

MARLBOROUGH
REGIONAL
POLICY
STATEMENT



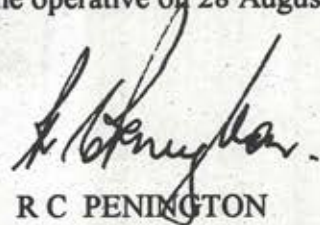
Marlborough District Council

Resource Management Act 1991

Resource Management Act 1991
Marlborough Regional Policy Statement

It is hereby certified that this is a correct copy of the Marlborough Regional Policy Statement as approved by resolution of the Marlborough District Council on 20 July 1995.

The Council further resolved that the Statement shall become operative on 28 August 1995.



R C PENINGTON
GENERAL MANAGER

The Common Seal of the Marlborough District Council was hereunto affixed this 27 day of July 1995 in the presence of :



L F MCKENDRY
MAYOR



R C PENINGTON
GENERAL MANAGER

Date Operative
28 August 1995.

Marlborough District Council, Seymour Square,
P.O. Box 443, Blenheim, New Zealand. © 1995

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Table of Contents

PART 1: INTRODUCTION	5
1.1 Structure of Document	5
PART 2: BACKGROUND	7
2.1 Sustainable Management	7
2.2 Regional Policy Statements	8
2.3 Integrated Management of Resources	9
2.4 Relationship to Other Policies and Plans	10
2.5 Links to Other Legislation	12
2.6 Cross Boundary Matters	13
2.7 Consistency Between Resource Management Plans	14
2.8 Section 32 Analysis	15
PART 3: GENERAL PRINCIPLES	17
3.1 Introduction	17
3.2 Iwi	17
3.3 Agenda 21	18
3.4 The Council as a Resource User	19
3.5 Property Rights	20
3.6 Limitations	21
3.7 Enforcement	22
PART 4: REGIONALLY SIGNIFICANT ISSUES	23
PART 5: PROTECTION OF WATER ECOSYSTEMS	25
5.1 Wetlands, Lakes, and Rivers	25
5.2 Groundwater	34
5.3 Coastal Marine	38
PART 6: PROTECTION OF LAND ECOSYSTEMS	47
PART 7: COMMUNITY WELLBEING	53
7.1 Community	54
7.2 Activities Involving Public Resources	65
7.3 Culture and Heritage	71
7.4 Natural Hazards	75
7.5 Energy	77
PART 8: PROTECTION OF VISUAL FEATURES	79
PART 9: CONTROL OF WASTE AND HAZARDOUS SUBSTANCES	83
PART 10: MONITORING AND REVIEW	87
10.1 Introduction	87
10.2 Involving the Community	88
10.3 Monitoring and Information Management	88
10.4 Monitoring this Regional Policy Statement	89
10.5 A Strategy for State of the Environment Monitoring	91
10.6 Monitoring Resource Consents	92
PART 11: GLOSSARY	93
Appendix I - Sections 6, 7 & 8 of the Act	97
Appendix II - RECORD OF PREPARATION PROCESS	98
KEYWORD INDEX	99

Part 3: General Principles	Part 4: Regionally Significant Issues	Part 5: Protection of Water Ecosystems	Part 6: Protection of Land Ecosystems	Part 7: Community Wellbeing	Part 8: Protection of Visual Features	Part 9: Control of Waste and Hazardous Substances	Part 10: Monitoring and Review
Part 3: General Principles	Part 4: Regionally Significant Issues	Part 5: Protection of Water Ecosystems	Part 6: Protection of Land Ecosystems	Part 7: Community Wellbeing	Part 8: Protection of Visual Features	Part 9: Control of Waste and Hazardous Substances	Part 10: Monitoring and Review
5.1.2 Objective - Freshwater Quality		5.1.2 Objective - Freshwater Quality		7.1.2 Objective - Quality of Life		9.1.2 Objective - Control of Waste Effects	
5.1.3 Policy - Runoff from Land		5.1.3 Policy - Runoff from Land		7.1.3 Policy Air Quality Management		9.1.3 Policies - Hazardous Substances	
5.1.5 Policies - 'Point Source' Discharges		5.1.5 Policies - 'Point Source' Discharges		7.1.5 Policy - Community Health		9.1.5 Policies - Waste Minimisation	
5.1.7 Objective - Freshwater Quantity		5.1.7 Objective - Freshwater Quantity		7.1.7 Policy - Amenity Values			
5.1.8 Policy - Freshwater Quantity, Level, and Flow		5.1.8 Policy - Freshwater Quantity, Level, and Flow		7.1.9 Objective - Provision for Activities			
5.1.10 Objective - Freshwater Habitat		5.1.10 Objective - Freshwater Habitat		7.1.10 Policy - Type, Scale & Location of Activities			
5.1.11 Policy - Habitat Disruption		5.1.11 Policy - Habitat Disruption		7.1.12 Policy - Diversification			
5.1.13 Objective - Natural Character and Amenity Values		5.1.13 Objective - Natural Character and Amenity Values		7.1.14 Objective - Community Infrastructure			
5.1.14 Policies - Natural Character and Amenity Values		5.1.14 Policies - Natural Character and Amenity Values		7.1.15 Policies - Land Transport			
5.2.2 Objective - Groundwater Quality		5.2.2 Objective - Groundwater Quality		7.1.17 Policy - Air Transport			
5.2.3 Policy - Contaminants		5.2.3 Policy - Contaminants		7.1.19 Policy - Water Transport			
5.2.5 Objective - Groundwater Recharge...		5.2.5 Objective - Groundwater Recharge...		7.1.21 Policy - Network Utilities and Public Works			
5.2.6 Policy - Abstraction		5.2.6 Policy - Abstraction		7.2.2 Objective - Sustainable Management of Water			
5.3.2 Objective - Coastal Marine Water Quality		5.3.2 Objective - Coastal Marine Water Quality		7.2.3 Policies - Allocation of Water			
5.3.3 Policy - Runoff from Land		5.3.3 Policy - Runoff from Land		7.2.5 Policies - Access to the Margins of Freshwater Bodies			
5.3.5 Policy - Contamination from Water-based Activities		5.3.5 Policy - Contamination from Water-based Activities		7.2.7 Objective - Subdivision, Use and Development...			
5.3.7 Policies - 'Point Source' Discharges		5.3.7 Policies - 'Point Source' Discharges		7.2.8 Policy - Coastal Environment			
5.3.10 Objective - Coastal Marine Habitat		5.3.10 Objective - Coastal Marine Habitat		7.2.10 Policies - Allocation of Coastal Space			
5.3.11 Policy - Habitat Disruption		5.3.11 Policy - Habitat Disruption		7.3.2 Objective - Cultural and Heritage Values			
6.1.2 Objective - Indigenous Land Ecosystems		6.1.2 Objective - Indigenous Land Ecosystems		7.3.3 Policy - Cultural and Heritage Features			
6.1.3 Policy - Indigenous Ecosystem Disruption		6.1.3 Policy - Indigenous Ecosystem Disruption		7.3.5 Objective - Cultural Values			
6.1.5 Objective - Soil Productivity and Avoidance of...		6.1.5 Objective - Soil Productivity and Avoidance of...		7.3.6 Policy - Iwi Consultation			
6.1.6 Policy - Soil Fertility and Avoidance of Erosion		6.1.6 Policy - Soil Fertility and Avoidance of Erosion		7.3.8 Policy - Cultural Diversity			
6.1.8 Policy - Ecosystem Security		6.1.8 Policy - Ecosystem Security		7.4.2 Objective - Natural Hazards			
7.1.2 Objective - Quality of Life		7.1.2 Objective - Quality of Life		7.4.3 Policies - Hazard Mitigation			
7.1.3 Policy Air Quality Management		7.1.3 Policy Air Quality Management		7.5.2 Objective - Energy Production and Use			
7.1.5 Policy - Community Health		7.1.5 Policy - Community Health		7.5.3 Policies - Energy			
7.1.7 Policy - Amenity Values		7.1.7 Policy - Amenity Values		8.1.2 Objective - Visual Character			
7.1.9 Objective - Provision for Activities		7.1.9 Objective - Provision for Activities		8.1.3 Policy Outstanding Landscapes			
7.1.10 Policy - Type, Scale & Location of Activities		7.1.10 Policy - Type, Scale & Location of Activities		8.1.5 Policy - Nature & Character			
7.1.12 Policy - Diversification		7.1.12 Policy - Diversification		8.1.6 Policy - Natural Character of the Coastal Environment			
7.1.14 Objective - Community Infrastructure		7.1.14 Objective - Community Infrastructure		9.1.2 Objective - Control of Waste Effects			
7.1.15 Policies - Land Transport		7.1.15 Policies - Land Transport		9.1.3 Policies - Hazardous Substances			
7.1.17 Policy - Air Transport		7.1.17 Policy - Air Transport		9.1.5 Policies - Waste Minimisation			
7.1.19 Policy - Water Transport		7.1.19 Policy - Water Transport					
7.1.21 Policy - Network Utilities and Public Works		7.1.21 Policy - Network Utilities and Public Works					
7.2.2 Objective - Sustainable Management of Water		7.2.2 Objective - Sustainable Management of Water					
7.2.3 Policies - Allocation of Water		7.2.3 Policies - Allocation of Water					
7.2.5 Policies - Access to the Margins of Freshwater Bodies		7.2.5 Policies - Access to the Margins of Freshwater Bodies					
7.2.7 Objective - Subdivision, Use and Development...		7.2.7 Objective - Subdivision, Use and Development...					
7.2.8 Policy - Coastal Environment		7.2.8 Policy - Coastal Environment					
7.2.10 Policies - Allocation of Coastal Space		7.2.10 Policies - Allocation of Coastal Space					
7.3.2 Objective - Cultural and Heritage Values		7.3.2 Objective - Cultural and Heritage Values					
7.3.3 Policy - Cultural and Heritage Features		7.3.3 Policy - Cultural and Heritage Features					
7.3.5 Objective - Cultural Values		7.3.5 Objective - Cultural Values					
7.3.6 Policy - Iwi Consultation		7.3.6 Policy - Iwi Consultation					
7.3.8 Policy - Cultural Diversity		7.3.8 Policy - Cultural Diversity					
7.4.2 Objective - Natural Hazards		7.4.2 Objective - Natural Hazards					
7.4.3 Policies - Hazard Mitigation		7.4.3 Policies - Hazard Mitigation					
7.5.2 Objective - Energy Production and Use		7.5.2 Objective - Energy Production and Use					
7.5.3 Policies - Energy		7.5.3 Policies - Energy					
8.1.2 Objective - Visual Character		8.1.2 Objective - Visual Character					
8.1.3 Policy Outstanding Landscapes		8.1.3 Policy Outstanding Landscapes					
8.1.5 Policy - Nature & Character		8.1.5 Policy - Nature & Character					
8.1.6 Policy - Natural Character of the Coastal Environment		8.1.6 Policy - Natural Character of the Coastal Environment					
9.1.2 Objective - Control of Waste Effects		9.1.2 Objective - Control of Waste Effects					
9.1.3 Policies - Hazardous Substances		9.1.3 Policies - Hazardous Substances					
9.1.5 Policies - Waste Minimisation		9.1.5 Policies - Waste Minimisation					

introduction

The Marlborough District Council has prepared this Regional Policy Statement to provide a community based vision and direction for the management of the natural and physical resources of Marlborough. Natural and physical resources include land, water, air, soil, minerals, energy, all forms of plants and animals, and all structures.

This Regional Policy Statement has been prepared under the Resource Management Act 1991.

By preparing this Statement the Council is better able to integrate the management of different resources and provide fair and equitable treatment of different activities which may be competing for or affecting resources.

While the Council is responsible for the preparation of this Regional Policy Statement it has done so on behalf of the Marlborough community. This Statement will guide many of Council's activities in the future, but most importantly it will require the combined effort of the whole community to achieve its full effect. The actions of all resource users will be covered by the content of this Regional Policy Statement.

For this Regional Policy Statement to be fully effective it needs to be accepted and understood by the whole community. Only then will everyone attempt to ensure that as a result of their activities all residents and visitors to Marlborough, now and in the future, are also able to enjoy access to a clean and healthy environment. Part of the Council's responsibility in managing resources is also to enable people and communities to provide for their wellbeing.

Community understanding of the reasoning behind this Statement is essential as it is this understanding which influences the actions of individuals and the actions of the Council. Successful implementation of the agreed concepts within this Statement will form the basis of Council actions and rules to enhance the condition of the environment for this and future generations.

1.1 STRUCTURE OF DOCUMENT

Part 2 of this document outlines the key principles of the Resource Management Act 1991 and the purpose and importance of regional policy statements. The relationship of this Regional Policy Statement for Marlborough to other policies and plans are described. This part also discusses cross boundary issues and links to other legislation.

Part 3 discusses a number of matters that are essentially the Marlborough District Council's philosophy towards resource management in Marlborough. This includes the Council's relationship with iwi, property rights, Agenda 21, and how the Council will treat itself as a resource user.

Part 4 of this Regional Policy Statement introduces the regionally significant issues for Marlborough and explains how those issues were determined. This Part also defines a number of terms used in Parts 5 to 9.

Parts 5 to 9 discuss the regionally significant resource management issues for Marlborough. Objectives, policies and methods to address these issues are listed with explanations and reasons why they have been developed. For each issue the anticipated environmental results of adopting the chosen objectives, policies and methods are also stated.

Part 10 establishes the monitoring and review procedures which will indicate whether this Regional Policy Statement is achieving its desired outcome. This Part also discusses Council's other statutory functions regarding monitoring.

Part 11 is a glossary which contains definitions of words, terms and phrases used in this Statement. The glossary is important for obtaining a correct understanding of the effect and intentions of this document. The words or phrases which are in italics are definitions taken from the Resource Management Act 1991.

background

2.1 SUSTAINABLE MANAGEMENT

The Resource Management Act sets up the framework for managing New Zealand's natural and physical resources. In looking after these resources we must do so in such a way that future generations will be able to benefit from the environment as much as we do now. This is the concept of "sustainability" which the Act promotes as its overriding purpose.

Purpose -

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

Section 5 - Resource Management Act 1991

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

Section 6 requires the Council to recognise and provide for matters of national importance. These include the preservation of the natural character of the coastal environment, the protection of outstanding natural features, indigenous flora and fauna, public access to waterways and the relationship of Maori with their ancestral land and sites.

Section 7 contains matters which the Council must have particular regard to. These include amenity and heritage values, kaitiakitanga, quality of the environment, and ecosystem values.

Section 8 requires the Council to take into account the Treaty of Waitangi. The full text of sections 6,7 and 8 are contained in Appendix I to this document.

2.2 REGIONAL POLICY STATEMENTS

To achieve the purpose of sustainable management, the Act sets out a range of policies and plans that are in some instances mandatory to prepare and in others, optional. It is mandatory for the Marlborough District Council to prepare a Regional Policy Statement. Its main purpose is to integrate the management of natural and physical resources and provide for fair and equitable treatment of different activities which may be competing for or affecting resources.

Purpose of regional policy statements - The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region. Section 59 - Resource Management Act 1991

In Marlborough our quality of life and our economic wellbeing is very much dependent on natural and physical resources such as the coast, soils, rivers, groundwater, air, landscape, vegetation and animals. How we manage those resources and our environment now and for the future is a major challenge. The Marlborough Regional Policy Statement is a very important document that sets out how we as a community want those assets to be managed and will guide the Council in its decision making.

The overall aim of this Statement is to identify the main resource management issues in Marlborough and to set out how those issues might best be resolved. Figure 1 shows the elements that make up a regional policy statement.

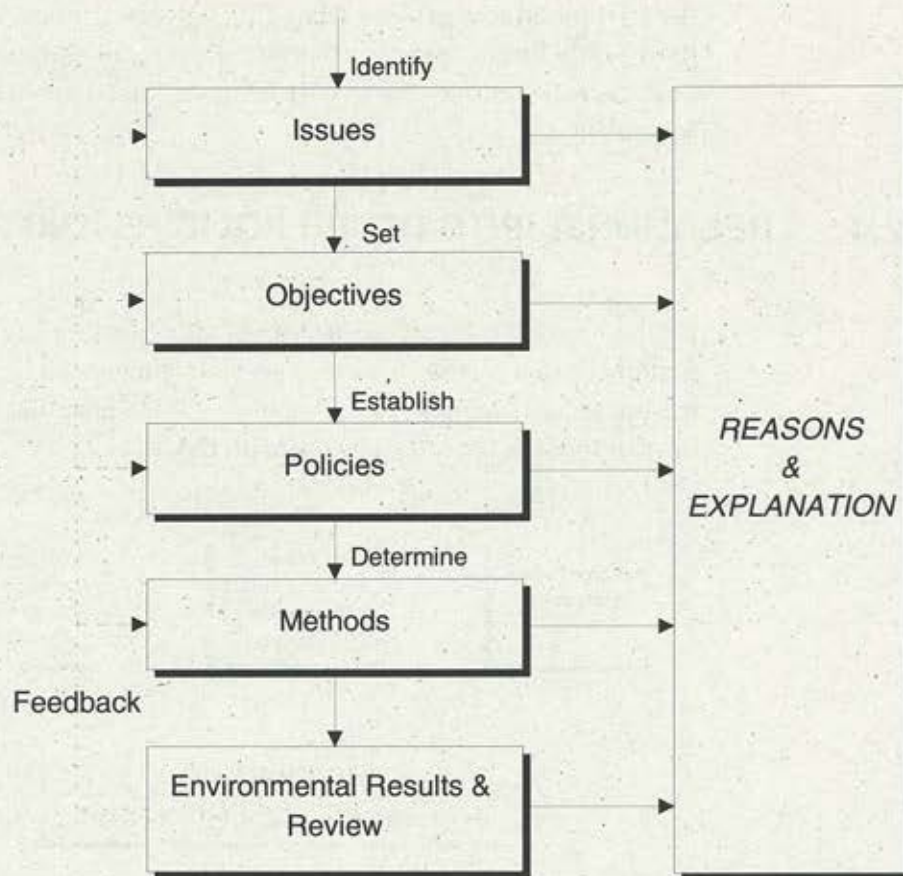


Figure 1: What makes up a Regional Policy Statement

2.3 INTEGRATED MANAGEMENT OF RESOURCES

Integrated management of natural and physical resources means taking a holistic approach to resource management. This approach recognises the links between resources and that decisions on the use, development and protection of any particular resource, may have effects on other resources.

As a unitary authority, that is being both a regional and district council, the Marlborough District Council is ideally suited to ensure that the resources of Marlborough are managed in an integrated way. The potential conflicts that may exist or arise in other areas between regional councils and territorial authorities will not occur in Marlborough. Therefore being a unitary authority allows for close connections and consistency between objectives, policies, and methods within this Regional Policy Statement and the other plans prepared by the Council.

To assist the preparation of plans to promote sustainable management, the Council has identified two major sub-areas: the Marlborough Sounds and Wairau/Awatere areas. Resource management plans will be prepared for each of these areas. The boundary between the two sub areas is defined by

the Richmond Range - see Map 1. The seaward boundary extends out to the 12 mile limit. However there is one overall community of interest and one overall vision which will be recognised in this Regional Policy Statement.

2.4 RELATIONSHIP TO OTHER POLICIES AND PLANS

Figure 2 shows the relationship of the Marlborough Regional Policy Statement to the other policies and plans that are to be prepared under the Resource Management Act. It is important to note that each level of policy or plan must not be inconsistent with the level above.

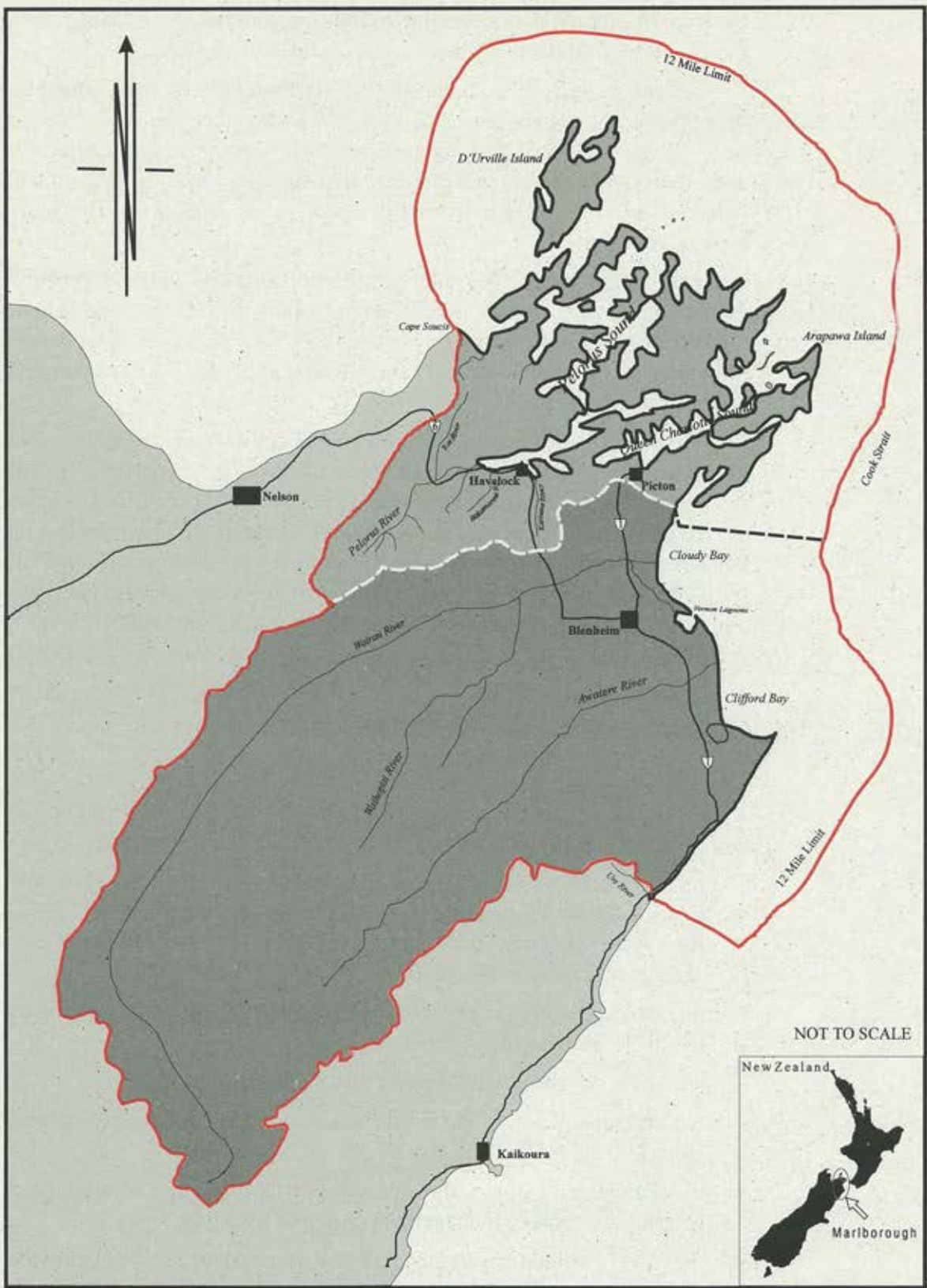


Figure 2: Relationship between the Marlborough Regional Policy Statement and other Policy Statements and Plans

At the central government level, the Minister for the Environment is responsible for preparing both National Policy Statements and National Environmental Standards. Both are optional and as yet none have been prepared. National Policy Statements will guide local government decision making while National Environmental Standards (which would be set by regulation) may cover noise, contamination, water, soil, and air quality for example.

The New Zealand Coastal Policy Statement is mandatory and is prepared by the Minister of Conservation. This document sets up a framework for managing New Zealand’s coastline within which local government prepares regional coastal plans. The Marlborough Regional Policy Statement reflects the principles and policies contained within the New Zealand Coastal Policy Statement.

Figure 2 shows that the Marlborough District Council will prepare two resource management plans. These plans will be the main methods for achieving the objectives and policies of this Regional Policy Statement.



Map 1 : Marlborough District

- Marlborough Sounds Resource Management Plan area
- Wairau/Awatere Resource Management Plan area

Both the Marlborough Sounds and Wairau/Awatere Resource Management Plans will be combined regional, coastal, and district plans.

This is because as a unitary authority, the Marlborough District Council has the opportunity to plan for both land and water together. Because land and water are closely connected it is important when considering the effects of activities on one, to also consider the other. The combined plans will deal with coastal, regional, and district issues affecting land, water (fresh and marine), and air.

Several interim plans will control a range of activities until the resource management plans are in place. These interim plans include a Land Disturbance Plan for Marlborough, the Wairau River Floodways Management Plan, and the transitional district and regional plans prepared under former legislation.

Public participation is essential in achieving effective resource management. The Marlborough District Council views the process of consultation with the people of Marlborough as a very important element of its activities. The development of policies and plans, the undertaking of works and the consideration of resource consents all require a well informed public to have their say. The Council will continue to actively consult with interested and affected parties in the development of the plans and rules needed to achieve the objectives and policies of this Regional Policy Statement.

2.5 LINKS TO OTHER LEGISLATION

In preparing or changing a regional policy statement, section 61(2) of the Act requires that the Council must have regard to the following:

- management plans and strategies prepared under other Acts, in particular Conservation Management Strategies (Conservation Act 1987), Regional Pest Management Strategies (Biosecurity Act 1993) and Land Transport Strategies (Transit New Zealand Act 1989);
- relevant planning documents recognised by an iwi authority affected by this Regional Policy statement;
- any relevant entry in the Historic Places Register;
- regulations relating to the conservation or management of taiapure or fisheries;
- regulations made under the Act to the extent that their content has a bearing on resource management issues of the region; and
- the extent to which this Regional Policy statement needs to be consistent with policy statements and plans of adjacent regional councils.

Section 32 of the Act also requires the Council to have regard to other methods either in addition to or in place of objectives, policies, and rules, in achieving sustainable management. These methods may include the provision of information, services, or incentives, and the levying of charges (including rates).

2.6 CROSS BOUNDARY MATTERS

Cross boundary matters can be issues between adjoining local authorities. They can arise in several ways, for example:

- from differences in policies or methods;
- from adverse effects of activities in one jurisdiction transferring/ occurring in another; or
- from aspirations and goals being different.

The Council must consider whether this Regional Policy Statement for Marlborough needs to be consistent with the policy statements and plans of adjoining regional councils. This Statement must state the process to be used to deal with cross boundary issues.

Those Councils which adjoin Marlborough's land boundaries are Kaikoura, Tasman, and Hurunui District Councils, Canterbury Regional Council and Nelson City Council. Councils which adjoin Marlborough's coastal marine area boundaries are Wellington and Canterbury Regional Councils and Nelson City Council. The Marlborough District Council will use consultation and ongoing liaison with these adjoining local authorities to ensure:

- cross boundary issues are identified;
- a process for dealing with cross boundary issues including investigating standard methods for resolving these issues is agreed on; and
- the effects of cross boundary issues are minimised.

Marlborough has clearly defined whole catchment boundaries and a strong community of interest. The boundaries with neighbouring authorities tend to be high rugged, sparsely populated mountain ranges. The cross boundary issues with adjoining local authorities identified to date are:

- noxious plant and pest control;
- waste management and hazardous substances; and
- transport linkages.

There are also cross boundary issues which are not related to geographical boundaries. These issues are of an administrative nature and relate to the Council's responsibility in managing resources and other organisation's responsibilities in managing resources. Particular agencies with which the Council has frequent dealings are the Department of Conservation and the Ministry of Agriculture and Fisheries (fisheries and marine farm management).

Some cross-boundary matters will be resolved through the adoption in plans, of objectives, policies and rules which are common to adjoining territorial and regional councils. In particular this will be possible for the likes of network utility operators.

At times there is considerable public confusion over the role and responsibility of the Council and how its functions link with other agencies and interest groups. Clear definition of the Council's role and the responsibilities of other agencies to support, control, and monitor the use, development, and protection of natural and physical resources is essential to avoid confusion, duplication, and conflict between parties.

The Council will continue to advise the community about its role and responsibilities for the management of the natural and physical resources of Marlborough and the links this has with other agencies and interest groups. The Council will also continue to liaise with other agencies and interest groups having responsibility for either managing or using the natural and physical resources of Marlborough.

2.7 CONSISTENCY BETWEEN RESOURCE MANAGEMENT PLANS

There will be two resource management plans within Marlborough. Each plan deals with a separate geographic part of Marlborough - the Sounds, and the Wairau/Awatere. Each plan will be an integrated coastal, regional (air, water) and district plan.

The main reason for deciding to deal with plan preparation by geographic sections is to keep the projects at an achievable size. It also means the plan for the Sounds area can be developed as soon as possible. It has always been assumed that at some stage in the future the two plans will be combined to form one plan.

It is recognised that there are substantial differences between the two areas and that different Plan provisions may be necessary for each section. But unless there are significant differences, every attempt will be made to ensure that provisions are consistent across the whole of Marlborough. It is also acknowledged that there is one community of interest in Marlborough as reflected by this Regional Policy Statement.

This will ensure that the end users of the plan can expect a consistency of approach across the whole Region unless there are significant reasons for the provisions to be different.

Unless significant resource management differences can be identified between plan sections, a consistent and uniform approach to resource management be provided in each Resource Management Plan.

2.8 SECTION 32 ANALYSIS

Section 32 of the Act requires the Council to consider alternatives, and assess benefits and costs before adopting any objective, policy, or method in this Regional Policy Statement.

In preparing this document a series of discussion papers were prepared and submissions were called for and considered. Consultation was carried out widely with the public, interest groups, and other agencies and a series of workshops held. Throughout this process the Council considered the alternatives and assessed benefits and costs of deciding on particular courses of action. Appendix II is a record of the process followed in preparing this Regional Policy Statement.

G E N E R A L

principles

PART 3
principles

The principles in this part should not be confused with the principles of the Resource Management Act.

3.1 INTRODUCTION

This part of this Regional Policy Statement discusses matters that have been developed into a number of general principles which are the philosophy and values which underlie the content of this Statement. They differ from objectives in that they are an attitude of the Council rather than an achievable target with supporting policies and methods. This section of the Regional Policy Statement has been included pursuant to Section 62(1)(j) of the Resource Management Act 1991.

These principles relate to the following:

- relationship with iwi;
- commitment to Agenda 21;
- the Council as a resource user;
- property rights of land owners;
- uncertainty caused by the inadequacy and unavailability of information; and
- enforcement of controls imposed.

3.2 IWI

The special relationship between iwi and the Council is recognised by the Resource Management Act. This relationship will mean that resource management is distinctly New Zealand in character and sensitive to local iwi values.

In Marlborough the following eight iwi have Tangata Whenua status.

Ngai Tahu	Ngati Apa
Ngati Koata	Ngati Kuia
Ngati Rarua	Ngati Toa
Rangitane	Te Ati Awa

The dominant issues raised by the iwi of Marlborough are:

- the Maori holistic system of values;
 - ⇒ Te Taha o Te Ao (environment)
 - ⇒ Te Taha Hinengaro (way of life)
 - ⇒ Te Taha Wairua (spiritual and customary values)
 - ⇒ Te Taha Tinana (healthy body)
- the need for the Council to recognise tino rangatiratanga and power-sharing;
- the need to allow sufficient time for input and consultation;
- lack of iwi management resources;
- lack of iwi commercial development;
- water quality;
- pollution and waste management;
- waahi tapu;
- claims to the Waitangi Tribunal;
- specific locations such as the Wairau Lagoons and Port Underwood; and
- introduced species.

Several of these issues, including claims to the Waitangi Tribunal and lack of iwi commercial development, are beyond the control or jurisdiction of the Council to resolve in this Statement.

3.2.1 PRINCIPLES

- (a) Recognise the concept of kaitiakitanga and the Treaty of Waitangi.
- (b) Incorporate where appropriate, the aspirations, heritage and values of the iwi of Marlborough into resource management decision making.
- (c) Provide for an iwi representative on the Council committee responsible for resource management.
- (d) Establish systems so that consultation with iwi occurs on resource consent applications, plan and policy preparation and changes.
- (e) Provide information to iwi on the Council's role in resource management planning and the Resource Management Act.
- (f) The Council will recognise the tangata whenua as having the role of kaitiakitanga of Marlborough's coastal environment.

3.3 AGENDA 21

Agenda 21 was adopted by the Earth Summit in Rio de Janeiro in 1992 as an agenda to take the world into the 21st century. It is a framework for action to achieve environmental sustainability. Agenda 21 consists of four interlinked sections which look at the main environmental and developmental concerns facing the earth. These four sections are:

- management and conservation of natural resources;
- social and economic dimensions;
- means of implementation; and
- strengthening the role of minority groups.

The challenge is to translate this global framework into actions at the local level. Under the Resource Management Act the Council has responsibility for a wide range of functions which are relevant to the intentions of Agenda 21. This includes allowing communities to determine specific environmental outcomes and processes to achieve them, within national policies and standards.

3.3.1 PRINCIPLE

Incorporate into resource management policy and plans the concepts within Agenda 21 relevant to the sustainable management of natural and physical resources.

3.4 THE COUNCIL AS A RESOURCE USER

The reform of local government in 1989 and environmental and planning law in 1991 have radically altered the roles and responsibilities of local government. The combining of local government roles into a single unitary authority in Marlborough has the potential to create conflict between the various functions of policy, regulation, advocacy, service delivery, and asset management. The potential for conflict exists in all councils whether unitary or not.

Because of the possibility of conflict the Local Government Amendment No 2 Act 1989 makes it clear that councils must:

- resolve conflict in a clear and proper manner;
- separate regulatory functions from others, where practical; and
- have management and political structures that clearly separate regulatory from other functions.

In order to fulfil this requirement the Marlborough District Council has developed staff and committee structures with responsibilities for:

- community services and development;
- corporate services;
- works and services; and
- resource management and regulation.

No Councillor on the committee responsible for resource management is a member of any other committee. Thus there is a clear separation between regulatory and service delivery functions in the Council.

Of special interest is how the Council will deal with applications for the Council activities and projects. It is important that the Council acts and is seen to act in a fair, impartial and accountable way when it processes resource

consent applications from itself and others in which it has an interest. These are:

- Port Marlborough (New Zealand) Ltd;
- Marlborough Airport Ltd; and
- Marlborough Forestry Corporation.

The Council has adopted a Code of Practice for treating applications for resource consents by the Council or its interests. This Code details notifications, delegations, and hearing arrangements. The Code ensures that the Council subjects resource consent applications from itself to closer public scrutiny than other applications. Independent commissioners will hear and make a decision on all the Council's resource consent applications where any submission in opposition is received. The Council will make financial allocation for monitoring the consents it holds in the annual plan, and maintain a public register of all the resource consents it operates.

3.4.1 PRINCIPLES

- (a) Resolve conflict in a clear and proper manner.
- (b) Separate regulatory functions from others, where practical.
- (c) Establish and maintain management and political structures that clearly separate regulatory from other functions.
- (d) Establish and maintain a Code of Practice for treating applications for resource consents by the Council or those organisations in which it has a financial interest.
- (e) Monitor and enforce the conditions of resource consents held by the Council or those organisations in which it has a financial interest.

3.5 PROPERTY RIGHTS

In general land is a privately owned resource. With 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.

However, what many land owners do not always recognise is that the Crown has certain pre-emptive land ownership rights. For instance the Crown has the power to compulsorily acquire land and to pass legislation restricting land owners rights in certain ways for the public good. The Resource Management Act is an example of such legislation - there are numerous others.

Achieving the objective of sustainable management of resources means that the wider values of the community, future generations, ecosystems, and the natural environment must take precedence. A fundamental presumption of resource management legislation and the planning legislation that preceded it, is that the wider public interest considerations prevail over

individual expectations. However, it is a fine line as there will be situations where individual hardship will outweigh public benefit.

Section 85 of the Resource Management Act provides that a landowner may challenge any provision of a plan on the grounds that the landowner considers the provision would render their land incapable of reasonable use.

Section 86 of the Resource Management Act empowers Council to acquire land with the agreement of the landowner and pay compensation for it.

3.5.1 PRINCIPLES

- (a) Within the constraints of the Act, recognise the rights of land resource users in order to achieve a fair and consistent balance between the need to promote sustainable resource management and property rights.
- (b) Where land use controls render the land incapable of reasonable use, consider providing various means to redress private costs.

3.6 LIMITATIONS

Marlborough is a diverse region with many significant and unusual features. It is a huge and ongoing task to fully evaluate the effects of activities on these features. It is an even bigger job to fully study, let alone come to understand, the complex natural systems and their interrelationships with other systems.

We have to accept and recognise that we may never fully understand many natural systems and processes. Even if there were unlimited resources available for study or research there would always be uncertainty for decision makers when dealing with activities in this complex environment. The more study that is done, often the more questions that are raised.

It has to be recognised that there are limited resources available to gather and assess environmental information. Inadequate information creates uncertainty. This needs to be understood by both resource users and regulatory organisations. However, the absence of complete information should not necessarily be an excuse for avoiding resource management decisions.

The approach of this Statement is to proceed cautiously along a path which enables use and development of resources while protecting against adverse effects on the environment. This path must also include constant monitoring.

3.6.1 PRINCIPLE

Where insufficient information about actual or potential adverse effects is available resource management policies and plans will take a precautionary approach to the use and development of resources to ensure there are no adverse effects on the environment.

3.7 ENFORCEMENT

The Resource Management Act 1991 provides adequate authority for appropriate enforcement and abatement procedures to be implemented.

To be effective this Statement and resource management plans must be implemented seriously and understood by the whole community. To this end it is vital that a positive approach is taken to the enforcement of any controls imposed.

3.7.1 PRINCIPLES

- (a) Inform and educate the community on why control is needed.
- (b) Monitor activities to ensure compliance with the Act, controls and resource consent conditions.
- (c) Undertake appropriate enforcement action including requiring correction of activities which do not comply with controls.

REGIONALLY SIGNIFICANT issues

A regionally significant issue is a matter of interest or concern to the community that affects some aspect of the natural and physical resources of Marlborough. The extent to which an issue is significant depends on the values held by the community in relation to resources, activities, and the environment.

Section 62 of the Act requires this Regional Policy Statement to include objectives, policies, methods of implementation, and anticipated environmental results as a means of resolving the regionally significant issues. However, the terms objectives, policies, methods of implementation, and anticipated environmental results are not defined in the Act. These terms are used in this Statement in the following way:

- An **objective** is the desired result or situation that is aimed for.
- A **policy** is the course of action to achieve the desired result. It is what needs to be done to achieve an objective.
- A **method** is the practical action by which a policy is to be implemented. It can include specific actions, procedures, programmes, or techniques.
- An **anticipated environmental result** is the likely or intended result for the environment as a consequence of implementing policies or methods.

This Regional Policy Statement has identified five regionally significant issues for Marlborough. These are:

- protection of water ecosystems;
- protection of land ecosystems;
- enabling community wellbeing;
- protection of visual features; and
- control of waste.

These issues have become apparent from submissions on discussion documents, issues and options papers, widespread consultation with the public, iwi, interest groups, and other agencies. The Council's own knowledge of Marlborough's resources and existing or potential problem areas was also used to identify these issues.

The objectives, policies, and methods developed to deal with these issues have been prepared with the fundamental principles discussed in Part 3 and the purpose and principles of the Act in mind.

Every attempt has been made in the preparation of this Regional Policy Statement to avoid repeating large extracts from the Act. This means that the objectives, policies, and methods must be read in conjunction with the purpose and principles of the Act. Consequently where objectives and policies promote or provide for certain actions or activities, they are doing so within the legal constraints of the Act.

There are links between the regionally significant issues which should not be overlooked. Consequently, objectives and policies should not be considered separately from one another.

The italics which follow the issues, objectives, policies, and methods provide the explanation and reasons for their inclusion in this Statement. They are to be read as an integral part of this Statement, and should not be considered in isolation.

There is potential for other matters to become regionally significant issues during the life of this Statement. These matters may be identified during:

- review and monitoring of this Statement, resource management plans and resource consents;
- annual State of the Environment reporting by the Council;
- submissions to annual plans of the Council; and
- submissions to the Council from the public at any time.

PROTECTION OF water ECOSYSTEMS

Water ecosystems are composed of water bodies and the life systems contained within them and the riparian habitat of these margins. Ecosystems include the volumes, flows and quality of water and the plant and animal organisms which live within the water.

Water ecosystems have been classified as:

- *wetlands, lakes, and rivers;*
- *groundwater; and*
- *coastal marine.*

This separation groups similar water ecosystems but does not diminish the connections between them. For example rivers recharge groundwater and flow into the coastal marine area.

Water ecosystems are potentially under threat from the adverse effects of: sewage and septic tank discharges; land disturbance; agricultural and forestry runoff; stormwater from urban areas; discharges from ships and disposal of waste from boats; marine farming activities; gravel abstraction; and disturbance of the riparian margins of wetlands, lakes and rivers.

Overall, this part seeks to sustain the life supporting capacity of Marlborough's water ecosystems.

PART 5
water

5.1 WETLANDS, LAKES, AND RIVERS

5.1.1 DESCRIPTION OF ISSUE

There is major modification of freshwater ecosystems in the lower Wairau and Pelorus Rivers and reduction of the area of wetlands on the Wairau Plain.

Modification of river systems has had a major effect on the functioning of freshwater ecosystems. Activities such as flood protection, hydro electric dams, land use and cover (such as indigenous forest, production forest and pasture), land drainage, and abstraction of water can affect the amount of water remaining in rivers. Reductions in the amount of water in wetlands, lakes, rivers and groundwater systems, and contaminants in water from land drainage and discharges all have the potential to adversely affect wetland, lake and river ecosystems.

It is also important to recognise and provide for water management issues which affect amenity and recreational values, and the preservation of natural character of water bodies and their margins.

There are three main river systems within Marlborough. These are the Wairau, Awatere, and Pelorus Rivers and their related tributaries and wetlands. The headwaters of the Clarence River are also within Marlborough. All of these systems have been affected by changes in the amount or quality of water within them.

A diversity of smaller lakes and tarns and wetlands occur, especially at higher altitudes, including those on the St Arnaud Range, and the Lake Sedgemere, Fish Lake and Bowscale Tarn complex in the Wairau and Acheron catchments. Lake Chalice as an enclosed lake with a subterranean outlet is particularly important for its unmodified ecosystems with a landlocked population of koaro. There were extensive lowland freshwater swamps and wetlands which formerly graded into estuarine wetlands in the Marlborough lowlands and at the head of the Sounds. There has been a major reduction in wetland area over the last century. Consequently, the remaining areas now have major significance for habitat and water management purposes. The Para Swamp and Lake Elterwater are the sole remaining major areas of freshwater wetland.

The numerous small streams and rivers draining direct to the Marlborough Sounds are also an important water resource within the district.

It is important to recognise the linkage that freshwater ecosystems have with land and marine ecosystems. Land clearance and forestry, gravel extraction, river works and mining can lead to increased sedimentation rates which may adversely affect freshwater quality and threaten the coastal environment.

It is also important to recognise the link between surface water and groundwater systems in Marlborough, particularly in the Wairau catchment. The surface water in the Wairau River is the water supply for recharging the main Wairau groundwater system. Conversely, there are some situations where the Wairau groundwater recharges surface water systems and maintains freshwater ecosystems, for example Spring Creek.

5.1.2 OBJECTIVE - FRESHWATER QUALITY

The water quality in Marlborough freshwater bodies be at a level which provides for the sustainable management of fish and plant life.

The freshwater ecosystem is sustained in part by the quality of the water within it. In most areas plants and fish can be safely taken from the water and eaten. It is important that the quality of water within these major ecosystems is not allowed to decline to a level which prevents the gathering and consumption of plants and fish. The standard sought is Class F as set out in the Third Schedule to the Act.

In the lower reaches of the Wairau River in particular, poor water quality has destroyed indigenous plants and fish and made some plants and fish unsafe to take and eat. In these areas water quality should be enhanced to a standard which allows the regeneration of plants and fish and the safe taking and eating of them.

It is recognised that this will require a long term strategy to stop discharges containing contaminants and to remove contaminants from runoff water. This objective may not be achievable over the whole region during the life of this Regional Policy Statement.

There is community concern about the effects of land and water use on water quality and the cumulative effects of many separate activities on water quality.

5.1.3 POLICY - RUNOFF FROM LAND

Avoid, remedy or mitigate the reduction of water quality in wetlands, lakes, and rivers caused by contaminated runoff water entering from land and non-point source discharges.

Runoff water contaminants include sediments, nutrients, and faecal matter which comes from land uses. During heavy rain these contaminants have a major effect on water quality. Incorrect operation of landfill sites can also contribute to contamination of runoff water.

Contaminated runoff water is the major source of pollution in rivers. Reducing contaminants carried by runoff water will improve water quality in wetlands, lakes, and rivers and assist the natural functioning of freshwater ecosystems.

5.1.4 METHODS

- (a) Incorporate control methods into resource management plans to avoid, remedy or mitigate sediment and other contaminants entering freshwater from land.

These plans will: specify water clarity in rivers; control the scale of activities to limit the amount of sediment; and define the size and location of settling ponds to filter sediment from runoff water all to reduce the effect of sediment from disturbed land. These controls will apply to activities such as excavation, soil disturbance and vegetation removal which produce sediment. They will require that the amount of sediment leaving the land is minimised by the best practicable means possible.

- (b) Undertake a targeted education programme to provide information on land use practices which avoid, remedy or mitigate sediment generation and reduce contamination of runoff water before entering wetlands, lakes, and rivers.

This programme will be targeted at contractors and land holders undertaking land management activities likely to produce sediment and other contaminants in runoff water. It will detail accepted methods of land disturbance and ways to minimise the amounts of sediment, nutrients, and organic matter from their activities entering wetlands, lakes, and rivers.

- (c) Define within resource management plans, criteria where esplanade or riparian areas will be necessary to ensure freshwater quality.

Esplanade areas along wetland, lake and river margins can improve water quality by acting as a filter between land based activities and the water. After defining the major sources of runoff contamination the Council will determine where esplanade areas are appropriate for the enhancement of water quality. Esplanade strips and reserves, and access strips also have values for public access, recreation and wildlife habitat.

5.1.5 POLICIES - 'POINT SOURCE' DISCHARGES

- (a) Improve water quality in wetlands, lakes, and rivers where present 'point source' discharges from land and water prevent the safe consumption of plants and fish.

Point source discharges are generally piped and include sewage, stormwater (urban runoff), trade waste and dairy shed effluent. Contaminants within discharges include nutrients, heavy metals, toxins, and organic matter.

Contaminated discharges from land and water can have a major effect on water quality. Reducing contaminants in discharges will improve water quality in wetlands, lakes, and rivers and assist the natural function of freshwater ecosystems.

- (b) Existing discharge permits will only be replaced if the discharge does not cause, after reasonable mixing, significant adverse effects in the receiving waters, unless:

- the amount and concentration of contaminants in the discharge is reduced; and
- the resource user has demonstrated a staged approach, which includes a time frame (not exceeding 15 years from the date the Regional Policy Statement becomes operative) to meet the receiving water standard.

Before an expired discharge permit is replaced the permit holder will be required to demonstrate that they have a programme in place to reduce the discharge of contaminants to freshwater ecosystems and reduce the effects of their discharge on that ecosystem.

This policy is seen as an essential element in reducing the effect of existing point source discharges on wetland, lake, and river water quality. The ultimate aim of this policy is that no discharge will significantly alter the condition of the receiving water. It is accepted that a staged approach will have to be taken to achieve this aim.

Council recognises that due to their quality some existing discharges may have no adverse environmental effects.

- (c) New or additional point source discharges should not cause, after reasonable mixing, significant adverse effects in the receiving water.

This policy is aimed at preventing new discharges from having a damaging effect on freshwater ecosystems, similar to the problems created by some existing discharges.

5.1.6 METHOD

Incorporate discharge controls within resource management plans to reduce the discharge of contaminants into wetlands, lakes, and rivers to allow the safe consumption of plants and fish.

Resource management plans will require that all dischargers make a continuing effort to minimise the contaminants they discharge into freshwater ecosystems.

Iwi have strongly indicated that financial constraints should not be the overriding consideration in making decisions about improving water quality.

5.1.7 OBJECTIVE - FRESHWATER QUANTITY

To sustainably manage the flows and levels in wetlands, lakes and rivers to safeguard their life-supporting capacity, and avoid, remedy or mitigate any adverse effects on the environment and to ensure the adequate recharge of groundwater systems.

Marlborough's groundwater systems are made up of a number of aquifer systems which are linked to particular rivers. The integrity of these groundwater systems is dependant upon recharge from surface water.

The major source of recharge water in the Wairau aquifer is the Wairau River itself. Most of the water in the aquifer is from this source and the majority of this enters from the bed of the river between Conders Forest and Wratt's Road.

Abstraction and alteration of surface water flows can affect the recharge of the aquifer and at the same time affect the life-supporting capacity and ecosystems within wetlands, lakes and rivers, their natural character, recreational use, intrinsic and other values.

5.1.8 POLICY - FRESHWATER QUANTITY, LEVEL, AND FLOW

Manage the quantity, level, and flow of surface waters to sustain their life-supporting capacity, ensure the adequate recharge of groundwater systems, preserve natural character, and protect recreational and other amenity values.

This policy recognises the different instream values and consumptive demands for water in parts of the district. The policy seeks to avoid, remedy or mitigate the potential adverse environmental effects of the taking or use of water.

On the Wairau Plain in particular historic flood protection works have altered the location and flow of surface water. This alteration has reduced aquifer recharge in some areas. Consequential works have sought to redress this effect. For example the watering of Gibson's Creek is now seen as an essential part of the recharge of the Wairau aquifer in the Renwick area.

The aquifer has intrinsic values and is important for the social and economic wellbeing of the community.

5.1.9 METHOD

Incorporate controls and monitoring mechanisms into resource management plans to manage the quantity, level, and flow of surface water systems.

This method applies to both natural water bodies and artificial systems such as Gibson's Creek. Controls are needed to ensure that abstraction from these systems and other alterations to the quantity, level, and flow are managed to ensure aquifer recharge is maintained.

5.1.10 OBJECTIVE - FRESHWATER HABITAT

The integrity of freshwater habitats and natural species diversity be maintained or enhanced.

Freshwater ecosystems are composed of a wide diversity of plant and animal species. The integrity of habitats is a measure of their modification and alteration from their natural state. The Act requires the protection of significant habitats.

The natural function of freshwater habitats relies on a high standard of water quality and quantity. Reduction of water quality and quantity can alter the habitat which in turn changes the range of species and the numbers of plants and animals present.

5.1.11 POLICY - HABITAT DISRUPTION

Avoid, remedy or mitigate habitat disruption arising from activities occurring within wetland, lake or river systems.

Structures and activities such as gravel abstraction and dumping can disrupt the physical integrity of freshwater habitats, including the passage of fish. This disruption can be by way of displacement, smothering, or destruction.

Abstraction from surface water systems can disrupt habitats by altering the quantity, level, and flow of water. This can alter the concentration of contaminants (including the temperature) in the water.

This policy is seen as an essential element in recognising and providing for the intrinsic values of ecosystems by preventing their physical disruption by activities undertaken on the beds and banks of wetlands and rivers.

5.1.12 METHODS

- (a) Identify in resource management plans areas of significant freshwater habitat and include rules to protect the conservation values of those habitats.

The Act requires that as a matter of national importance areas of significant freshwater habitat be identified and protected. Regard shall also be given to the protection of the habitat of trout and salmon.

Significant areas of indigenous freshwater habitat have been identified within Marlborough by the Department of Conservation and the Nelson-Marlborough Fish and Game Council. This information will act as the basis of public consultation in the preparation of resource management plans.

The identification of significant habitats will allow proposed activities to be considered on the basis of their effects on those habitats.

- (b) Advocate to the Minister of Conservation the reservation of significant or representative freshwater communities and habitats.

Protection of freshwater habitats is possible under the Reserves Act, Conservation Act, QE II National Trust Act and water conservation orders under the Act. The Minister of Conservation is responsible for the Reserves, Conservation, and QE II National Trust Acts and the Council administers water conservation orders.

- (c) Define within resource management plans criteria where esplanade or riparian areas will be necessary to ensure freshwater habitat.

Esplanade areas along wetland and river margins can improve freshwater habitats by acting as a buffer between land based activities and the water. After defining the major sources of damage and contamination the Council will determine where esplanade areas are appropriate for the enhancement of freshwater habitat. Esplanade strips and reserves, and access strips also have values for public access, recreation, and water quality.



5.1.13 OBJECTIVE - NATURAL CHARACTER AND AMENITY VALUES

The preservation of the natural character of wetlands, lakes and rivers and their margins and the maintenance and enhancement of amenity values.

Marlborough's freshwater bodies exhibit natural character to some degree. Many are also important in terms of the amenity they provide for the community particularly in terms of recreational value. This objective seeks to ensure that natural character and amenity values are recognised and not diminished by activities undertaken in accordance with the purpose and principles of the Act.

5.1.14 POLICIES - NATURAL CHARACTER AND AMENITY VALUES

- (a) Preserve the natural character of wetlands, lakes and rivers and their margins.

The natural character of Marlborough's wetlands, lakes and rivers needs to be retained by protecting freshwater bodies from inappropriate subdivision, use and development.

In determining natural character of wetlands, lakes and rivers, the following matters shall be considered:

- *the existing degree of human modification;*
- *the presence of areas of significant flora and habitats of indigenous fauna;*
- *the diversity of species, communities or habitats;*
- *the amenity values including cultural and recreational values; and*
- *the degree to which the area provides for the continued functioning of ecological and physical processes.*

- (b) Maintain and enhance public access and recreational use of wetlands, lakes and rivers and their margins.

The wetlands, lakes and rivers within Marlborough provide a range of valuable recreational opportunities. These need to be maintained and enhanced for the benefit of the community, including future generations.

5.1.15 METHOD

In resource management plans, define those criteria which describe the natural character of freshwater bodies and identify such management strategies and controls as are necessary to enable the preservation of natural character and the maintenance and enhancement of amenity values.

Resource management plans will require a continued effort by users of freshwater ecosystems to preserve the natural character of wetlands, lakes and rivers, and maintain and enhance their recreational and other amenities. Refer to policy 7.2.5 and method 7.2.6.

5.1.16 ANTICIPATED ENVIRONMENTAL RESULTS

- (a) Enhanced conditions within the freshwater ecosystems including the maintenance of flows and levels, reduction of sedimentation and contamination of water within wetlands, lakes, and rivers, and reduction of the levels of contaminants contained within runoff water and point source discharges.

The health of freshwater ecosystems is dependent on water quality and quantity which is in turn dependent on the level of contaminants within runoff water, point source discharges, levels and flows. Threats to freshwater ecosystems include the sedimentation and contamination of wetlands, lakes, and rivers from land disturbance, land activities, 'point source' discharges and excessive abstraction.

Iwi have strongly indicated support for setting standards and implementation of firm enforcement mechanisms to improve the condition of freshwater ecosystems.

- (b) Integrity and health of all freshwater habitats maintained and enhanced, as shown by their long-term sustainability and natural species diversity.

The health of freshwater ecosystems are indicated by the diversity of species present. Healthy ecosystems usually have a more diverse range of species than disturbed systems. Disturbance to ecosystems from altered flows and levels, sedimentation or contamination enhances conditions for some species, which thrive, and degrades the conditions for other species, which may decline. Understanding the effects of habitat disruption on particular species will provide information about the scale and effect of disturbance occurring within the freshwater habitats.

- (c) The preservation of natural character of wetlands, lakes and rivers and their margins, and the protection of their amenity values.

The importance of the natural character of wetlands, lakes and rivers and their margins, and the protection of their amenity values is recognised in the preceding objectives and will be achieved by the method identified.

5.2 GROUNDWATER

5.2.1 DESCRIPTION OF ISSUE

Excessive rates of abstraction or contamination of groundwater could make the Wairau and southern aquifers unavailable or unsuitable as a water supply.

Groundwater is the principle source of water for the Wairau Plains, due mainly to the poor quality and seasonal unavailability of surface flows in the lower Wairau River. The variations which occur in the underlying gravels mean groundwater availability also varies spatially and seasonally. During the peak of summer 90% of abstractions are used for irrigation, the remaining 10% is used for municipal, industrial, and domestic supply. Although municipal and domestic supplies are likely to be readily available throughout the plains, irrigation demands from the groundwater supply may be limited in some areas.

The Wairau River is the major surface waterway in the region and is an important source of recharge for most of the groundwater aquifers underlying the plains. There are smaller, but locally important aquifers adjacent to most of the other major rivers and many of the tributaries of the Wairau River.

Contamination of the groundwater is possible from contamination in the Wairau River above the major recharge area or from land contamination above the aquifer where it is open to surface infiltration.

Currently over abstraction or contamination of groundwater are not apparent as problems. Experience from elsewhere suggests this may not always be so.

5.2.2 OBJECTIVE - GROUNDWATER QUALITY

The quality of groundwater be maintained at a standard which is safe for use and consumption by communities and ecosystems.

At present there is no indication of any significant problems with groundwater quality. It is important that the quality of groundwater is not allowed to decrease beneath its present standard to a level where it is unsafe for use and consumption by the community or damaging to the surface water ecosystems relying upon it as a source of supply. This standard will be the World Health Organisation drinking water standards.

5.2.3 POLICY - CONTAMINANTS

Avoid, remedy or mitigate the reduction of groundwater quality from contaminants entering the groundwater systems from contaminated river water or infiltration through contaminated land.

The major source of groundwater is from the Wairau River. If this source is contaminated then the groundwater will also become contaminated. Infiltration of nutrient and chemical contaminants from land based activities could also contaminate and reduce groundwater quality.

The groundwater in the lower Wairau is an important ecological and economic resource. Maintenance of water quality will ensure a healthy and viable freshwater ecosystem on the lower Wairau Plain and minimum costs associated with the provision of irrigation, municipal, industrial, and domestic water supplies.

5.2.4 METHODS

- (a) Identify in resource management plans areas where there is direct infiltration to aquifers and control land activity effects which could contaminate groundwater.

There are some areas where the aquifer is recharged directly from surface water infiltration. In these areas it may be necessary to impose controls on those activities which have the potential to contaminate groundwater. If necessary some activities may need to be prohibited.

- (b) Support research into the cumulative effects of land based activities on groundwater quality and promote sound land management practices emanating from that research.

Particular reference needs to be made to the cumulative or long term effects of land based activities on groundwater quality, such as storm water disposal and chemical application.

State of the environment reporting by the Council will monitor the effects of land-based activities and provide direction for this research.

- (c) Investigate potentially contaminated sites and ensure remedial works are undertaken where problems are identified.

It is known that some past activities, such as timber treatment, refuse disposal, and industrial and service processes have contaminated certain sites. The contaminants may prohibit some future activities from being carried out on that site. Infiltration from contaminated sites can carry contaminants which may affect groundwater quality. The Council will investigate those sites suspected of being contaminated and enforce remedial action where it is appropriate. A register of identified contaminated sites will be developed and maintained by the Council.

- (d) Investigate the operation of septic tanks in known problem areas and require remedial works to be carried out.

It is apparent that the use of septic tanks in some areas is affecting water quality. The Council will investigate those areas known to have problems or identified by state of the environment monitoring and enforce remedial action under the Health Act and Building Act. In areas where individual householder action is not practical, it may be necessary to develop community solutions.

- (e) Undertake a targeted education programme in the use and maintenance of sewage disposal systems to avoid, remedy or mitigate the effects of sewage effluent on land and water ecosystems.

This programme will provide owners of sewage disposal systems with a greater understanding of the operation and maintenance requirements of their sewage treatment systems to minimise the effects of sewage effluent on land and water ecosystems.

5.2.5 OBJECTIVE - GROUNDWATER RECHARGE OF SURFACE WATER SYSTEMS

Groundwater should be maintained at levels sufficient to ensure natural recharge of surface water systems, to safeguard the life-supporting capacity of all water bodies and to avoid, remedy or mitigate any adverse effects on the environment.

Spring Creek, Dowlings Creek, Murphys Creek, Fultons Creek, Yelverton Stream, and Doctors Creek are all spring fed surface waterways which are driven by groundwater flow. Flows in these rivers fluctuate depending on aquifer levels which vary naturally and in response to pumping by wells.

5.2.6 POLICY - ABSTRACTION

Ensure that the abstraction of groundwater in the Wairau and southern aquifer systems do not significantly affect flows in spring fed rivers in a manner which adversely affects the life-supporting capacity of their water and ecosystems.

It is known that over abstraction from the Wairau and other groundwater systems can reduce the amount of water available to recharge the surface water system.

It is important to maintain groundwater recharge to the surface system. These spring flows are an important feature of both the rural and urban areas and have value as habitat for plant, fish and birdlife.

5.2.7 METHOD

Control groundwater abstraction in the Wairau/Awatere Resource Management Plan to avoid, remedy or mitigate the effects on surface systems by providing an allocation system and controls on the abstraction of water from the Wairau groundwater system.

This Plan will define sustainable limits to abstraction of water from the Wairau groundwater system in order to ensure maintenance of dependant surface water flows. The allocation system needs to recognise the intrinsic, aesthetic, wildlife and recreational values of these surface rivers to the wider community.

5.2.8 ANTICIPATED ENVIRONMENTAL RESULTS

- (a) Continuation of the water within aquifers in a condition and at a level which makes them suitable and available for continued use as indicated by the level of the water table and the quality of the water.

Groundwater is an economic resource in the Lower Wairau Plain and is the major source of water for irrigation and community water supply. The quantity and quality of the groundwater is sufficient to allow immediate use without interruption to supply. The continuation of this situation will depend on the control of activities which have the potential to contaminate the groundwater. This includes the major source at the Wairau River and the areas of the plain where the aquifer is unconfined. Groundwater around other rivers is also important for use by individual landowners for domestic and irrigation supply.

- (b) Assured minimum flows within surface freshwater bodies having groundwater as their major source.

The Lower Wairau Plain is crossed by a complex of channels which derive the majority of their flow from springs fed by the Wairau Aquifer. These streams have important values for freshwater habitat maintenance and serve as part of the character of Blenheim. Over abstraction of the aquifer could reduce the flows in these streams and damage the fisheries, wildlife, native flora, natural character and recreational amenity values attached to them.



5.3 COASTAL MARINE

5.3.1 DESCRIPTION OF ISSUE

The function of the marine ecosystem is disrupted by effects from land and water based activities. Some of the possible effects are sedimentation, contamination, and habitat disturbance. These effects are generally temporary but in extreme situations permanent effects may result. Small local effects of contamination and disruption can aggregate to make significant effects on the function of the ecosystem.

Discharges, such as the sewage discharge from Picton, and waste from activities in the sea (such as shipping and marine farming) can all cause disturbance to the natural marine ecosystem. Marine farming competes with indigenous stock for nutrients and could therefore disrupt the marine ecosystem.

Storm water and flood flows in the Wairau and Pelorus Rivers, and other small rivers, carry high levels of contaminants into coastal water. Contamination of river water results from the effects of land activities on surface water quality. These contaminants can act as a nutrient source to indigenous plants and animals in the marine ecosystem, and therefore sustain the marine ecosystem. These contaminants can act as a pollutant, and damage indigenous species and promote pests and diseases. There is a close relationship between land and water activities and the health of the marine ecosystem. This balance can be easily upset.

The two most significant remaining coastal wetlands are the Wairau Lagoons and the Pelorus Estuary. The remaining small wetlands are generally found in heads of bays and the mouths of rivers.

The community relies on the quality of the marine ecosystem for cultural, social, and economic wellbeing. Many activities take place in the coastal marine area. Only a few areas are presently degraded. As pressures for community use and development increase these known areas must be restored and further degradation prevented.

Little is known about the cumulative or long term effects of some activities. For example, there is little known about the long term effects of farming filter feeding shellfish on the habitat of indigenous species.

5.3.2 OBJECTIVE - COASTAL MARINE WATER QUALITY

That water quality in the coastal marine area be maintained at a level which provides for the sustainable management of the marine ecosystem.

The marine ecosystem is sustained in part by the quality of the water within it. In most areas seafood can be safely cultivated, taken, and eaten. It is important that water quality within these ecosystems is not allowed to decline to a level which prevents the safe cultivation, gathering, and consumption of seafood from the coastal water.

Presently water quality in the Wairau Lagoons, Pelorus Estuary, and adjacent to the Picton port facilities and sewage discharge has made seafood unsafe to take and eat. The cumulative effects of concentrated septic tank discharges in several popular residential locations has also made local seafood unsafe to eat. In these areas water quality should be enhanced to a standard which allows the safe cultivation, taking, and eating of seafood. This will require a long term strategy. Water quality standards may be adopted in certain areas to satisfy seafood export criteria. Generally the standard sought as a minimum shall be SG as set out in the Third Schedule to the Act.

5.3.3 POLICY - RUNOFF FROM LAND

Avoid, remedy or mitigate the reduction of water quality in the coastal marine area caused by sediment and contaminated runoff water from land entering the marine ecosystem.

Contaminated runoff water from land contains sediments, nutrients, and faecal matter. During heavy rain this runoff has a major impact on water quality. Incorrectly operating septic tank systems can also contribute to contamination of runoff water, particularly during times of heavy rain.

The marine ecosystem has intrinsic, cultural, social, and economic value to the community. Maintenance of marine water quality is important to the health of the marine ecosystem.

5.3.4 METHODS

- (a) Define within resource management plans criteria where esplanade or riparian areas will be necessary to avoid, remedy or mitigate damage and contamination of marine ecosystems.

Esplanade areas along coastal margins can improve marine habitats by acting as a buffer between land based activities and the water. Following identification of the major sources of damage and contamination the Council will determine where esplanade areas are appropriate for the enhancement of marine habitat. Esplanade strips and reserves, and access strips also have values for public access, recreation, and wildlife habitat.

- (b) Incorporate within resource management plans control methods to avoid, remedy or mitigate sediment or other contaminants entering coastal water from disturbed land.

When assessing resource consent applications Council will consider water clarity ; control the scale of activities to limit the amount of sediment; and define the size and location of settling ponds to filter sediment from runoff water all to reduce the effect of sediment from disturbed land. These controls will apply to activities such as excavation, soil disturbance and vegetation removal which produce sediment or other contaminants. They will require that the amount of sediment leaving the land is minimised by the best practicable means possible.

- (c) Undertake a targeted education programme to provide information on appropriate land disturbance techniques which avoid, remedy or mitigate sediment generation and reduce contamination of runoff water before entering coastal water.

This programme will be targeted at contractors and land holders undertaking land management activities likely to produce sediment and other contaminants in runoff water. It will detail accepted methods of land disturbance and ways to minimise the amounts of sediment, nutrients, and organic matter from their activities entering coastal water.

- (d) Advocate to the Minister of Conservation the retention and enhancement of the existing Sounds Foreshore Reserve and the management of new esplanade reserves along coastal margins.

Riparian strips along coastal margins (such as the sounds foreshore reserve) act as a significant buffer between land based activities and the coastal marine area. Most coastal riparian strips are administered by the Department of Conservation. To maintain consistency all future esplanade areas should also be administered by the Department of Conservation.

- (e) Investigate the operation of septic tanks on land adjacent to contaminated coastal water and require remedial works to be carried out where problems are apparent.

It is apparent that the use of septic tanks in some areas is affecting coastal water quality. The Council will investigate those areas known to have problems and enforce remedial action under the Health Act and Building Act. In areas where individual householder action is not practical, it may be necessary to develop community solutions.

- (f) Undertake a targeted education programme in the use and maintenance of sewage disposal systems to avoid, remedy or mitigate the effects of sewage effluent on the marine ecosystem.

This programme will provide owners of sewage disposal systems with a greater understanding of the operation and maintenance requirements of their sewage treatment systems to minimise the effects of sewage effluent on the marine ecosystem.

5.3.5 POLICY - CONTAMINATION FROM WATER-BASED ACTIVITIES

Avoid, remedy or mitigate the reduction of coastal water quality by contaminants arising from activities occurring within the coastal marine area.

Discharge of waste from recreation activities, shipping, marine farming operations, foreshore structures, and other marine based activities, has the potential to affect the quality of coastal water. Disposal of untreated waste from water based activities cannot be allowed directly to coastal water and needs to be treated similarly to waste from land based activities.

The marine ecosystem has intrinsic, cultural, social, and economic value to the community. Maintenance of marine water quality is important to the health of the marine ecosystem.

5.3.6 METHODS

- (a) Incorporate within resource management plans controls to avoid, remedy or mitigate the effects of waste from water based activities on marine ecosystems.

These controls will apply to activities such as marine farming, discharges from shipping, port and foreshore developments, and recreation. The impacts of these activities include dumping of boat sewage, littering, oil, and other wastes, the potential for spillages and the problems associated with some anti-fouling paints. National guidelines and controls will be required to deal with many of the above issues, such as boat sewage and holding tanks. Resource management plans will continue to require pumpout facilities for all new marina and port developments.

Some of these impacts will also be controlled through other legislation.

- (b) Undertake a targeted education programme to provide information on ways to avoid, remedy or mitigate the effects of disposal of waste from water based activities on water quality.

This programme will be targeted at commercial and recreational users of coastal water and promote the best practical option to minimise the effects of waste disposal on coastal water quality.

- (c) Support research into the cumulative effects of water based activities on water quality.

Particular reference needs to be made to the cumulative or long term effects of water based activities on water quality, especially marine farming. Little is known about the cumulative or long term effects of marine farming on existing natural stocks and ecosystems.

- (d) Advocate to Government the development of national standards to control the adverse effects of discharges from shipping on the coastal marine area.

The main area of concern is in relation to the discharge of contaminated ballast water from ships. The concern is that harmful micro-organisms may be taken on board with ballast water in other parts of the world and be released in the Marlborough Sounds. These micro-organisms can kill fish and shellfish, and result in illness or death in humans. Given that most of New Zealand's marine farming industry is located in the Marlborough Sounds the risk of unwanted introductions could be significant and the consequences severe.

The Resource Management Act currently precludes the Council from being able to enforce rules which prohibit foreign ships from de-ballasting contaminated water within the Marlborough coastal marine area. Presently de-ballasting occurs under a voluntary agreement between the Government and shipping interests. Changes to marine pollution legislation may make it possible in the future to control de-ballasting. However until such legislation is in place, it is considered that as the Marlborough Sounds have national importance for aquaculture, a higher safeguard is required than the present voluntary agreement.

5.3.7 POLICIES - 'POINT SOURCE' DISCHARGES

- (a) Improve coastal water quality where present 'point source' discharges from land limits the safe consumption of plants and fish from the water.

Contaminants contained within point source discharges from land can have a major impact on water quality. Coastal water cannot be expected to continue to absorb wastes from land based point source discharges. This policy seeks to prevent or minimise the effects of such discharges.

The marine ecosystem has intrinsic, cultural, social, and economic value to the community. Maintenance of marine water quality is important to the health of the marine ecosystem.

- (b) Existing discharge permits will not be replaced unless the amount and concentration of contaminants in the discharge will be reduced, where necessary.

Before an expired discharge permit is replaced the permit holder will be required to demonstrate that they have a programme in place to reduce the discharge of contaminants to coastal ecosystems and reduce the effects of their discharge on that ecosystem.

This policy is seen as an essential element in reducing the effect of existing point source discharges on coastal water quality. The ultimate aim of this policy is that no discharge will significantly alter the condition of the receiving water. It is accepted that a staged approach must be taken to achieve this aim.

Council recognises that due to their quality some existing discharges may have no adverse environmental effects.

- (c) New or additional point source discharges should not cause, after reasonable mixing, significant adverse effects in the receiving water.

This policy is aimed at preventing new discharges from having a damaging effect on the coastal marine ecosystem.

5.3.8 METHOD

- Incorporate within resource management plans discharge controls to reduce the discharge of contaminants into coastal water and allow for the safe consumption of plants and fish from the water.

Resource management plans will require continued effort by all dischargers to minimise the contaminants they discharge into coastal ecosystems.

Iwi have strongly indicated that financial constraints should not be the overriding consideration in making decisions about improving water quality.

5.3.9 ANTICIPATED ENVIRONMENTAL RESULT

Overall enhanced condition within the marine ecosystem shown by reduction of sedimentation and contamination of water within the coastal marine area, and reduction of the levels of contaminants within runoff water, from water based activities, and point source discharges.

The health of the marine ecosystem is dependent on the water quality which is in turn dependent on the level of contaminants within runoff water from the land, discharged from coastal water based activities and point source discharges. Threats to marine ecosystems include sedimentation and contamination from land disturbance, land activities, 'point source' discharges, and from activities carried out in the coastal marine area.



5.3.10 OBJECTIVE - COASTAL MARINE HABITAT

The natural species diversity and integrity of marine habitats be maintained or enhanced.

The marine ecosystem is composed of a wide diversity of plant and animal species. The integrity of habitats is a measure of their modification and alteration from their natural state. The New Zealand Coastal Policy Statement gives direction to the protection of significant coastal and marine habitats.

The natural function of marine habitats relies on a high level of water quality. Changes in water quality can alter the habitat which in turn changes the numbers and species of plants and animals present.

5.3.11 POLICY - HABITAT DISRUPTION

Avoid, remedy or mitigate habitat disruption arising from activities occurring within the coastal marine area.

Activities such as foreshore structures, reclamations, dredging, dumping, and boat wash can damage the physical integrity of marine habitats. This damage can be by way of displacement, smothering or destruction. Also, fishing techniques such as dredging, trawling, and netting, both commercial and recreational damage the marine habitat.

5.3.12 METHODS

- (a) Identify in resource management plans areas of significant marine habitat and include controls to protect those habitats.

There are a number of significant areas of marine habitat along the Marlborough coast. The New Zealand Coastal Policy Statement requires as a matter of national importance that these areas be identified and protected. Any activity proposed within these areas will be considered on the basis of its effects on the marine habitat.

- (b) Advocate to the Minister of Fisheries that further research be undertaken to assist understanding of marine ecosystems.

There is only limited knowledge of the life cycles and linkages between the different marine species which naturally inhabit the Marlborough Sounds, and species which are managed and harvested in the Sounds. Research needs to involve both natural and introduced species, and include enhancement of natural fish stocks. Good management decisions relating to the sustainability of marine ecosystems and fisheries management are important. These decisions will be based on an understanding of the importance of marine habitat characteristics and fishing activities. Research will assist understanding and management of the marine ecosystem, and could stimulate new marine ventures.

- (c) Advocate to the Minister of Fisheries that both commercial and recreational fishing be further regulated within the enclosed waters of the Marlborough Sounds to enhance the size and number of natural species.

Community concern over the depletion of fish stocks in the Sounds indicates that there is a need for urgent action on this matter.

The combination of commercial and recreational fishing is a major cause of fish mortality. Commercial and recreational fishing are regulated under the Fisheries Act. There are already limits on boat and equipment specifications, and catch effort. Commercial fishers have rights created under the Quota Management System which defines Total Allowable Commercial Catches of defined fish species. The Resource Management Act precludes the Council from controlling matters related to fisheries management.

At this stage the Council has chosen to advocate to the Minister of Fisheries the need to further regulate fishing methods within the Marlborough Sounds. Mass fishing techniques such as set netting, dredging and trawling have the potential to cause large scale damage to the marine ecosystem. Regulating fishing techniques could include controls on boat and equipment size, limit on catch effort, restriction from specific areas, limits on recreational fish takes, licensing fishing charter operators and bag limits for specific species.

The enclosed waters of the Marlborough Sounds are defined as the coastal marine area inside a line between: West Entry Point and East Entry Point at the entrance to Pelorus Sound; Cape Jackson and Cape Koamaru at the entrance to Queen Charlotte Sound; West Head and East Head at the entrance to Tory Channel; and within Croisilles Harbour and Port Underwood.

- (d) Advocate to the Minister of Fisheries that the enclosed waters of the Marlborough Sounds be treated as a separate area for fisheries management.

The Marlborough Sounds are presently contained within a large fishing management area which contains open coastal water and the enclosed waters of the Sounds. The management implications caused by the different nature of the Marlborough Sounds, being an important area for fish breeding, is not able to be easily accommodated by its combination into a larger area.

- (e) Advocate to the Ministers of Fisheries and Conservation the reservation of significant or representative communities and habitats.

Protection of marine habitats is possible under the Marine Reserves Act, Fisheries Act, Reserves Act, Conservation Act, Marine Mammals Protection Act, and Wildlife Act.

5.3.13 ANTICIPATED ENVIRONMENTAL RESULT

Enhanced diversity and integrity of marine habitats shown by the variety of species present within the coastal marine area.

The health of marine ecosystems is often indicated by the diversity of species present. Healthy ecosystems usually have a more diverse range of species than disturbed systems. Disturbance to ecosystems from sedimentation and contamination enhances conditions for some species, which thrive, and degrades the conditions for other species, which may decline. Understanding the effects of habitat disruption on particular species will provide information about the scale and effect of disturbance occurring within marine habitats.



PROTECTION OF land ECOSYSTEMS

The land ecosystems of Marlborough are composed of mountains, hills, valleys, and plains and the life systems contained within them. They include the soil and the plant and animal organisms that live within those ecosystems.

6.1.1 DESCRIPTION OF ISSUE

There has been major modification of land ecosystems throughout Marlborough. Tall tussock grasslands and beech forests are relatively original in their composition and function, oversown hill and high country and scrub areas are modified, while the pastures, pine forests, and horticultural crops are entirely introduced plants. Grazing animals are part of pastoral ecosystems whereas pests disturb all land ecosystems.

Land ecosystems rely on interactions between species to create a system which is able to resist and respond to disruption. The effects of land based activities can reduce the viability of natural ecosystems by disturbing the balance of species present. Generally a narrow range of species denotes a more fragile and less robust ecosystem. There are a wide range of species within wild ecosystems compared with few species in systems managed for production. Some managed systems require a considerable level of support to maintain productivity.

Land use and development has had a major effect on the composition and function of land ecosystems. Indigenous vegetation has been replaced or modified in those areas which have been perceived as having productive value. Planting new species, applying fertiliser, herbicide, and insecticide disturb natural ecosystems, and grazing and harvesting crops affect soil and plants.

Changes in land ecosystems in turn may cause changes in adjacent water ecosystems. Alterations in the quality and quantity of freshwater in rivers may be caused by contamination and land based consumption of water and streams.

It is important to recognise that the community relies on the use and development of many land ecosystems for cultural, social, and economic wellbeing.

6.1.2 OBJECTIVE - INDIGENOUS LAND ECOSYSTEMS

The integrity and diversity of indigenous land ecosystems (including soils) is to be maintained and where reasonably necessary enhanced while so far as possible also enabling the community to provide for its wellbeing.

The indigenous land ecosystems of Marlborough are extremely diverse - both in terms of habitats and the species that occupy them. The indigenous alpine herb fields, grasslands, and podocarp forests, all have special characteristics worthy of recognition.

Maintenance of diversity is important to the continued health of the indigenous land ecosystems. There is a need to recognise the importance of the land for community, social, economic, and cultural wellbeing, and the protection of intrinsic values of the indigenous land ecosystems.

The Act requires that the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna be recognised and provided for as a matter of national importance.

6.1.3 POLICY - INDIGENOUS ECOSYSTEM DISRUPTION

Avoid, remedy or mitigate indigenous land and water ecosystem disruption arising from physical disturbance, reduction in river flows, contamination, overgrazing, burning, and animal and plant pests.

Activities such as excavation, soil disturbance and vegetation removal (by burning or otherwise) can damage the physical integrity of indigenous land ecosystems. This damage can be either displacement or destruction of ecosystems.

Contamination from runoff water and reduced flows due to land based consumption of water affects adjoining water ecosystems.

Animal and plant pests can damage the integrity of the indigenous land ecosystem by destroying or competing with resident species. Animal pests graze or browse plants, such as rabbits on grasslands, possums in the bush and wasps everywhere. Plant pests, such as gorse and old mans beard smother and invade preferred plants.

Disruption of the land habitat by activities and pests can reduce the potential of the land and our appreciation of it.

This policy is seen as an essential element in recognising and providing for the intrinsic values of ecosystems by preventing their disruption by activities on the land.

6.1.4 Methods

- (a) Identify in resource management plans areas of significant indigenous land and water ecosystems and include controls to protect their conservation values.

The Act requires as a matter of national importance that areas of significant indigenous vegetation and significant habitats of indigenous fauna be protected. Numerous areas of significant indigenous land and water habitat occur within Marlborough. Many of those areas are in the conservation estate managed by the Department of Conservation. Other areas remain privately owned.

Any activity proposed, which would affect the values within these areas, will be considered on the basis of its effects on the indigenous land and water habitat.

- (b) Advocate to the Minister of Conservation and promote to landowners the preservation of significant or representative indigenous terrestrial communities and habitats.

Protection of land habitats is possible under the Reserves Act, Conservation Act, and QE II National Trust Act.

- (c) Incorporate land disturbance controls and guidelines within resource management plans to avoid, remedy or mitigate the effects of activities which disturb soil ecosystems, cause erosion, or degrade soils.

These controls and guidelines will apply to land disturbance activities such as excavation, earth disturbance, and vegetation removal.

The plans will require that the best practicable means of undertaking activities are used to ensure that disturbance to soil ecosystems are maintained, and, erosion and soil degradation are minimised.

- (d) Undertake a targeted education programme to provide information about the effects of land use activities on indigenous land ecosystems.

This programme will publicise the effects of land use activities on indigenous land ecosystems. It will emphasis cumulative, long term, and off site effects and be targeted at those most likely to carry out land disturbance activities.

- (e) Support research into the development of controls including biological controls for pests and diseases which affect indigenous land ecosystems.

There is a need to support initiatives for the use of biological pest control techniques which reduce the reliance on chemical based controls and which will have benefits locally.

- (f) Administer programmes for the effective management or eradication of pests which affect indigenous land ecosystems.

6.1.5 OBJECTIVE - SOIL PRODUCTIVITY AND AVOIDANCE OF SOIL EROSION AND DEGRADATION

- Practices which exacerbate soil erosion and degradation be avoided; and
- The potential and life supporting capacity of all soils be ensured by retaining the productive capability of those soils.

The life supporting capacity of soil is related to soil fertility. Soil fertility is a combination of the physical and chemical structure, nutrient status, and organic matter contained in the soil. Maintaining soil fertility depends on limiting changes in the compaction, infiltration, and nutrient status of the soil.

Protection of highly productive land is essential for the continued safe and efficient production of food.

Some rural activities do not depend on the soil resource and can locate on less productive soil. However, strategic location on productive soil may increase the productivity of the surrounding land. For example, a horticultural processing facility, such as a vegetable processing plant, encourages use of the surrounding land for horticultural production.

6.1.6 POLICY - SOIL FERTILITY AND AVOIDANCE OF EROSION

- Avoid soil loss and degradation;
- Maintain soil fertility at levels which will ensure future productive capacity; and
- Take steps to reduce soil degradation and erosion where reasonably practicable.

Activities such as cultivation, grazing, burning, chemical application, and movement of vehicles and livestock over soil can contribute to degradation and erosion, or affect soil fertility. Erosion of soil by wind and water can alter the soil texture.

6.1.7 METHODS

- (a) Incorporate within resource management plans, land disturbance controls and guidelines to avoid, remedy or mitigate the effects of activities which cause soil erosion, degradation of soil structures, or loss of organic matter.

These controls and guidelines will apply to land disturbance for activities such as excavation, soil disturbance, and vegetation removal. They will require that the best practicable means are undertaken to ensure that effects are minimised.

- (b) Resource management plans will identify areas of highly productive soils and contain controls to ensure that the productive capability and potential of highly productive soils is maintained.

These controls will apply to activities that have the potential to reduce the productivity of land and to those activities which do not depend directly on the soil resource.

Highly productive soils are defined by the New Zealand Land Resource Inventory, which considers various factors influencing the productive capability of the soil resource. The productivity of the soil resource is a dynamic measure and investment, in drainage for example, can raise the productivity of a particular soil.

- (c) Undertake a targeted education programme to provide information on the effects of land use activities on soil fertility.

This programme will publicise the effects of land use activities on soil fertility with an emphasis on cumulative, long term, and off site effects. Information about the soil fertility effects of land use activities will assist farmers and other land users to make good decisions about their use of the land.

- (d) Support research into the development of controls including biological controls for pests and diseases which affect the productive capacity of all soils.

There is a need to support initiatives for the use of biological pest controls and which reduce the reliance on chemical-based controls and which will have benefits locally.

- (e) Administer programmes for the effective management or eradication of pests which affect the productive capacity of all soils.

6.1.8 POLICY - ECOSYSTEM SECURITY

Avoid, remedy or mitigate the effects of threats to land ecosystems.

Threats to land ecosystems include pests, natural hazards, and effects of land use activities, including land disturbance and application of chemicals.

The nature of threats to land ecosystems means that the risk of events can be reduced but never eliminated. Constant vigilance is needed to ensure that hazards are recognised, planned for, and avoided wherever possible.

6.1.9 METHODS

- (a) Investigate potentially contaminated sites and ensure remedial works are undertaken where problems are identified.

Some past activities may have contaminated certain sites. This may limit the type of activities that can now take place on those sites and contaminate water draining into wetlands, lakes, rivers, and groundwater. The Council will investigate those sites suspected of being contaminated and enforce remedial action where it is appropriate. A register of identified contaminated sites will be developed and maintained by the Council.

- (b) Develop management strategies for efficient and economic pest control, under the Biosecurity Act and other relevant legislation.

Plans for pest control will define the levels of pest [plant and animal] control required on different land ecosystems. It will include the allocation of responsibility for the provision of services and allocation of costs associated with that control. This method is aimed at controlling rather than eliminating most pests.

- (c) Record and maintain a register of known hazard areas, identifying sites at risk to flooding and land instability.

The Council will establish and maintain a register of known hazard prone areas and use this register as a basis to assess applications for resource consents under the Resource Management Act or building consents under the Building Act.

- (d) Undertake a targeted education programme to provide information about threats to land ecosystems and means to reduce the risk of those threats.

This programme will publicise the nature of threats to land and water ecosystems, with an emphasis on cumulative, long term, and off site effects. It will include advice on techniques to prepare for those threats and ways to reduce the risk of damage occurring to property, land, and water ecosystems.

6.1.10 ANTICIPATED ENVIRONMENTAL RESULTS

- (a) Enhanced integrity and diversity within land ecosystems shown by the composition and viability of land habitats, available area of highly productive soils, and reduction of threats to land ecosystems.

The diversity of species present often indicates the health of land ecosystems. Mature or stable systems usually have a wider variety of species than disturbed or immature systems. The diversity of species may reflect the level of threats to land ecosystems.

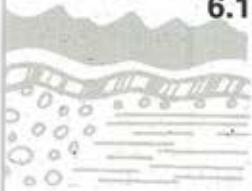
- (b) Improved life supporting capacity of soils shown by soil fertility.

Soil fertility is the prime indicator of soil productivity. Changes in soil compaction, drainage, or microbial activity indicate changes in the productive potential and life supporting capacity of the soil.

6.1.11 MONITORING EFFECTIVENESS

For soils and land-use the following indicators will be monitored to assess the suitability and effectiveness of this part of the policy statement, and any need for it to be reviewed:

- (a) Trends in key soil quality indicators (including vegetation) at sample sites.
- (b) The degree of adoption of land management practices that minimise soil erosion.
- (c) Incidents of soil erosion and/or degradation.
- (d) Incidents of land contamination.
- (e) Incidents of burn-off.
- (f) Incidents of unauthorised vegetation clearance on non-arable land.
- (g) Trends in plant and animal pest population, and their effects on land resource.



community

W E L L B E I N G

The purpose of the Resource Management Act (Section 5) is to promote sustainable management of natural and physical resources. The Act states that "sustainable management" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while -

- *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The Regional Policy Statement so far has concentrated on establishing the environmental limits within which people and communities can operate. This does not mean that resources cannot be used. This Regional Policy Statement also seeks to enable people and communities to provide for their social, economic and cultural wellbeing provided those limits are achieved.

It is accepted that the Regional Policy Statement must ensure that the environmental limits are met while otherwise managing the use, development and protection of natural and physical resources.

This part of the Regional Policy Statement is to be applied within this overall environmental framework.

The wellbeing of people and communities is indicated by the quality of life available to them. This includes:

- *the provision of food, shelter, and clothing;*
- *economic prosperity;*
- *health and safety;*
- *spiritual and cultural freedom; and*
- *the qualities and characteristics of the community they live in (the Act calls these attributes "amenity values").*

Quality of life comes from interactions between individuals and the community, and their surroundings. Community interaction provides personal support, spiritual and cultural awareness, and social development. Interaction with the surroundings provides employment, recreation, and cultural and education opportunities for people. These opportunities are consistent with the principles of Agenda 21.