

4.0 Indigenous Vegetation and Habitats of Indigenous Fauna

4.1 Introduction

Section 6(c) of the Act requires that the Plan recognises and provides for “... *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*” This acknowledges the importance of native plants and animals.

Furthermore, particular regard should be given to the intrinsic value of ecosystems and protection of the habitat of trout and salmon [sections 7(d) and 7(h) respectively].

Policy 1.1.2 of the New Zealand Coastal Policy Statement seeks to “... protect areas of significant indigenous vegetation and significant habitats of indigenous fauna in that environment by:

- a) *avoiding any actual or potential adverse effects of activities on ...*
 - (i) *areas and habitats important to the continued survival of any indigenous species; and*
 - (ii) *areas containing nationally vulnerable species or nationally outstanding examples of indigenous community types”*

A number of other criteria for the protection of indigenous vegetation and the habitats of indigenous fauna are incorporated into the New Zealand Coastal Policy Statement. These are reflected in the policies of this chapter of the Plan.

The physical character of the Marlborough Sounds, particularly its steep topography and huge length of coastline, has created a great diversity of landforms and habitats, both coastal and terrestrial. This is then reflected in the variety of ecological communities and species present in the Sounds, including many that are unique. Generally, the land in the Sounds planning area is steep. The only flat land is located at the head of some bays and in the valley bottoms of the Pelorus, Rai and Kaituna River systems.

Important coastal or marine habitats include extensive mud substrate, particularly in the inner Sounds. Towards the outer Sounds and through much of Queen Charlotte Sound, coarse sand, shell and bedrock offer a habitat to a more diverse and complex marine community. Occasional isolated reefs or outcrops are highly productive habitats featuring a high diversity of plants and animals. Tidal wetlands occur at the heads of the larger Sounds.

A large variety of indigenous species occupy these habitats and a number are rare or uncommon for various reasons. Some of the more well known include the horse mussel, brachiopods, tubeworms, elephant fish, blue cod, dolphins and whales, and a variety of birdlife.

On land the indigenous vegetation (mainly beech forest) is very important in its own right, because it contains a number of endemic and/or rare plants and animals, and generally as it provides a habitat for important indigenous fauna.

The Marlborough Sounds are home to a great variety of indigenous fauna including some uncommon or rare native forest birds such as the kaka and the falcon.

The freshwater resources in the Sounds also contribute to the important ecological or natural values of the Sounds. The Pelorus River system is a significant trout fishery as is the Kaituna River. While all other freshwater ecosystems are free of introduced fish, that, combined with the small size of the catchments and the accessibility to sea, means that the freshwater catchments of the Sounds are good freshwater habitat for a variety of native fish. The habitat of eel and whitebait is of special concern to iwi.

A number of very significant ecological values are present within the Marlborough Sounds. The primary resource management issue in respect of these values, is the potential for adverse effects from the use of land and water on indigenous flora and fauna.

4.2 Issue

Degradation of indigenous vegetation and the habitat of indigenous fauna (and trout and salmon) from the adverse effects of land and water use

The effects of concern or the significant threats to indigenous vegetation and the habitat of indigenous fauna (and trout and salmon) include:

- Degradation or destruction of areas of significant indigenous flora and fauna through logging, burning, grazing, land development and invasive plant and animal pests;
- Degradation or destruction of the habitats of native fish, and trout and salmon, through the drainage of wetlands, pollution of waterbodies, removal of riparian vegetation and diversion and damming of water;
- Degradation of coastal marine habitats arising from structures, works or activities occurring within the coastal marine area or contamination of water arising from the effects of land-based activities; and
- The adverse effects of the interaction of people and the natural ecosystem (eg; through the pressures of domestic and international tourism).

4.3 Objectives and Policies

Objective 1	The protection of significant indigenous flora and fauna (and trout and salmon) and their habitats from the adverse effects of use and development.
Policy 1.1	Identify areas of significant ecological value which incorporate areas of indigenous vegetation and habitats of indigenous fauna.
Policy 1.2	Avoid, remedy or mitigate the adverse effects of land and water use on areas of significant ecological value.
Policy 1.3	Promote public understanding of the importance of protecting areas of significant ecological value from the adverse effects of activities because of their intrinsic,

	conservation, social, economic, scientific and educational worth, and for their contribution to the natural character of the Sounds.
Policy 1.4	Promote the establishment of reserves for the purpose of protecting land containing indigenous vegetation and the habitats of indigenous fauna.
Policy 1.5	Support the establishment of marine reserves for the purpose of protecting marine habitats for scientific study and the benefit of the public.
Policy 1.6	Ensure that particular regard is given to protecting trout and salmon habitat (including fish passage) and recreational values provided by the Rai, Pelorus, Wakamarina, Kaituna, Opouri, Tunakino, Ronga, Tinline Rivers and Waitohi Stream.
Policy 1.7	<p>The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:</p> <p>(a) the loss of extent or values arises from any of the following:</p> <ul style="list-style-type: none"> (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori (ii) restoration activities (iii) scientific research (iv) the sustainable harvest of sphagnum moss (v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020) (vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020) (vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or <p>(b) the Council is satisfied that:</p> <ul style="list-style-type: none"> (i) the activity is necessary for the construction or upgrade of specified infrastructure; and (ii) the specified infrastructure will provide significant national or regional benefits; and (iii) there is a functional need for the specified infrastructure in that location; and (iv) the effects of the activity are managed through applying the effects management

	hierarchy.
Policy 1.8	The loss of river extent and values is avoided, unless the Council is satisfied: <ul style="list-style-type: none"> (a) that there is a functional need for the activity in that location; and (b) the effects of the activity are managed by applying the effects management hierarchy.
Policy 1.9	The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.

Indigenous plants and animals are an integral part of the natural character of the Marlborough Sounds area. They are also important to the future wellbeing of the Marlborough Sounds. In addition to their intrinsic value, plants and animals are significant for cultural, economic, scientific and educational uses and biological diversity.

Natural habitats which are appropriately identified and managed can help preserve rare, endangered, representative or characteristic species. Effective protection of areas of significant ecological value requires public support. It is important that the policies work towards ensuring that ecological values are both retained and appreciated by present and future generations.

Marine reserves are valuable mechanisms for protecting important or representative marine habitat. The Marine Reserves Act 1971 (administered by the Department of Conservation) is a statutory mechanism that can offer a direct means of protecting significant marine areas. The Marine Reserves Act provides for the setting up and management of areas of sea and foreshore as marine reserve for the preservation of areas as natural habitat of marine life for scientific study and the benefit of the public. Marine reserves also protect the intrinsic values.

Section 7(h) of the Act requires that the habitat of trout and salmon be considered. In the Marlborough Sounds planning area, trout have been established in the Pelorus River and its tributaries (including the Rai River), the Kaituna River and Waitohi Stream.

Refer to Chapter 12: Open Space and Chapter 23: Subdivision and Development for further policies and methods relating to the management and acquisition of reserves.

Policies 1.7, 1.8 and 1.9 have been inserted into the Plan as a requirement of the National Policy Statement for Freshwater Management 2020.

4.4 Methods of Implementation

Schedule/ Information database	Areas of significant ecological value have been identified in consultation with the Department of Conservation in accordance with specific criteria identified in Department of Conservation Occasional Publication No. 16: 'Ecologically Important Marine, Freshwater, Island and Mainland Areas
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	<p>from Cape Soucis to Ure River Marlborough New Zealand'. Following this, the Council has incorporated a schedule which defines the ecological values protected by the Plan. The areas containing significant ecological values are indicated on the planning maps in Volume Two, Appendix B.</p> <p>A schedule and associated maps have been incorporated into the Plan identifying specific water bodies that will be subject to regulatory methods of riparian management. These water bodies have been identified on the basis of natural hazard management, provision of public access and recreation, riparian habitat diversity, in-stream habitat and water quality.</p> <p>The Council will develop criteria for identifying significant sites and appropriate methods for recognising and providing for protection of their ecological values in accordance with section 6(c) of the Act. This will be done in consultation with a working party consisting of landowner representatives and the Department of Conservation. Wider consultation will take place with other interested parties.</p> <p>The Council will develop and maintain an information base of significant sites on land other than Department of Conservation owned land, using as a basis the areas identified in the publication 'Ecologically Important Marine, Freshwater, Island and Mainland Areas from Cape Soucis to Ure River, Marlborough, New Zealand - Recommendations for Protection'. This database will be developed in consultation with affected landowners.</p> <p>Subsequent to a review of existing related provisions a plan change providing for the management of significant sites in accordance with section 6(c) and the First Schedule of the Act, shall be notified by the Council within three years of the Plan being made operative.</p>
<p>Rules</p>	<p>The rules provide that any modification of any of the values associated with the areas identified on the schedule as having significant ecological value, will be assessed as a Discretionary Activity.</p> <p>Rules will control the clearance of indigenous vegetation and indigenous forest in certain circumstances.</p>
<p>Education</p>	<p>Increasing landowners' and the public's knowledge and understanding of the occurrence of significant areas of ecological value not only leads to a greater appreciation of those values but also the protection of the indigenous flora and fauna. This increased understanding can motivate voluntary action to maintain and enhance indigenous flora and fauna. Voluntary action includes the use of conservation covenants on property titles.</p>

Support	<p>Support and assist in the setting up of marine reserves in appropriate locations.</p> <p>Support landowners' voluntary protection of indigenous vegetation through covenants.</p>
Land Acquisition	<p>The Council will consider acquiring sites with outstanding ecological values where land purchase is the only means available for protection of those values. This will include the Council accepting land as reserve fund contributions, where appropriate. The Council will also encourage other agencies to do this.</p>
Research	<p>The Council will encourage ongoing research to define significant ecological areas.</p>
Incentives	<p>Provide incentives to landowners to encourage protection of significant sites.</p> <p>Incentives may include:</p> <ul style="list-style-type: none"> • Waiver of resource consent application fees for the activities with the potential to affect ecologically significant areas, as shown in Volume Three, and/or • Waiver or reduction of development contributions where developments, including subdivisions, will achieve protection or rehabilitation of an ecologically significant area, as shown in Volume Three, and/or • Through the annual planning process, consider granting reductions in rating for properties where sites are protected through conservation covenants.

The rules relating to areas identified as having significant ecological value will work towards protecting the extensive conservation worth of the Marlborough Sounds.

Land acquisition is not always a viable method of protecting ecological values, nor is it generally necessary. However, it does provide an important back stop.

Education will improve the community's understanding and respect for ecological values.

4.5 Anticipated Environmental Results

Implementation of the policies and methods relating to indigenous vegetation and the habitats of indigenous fauna will result in:

- Maintenance and enhancement of population numbers and distribution of rare and endangered species;
- Maintenance of the diversity of land and water habitats; and
- Good stocks of native fish and trout in fresh surface waters normally inhabited by these fish.