19.0 Water Transportation

19.1 Introduction

The waters of the Sounds are of strategic significance in terms of water transportation. They provide a very important link between the North and South Islands of New Zealand, particularly through the inter-island ferry operations. In addition, they form an integral part of the overall transportation network of the Marlborough Sounds area.

The working nature of the Sounds and the restrictive nature of vehicular access means that many activities, including marine farming, forestry, farming and residential activities are reliant on water transportation as the primary or most economic way of getting around or moving goods. The waters are also used for a diverse range of recreational and tourist purposes.

A number of different types of water transportation take place or are likely to take place in the future, within the Marlborough Sounds. They include: The inter-island ferry link between Wellington and Picton (including the operation of this by high speed ferries); freight shipping associated with the Port of Picton and exports/imports to Marlborough/New Zealand; transportation of primary produce of the Sounds such as logs and livestock; commercial fishing boats; charter boats; transportation to and from residences; and, extensive recreational boating.

The requirements for the various types of water transportation on the coastal marine area vary considerably. Likewise the effects which they create differ among the various forms of transportation.

The safe and efficient transport of people and produce relies upon appropriate interaction between water and land modes of transport.

19.2 Issue

The need to:

- **Recognise and provide for the different types of water transport;**
- **Manage the adverse effects of water transportation; and**
- **Provide for the maintenance and enhancement of navigational safety.**

These issues relate closely to Policy 7.1.19 of the Marlborough Regional Policy Statement, which in part, is given effect to by the Plan. *"Enable the safe and efficient operation of water transport systems within Marlborough consistent with the duty to avoid, remedy or mitigate adverse environmental effects."*

In dealing with water transportation, in particular, maintaining or ensuring navigational safety, it is important to recognise other relevant agencies and legislation. In doing this, the Plan can clearly focus on those matters over which the Marlborough District Council has jurisdiction over under the Act.

The Maritime Safety Authority of New Zealand under the Maritime Transport Act 1994 oversees all maritime safety and is responsible for both maritime safety and marine environment protection beyond the 12 mile limit.

The Council is responsible for marine environment protection within the 12 mile territorial limit under the Resource Management Act 1991. This responsibility is essentially controlling pollution from ships and offshore installations as regulated by the Resource Management (Marine Pollution) Regulations 1998.

In addition, under the Maritime Transport Act 1994, the Marlborough District Council, as a unitary authority, is responsible for oil spill management and response within the 12 mile limit.

Navigation and safety within the harbour limits is the responsibility of the Marlborough District Council as a harbour authority under the Harbours Act 1950. These functions are carried out by the Council's Harbourmaster under Harbour Bylaws and General Harbour Regulations. These functions will inevitably overlap at times.

The role of Council is clearly very important in the management of water transport in the Sounds.

With regard to navigation, the main function of the Plan is to ensure that activities in the coastal marine area, when allowed either directly by the Plan or by a resource consent, do not adversely affect navigational safety. The inappropriate siting of a structure may have an effect on the ability of vessels travelling in that area to navigate safely. Some control needs to be exercised over the exact location of structures in relation to important water transportation routes and other structures.

Managing the environmental effects of water transportation is the other main function of the Plan in relation to this activity. That is, environmental effects outside of those controlled directly by regulations under the Act (e.g. pollution from ships - explained above). Water transportation is a very broad reaching activity which has a number of interconnections with other activities. For example, the need for log barging and log barging sites on the foreshore has a direct link with forestry activity in the Sounds; similarly, jetties - which are an essential part of the water transportation infrastructure - relate very closely to Sounds residential development and subdivision on the adjacent land. Generally, these matters will be dealt with at source, rather than in isolation under this chapter of the Plan.

In addition, there have been a range of adverse environmental effects experienced from ship generated waves and speed, through the operation of fast and large ships within Tory Channel and Queen Charlotte Sound, in particular. While some aspects of their operation are dealt with in this chapter, a more comprehensive policy framework addresses the issues surrounding ship-generated waves and speed at 9.5 of the Coastal Marine chapter.

Finally, water transportation needs to be provided for in a way which is compatible with other activities which take place in the coastal marine environment. This will involve the prioritising of some forms of water transportation in some areas of the Sounds and thus limiting them from other areas.

19.3 Objectives and Policies

Objective 1	**Safe, efficient and sustainably managed water transport systems in a manner that avoids, remedies and mitigates adverse effects.**
Policy 1.1	Avoid, remedy or mitigate the adverse effects of activities and structures on navigation and safety, within the coastal marine area.
Policy 1.2	Ensure land based activities and subdivision do not adversely impact on the safety and efficiency of water transportation in the Sounds.
Policy 1.3	Avoid, remedy or mitigate the adverse effects of water transport activities on the natural and physical resources of the Sounds.
Policy 1.4	Achieve an appropriate balance between water transportation and other users of the coastal marine area.
Policy 1.5	Identify and enable the use of water transport corridors which form a significant part of the transport network.
Policy 1.6	Provide for surface water transportation activities which do not have a significant adverse effect on the coastal environment.
Policy 1.7	Recognise and allow for those structures, facilities, coastal access and appropriate loading sites where no adequate land transportation is available to serve an area.
Policy 1.7	Recognise the following jetties and landing areas as necessary community/commercial landing areas: Oyster Bay (Port Underwood), Elaine Bay (Tennyson Inlet), Okiwi Bay (Croisilles Harbour), Elmslie Bay (French Pass), Kapowai Bay (d'Urville Island) and Portage.
Policy 1.8	Avoid the adverse effects of transporting forestry produce through water by using barges or other vessels rather than rafting techniques.

The policies are designed to manage the effects of nearby activities on the water transportation network. Likewise, the policies recognise the adverse effects that can be caused by water transport activities and intend that these effects can be avoided, remedied or mitigated. Policy 19.3.1.3 states the need to avoid, remedy or mitigate adverse environmental effects brought about by water transportation activities. It is intended that this be applied to the specific environment as appropriate. For example, Tory Channel is recognised as a transportation route where a certain level of effect is expected and can be withstood. Therefore adverse effects from water transportation here should be mitigated, or where possible, remedied.

Policies 19.3.1.7 and 19.3.1.8 recognise those facilities (such as jetties and community landing areas) which are essential to the transportation network of the Marlborough Sounds.

The New Zealand Coastal Policy Statement Policy 3.3.1 requires that when classifying activities in the Plan the Council needs to apply a precautionary approach where there is a relative lack of understanding about coastal processes and the effects of activities.

19.4 Methods of Implementation

Area Identification	Tory Channel and part of Queen Charlotte Sound have been identified as a National Transportation Route -see Volume Three. The National Transportation Route is located in Tory Channel (between East and West Head) and extends into inner Queen Charlotte Sound (between West Head, Ruakaka Bay, and a point southwest of Kaitapeha Bay) to the Port of Picton (excluding Grove Arm). Queen Charlotte Sound (excluding the National Transportation Route) has also been defined as being part of an established shipping route.
Rules	Rules relating to the use of surface waters by ships apply to Queen Charlotte Sound and Tory Channel. The use of surface waters in these areas is subject to maximum speed limits and for controlled activities, a maximum wave energy limit as well. The areas to which speed limits apply are defined in Volume Three Maps. Other forms of water transportation and shipping in other areas of the Sounds are provided for as of right.
Other Legislation	Navigation and public safety within the harbour limits is also the responsibility of the Council as a harbour authority. The Council's Harbourmaster, under Harbour Bylaws, the Navigation Bylaw 2000, the Maritime Transport Act and associated Maritime Rules, (or any successor to the above bylaws or regulations) carries out these functions. Harbour bylaws may impose additional constraints on speed e.g. the 5 knot harbour speed limit.
Education	Encourage the use of barging, in reference to land transport, to transport forest produce from the Sounds area.
Monitoring	The Council will monitor the effects of permitted and consented activities in the coastal marine area to: determine the effectiveness of plan policies and rules; assess compliance with consent conditions; and promote sustainable resource management.

Controls are necessary to ensure efficient, safe and environmentally sustained water transportation, in the Marlborough Sounds.

19.5 Anticipated Environmental Results

Implementation of the policies and methods for water transportation will result in:

- The maintenance of navigational safety throughout the Sounds;
- The adverse environmental effects of water transportation being avoided, remedied or mitigated; and
- A water transportation system capable of safely and efficiently moving people and goods.