

Chapter 6: Natural Character

Draft Marlborough Regional Policy Statement Provisions

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Introduction

Natural character includes the natural elements, patterns, processes and experiential qualities of an environment. The natural character of the coastal environment, and freshwater bodies and their margins, is comprised of a number of key components which include:

- Coastal or freshwater landforms and landscapes (including seascape);
- Coastal or freshwater physical processes (including the movement of water and sediments);
- Biodiversity (including individual indigenous species, their habitats and communities they form);
- Biological processes and patterns;
- Water flows and levels, and water quality; and
- The ways in which people experience the natural elements, patterns and processes.

Collectively, these things combine to create the overall natural character of the environment. Provisions included elsewhere in this RPS/Resource Management Plan target the individual components of natural character, and provide direction about how adverse effects on particular values can be managed. These include:

- Chapter 5: Allocation of Public Resources;
- Chapter 7: Landscape;
- Chapter 8: Indigenous Biodiversity;
- Chapter 9: Public Access and Open Space
- Chapter 13: Use of the Coastal Environment;
- Chapter 15: Resource Quality (Water, Air, Soil).

However, there is a need for this management to be integrated in order to preserve the natural character remaining in the coastal and freshwater environments. This ensures that the management of the individual components of natural character is co-ordinated to achieve a common end in the context of Section 6(a) of the RMA and of the NZCPS.

Issue 6A – Resource use and changes in resource use can result in the degradation of the natural character of the coastal environment and of lakes, rivers and their margins.

Section 6(a) of the RMA requires the Council to preserve the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, and to protect this natural character from inappropriate subdivision, use and development. The NZCPS contains a similar objective for the coastal environment.

The entire coastal environment and all freshwater bodies have some or all of the components of natural character (natural elements, patterns, processes and experiential qualities) and, to that extent, all have some degree of natural character. The extent of human-induced modification has a significant influence on the level of natural character that exists in the coastal environment and in and adjacent to freshwater bodies. Some environments will have high natural character due to the lack of human-induced modification and may even be in a natural state. In other areas, there will be little remaining natural character due to the extent of human-induced modification of the environment.

Given that the preservation of natural character is a matter of national importance, there is a real risk that further human-induced modification within coastal or freshwater environments will have adverse effects. This risk is greatest in unmodified environments as it is more likely that subdivision, use and development will change the existing natural elements, patterns, processes and experiential qualities. As the degree of existing human-induced modification in the coastal or freshwater environment increases, so to does the ability of the environment to assimilate change to the components that contribute to natural character.

Even where there is low overall natural character, components of high natural character may still remain and the protection of this from inappropriate subdivision, use and development may still be important to the local community, the wider public and intrinsically. These areas could also become the focus of restoration efforts.

Objective 6.1 – Establish the degree of natural character in the coastal environment, and in lakes and rivers and their margins.

Marlborough's coastal and freshwater environments are diverse. The diversity is a reflection of variation in landform and landscape, natural processes and characteristics, and biodiversity. The degree of human-induced modification in our coastal environment and in our wetlands, lakes and rivers also varies significantly. Some areas are in a relatively natural state, while others have been significantly modified as a result of human activity. This variation is why it is necessary to establish the degree of natural character in coastal and freshwater environments. Achieving this objective will assist to establish which activities are inappropriate in the context of Section 6(a) of the RMA.

The natural character of wetlands has been established through an integrated process of assessing wetland values. Provisions to preserve the natural character of wetlands are included in Chapter 8: Indigenous Biodiversity.

Policy 6.1.1 – Recognise that the following natural elements, patterns, processes and experiential qualities contribute to natural character:

- (a) Areas or water bodies in their natural state or close to their natural state;**
- (b) Coastal or freshwater landforms and landscapes (including seascape);**
- (c) Coastal or freshwater physical processes (including the natural movement of water and sediments);**
- (d) Biodiversity (including individual indigenous species, their habitats and communities they form);**
- (e) Biological processes and patterns; and**
- (f) Water flows and levels, and water quality.**
- (g) The experience of the above elements, patterns, processes, including unmodified, scenic and wilderness qualities.**

This policy sets out those matters that are considered to contribute to the natural character of coastal and river environments. These matters are included so that there is a clear understanding of the meaning of natural character for RPS/Resource Management Plan users.

Policy 6.1.2 – The extent of the coastal environment is identified in the RPS/Resource Management Plan to establish the areas of land and coastal marine area to which management may need to be applied to protect the natural character of the coastal environment from inappropriate subdivision use and development.

The coastal environment includes the coastal marine area, an active coastal interface area (where the sea is the dominant element and influence on landform, vegetation and perception) and a coastal significance area (which generally includes the land up to the first coastal ridge). This is illustrated in Figure xx and recognises the characteristics set out in Policy 1 of the NZCPS. Given that a coastal influence is evident throughout the Marlborough Sounds, all of the Marlborough Sounds is considered to

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be coastal environment. The southern coast of Marlborough is more complex due to variation in landform.

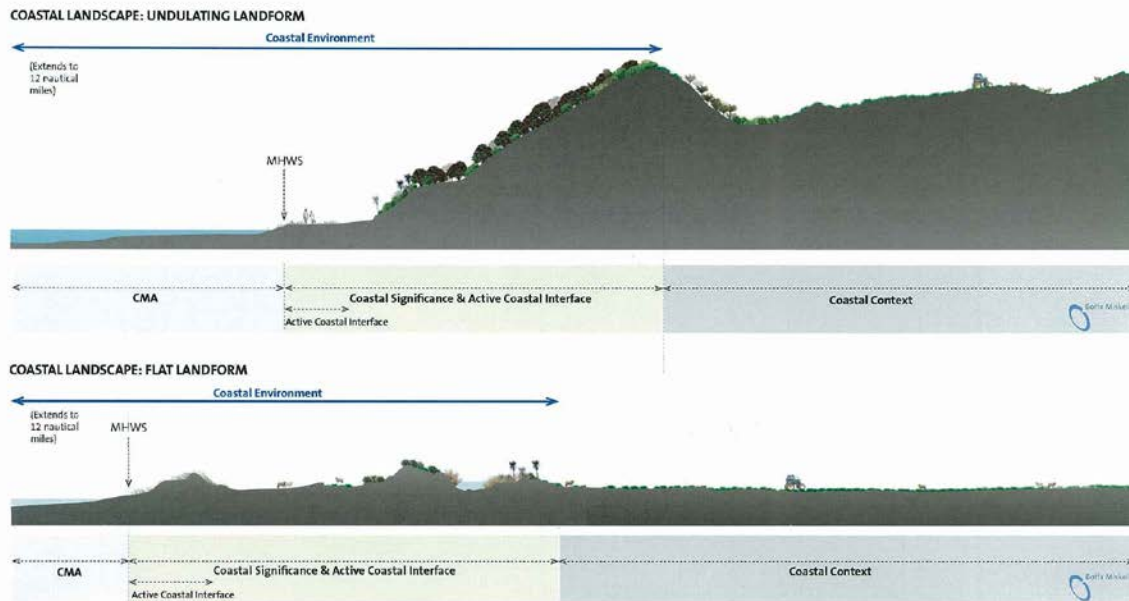


Figure X: Diagram of the extent of the coastal environment.

The landward extent of Marlborough's coastal environment is mapped in the RPS/Resource Management Plan. Establishing the extent of the coastal environment defines an area in which activities may need to be managed in a particular way to preserve the natural character of this environment in accordance with Section 6(a) of the RMA. This will provide resource users and the community with certainty as to the spatial area to which the natural character and other provisions of the NZCPS apply.

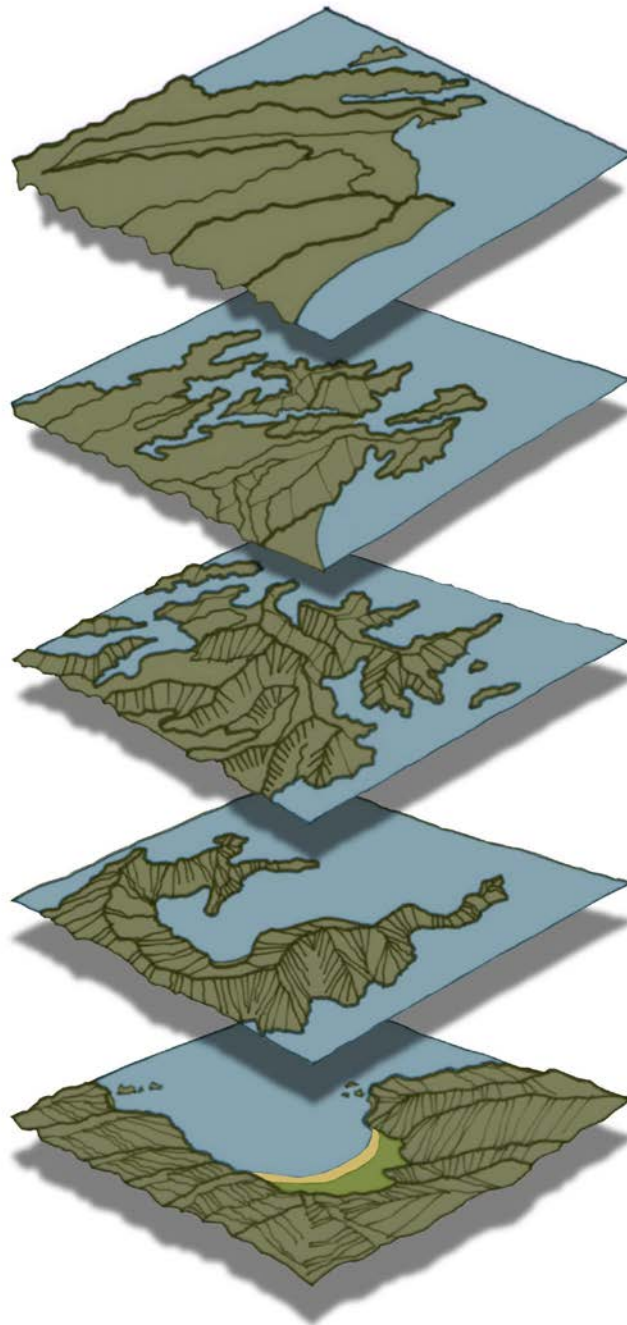
Policy 6.1.3 – Determine the degree of natural character in both the coastal marine and coastal terrestrial components of the coastal environment by assessing:

- (a) Abiotic systems and landforms, marine and terrestrial biotic systems and experiential qualities; and**
- (b) Natural character at a range of scales.**

The natural character of the coastal environment can vary significantly from place to place. An evaluation of the degree of natural character in Marlborough's coastal environment has been undertaken. This evaluation comprised an assessment of the extent of human-induced modification in the coastal marine area and on land in the coastal environment. To assist this process, Marlborough's coastal environment was divided into nine distinct coastal marine areas and 17 distinct coastal terrestrial areas based on land typology. For each area, abiotic systems and landforms, biotic systems and experiential attributes were assessed. Freshwater values within the coastal environment are identified in the coastal terrestrial areas.

The analysis of natural character was undertaken at a range of scales from the broad scale (i.e. Marlborough Sounds or South Marlborough level), through to the more detailed scale, which in some cases is at a bay level assessment. This means that natural character can be perceived as having different levels of natural character at different scales depending on the level of information that is available. The scales at which the assessments have been undertaken can be seen in Figure x.

Figure x. Natural character scale diagram



Schedule X identifies the values that contribute to high and very high coastal natural character in each of the discrete natural character areas and is at the Level 4 to 5 scale. The values for areas with outstanding coastal natural character are also included within Schedule x.

Policy 6.1.4 – Identify those areas of the coastal environment that have high, very high or outstanding natural character.

Policy 13 of the NZCPS requires that areas of at least high natural character be mapped or otherwise identified. The Council considers that the most effective form of identification is mapping as it provides certainty as to the location and extent of those spatial areas. For this reason, the RPS/Resource Management Plan identifies areas of the coastal environment that have high or very high natural character, following evaluation in accordance with Policy 6.1.3, through mapping. Because of the gaps in knowledge of marine ecosystems, it is difficult to map an exact line where natural character shifts from

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high to very high. For this reason the maps show a 'transition' area between areas with high and very high natural character in marine areas.

Policy 13(1)(a) of the NZCPS specifies requirements for areas of outstanding natural character. For the purposes of this RPS, those areas of the coastal environment that have very high natural character and which also exhibit a combination of natural elements, patterns and processes that are exceptional in their extent, intactness, integrity and lack of built structures (and other modifications), compared to other areas in Marlborough, are identified as having outstanding coastal natural character. These areas are also mapped in the RPS/Resource Management Plan.

The mapping of high, very high and outstanding natural character through this policy will enable appropriate management to be applied to relevant parts of the coastal environment to give effect to the NZCPS.

Policy 6.1.5 – Determine the degree of natural character in and adjacent to lakes and rivers by assessing the degree of human-induced modification to the following:

- (a) Channel shape and bed morphology;**
- (b) Flow regime and water levels;**
- (c) Water quality;**
- (d) Presence of indigenous flora and fauna in the river channel;**
- (e) Absence of exotic flora and fauna;**
- (f) Absence of structures and other human modification in the river channel/lake;**
- (g) Vegetation cover in the riparian margin;**
- (h) Absence of structures and other human modification in the riparian margin; and**
- (i) The experience of the above elements, patterns and processes including unmodified, scenic and wilderness qualities.**

The matters identified in (a) to (i) are those elements, patterns, processes and experiential qualities that contribute to the natural character of Marlborough's lakes and rivers and their margins. The extent to which these have been modified by human activities will determine the degree of natural character. Where the matters in (a) to (i) have not been modified or have been only slightly modified, then the natural character will be assessed as being very high. As the degree of human-induced modification of the river and its margins increases, the degree of natural character will reduce to high, then moderate, then low and, finally, very low where the river environment has been heavily modified.

Policy 6.1.6 – Identify those rivers that have high, very high or **outstanding natural character.**

Although there is no specific requirement for the Council to identify rivers that have high, very high or outstanding natural character, the Council has undertaken an assessment to determine the natural character values of a number of Marlborough's rivers. This has been carried out to be able to recognise and provide for section 6(a) of the RMA as well as in terms of giving effect to Objective A2 of the NPS for Freshwater Management 2011. By using the criteria in Policy 6.1.5 an assessment on a five point scale as to significance of the waterbodies has allowed a determination of natural character to be made. The rivers with high, very high or outstanding natural character values have been mapped in the RPS/Resource Management Plan. Further information on a range of values for Marlborough's rivers, including natural character values, is set out in Schedule x.

Objective 6.2 – Preserve the natural character of the coastal environment, and lakes and rivers and their margins, and protect them from inappropriate subdivision, use and development.

This objective reflects Section 6(a) of the RMA, which establishes that the preservation set out in the objective, is a matter of national importance.

Policy 6.2.1 – Avoid the adverse effects of subdivision, use or development on areas of the coastal environment with outstanding natural character and on lakes and rivers (and their margins) with outstanding natural character.

Where the natural character of the coastal environment and of freshwater bodies is outstanding, the preservation required by Section 6(a) of the RMA indicates that this situation should be retained. This means that any adverse effects on natural character should be avoided. This is not to say that no subdivision, use or development can occur within the coastal environment or within/near water bodies that have outstanding natural character - activities may not adversely affect the natural character of the surrounding environment or may include features or benefits that maintain the existing levels of natural character. This Policy assists to implement Policy 13 of the NZCPS and to help achieve Objective A2 of the NPS for Freshwater Management 2011.

Policy 6.2.2 – Avoid significant adverse effects of subdivision, use or development on coastal natural character.

The degree of adverse effects on coastal natural character is an important consideration under Policy 13(1)(b) of the NZCPS. Where the extent of change in the coastal environment as a result of subdivision, use or development causes significant adverse effects on natural character, the NZCPS states that those effects should be avoided. There is therefore a threshold beyond which remediation and/or mitigation of those adverse effects is not an appropriate management option. That threshold will be determined on a case-by-case basis through the resource consent or plan change process. The significance of the adverse effect will depend on the nature of the proposal, the natural character context within which the activity is proposed to occur and the degree of change to the attributes that contribute to natural character in that context.

In addition to using information in the schedules on the degree of natural character at particular locations, consideration should also be given to other chapters of the RPS/Resource Management Plan, which help to inform how adverse effects can be avoided. For example the policies in Chapter 7: Landscape; Chapter 8: Biodiversity and Natural Areas and Chapter 13: Use of the Coastal Environment target the individual components of natural character and therefore assist to provide a framework to avoid significant adverse effects on natural character values.

Policy 6.2.3 – Where natural character is classified as being high or very high, avoid any reduction in the degree of natural character of the coastal environment or freshwater bodies.

The degree of adverse effects on coastal natural character is an important consideration under Policy 13 of the NZCPS. This policy establishes a threshold for the extent of further change able to be made in coastal environments that have high or very high natural character. Any subdivision, use or development that would have the effect of reducing the natural character at or near the site to a classification below that which exists at the time of making a resource consent application or plan change request will be considered a significant adverse effect in the context of Policy 13(1)(b) of the NZCPS and should therefore be avoided. Although there is no equivalent direction in a statutory sense for freshwater bodies that reflects Policy 13(1)(b) of the NZCPS, the Council considers that the same policy approach is relevant given that freshwater bodies are included within the direction given in Section 6(a).

The extent of change in natural character at or near a site will be determined on a case-by-case basis through the resource consent or plan change process. The significance of the adverse effect will depend on the nature of the proposal, the natural character context within which the activity is proposed to occur and the degree of change to the attributes that contribute to natural character in that context. For coastal environment specifically, Schedule x contains information on the elements, patterns, processes and experiential qualities that give discrete areas high or very high natural character. For freshwater environments information on a range of values for Marlborough's rivers, including natural character values, is set out in Schedule x. This will assist to inform any assessment of environmental effects on natural character of Marlborough's rivers and the coastal environment.

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Policy 6.2.4 – Where resource consent is required to undertake an activity within an area with high, very high or outstanding natural character regard will be had to the potential adverse effects of the proposal on the elements, patterns, processes and experiential qualities that contribute to natural character.

Where it is proposed that an activity will take place in an area of high, very high or outstanding natural character, it is appropriate that the applicant assesses the impact of the proposal on natural character at the site and in the surrounding environment. To undertake the assessment, regard must be had to the elements, patterns, processes and experiential qualities that contribute to natural character. For the coastal environment Schedule X of the RPS/Resource Management Plan contains information on these matters for each area, which will assist the assessment process. The level of assessment undertaken should reflect the scale of the proposed activity and the potential adverse effects on the attributes that contribute to the natural character in the coastal environment. The values of freshwater bodies can be found in Schedule x.

Policy 6.2.5 – Development should locate in parts of the coastal environment and in those rivers and lakes (and their margins) that have already been modified by past and present resource use activities.

Modified coastal and freshwater environments have greater potential to absorb change than those that have not been modified or that have low levels of modification. For this reason, the Council will use a combination of regional and district rules, zoning and overlays to provide direction about where development could locate. This will assist to preserve the natural character of coastal and freshwater environments.

Policy 6.2.6 – In assessing the appropriateness of subdivision, use or development in coastal environments or freshwater bodies, regard shall be given to the potential to restore or otherwise enhance natural character in the area subject to the proposal.

It can be possible to improve the natural character of coastal environments and freshwater bodies through appropriate subdivision, use and development of natural resources. Any improvement to the landscape; natural processes; biodiversity; water flows or quality incorporated into the proposal will be considered in this regard. Restoration and enhancement of natural character are particularly desirable where the coastal environment and freshwater bodies have been substantially modified by past resource use activities. Any actions proposed by an applicant or imposed by the consent authority (through consent conditions) begin the process of remedying past resource use impacts on natural character. The policy also implements Policy 14 of the NZCPS.

Policy 6.2.7 – When considering resource consent applications for activities in close proximity to the coastal environment, regard may be had to Policies 6.2.1 to 6.2.6.

As identified in Policy 6.1.2, mapping the extent of the coastal environment allows for the application of management responses to preserve natural character to an appropriate spatial area. Accurately mapping the extent of the coastal environment can be difficult, such as where the topography is flat and the landward limit of coastal influences is not as evident as when the terrain is steeper. The eastern margin of the Wairau Plain is a good example. For this reason, there may be limited circumstances where it is appropriate to have regard to the above policies in determining a resource consent application. Application of this policy will be determined on a case-by-case basis, depending on the nature of the proposal, its proximity to the coastal environment and the nature of the coastal environment.

Policy 6.2.8 – In assessing the cumulative effects of activities on the natural character of the coastal environment, or in or near lakes or rivers, consideration shall be given to:

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

Although individual activities may not adversely affect the natural character of the coastal environment or freshwater bodies, when combined with the effects of other similar activities or other activities with similar effects, the activities may collectively have cumulative effects on natural character. This policy describes how the cumulative effects of activities on the natural character of the coastal environment or freshwater bodies will be considered. For the coastal environment specifically, any consideration of cumulative effects should take into account scale and may need to include consideration of the intactness of the coastal terrestrial and coastal marine natural character areas.

Policy 6.2.9 – Require land use activities to be setback from rivers, lakes and the coastal marine area in order to preserve natural character.

The proximity of land use activity to rivers, lakes and the coastal marine area has a significant influence on the potential for adverse effects on natural character. The closer the activity, the greater the potential for modification to the elements, patterns, processes and experiential qualities that contribute to natural character. For this reason, land use activities will be required to be setback from rivers, lakes and the coastal marine area. The setback will be implemented through permitted activity standards. Application can be made for resource consent to undertake an activity within the setback. The adverse effects of any such proposal will be assessed against the provisions of this chapter.

Policy 6.2.10 – Encourage and support private landowners, community groups and others in their efforts to restore the natural character of the coastal environment, wetlands, lakes and rivers.

Not all of the responses to preserving natural character need to be achieved through regulatory methods, particularly in terms of restoring natural character in parts of the coastal environment and in wetlands, lakes and rivers that have already been significantly modified by historic human activity. This policy acknowledges the significant efforts of private landowners, community groups and others to restore natural character in modified coastal and aquatic environments. The Council will seek to support existing restoration initiatives and will encourage other restoration initiatives to be established. Given that natural character consists of a range of abiotic, biotic and experiential attributes, methods elsewhere in this RPS targeting an improvement in the quality of the environment will also contribute to the restoration of natural character.

Methods of Implementation

6.M.1 Regional and District Rules

As necessary, apply district or regional rules to activities that have the potential to threaten identified attributes that contribute to natural character, particularly areas with high, very high and outstanding natural character. The status of activities will depend on the severity of the threat and range from permitted activity standards through to prohibited activities. Activities to be regulated include:

- *Subdivision;*
- *Erection and placement of structures, especially location, scale, density and appearance;*
- *Land disturbance;*
- *Indigenous vegetation removal;*
- *The planting of certain species of exotic tree.*

6.M.2 Identifying natural character within Marlborough’s freshwater and coastal environments

An assessment of Marlborough’s coastal and freshwater environments has identified areas of high, very high and outstanding natural character. For freshwater environments the assessment is included within the document “The Natural Character of Selected Marlborough Rivers and Their Margins”. For Marlborough’s coastal environments the assessment is included within the document “Natural Character of the Marlborough Coast”. The results of the assessments are

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mapped in the RPS/Resource Management Plan. Schedule X of the RPS also identifies the attributes that contribute to the high, very high or outstanding natural character of these mapped areas of coastal environment while Schedule X identifies the natural character values of the mapped rivers.

6.M.3 Information

The Council has made available background information on the natural character of Marlborough's coastal and freshwater environments. This information is included in the documents identified in Method 6.M.2. The contents of the documents is useful reference material generally, but can also be used by resource consent applicants to assist any assessment of adverse effects on natural character.

6.M.4 Restoration of natural character

The document "Natural Character of the Marlborough Coast" provides information on potential actions that can be taken to restore the natural character of the coastal environment. This information will assist land owners and resource users to implement measures to restore natural character on their property or as part of their operations.

Anticipated Environmental Results and Monitoring Effectiveness

The following table identifies the anticipated environmental result of the natural character provisions of the RPS/Resource Management Plan. The anticipated environmental result is a 10 year target from the date that the RPS/Resource Management Plan becomes operative. An indicator that will be used to monitor the effectiveness of the natural character provisions is also identified.

Anticipated Environmental Result	Monitoring Effectiveness
6.AER.1 The natural character of Marlborough's coastal environment and of lakes, rivers and their margins is retained. The intactness of the individual coastal marine and coastal terrestrial areas of the Marlborough Sounds is retained in order to preserve natural character of the Sounds.	Only appropriate development is allowed to occur in the coastal environment and in lakes, rivers and their margins, as measured by reassessment of the degree of natural character within these environments. The abiotic systems and landforms, biotic systems and experiential attributes that contribute to the natural character of the coastal environment are retained, as measured by reassessment of Marlborough's natural character.

As the natural character of coastal and freshwater environments is made up of a number of natural elements, patterns, processes and experiential qualities, the anticipated environmental results and indicators in the following chapters will also assist to determine whether the anticipated environmental result above is achieved:

- Chapter 5: Allocation of Public Resources;
- Chapter 7: Landscape;
- Chapter 8: Indigenous Biodiversity;

- Chapter 9: Public Access and Open Space
- Chapter 13: Use of the Coastal Environment;
- Chapter 15: Resource Quality (Water, Air, Soil).