



Marlborough's East Coast - Issues and Options

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1. Introduction

Marlborough's East Coast has a long history of occupation, cultural, recreational and commercial use. It has ecological values and part of the coast is recognised as an outstanding natural landscape (ONL) in Council's resource management plan.

The 7.8 magnitude Kaikōura earthquake on 14 November 2016 changed Marlborough's East Coast area by raising 110km of the coastline up to 6.5 metres, with a 0.5-2.5 metres uplift in the area between the mouths of the Awatere and Waima/Ure Rivers. The high tide mark shifted as much as 200 metres, leaving more exposed beach. In places where access was previously restricted by tides, it is now possible to walk or drive at virtually any time. Popularity of the area has increased as a result of there being more beach area available.

Following the earthquake, landowners along the East Coast as well as Forest and Bird (March 2018) both raised their concerns to Council relating to the environmental effects occurring from the increased number of people taking their motor vehicles along the coast.

Council began by working with the East Coast Protection Group (ECPG) to identify the values that are present along the East Coast and that are potentially at threat from continued uncontrolled vehicle use. These values are reported in a scientific report titled "Marlborough's East Coast – Technical Report, dated 28 June 2019" (Technical Report). This report also includes observations of the effects resulting from the earthquake and the potential threats to recovery and continued presence of the indigenous flora and fauna along the East Coast.

Two issues have emerged regarding the continued uncontrolled motor vehicle use on the East Coast: Firstly, the adverse effects to the values on the East Coast environment and secondly the effect on public safety and enjoyment of the area.

There could be long-term consequences for the natural landscape and biodiversity and public safety if uncontrolled motor vehicle access continues. However, it is acknowledged that banning motor vehicles or restricting beach access may reduce driving access for long standing users.

The options outlined in this report look at the regulatory and non-regulatory solutions that can be used to address the two issues identified.

1.1. Scope

This report investigates the options to manage the adverse effects of motor vehicle access to Marlborough's East Coast between the Awatere River mouth to the north and to near the southern boundary of the Marlborough district (the focus area).

1.2. Form and Structure

This report summarises the values and threats, sets out two issues and suggests regulatory and non-regulatory solutions to address the issues. An assessment of the advantages and disadvantages for each option is provided. If continued vehicle access is considered the preferred option then the options and methods that could apply at each of the access points along the coast has been included for consideration.

1.3. Definition

Motor vehicle As defined by the Land Transport Act.

- (a) Means a vehicle drawn or propelled by mechanical power; and
- (b) Includes a trailer; but
- (c) Does not include—
 - (i) A vehicle running on rails; or
 - (ii) *Repealed*.
 - (iii) A trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
 - (iv) A trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
 - (v) A vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
 - (vi) A pedestrian-controlled machine [; or]
 - [(vii) a vehicle that the [[Agency]] has declared under section 168A is not a motor vehicle; or]
 - [(viii) a mobility device]

2. Summary of Values and Threats

In the tables below you will find a summary of the values and the potential threats to those values that are known or have been identified from the Technical Advice Workshop held on 23 July 2018 and from consultation. This information has been summarised from the detailed information provided in the Technical Report.

Table 1: Summary of the High Values on Marlborough's East Coast

Value	Location	Description
Landscape/Scenery		
	Throughout.	Largely unmodified and very exposed. Has a remoteness value. Recognised as ONL in Proposed Marlborough Environment Plan (PMEP).
	Canterbury Gully.	Natural dune systems and stream mouth.
	Needles Point.	Dramatic limestone rocky outcrops. Views to Cape Campbell and Kaikōura mountains and the associated seascape
	Mirza Creek.	Natural dune systems and stream mouth.
	Chancet Rock Scientific Reserve.	Limestone rocky outcrops and exposed reef systems.
	Cape Campbell.	Views from Cape Campbell lighthouse. Panoramic vistas of the sweeping curve of Clifford Bay and the southern shores of the North Island.
	Clifford Bay.	Large sweeping bay with views to limestone cliffs and Cape Campbell.
	Ward Beach.	Enclosed beach with surf break. Moeraki type concretion boulders. Exposed reef system. River mouth and lagoon.
	Waima/Ure River.	Lagoon system, extensive beaches and dunes.

Value	Location	Description
Dunes		
	Cape Campbell.	<p>Dunes are recognised in New Zealand as Naturally Uncommon Ecosystems.</p> <p>The dunes at Cape Campbell have escaped development other than for farming, by reason of their remoteness, and as a result, they still hold important populations of indigenous species.</p> <p>The dunes have been uplifted by the 2016 earthquake and moved further from the influence of the sea. The log debris which currently edges the land along the interface between grass and gravel are providing a home for plenty of lizards. Eventually the logs will rot away and vegetation will cover them over. The new logs which are being washed up on the beach have to accumulate in order to provide this habitat in the future.</p>
	Mirza Creek to Waima/Ure.	The stretch of dunes from Mirza Creek to Waima/Ure are considered the best on the coast.
	Canterbury Gully dunefield just south of Cape Campbell.	Canterbury Gully dunefield contains nationally threatened ecosystem types and plant species.
	Grassmere.	Dune system with relatively intact indigenous vegetation.
Biodiversity/Ecology		
Flora		
	Scattered throughout.	Habitat of threatened plant species including; Coastal mat daisy, pingao, hinarepe, kowhangatara, and mat daphne which supports the Nationally Endangered Cape Campbell Pimelia looper moth.
	Clifford Bay, Cape Campbell, Chancet Rocks, Needles.	Small, low indigenous forest remnants and unusual, highly distinctive herb fields with nationally threatened species are present on the coastal cliffs and escarpments and limestone areas.

Value	Location	Description
Fauna		
<i>Birds</i>	Scattered throughout with highest ranked areas being Cape Campbell, Long Point down to Ward Beach, Awatere River mouth, Waima/Ure River mouth, Lake Grassmere/Kapara Te Hau.	Important area for coastal waders, terns, shags and gulls to roost and feed.
	South of Cape Campbell, Long Point and north from the Waima/Ure all the way to Chancet Rocks including Ward Beach.	Important nesting areas for banded dotterels and variable oystercatchers.
<i>Reptiles</i>	Mussel Point, Cape Campbell south to Waima/Ure River.	There are three lizard species present. The driftwood zone where the lizards live is now many metres away and will not be replenished, but over time it is expected that a new driftwood zone will establish, while the old zone gradually rots away. The zone between these two driftwood areas is being driven over which prevents new habitat establishing. In the meantime the reptiles need to persist and then colonise the new habitat once it is established.
<i>Invertebrates</i>	Scattered throughout. Canterbury Gully most important site.	Red katipo spider.
	Lake Grassmere/Kapara Te Hau foredunes, Marfells Beach and Mussel Point beach	Red katipo spider.
	Needles Point, Cape Campbell, Canterbury Gully and Mirza Stream mouth.	Pimelea moth.
<i>Marine Mammals</i>	Cape Campbell and Needles Point.	New Zealand fur seals: Breeding colony.
	Cape Campbell.	Elephant seals breeding.

Value	Location	Description
Marine Ecosystems		
	Cape Campbell south.	<p>Prominent reefs are very important as they are at the southern end of Cook Strait and they support a mixture of southern and northern marine species.</p> <p>Productivity of algal beds and reefs still in recovery.</p>
Recreational activities		
<i>Camping - DOC campground</i>	Marfells Beach.	<p>Main "gateway into Cape Campbell area" for all users. Setting-off point for a popular 6km walk to the Cape Campbell lighthouse.</p> <p>Motor vehicle access onto the beach to get to Mussel Point and further south for fishing.</p> <p>Becoming more popular because there is now more beach to enjoy.</p>
<i>Camping - Private</i>	Chancet Farm, Ward Beach.	Motor Caravan Association site.
<i>Walking</i>	Marfells Beach.	Access point to walk to Mussel Point and Cape Campbell lighthouse. The views from Cape Campbell lighthouse provide panoramic vistas of the sweeping curve of Clifford Bay and the southern shores of the North Island.
	Ward Beach.	Access point to walk to Chancet Rocks Scientific Reserve and Needles Point. Walks along the sandy shoreline to the impressive limestone outcrops of Needles Point and Chancet Rocks are backed by steep terrain where views towards the open ocean are gained.
<i>Birdwatching</i>	Cape Cambell, Lake Grassmere/Kapara Te Hau, Awatere mouth, Waima mouth, Ward Beach.	Refer Use of East Coast Maps 1-3 in Appendix 1.

Value	Location	Description
<i>Fishing and surf casting</i>	Ward Beach, Marfells Beach – Mussel Point, Te Koko-o-Kupe/Cloudy Bay, Flemings Road, Lake Grassmere/Kapara Te Hau wharf.	
<i>Dog exercising</i>	Road end of Ward Beach Road. Marfells Beach.	There is a small designated area at Ward Beach, however dogs are exercised beyond this area. Owners also walk their dogs at Marfells Beach and other road ends.
<i>Horse riding</i>	Marfells Beach.	From Marfells Beach to the Cape Campbell lighthouse.
<i>Collecting pāua and crayfish</i>	South of Cape Campbell.	Pāua are under pressure from the earthquake. All harvesting of shellfish and seaweed is currently prohibited. Recreational craypots are set close to the reefs and accessed from the land using motor vehicles to access sites. Commercial craypots are set further out by boat.
<i>Driving 4WD</i>	Marfells Beach to Long Point. Wharanui to Needles Point. See Vehicle access maps 1-3 in Appendix 2 of the Technical Report.	Driving along the beach and in the dunes for recreation and fishing. The areas from Wharanui to Needles Point and north of Marfells Beach are being used as a race track. Dunes are heavily tracked.
<i>Riding ATV or motorbikes</i>	See Vehicle access maps 1-3 in Appendix 2 of the Technical Report.	Riding along the beach for recreation and fishing. Riding on the dune systems behind the beach.

Value	Location	Description
Commercial Activities		
<i>Commercial fishing</i>	Throughout.	Commercial fishing is boat based and is undertaken all along the coast. Some boats launch at Ward Beach and others come from Port Underwood or outside the immediate vicinity.
	Ward Beach.	Launching boats from beach.
<i>Farming</i>	Throughout.	Potential for sheep and cattle accessing beach. Some dune areas have been cultivated but most is semi natural or unimproved.

Table 2: Summary of the Potential Threats to Marlborough's East Coast

Threat	Impact	Location
Vehicle movements		
	Juvenile shellfish are being damaged by motor vehicles crossing the intertidal zone (below the high tide mark) which is also threatening recruitment.	On fine sandy beaches at Marfells Beach and between Mussel Point and Cape Campbell.
	Motor vehicles driving on reef systems damaging the reef structure and limiting the recolonization of marine plants and algae.	Cape Campbell and Long Point.
	Motor vehicles are driving on the newly established dune systems, preventing the establishment of indigenous communities.	The entire area from the Awatere mouth to Waima mouth and Wharanui.
	Motor vehicles are driving on the original dune systems damaging threatened plant and animal communities and archaeological sites.	Mussel Point, Waima River mouth, south of Needles Point, Lake Grassmere/Kapara Te Hau dunes.

Threat	Impact	Location
	Public safety – Beach users are at risk from motor vehicles using the beach as a road.	Marfells Beach to Cape Campbell, Clifford Bay Beach, Wharanui, Mussel Point.
	Disturbance of wildlife. Driving through dotterel nesting areas and other bird roosting and nesting areas. Disturbing breeding seals.	Throughout. Refer to Indigenous Fauna Maps 1-3 in Appendix 1.
	Motor vehicle noise and tracks are impacting on the naturalness, ambience and aesthetics of the area.	Throughout. Refer to Vehicle Access Maps 1-3 in Appendix 2 of the Technical Report.
	Motor vehicle traffic making tracks that allow predators to move freely between locations.	Throughout, especially dune systems.
People		
<i>Walkers</i>	Disturbing wildlife, e.g breeding seals. Walking through bird roosting and nesting areas e.g dotterels.	Throughout.
<i>Walkers</i>	Trampling over marine ecosystems, particularly reefs when they access their craypots.	Cape Campbell and Long Point.
<i>Visitors</i>	Growing visitor pressure.	Throughout.

3. Location of Access Points along Marlborough's East Coast

A map of the existing access points along Marlborough's East Coast is provided below:



Figure 1: Access Points on Marlborough's East Coast

Table 3: Description of the access points along Marlborough's East Coast

Access ID	Access Location	Description		Activities	Vehicle type typically using access	Where vehicles typically go
Access Point 1	Flemings Road.	 <p data-bbox="421 774 862 837">Figure 2: Photo of Flemings Road Access Point</p>	<p data-bbox="952 454 1265 518">Small parking area. Steep access to beach.</p> <p data-bbox="952 550 1265 758">Clifford and Cloudy Bay Marine Mammal Sanctuary covers the beach area. It is an offence to herd or harass any marine mammal using a vehicle.</p>	<p data-bbox="1288 454 1512 614">Camping, surf cast fishing, surfing (north side), white baiting, walking.</p>	<p data-bbox="1534 454 1691 550">Quad bikes. 4WD.</p>	<p data-bbox="1816 454 2063 550">North to Awatere River and south to Marfells Beach.</p>
Access Point 2	Cable Station Road.	 <p data-bbox="421 1184 907 1248">Figure 3: Photo of Cable Station Road Access Point</p>	<p data-bbox="952 865 1265 1024">Parking area on private land (area shaded yellow in figure 5). Access to the beach is through an unlocked gate.</p> <p data-bbox="952 1056 1265 1184">The current landowner is happy for the public to park and access the beach as pedestrians.</p> <p data-bbox="952 1200 1265 1375">Clifford and Cloudy Bay Marine Mammal Sanctuary cover's the beach area. It is an offence to herd or harass any marine mammal</p>	<p data-bbox="1288 865 1512 992">Lighting fires, bbqs, surf cast fishing, walking, dog exercising.</p>	<p data-bbox="1534 865 1758 896">No vehicle access.</p>	<p data-bbox="1816 865 2063 992">North to Flemings Road (Awatere River) and south to Marfells Beach.</p>

Access ID	Access Location	Description	Activities	Vehicle type typically using access	Where vehicles typically go	
		 <p data-bbox="421 794 898 858">Figure 4: Cable Station Road (private land)</p>	<p data-bbox="954 395 1140 419">using a vehicle.</p>			
<p data-bbox="96 906 190 962">Access Point 3</p>	<p data-bbox="248 906 394 1090">Salt Works Road (Unnamed road off Kaparu Road).</p> <p data-bbox="248 1121 394 1177">Lake Grassmere.</p>	 <p data-bbox="421 1233 875 1289">Figure 5: Photo of Salt Works Road Access Point</p>	<p data-bbox="954 906 1267 994">Parking area. There is an intake structure (jetty) for the Salt Works.</p> <p data-bbox="954 1018 1267 1225">Clifford and Cloudy Bay Marine Mammal Sanctuary covers the beach area. It is an offence to herd or harass any marine mammal using a vehicle.</p>	<p data-bbox="1292 906 1503 994">Commercial activity, surf cast fishing.</p>	<p data-bbox="1536 906 1608 930">4WD.</p> <hr/> <p data-bbox="1536 1273 1682 1297">Quad bikes.</p>	<p data-bbox="1818 906 2029 962">South to Marfells Beach.</p> <hr/> <p data-bbox="1818 1273 2051 1393">North to Flemings Road (Awatere River) and south to Marfells Beach.</p>

Access ID	Access Location	Description		Activities	Vehicle type typically using access	Where vehicles typically go
Access Point 4	Marfells Beach.	 <p data-bbox="421 730 853 791">Figure 6: Photo of Marfells Beach Access Point (north)</p>	<p data-bbox="958 395 1256 544">Parking lay-by at the northern end of Marfells Beach. Vehicles access the beach through the dunes.</p> <p data-bbox="958 563 1128 592">Existing signs.</p> <p data-bbox="958 627 1256 839">Clifford and Cloudy Bay Marine Mammal Sanctuary covers the beach area. It is an offence to herd or harass any marine mammal using a vehicle.</p>	<p data-bbox="1294 395 1518 791">Bird watching, boat launching (3 access ramps), camping, craypotting, cultural and historical sites, diving, dog exercising, fishing, food gathering, horse riding, kite sailing, walking (to lighthouse).</p>	<p data-bbox="1541 395 1682 456">4WD and motorcycles.</p>	<p data-bbox="1823 395 2047 576">North to Flemings Road (Awatere River) and south to Chancet Rocks (previously to Long Point only),</p>
		 <p data-bbox="421 1193 853 1254">Figure 7: Photo of Marfells Beach Access Point (camping ground)</p>	<p data-bbox="958 879 1256 1027">DOC camping ground at Marfells Beach. There are 3-4 places where the public launch trailer vessels.</p> <p data-bbox="958 1062 1128 1091">Existing signs.</p>		<p data-bbox="1541 608 1682 636">Quad bikes.</p>	<p data-bbox="1823 608 2047 692">North to Flemings Road and south to Long Point.</p>

Access ID	Access Location	Description		Activities	Vehicle type typically using access	Where vehicles typically go
		 <p data-bbox="421 719 853 778">Figure 8: Photo of Marfells Beach Access (south)</p>	<p data-bbox="954 389 1267 536">There is a parking area at southern end of Marfells beach with signs. Launching of trailer vessels.</p>			
Access Point 5	Ward Beach Road.	 <p data-bbox="421 1155 891 1214">Figure 9: Photo of Ward Beach Road Access Point</p>	<p data-bbox="954 818 1245 999">Parking area. Natural physical barriers preventing access north beyond Chancet Rocks and south of Needles Point.</p> <p data-bbox="954 1035 1128 1062">Existing signs.</p>	<p data-bbox="1290 818 1491 999">Bird watching, camping, diving, dog exercising, fishing, horse riding, walking, white baiting.</p> <p data-bbox="1290 1035 1514 1318">Boat launching for commercial fishing (crayfish and pāua). Commercial fishing targeted from Mussel Point to Devils Rock at Ure.</p> <p data-bbox="1290 1355 1491 1394">MPI Compliance Team.</p>	<p data-bbox="1536 818 1682 845">Quad bikes.</p> <p data-bbox="1536 1035 1715 1091">4WD, tractors, bulldozers.</p>	<p data-bbox="1818 818 2051 903">North to Chancet Rocks and south to Needles Point.</p> <p data-bbox="1818 1035 2029 1120">Beach access to launch trailer vessels.</p>

Access ID	Access Location	Description	Activities	Vehicle type typically using access	Where vehicles typically go	
Access Point 6	Waima/Ure River mouth.	 <p>Figure 10: Photo of Waima/Ure Access Point</p>	Parking area with a short walk through the dunes to the beach. Site of old landfill.	Bird watching, diving, fishing, food gathering, white baiting.	4WD.	North to Needles Point if Waima/Ure River passable and south to Tirohanga Stream.
					Quad bikes.	
Access Point 7	Wharanui.	 <p>Figure 11: Photo of Wharanui Access Point</p>	Wide expansive beach. Frequently used area by motor vehicles confirmed by presence of extensive vehicle tracks.	Bird watching, camping, diving, fishing, white baiting.	4WD.	
					Quad bikes.	

Access ID	Access Location	Description		Activities	Vehicle type typically using access	Where vehicles typically go
Access Point 8	Tirohanga Stream.	 <p data-bbox="421 715 909 775">Figure 12: Photo of Tirohanga Stream Access Point</p>	<p data-bbox="952 384 1261 628">The railway line is fenced off from State Highway 1 with 4 unlocked gates between State Highway 1 and beach. The beach is some distance from the access point at State Highway 1.</p> <p data-bbox="952 663 1232 751">Not likely to be a frequently used access point.</p>	Surf cast fishing.	<p data-bbox="1536 384 1608 408">4WD.</p> <hr/> <p data-bbox="1536 448 1682 472">Quad bikes.</p>	North to Wharanui and Waima/Ure River.

4. Land Status

Ownership and management of the land along the East Coast is shared by the Marlborough District Council (Council), Department of Conservation (DOC) and Land Information New Zealand (LINZ). This section describes each land type along the coast and the regulatory methods particular to the land type. The Land Status of the East Coast is mapped in Appendix 1.

Beach

A beach is normally defined as the area between low and high water springs. It has a moveable boundary, meaning if the high tide mark moves (as has happened as a result of the Kaikōura earthquake), the beach moves.

The **Land Transport Act 1998** defines beaches as roads so all the normal road rules apply. The Land Transport Act 1998 also enables vehicle access to be limited and speed limits to be set through bylaws. Council has the power to make the bylaws with the New Zealand Police enforcing them.

The beach is also regulated as a coastal marine area under the **Marine and Coastal Area (Takutai Moana) Act 2011**. This Act guarantees public access, subject to authorised prohibitions and restrictions (such as authorised under the Land Transport Act 1998). This Act is administered by DOC.

Reserves

There are a number of reserves along the coast from the end of Flemings Road to Lake Grassmere/Kapara Te Hau and Marfells Beach. They include local purpose reserves, recreation reserves and a scientific reserve. Reserves have fixed boundaries which means erosion, accretion and earthquakes can result in land shifting outside boundaries. This can only be corrected by legal survey. Council reserves and DOC estate along Marlborough's East Coast are mapped in the Land Status maps in Appendix 1.

All of the reserves are administered under the **Reserves Act 1977**. Each type of reserve has a different purpose and different rules apply to public access.

The purposes of the Reserves Act include, "*ensuring, as far as possible, the preservation of access for the public to and along the sea coast and fostering and promoting the preservation of the natural character of the coastal environment and protection from unnecessary subdivision and development.*"

In recreation reserves like Marfells Beach, the public has freedom of entry and access, subject to conditions and restrictions considered necessary for the protection and general well-being of the resource and protection and control of the public.

In scientific reserves, such as Chancet Rocks, the Minister of Conservation may publish a Gazette notice prohibiting access without a permit.

In local purpose reserves, such as a fragment of land north of Flemings Road, the administering body can prohibit or restrict access to preserve the stability of the land or biological values. Access can be restricted, requiring a permit.

Most of the reserves are owned and administered by DOC except the local purpose reserve which is administered by Council.

Unformed Legal Road

There is a legal road along much of the coast which has not been formed. Legal road along Marlborough's East Coast is mapped in the Land Status maps in Appendix 1. A legal road is a surveyed area whose boundaries do not move if the land shifts (as happened as a result of the Kaikōura earthquake) or more commonly due to erosion and accretion.

Driving and even walking along the legal road may not always be physically possible, for example vehicles cannot drive around Chancet Rocks, south of Cape Campbell despite there being legal road.

There are gaps in the road:

- Between the Awatere River mouth and about 2km south of the Flemings Road exit.
- The northern end of Marfells Beach to about 1.5km beyond Mussel Point.

Roads are regulated under the **Local Government Act 1974** and the **Land Transport Act 1998**.

Council can—

- stop the road;
- prohibit or restrict the use of vehicles on the road to protect the environment, the road and adjoining land, or the safety of road or beach users;
- impose speed limits on the road.

The area where vehicles are driving along the coast is much wider than the unformed legal road so simply regulating use of the road or stopping the road may not be completely effective to control vehicle access.

The road in question is managed by Council.

The Clifford and Cloudy Bay Marine Mammal Sanctuary

The offshore Clifford and Cloudy Bay Marine Mammal Sanctuary was established to protect Hector's Dolphins from acoustic noise. Its boundaries extend from Cape Campbell to an offshore point in a direct line to Tory Channel/Kura Te Au. The sanctuary covers 142,716 hectares and 338 km of coastline to the high tide mark (mean high water springs). The Sanctuary was created in 2008.

Marine Mammal Sanctuaries are created and administered under the **Marine Mammals Protection Act 1978**. It is an offence under this Act to use a vehicle to herd or harass any marine mammal within a marine mammal sanctuary.

Sanctuaries are administered by DOC.

A map of the Clifford and Cloudy Bay Marine Mammal Sanctuary is in Appendix 1 of the Technical Report.

Crown Land

The balance of the land is the area between the pre-earthquake high tide and the post-earthquake high tide. It is Crown Land administered by LINZ (unless Council makes a claim to have it incorporated into the existing unformed legal road).

5. Requirements

This section explains the regulatory requirements that Council needs to recognise and provide for under Part 2 of the Resource Management Act 1991 (RMA) or give effect to under the New Zealand Coastal Policy Statement and the Proposed Marlborough Environment Plan (PMEP). This is followed by a section on the available tools that can be used to give effect to the preferred action.

5.1. Regulatory Requirements

5.1.1. Resource Management Act 1991

Matters of national importance in Section 6(a) and 6(c) of the RMA require the Council to recognise and provide for the preservation of the natural character of the coastal environment, wetlands, lakes, rivers and their margins, and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. These matters help to protect biodiversity as important components of Marlborough's natural heritage.

Council is also required under Section 6(d) of the RMA to recognise and provide for the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.

Section 6(e) requires Council to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. In addition in achieving the purpose of the RMA, all persons exercising functions and powers under it in relation to protection of natural and physical resources shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) [Section 8 of Part 2].

Sections 6(a) and (c) appears at odds with 6(c). The New Zealand Coastal Policy Statement and our own Proposed Marlborough Environment Plan (PMEP) policies help to resolve that conflict.

5.1.2. New Zealand Coastal Policy Statement 2010 (NZCPS)

The NZCPS is a national direction made by central government under the RMA. Council has to take it into account in developing its resource management plans. The purpose of the NZCPS is to state the objectives and policies to achieve the sustainable management of the natural and physical resources of the coastal environment. Apart from the specific policy regarding use of motor vehicles on the coast, the following objectives are relevant.

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;*
- *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and*
- *maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity*

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*

- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment.*

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*
- *functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- *the coastal environment contains renewable energy resources of significant value;*
- *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
- *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

Another objective, also relevant, relates to recognising the role of tangata whenua as kaitiaki.

These objectives are supplemented by 29 policies. Policy 20 provides clear guidance on how to balance the interests, values and threats from vehicle access on the coast—

Policy 20 Vehicle access

1. *Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:*
 - a. *damage to dune or other geological systems and processes; or*
 - b. *harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or*
 - c. *danger to other beach users; or*
 - d. *disturbance of the peaceful enjoyment of the beach environment; or*
 - e. *damage to historic heritage; or*
 - f. *damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or*
 - g. *damage to sites of significance to tangata whenua; might result.*
2. *Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.*
3. *Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.*

The options identified have been assessed against this policy.

A further NZCPS policy may also assist in areas where there is insufficient data or information to quantify the risks posed—

Policy 3 Precautionary approach

1. *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.*

Policy 11 Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- a. *avoid adverse effects of activities on:*
 - i. *indigenous taxa that are listed as threatened⁵ or at risk in the New Zealand Threat Classification System lists;*
 - ii. *taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;*
 - iii. *indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;*

⁵ *Examples of taxa listed as threatened are – Māui dolphin, Hector's dolphin, New Zealand fairy tern, Southern New Zealand dotterel.*

- iv. *habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;*
 - v. *areas containing nationally significant examples of indigenous community types; and*
 - vi. *areas set aside for full or partial protection of indigenous biological diversity under other legislation; and*
- b. *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:*
- i. *areas of predominantly indigenous vegetation in the coastal environment;*
 - ii. *habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;*
 - iii. *indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;*
 - iv. *habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;*
 - v. *habitats, including areas and routes, important to migratory species; and*
 - vi. *ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

Policy 13 Preservation of natural character

1. *To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*
 - a. *avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*
 - b. *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:*
 - c. *assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and*
 - d. *ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.*
2. *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
 - a. *natural elements, processes and patterns;*
 - b. *biophysical, ecological, geological and geomorphological aspects;*
 - c. *natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;*
 - d. *the natural movement of water and sediment;*
 - e. *the natural darkness of the night sky;*

- f. *places or areas that are wild or scenic;*
- g. *a range of natural character from pristine to modified; and*
- h. *experiential attributes, including the sounds and smell of the sea; and their context or setting.*

Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by:

- a. *identifying areas and opportunities for restoration or rehabilitation;*
- b. *providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;*
- c. *where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:*
 - i. *restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or*
 - ii. *encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or*
 - iii. *creating or enhancing habitat for indigenous species; or*
 - iv. *rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or*
 - v. *restoring and protecting riparian and intertidal margins; or*
 - vi. *reducing or eliminating discharges of contaminants; or*
 - vii. *removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or*
 - viii. *restoring cultural landscape features; or*
 - ix. *redesign of structures that interfere with ecosystem processes; or*
 - x. *decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.*

Policy 17 Historic heritage identification and protection

Protect historic heritage⁹ in the coastal environment from inappropriate subdivision, use, and development by:

- a. identification, assessment and recording of historic heritage, including archaeological sites;*
- b. providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;*
- c. initiating assessment and management of historic heritage in the context of historic landscapes;*
- d. recognising that heritage to be protected may need conservation;*
- e. facilitating and integrating management of historic heritage that spans the line of mean high water springs;*
- f. including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;*
- g. imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;*
- h. requiring, where practicable, conservation conditions; and*
- i. considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.*

Policy 18 Public open space

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- a. ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;*
- b. taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;*
- c. maintaining and enhancing walking access linkages between public open space areas in the coastal environment;*
- d. considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and*
- e. recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.*

Policy 19 Walking access

- 1. Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.*

⁹ Refer to definition in section 2 of the Resource Management Act 1991.

2. *Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:*
 - a. *identifying how information on where the public have walking access will be made publicly available;*
 - b. *avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and*
 - c. *identifying opportunities to enhance or restore public walking access, for example where:*
 - i. *connections between existing public areas can be provided; or*
 - ii. *improving access would promote outdoor recreation; or*
 - iii. *physical access for people with disabilities is desirable; or*
 - iv. *the long-term availability of public access is threatened by erosion or sea level rise; or*
 - v. *access to areas or sites of historic or cultural significance is important; or*
 - vi. *subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.*
3. *Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:*
 - a. *to protect threatened indigenous species; or*
 - b. *to protect dunes, estuaries and other sensitive natural areas or habitats; or*
 - c. *to protect sites and activities of cultural value to Māori; or*
 - d. *to protect historic heritage; or*
 - e. *to protect public health or safety; or*
 - f. *to avoid or reduce conflict between public uses of the coastal marine area and its margins; or*
 - g. *for temporary activities or special events; or*
 - h. *for defence purposes in accordance with the Defence Act 1990; or*
 - i. *to ensure a level of security consistent with the purpose of a resource consent; or*
 - j. *in other exceptional circumstances sufficient to justify the restriction.*
4. *Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.*

5.1.3. Proposed Marlborough Environment Plan (PMEP)

Council's resource management plans must give effect to the NZCPS.

The following objectives and policies are relevant:

Objective 9.2 – Identification of circumstances when public access to and along the coast and the margins of lakes and rivers can be restricted.

Policy 9.2.1 – Public access to and along the coastal marine area and the margins of lakes and rivers may be restricted to:

- a) *Ensure a level of security consistent with the purpose of a resource consent or designation;*
- b) *Protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna;*
- c) *Protect cultural values of Marlborough's tangata whenua iwi;*
- d) *Allow for foot access only;*
- e) *Protect public health and safety and animal welfare and to manage fire risk;*
- f) *Protect heritage, natural or cultural values; and*
- g) *In other exceptional circumstances sufficient to justify the restriction, notwithstanding the national importance of maintaining that access.*

Policy 9.4.3 – Ensure the recreational activities that use river and coastal margins do not create significant adverse effects such as diminished natural value or increased bank instability.

A method in the Plan to implement these policies says that Council will liaise with the Department of Conservation to identify areas along Marlborough's coastline where the use of vehicles on the foreshore and seabed is not appropriate.

Objective 8.1 – Marlborough's remaining indigenous biodiversity in terrestrial, freshwater and coast environments is protected.

This objective also helps to protect indigenous biodiversity as an important component of Marlborough's natural heritage and gives recognition to central government's 'statement of national priorities ' for protecting rare and threatened indigenous biodiversity on private land (June 2007). One of the four national priorities, signals the importance of sand dunes—

National Priority 2:

To protect indigenous vegetation associated with sand dunes and wetlands; ecosystem types that have become uncommon due to human activity.

Objective 13.3 – Recreation continues to make a significant contribution to people's health and wellbeing and to Marlborough's tourism industry, whilst avoiding adverse effects on the environment.

Policy 13.3.3 – Ensure that the use of recreational vessels and vehicles does not create a public nuisance, compromise the health and safety of other users or result in adverse effects on the coastal environment.

5.2. Tools

5.2.1. Legal

- Bylaws.
- Road stopping.
- Creating a sanctuary.

5.2.2. Physical

- Fencing and gates.
- Bollards such as concrete blocks, rocks, warratahs.

5.2.3. Signs

There is an existing sign on the beach north of the carpark at Ward Beach, erected by The Flaxbourne Settlers Association encouraging walkers only. This voluntary protection measure has been largely respected; however the sign did disappear during the 2017/18 summer.



Figure 13: Sign at Ward Beach

Signs could be posted at all or some of the access points explaining why access is restricted. Signs have been used successfully in Western Australia defining zones for different activities.

5.2.4. Information sharing

Council website, social media or pamphlets.

5.2.5. Codes of practice

In December 2018 the Council received voluntary code of conduct forms signed by users of Marfells Beach. The form had been circulated as a community initiative in response to landowners wanting to prohibit vehicles from using the beach.

The voluntary code of conduct set out eight points for users to comply with and applied to users wanting to take their vehicles between Marfells Beach and Long Point.

1. All vehicles must travel below the high tide line.
2. No vehicle is to access private land without permission from the landowners.
3. All vehicles must give right of way and maximum separation from all other beach users.

4. Passing birds and seals should be done quietly and carefully with maximum separation.
5. Vehicles on rock shelves should avoid rock pools and marine growth.
6. A voluntary speed limit should be observed as follows – 50kph on open beach, 25kph rounding the Cape from 1km on the north side of the lighthouse to 1km on the southern side of the lighthouse.
7. Cray pots and fishing equipment should only be stored in marked areas approved by DOC.
8. All rubbish to be removed and disposed of responsibly.

These forms are essentially a petition to justify the continued use of vehicles between Marfell's Beach and Long Point. The form appears to have only been circulated to a specific group of users and its value is uncertain given there will be other users of Marfell's Beach that have not signed up to this code. The points volunteered in the code could be considered as a possible solution for future traffic management of the area.

6. Issues

6.1. Issue 1: Uncontrolled motor vehicle access along Marlborough's East Coast is *damaging the environment* following the 2016 Kaikōura earthquake.

6.1.1. Description of the issue

Prior to the 2016 Kaikōura earthquake, high tide prevented people from walking or driving along the foot of the bluffs at Mussel Point. Rocky headlands prevented all motor vehicles other than ATVs from using the beach between Mussel Point and Long Point (about 11km south of the Cape), and access was not possible for any motor vehicle between Long Point and Chancet Rocks. At Cape Campbell, motor vehicle access on formed private roads is through farmland and is only accessible with the owner's permission. Refer to the vehicle access map in Appendix 2 of the Technical Report which shows where different types of motor vehicles went before and after the earthquake.

The high tide mark has shifted down the beach. Where people were only able to travel through in a motor vehicle up to two hours either side of high tide they can now travel through at virtually any time.

Often the shape or softness of the beach makes it difficult for vehicles to travel below mean high water springs (MHWS). Instead motor vehicles travel above MHWS. This means that people are using their motor vehicles in areas where indigenous birds such as dotterels nest.

The Technical Report describes the environment along Marlborough's East Coast that is at risk from this increased activity.

This report identifies four options for addressing Issue 1:

Option 1: Do Nothing (unrestricted access).

Option 2: Prohibit all motor vehicle access along the length of Marlborough's East Coast.

Option 3: Use physical constraints to restrict vehicle access to and along the East Coast.

Option 4: Identify locations where motor vehicle use is appropriate and prohibit the use of motor vehicles from the balance of the coast (restrict access).

Each of the above options, including their advantages and disadvantages are described in Section 7.1. Options 1 and 2 are absolute, either the environmental and ecological values are favoured or motor vehicle users are. The third option is an option that would work alone or be complimentary to options 1 and 4. Option 4 is a compromise.

6.2. Issue 2: Uncontrolled motor vehicle access to Marlborough's East Coast is causing a danger to *public safety and public enjoyment* of the coast.

6.2.1. Description of the issue

The increased accessibility of the coast has also created a threat to other coast users. There is a high public use of the coast at Marfells and Ward beaches, in particular. There are no current controls on speed or the route that motor vehicles must use when driving along the coast. Noise from motor vehicles can also detract from the enjoyment of the coast by other users.

Options 2 and 3 of Issue 1 will partly assist in addressing this issue. If continued access of motor vehicles to the East Coast is the preferred option, then this section identifies three further options:

Option 1: Do Nothing.

Option 2: Impose a 30km/h speed limit on motor vehicles along the coast; with a 5km/h limit in areas of high recreational use and high environmental values and/or

Option 3: Impose a route restriction on motor vehicles so they keep to a track, rather than using the entire beach.

An assessment for each of the above options, including their advantages and disadvantages are described in Section 7.2

7. Options

7.1. Options for Issue 1

7.1.1. Option 1: Do nothing (unrestricted access)

Doing nothing would let the status quo prevail. Motor vehicle users would have no restrictions on access to and along the coast. Motor vehicle routes along the East Coast, pre and post-earthquake are mapped in Appendix 2 of the Technical Report.

Table 4: Advantages and Disadvantages for Option 7.1.1

Advantages	Disadvantages
The interests of motor vehicle users, including long standing users is preserved.	Doesn't recognise and provide for preservation of the natural character of the coastal environment or the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna under section 6 of the RMA.
There is no direct financial cost.	This option is inconsistent with the NZCPS and PMEP as it allows motor vehicle access in areas that have the values that Policy 20 provides should be protected.
More of the East Coast is accessible by all users.	Does not prevent damage to dune or other ecological systems or processes on the coast.
Public access policies enhanced/promoted.	It is likely to harm indigenous flora and fauna.
Public can continue to enjoy the coast.	Public safety will continue to be compromised.
Commercial activities not affected.	Motor vehicles can access parts of the coast that were previously inaccessible.
	It disturbs the peaceful enjoyment of the coast by other users.
	Recovery of environment post-earthquake will be hampered.
	It may damage sites of significance to tangata whenua (section 6(e) and section 8 RMA).
	There will be financial costs to implementing and enforcing this option. These costs have not been calculated.

7.1.2. Option 2: Prohibit all motor vehicle access along the length of Marlborough's East Coast.

This option is the complete opposite of Option 1.

Table 5: Advantages and Disadvantages for Option 7.1.2

Advantages	Disadvantages
Recognises and provide for preservation of the natural character of the coastal environment or the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna under section 6 of the RMA.	The public will lose the enjoyment of the coast using motor vehicles.
Sites of significance to tangata whenua are protected section 6(e) and section 8 of the RMA.	This option is inconsistent with the NZCPS as it does not identify locations for boat launching, or for appropriate recreational use where the values in Policy 20 are unlikely to be compromised.
Threatened species will be protected, the environment will have a chance to recover from the effects of the Kaikōura earthquake and public safety will be preserved.	Long standing users' rights will be affected.
Landscape and habitat can recover and continue to exist with no threat from vehicle access to the area.	Commercial activities would be adversely affected.
	There will be financial costs to implementing and administering this option. These costs have not been calculated.

7.1.3. Option 3: Use physical constraints to restrict vehicle access to and along the East Coast.

This option could be stand alone or be complimentary with the options to prohibit motor vehicle (Option 2) access or where access will be restricted (Option 4).

Table 6: Advantages and Disadvantages for Option 7.1.3

Advantages	Disadvantages
Can work in tandem with other methods. Reinforce regulatory methods.	Visual effects.
Active monitoring may not be required.	May be limited ability to constrain access due to coastal processes and tides.

7.1.4. Option 4: Identify locations where motor vehicle use is appropriate and prohibit the use of motor vehicles from the balance of Marlborough's East Coast (restrict access).

This is a compromise option. It allows some motor vehicle use along the coast whilst protecting the values that are the most important as identified by the NZCPS.

Table 7: Advantages and Disadvantages for Option 7.1.4

Advantages	Disadvantages
This option is consistent with Policy 20 NZCPS and the policies in the PMEP.	This option does limit motor vehicle use but only in areas with values that will be compromised by that use.
Threatened species will be protected, areas of the environment will be able to recover from the Kaikōura earthquake and some public safety will be assured.	There will be financial costs to implementing and enforcing this option. These costs have not been calculated.
Acknowledges existing use of the environment and keeps the previous areas that were inaccessible by motor vehicles remaining inaccessible.	
Protects the high value parts of the environment.	
Access can continue to those parts of Marlborough's East Coast where threatened species and their habitats are not affected by motor vehicle traffic.	
Public access is retained for passive recreation opportunities along the East Coast as provided for in the PMEP.	
Allows access to those areas that are not threatened so visitors can still enjoy the East Coast environment.	
Legally prevents motor vehicle traffic being able to use parts of the beach.	
Commercial activities won't be compromised.	

Table 8: Options table for methods to use at Access Points for Option 4 of Issue 1

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 1	Flemings Road.	Option 1: Do nothing. Continue unrestricted access north to the Awatere River mouth and south to Marfells Beach.	Status quo. Identify this location as appropriate for use of a motor vehicle with no restrictions.	Soft pea gravels limit access and use.	None.
		Option 2 [Preferred Option]: Restrict all motor vehicle access at this point.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g) and Policy 3.		Prepare bylaw. Install gate, fence or bollards. Sign.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.
		Option 4: Allow motor vehicle use between access at Flemmings Road north to Awatere River mouth with a restriction on speed.	NZCPS Policy 20(1)(a)(b)(g). Identify this location as appropriate for use of a motor vehicle with restrictions.		Prepare bylaw. Sign.
		Option 4A [Alternate Preferred Option]: Allow motor vehicle use north to Awatere River mouth and south to Salt Works Road (Lake Grassmere) with restriction on speed and to keep off dunes.	NZCPS Policy 20(1)(a)(b)(g). Identify this location as appropriate for use of a motor vehicle with restrictions.	Soft pea gravels limit access and use.	Prepare bylaw. Sign.

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 2	Cable Station Road.	<p>Option 1: Do nothing. No vehicle access.</p>	<p>Status quo.</p>		<p>None.</p>
		<p>Option 2 [Preferred Option]: Move the parking area to be at road end and not on private land. Fence or install some sort of bollard to prevent vehicles going past parking area.</p>  <p>Figure 14: Cable Station Road (Proposed changes)</p>	<p>Users need to cross private land at road end. The landowner is supportive of pedestrian access at this point through the existing unlocked gate.</p>		<p>Alter the existing layout so that the road ends at the property boundary. Use fencing and/or bollards.</p> <p>Easement required to future proof access.</p> <p>Install sign.</p> <p>Costs unknown.</p>

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 3	Salt Works Road (Unnamed road. off Kaparu Road). Lake Grassmere.	Option 1: Do nothing. Continue unrestricted access to the north to the Awatere River mouth (Flemings Road) and south to Marfells Beach.	Status quo. Identify this location as appropriate for use of a motor vehicle with no restrictions.		None.
		Option 2 [Preferred Option]: Restrict motor vehicle access at this point.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g)(2) and Policy 3.	Commercial access required by Salt Works.	Prepare bylaw. Stop legal road. Signs. Physical constraints.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.
		Option 4 [Alternate Preferred Option]: Allow motor vehicle use north to Awatere River mouth with restriction on speed and to keep off dunes.	NZCPS Policy 20(1)(a)(b). Identify this location as appropriate for use of a motor vehicle with restrictions.		Prepare bylaw. Possible to bollard access to dunes from parking area. Cost not known. Signs.

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 4	Marfells Beach.	Option 1: Do nothing. Continue unrestricted access to the north to the Awatere River mouth (Flemings Road) and south to Chancet Rocks.	Status quo. Identify this location as appropriate for use of a motor vehicle with no restrictions.		None.
		Option 2 [Preferred Option]: Restrict motor vehicle access between Salt Works Road (Lake Grassmere) and Chancet Rocks except for boat launching at identified locations.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g) and Policy 3.		Prepare bylaw. Stop legal road. Signs.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.
Access Point 5	Ward Beach Road.	Option 1: Do nothing. Continue unrestricted access north to Chancet Rocks and south to Waima/Ure River.	Status quo. Identify this location as appropriate for use of a motor vehicle with no restrictions.	Have to cross Flaxbourne River to go south. Chancet Rocks acts as a natural physical barrier to the north.	None.
		Option 2 [Preferred Option]: Restrict motor vehicle access at this point except for boat launching at identified location.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g)(2) and Policy 3.	Commercial access required for launching of trailer vessels at Ward Beach.	Prepare bylaw. Stop legal road. Signs.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 6	Waima/Ure River mouth.	Option 1: Do nothing. Continue unrestricted access north to river mouth and south to either Wharanui or district boundary.	Status quo. Identify the area between Wharanui and Waima/Ure River as an appropriate location for use of a motor vehicle with no restrictions.		None.
		Option 2: Prohibit all motor vehicle access at this point.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g) and Policy 3.		Prepare bylaw. Stop legal road. Install gate, fence or bollards. Sign.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.
		Option 4 [Preferred Option]: Allow motor vehicle use south to Wharanui or district boundary with restriction on speed and to keep off dunes.	NZCPS Policy 20(1)(a)(b)(g). Identify the area between Wharanui and Waima/Ure River as an appropriate location for use of a motor vehicle with restriction on speed.		Prepare bylaw. Sign.

Site	Access Location	Options	Reason	Limitations	Tool
Access Point 7	Wharanui.	Option 1: Do nothing. Continue unrestricted access north to Waima/Ure River and south to district boundary.	Status quo. Identify the area between Wharanui and Waima/Ure River as an appropriate location for use of a motor vehicle with no restrictions.		None.
		Option 2: Prohibit all motor vehicle access at this point.	RMA Section 6(a)(c)(e) and Section 8. NZCPS Policy 20(1)(a)(b)(f)(g) and Policy 3.		Prepare bylaw. Stop legal road. Install gate, fence or bollards. Sign.
		Option 3: Use physical constraints.	NZCPS Policy 20(1)(a)(b)(f)(g).		Install gate, fence or bollards.
		Option 4 [Preferred Option]: Allow motor vehicle use north to Waima/Ure River and south to district boundary with restriction on speed and to keep off dunes.	NZCPS Policy 20(1)(a)(b)(g). Identify the area between Wharanui and Waima/Ure River as an appropriate location for use of a motor vehicle with restrictions.	Difficult to define route and enforce.	Prepare bylaw. Sign.
Access Point 8	Tirohanga Stream (just south of district boundary).	Option 1: Do nothing.	Existing fencing and gates in place immediately adjacent to State Highway 1 limit access at this point.		Could put a sign at Marlborough/ Canterbury boundary.

7.2. Options for Issue 2

7.2.1. Option 1: Do nothing

The status quo prevails. Public safety and quiet enjoyment remain compromised.

Table 9: Advantages and Disadvantages for Option 7.2.1

Advantages	Disadvantages
The interests of motor vehicle users is preserved.	This option is not consistent with NZCPS Policy 20.
Commercial activities are not affected.	The public will remain at risk of speeding motor vehicles.
There would be no direct financial cost.	The public would continue not being able to see where the threat from the motor vehicles is coming from.
More of the coast would be accessible to users.	Public peaceful enjoyment continues to be diminished.

7.2.2. Option 2: Impose a 30km/h speed limit on motor vehicles along the coast; with a 5km/h limit in areas of high recreational use and/or high environmental values.

7.2.3. Option 3: Impose a route restriction on motor vehicles so they keep to a track rather than using the entire beach.

Either or both parts of Option 2 could be adopted. In some places, it may be difficult to specify a route.

Table 10: Advantages and Disadvantages for Options 7.2.2 and 7.2.3

Advantages	Disadvantages
This option is consistent with the NZCPS.	Motor vehicle users will have their access restricted.
Public safety is improved.	There will be financial costs to implementing and enforcing this option. These costs have not been calculated.
Allows other users to avoid areas motor vehicles are likely to be if they so choose.	The "race track" at Wharanui will no longer be able to be used.
Enjoyment of the coast would be improved.	
The 30km/h limit is a common limit for beaches across New Zealand.	
Limits the extent of environmental damage.	

Table 11: Options table for methods to use at Access Points for Issue 2

Site	Access Location	Options	Reason	Tool
Access Point 1	Flemmings Road	Option 1: Do nothing. No speed limit.	Status quo.	
		Option 2: Restrict speed to 30km/hr between Flemmings Road and Awatere River mouth.	Public Safety: Rely on NZCPS Policy 20(1)(c)(d) to control the use of vehicles for public safety. Proposed speed is consistent with other speeds imposed on beaches around New Zealand.	
		Option 3: Restrict speed to 30km/hr between Awatere River mouth and Lake Grassmere (Access Point 3)	Public Safety: Rely on NZCPS Policy 20(1)(c)(d) to control the use of vehicles for public safety. Proposed speed is consistent with other speeds imposed on beaches around New Zealand.	

Site	Access Location	Options	Reason	Tool
Access Point 7	Wharanui.	Option 1: Do nothing. No speed limit.	Status quo.	None.
		Option 2: Restrict speed to 30 km/hr between Waima/Ure River and district boundary.	Public Safety: Rely on NZCPS Policy 20(1)(c)(d) to control the use of vehicles for public safety. Proposed speed is consistent with other speeds imposed on beaches around New Zealand.	Prepare bylaw. Install sign.
Access Point 8	Tirohanga Stream/district boundary.	Option 1: Do nothing.	Status quo.	None.
		Option 2: Restrict speed to 30km/hr between Waima/Ure River and district boundary.	Public Safety: Rely on NZCPS Policy 20(1)(c)(d) to control the use of vehicles for public safety. Proposed speed is consistent with other speeds imposed on beaches around New Zealand.	Prepare bylaw. Install sign.

8. Recommendation

Staff recommend that a bylaw under the Land Transport Act be prepared that:

- Restricts motor vehicle access between the Awatere River and the Waima/Ure River except for boat launching at Ward Beach and Marfells Beach.
- For the balance of the East Coast allow motor vehicles access to the beach between Waima/Ure River and the District boundary in the south with a speed restriction of 30km/hr.
- Provision is made for emergency or law enforcement purposes.

Appendix 1: Land Status Maps

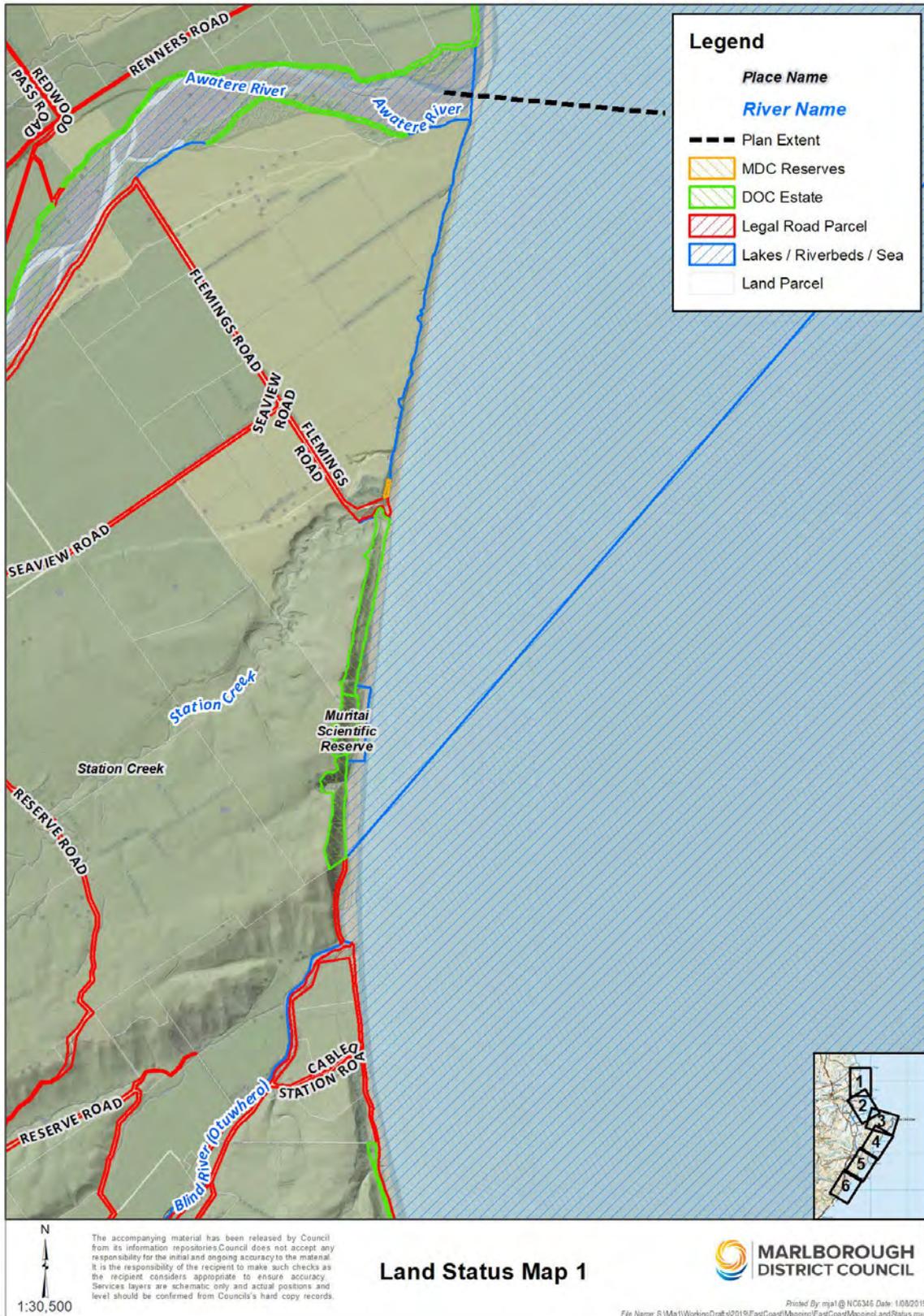


Figure 15: Land Status Map 1

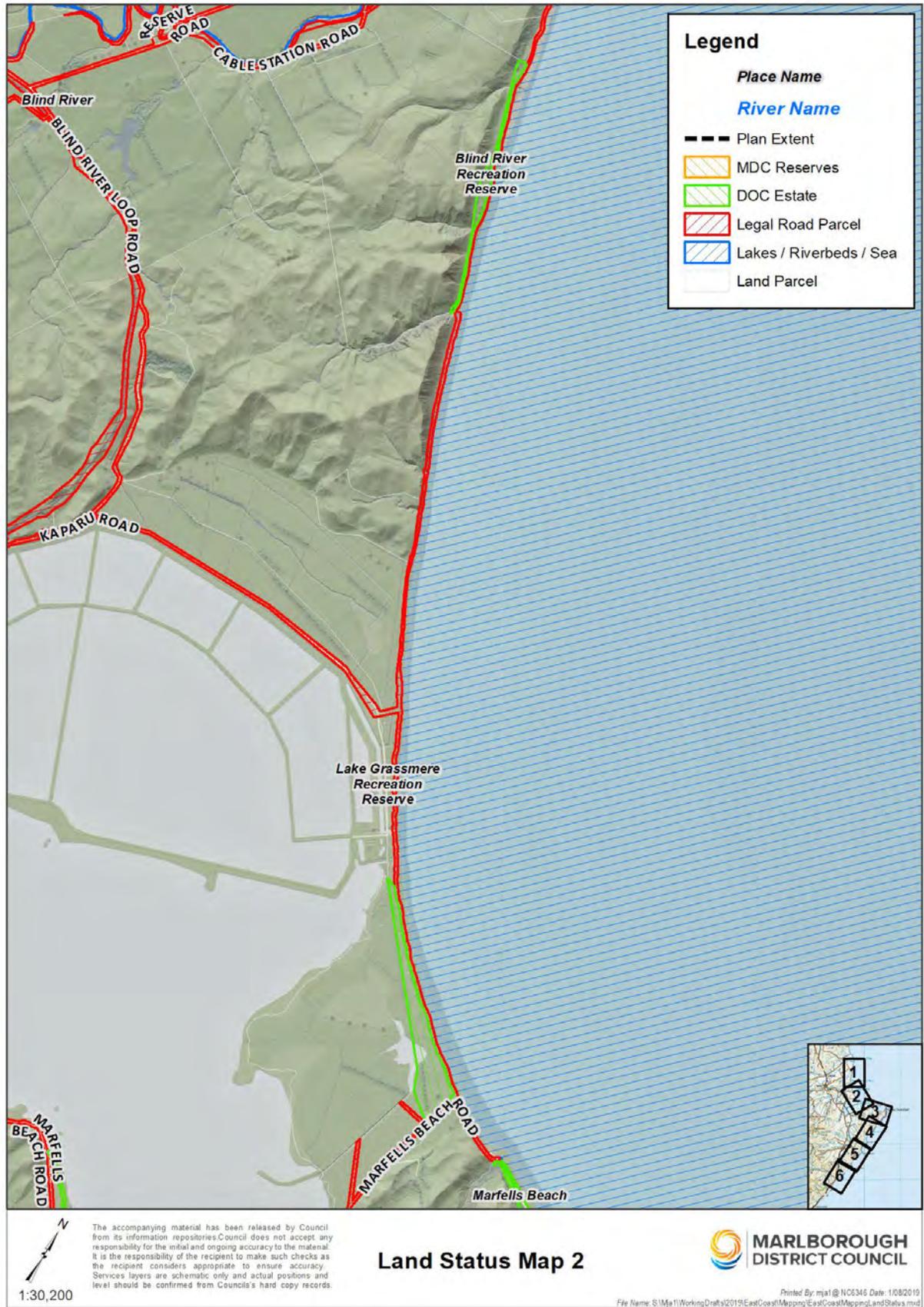


Figure 16: Land Status Map 2

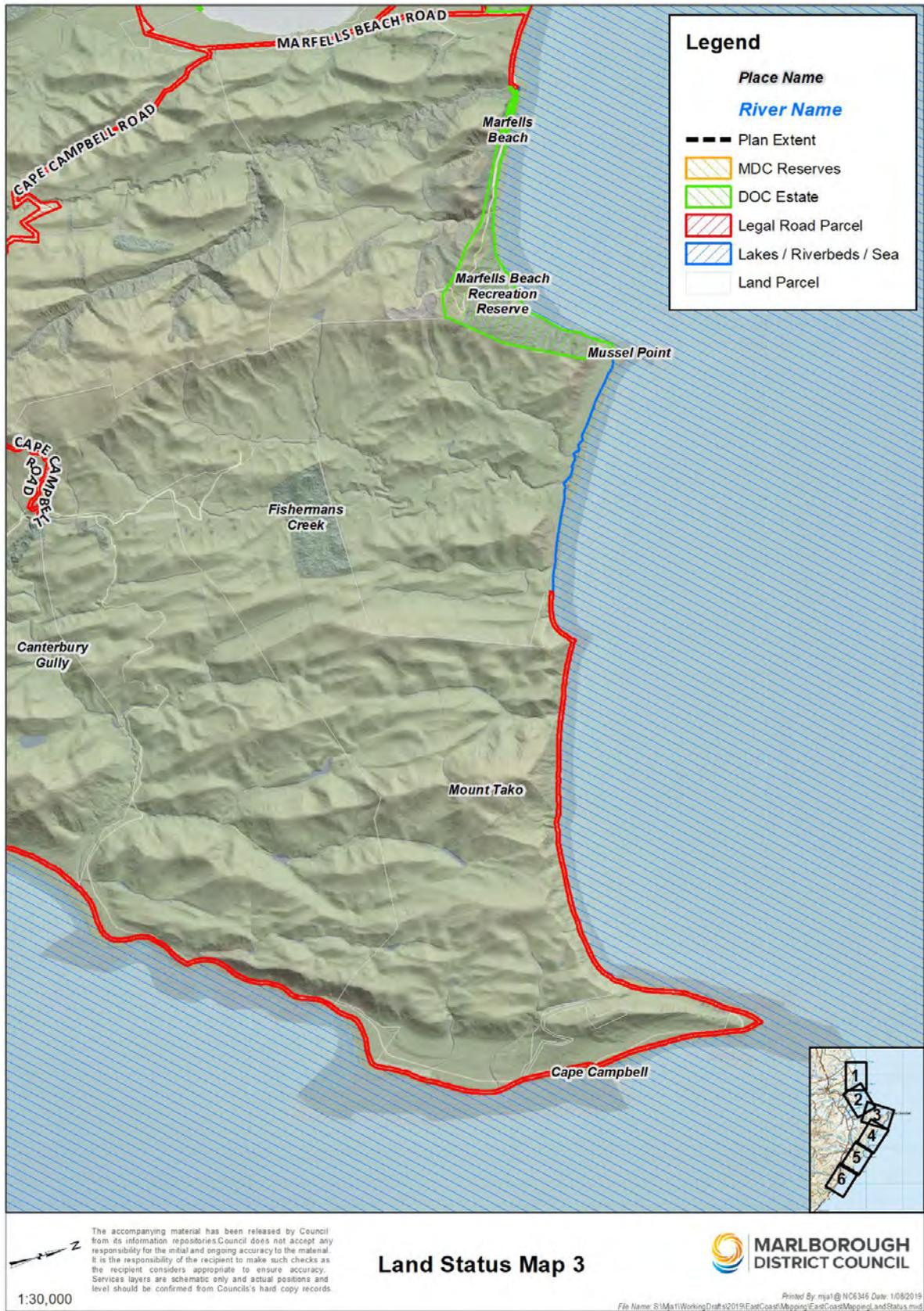


Figure 17: Land Status Map 3

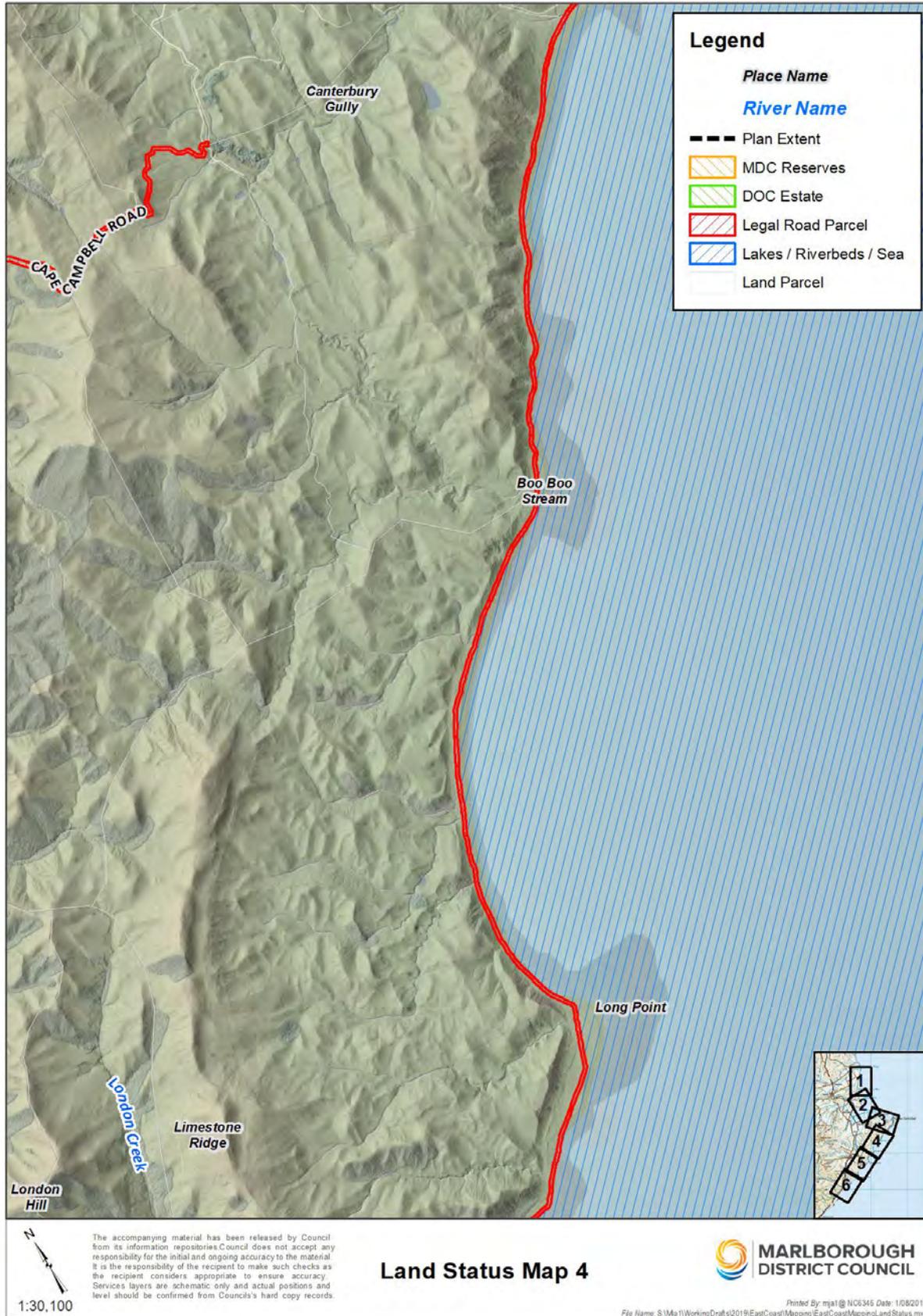


Figure 18: Land Status Map 4

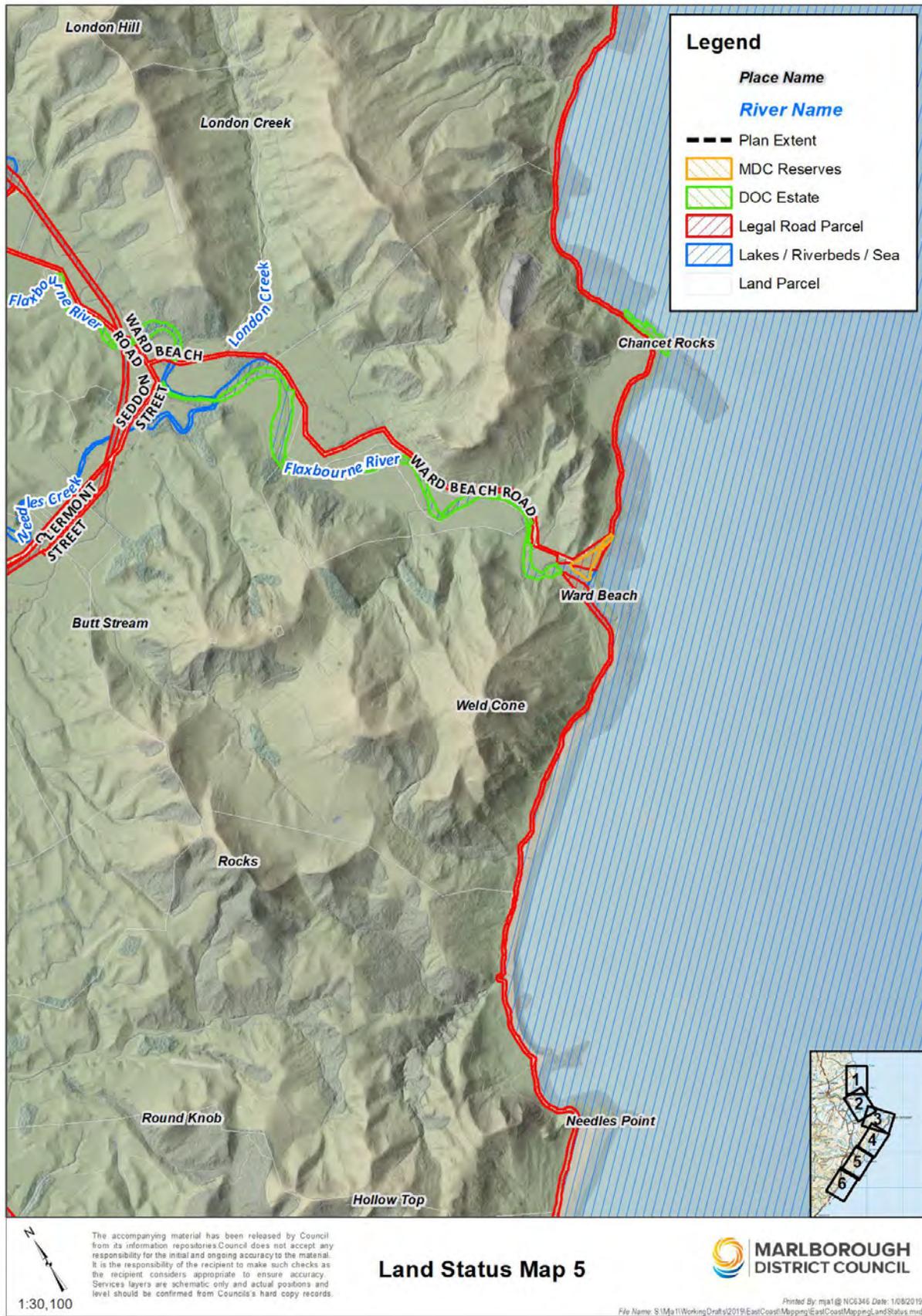


Figure 19: Land Status Map 5

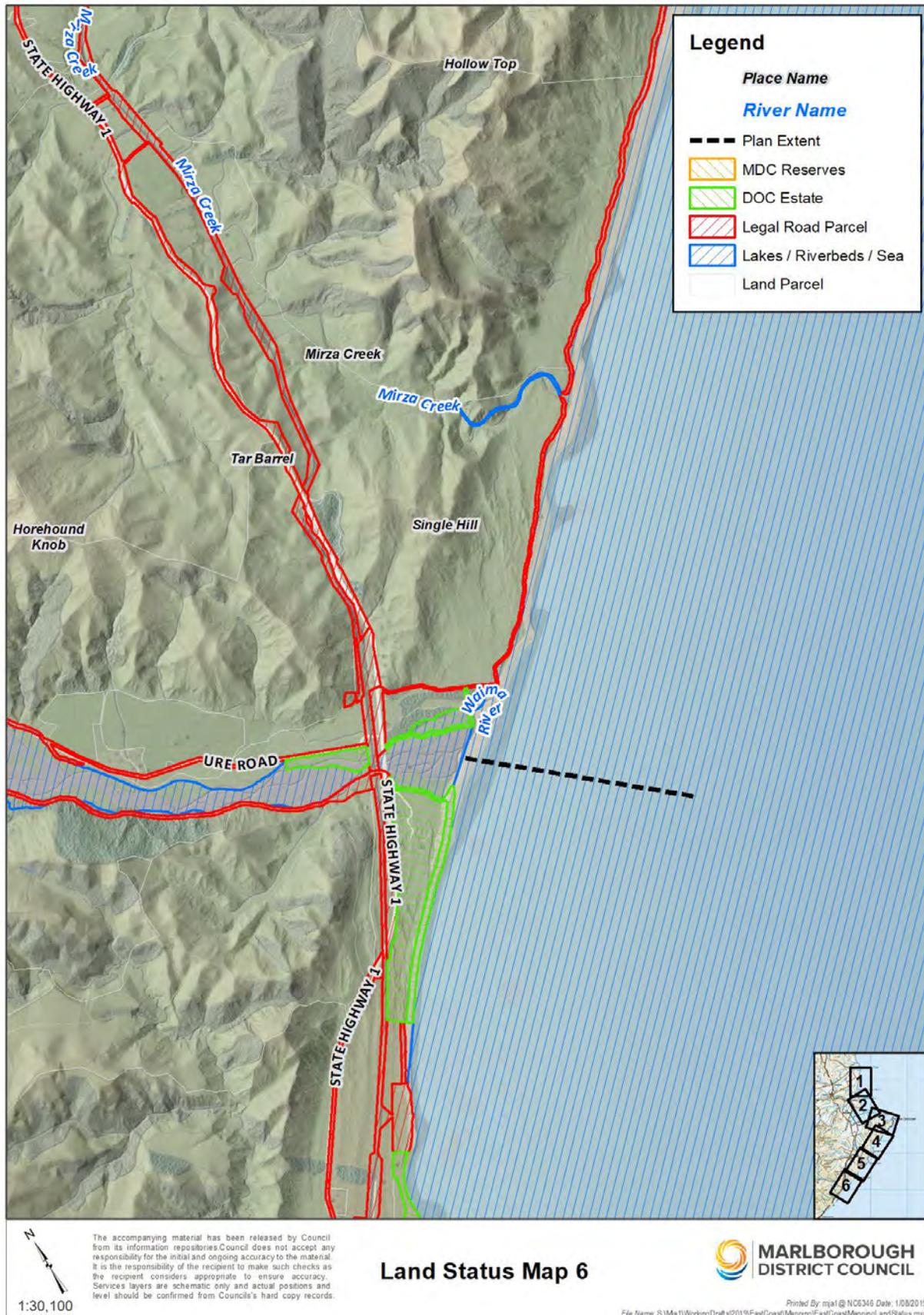


Figure 20: Land Status Map 6