

7. Landscape

Introduction

Our landscapes provide us with a Marlborough identity and are an integral part of the Marlborough environment. Landscapes are distinct spatial areas influenced by location-specific features, patterns and processes within the environment. These features, patterns and processes can be natural or human-induced (e.g. land use change) and incorporate the biophysical aspects of natural character which are separately addressed within Chapter 6 of this Plan. The resulting landscape characteristics are expressed perceptually, and can be valued for their ecological significance or for intrinsic reasons (e.g. by providing a sense of place).

The Resource Management Act 1991 (RMA) identifies the protection of outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development as a matter of national importance (Section 6(b)). Those landscapes that do not meet the threshold of being considered 'outstanding' may still make a contribution to the amenity values of Marlborough. The RMA seeks to maintain and enhance these landscapes with amenity value (Section 7(c)). Landscapes will often have specific values for Marlborough's tangata whenua iwi. Many landscapes are focussed on water bodies, the coast, or mountain ranges, which incorporate a range of historic and contemporary values for Marlborough's tangata whenua iwi. These values include awa, maunga, trails, māhinga kai, and sites of traditional settlement.

There are five broad landscape areas in Marlborough: the Richmond Range and associated mountain ranges; the Wairau and Awatere River Valleys; the mountainous interior; the Marlborough Sounds; and the remainder of the coastal environment.

Richmond Ranges

These mountains enjoy a wetter climate than their counterparts to the south. As a consequence, and due to the steep landform, the slopes and valleys are predominantly covered in indigenous forest. Although plantation forestry and intensive pastoral farming are evident within the valleys and on some of the lower slopes, especially along the north bank of the Wairau River, the majority of the land is managed by the Department of Conservation. A number of European and Māori historic and cultural elements can also be found within this landscape, particularly within the eastern coastal margin from Rarangi in the south to Oyster Bay in the north.

Wairau and Awatere River valleys

These river valleys are characterised by their broad, low lying outwash plains confined to the Wairau River plain and the Awatere River valley. These plains are bounded by the characteristic rolling hills of Southern Marlborough. This vastly modified landscape contains urban developments, pasture, forestry, horticulture and vineyards.

Mountainous interior

The mountainous interior south of the Wairau River is an extensive, largely inaccessible tract of land comprising rugged hills and mountains that reach 2,800 metres above sea level in some places. This landscape is largely bare, although remnant indigenous vegetation exists in alpine areas and in many of the river gorges. Some of the land is used for extensive pastoral farming. Due to vegetation clearance that has occurred, the biophysical aspects of this area are somewhat diminished; however, its bold landform, characterised by underlying geology, geomorphology and natural erosion processes, is typical of high country areas.

Commented [LW51]: Marine Farming Assn Inc & Aquaculture NZ
ENV-2020-CHC-74
Complete chapter under appeal
By consent order dated 25 March 2022

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Complete chapter under appeal
By consent order dated 25 March 2022

The Marlborough Sounds

The Marlborough Sounds display a unique combination of landforms formed by drowned river valleys, resulting in a highly fractured coastline with numerous offshore islands. Shaped largely by physical and climatic influences, the Marlborough Sounds include very steep to moderately steep dissected coastal hills and a mixture of vegetated and cleared mountain slopes. Some parts of the Marlborough Sounds are modified through agricultural, forestry and residential land uses and aquaculture activities in the coastal marine area. A number of significant Māori and European historic and cultural elements also contribute to this landscape.

The East Coast

From Rarangi in the north to Willawa Point on the Kaikoura Coast, the east coast of Marlborough provides a variety of landforms. In the north, the coastal environment comprises a sequence of dunes and swales moving inland, although these features have been modified by agricultural and residential activities. There are two significant river mouths - the Wairau and Awatere rivers - and two significant saline lagoons - Vernon Lagoons and Lake Grassmere. Salt is harvested from Lake Grassmere. The remainder of the coastline is rugged and relatively inaccessible. From Cape Campbell south, this coastline is characterised by dramatic limestone features.

The presence of water, in terms of lakes, rivers, wetlands or the sea, makes a significant contribution to the overall landscape and any reference to landscape within the Marlborough Environment Plan (MEP) includes reference to these water environments.

It is important to recognise that there is significant diversity in landscape within the broad areas identified above. This diversity is partly a response to variation in geological and ecological processes. Human activity has also had a considerable effect on our landscape over time, while current land use continues to influence the landscape character of Marlborough. Because the underlying human and natural processes are subject to change and evolution, landscapes are dynamic systems.

Issue 7A – Resource use and changes in resource use can result in the modification or loss of values that contribute to outstanding natural features and outstanding natural landscapes, and landscapes with high amenity value.

The use and development of natural and physical resources has always played an important role in sustaining Marlborough communities. The landscape within which this resource use occurs also makes a significant contribution in this regard. For Marlborough's tangata whenua iwi in Marlborough, particular features within the landscape are taonga. The wider community enjoys and values the landscapes that exist within the Marlborough Sounds, Richmond Ranges, in the Wairau and Awatere River valleys and in the mountainous interior. Our landscapes collectively make a significant contribution to our wellbeing and help provide us with a Marlborough identity.

The use and development of natural and physical resources changes the landscape. This can take several forms, such as: the introduction of built form where there is currently none or where it is introduced into prominent locations; the introduction of colour contrasts those in the existing landscape; or the introduction or removal of vegetation that affects pattern and texture within the landscape. Landscape change can occur at a range of scales and timeframes, be they site-specific or broad scale, immediate or incremental and potentially cumulative.

Not all change in the landscape will result in a loss of landscape values. In fact, some changes have enhanced landscape values. An example of this is the indigenous revegetation in the Marlborough Sounds. Other landscapes are a direct result of resource use. For example, the conversion of pastoral land to viticulture in the river valleys has created a landscape of structure,

seasonal colour contrast and colour contrast with the surrounding landscape. These examples demonstrate the dynamic nature of our landscape.

Although our landscape is dynamic and will continue to change in response to future resource use, there are some landscapes that the community values above others. The importance of these outstanding natural features and outstanding natural landscapes and landscapes with high amenity value and the contribution they make to community wellbeing is recognised by the RMA and NZCPS. The value placed on our outstanding natural features and outstanding natural landscapes and landscapes with high amenity value means that they are often more sensitive to change.

Issues can arise where the effects of resource use, especially the subdivision, use and development of land result in the loss or degradation of the values fundamental or integral to a landscape being considered important. As the community gains economic wellbeing from the productive use of natural and physical resources, it can be challenging to balance this against the need to retain the values that contribute to our outstanding natural features and outstanding natural landscapes and landscapes with high amenity value. Judgements are therefore required to determine appropriate development within our outstanding natural features and outstanding natural landscapes and landscapes with high amenity value.

[RPS]

Objective 7.1 – Identify Marlborough’s outstanding natural features and outstanding natural landscapes and landscapes with high amenity value.

Identification of the nature and extent of outstanding natural features and outstanding natural landscapes and landscapes with high amenity value allows the application of appropriate management mechanisms. The identification process is a complex task, given the dynamic nature of Marlborough’s landscapes as well as the diverse range of values that contribute to Marlborough’s landscape character and the variation in the sensitivity of these values to change. In addition, our perception of landscape varies widely depending on our own culture and life experience. In this context, it is very important to identify those values that make particular landscapes significant.

[RPS]

Policy 7.1.1 – Identify and assess the characteristics and values of Marlborough’s landscapes and features using the following factors:

- (a) **biophysical values, including geological, topographical, hydrological and ecological elements, and the expression of natural and formative processes;**
- (b) **perceptual values, including aesthetics, natural beauty and transient matters; and**
- (c) **associative values, including the values of Marlborough’s tangata whenua iwi, and other cultural and heritage values, and shared and recognised values.**

Multiple characteristics and values contribute to landscape. Primarily, landscape is the expression of natural processes and human activity in and on the land. However, it is also a function of how people perceive the results of this interaction. Those values considered relevant in a Marlborough context are identified in (a) to (c) of the policy. Landscapes may have one or more of these values. The criteria are derived from national and international landscape assessment criteria. More detail on what constitutes the values in (a) to (c) and how the values are assessed is included within the report “Marlborough Landscape Study August 2015” undertaken by expert landscape consultants. The Council will use these values as the basis of any assessment of landscape.

Commented [3]: The New Zealand King Salmon Co. Limited
ENV-2020-CHC-51
Add multiple new policies and method
By consent order dated 25 March 2022

Commented [4]: WITHDRAWN
Royal Forest and Bird Protection Society of New Zealand Incorporated
ENV-2020-CHC-64
By memorandum dated 4 March 2021

Commented [LW55]: Environmental Defence Society
ENV-2020-CHC-67; Trustpower Limited
ENV-2020-CHC-50;
By consent order dated 25 March 2022

Commented [LW56]: Errata 15

[RPS]

Policy 7.1.2 – When defining or updating the boundaries of outstanding natural features and outstanding natural landscapes and landscapes of high amenity value use the following methods:

- (a) consultation with Marlborough’s tangata whenua iwi; and as appropriate:
- (b) land typing;
- (c) contour line;
- (d) contained landscape features;
- (e) nested landscapes; and/or
- (f) land use.

The identification of outstanding natural features and outstanding natural landscapes and landscapes with high amenity value requires the extent or boundary of these outstanding natural features and outstanding natural landscapes and landscapes with high amenity value to be identified. This policy identifies the methods that will be used to establish the boundaries, as follows:

- Land typing: uses a change in landform to establish a boundary at and following the edge of the landform.
- Contour line: uses a specific contour line(s) to establish a boundary.
- Contained landscape feature: uses an enclosed area of land around a landscape feature, such as an island.
- Visual catchment: uses ridgelines and spurs to establish a boundary.
- Land use: uses a variation in land use to establish a boundary.

The method to be used will depend on the values that contribute to the landscape and how they are expressed in the landscape.

Although it is intended to identify Marlborough’s outstanding natural features and outstanding natural landscapes and landscapes with high amenity value, landscape is also dynamic and is constantly changing. Change may occur quickly as a result of land use change or a catastrophic event (e.g. earthquake) or slowly as a result of natural processes (e.g. indigenous revegetation). Where landscape change occurs over time or where there is a more detailed assessment of landscape values at a particular site, it may be necessary to refine the boundaries of the identified outstanding natural features and outstanding natural landscapes and landscapes with high amenity value. Any changes to the boundaries of these identified landscapes will have to pass through the First Schedule process of the RMA.

Commented [LW57]: By consent order dated 25 March 2022

[RPS]

Policy 7.1.3 –Identify and assess the values in Policy 7.1.1 to determine:

- (a) whether a landscape is an outstanding natural feature and outstanding natural landscape in terms of Section 6(b) of the Resource Management Act 1991;
- (b) whether a landscape has a high amenity value in terms of Section 7(c) of the Resource Management Act 1991.

Once an assessment of a landscape has been undertaken based on the values identified in Policy 7.1.1, and a boundary defined in accordance with Policy 7.1.2, a determination will be made as to whether the landscape values are significant enough for the landscape to be considered outstanding in the context of Section 6(b) of the RMA. If a landscape is considered to exhibit exceptional or very high biophysical, perceptual and/or associative values, then it will be identified as an outstanding natural landscape. Outstanding natural features can also be included within this assessment.

There are also landscapes in Marlborough that, although their values are not as significant as those for an outstanding natural feature or outstanding natural landscape, can still make a significant contribution to the appreciation and quality of our environment. A range of perceptual values can contribute to the amenity of these landscapes, including scenic beauty, coastal character, dramatic or attractive natural features within the landscape and the openness or naturalness of the landscape. Where these perceptual values are collectively considered to be high, the landscape can be categorised as a landscape with high amenity value.

Those landscapes that are an outstanding natural feature or outstanding natural landscape are mapped in the MEP. Landscapes identified as having high amenity values are also mapped in the MEP. Mapping makes it clear to resource users where Marlborough's significant landscapes are located. Additionally, the values that make these landscapes significant are described in Appendix 1. These values should be considered when resource consent applications are made and decided upon, including the extent to which they may be affected by a particular use or development.

[RPS, R, C, D]

Policy 7.1.4 – Refine the boundaries of outstanding natural features and outstanding natural landscapes and landscapes with high amenity value through the plan change process in response to:

- (a) landscape change over time;
- (b) more detailed assessment of landscape values; or
- (c) new information.

Although it is intended to identify Marlborough's outstanding natural features and outstanding natural landscapes and landscapes with high amenity value, landscape is also dynamic and is constantly changing. Change may occur quickly as a result of land use change or a catastrophic event (e.g. earthquake) or slowly as a result of natural processes (e.g. indigenous revegetation). Where landscape change occurs over time or where there is a more detailed assessment of landscape values at a particular site, it may be necessary to refine the boundaries of the identified outstanding natural features and outstanding natural landscapes and landscapes with high amenity value. Any changes to the boundaries of these identified landscapes will have to pass through the First Schedule process of the RMA.

Methods of implementation

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

[RPS]

7.M.1 Identifying Marlborough's outstanding natural features and outstanding natural landscapes and landscapes with high amenity value that are sensitive to change

An extensive assessment of Marlborough's landscapes was undertaken in 2009 by professional landscape consultants. This assessment identified Marlborough's outstanding natural features and outstanding natural landscapes as well as those landscapes with high amenity value. After consultation with landowners (including site visits where requested by landowners, resource users and the community), those landscapes that meet national and international criteria for significance have been identified in the MEP. Appendix 1 of the MEP also identifies the values (as listed in Policy 7.1.1) that make each landscape significant.

[RPS, R, C, D]

7.M.2 Information

The Council has made available information on Marlborough's diverse landscape character and the results of any evaluation of landscape significance (following consultation with relevant

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landowners). This will be a useful reference document generally, but can also be used by resource consent applicants to assist in any assessment of adverse effects on landscape values.

[RPS, R, C, D]

Objective 7.2 – Protect outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development and maintain and enhance landscapes with high amenity value.

Section 6(b) of the RMA requires the Council to protect outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development, while Section 7(c) of the RMA requires the Council to have particular regard to the maintenance and enhancement of amenity values. This objective reflects these statutory obligations and recognises the significant contribution of landscape to community wellbeing. Protecting the biophysical, perceptual and associative values that contribute to our outstanding natural features and outstanding natural landscapes and landscapes with high amenity value means that locals and visitors alike can continue to appreciate this important part of Marlborough's identity, character and environment.

It is important to acknowledge that the landscape management mechanisms that stem from this objective do not anticipate that there will be no landscape change. Rather, the objective focusses on determining what is appropriate resource use and development in relation to the values that make the landscape significant.

[R, C, D]

Policy 7.2.1 – Control activities that have the potential to degrade those values contributing to outstanding natural features and outstanding natural landscapes by requiring activities and structures to be subject to an assessment of effects on landscape values through the resource consent process.

One of ways in which the Council is to fulfil its statutory obligations with respect to landscape is to control inappropriate subdivision, use and development through regional and district rules. Because some of Marlborough's natural features and landscapes have been identified as having outstanding value, it is important that activities in these areas are assessed through the resource consent process to determine whether the activity will have an adverse effect on landscape values. The activities to be controlled vary between each outstanding natural feature and outstanding natural landscape as the values that contribute to the outstanding natural feature and outstanding natural landscape and landscape with high amenity value, and the sensitivity of these values to change, will differ from place to place. For example, the threats to landscape values in the coastal environment could be different to those in the mountainous interior. Appendix 1 of the MEP identifies the values that make each outstanding natural feature and outstanding natural landscape significant. The MEP will also contain the regional and district rules.

Where Marlborough's tangata whenua iwi values contribute to an outstanding natural feature or outstanding natural landscape, consultation may be required with iwi.

[D]

Policy 7.2.2 – Control activities that have the potential to degrade the amenity values that contribute to the Wairau Dry Hills High Amenity Landscape by:

- (a) setting permitted activity standards that are consistent with the existing landscape values and that will require greater assessment where proposed activities and structures exceed those standards; and
- (b) requiring resource consent for new plantation forestry planting, but not replanting.

The Wairau Dry Hills High Amenity Landscape is more sensitive to change than other landscapes with high amenity value as it forms the visual backdrop to Blenheim and the Wairau Plain, providing an attractive contrast to the valley floor. (The specific values that are present within this

Commented [10]: Environmental Defence Society
ENV-2020-CHC-67
New policy: requiring the avoidance of significant adverse effects on natural features and landscapes in the coastal environment.
By consent order dated 25 March 2022

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By consent order dated 25 March 2022

Commented [LW512]: Amended to accurately reflect decision. Clause 16

landscape are set out in Appendix 1 of the MEP.) While most landscapes identified as having high amenity value have a non-regulatory approach as the means of maintaining and enhancing landscape value, for the Wairau Dry Hills High Amenity Landscape a regulatory approach is considered more appropriate in order to fulfil statutory obligations under Section 7(c) of the RMA. Only one activity, new plantation forestry, needs to be assessed through the resource consent process, as it could have a significant adverse effect on the landscape values of this area. The use of standards for permitted activities is considered appropriate for other activities in order to manage effects on landscape values, as resource use and development is generally to be expected within this landscape.

[C, D]

Policy 7.2.3 – Control activities that have the potential to degrade the amenity values that contribute to those areas of the Marlborough Sounds High Amenity Landscape not identified as being an outstanding natural feature and outstanding natural landscape by:

- (a) using a non-regulatory approach as the means of maintaining and enhancing landscape values in areas of this landscape zoned as Coastal Living;
- (b) setting permitted activity standards/conditions that are consistent with the existing landscape values and that will require greater assessment where proposed activities and structures exceed those standards; and
- (c) requiring resource consent for new plantation forestry planting and harvesting.

Similar to the Wairau Dry Hills High Amenity Landscape, the Marlborough Sounds High Amenity Landscape is more sensitive to change than other landscapes with high amenity values. The Marlborough Sounds is an iconic and unique landscape with considerable scenic beauty. While some parts of the Sounds have more significant values than others, in its entirety the Sounds has considerable landscape value, which is why the whole of the Sounds have been included within the Marlborough Sounds High Amenity Landscape. However, the areas subject to the management framework of this policy are those not identified as an outstanding natural feature and outstanding natural landscape.

Because the Marlborough Sounds is subject to development pressure for a range of subdivision, use and development, it is appropriate to control these activities through a range of means. For those areas zoned Coastal Living, there has already been a degree of modification to landscape values and in these areas a non-regulatory approach is considered appropriate to manage further landscape impacts. The remaining areas within the Marlborough Sounds High Amenity Landscape have a management approach that includes standards for permitted activities and conditions on consent for controlled activities, as it is expected that there will be some resource use within these areas. The one exception is a restricted discretionary activity resource consent requirement for plantation forestry to ensure that this activity can be assessed for its impact on the landscape values identified in Appendix 1.

[R, C, D]

Policy 7.2.4 – Where resource consent is required to undertake an activity within an outstanding natural feature and outstanding natural landscape, or a landscape with high amenity value;

- (a) have regard to the potential adverse effects of the proposal on the values that contribute to the landscape;
- (b) have regard to the location, scale, design and operation of the proposed activity;
- (c) recognise that areas contain ongoing use and development that were present when the area was identified as outstanding or having high amenity value, or have subsequently been lawfully established;
- (d) recognise that where policy direction requires adverse effects to be avoided, minor or transitory adverse effects may not need to be avoided;

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ENV-2020-CHC-64
By memorandum dated 4 March 2021

- (e) have regard to any restoration and enhancement of the landscape proposed; and
- (f) recognise that some activities, including regionally significant infrastructure, may have a functional or operational requirement to be located within an outstanding natural feature or outstanding natural landscape, or a landscape with high amenity value.

Where it is proposed that an activity will take place in an outstanding natural feature and outstanding natural landscape or in a landscape with high amenity value, it is appropriate that an assessment of the impact of the proposal on these outstanding natural features and outstanding natural landscapes and landscapes with high amenity value is carried out. To undertake the assessment, regard must be had to the values that contribute to the outstanding natural feature and outstanding natural landscape or a landscape with high amenity value as identified in Appendix 1 of the MEP. The level of assessment should reflect the scale of the proposed activity and the potential adverse effects on the values that contribute to the landscape.

Existing activities in (c) includes resource consents which have been granted and are able to be implemented by the consent holder.

The Policy recognises that there are activities that have a functional need to be located in the coastal marine area, and there is a need to provide for those activities in appropriate places. The assessment of whether a place is appropriate will include consideration of the need to manage adverse effects, in accordance with the other policies of this chapter. In accordance with Policy 6.2(d) of the NZCPS, activities that do not have a functional need for location in the coastal marine area generally should not be located there.

Where Marlborough's tangata whenua iwi values contribute to an outstanding natural feature or outstanding natural landscape, consultation may be required with iwi.

[R, C, D]

Policy 7.2.5 – Except as provided for by Policy 7.2.6, avoid adverse effects on the values that contribute to outstanding natural features and outstanding natural landscapes in the first instance. Where adverse effects cannot be avoided and the activity is not proposed to take place in the coastal environment, ensure that the adverse effects are remedied.

Where resource consent is required to undertake a particular activity in an outstanding natural feature or outstanding natural landscape, this policy provides a clear preference for avoiding adverse effects on the biophysical, perceptual or associative values within the landscape. This does not mean that there can be no new resource use within outstanding natural features or outstanding natural landscapes; rather, the use or development of natural and physical resources may be able to be undertaken in a way that the quality and significance of the values is not diminished. Alternatively, adverse effects may be able to be remedied through careful planning or remedial works. Policy 7.2.7 provides further guidance in this regard. The option of remedying adverse effects on landscape values does not apply to activities occurring within the coastal environment, as Policy 15 of the NZCPS requires that such adverse effects are avoided.

[R, C, D]

Policy 7.2.6 – Where the development, operation, maintenance or upgrade of regionally significant infrastructure, or activities that enhance passive recreational opportunities for the public which are of a small scale are proposed to take place in an area with outstanding natural features and outstanding natural landscapes:

- (a) in the coastal environment, avoid adverse effects on the values that contribute to the landscape;
- (b) in all other cases avoid where practicable, and otherwise remedy and mitigate adverse effects on the values that contribute to the landscape.

Provided the overall qualities and integrity of the wider outstanding natural feature and outstanding natural landscape are retained.

Commented [14]: Amended to accurately reflect decision. Clause 16.

Commented [LW515]: Trustpower Limited ENV-2020-CHC-50;
Transpower New Zealand Limited ENV-2020-CHC-68;
Environmental Defence Society ENV-2020-CHC-67
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Commented [LW517]: Trustpower Limited ENV-2020-CHC-50;
Transpower New Zealand Limited ENV-2020-CHC-68
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Commented [18]: Transpower New Zealand Limited
ENV-2020-CHC-68

Commented [19]: Amended to accurately reflect decision. Clause 16.

This policy relaxes the direction provided by Policy 7.2.5 for outstanding natural features and outstanding natural landscapes outside of the coastal environment for regionally significant infrastructure, and small scale passive recreation activities, which reflect the considerable benefits that the listed activities provide to the social and economic wellbeing, health and safety of our community.

Regionally significant infrastructure is essential to allowing our communities to function on a day-by-day basis. This infrastructure may need to be expanded in the future and that expansion may need to occur in areas of outstanding natural features and outstanding natural landscapes. Many outstanding natural features and outstanding natural landscapes can already be accessed for passive recreational purposes and the RMA seeks to maintain and enhance these amenity values. Enhancement may take the form of new tracks or huts in the landscape, but would be of a small scale.

The policy does not allow the activities to occur without consideration of the impact they may have on outstanding natural features and outstanding natural landscapes. Any adverse effects on the biophysical, perceptual or associative values within the landscape must still be mitigated as much as possible. As adverse effects can occur at various scales, there should also be consideration of the impacts of the proposed activity on the overall qualities and integrity of the wider outstanding natural feature or outstanding natural landscape. The policy requires that the overall quality and integrity of the landscape should be retained.

This policy does not apply to activities occurring in the coastal environment, as Policy 15 of the NZCPS requires that adverse effects of activities on outstanding natural feature or outstanding natural landscape be avoided.

[R, C, D]

Policy 7.2.7 – Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects on those natural landscape values that contribute to the Marlborough Sounds High Amenity Landscape, Awatere River High Amenity Landscape at the mouth and the Wharanui Coastline High Amenity Landscape.

The degree of adverse effects on natural features and landscapes in the coastal environment which are not outstanding is an important consideration under policy 15(b) of the NZCPS. Where the extent of change in the coastal environment from subdivision, use, or development causes significant adverse effects on the values of such landscapes, the NZCPS states that those effects should be avoided.

There is therefore a threshold in the Marlborough Sounds High Amenity Landscape, Awatere River High Amenity Landscape at the mouth (with the mouth defined in Zoning Maps) and Wharanui Coastline High Amenity Landscape beyond which remediation and/or mitigation of adverse effects is not an appropriate management option. That threshold will be determined on a case-by-case basis through the resource consent or plan change process. The significance of the adverse effect will depend on the nature of the proposal, the landscape values within which the activity is proposed to occur, and the degree of change to those values in that context. Where adverse effects are not assessed as significant, then adverse effects should otherwise be avoided, remedied, or mitigated.

[R, C, D]

Policy 7.2.8 – Protect the values of outstanding natural features and outstanding natural landscapes and maintain and enhance the high amenity values of the Wairau Dry Hills and the Marlborough Sounds High Amenity Landscapes by:

- (a) In respect of structures:
 - (i) avoiding visual intrusion on skylines, particularly when viewed from public places;
 - (ii) avoiding new dwellings adjacent to the foreshore, excluding barges used for aquaculture;

Commented [20]: Trustpower Limited
ENV-2020-CHC-50

Transpower New Zealand Limited
ENV-2020-CHC-68

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Commented [27]: Amended to accurately reflect decision.
Clause 16.

- (iii) using reflectivity levels and building materials that complement the colours in the surrounding landscape;
 - (iv) limiting the scale, height and placement of structures to minimise intrusion of built form into the landscape;
 - (v) recognising that existing structures may contribute to the landscape character of an area and additional structures may complement this contribution;
 - (vi) making use of existing vegetation as a background and utilising new vegetation as a screen to reduce the visual impact of built form on the surrounding landscape, providing that the vegetation used is also in keeping with the surrounding landscape character; and
 - (vii) encouraging utilities to be co-located wherever possible; whilst recognising the functional and operational needs of regionally significant infrastructure.
- (b) In respect of land disturbance (including tracks and roads):
- (i) avoiding land disturbance activity that creates a long term change in the appearance of the landscape, particularly when viewed from public places;
 - (ii) encouraging tracks and roads to be located adjacent to slopes or at the edge of landforms or vegetation patterns and to follow natural contour lines in order to minimise the amount of land disturbance required;
 - (iii) minimising the extent of any cuts or side castings where land disturbance is to take place on a slope; and
 - (iv) encouraging the revegetation of cuts or side castings by seeding or planting; whilst recognising the functional and operational needs of regionally significant infrastructure.
- (c) In respect of vegetation planting:
- (i) avoiding the planting of new exotic forestry in areas of outstanding natural features and outstanding natural landscapes in the coastal environment of the Marlborough Sounds where they degrade landscape values;
 - (ii) encouraging plantations of exotic trees to be planted in a form that complements the natural landform,

The perceptual values of outstanding natural features and outstanding natural landscapes are vulnerable to change brought about by resource use. The introduction of new structures, tracks and roads into the landscape, and the planting of new vegetation, all have the ability to affect our perception and appreciation of the landscape. Tracking on slopes, if not appropriately constructed and maintained, can induce erosion, which has the potential for significant landscape effects.

Although not an exhaustive list, this policy describes how the visual integrity of the landscape can be maintained in response to changes in resource use. The subdivision of land can act as a precursor to such changes, so it is also appropriate to have regard to this policy when considering subdivision consent applications.

The matters in (a) to (c) guide how visual intrusion into outstanding natural features and outstanding natural landscapes and landscapes with high amenity value can be avoided, remedied or mitigated. These mostly relate to undertaking land use activities in ways that limit the visual intrusion into the landscape. These actions will be implemented through a range of activity status as well as standards on permitted activity rules. Policy 7.2.1 provides guidance on how

these controls will be applied to outstanding natural features and outstanding natural landscapes. For landscapes with high amenity value, guidance is provided through Policies 7.2.2 and 7.2.3.

This policy cannot apply to existing land use activities that have been lawfully established due to existing use rights under Section 10 of the RMA.

[C, D]

Policy 7.2.8-9 – Recognise that farming in South Marlborough contributes to the values of some outstanding natural features and landscapes outstanding natural landscapes and landscapes with high amenity value. ~~will fall within areas in which primary production activities currently occur.~~

In some areas where outstanding natural features and landscapes outstanding natural landscapes and landscapes with high amenity values have been identified in the overlays in Volume 4 of the MEP, there ~~are~~ is a range of primary production activities taking place.

Some landscapes, especially south of the Wairau River, are a product of past and present extensive pastoral farming. In this situation, the continuation of such pastoral farming is not anticipated to threaten the biophysical, sensory perceptual or associative values that contribute to landscape significance. This will be reflected in the status of regional and district rules that apply in identified outstanding natural features and landscapes outstanding natural landscapes and landscapes with high amenity value in rural areas. Existing land uses within these areas will also have existing use rights under Section 10 of the RMA.

~~Primary production activities currently also occur in the Marlborough Sounds in locations identified within the MEP as having landscape significance. Rules applying to land uses do require consent for new commercial forestry activity and land disturbance over certain limits. However given the existing use rights under Section 10 of the RMA, existing land-based primary production activity, even within an area of landscape significance, can continue to take place.~~

[D]

Policy 7.2.10 – Reduce the impact of wilding pines on the landscape by supporting initiatives to control existing wilding pines and limit their further spread.

The ability of pine trees to spread from commercial plantations, soil conservation plantings, rural shelterbelts and isolated plantings is well documented in Marlborough. As pines spread, they alter the landscape due to their visual dominance and colour contrast. In addition, where forests have been harvested but not replanted there is the potential for rapid growth of wilding seedlings, creating more unmanaged sources of wilding pine spread. Many in the community believe that these landscape changes are unacceptable and some locals have initiated control programmes in an effort to reduce the presence of wilding pines in the landscape and limit their spread to other areas. These efforts are to be supported as a means of effective landscape protection.

[D]

Policy 7.2.11 – Liaise with the Department of Conservation regarding any landscape issues on land administered by the Department and identified as having outstanding natural features and outstanding natural landscapes (including within the Marlborough Sounds High Amenity Landscape).

A significant proportion of outstanding natural features and outstanding natural landscapes occur on Crown land administered by the Department of Conservation. Because this land is managed for conservation purposes and is not likely to attract development, there are fewer threats to the biophysical, perceptual and associative values in these landscapes compared to those areas with outstanding natural features and outstanding natural landscapes on privately owned land. However, that is not to say that potential threats do not exist. For example, applications can be made to operate concessions within areas administered by the Department and vegetation change can occur as a result of pest plant incursions (including wilding pines, broom and gorse). The Council will liaise with the Department on an ongoing basis to discuss landscape issues as they arise and to develop and implement appropriate management responses.

Commented [28]: Royal Forest and Bird Protection Society of New Zealand Incorporated
ENV-2020-CHC-64

WITHDRAWN: 4 March 2021

Commented [LW529]: The New Zealand King Salmon Co. Limited
ENV-2020-CHC-51

Commented [30]: WITHDRAWN
One Forty One
ENV-2020-CHC-54
By memorandum dated 3 March 2021

Commented [LW531]: Marine Farming Association
ENV-2020-CHC-74

Commented [LW532]: Marine Farming Association
ENV-2020-CHC-74
The New Zealand King Salmon Co. Limited
ENV-2020-CHC-51
By consent order dated 25 March 2022

Commented [LW533]: By consent order dated 25 March 2022

[R, C, D]

Policy 7.2.12 – Encourage landowners and resource users to consider landscape qualities in the use or development of natural and physical resources in landscapes with high amenity value.

Non-regulatory methods can be used to maintain and enhance high amenity landscapes. Landowners and resource users are encouraged to consider landscape qualities when undertaking use and development in these landscapes.

[R, C, D]

Policy 7.2.13 In assessing the cumulative effects of activities on outstanding natural features and outstanding natural landscapes, and landscapes with high amenity values, consideration shall be given to:

- (a) the effect of allowing more of the same or similar activity;
- (b) the result of allowing more of a particular effect, whether from the same activity or from other activities causing the same or similar effect; and
- (c) the combined effects from all activities in the locality.

Although individual activities may not adversely affect the values that contribute to landscapes, when combined with the effects of similar activities or other activities with similar effects, the activities may collectively have cumulative adverse effects on those values. This Policy describes how the cumulative effects of activities on landscapes will be considered.

[C]

Policy 7.2.14- Recognise that the outstanding natural landscape values for seascape components of Cook Strait (District Landscape 08) identified in Appendix 1 are influenced by, but not limited to, their perceptual relationship to land. Perceptual values within the outstanding landscape in that District Landscape may diminish with distance from land. Therefore, the verification of the presence of those values, the presence of unidentified values, and the scale and significance of any effects on all those values will require site specific assessment through any resource consent application.

This policy acknowledges that the outer extent of seascape ONL in Inner Cook Strait can vary, and that specific delineation and collation of landscape values is not straightforward. Site specific assessment is to be used to verify the existence of the landscape values for the Cook Strait ONL identified in Appendix 1 and to establish the scale and significance of any effects of the proposal. That assessment may also identify other landscape values at the site that are not currently identified in Appendix 1, but which may be relevant to the determination of the relevant resource consent application. Note that in addition to distance from land, other factors may be relevant – e.g. some submerged natural features have also been identified in Appendix 1 without a perceptual relationship with the land, which in turn contributes to outstanding natural landscape values.

Methods of implementation

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

[R, C, D]

7.M.3 District and regional rules

As necessary, apply district or regional rules to activities that have the potential to threaten identified values that contribute to the landscape character of outstanding natural features and outstanding natural landscapes. Rules may also be required to maintain and enhance the Wairau Dry Hills High Amenity Landscape and the Marlborough Sounds High Amenity Landscape. The status of activities will depend on the severity of the threat and range from permitted activity standards through to prohibited activities. Activities to be regulated include:

- *subdivision;*

Commented [LW534]: Environmental Defence Society
ENV-2020-CHC-67
By consent order dated 25 March 2022

Commented [35]: Amended to accurately reflect decision.
Clause 16.

Commented [LW536]: Goulding Trustees Limited and
Shellfish Marine Farms Limited
ENV-2020-CHC-47
Aroma (NZ) Limited and Aroma Aquaculture Limited
ENV-2020-CHC-45
Marine Farming Assn Inc & Aquaculture NZ
ENV-2020-CHC-74
By consent order dated 25 March 2022

Commented [37]: By consent order dated 10 October 2022

- erection and placement of structures, especially location, scale, density and appearance;
- land disturbance;
- indigenous vegetation removal;
- plantation forestry; and
- the planting of certain species of exotic tree for woodlot forestry planting, carbon sequestration forestry planting and conservation planting

A permitted activity standard will be used to establish an appropriate setback for structures and activities from rivers and the coastal marine area in order to preserve natural character.

[R, C, D]

7.M.4 Guidelines

The Council will provide guidelines to help landowners and resource users to avoid, remedy or mitigate the adverse visual effects of development on landscape values. Guidelines for forest harvest activities and new structures will be priorities for development. These guidelines are intended to encourage landowners and resource users to consider landscape qualities when using or developing natural and physical resources. This may result in improved recognition of the landscape within which the resource use or development is proposed to occur and therefore improved (harvest or structure) design from a landscape perspective. In this way, the guidelines will assist with the implementation of the regulatory methods and are complementary to these methods.

Commented [38]: Clause 16

[D]

7.M.5 Colour palette

A colour palette had been developed to help protect, maintain and enhance landscapes in the Marlborough Sounds and south Marlborough. By contrasting and detracting from the colours present in the natural environment, built structures have the potential to adversely impact on the visual qualities and natural characteristics of landscape areas. To minimise this potential, colour palettes will help to integrate new buildings (or the repainting of existing buildings) into the landscape through the use of appropriate colour hues, tonalities and reflectivity.

The colour palette does not form part of any rule framework; however, a number of landowners within the significant landscape areas, particularly those in the Marlborough Sounds, have used the colour palette in guiding choices about repainting of dwellings. The colour palette can be downloaded from the Council's website.

[D]

7.M.6 Incentives

Consider providing rates relief where landscape protection is formalised by way of covenant or similar methods of protection.

Consider providing funding to wilding pine control programmes and other community initiated control programmes for undesirable plants and animals.

Consider providing incentives to drive transition of commercial forests within outstanding natural features and outstanding natural landscapes, and landscapes with high amenity to alternative forestry or land uses, as informed by the outcomes of research.

[D]

7.M.7 Investigation

Undertake research into alternative forestry and land use options available to pine forest owners in the Marlborough Sounds. The investigations should include how best to manage the transition

from pine plantations to the chosen alternatives in a manner that minimises landscape effects, especially those caused by wilding pines.

[RPS, R, C, D]

7.M.8 Information

Make available background information on Marlborough's diverse landscape character, particularly through Appendix 1, which identifies the values of Marlborough's outstanding natural features and outstanding natural landscapes and landscapes with high amenity value.

Provide forest owners in the Marlborough Sounds with information on alternative forestry options and alternative land uses so that they can make informed decisions regarding succession planning leading up to and upon the harvesting of existing pine forests.

Provide the community with information on effective control practices for wilding pines.

[RPS, R, C, D]

7.M.9 Advocacy

Advocate for increased guidance to be provided at a national level for assessing the adverse effects of resource use and development on landscape values.

Anticipated environmental results and monitoring effectiveness

The following table identifies the anticipated environmental results of the landscape provisions of the MEP. The anticipated environmental results are ten year targets from the date that the MEP becomes operative, unless otherwise specified. For each anticipated environmental result, a series of indicators will be used to monitor the effectiveness of the landscape provisions.

Anticipated environmental result	Monitoring effectiveness
<p>7.AER.1</p> <p>Marlborough's outstanding natural features and outstanding natural landscapes and landscapes with amenity value are protected from degradation.</p>	<p>Outstanding natural features and outstanding natural landscapes and landscapes with high amenity value are included within the MEP. This will include the identification of values that comprise each landscape and mapping of the extent of the landscapes.</p> <p>The awareness of Marlborough's outstanding natural features and outstanding natural landscapes and landscapes with high amenity value increases, as measured by public perception survey.</p> <p>The biophysical, perceptual and associative values that contribute to particular landscapes are maintained (or enhanced), as measured by reassessment of Marlborough's landscape.</p> <p>Only appropriate development is allowed to occur in outstanding natural features and outstanding natural landscapes, as measured by reassessment of Marlborough's landscape.</p> <p>The area of land vegetated by wilding pines in Marlborough does not increase.</p> <p>The number of programmes in the community to control wilding pines</p>

Commented [39]: WITHDRAWN
 Friends of Nelson Haven & Tasman Inc
 ENV-2020-CHC-33
 By memorandum dated 4 August 2021

Commented [LW540]: Marine Farming Association ENV-2020-CHC-74
 By consent order dated 25 March 2022

Appeal