

## Rentals and Licence Fees

A market rental is charged for the private use of public land. The rental fee is based on the floor area of actual encroachment, and the location, as set by the department in accordance with approved valuation practice.

When an adjoining property changes hands, the licence must be transferred to the new owner through the department's Nelson/Marlborough Conservancy Office. The department charges cost recovery fees for processing these applications.

## MDC or DOC?

Because of the complex land tenure situation in the Marlborough Sounds, when any coastal or foreshore development is planned the first step is to find out who owns or manages the land.

If you have plans to build a jetty, boatshed or any other structure below the mean high tide mark, you will need to contact the Marlborough District Council, which has jurisdiction over the tidal zone.

Some parts of the coastline above mean high tide are not SFR but esplanade reserve or legal road, administered by the council, or are privately-owned where riparian title exists. Applications for development must be made to the council in the first instance to determine building permit and Resource Management Act requirements.

**This brochure summarises a complex legal situation and should be treated as a guide only. Sounds Foreshore Reserve licence-holders wanting full details of their rights and responsibilities should refer to their licence or permit.**

**If you are contemplating buying property in the Marlborough Sounds, ensure that your lawyer explains the nature and scope of the licence or permit to you.**

**The legislation that covers the Sounds Foreshore Reserve is contained in the Reserves and Other Lands Disposal Act 1982 and the Reserves Act 1977.**

## A MESSAGE TO THE PUBLIC

The Sounds Foreshore Reserve provides some great opportunities for fishing, walking, picnicking and camping. However the department asks the public to respect the rights of landowners and not to camp in front of occupied dwellings. Anyone planning a trip into the Sounds on foot, by boat or kayak is encouraged to pick up a free brochure on camping sites and facilities from local DOC offices.

As the reserve is a confined space, no hunting permits are issued.

Because of the high natural values of the Sounds and the difficulty of fighting fires in remote areas, a restricted season for fires is in place all year. This means a fire permit is required before lighting an open fire, obtainable either through the Sounds Area Office or your local fire warden.

## MAKING CONTACT

If you require any further information please contact the department's Nelson/Marlborough Conservancy Office. For day-to-day management information please contact the Sounds Area Office.

Nelson/Marlborough Conservancy  
186 Bridge St  
Private Bag 5  
Nelson.

Ph: 03-546 9335.  
Fax: 03-548 2805.

Sounds Area Office  
Auckland st  
PO Box 161  
Picton.

Ph: 03-520 3002.  
Fax: 03-520 3003.

## Remember - we're here to help!

It is great to see many landowners undertaking pest and weed control, and planting with native species. We are more than happy to provide advice whenever possible. Information sheets on pest and weed control are available free at local DOC offices, and the Sounds Area Office will also provide advice on any revegetation proposals.

# Marlborough Sounds Foreshore Reserve

## A guide for the public and landowners



PRINTHOUSE 34427



Department of Conservation  
*Te Papa Atawhai*



# The Sounds Foreshore Reserve

*When European settlers came to New Zealand, one of the freedoms they sought in their new homeland was public access to waterways. Today, most of New Zealand's coastline and rivers have some sort of provision for public access.*

*In the Marlborough Sounds, a strip averaging 20 metres above the mean high tide mark and covering 900km of the total 1200km coastline has been made a local purposes reserve. Known as the Sounds Foreshore Reserve, it is owned by the people of New Zealand, and since 1987 has been managed on their behalf by the Department of Conservation.*

## PUBLIC ACCESS

The main purpose of the Sounds Foreshore Reserve (SFR) is to provide public access to the foreshore.

- For the general public this means the right to come ashore from the sea and to traverse the reserve for any lawful reason.
- For residents and bach owners with adjoining land, this may mean permission to construct and maintain access-related structures and tracks on the reserve.

The SFR legislation also provides a framework for:

- Controlling any new buildings and access-related matters.
- Dealing with 'historic' situations where houses and other structures were built on the foreshore before it was given reserve status.
- Protecting the scenic, historic and natural features of the foreshore.

## WHAT THIS MEANS FOR LAND-OWNERS

### Structures

Applications to construct new structures on the SFR, such as boatsheds, tracks, retaining walls and winch trolleys, have to meet the following criteria:

- The need for the structure must be access-related.
- It must not be possible for the structure to be built on the applicant's property.
- Buildings must not be used for accommodation or for commercial use.

Public access to the foreshore must not be restricted.

If you want to build any structure on the SFR you need to apply to the department's Sounds Area Office to ensure the application complies with the SFR legislation. The application must also meet safety standards set by the department. You must also check with the Marlborough District Council for any building permit or Resource Management Act requirements.



### Living Accommodation

The department's policy on accommodation is to:

- Manage the existing licences for dwellings.
- Prohibit the construction of further living accommodation.
- Prohibit the extension of any living accommodation.
- Require owners to consult the department before undertaking renovations or alterations.

- Require licensees to remove any structure declared uninhabitable during the term of a licence.
- Require buildings on the reserve to be removed when alternative accommodation has been established on neighbouring freehold land.
- Prohibit the commercial use of buildings.

### Conservation Values

The department has a responsibility to maintain the scenic, historic and natural features of the SFR.

- Low-profile building designs and natural colours are encouraged.
- Approval is required for developments, such as lawns and tracks, which will affect vegetation on the SFR.
- Archaeological sites are often found on the SFR. Any proposal to disturb these sites requires approvals from the department, New Zealand Historic Places Trust and, in the case of a Maori site, from the appropriate iwi.

### Farming and Forestry

Public access provisions still apply on SFR around the edge of farmed land, although it may appear part of the farm. There are special provisions for existing farm buildings that allow for a 33-year licence and a nominal rental. Temporary storage of marine farming gear on the foreshore may be permitted as long as vegetation is not damaged, public access is maintained and the site is kept tidy. In plantation forestry areas, the department must be consulted on matters such as barging sites and access across the reserve prior to forest harvest.

### Establishing the Boundary

Although a distance of 20 metres above the mean high water mark may be used as a rough guide to determine the extent of the SFR, it is the landowner's responsibility to determine their actual property boundary. To be certain of the boundary, either a survey is required or the original survey pegs must be located. Any adapted survey information is included in the SFR licence. Note that the boundary of the reserve is not affected by erosion or accretion of the shoreline.