

## 4. Use of Natural and Physical Resources

### Introduction

Marlborough's tangata whenua iwi and early settlers flourished in the Marlborough environment through use of the district's natural resources. Indigenous forests, wetlands, rivers and the sea were all larders for tangata whenua. From the 1850s, Pakeha settlers cleared forests to extract timber and convert land to pasture. The subsequent agricultural use of the land relied on the quality of the soil resource. As Marlborough grew and developed, the community constructed physical resources to support their economic endeavour and improve quality of life. Today and in the future, the social and economic wellbeing, health and safety of Marlborough still relies on the use of our natural and physical resources.

Section 5 of the Resource Management Act 1991 (RMA) recognises that sustainable management includes the use and development of natural and physical resources to provide for the social and economic wellbeing, health and safety of the community. This chapter contains provisions that acknowledge the importance of using and developing our land, water, coastal and air resources and strategic infrastructure in this respect. The objectives and policies provide high level direction on resource use in our environment. This direction is developed further within the resource or activity-based chapters elsewhere in the Marlborough Environment Plan (MEP). Specific provisions within those chapters seek to enable appropriate use and development of natural and physical resources.

Provisions are also included on the use and development of natural and physical resources in the Marlborough Sounds. This is because the Marlborough Sounds is highly valued by the community and by visitors to the district. Provisions have been included to guide resource use to ensure that we can continue to enjoy the unique and iconic Marlborough Sounds environment on an ongoing basis.

The use and development of land, water, coastal and air resources and strategic infrastructure can adversely affect the resource and/or the surrounding environment. The management of these adverse effects is specifically addressed through the resource or activity-based chapters of the MEP.

### **Issue 4A – Marlborough's social and economic wellbeing relies on the use of its natural resources.**

---

The prosperity of Marlborough has always relied upon utilising and developing the natural resources in the surrounding environment. Historically, the primary sector has driven the local economy. Today, that same sector still contributes over 35 percent of the local economy and employs the equivalent of over 7,000 people on a permanent basis.

The industries that make up the primary sector - agriculture, viticulture, horticulture, forestry, fishing and marine farming - are successful because of the environment within which they occur. The availability of suitable land and coastal resources has allowed these industries to prosper and grow. Marlborough's freshwater resources have been vital to the productivity of some industries within the primary sector, combating dry conditions through irrigation and assisting with the processing of crops. Irrigation and good quality soils on the Wairau Plain have both created opportunities for landowners to diversify their activities.

Generally, Marlborough has adequate natural resources of sufficient quality to meet the needs of the primary sector. However, the reliance on natural resources also creates an inherent

vulnerability to environmental change. The loss of access to natural resources or a reduction in the quality of the resources would have a significant impact on the primary sector. The implications would be felt far beyond the farm gate or vineyard, as Marlborough's townships act as service centres to rural land uses and the marine farming industry. Many businesses in Blenheim and other townships are sustained, either directly or indirectly, by the primary sector.

Natural resources are also important to the social and economic wellbeing of the remainder of the community. The Marlborough Sounds, Richmond Range, the dry Southern Hills and interior and the east coast all provide refuge habitat for indigenous flora and fauna, sustaining most of Marlborough's remaining terrestrial, aquatic and marine biodiversity. These same environments provide us with important recreational opportunities to experience the outdoors. The intrinsic and amenity value of our environment attracts visitors to the district, sustaining a significant tourism industry. Any reduction in the quality of the environment will have the potential to adversely affect the tourism industry.

The value of the conservation estate, which makes up 45 percent of Marlborough's land area, should not be underestimated. For example, the use of the Queen Charlotte Track, part of which occurs in the conservation estate, adds approximately \$10 million to the Marlborough economy annually. There are other ecosystem services provided by the conservation estate that, although not quantified in a monetary sense, contribute to social wellbeing, such as reducing flood risk, sustaining whitebait catches and other fish and game.

[RPS]

#### **Objective 4.1 – Marlborough's primary production sector and tourism sector continue to be successful and thrive whilst ensuring the sustainability of natural resources.**

The Marlborough economy has historically been based on its primary industries and the processing of product from these industries. Agriculture, horticulture, viticulture, forestry and fishing continue to contribute significantly to our economy and therefore our economic wellbeing. For this reason, it is important that the primary sector, as well as related servicing and processing industries, continue to thrive.

A number of factors determine the viability and prosperity of the primary sector. Significant factors include market conditions and the exchange rate. These determine the demand for, and price of, the finished product. However, the Council also plays an important role in this context by allocating public resources, removing unnecessary barriers to resource use and enabling appropriate adaptation to climate change.

Primary industries rely on access to and the use of natural resources. Agriculture, horticulture, viticulture and forestry are all influenced by the availability of land and, to various extents, the characteristics and quality of the soil resource. Given Marlborough's dry climate, reliable supplies of freshwater for irrigation provide land use options for rural resource users. Freshwater is also used for the processing of crops. Our economic wellbeing therefore depends on the ability to continue to access and utilise natural resources in the Marlborough environment. However, the ability to use these resources does come with responsibilities. These responsibilities are reflected in policies elsewhere in the MEP.

Our natural environment is a significant attraction for domestic and international tourists and contributes significantly to the Marlborough economy. The development of a successful tourism sector in Marlborough has diversified the local economy and created greater resilience to changes in market conditions. It is therefore important that the tourism sector continues to be successful. The Council can play a role in this by striving to maintain and enhance the quality of our environment.

[RPS]

**Policy 4.1.1 – Recognise the rights of resource users by only intervening in the use of land to protect the environment and wider public interests in the environment.**

With land ownership comes an expectation of the ability to reasonably develop and use the land. In a property owning democracy such as New Zealand, it is fundamental that the reasonable rights and expectations of private property owners are respected. This is reflected in Section 9 of the RMA, which enables people to use or develop land.

Notwithstanding these property rights, the Council can constrain such land use through rules in a regional or district plan. The Council can intervene in the exercise of private property rights to protect the environment and wider public interests in the environment. Even in these situations, the Council will seek to minimise the extent of regulation placed upon resource users. Generally speaking, resource users have a vested interest in sustaining the natural resources from which they extract an income. The Council can influence and guide the way in which resource use is undertaken by establishing clear and concise standards.

It is important to acknowledge that existing uses of land can continue under Section 10 of the RMA irrespective of the introduction of district rules to constrain the use. For this to apply, the use must be lawfully established and its effects must be the same or similar to those that existed prior to the introduction of the rule.

At times it may be necessary for wider public interest considerations to prevail over individual expectations and land use may need to be controlled. In these circumstances, compensation to the land user is not payable under Section 85 of the RMA. The same section also provides the land user with the ability to challenge any provision of a plan on the grounds that the provision would render their land incapable of reasonable use. Section 86 of the RMA empowers the Council to acquire land with the agreement of the landowner and pay compensation for it.

[RPS]

**Policy 4.1.2 – Enable sustainable use of natural resources in the Marlborough environment.**

Many uses of coastal space, river beds, air and water resources are prohibited unless allowed by a rule in a regional plan or by resource consent (see Sections 12 to 15 of the RMA). As a principle, the Council will continue to enable access to natural resources where the subsequent use of those resources has no more than minor adverse effect on the immediate or surrounding environment. This will be achieved through the use of permitted activity rules, including conditions where appropriate, avoiding the need for resource consent. Where the adverse effects are considered more than minor or where there is potential for cumulative effects, then resource consents will be required. Policies throughout the MEP help define sustainable resource use.

The use of allocation frameworks for coastal space and freshwater will also assist to enable the sustainable use and development of these natural resources. These frameworks will provide certainty about the quantities and/or locations of resources available and the circumstances in which they may be used and developed.

[RPS]

**Policy 4.1.3 – Maintain and enhance the quality of natural resources.**

The productive use of natural resources can rely on the quality of those resources. A comprehensive suite of policies is included in the MEP to assist in sustaining soil, air, water and coastal resources. This will assist the primary sector to continue contributing significantly to the Marlborough economy and the wellbeing of our communities.

With a favourable climate and a diverse and attractive environment, Marlborough is a desirable place in which to work, live and holiday. Maintaining and enhancing the quality of our natural resources will ensure that Blenheim and other townships and small settlements continue to attract new residents which, in turn, enables growth and development. It will also ensure that the natural

environment continues to attract the domestic and international tourists that sustain a valuable tourism sector.

## **Methods of implementation**

The methods listed below are to be implemented by the Council unless otherwise specified.

[C, R, D]

### **4.M.1 Zoning**

*Zoning, in combination with district rules, will be used to enable primary production to occur within rural environments.*

[D]

### **4.M.2 District rules**

*Controls on land use will be used to determine appropriate land management practices or when intervention is required to protect natural resources and the surrounding environment.*

[C, R]

### **4.M.3 Regional rules**

*Permitted activity rules will be used to enable appropriate use of natural resources, including fresh and coastal water, river beds, air, coastal space and land resources, when the use will have no more than minor effects on natural resources and the surrounding environment. Other rules will also enable resource use, but will require a consideration of environmental effects through the resource consent process.*

*Regional rules will be used to implement allocation frameworks, including allocation limits. In some cases or in some locations, this may extend to having prohibited activity rules in order to maintain the integrity of the allocation framework or protect the quality of natural resources.*

[RPS, C, R, D]

### **4.M.4 Guidelines**

*The Council will make extensive use of guidelines to assist resource users to carry out their activities according to best practice for environmental outcomes. Guidelines will be developed in consultation with resource users and groups that represent their interests. The Council will rely on resource user groups to implement the guidelines.*

[RPS, C, R, D]

### **4.M.5 Information**

*Information will be made available on the nature, extent and state of soil, water and air resources to assist resource users to make informed decisions about resource use. This information will also be considered by the Council in determining whether there is a need to review regional and district rules and allocation frameworks.*

## **Issue 4B – The social and economic wellbeing, health and safety of the Marlborough community are at risk if community infrastructure is not able to operate efficiently, effectively and safely.**

---

We rely on a range of physical resources to allow our communities function on a day-by-day basis. These resources include the water, stormwater and waste disposal services provided to townships and small settlements; the transport links within Marlborough and connecting Marlborough to the remainder of the country; the provision of electricity and telecommunications; and, on the Lower Wairau Plain, the drainage of land. Collectively, this infrastructure is regionally significant due to the contribution it makes to our social and economic wellbeing, health and safety. Other infrastructure in (e.g. RNZAF Base Woodbourne) or running through Marlborough (e.g. the National Grid and state highways) also has national importance. It is important that this strategic infrastructure is able to operate efficiently, effectively and safely on an ongoing basis for community wellbeing. The ability to maintain, upgrade and replace existing infrastructure without significant constraint is important in this respect. Occasionally, new infrastructure may be required to provide for growth within the district.

Other activities can adversely affect the performance of existing infrastructure, especially those undertaken in close proximity to the infrastructure. The use and operation of some types of regionally significant infrastructure can, by their nature, create actual or potential effects for land uses located in close proximity to the infrastructure (e.g. odour, dust, glare, noise). This means that they are susceptible to reverse sensitivity effects: where the expectations of land uses, especially residential land uses, constrain the use and operation of regionally significant infrastructure or, in the case of the roading network, adversely affect its carrying capacity. Other land use activities may directly affect existing infrastructure. For example, planting trees under or in close proximity to electricity transmission lines creates a potential fire hazard and a risk that lines may be brought down during severe winds.

[RPS]

### **Objective 4.2 – Efficient, effective and safe operation of regionally significant infrastructure**

The community relies on the considerable infrastructure that has been developed to protect and support the population. It is essential for the social and economic wellbeing, health and safety of the Marlborough community that this critical infrastructure continues to operate efficiently, effectively and safely on an ongoing basis. This includes the ability to maintain, upgrade and replace existing infrastructure.

[RPS]

**Policy 4.2.1 – Recognise the social, economic, environmental, health and safety benefits from the following infrastructure, either existing or consented at the time the Marlborough Environment Plan became operative, as regionally significant:**

- (a) **reticulated sewerage systems (including the pipe network, treatment plants and associated infrastructure) operated by the Marlborough District Council;**
- (b) **reticulated community stormwater networks;**
- (c) **reticulated community water supply networks and water treatment plants operated by the Marlborough District Council;**
- (d) **regional landfill, transfer stations and the resource recovery centre;**
- (e) **National Grid (the assets used or owned by Transpower NZ Limited);**
- (f) **local electricity supply network owned and operated by Marlborough Lines;**
- (g) **facilities for the generation of electricity, where the electricity generated is supplied to the National Grid or the local electricity supply network (including**

- infrastructure for the transmission of the electricity into the National Grid or local electricity supply network);
- (h) strategic telecommunications facilities, as defined in Section 5 of the Telecommunications Act 2001, and strategic radiocommunication facilities, as defined in Section 2(1) of the Radiocommunications Act 1989;
  - (i) Blenheim, Omaka and Koromiko Airports;
  - (j) main trunk railway line;
  - (k) district roading network;
  - (l) Port of Picton and Havelock Harbour;
  - (m) Picton, Waikawa and Havelock marinas;
  - (n) RNZAF Base at Woodbourne; and
  - (o) Council administered flood defences and the drainage network on the Lower Wairau Plain.

The policy identifies infrastructure considered regionally significant due to its contribution to the social and economic wellbeing or health and safety of a large proportion of Marlborough's population, or because of its strategic importance nationally. These benefits will be taken into account when developing district and regional rules and when considering resource consent applications, notices of requirement and plan change requests. This policy recognises the significance of the infrastructure existing or consented at the time that the MEP becomes operative.

[RPS]

**Policy 4.2.2 – Protect regionally significant infrastructure from the adverse effects of other activities.**

The effective and efficient operation of regionally significant infrastructure can be protected by avoiding the establishment of incompatible activities in close proximity to the infrastructure in the first place. This policy recognises that there has already been significant investment in the infrastructure and that there are usually considerable difficulties relocating the infrastructure in the event of conflict with other land uses. In respect of the electricity transmission network, it is a requirement of the National Policy Statement on Electricity Transmission (NPSET) for decision makers to manage activities to avoid reverse sensitivity effects on the network as much as possible.

## **Methods of implementation**

The methods listed below are to be implemented by the Council unless otherwise specified.

[D]

### **4.M.6 Identification**

*The electricity transmission network will be identified on the planning maps. This will allow other methods to be applied to manage the adverse effects of third parties on the transmission network.*

[D]

### **4.M.7 Zoning**

*Recognition will be given to regionally significant infrastructure by providing, where appropriate, explicit zoning for the infrastructure. In conjunction with the application of district rules, zoning will assist to enable the infrastructure to operate efficiently and effectively.*

[D]

#### 4.M.8 Designations

*Encourage requiring authorities (as defined by Section 166 of the RMA) to utilise designations as an effective means of identifying and protecting regionally significant infrastructure. Designations can then be explicitly included in the MEP.*

[C, R, D]

#### 4.M.9 District and regional rules

*Rules will be used to enable activities associated with the maintenance, alteration, minor upgrading and replacement of regionally significant infrastructure. Standards will specify the extent of works involved with any of these activities.*

*Rules will be used to control the proximity of land uses in river beds that could have adverse effects on regionally significant infrastructure. This includes development within the National Grid corridor.*

*A buffer corridor for the National Grid transmission lines will be established through rules within which activities will be managed to reduce the risk of electrical hazard, the potential for reverse sensitivity effects and adverse effects on the structural integrity of the National Grid. The width of the corridor will vary depending on the activity, type of National Grid asset and the sensitivity of the network to the activity. This method gives effect to Policy 11 of the NPSET.*

*In addition to the rules in the MEP, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 establishes various classes of activity for certain activities relating to existing transmission lines.*

[C, R, D]

#### 4.M.10 Affected party status

*Where the grant of a resource consent application may adversely affect regionally significant infrastructure, the owners and operators of the infrastructure will be served notice of the application as an affected party. Transpower NZ is required to be served notice if a resource consent application may affect the National Grid under Regulation 10 of the Resource Management (Forms, Fees and Procedures) Regulations 2003.*

### **Issue 4C – The use and development of natural and physical resources in the Marlborough Sounds has the potential to detract from the character and intrinsic values of this unique and iconic environment.**

---

The unique Marlborough Sounds are located between Tasman Bay in the west, the often rough and wild Cook Strait to the north-east, and the exposed to open ocean conditions along its south-eastern flank. The drowning of river valleys in geological time has created 1,500 kilometres of indented coastline - a labyrinth of enclosed and relatively sheltered waters within Port Underwood, Queen Charlotte Sound, Pelorus Sound, Tennyson Inlet, Croiselles Harbour and around D'Urville Island. In contrast to the coastal waters, the Marlborough Sounds' landform is rugged, sloping steeply away from the shoreline to prominent spurs and ridges on the skyline. Bays, coves, beaches, inlets, peninsulas, headlands and cliffs all mark the point where land and water meet. This unique position, combined with variation in geology, soils, topography, temperature, tidal range and currents, creates diversity in both the character and ecology of the Marlborough Sounds.

The bush, streams and coastal waters provide habitat to indigenous plant and animal life. Native plants range from sub-tropical to sub-alpine. Some of the rarest animal and insect life in the world

can be found in the Marlborough Sounds, including tuatara, the Maud Island and Hamilton frogs and the Cook Strait giant weta. The pest free islands (e.g. Maud Island, Stephens Island, Titi Island and Motuara Island) are of particular significance, as they act as a refuge for threatened indigenous species. There is also a marine reserve around Long island.

The Marlborough Sounds are also interesting because of the wide range of activities that have occurred there in the past or are undertaken there today. The Marlborough Sounds have long been settled by Māori, possibly stretching back as far as 1,000 years. Many of Marlborough's tangata whenua iwi retain strong connections with the Marlborough Sounds and place great importance on their links to traditional sites, both on land and in the sea. The Marlborough Sounds were also a focal point for interaction between European and Māori cultures pre- and post-colonisation. European explorers, whalers, sealers and settlers all came to the Marlborough Sounds. In some ways, this settlement trend continues today as people are still choosing to move here.

Since the early days of interaction between the two cultures, the Marlborough Sounds' landscape and seascape have been extensively modified by human activity. The most obvious change was caused by the clearance of the original vegetation cover (predominantly bush) to allow for pastoral farming, followed in some areas by exotic forestry. Commercial fishing also had early beginnings, while the waters of Queen Charlotte Sound and Tory Channel have provided a vital transportation link between North and South Islands. A more recent trend has been the growth of the marine farming industry, with the establishment of over 570 farms around the Sounds. All of these activities continue today, although many pastoral farms have been left to revert to indigenous forest and shrub cover.

The combination of land and water also creates a stunning coastal environment that attracts people to live or holiday in the Marlborough Sounds, creating unique coastal communities in the process. This is reflected in the many houses and holiday homes adjacent to the foreshore.

The Marlborough Sounds are also a recreational playground, with many opportunities to tramp, cycle, swim, boat, sail, dive and fish. For those less actively inclined, there is also the ability to get away from it all and relax. Others choose to explore and experience the many different parts of the Marlborough Sounds by road or sea.

The use and development of natural and physical resources within the Marlborough Sounds creates the potential for environmental change. As noted above, the Marlborough Sounds is a dynamic environment and has a certain capacity to absorb change. However, there are visual, ecological and physical qualities that make a critical contribution to the character of the Marlborough Sounds. If these qualities are adversely affected by the use and development of natural and physical resources, this will adversely affect the way in which the community and visitors perceive and value the Marlborough Sounds.

[RPS]

### **Objective 4.3 – The maintenance and enhancement of the visual, ecological and physical qualities that contribute to the character of the Marlborough Sounds.**

The Marlborough Sounds is a truly exceptional place – it is considered to be our “jewel in the crown” in terms of natural assets. The landscapes and seascapes within the Marlborough Sounds and the ecology and natural processes that occur within them are unique and highly valued. This objective seeks to maintain and enhance these qualities to ensure that the community and visitors to the district can continue to enjoy this environment now and into the future. This does not mean that use and development of natural and physical resources cannot occur within the Marlborough Sounds, but an element of precaution needs to be exercised to ensure that resource use is complimentary to the visual, ecological and physical qualities that give the Marlborough Sounds its iconic character.

[RPS]

**Policy 4.3.1 – Integrate management of the natural and physical resources within the Marlborough Sounds environment.**

There are very strong connections between land and marine environments in the Marlborough Sounds. This means that activities occurring in one locality can easily affect the surrounding environment and other activities occurring in that environment. This is especially true considering that the activities and values described in the issue and objective above are not always compatible. This makes integrated management of land and coastal water resources critical to retaining the special qualities of the Marlborough Sounds. As a unitary authority, the Council is well placed to achieve integrated management of natural and physical resources through its policy making and consenting functions. The policies in the MEP ensure that all of the effects of the use, development and protection of resources are identified and managed in a consistent manner.

[RPS]

**Policy 4.3.2 – Identify the qualities and values that contribute to the unique and iconic character of the Marlborough Sounds and protect these from inappropriate subdivision, use and development.**

In order to determine whether particular activities in the Marlborough Sounds will have significant adverse effects, it is necessary to identify the qualities and values that contribute to the unique and iconic character of the Marlborough Sounds. These qualities and values are identified in the objectives and policies of other chapters, where criteria to help define appropriate activities are provided. In some cases, these qualities and values are also mapped and/or scheduled in the MEP.

[RPS]

**Policy 4.3.3 – Provide direction on the appropriateness of resource use activities in the Marlborough Sounds environment.**

It is important that the MEP provides as much certainty as possible to resource users and the community about the outcomes anticipated under this suite of provisions. Following the identification of the qualities and values in accordance with Policy 4.3.2, this policy signals that direction will be provided on the sensitivity of these to change. This sensitivity will vary due to the different qualities and values in different parts of the Marlborough Sounds. Those activities more likely to have an impact on the Marlborough Sounds environment will be subjected to resource consent processes. This will allow an assessment of the nature and significance of the effects of any proposed activity on the immediate and surrounding environment (including cumulative effects). The policies in the MEP will assist that assessment.

[RPS]

**Policy 4.3.4 – Enhance the qualities and values that contribute to the unique and iconic character of the Marlborough Sounds.**

Objective 4.3 seeks to maintain and enhance the Marlborough Sounds environment. This means that the Council can manage the use, development and protection of natural resources to enhance the qualities and values that contribute to the character of the Marlborough Sounds. This can occur through regulatory methods. For example, environmental enhancement may be a means of remedying or mitigating the adverse effects of resource use and development. Resource consent applicants and the Council should have regard to these opportunities when preparing or processing resource consent applications. Other opportunities may exist beyond the use and development of natural resources. The implementation of non-regulatory methods to enhance particular parts of the Marlborough Sounds environment, particularly the landscape and biodiversity, will make significant contributions in this regard. These non-regulatory methods are signalled throughout the MEP.

[RPS]

**Policy 4.3.5 – Recognise that the Marlborough Sounds is a dynamic environment.**

As described in the issue above, the Marlborough Sounds has already undergone considerable change as a result of the past use of natural and physical resources, the most dramatic possibly being the clearance of indigenous vegetation to allow agriculture to occur and, as agriculture has become economically marginal, the regeneration of indigenous vegetation. As a principle, it is important to recognise that the Marlborough Sounds environment is dynamic and will continue to change with or without human intervention. This means there is a capacity to absorb change within the environment without necessarily affecting the qualities of this unique and iconic environment. Indeed, some changes may actually enhance the qualities and improve the Marlborough Sounds environment. Regard should be had to this policy when considering new and existing activities involving the use, development and protection of the Marlborough Sounds environment.

**Methods of implementation**

The methods listed below are to be implemented by the Council unless otherwise specified.

[RPS]

**4.M.11 The policies above, particularly Policies 4.3.2, 4.3.3 and 4.3.4, are implemented through other policies throughout the MEP.**

**Anticipated environmental results and monitoring effectiveness**

The following table identifies only one anticipated environmental result for this chapter, which is a high level anticipated environmental result. Although there are indicators listed in 4.AER.1 to monitor overall effectiveness, it is important that regard is had to the anticipated environmental results in other chapters to help determine if the provisions of this chapter are being effective. The anticipated environmental results are ten year targets from the date that the MEP becomes operative, unless otherwise specified.

Anticipated environmental result	Monitoring effectiveness
<p>4.AER.1</p> <p>People and communities have appropriate access to natural and physical resources in the Marlborough environment in order to provide for their social, economic and cultural wellbeing and health and safety.</p>	<p>The primary sector contributes over 15% of Marlborough GDP.</p> <p>The number of visitors to Marlborough exceeds 1.5 million per annum.</p> <p>Regionally significant infrastructure continues to operate effectively and without disruption from other activities.</p> <p>Public perception survey indicates that a majority of residents and ratepayers believe that the Marlborough Sounds environment is in good health.</p>