



**MARLBOROUGH  
DISTRICT COUNCIL**

**Reviewing Marlborough's  
Regional Policy Statement  
and Resource Management Plans**

**Report for Public Consultation on Proposed Framework  
for Marine Farming**

**(1 July 2014)**



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## 1. Introduction

Many of you will be aware that the Marlborough District Council is currently undertaking a review of all of its resource management documents, including the Marlborough Regional Policy Statement, the Marlborough Sounds Resource Management Plan and the Wairau/Awatere Resource Management Plan. We are rationalising our approach in terms of the current framework as we want to make the documents simpler to use. So we are combining the regional policy statement and the two resource management plans into one document with one set of policies, one set of rules and one set of maps.

Much of the drafting on the new policy has now been completed. The Council has taken the drafted provisions to a number of focus groups who have considered and debated their potential effectiveness and appropriateness. The provisions were also made available for wider public feedback during 2013. These provisions are currently being considered by the Regional Planning and Development Committee, which is responsible for undertaking the review. Additionally a significant amount of effort has gone into developing draft rules and these will be the subject of consultation over the coming months.

One activity that hasn't had a lot of attention in terms of drafting policy is marine farming. Some early discussions did occur with a few groups during 2011. However, staff resources were diverted into dealing with the application by the New Zealand King Salmon Company Limited to the Environmental Protection Authority (EPA) to make areas available for salmon farming in the Marlborough Sounds. This meant the initial discussions did not proceed further. With the completion of the EPA process more effort on reviewing the current marine farming provisions has occurred.

The Council is very aware of the widespread community interest in marine farming in Marlborough from a range of perspectives, from marine farmers making investment decisions through to those who have concerns about the effects of marine farming on the environment. This interest became very apparent for the Council during the EPA process.

The Council is also well aware of the significance of marine farming for Marlborough economically. This is important as part of the Council's role in resource management terms is enabling people and communities to provide for their economic wellbeing alongside making sure that environmental values are also well managed. Currently there are approximately 576 marine farm sites in Marlborough, most of which are located within the enclosed waters of the Marlborough Sounds.

Given there is a lot of interest in marine farming in Marlborough, we want to provide an opportunity for all within the community to have their say about how this activity should be managed in Marlborough's coastal waters. The Council is not proposing to come up with a significantly different approach for the new regional policy statement and resource management plan given the extensive background to planning for marine farming in the Marlborough Sounds. The current policy, rules and mapping are therefore the starting point for the review. Our main objective through the review is to improve on what already exists where this is possible.



**Councillor Trevor Hook, Chair,  
Regional Planning and Development  
Committee**

In this report we have included:

- information about historical planning for marine farming so you can see how we arrived at the current framework;
- a description of the current framework;
- an overview of the proposed management framework for the new regional policy statement and resource management plan; and
- some detail on aspects of the proposed framework.

A feedback form is included with this report or is able to be downloaded from the Council's website. Any feedback should be returned to the Council by 22 August 2014. (Details on how to do this can be found on Page 9 of this report.) I encourage you to read through this discussion paper, consider what is being proposed and respond with your views. The Council will then use this feedback to help decide on the planning provisions that will get notified for formal public submissions.

## 2. Historical Planning for Marine Farming

Planning for marine farming in Marlborough is not new. When marine farming first started in the Marlborough Sounds in the early 1970s, it was regulated under the Marine Farming Act 1971. This Act was implemented by the then Ministry of Agriculture and Fisheries, which issued marine farm leases and licences up until the introduction of the Resource Management Act in 1991 (RMA).

During the early period of marine farming in the Marlborough Sounds there were a number of joint studies carried out by central and local government agencies of the interactions between activities in the Sounds, including uses of the water as well as the land. This work led to the publication in 1976 of "A Strategy for the Conservation and Development of the Marlborough Sounds". Because commercial forestry and mussel farming were two fairly new activities at the time these were singled out for particular attention. Policies were developed as part of the strategy on where marine farming should not go and these included areas such as Queen Charlotte Sound, Tennyson Inlet, southern Kenepuru Sound and in areas remote from where recreational activity occurred.

Following on from this the Ministry of Agriculture and Fisheries gazetted a plan for marine farming in 1979. This plan was in place for five years and mapped areas where no applications could be made for marine farming.

Maritime planning was then introduced into the Marlborough Sounds, which had been gazetted as a maritime planning area by central government in 1980. The Sounds were only one of four maritime planning areas put in place around New Zealand. Work on developing a maritime planning scheme started and early consultation saw over 400 responses from individuals and organisations expressing a wide range of views on Sounds issues and values.

Because of the level of interest in marine farming, a priority was placed on developing a planning framework for this activity. This included an extensive programme of consultation, seminars and discussion and a physical inspection of the entire Marlborough Sounds coastline. Ultimately the results of this work ended up in the proposed Marlborough Sounds Maritime Planning Scheme that was publicly notified for submissions in 1988.

Hearings on submissions started, but with two rounds of local body reorganisation (in 1989 and in 1992) and the introduction of the RMA in 1991, work on the maritime planning scheme stopped. This was because what had been prepared was considered to be inadequate to meet the new

responsibilities set out in the RMA. Work at this point turned to preparing the Marlborough Sounds Resource Management Plan (Plan).



The provisions for marine farming in the Plan were based on the planning that had preceded it. This saw prohibited areas for marine farming and a range of rules to enable marine farming to continue and opportunities to make applications for farms in new sites. When the Plan was notified in 1995 a lot of submissions were made but the essential framework that was notified remained. All of the appeals related to marine farming were settled in early 1999 and the provisions have remained relatively settled since that time.

In total there has been some 35 years of various forms of planning through strategies, gazetted areas, proposed maritime planning schemes and proposed and operative regional policy statements and resource management plans. There has also been government initiated strategies and moratoriums, which have all had an impact on planning for marine farming. Each of these has directed to a greater or lesser extent where marine farms have and have not been identified as being appropriate in Marlborough. The significance of the history is that the current planning framework for marine farming has resulted from the earlier planning for marine farming with considerable input from a wide range of people and organisations with interests, particularly in the Marlborough Sounds.

### **3. Current Planning Framework for Marine Farming in Marlborough**

Marlborough's current resource management plans have quite different approaches to marine farming. The Wairau/Awatere Resource Management Plan has a very simple approach with any marine farming being assessed with the same status - a discretionary activity, for which consent can be granted or refused. (See the 'Activity Statuses' box which describes the various statuses of activities in the RMA.) There are no prohibited areas in this Plan area, which extends southwards from Rarangi to Marlborough's southern boundary with Kaikoura District. This coast is an open coast and to date there has been very little interest in marine farming in this area. Only one farm has been consented and this has yet to be developed.

### **RMA Activity Statuses**

The following sets out the various types of activity set out in the RMA. In all cases from permitted through to discretionary there must be compliance with any requirements, conditions, and permissions, if any, specified in the RMA, national environmental standards or regulations.

Permitted - a resource consent is not required if the activity complies with conditions or standards in the plan.

Controlled – a resource consent is required and consent must be granted by the Council. Conditions can be imposed, but only for those things the Council has decided need to be controlled and which are set out in the plan. The activity must also comply with any standards in the plan.

Restricted Discretionary - a resource consent is required and the Council can decide to grant consent or not. However in reaching a decision the Council can only consider those matters that are specifically set out in the plan.

Discretionary - a resource consent is required and the Council can decide whether or not to grant consent and can impose conditions on the consent if granted. The Council can consider any matter it thinks relevant, which is different from a restricted discretionary activity.

Non-Complying - a resource consent is required and can be granted or refused. An applicant must show that the adverse effects of the activity on the environment will be minor or that the activity will not be contrary to the objectives of the relevant plan or proposed plan.

Prohibited – No resource consent application can be made.

In contrast the Marlborough Sounds Resource Management Plan has a much more detailed planning framework, given the extensive amount of marine farming that occurs and has occurred historically.

The coastal marine area of the Marlborough Sounds (the sea area) is divided into two coastal marine zones. (Map 1 shows the split for the two zones: purple is Coastal Marine Zone 1 and light blue is Coastal Marine Zone 2.)

Coastal Marine Zone 1 or CMZ 1 includes areas where no application can be made for marine farming i.e. marine farming is a prohibited activity. The prohibited areas include parts of the Marlborough Sounds where there may be significant landscape, natural character, recreational or amenity value. For example, substantial areas of Queen Charlotte Sound are prohibited given the extensive recreational and amenity values of this area.

Coastal Marine Zone 2 (CMZ 2) is where an application can be made and a range of statuses apply from controlled through to a non-complying status as follows:

- Marine farms that are either marine farm licences or coastal permits that were applied for prior to 1 August 1996 and meet the standards set out in the Plan are a controlled activity.
- A restricted discretionary status applies to farms that do not meet the controlled activity standards.
- Marine farms at new locations between 50 to 200 metres from mean low water mark are a discretionary activity.



- Marine farms within 50 metres of mean low water mark or extending beyond 200 metres from mean low water mark are a non-complying activity.

Policy guidance to determine whether new farms (or extensions to existing farms) are appropriate or not is found in chapters in the Plan on landscape, natural character, indigenous flora and fauna, public access, iwi values, water transportation, and coastal areas.

A new zone, Coastal Marine Zone 3, has recently been added to the Plan by the EPA as a consequence of its decisions on the New Zealand King Salmon Company Limited application to create specific salmon farming zones. This zone has been created at three specific sites in areas that were previously CMZ 1. Salmon farming within these zones is a discretionary activity.

#### 4. Overview of the proposed framework for the new regional policy statement and resource management plan

The Council is not intending to come up with a significantly different approach for the new regional policy statement and resource management plan given the extensive background to planning for marine farming in the Marlborough Sounds. The current policy and rules are therefore the starting point for the review and our main objective is to improve on what we have got where this is possible.

One of the important points to note is that in combining the two resource management plans into one, the marine farm provisions will need to cover all of Marlborough's coastal marine area, not just the Marlborough Sounds. This is not to say that the provisions cannot be different between the two coastal areas as the Council accepts that the values, uses and nature of the Marlborough Sounds are quite different to that of the south Marlborough coast, which is an open sea coast.

The framework that is set out here is still at a reasonably high level in terms of the approach. While policy has been drafted based on the following, the detail of the rules has not been worked through. There are legal implications for some aspects of the proposed framework but before too much more effort is put in, we want the community's views about the overall direction.



1. Acknowledging the significance of the marine farming industry to Marlborough.
2. One zone will be used for all of Marlborough's coastal marine area (Marlborough Sounds and south Marlborough coast).
3. Continued use of prohibited areas for marine farming is proposed. Maps will be used to identify the areas where marine farming will be prohibited. The starting point for the proposed prohibited areas is the area defined as Coastal Marine Zone 1 in the current Marlborough Sounds Resource Management Plan. These are areas that have important or significant values such as landscape, natural character, ecological, amenity or recreation values.
4. A controlled activity status will apply to existing marine farms within the Marlborough Sounds where these are not in areas that have been prohibited for marine farming. This means that when a new consent is sought to continue marine farming at the same site, consent must be granted by the Council. However, standards have to be met by the marine farmer and the Council can include conditions to manage effects.
5. Draft policy proposes Marlborough Sounds based marine farms to be located within a 100 metre to 300 metre ribbon from mean low water mark compared with a 50 metre to 200 metre ribbon at present. Where there is opportunity for a current consent holder to be able to extend out to 300 metres a preferential right to apply for this area is proposed for the current consent holder.
6. Any application for a marine farm in a new site that is not within an area identified as a prohibited area will be a discretionary activity. The policies against which a discretionary activity would be considered will include those on natural character, landscape, cultural values, public access, biodiversity, recreation, amenity, navigation use of natural resources and use and development within the coastal environment<sup>1</sup>. The Council can grant or refuse consent and if consent is granted then conditions can be imposed to deal with adverse effects. The same status will apply to the three marine farms consented to by the EPA for salmon farming, for extensions to existing marine farms and for existing marine farms that cannot meet the controlled activity standards.
7. Duration of coastal permits is proposed to be 20 years in recognition of the public resource that is being occupied.
8. Guidance and direction on managing the ongoing effects of the operation of existing marine farms will be included.
9. There are 22 existing marine farms currently located within the CMZ 1 prohibited area. A range of options are being explored as to the future of marine farming at these sites. These options include the possibility of shifting the farms to other locations, changing the prohibited area zoning to allow marine farming, keeping the prohibited area status and at the very least applying a discretionary activity status to the farms to enable a reassessment of whether the marine farm should remain or not, when the consent comes up for reconsideration.
10. Coastal occupation charges are proposed to be introduced through the resource management plan but not just for marine farming. Charges are proposed to be introduced for all coastal occupations. (Note that there is a separate report about the proposal to introduce coastal occupation charges. This is also available for feedback on the Council's website.)

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<sup>1</sup> Draft policy for these matters has been developed and can be viewed on the Council's website.

The remainder of this paper sets out a little more information on the overview. This information provides some reasoning behind the approach that has been proposed.

## 5. Detail on aspects of the proposed framework

### 5.1. Acknowledging the significance of the marine farming industry to Marlborough

It is important to acknowledge that primary industries in Marlborough have always relied on being able to use and develop natural resources in the surrounding environment. This includes marine farming, which relies on the availability of suitable coastal space and on high coastal water quality. The new regional policy statement and resource management plan will include some high level direction about the importance of primary production activities to Marlborough, including marine farming. Marine farming is not being singled out in terms of this acknowledgement – it extends to other primary producing activities as well as to activities such as water, air and land transportation, ports and marinas, to our towns and settlements and important infrastructure.

The New Zealand Coastal Policy Statement, which council's must give effect to through policies and plans also include some direction for aquaculture. Policy 8 requires councils to "*Recognise the significant existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities ...*".

What is important is ensuring that marine farming takes place in appropriate locations and is appropriately managed so that the industry continues to make a contribution to the Marlborough economy and the wellbeing of our communities.

### 5.2. Continued Use of Prohibited Areas

The Council proposes to continue using a prohibited area status for marine farming in certain locations. This approach has been used for many years within the Marlborough Sounds and the Council believes the continued use of this tool does help to provide certainty for the community about where marine farming should not go. The prohibited areas include, but are not limited to, locations such as:

- Queen Charlotte Sound, along the western side of Port Underwood and the southern side of



Queen Charlotte Sound

Kenepuru Sound. In these areas recreational and residential use and associated amenity values are significant;

- Tennyson Inlet, which has areas of outstanding landscape and very high/outstanding natural character;
- Havelock Estuary and Mahikipawa Arm where there are significant marine biodiversity values; and
- Tory Channel, Havelock Channel, Hikapu Reach and Tawhitinui Reach, which are very important navigational routes.

The Council became very aware through the New Zealand King Salmon Company Limited application to the EPA in which salmon farming was proposed for areas within the CMZ 1, that there was support for having the prohibited areas. This was also evident in the early consultation that was undertaken for the review. However, we want to make sure that there is still support for having prohibited areas.

The Marine Farming Association has indicated to the Council that there are some areas that could be added to CMZ 1. This is because marine farming activity has been refused consent previously in these areas or because there are particular values present, for example the presence of a main navigational route, which would effectively mean marine farming would be very unlikely to occur in these areas. The sites proposed by the Marine Farming Association are shown in Map 2.

### **5.3. Resource consent status of existing marine farms in areas not prohibited for marine farming**

Many of the existing marine farms in the Marlborough Sounds have a controlled activity status in terms of the current rule framework. This means that the Council has to grant consent but that standards have to be met and conditions can be imposed to manage effects.

Controlled activities normally have well known effects and are often described as being at the minor end of the spectrum of effects. However, in looking at the matters in the current Plan that the Council has to consider now for controlled activity marine farming, the list of matters are fairly limited. It is proposed through the review that a more descriptive list of matters will be included as well as some extra standards. These include making sure that the marine farm:

- is not located within an area prohibited for marine farming;
- is within the enclosed waters of the Marlborough Sounds;
- is located within 100 - 300 metres from mean low water mark;
- is accurately located in accordance with the conditions of the resource consent; and
- the species being farmed is not a fin-fish species.

It is important to realise that marine farm applications made under the Marine Farming Act 1971 were not required to include the range of assessments that are now part of RMA applications. This means that many marine farms have never been subject to a comprehensive assessment of the impacts of the farm on landscape, natural character or ecological values. The Council considers it appropriate therefore for any farm with a controlled activity status to be subject to an assessment of these types of values. While consent still has to be granted, there may be opportunities to reduce effects through conditions if this is considered necessary.

## 5.4. Shifting the Marlborough Sounds coastal ribbon for marine farming out to 100-300 metres

In the Marlborough Sounds marine farms were historically located between 50 to 200 metres from mean low water mark for navigational reasons. There was a general understanding that marine farms could be located within this coastal ribbon and any boat users needed to be aware of this. In recent years, consents have been granted for new farms, or extensions to farms, beyond the 200 metre line in some locations.



The proposed framework sees a seaward extension from the 200 metre limit out to 300 metres and a shift from 50 metres to 100 metres from mean low water. The reasons for this are that shifting the inner boundary from 50 metres to 100 metres will enable a wider buffer between marine farms and the shoreline to improve public access as well as helping to protect ecological values along the shoreline. Shifting the seaward boundary to 300 metres will enable some expansion of the marine farming industry or enable a marine farmer to space out lines (in the case of long line technology) to improve farm management. This approach does also assist in achieving Policy 8 of the New Zealand Coastal Policy Statement (NZCPS).

It is important to acknowledge that this policy may not be able to be implemented at every location where there is marine farming. Physically it may not be practical because of the width of a bay and there may also be particular values existing at a site which need protecting. These factors can be determined through the resource consent process.

If this aspect of the proposed framework is accepted the Council is exploring the option of providing for a preferential right to an existing marine farmer who proposes a seaward extension. The reason for this is to prevent another marine farmer securing the space, which would raise issues of fairness.



## 5.5. Duration of coastal permits and lapse periods

The RMA allows consents within the coastal marine area to be a maximum of 35 years. The RMA has a specific requirement when consenting marine farming that the duration of a coastal permit is to be not less than 20 years unless the applicant requests a shorter duration or there is a requirement for a shorter period to manage adverse effects. A 20 year period has historically been used for most coastal occupations in Marlborough as this has been considered by the Council to be an appropriate duration. (It is acknowledged that there are some coastal permits with longer durations).

The reason that shorter durations have been considered appropriate is because:

- The coastal marine area is public domain that is used or valued for a range of different reasons;
- There are growing pressures and increasing demand for coastal space;
- There are changing and challenging issues facing use of coastal resources;
- The coastal environment is of a dynamic nature, constantly changing; and
- Matters of national importance in the RMA<sup>2</sup> need to be recognised and provided for on an ongoing basis.

Limiting resource consents to 20 years enables the impacts of resource use on the values of the coastal environment to be reassessed. At times a shorter duration than this may also be appropriate where the adverse effects of a proposed activity (marine farming or other activities) are not well understood or are uncertain. It may not be appropriate to manage the adverse effects through consent conditions so where this is the case, a shorter duration consent may be necessary.

The RMA also sets 'lapse periods' for resource consents. This is the time period within which a consent needs to be implemented. Normally this is 5 years but the RMA specifies that in the case of marine farming the lapse period is to be no more than 3 years. This is to ensure that long lapse periods do not lock up coastal resources, preventing its possible use by others for that period.

## 5.6. Guidance and direction on managing the ongoing effects of the operation of existing and consented marine farms

Once marine farms have been set up, it is important that they are operated sustainably and kept in good order so that there are no adverse effects on other uses, users or values of the coastal environment. Because marine farms are located in the public domain and in areas where there can be commercial, recreational or residential navigation, it is important that the marine farm structures are marked, lit, and maintained in good condition. This means they remain visible and intact to ensure public safety is protected. There can also be amenity effects from marine farming activity, particularly from noise and lighting. To ensure these amenity and navigational issues are dealt with there will be ongoing obligations for marine farmers to meet through conditions of consent or through standards in the new resource management plan.

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<sup>2</sup> Section 6 of the RMA sets out matters the Council has to recognise and provide for as a matter of national importance in its regional policy statement and resource management plan. These include the natural character of the coastal environment, wetlands, lakes and rivers; outstanding natural features and landscapes; areas of significant indigenous vegetation and significant habitats of indigenous fauna; public access to and along the coastal marine area, rivers and lakes; the relationship of Maori with their ancestral land and sites; historic heritage; and protected customary rights.

There are some forms of marine farming, such as fin-fish farming, which involve the addition of feed to the water. Where this occurs it is important that the seabed and water column are not adversely affected. Therefore conditions of resource consent will set out environmental quality standards that have to be met and these will be reinforced through policies in the new regional policy statement.

Best practice guidelines are also being developed to assist in the management of salmon farming in the Marlborough Sounds.



## 5.7. Marine farms currently within the prohibited zone

There are 22 marine farms currently in CMZ 1. The coastal permits for these farms have expiry dates from later this year through until 2031. Fifteen of the farms have a common expiry date in 2024. The locations of the marine farms in CMZ 1 are shown in Map 3. These 22 marine farms were licenced under either the provisions of the Marine Farming Act 1971 or during the early stages of developing the Marlborough Sounds Resource Management Plan under the RMA. Most of the farms have a controlled activity status under the current Plan rules because they were applied for prior to 1 August 1996. This means that if a new consent was sought under the current Plan to continue occupying the same site for which the original consent was granted then a new consent would have to be granted. However, several of the farms have a discretionary activity status, enabling consent to be refused. These are the farms located within Pig Bay in Port Gore.

There are several options for the future of these marine farms. We can:

- Make them a prohibited activity so that when the consent expires no further application can be made at the site;
- Change the CMZ 1 to CMZ 2;
- Make all marine farms in CMZ 1 a discretionary activity to enable an assessment of the values associated with each site to be assessed at the time of re consenting;
- Shift the farms to a location within CMZ 2; or
- A combination of these approaches.

The Council considers that a combination of these approaches is likely. There could be several locations where a rezoning may be appropriate. This would need a reassessment of the values at the site such as for landscape, natural character, ecological, amenity, recreation etc to determine whether a rezoning could occur. At the very least the Council considers that the farms should have

the opportunity to be reassessed as a discretionary activity in light of the new policies being developed for the review to enable a comprehensive RMA assessment to take place.

## **5.8. Marine farms in new locations within CMZ 2**

It is proposed where a new marine farm is planned that this will be assessed as a discretionary activity. Extensions to existing marine farms will also be considered as a discretionary activity. The new policies drafted for the new regional policy statement will be used by decision makers to consider whether or not the site that has been proposed is appropriate for marine farming. The policies will include consideration of the benefits of marine farming, landscape, natural character, amenity values, recreation, navigation, ecological values, cultural values, public access etc. If a decision maker considers that consent can be granted after considering the provisions of the new regional policy statement/resource management plan, NZCPS and other relevant provisions then conditions may be imposed to deal with any adverse effects.

There has been a concern associated with past decision-making about the ineffectiveness of the policies in the current Plan to deal with applications for marine farms beyond 200 metres from mean low water mark. As explained earlier in the report, it is proposed to shift the coastal ribbon out to 300 metres (along with a seaward shift of the inner boundary from 50 metres to 100 metres). Specific policy will be included in the new regional policy statement to limit the seaward extent of marine farms in the Marlborough Sounds to the proposed 300 metres. It is acknowledged that there are already a number of marine farms extending out to and beyond the proposed 300 metre limit.

## **5.9. Coastal Occupation Charges**

The RMA provides for the Council to apply a coastal occupation charge to coastal permits for activities occupying space within the coastal marine area. A coastal occupation charge is able to be applied where there is greater private than public benefit arising from activities that occupy the coastal marine area. It is important to realise the charge is not able to be imposed to address the adverse effects of a particular activity and that the money collected has to be reinvested in the sustainable management of the coastal marine area.

Currently there is no charging regime in place although both the Marlborough Sounds and Wairau/Awatere resource management plans include a statement that the Council is committed to introducing a coastal occupancy charging regime. The reasons why charges have not been introduced to date are because initially marine farming was being managed under two separate pieces of legislation and not all of the Council's systems for recording coastal occupations, including those for moorings, jetties etc were complete. With all marine farms now under the Council's jurisdiction, data systems having been updated and the review of the resource management plans underway, it is an appropriate time to consider introducing a charging regime.

It is proposed that coastal occupation charges will be introduced for activities that occupy the coastal marine area, not just for marine farming. The Council intends to use a system akin to setting local authority rates rather than a resource rental. More details on the system and the amounts the Council proposes to use for charging are set out in a separate report available from the Council.

## **5.10. Implications of Areas Gazetted by Government for Treaty of Waitangi Settlement**

Although the Council does not have a direct role in dealing with settlements the Government reaches with individual iwi in Marlborough over Treaty of Waitangi claims, there are implications for the Council that arise out of these settlements. With specific reference to marine farming the Maori



Commercial Aquaculture Claims Settlement Act 2004 was to provide for full and final settlement of contemporary Maori claims to commercial aquaculture. The intent of this Act was to ensure Maori had access to space in the coastal marine area for aquaculture. An outcome from the legislation is that whenever new space is created for any marine farm the equivalent of 20% of that space is required to be found to fulfil iwi settlement.

Changes to the RMA in 2011 saw changes to the mechanisms for how settlement was to be reached. The Maori Commercial Aquaculture Claims Settlement Amendment Act 2011 enabled settlement to be delivered on a regional basis. Regional agreements will be negotiated between the Crown and regional iwi. Part of the changes saw areas able to be set aside by Government within the coastal marine area as Aquaculture Settlement Areas. This power was exercised in Marlborough in 2011 to create future settlement options and to mitigate the risk that private interests may gain first access to 'better' aquaculture space while regional agreements are negotiated.

More detail about the process of iwi settlement can be obtained from the Ministry of Fisheries Aquaculture Unit.

## 5.11. How to Provide your Views on the Proposed Framework for Marine Farming

We would like to hear from you about what your views are on the proposed framework for marine farming for Marlborough's coastal waters. A form for you to write down your comments is enclosed or can be downloaded from the Council's website [www.marlborough.govt.nz/Your-Council/RMA/Review-of-Resource-Management-Documents](http://www.marlborough.govt.nz/Your-Council/RMA/Review-of-Resource-Management-Documents). Response forms can be posted to the:

Attention Pere Hawes  
Marlborough District Council  
PO Box 443  
Blenheim 7240

If you prefer, you can email your comments to us on [rpsreview@marlborough.govt.nz](mailto:rpsreview@marlborough.govt.nz). **Please make sure that your comments reach the Council by 22 August 2014.**

If you don't want to make any comments at this time but would like to be kept updated about how the review is progressing, you can send us your address details by email at [rpsreview@marlborough.govt.nz](mailto:rpsreview@marlborough.govt.nz) or by contacting the Council on (03) 520 7400. If you would like to talk with someone about the proposed marine farming provisions please contact Pere Hawes or Linda Craighead at the Council on (03) 520 7400. Alternatively, you can email us on:

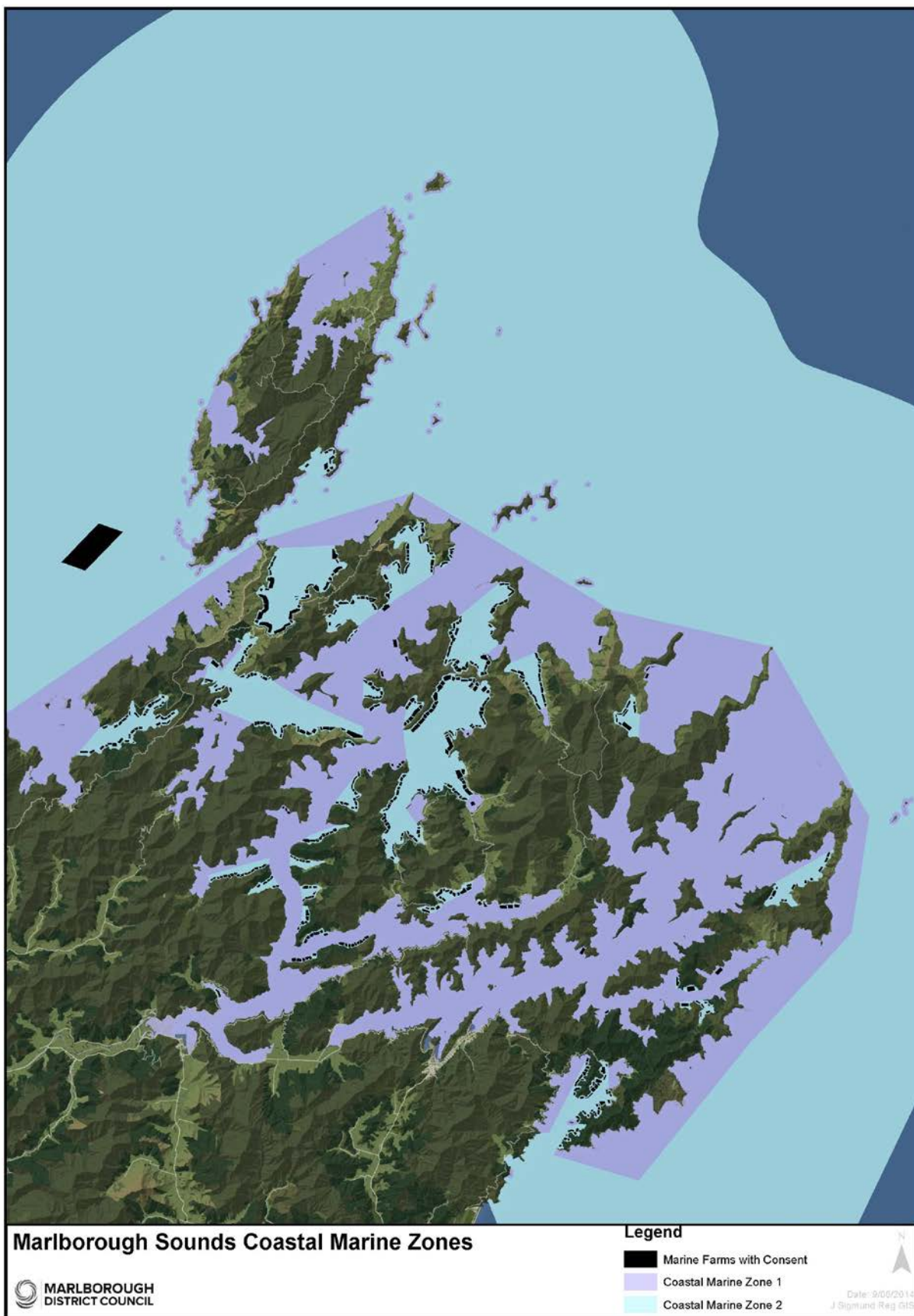
Pere Hawes [pere.hawes@marlborough.govt.nz](mailto:pere.hawes@marlborough.govt.nz)

Linda Craighead [linda.craighead@marlborough.govt.nz](mailto:linda.craighead@marlborough.govt.nz)

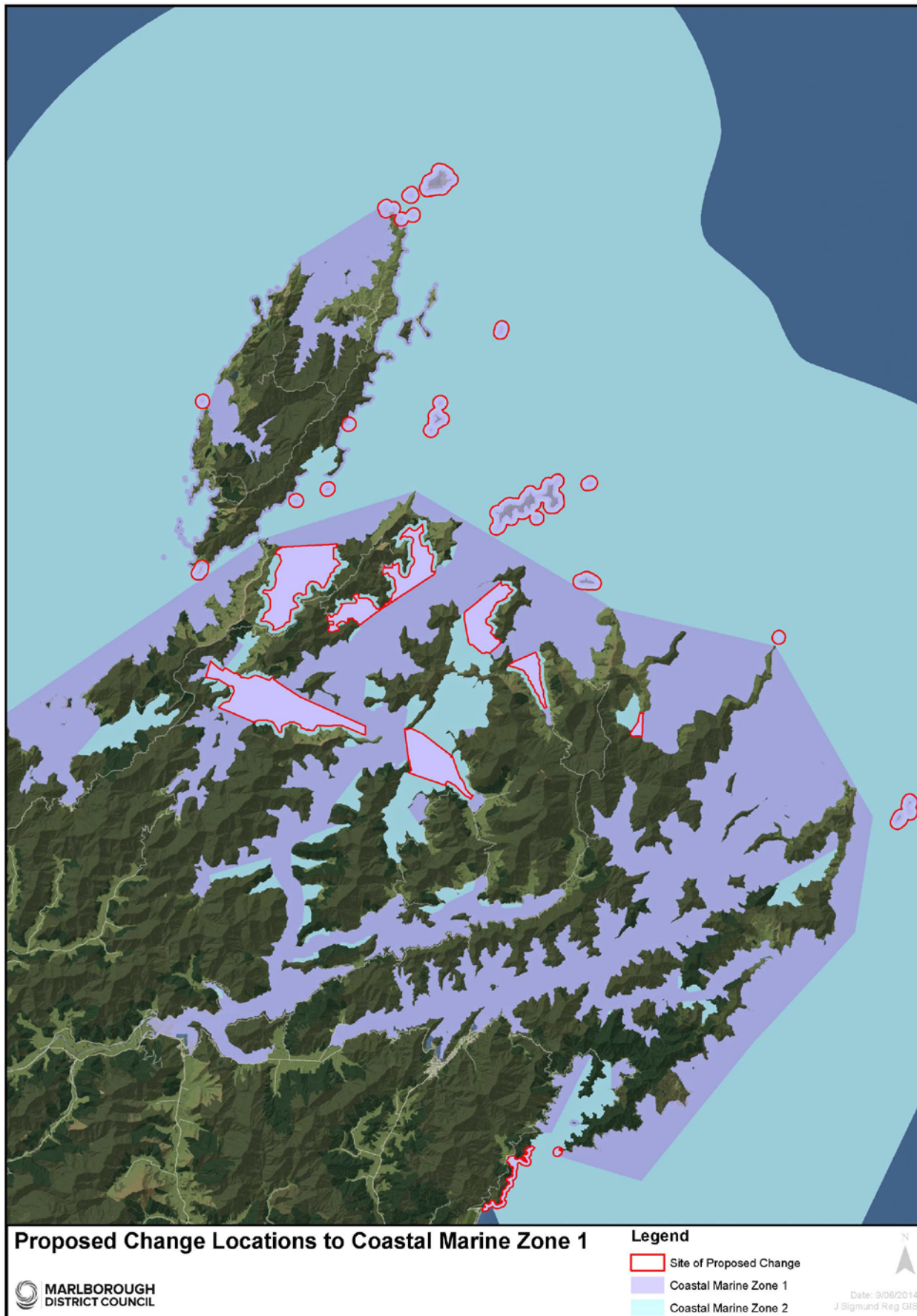
You can view a copy of the current Marlborough Regional Policy Statement, the Marlborough Sounds Resource Management Plan and the Wairau/Awatere Resource Management Plan on the Council's website at [www.marlborough.govt.nz/Your-Council/RMA](http://www.marlborough.govt.nz/Your-Council/RMA) where there is also more information about the review.

If you would like to be notified when the reviewed Marlborough Regional Policy Statement and resource management plan is available for public submission please email us on [rps@marlborough.govt.nz](mailto:rps@marlborough.govt.nz). If you no longer wish to receive updates on progress you can also email us on this address.

Map 1: Marlborough Sounds Coastal Marine Zones

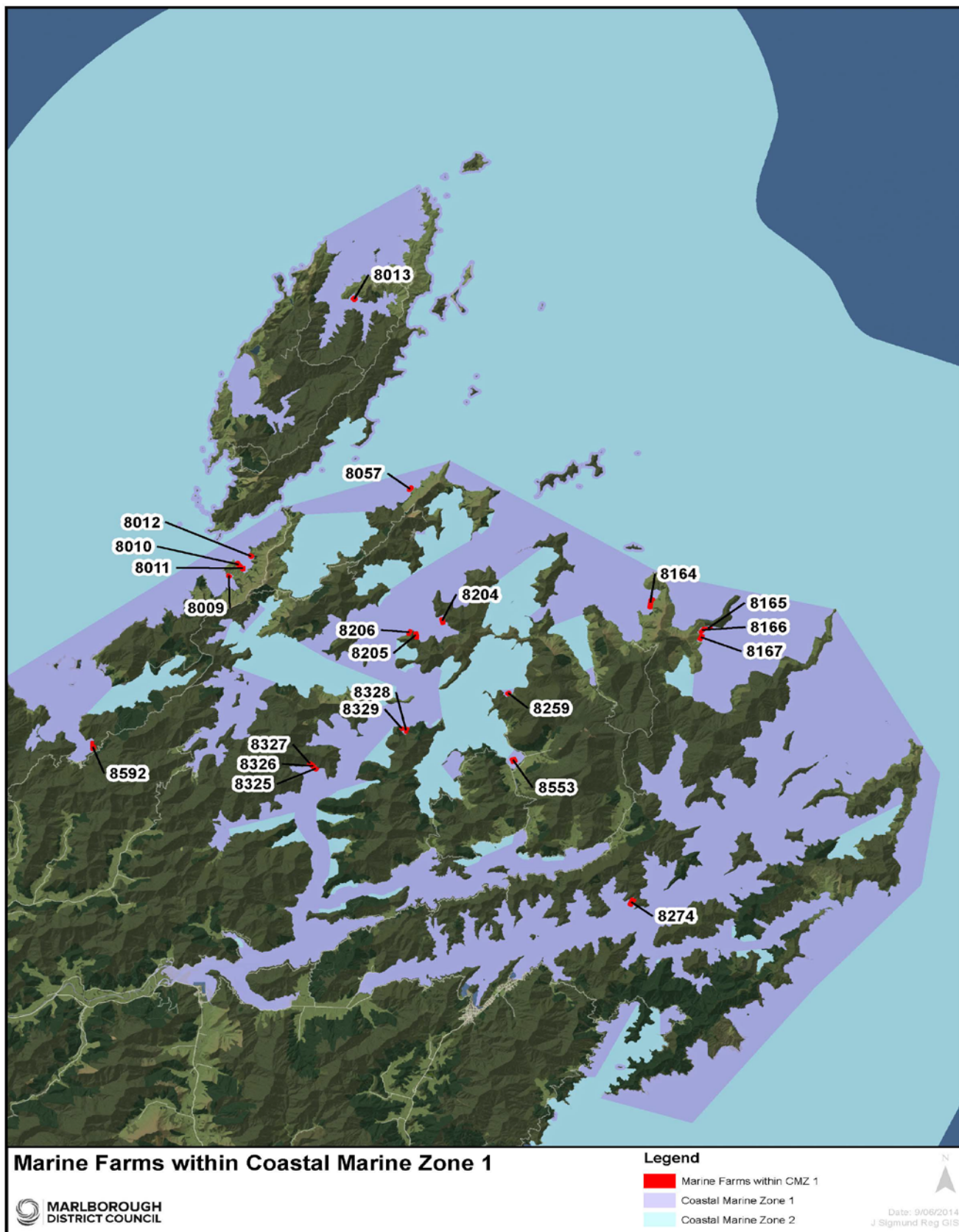


Map 2: Areas proposed to be rezoned to Coastal Marine Zone 1





Map 3: Location of marine farms in Coastal Marine Zone 1



Record: 14151780