

1. Introduction

In Marlborough, quality of life and wellbeing are very much dependent on how we use, develop and protect our natural and physical resources such as the coast, soils, rivers, groundwater, air, landscape, towns, roads, infrastructure, biodiversity and so on. The use or development of natural resources, including land, freshwater and coastal water, also provides for social, cultural and economic wellbeing.

We all know that our very existence and desire to develop and grow as a community can compromise the things that make our life in Marlborough special. Dealing with the pressures surrounding how we use our resources is challenging, especially as we have differing views about how Marlborough's natural and physical resources should be looked after. It is therefore important that the best interests of the environment as a whole be the guiding factor in achieving sustainable management. We need to be concerned with the long-term implications of how we respond to change, ensuring that future generations and their quality of life is not limited by the decisions or actions (or inaction) we make today.

How we use, develop and protect Marlborough's resources is governed to a large extent by the Resource Management Act 1991 (RMA). The RMA's single purpose is to promote the sustainable management of natural and physical resources.

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

(g) the protection of protected customary rights:

(h) the management of significant risks from natural hazards.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(e) Repealed]

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon:

(i) the effects of climate change:

(j) the benefits to be derived from the use and development of renewable energy

8 Treaty of Waitangi

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

~~In achieving the purpose of the RMA, the Marlborough District Council (the Council) must have regard to a number of principles set out in Sections 6, 7 and 8 of the RMA.~~

~~Section 6 requires the Council to recognise and provide for matters of national importance. These include matters in relation to:~~

- ~~• the natural character of the coastal environment, wetlands, lakes and rivers;~~
- ~~• outstanding natural features and landscapes;~~
- ~~• areas of significant indigenous vegetation and significant habitats of indigenous fauna;~~
- ~~• public access to and along the coastal marine area, rivers and lakes;~~
- ~~• the relationship of Maori with their ancestral land and sites;~~

Comment [1]: Topic 1

- ~~historic heritage; and~~
- ~~protected customary rights.~~

~~Section 7 contains matters to which the Council must have particular regard to. These include amenity values, kaitiakitanga, quality of the environment, efficient use and development of natural and physical resources, intrinsic values of ecosystems and the benefits from the use and development of renewable energy.~~

~~Section 8 requires the Council to take into account the principles of the Treaty of Waitangi.~~

Comment [2]: Topic 1

To achieve the purpose of the RMA, the Council is required to prepare a range of documents, some of which are mandatory, while others are optional. A regional policy statement, regional coastal plan and district plan are mandatory documents, whereas other regional plans are optional. As the Council is a unitary authority, that is, it has the roles of both a district and a regional council, it is responsible for preparing all of the required RMA policies and plans.

The purpose of regional policy statements is set out in Section 59 of the RMA and it is “to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”. The purpose of regional and district plans is to assist the Council in carrying out its functions in order to achieve the purpose of the RMA and specifically for a regional coastal plan, to achieve the purpose of the RMA in relation to the coastal marine area.

Changed resource management framework

Previously, the Council has had a separate regional policy statement and two geographically-based coastal, district and regional plans (the Marlborough Sounds Resource Management Plan and the Wairau/Awatere Resource Management Plan). In Section 79(1) of the RMA there are requirements set out for when regional policy statements and plans are to be reviewed. These documents may be reviewed either in part or in full; the Council undertook a full review of the Marlborough Regional Policy Statement 1995 and the Marlborough Sounds and Wairau/Awatere Resource Management Plans in accordance with Section 79(4) of the RMA.

In undertaking a statutory review of these documents, the Council has opted to combine all three into a single Marlborough Environment Plan (the MEP). This approach is enabled through Section 80 of the RMA. The intention is to provide a simplified and more streamlined resource management framework for all users. More detail on the approach is set out in Chapter 2 - Background but overall the framework:

- describes how we as a community want the natural and physical assets of Marlborough to be managed;
- provides a coherent view on how our coasts, freshwater resources, rural areas, towns, natural habitats, etc and their interrelationships should be managed;
- influences the actions of individuals and the actions of the Council; and
- manages the actions of all resource users.

[At this time, the PMEP does not include the provisions relating to marine farming, which are still subject to review.](#)

Comment [3]: Topic 1

Guiding principles

~~The Council used guiding principles in the development of the objectives, policies and methods throughout the chapters of the MEP. These principles are the philosophy and values that underlie the content of the MEP but do not in themselves have specific objectives, policies or methods.~~

~~Quality of life comes from interactions between individuals, the community and their surroundings.~~

~~The wellbeing of people and communities is indicated by the quality of life available to them. This includes the provision of food, shelter and clothing, economic prosperity through job and business opportunities, health and safety, spiritual and cultural freedom and the qualities and characteristics of the environment they live in. Maintaining or enhancing the wellbeing of people and communities, whether in rural, coastal or urban areas, therefore contributes significantly to social, economic and cultural wellbeing. This particular principle is important in the context of the purpose of the RMA, which states that "sustainable management of natural and physical resources means managing the use, development and protection of resources in a way or at a rate that enables people and communities to provide for their social, economic, and cultural well-being."~~

~~A healthy Marlborough economy requires a healthy environment.~~

~~While it is not the role of the MEP to directly address economic matters, it does have a role in supporting sustainable business and economic growth within a resource management framework. Maintaining the health of the environment will assist the primary sector in particular to continue to make a significant contribution to the Marlborough economy and the wellbeing of our communities. The productive use of natural resources relies on both the quality of the resource as well as sustainable allocation frameworks to enable use of water, land and coastal resources.~~

~~It is important that the kaitiaki role of Marlborough's tangata whenua iwi is recognised, as their perspective provides a valuable cultural input into the management of natural and physical resources.~~

~~Marlborough has a long and extraordinary history of Maori settlement. As kaitiaki, Marlborough's tangata whenua iwi have unique insights into and concepts of managing the use, development and protection of natural and physical resources. These insights and concepts can improve the overall management of Marlborough's land, water, air, coastal and biodiversity resources.~~

~~Encouraging and supporting individual, landowner, key stakeholder and community involvement and action is critical to effective resource management.~~

~~Working with others is efficient, increases the sense of ownership and responsibility and provides opportunities for innovation and feedback to the Council on issues with the implementation of the provisions of the MEP. This means the Council remains responsive to the needs and aspirations of the community.~~

~~Providing the community with a streamlined and simplified resource management framework to make it easier for resource users and other interested parties to use.~~

~~The Council has decided to maximise the opportunity as a unitary authority to integrate a regional policy statement with regional coastal, regional and district plan provisions. This simplified framework will be easier for resource users and other interested parties to use.~~

~~Where the Council and another agency manage use of the same resource, it is important that any duplication in management is avoided.~~

~~As a general principle, the Council will not regulate resource use when the use is already effectively managed by another agency. This simplifies matters for resource users transacting business and results in more efficient and effective management.~~

~~Ensure that any regulation is in keeping with the scale of the activity regulated.~~

~~The Council has sought to use permitted activity rules as much as possible to regulate the adverse effects of activities. However, rules requiring resource consent for an activity are necessary when there is a risk of significant adverse effects or when the effects of an activity are unknown or difficult to quantify. Clear rule triggers will remove any ambiguity about whether resource consent is required or not.~~

~~Use non-regulatory methods where possible.~~

~~Non-regulatory methods can be effective in helping to achieve the purpose of the RMA. They can be used proactively as they do not rely on a person proposing to undertake some form of resource use in order to be implemented. They can also be used in a way that involves the community in the process of implementation.~~

~~Align regional and district rules with those of adjoining regional and territorial authorities where practical~~

~~Aligning the Council's rules with those of adjoining local authorities (and vice versa) will reduce resource user frustration with real or perceived inconsistent approaches. This principle applies to both permitted activity standards and the triggers for resource consent. This simplifies matters for resource users transacting business where that business occurs across district boundaries or in more than one district.~~

~~The Council will only intervene in the exercise of private property rights to protect the environment and wider public interests in the environment~~

~~Allowing people to make their own decisions about land use enables changes to land use and management practices to be made quickly in response to changing environmental and/or market conditions. Such adaptability is important for overcoming the vulnerabilities created by a small economy reliant on the primary sector and the processing of outputs from that sector.~~

~~It is important that people live and work in locations and in situations that have a minimal risk of being adversely affected by a hazard event~~

~~Marlborough is subject to a range of natural hazards. The risks to people, communities and community infrastructure from hazard events must be reduced to acceptable levels as much as is practicable.~~

~~Being aware of the potential for reverse sensitivity effects between different resource uses, whether on land, or water or between the two~~

~~Reverse sensitivity effects occur when people establish new activities sensitive to the effects of existing activities in the vicinity. This can lead to restraints or demands against the existing activities and can cause tension and conflict in the community. Making sure activities are appropriately located and carried out within appropriate limits is therefore very important.~~

~~Recognise that the Marlborough Sounds is the District's "jewel in the crown"~~

~~The Marlborough Sounds is a unique coastal environment, highly valued by residents and tourists alike. A range of physical characteristics contribute to people's appreciation of the Marlborough Sounds, including biodiversity, landscape, natural character and open space. The significance of the Sounds and the role they play in our coastal environment creates a unique and quality living environment. (Guiding principles deleted)~~

Comment [4]: Topic 1

Structure of the MEP

Four volumes form the MEP:

Volume 1

Volume 1 sets out the regionally significant issues facing Marlborough and the objectives and policies to achieve integrated management of Marlborough's natural and physical resources. It is structured according to the different natural and physical resources and values that exist in the Marlborough environment and provides a comprehensive policy framework within which decisions can be made. It is also a guide to the development of courses of action to achieve the objectives.

Immediately after each of the objectives, policies and methods, the principal reasons for adopting them are given. In many cases the provisions of each chapter of Volume 1 are to be read in conjunction with provisions from other chapters in Volume 1 to help inform the sustainable management purpose of the RMA. This reflects both the interconnected nature of resources and in particular the Council's role as both a regional and district council.

Volume 1 also includes methods to achieve the policies using both regulatory and non-regulatory means. In some cases these methods outline who is to carry out the action. Environmental results anticipated from implementing the policies and methods are identified at the end of each of the values, area and activity based chapters.

Volume 2

This volume of the MEP sets out the rules to follow in order to achieve the objectives, policies and methods. The rules are a combination of zone-based and district-wide provisions and in some cases are also subject to overlays. Volume 2 contains both regional and district rules as well as a glossary section that defines the words, terms and phrases used in the MEP.

Volume 3

Volume 3 contains the appendices referred to in Volumes 1 and 2. This includes designations, areas of heritage values, landscape and natural character significance values etc.

Volume 4

Volume 4 contains the planning maps for Marlborough, an integral part of the MEP in that they establish graphically the areas to which the rules set out in Volume 2 apply. This volume also includes overlay maps to which policy and rules apply.

Two other volumes are included for information, but do not form part of the statutory MEP in terms of being subject to First Schedule processes of the RMA.

Volume 5

Contains copies of national policy statements, national environmental standards and resource management regulations.

Volume 6

Records the statutory acknowledgments for Marlborough's tangata whenua iwi.

Note:

The MEP Hearings Panel decision of Topic 16 - Climate Change includes a decision to restructure the order of the chapters in Volume 1 in order to give the climate change provisions more prominence. This version of the Plan incorporating the decisions does not implement the restructuring at this point in time at the direction of the Panel. The Panel has used the notified provision numbers in their decision. Restructuring the MEP in accordance with the Panel's decision on Topic 16 would have made it difficult for submitters to cross reference the decision with the restructured plan content. It is intended to restructure the Volume 1 content when the MEP is to be made operative. To avoid any doubt, this note has no statutory weight, it is merely included to inform plan users of the Panel's intent.

Comment [5]: Topic 16