925.75	<input type="checkbox"/> Dam/Divert \$ 727.38
Land use consent	<input type="checkbox"/> Bore \$ 376.63	<input type="checkbox"/> River works \$ 727.38	<input type="checkbox"/> Land clearing/disturbance/logging \$1,256.38
Coastal permit	<input type="checkbox"/> Mooring \$ 529.00	<input type="checkbox"/> Boatshed \$ 529.00	<input type="checkbox"/> Other \$ 859.63

- Notes:
1. Where there is more than one application required for the same proposal, an initial fixed application fee is required for each application
 2. The initial fixed application fee is the average cost of processing an application type. Final processing costs are based on actual and reasonable time and disbursements spent processing your application.
 3. Contact the Greater Wellington Regional Council for information about notified initial fixed application fees

Payment method (please tick one)

- Cheque (to be lodged with application documents)
- Internet banking to:
Greater Wellington Regional Council – National Bank account 06-0582-0104781-00
Date of payment: _____ Reference details used: _____
Note: for reference details please quote "Consents" and the applicant name
- Cash/Eftpos (to be made at Environment Help Desk Wgtn or Masterton office)

Future payments

Any additional consent processing charges and consent monitoring charges will be invoiced directly to the applicant, unless instructed otherwise below:

13. Applicant's declaration

I/we hereby certify that, to the best of my/our knowledge and belief, the information given in this application is true and correct.

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application and, if granted, for any subsequent monitoring charges. Subject to my/our rights under sections 357B and 358 of the RMA to object to any costs, I/we undertake to pay all and future processing costs and monitoring costs incurred by the Council. Without limiting the Council's legal rights, if any steps, including the use of debt collectors, are necessary to recover unpaid costs, I/we agree to pay all costs associated with recovering those costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Full name: IAN THOMAS LEARY

Date: 8/07/2015

Applicant's signature: 

(or person authorised to sign on behalf of the applicant)



2c Water permit application to take and use groundwater

Please answer all questions fully. Officers from the Greater Wellington Regional Council's (GWRC) Environmental Regulation department are available to assist with filling out this form or to clarify information to include with your application.

This form is required to be filled out in conjunction with Form 1 Resource Consent Application

Part A: General information on nature and scale of your activity

- 1. Is this application a renewal of a water permit to take/use groundwater from your bore/well?**
Yes No If Yes, what is the water permit number? ~~WAR/WGN~~ 070193 [25890]
- 2. What is the land use consent (bore permit) number for the bore/well where water will be taken from?**
WGN/WAR UNKNOWN (EXISTING)
Note: All bores/wells are required to have a land use consent (bore permit). If a permit for your bore/well has not been obtained you will need to apply for a land use consent (bore permit) as well. Use application form 9.
- 3. Locality map**
Show the location of your proposed abstraction point on an appropriately scaled aerial map/plan. Please show the area to be irrigated (if applicable), the location of any buildings, septic tanks, location of any neighbouring bores/wells, other known abstraction points, freshwater springs, streams, rivers, wetlands that you know of and any other relevant features of the surrounding environment.
- 4. What is the bore/well number for the bore/well where ground water will be taken from?**
UNKNOWN (eg, S26/0727)
- 5. What will be the maximum rate at which water is taken?**
29 litres per second
24 hours per day
925,600 m³ per year

Note: (1) For **water permits for irrigation use**, the annual quantity will be allocated based on the outcome of an irrigation allocation report. Please include this report with your application. GWRC can provide you with a SPASMO-IR allocation assessment report. Please contact us if you would like us to provide you with an allocation assessment report.

(2) If you require more water than the allocation report suggests you will need to provide adequate justification for the amount of groundwater required in question 7 below.

(3) A year is measured from 1 July to 30 June inclusive.

6. What will groundwater be used for? [Tick the appropriate box(es)]

- Industry State type of industry and major use of water: _____
- Community State no. of households or population: _____
- Other State use: _____
- Irrigation State method of irrigation spray trickle border-dyke other

If spray irrigation, what method of spray irrigation will be used?

- centre pivot travelling irrigator K line or Bosch sprinklers other

What is the total area will you be irrigating?

- Crop(s) _____ ha Crop type: _____
- Pasture _____ ha
- Horticulture _____ ha Horticulture type: _____
- Other _____ ha Please specify: _____

(Please show clearly the area to be irrigated on a scaled aerial map.)

Please describe the soil type and characteristics for the area to be irrigated below:

7. Please justify the amount of groundwater requested in question 5 above (eg, please provide any usage records/calculations/design relating to the proposed groundwater take). Use a separate sheet if required.

SEE ATTACHED REPORT

8. Is there a water meter installed on the pump?

Yes No

If Yes, please answer questions 7A to 7D below

If No, when do you plan to install a water meter?

- A. What is the water meter type? Magflow Ultrasonic Other: UNKNOWN
- Mechanical

B. What is the water meter serial number and brand type?

C. Has the water meter being verified?

Yes No

If Yes, who verified the water meter and when?

UNKNOWN

D. What is the distance between the water meter and the abstraction/pumping location? _____ metres

Note: Under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, approval is required from GWRC if your water meter is located more than 20 metres from the abstraction point.

E. If the distance identified in D above is greater than 20 metres, please explain why your water meter is located where it is, and mark specifically where your water meter is located in question 9 below:

9. What is the pump make, type and model? SEE AEE

Is the pump submersible or surface/suction lift? (please tick one)

What is the maximum capacity of your pump? _____ litres per second

Part B: Assessment of effects on the environment (AEE)

Where your take could have a significant adverse effect on the environment a more detailed environmental assessment is required in accordance with the Fourth Schedule of the Resource Management Act 1991. This will be the case for most new applications and replacement or variation applications where more water is required. As part of this assessment an aquifer test (pump test) will be required to be done on your bore/well and analysis presented in order to answer the questions detailed below. (Further information on aquifer (pump) tests can be gained from our Environmental Science department)

1. Has an aquifer test (pump test) been carried out on your bore/well? Yes No

(Please provide a copy of your aquifer test or summary details of your aquifer test in the space provided below eg, length of test, pumping rate, drawdown in pumped bore, drawdown in monitored bores, assessment of aquifer transmissivity and storage co-efficient)

2. Please show any of the following on your scaled aerial map

- (1) Other bores/wells
- (2) All springs and surface waterbodies (including wetlands)
- (3) Any septic tanks and/or other waste disposal areas

3. What are the anticipated effects of your proposed groundwater take on nearby bores/wells?

SEE AEE

4. What are the anticipated effects of your proposed groundwater take on any springs or surface water bodies (including wetlands)?

SEE AEE

5. What are the anticipated effects of your proposed groundwater take on features within the surrounding environment (eg, stands of native vegetation, waste disposal areas etc.)?

SEE AEE

6. Is your proposed groundwater take within 1 kilometre of any coastline? Yes No

If Yes, what are the anticipated effects of your proposed groundwater take on the risk of saltwater intrusion?

SEE AEE

7. Are there any alternative water sources available to you? Yes No

If yes, please explain why you have chosen this option and not alternative options:

SEE AEE

Part C: Monitoring and management of your activity

1. **What monitoring and management do you propose to ensure any potential adverse effects on the environment are avoided, remedied or mitigated?**

(This may include, but is not limited to, what abstraction data you plan to record, when information will be submitted to GWRC, any groundwater levels that may be taken in your or any other bore/well, any monitoring of surface water bodies including wetlands that may be undertaken)

SEE AEE

2. **If you are required to submit water use records, how will you submit any records to GWRC?**

Electronically via a third party data host provider. State your provider: _____

There are a number of companies that host water use data. By ticking this box you agree for that data provider to automatically submit water use records to GWRC's water use data management system. If you do not agree to the data provider submitting water use records, please explain why below:

Electronically via GWRC's WATER USE website (<http://wateruse.gw.govt.nz/>)

Other: _____

If water use records are submitted in a manner that requires entry of individual records into GWRC's water use data management system by GWRC staff, this will incur higher compliance monitoring charges.

3. **What measures will you take during times of water shortage (eg, periods of low flow) if your groundwater take is likely to affect a surface water body?**

SEE RECOMMENDED CONDITIONS

Note: Some of the Wellington region's stream and river flows are monitored by GWRC. Any low flow restrictions placed on a particular stream or river can be viewed on our website www.gw.govt.nz.

4. **Do you have internet access and are prepared to monitor low flows via GWRC's website?***

Yes No

Do you have email access and are prepared to receive email notices of low river flows?*

Email: _____

Yes No

Do you have cell phone text access and are prepared to receive text notices of low river flows?*

Cell phone number: SUBJECT TO APPROVAL

Yes No

Yes No

*Note: This is only possible for rivers and streams monitored by GWRC.

FORM 9**APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE
RESOURCE MANAGEMENT ACT 1991**

**TO: Greater Wellington
Regional Council
WELLINGTON**

1. **Prime Property Group** (the Applicant) hereby applies for the following type of Consent:

Greater Wellington Regional Council Consents:

- **Transfer of Existing Permit**
- **Permit to Take Water:** Renewal of an existing Water Permit

Classification of Activity:

The renewal of a water permit to take abstract water from the Hutt River aquifer is a **Discretionary Activity** pursuant to Rules 16 of the Wellington Regional Freshwater Plan.

2. **The location to which this application relates:**

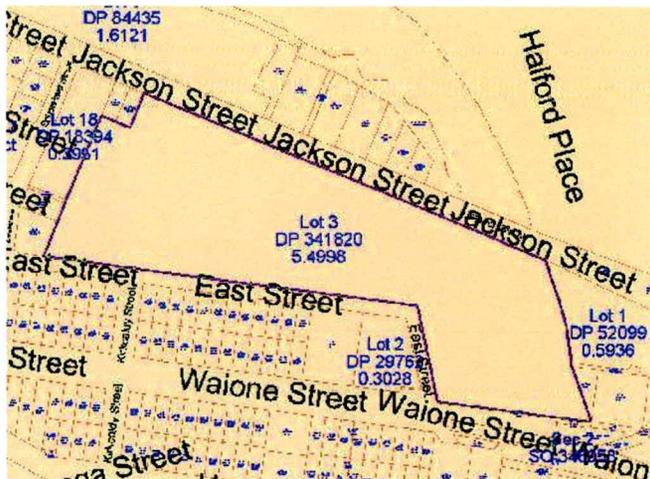
Street Address:
476-496 Jackson
Street Petone

The map reference for the bores is NZMS 260:R27 690 956

3. **The site from which the abstraction will occur is described as:**

All the land being 5.4998 hectares, as shown in Computer Register identifier 172056.

4. **The location of the site is shown on the aerial image below:**



5. **Attached, in accordance with the Fourth Schedule of the Resource Management Act 1991, is an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the**

environment.

6. **Also attached is any information required to be included in this application by the regional plan and the Resource Management Act 1991, or any regulations made under that Act.**

The relevant assessment of environmental effects, proposal plans and other information required by the Greater Wellington Regional Freshwater Plan are attached.

Prime Property Group
by its duly authorised agent


.....
Ian Leary for Spencer Holmes Ltd.
Date: July 2015

Address for Service
Spencer Holmes Limited
Surveyors, Engineers & Planners
Level 6, 8 Willis St
P O Box 588
WELLINGTON
Telephone: (04) 472-2261

All Invoices to:
Prime Property Group Ltd
c/ Spencer Holmes Ltd
Wellington

ENCLOSURES

1. Current copy of the underlying Computer Freehold Register.
2. Report by Pattle Delamore Partners *Unilever Site Groundwater Take: Technical Report to support Consent Renewal* – dated July 2015
3. Copy of pages 245 to 251 of the GWRC Draft Resources Plan
4. Copies of consultation letters

CONTENTS

1.0 THE PROPOSAL

- 1.1 Background**
- 1.2 Site & Locality**
- 1.3 Legal Description**
- 1.4 Description of Proposal**

2.0 THE STATUTORY PROVISIONS

- 2.1 The Relevant Rules**

3.0 POSSIBLE EFFECTS ON THE ENVIRONMENT

4.0 PLANNING PROVISIONS

- 4.1 National Policy Statement for Freshwater 2014**
- 4.2 The Wellington Regional Policy Statement**
- 4.3 Regional Freshwater Plan**

5.0 MITIGATION MEASURES

6.0 ALTERNATIVES CONSIDERED

7.0 CONSULTATION

8.0 PART II ASSESSMENT

9.0 CONCLUSION

DESCRIPTION OF THE PROPOSAL AND ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

1.0 **THE PROPOSAL**

1.1 **Background**

Prime Property Group (PPG) has purchased the land previously owned by the Unilever NZ Ltd. This property is 5.4998 ha and is still occupied by Unilever till December 2015.

Unilever commenced the manufacturing of soap on this site in 1919. Up until recently, the plant produced all Unilever laundry powders for the New Zealand and Australian markets.

The Unilever plant is one of the last big factories that operate in the Petone industrial area. During the 20th century, there was a series of employers including Gear Meat plant, a car assembly plant, the Colgate Palmolive factory and the Woburn Railway workshops.

In the 1970's the company also manufactured toothpaste, shampoo and conditioners. It produced 50,000 to 55,000 tonnes of detergent each year and at its peak, employed between 550 and 600 people.

Up until the coming into force of the RMA and the Wellington Regional Council Freshwater Plan (RFP), Unilever was authorized under the Water and Soil Conservation Act 1967, to take up to 4550m³ per day (approximately 31850m³/week).

The most recent renewal of the water permit was granted on the 29th March 2007. That permit is known as WGN070193[25890] and was granted for 10 years. It allows the abstraction of 17,800m³ of groundwater, 7 days a week. This is an average of 2,543m³/day and an annual take of 925,600m³. The permit expires on the 29th March 2017.

The existing permit contains 9 conditions. These include:

- (3) *The permit holder shall meter all abstraction and supply records of weekly total abstraction to the Manager, Environmental Regulation, Wellington Regional Council, on a monthly basis. The installed meter shall have an accuracy of +/- 5 percent.*
- (4) *If the pressure in the Waiwhetu Artesian Aquifer drops to an average, over a 24 hour period of +2.3 metres above datum, as measured by the McEwan Park (site number 1428009) water level monitoring station, or any other official Wellington Regional Council water level monitoring station in the Petone and Seaview area, the permitted holder shall comply with all abstraction restrictions and/or rostering as directed by the Manager, Environment Regulation, Wellington Regional Council.*

The Unilever plant has progressively reduced its production, concentrating primarily on export markets. In 2013, Unilever made the decision to close the plant. This will result in a loss of 58 jobs. Unilever have consequently reduced their abstraction rate over the last few years.

PPG have purchased the site with an intention to re-establish industrial activity on the land and are currently seeking tenants for the site. When the site was marketed for sale, the existing water take rights featured highly in the marketing and are an important feature for the site and attraction for industrial tenants. The site contains infrastructure including factory plant, buildings and existing bores.

The purpose of applying for the extension of the existing permit at this point, is partially already on the basis that there is a requirement to transfer the permit from Unilever to PPG which requires GWRC approval. However much more importantly, is that PPG are in the process of securing tenants for the site and the existing water permit expires in 2 years. Industrial tenants will require the certainty of the extension for a much longer period than two years before the capital investment can be made in the site. Therefore, PPG are seeking a much longer period for the consent to ensure that future tenants are willing to make that capital investment in the site for ongoing industrial/commercial activity.

1.2 Site, Locality and Existing Environment

The site from which the abstraction is taken is 476-486 Jackson Street Petone. The map reference for the bores is NZMS 260: R27;688.956.

The location of the 3 bores on site is shown below in Figure 1 below:



Figure 1: The Unilever Site with location of the bore locations

The Appendix of the PDP report, includes a location diagram showing other bores and consented takes in the vicinity of the Unilever site.

The abstraction is from the Hutt aquifer system which is an important water resource for the Wellington Region. Previous consent documentation for the existing water permits has indicated that the aquifer supplies approximately 40 percent of the regional demand for water supply.

It is noted that the existing environment includes the existing water permit discussed above held by Unilever NZ Ltd which expires in 2017. Section 4.0 of the Pattle Delamore Partners

(PDP) report¹ gives a detailed analysis of the current groundwater takes, including their consented takes and actual usage.

Under the current RFP, the maximum take from the Hutt Valley is 33 million cubic metres per year². PDP provide a calculation of the allocation of groundwater from the aquifer and conclude that it is 33.7 million cubic metres per year³. The aquifer is currently deemed to be over-allocated under the current RFP.

New modelling undertaken by the GWRC as part of the Draft Natural Resources Plan, proposes a new allocation limit which states that the limit to 36.5 million cubic metres per year. As discussed below, this has no legal affect as yet, however the Draft Natural Resources Plan will be proposing this, based on modelling which suggests that this is a sustainable limit for allocation of groundwater for the Wellington region. The adoption of this new limit would see the aquifer being considered to be underallocated.

1.3 Legal Description

Lot 3 DP 341820

1.4 Description of Proposal

PPG seek to extend the existing water take (17,800m³) for any seven day period for 52 weeks of the year.

PPG seek to have the permit for a period of 35 years.

PPG expects that the conditions on the permit will remain as set out in the existing permit, which we note requires the permit holder to comply with GWRC directions in terms of abstraction restrictions and rostering should the monitoring station at McEwen Park record a fall in groundwater levels to below +2.3 metres above sea level.

PPG also seek to transfer the existing permit from Unilever NZ Ltd to Prime Property Group from 1st January 2016.

2.0 **THE STATUTORY BACKGROUND**

Under Section 14(1) of the RMA, no person may take any water (other than coastal water) unless it is specifically allowed by a rule in a regional plan or has been authorized by a resource consent.

As discussed below, the quantity of the water to be abstracted from the Hutt Aquifer, exceeds the amount permitted by the Wellington Regional Freshwater Plan.

Therefore, pursuant to section 14, a water permit is required.

Section 104 of the Act, defines the matters that must be considered in the application. The relevant parts of Section 104 state:

¹ See PDP report- Section 4.0 Table 1 - pages 4 and 5

² See RCP – Policy 6.2.3, table 6.4, page 81.

³ See PDP report, Section 4.0 Table 1- page 5

- (1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to [Part 2](#), have regard to—*
- (a) *any actual and potential effects on the environment of allowing the activity; and*
 - (b) *any relevant provisions of—*
 - (i) *a national environmental standard;*
 - (ii) *other regulations;*
 - (iii) *a national policy statement;*
 - (iv) *a New Zealand coastal policy statement;*
 - (v) *a regional policy statement or proposed regional policy statement;*
 - (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*
- (2A) *When considering an application affected by [section 124](#) or [165ZH\(1\)\(c\)](#), the consent authority must have regard to the value of the investment of the existing consent holder.*

In the consideration of extension of this permit, there are no relevant environmental standards. However the National Policy Statement for Freshwater Management 2014 is relevant to the application. The relevant parts of that document are considered below.

It is my opinion that while the application involves the interaction between the freshwater and saline waters of the coastal marine area, the New Zealand Coastal Policy Statement 2010 (NZCPS) is not relevant to the application as it does not address matters relating to saline intrusion of freshwater aquifers. The NZCPS instead focuses on matters relating to the coastal environment rather than interactions with freshwater systems.

The Greater Wellington Regional Policy statement (WRPS) and the Regional Freshwater Plan (RFP) are both relevant to the proposal and are assessed below.

In respect to Other Matters relevant under S104(1)(c), it is my view that the GWRC Draft Natural Resources Plan should be considered as relevant to the proposal. The Draft Natural Resources Plan has been subject to consultation and informal submissions. The submissions on the document have closed. GWRC are currently considering those submissions and will shortly notify the Plan.

As the plan has not been notified in accordance with Schedule 1 of the Act, it does not have any legal status as a planning document. However, there are relevant issues that have been raised in that document and it can be considered under S104(1)(c). The relevant parts of that document are discussed below.

2.1 Relevant Rules

Chapter 6 of the RFP set out the Rules in respect to the taking of fresh water from aquifers in the Wellington Region. Minor abstractions are covered by Rule 7 which allows 20,000 litres a day to be drawn from the aquifer as a permitted activity. The water permit held by Unilever is 2,543m³ per day and therefore it does not meet the permitted standards to be considered under Rule 7.

Rule 16 states that:

“the taking, use, damming or diversion of any freshwater, or the transfer to another site of any water permit to take or to use water:

- *That is not specifically provided for in any other rules in this plan; and*

- Which cannot meet the requirements of those rules; and
- That, for takes of water from the Lower Hutt Groundwater Zone (Taita Alluvium/Waiwhetu aquifers), would not cause the maximum rate of takes authorised by resource consents to exceed 32.85 million cubic metres per year; and
- Which is not a non-complying activity in Rules 17,18 or 19

Is a Discretionary Activity”

As the proposed stream diversion does not meet the requirements of a permitted minor diversion set out in Rule 9 of the Regional Freshwater Plan, and is not specifically provided for in any other rules within this plan, it is therefore pursuant to Rule 16 and is assessed as a **Discretionary Activity**.

I note that while the standards of this Rule state that consents which authorize the maximum take to exceed 32.85 million cubic metres to be a non complying activity, the Regional Council have only applied this to new water permits. In this case, this is the renewal and transfer of an existing allocation which under previous interpretations of the RCP by GWRC officers, it does not result in the proposal being considered non complying.

3.0 **THE POTENTIAL EFFECTS ON THE ENVIRONMENT**

Pursuant to s104(1) of the RMA, when considering an application for consent, the first matter than must be considered is the potential adverse effects.

I am guided in my assessment of the potential adverse effects on the environment, by the attached report from PDP. I address the adverse effects in the same order as they are listed in the PDP report.

In assessing the potential adverse effects of granting the renewal and transfer of the water permit, I am cognizant of the importance of the Hutt Aquifer for the Wellington Region. The Aquifer provides 40% of the regions freshwater supply.

It also however provides freshwater for a number of industrial users in the local area. Without a suitable supply of freshwater, those industrial/commercial businesses cannot operate, thereby resulting in a loss of employment and economic activity in the Hutt Valley and overall region.

3.1 **Saline Intrusion**

There is a risk of saline intrusion on any aquifer that has a hydraulic connection with the ocean. That risk is increased when abstraction rates are too high and effectively there is backflow from the sea into the aquifer.

The saline intrusion risk is fully evaluated in section 5.2 of the PDP report. This is the most significant matter to be considered. The sustainability of this aquifer is dependent on it being an ongoing source of freshwater and saline intrusion will result in the effective loss of that resource.

PDP note that the consent currently has a ‘standby’ trigger level and a condition which enables the regulatory section of the GWRC to impose restrictions on the existing permit, during drought. This would allow GWRC bulk water supply to continue to draw down at the time when this groundwater supply is most needed.

However it is noted that the current and proposed Unilever abstraction is only 3% of the consented GWRC bulk water supply take. Any effects caused by the Unilever consent are therefore minor in comparison to Bulk water supplies effects on the aquifer.

PDP reach their conclusions on the saline intrusion risk in section 5.2, page 15 and state:

Based on analysis of the historic data, it is considered unlikely that given current conditions, the minimum or alter levels would be breached. This could change with sea level rise or during an exceptional drought. In comparison to the GWRC take at the Waterloo wellfield, this take is relatively small, and effects on the hydraulic gradient and saline intrusion monitoring wells are expect to be similarly minor. Hence, the proposed triggers are considered sufficient to protect against saline intrusion.

I therefore conclude that the risks of saline intrusion will be suitably managed and monitored and are therefore less than minor.

3.2 Drawdown Effects on Neighbouring Bores

PDP again consider the effects of extending the permit on neighbouring bores in section 5.3, page 15 of their report.

I note that the transfer of the permit, which going from Unilever to PPG, will not move from the existing site. Therefore there are no effects of the transfer of ownership in itself.

The closest bore to the PPG site, is Shandon Golf Club. PDP conclude in their report that:

This drawdown interference effect is minimal, and will not affect the ability of Shandon Golf Club to abstract groundwater. Effects on other neighbouring bores are expected to be much less and, as such, neighbouring groundwater users will not be affected.

3.3 Stream Depletion Effects

The Hutt river is identified as the nearest surface water body from the existing abstraction bores and with its closest bank some 460 metres away to the east.

PDP consider these effects in section 5.4 on page 15 and 16 of their report and conclude:

In summary, stream depletion affects will be below the level requiring an abstraction restriction, and any long-term depletion effects are most appropriately managed by groundwater allocation limits already set (or proposed) for the area.....and effects on the surface water bodies are expected to be less than minor.

3.4 Subsidence

PDP briefly consider subsidence in section 5.5 of their report and conclude:

Due to the high transmissivity of the aquifer, drawdown is not expected to be significant, and consequently subsidence will not occur.

3.5 Effects from a 35 year term for the Water Permit

GWRC have just completed a remodeling of the saline intrusion risk as part of the Draft Natural Resources Plan and have consequently recommended an increase in the total take from

the aquifer. While this at the moment has not statutory standing, it does become a relevant matter when considered the potential adverse effects of this application for renewal and transfer.

PPG are not seeking an increase in the quantity of the water to be drawn from the aquifer. They are seeking only to maintain that existing consented take volume. The RFP was originally developed and notified in the early 1990's. That was over 20 years ago. The consent period sought for the renewal is 35 years.

This latest analysis is likely not be undertaken again for a period of at least another 20 years and therefore this is not inconsistent with the granting of a permit for 35 years.

Should sustained drought occur, the GWRC has the ability to order PPG to cease drawing water from the aquifer under the conditions of that permit.

In return for a permit for 35 years, PPG are able to give certainty to the industrial/commercial users that will encourage economic investment and allow benefits to accrue from the allocation of the resource to the wider community.

The GWRC are still able to apply an appropriate s128 to the conditions of consent to manage any unforeseen circumstance that may arise in the 35 year term of the permit. This period is specifically provided for under the Act and is the normal amount of time allocated throughout many of the regions of New Zealand for these types of assets.

Therefore, I conclude that the granting of the permit for a period of 35 years is consistent with the Act and will not have any perceivable adverse effect on the resource, particularly as the allocation is less than 3% of the total safe allocation level.

4.0 PLANNING PROVISIONS

4.1 National Policy Statement for Freshwater Management 2014 (NPSFM)

This national policy statement sets out objectives and policies for the sustainable management of freshwater in New Zealand while providing for economic growth. The policy statement states:

As a demand for fresh water increases, it is vital to account for all freshwater takes and sources of relevant contaminants. This national policy statement provides a National Objectives Framework to assist regional councils and communities to more consistently and transparently plan for freshwater objectives. The New Zealand Coastal Policy Statement 2010 issues with water quality in the coastal environment. The management of coastal water and fresh water requires an integrated and consistent approach.

The NPSFM is primarily aimed at Regional and Unitary Councils in terms of directing them to look at the freshwater management.

The Hutt Aquifer is a regionally important water source. The management of takes from the aquifer needs to be controlled to ensure that effects such as potential saline intrusion are avoided. In that respect, I note the following Objectives and Policies of the NPSFM are relevant.

Objective A2

The overall quality of fresh water within a region is maintained or improved while:

a) protecting the significant values of outstanding freshwater bodies;

- b) *protecting the significant values of wetlands; and*
- c) *improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated*

The granting of the renewal will not be inconsistent with this objective as the quality of freshwater will be maintained.

Policy A1

By every regional council making or changing regional plans to the extent needed to ensure the plans:

- a) *establish freshwater objectives in accordance with policies CA1 –CA4 and set freshwater quality limits for all freshwater management units in their regions to give effect to the objectives in national policy statement, having regard to at least the following:*
 - I. *the reasonably foreseeable impacts of climate changes;*
 - II. *the connection between water bodies; and*
 - III. *the connections between freshwater bodies and coastal water; and*
- b) *Establish methods (including rules) to avoid over-allocation.*

GWRC is in the process of renewing its natural resources management plan and is recommending an increase in the allocation of ground water for the relevant aquifer. This will further reduce the percentage of the subject take relative to the safe allocation. The proposal could not therefore be considered inconsistent with this Policy.

Objective B1

To safeguard the life - supporting capacity, ecosystem process and indigenous species including their associated ecosystems of fresh water, in sustainably managing the taking, using, damming, or diverting of fresh water.

The proposal is consistent with this Objective for reasons set out above.

Objective B2

To avoid any further over- allocation of fresh water and phase out existing over- allocation.

The ‘over allocation’ of fresh water in this aquifer is being addressed in the Draft Natural resources plan and therefore, effectively this Objective is not challenged by the proposal.

Objective B3

To improve and maximise the efficient allocation and efficient use of water.

This objective is primarily aimed again at the Regional/Unitary Authorities not to an individual application, however the allocation of this permit will be efficient in terms of providing a supply for industrial/commercial activity.

Policy B2

By every regional council making or changing regional plans to the extent needed to ensure the plans state criteria by which applications for approval of transfers of water take permits are to be decided, including to improve and maximise the efficient allocation of water.

Policy B4

By every regional council identifying methods in regional plans to encourage the efficient use of water.

Policy B5

By every regional council ensuring that no decision will likely result in future over- allocation – including managing fresh water so that the aggregate of all amounts of fresh water in a freshwater management unit that are authorised to be taken, used, dammed or diverted does not over- allocate the

water in the freshwater management unit.

Policy B6

By every regional council setting a defined timeframe and methods in regional plans by which over-allocation must be phased out, including by reviewing water permits and consents to help ensure the total amount of water allocated in the freshwater management unit is reduced to the level set to give effect to policy B1.

Objective C1

To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and coastal environment.

Policy C1

By every regional council managing fresh water and land use and development in catchments in an integrated and sustainable way, so as to avoid, remedy or mitigate adverse effects, including cumulative effects.

Policy C2

By every regional council making or changing regional policy statements to the extent needed to provide for the integrated management of the effects of the use and development of:

- a) Land on fresh water, including encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure; and
- b) Land and fresh water on coastal water.

Objective CB1

To provide for an approach to the monitoring of progress towards, and the achievement of freshwater objectives.

- a) Establishes methods for monitoring progress towards, and the achievement of freshwater objectives established under policies CA1 –CA4;
- b) Identifies a site or sites at which monitoring will be undertaken that are representative for each freshwater management unit; and
- c) Recognises the importance of long-term trends in monitoring results.

Objective OC1

To improve information on freshwater takes and sources of freshwater contaminants, in order to:

- a) Ensure the necessary information is available for freshwater objective and limit setting and freshwater management under this national policy statement; and
- b) Ensure information on resource availability is available for current and potential resource users.

Policy CC1

By every regional council:

- a) Establishing and operating a freshwater quality accounting system and a freshwater quantity accounting system for those freshwater management units where they are setting or reviewing freshwater objectives and limits in accordance with Policy A1, Policy B1, and Policies CA1-CA4; and
- b) Maintaining a freshwater quality accounting system and a freshwater quantity accounting system at levels of detail that are commensurate with the significance of the freshwater quality and freshwater quantity issues, respectively, in each freshwater management unit.

Objectives and Policies B2, B4, B5, C1, C2, CB1, OC1 and CC1 are potentially relevant but

are primarily aimed at the Regional/Unitary Authorities and are not challenged in this circumstance by the application to renew this permit. GWRC have demonstrated that they are addressing the allocation of ground water in this aquifer and are re-establishing the sustainable level of allocation and formalizing that in the plan change process.

Objective D1

To provide for the involvement of iwi and hapu, and to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.

Policy D1

Local authorities shall take reasonable steps to:

- a) *Involve iwi and hapu in the management of fresh water and freshwater ecosystems in the region;*
- b) *Work with iwi and hapu to identify tangata whenua values and interests in fresh water and freshwater ecosystems in the region; and*
- c) *Reflect tangata whenua values and interests in the management of, and decision- making regarding, fresh water and freshwater ecosystems in the region.*

While these objectives and policy re-iterate the requirement for Regional Authorities to consult during plan development, the applicant has consulted with tangata whenua and provided an opportunity for them to express their views on the renewal. In my view, this is consistent with the relevant objectives and policies of the National Policy Statement.

4.2 Wellington Regional Policy Statement

The Wellington Regional Policy Statement (WRPS) is relevant to the application. The WRPS is the main regional planning document that encompasses the wider Wellington area. In respect to the WRPS the following provisions are relevant to this application for renewal.

Objective 12

The quantity and quality of fresh water:

- a) *Meet the range of users and values for which water is required;*
- b) *Safeguard the life supporting capacity of water bodies; and*
- c) *To meet the reasonably foreseeable needs of future generations.*

Objective 14

- d) *Fresh water available for use and development is allocated and used efficiently*

Policy 13: Allocating water – regional plans

Regional plans shall include policies and/ or rules that:

- a) *Establish allocation limits for the total amount of water that can be taken from rivers and lakes, taking into account aquatic ecosystem health; and*
- b) *Establish allocation limits for the total amount of water that can be taken from groundwater, taking into account the aquatic ecosystem health of rivers, lakes and wetlands, and preventing saltwater intrusion.*

Policy 17 - Water allocation and use for the health needs of people – regional plans.

Regional plans shall include policies, rules, and/ or methods to ensure the allocation and use of water from any river or groundwater source provides sufficiently for the health needs of people including:

- a) *The taking of water by any statutory authority that has a duty for public water supply under any Act of Parliament;*
- b) *The taking of water for reticulation into a public water supply network; and*
- c) *The taking of water for community supplies.*

Policy 44: Managing water takes to ensure efficient use – consideration

When considering an application for resource consent to take water, particular regard shall be given to:

- a) *Whether the applicant has demonstrated that the volume of water sought is reasonable and justifiable for the intended use, including consideration of soil and crop type when water is taken for irrigation purposes;*
- b) *Requiring the consent holder to measure and report the actual amount of water taken;*
- c) *Requiring the consent holder to adopt water conservation and demand management measures and demonstrate how water will be used efficiently.*

Freshwater

Objectives 12 and 14 (Freshwater) are relevant to the application. These objectives effectively implement the National Policy statement on freshwater by requiring the safeguarding of the life supporting capacity of water bodies and achieving healthy functioning ecosystems.

As is discussed throughout the application, the outcomes sought by the objectives and policies of the WRPS are achieved by the proposal. Objective 14 states that fresh water should be allocated efficiently. It is acknowledged that the allocation to Unilever has not been efficiently allocated in recent years as they company has been steadily reducing production and is now ceasing it altogether. PPG have invested in the site and the existing infrastructure with the intent of using the permit for commercial activity. Therefore the transfer and renewal of the permit will see the existing infrastructure in the site used for economic benefit of the region and effectively, increase the efficiency of the allocation and resource use.

Policy 17 and 44 are directives to the GWRC and policy support for rules in the RFP and any upcoming revisions of the RFP. The rules are in place and are discussed below. The proposed renewal is not inconsistent with those provisions.

Policy 17 supports the rights of GWRC Bulk water services to abstract water from the aquifer for public supply. As the proposal does not adversely affect that right, the renewal of the permit is not inconsistent with Policy 17.

Tangata Whenua

The WRPS has objectives and policies to ensure treaty obligations are met. In this case, consultation with Wellington 10s and Ngati Toa was undertaken and their management requests specifically incorporated into the design.

4.3 Regional Freshwater Plan (RFP):

The relevant objectives and policies of the Regional Freshwater Plan to consider for this proposal include:

- 4.1.1** *The relationship of tangata whenua and their culture and traditions with fresh water, and with ancestral sites, waahi tapu and other taonga within the beds of rivers and lakes, is recognised and provided for.*

Appropriate opportunity for consultation has been provided to ensure the treaty obligations are met and this policy is met.

4.1.5 *The life-supporting capacity of water and aquatic ecosystems is safeguarded from the adverse effects of any subdivision, use and development.*

The proposal will not adversely affect the quality of the aquatic ecosystem therefore the policy is met.

4.1.11 *People and communities are able to use and develop freshwater resources to provide for their social, economic, and cultural well-being and for their health and safety.*

The granting of the renewal of the water permit will be entirely consistent with this. This is further discussed in the Part II analysis below.

4.1.12 *The adverse effects of the use and development of freshwater resources are avoided, remedied, or mitigated.*

The conditions on the existing water permit are expected to be re-imposed on any renewal, therefore potential adverse effects are avoided by the proposal and this policy is met.

4.1.17 *Conditions places on resource consents are used as a means of avoiding, remedying or mitigating adverse effects.*

As discussed above.

4.2.2 *To encourage applicants to consult directly with affected tangata whenua when making an application for a resource consent which is for an activity within, upstream or immediately downstream of any identified site of special value to the tangata whenua. As part of this consultation the applicant should determine:*

- (1) *Whether granting the resource consent could have any adverse effects on the special values of the site.*
- (2) *How any potential adverse effects that might result from the activity could be avoided or remedied.*

The applicant has consulted direction with tangata whenua and this policy is met.

4.2.24 *To have regard to the effects on other established activities when considering any proposal for the use of water bodies.*

The water permit is a renewal and the abstraction of water from the aquifer has been undertaken from the site for nearly a 100 years. The proposal to renew that permit will not adversely affect adjoining activities.

4.2.29 *To recognise the needs of existing lawful users of fresh water by;*

- *Allowing existing users to upgrade progressively their environmental performance where improvements are needed to meet the provisions of the plan; and/or*
- *Giving priority to existing users over new users at locations where the demand for the use of water is greater than the resource can sustain.*

As already discussed, the abstraction from this site has been in place for many years. PPG have bought the land and have a reasonable expectation to be able to use those existing water rights.

While under the operative RFP, the aquifer is overallocated, the most recent draft Natural Resources plan has Council proposing to increase the amount of water that can be safely allocated. While the draft natural resources plan is not in effect, it does indicate that the GWRC having proposed the increase in the overall allocation, have done so based on appropriate investigation.

5.2.7 *To manage groundwater in the Wellington Region so that there are no net adverse effects on its quality as a result of discharges to surface water or groundwater (subject to policy 5.2.10)*

Explanation: *This policy is to manage groundwater so that there is no deterioration in its present quality. "No net adverse affects" in this context means that the existing quality of water in an aquifer will not be reduced to the extent that adverse effects occur, after reasonable mixing as a result of any discharge. This policy refers only to discharges directly to surface water or an aquifer. Discharges to land are addressed in the Regional Plan for Discharges to land.*

There are no discharges directly to an aquifer therefore this policy is not directly relevant, however the intent is that there is no net adverse effect to the quality of groundwater and the extension of the water permit is consistent with this policy.

6.1.1 *People and communities are able to take, use, dam, or divert surface water, and take and use groundwater, while ensuring that the flows in rivers, and water levels in lakes and wetlands, are sufficient to maintain the natural and amenity values of water bodies.*

The Unilever allocation has been in place for many years and has not directly led to issues on the amenity of waterbodies. The total volume of the take is small in comparison to others in the aquifer therefore this policy is met by the renewal.

6.1.2 *People and communities are able to take and use groundwater while ensuring that the construction of bores and abstractions do not:*

- *Exceed the safe yields of aquifers; or*
- *Adversely affect the yields of nearby bores through interface, inefficient borehole construction, or excessive drawdowns; or*
- *Adversely affect water quality*

Safe yields, effects on nearby bores and effects on water quality have been discussed above in the AEE. This policy is met.

6.1.3 *Water abstracted from rivers, streams, lakes and aquifers is used efficiently and water conservation is promoted.*

Unilever were required to keep records of abstraction. This confirms that while water takes have reduced in recent years, this also corresponded to a reduction in production, indicating that water from the aquifer was not wasted.

The new users on the site \ can demonstrate an efficient use of the water resource and will continue to have to record their use and this can be monitored by GWRC.

6.2.7 *To encourage users to take groundwater as an alternative to surface water resources where:*

- *The groundwater is of sufficient quality and quantity for the prospective use; and*
- *There are no significant environmental, technical, or financial constraints associated with abstracting groundwater.*

The granting of the renewal will be encourage water take from ground water. Maintaining the quality of the groundwater is in the best interest of PPG and its tenants.

We are not aware of any environmental, technical or financial constraints associated with abstracting groundwater. Therefore, this policy is met.

6.2.8 *To ensure that the water permits to take groundwater:*

- *Consider excessive reductions in the yields of nearby bores (including excessive interface drawdowns); and*
- *Avoid significant adverse effects on surface water bodies.*

The effects on nearby bores have been fully considered and so has the effects on surface water bodies. Both effects were found to be less than minor and therefore this policy is met.

Transferable Water Permits

6.2.10 *to allow water permits to be transferred where there will be net benefits to the community and where there will be no additional adverse effects caused by the change in location of a water take.*

The transfer of the water permit is from the existing owner of the land where the abstraction occurs to the new owner. This has no additional adverse effects as there is no change of location.

Water Conservation

6.2.18 *to have regard to the following when considering an application for resource consent to take water:*

1. *The amount of water required is reasonable, considering the intended use of the water; and*
2. *The need for accurate measurement of the take from any river listed in Table 6.1 or method 8.5.5; and*
3. *For any applicant taking water for public supply, the extent of any:*
 - *Demand management programmes; or*
 - *Drought management plans.*

The amount of water sought to be taken by PPG is entirely consistent with or less, than the historical allocation provided to Unilever. This abstraction has been demonstrated to not cause any effect on the aquifer. The amount sought will allow the establishment of an export industry.

6.0 MITIGATION MEASURES

No specific mitigation measures are considered necessary, beyond the imposition of the conditions discussed above.

7.0 ALTERNATIVES CONSIDERED

Section 1(b) of the fourth schedule states that:

where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity

8.0 CONSULTATION

The applicant has carried out pre-application consultation with both Wellington 10th Trust and Ngati Toa. Emails were sent to both these Iwi groups seeking comments on the proposal by PPG to extend the water permit. At the time of lodging the application, no response has been received from the Iwi representatives.

The nearest bore to the subject site is the Shandon Golf Club. I note that the PDP report concludes that there are no effects on the Shandon Golf club bore. A letter was sent to the club and the application was discussed with the greenkeeper who advised that there was no issue. They have not however responded to the letter.

The biggest user of the Hutt Aquifer is GWRC Bulk Water. Discussions were had with Geoff Williams of Wellington Water. A full copy of the application has been provided to them. Again in respect to GWRC Bulk water services, the PDP report clearly identifies the fact that the PPG water take is 3% of the take of GWRC. In normal circumstances, there are no effects by the PPG take on the ability of GWRC to abstract water for supply.

It is also clear that the level of abstraction by GWRC has by far the greatest effect on the aquifer. Nonetheless, it is PPG who have the conditions imposed which limit the ability for it to abstract water when the trigger level at the McEwen Park monitoring station is breached. With the condition imposed, it is my view that there is no adverse effect on GWRC bulk water services and their ability to abstract water supply for Wellington.

The applicant has also consulted with the Hutt City Council. The Hutt City Council development liaison officer has advised Unilever and myself, that they support the ongoing commercial/industrial use of the site and therefore indirectly support the renewal of the water permit.

9.0 PART II

The purpose and principles of the Act is set out in section 5 of the Act. The Act promotes the sustainable use and management of resources. In this case, the resource is the important Hutt Aquifer. The maintenance of the quality of this asset is an important outcome for all parties living in the city.

The RFP has rules which restrict the ability of parties to abstract water from the aquifer and the all existing permit holders are required to keep records of their abstractions.

The aquifer is monitored by “real time” monitoring to ensure that water is not abstracted at a rate that would allow saline intrusion to occur.

By far the main “user” of the aquifer is GWRC bulk water services who use the resource to provide freshwater to the city.

The aquifer is also however an important water source for existing and future industrial users of the city. While GWRC uses the water to supply Wellington, that demand is only created if there are people in the city. People require employment and the generation of economic activity within Wellington City to provide for their economic and social wellbeing.

The Petone area/Seaview area is one of the two most important industrial areas in Wellington (the other is in Porirua). The Unilever site remains one of the largest factory sites in the Petone area. With the gradual reduction for a number of years and now total cessation of production by Unilever’s, there remains an opportunity for new industrial/commercial activity to occur in the area to once again stimulate jobs and economic activity.

The Unilever site already has a large amount of plant, buildings and bores which would be underutilized if the water permit is not used. The existing infrastructure and long established history of operation on this site is a relevant matter under S104(2A) of the Act.

The renewal of the water permit for a period of 35 years will encourage commercial and industrial activity to make new investment in the site and provide the required economic benefit for the area.

At this time, PPG have identified an offshore water bottling company who wishes to establish in the Petone area and secure water rights. The company will provide local jobs and export revenue for the Wellington Region. The certainty of having secure water rights is required before these benefits can be confirmed and quantified. However, it is clear that they will be “real” and significant.

The extension of the water permit for the period proposed, will therefore unquestionably provide for the economic welfare of the region.

At the same time, the potential adverse effects are already well understood and appropriate conditions will ensure that the effects on the aquifer are avoided.

On that basis I conclude that the granting of the renewal of the water permit for 35 years will be consistent with the Act and a sustainable allocation of the resource.

Despite the importance of the aquifer, there are no matters of national importance to consider in the application.

In respect to “other matters” listed in s7 of the Act, s7(b) the efficient use and development of natural resources is relevant. The aquifer is an important asset and must be managed appropriately.

The applicant has considered their responsibilities under the Treat of Waitangi and has consulted with Tangata Whenua and the proposal reflects the response from the local Iwi.

10.0 CONCLUSION

The proposal is the transfer and renewal of a water permit for a period of 35 years.

The renewal of that permit is associated with a site that has seen continuous abstraction for a period of nearly 100 years.

The transfer and renewal of the water permit is a discretionary activity under the RFP. The applicant has provided a full and in depth report of the potential adverse effects of granting the permit. The conclusions are that the effects will be less than minor.

The existing permit has a number of conditions. The existing conditions are considered to be reasonable and will ensure that future potential adverse effects are mitigated.

The proposal is therefore considered to be a sustainable allocation and use of a natural resource. It will allow for economic activity in the city, while ensuring that adverse effects are adequately avoided.

Pursuant to S104B of the Act, it is my view that consent should be granted.

Attachments



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

Identifier 172056
Land Registration District Wellington
Date Issued 25 November 2004

Prior References
WN542/292

Estate Fee Simple
Area 5.4998 hectares more or less
Legal Description Lot 3 Deposited Plan 341820

Proprietors
Unilever New Zealand Trading Limited

Interests

Appurtenant hereto are tramway rights created by Transfer 109845 (affects part formerly Lot 1 DP 13037)
Appurtenant hereto are drainage rights created by Transfer 136876 (affects land formerly in DP 3821)
Subject to drainage rights over part created by Transfer 136876
286068 Encumbrance to Her Majesty the Queen - 15.12.1948 at 12:05 pm (affects part formerly Lot 1 DP 13037)
Subject to rights (in gross) to maintain a gas regulator over part marked A on Plan 341820 in favour of (now) Powerco Limited created by Transfer 717211.2 - 24.9.1985 at 10.19 am
Subject to a right to overhang eaves over part marked B on DP 341820 created by Easement Instrument 6229489.4 - 25.11.2004 at 11:39 am
Appurtenant hereto is a right to discharge Industrial effects and other rights created by Easement Instrument 6229489.5 - 25.11.2004 at 11:39 am
Land Covenant in Easement Instrument 6229489.5 - 25.11.2004 at 11:39 am

808 000 mN

LT 341820 (Title Plan)

Copy - 01/01/01 Plan - 001.21/09/04.08.25



00010 41112312



FOR DIMENSIONS OF EXISTING EASEMENT A SEE DP 56277

Approvals

I HEREBY CERTIFY THAT THIS PLAN WAS APPROVED BY THE HUTT CITY COUNCIL PURSUANT TO SECTION 223 OF THE RESOURCE MANAGEMENT ACT 1991 ON THE 31 DAY OF August 2004

[Signature]
AUTHORISED OFFICER

PURSUANT TO SECTION 224(c) OF THE RESOURCE MANAGEMENT ACT 1991, I HEREBY CERTIFY THAT ALL THE CONDITIONS OF THE SUBDIVISION CONSENT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE HUTT CITY COUNCIL.

DATED THIS DAY OF 2004

AUTHORISED OFFICER

SCHEDULE OF EXISTING EASEMENT IN GROSS

PURPOSE	SHOWN	SERV.TEN.	CREATED BY
RIGHT TO MAINTAIN A GAS REGULATOR	A	LOT 3	T. 717211.2

SCHEDULE OF EASEMENT

PURPOSE	SHOWN	SERV.TEN.	DDM.TEN.
RIGHT TO OVERHANG EAVES	B	LOT 3	LOT 2

NEW CT's ALLOCATED

LOT No.	C.T. ISSUED
LOT 1	172054
LOT 2	172055
LOT 3	172056

NOTE:

LOTS 1 & 2 ARE SUBJECT TO A RESTRICTIVE COVENANT
LOT 3 SUBJECT TO DRAINAGE RIGHTS OVER PART CREATED BY T.136876 (AFFECTS LAND IN DP 3821)

CLASS I SURVEY

Total Area 5,5871 ha
Comprised in CT.WNS42/292 (ALL)

I, Mark Collingwood Goodin
being a person entitled to practise as a licensed cadastral surveyor, certify that:
(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2.
(b) This dataset is accurate, and has been created in accordance with that Act and those Rules.

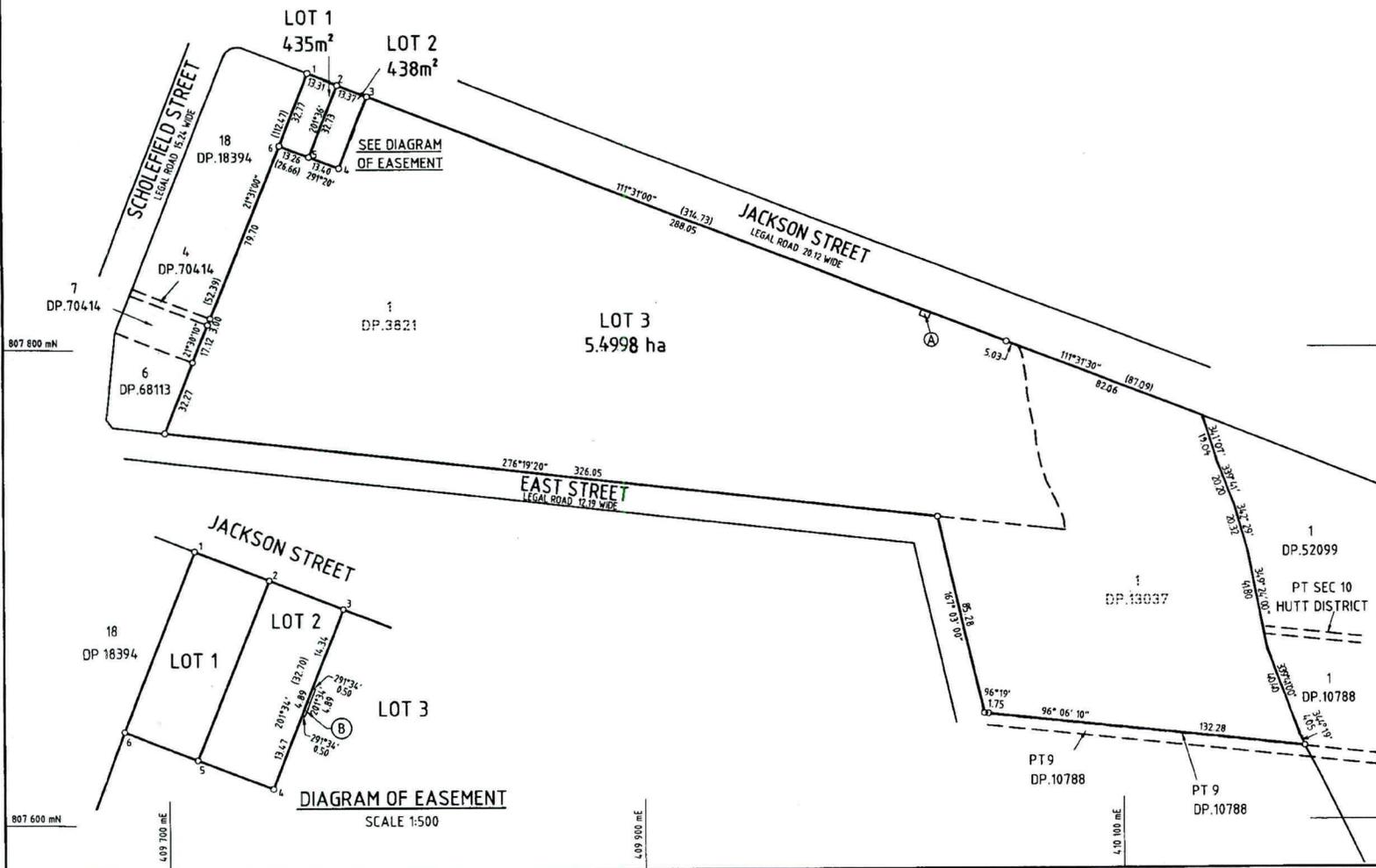
Signature: *[Signature]*
Date: 18/8/04

Field Book p. Traversa Book p.
Reference Plans DP's 3821, 18394, 52099, 56277, 68133, 10788, 70414, 84435, SQ.23707, 32443, 34639, 35856.
Examined: Correct

Approved as to Survey by Land Information NZ on
29/10/2004

Deposited by Land Information NZ on
25/11/2004

File NUMBER: CAD11811814
Received 21-9-04
Instructions
341820



LAND DISTRICT WELLINGTON

LOTS 1 - 3 BEING A SUBDIVISION OF LOT 1 DP.3821 & LOT 1 DP.13037

TERRITORIAL AUTHORITY HUTT CITY
Surveyed by Connell Wagner Limited
Scale 1:1250 Date JULY 2004

PROCESSED BY

Consent No. WGN070193 [25890]**Category: Water Permit**

Pursuant to sections 104B and 108, and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a consent in respect of a natural resource is hereby granted to:

Name	Unilever New Zealand Trading Limited	
Address	Private Bag 39809, Wellington Mail Centre, Lower Hutt 5045	
Term of consent	Effective: 29 March 2007	Expires: 29 March 2017
Purpose for which right is granted	To take and use groundwater from an existing bore located in the Waiwhetu Artesian Aquifer.	
Location	486 Jackson Street, Petone, Lower Hutt at or about map reference NZMS 260: R27;688.956	
Legal description of land	Lot 3 DP 341820	
Volume/Quantity/Rate	To take up to 915,600m ³ /year and up to 17,800m ³ /week.	
Conditions	1-9 as attached	

For and on behalf of
WELLINGTON REGIONAL COUNCIL

Manager, Environmental Regulation

Date:

Conditions to Resource Consent

WGN070193 [25890]

- (1) The location, design, implementation and operation of the take shall be in accordance with the consent application and its associated plans and documents, lodged with the Wellington Regional Council on 7 March 2007.

Note: Where information in the application conflicts with the conditions of this permit, then the conditions shall prevail.

- (2¹) The rate of abstraction shall not exceed 17,800 cubic metres over any seven day period and 915,600m³ per year.
- (3) The permit holder shall meter all abstraction and supply records of weekly total abstraction to the Manager, Environmental Regulation, Wellington Regional Council, on a monthly basis. The installed meter shall have an accuracy of +/- 5 percent.
- (4) If the pressure in the Waiwhetu Artesian Aquifer drops to an average, over a 24 hour period, of +2.3 metres above datum, as measured by the McEwan Park (site number 1428009) water level monitoring station, or any other official Wellington Regional Council water level monitoring station in the Petone and Seaview area, the permit holder shall comply with all abstraction restrictions and/or rostering as directed by the Manager, Environmental Regulation, Wellington Regional Council.
- (5) The Wellington Regional Council may review any or all conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within six months of the commencement date of this permit annually for the first five years and every second year thereafter for the following reasons:
- a) to deal with any adverse effect on the environment which may arise from the exercise of this permit, and which it is appropriate to deal with at a later stage, or
 - b) to review condition 4 to reflect a change in monitoring aquifer salinity once modifications to the McEwan Park site are completed, or
 - c) when more stringent National Environmental Standards on water metering are implemented.
- (6) The wellhead and its connections shall be designed and maintained so that excess water does not run to waste, and contamination of the aquifer and backflow are prevented.
- (7) If any modifications are made to the pump or bore, the permit holder shall notify the Manager, Environmental Regulation, Wellington Regional Council at least one month before the modifications occur.
- (8) If requested by the Manager, Environmental Regulation, Wellington Regional Council, the permit holder shall make the bore available for the monitoring of groundwater levels and water quality.
- (9) All metering and recording methods and procedures shall be to the specific approval of the Manager, Environmental Regulation, Wellington Regional Council.

¹ 10,000m³/year transferred to WGN120153 [31553] on 12 September 2012 under Section 136(2)(b) of the Resource Management Act 1991