

## 7.1 ISSUES

- **Preservation of the natural character of water margins; and**
- **Provision for public access to and along water margins.**

The natural character of areas adjacent to bodies of water including landscape, landform and geological features is important within Carterton District. The Ruamahanga, Waingawa and Waiohine Rivers and the coast are listed as significant in the Wellington Regional Policy Statement and Proposed Freshwater Plan and in the Department of Conservation's list of Significant Natural Areas in Carterton District. Carterton District Council also recognises these rivers as regionally significant in terms of natural character, recreation and consequently public access needs (refer Appendix 7A).

The Plan has targeted water margins identified as significant in Chapter 7 as important for the setting aside of esplanade land. Acquiring esplanade reserves has a cost associated with it so the Council believes it is appropriate to develop a strategy whereby priority areas are established. In addition the needs of land owners should be taken into account. Mechanisms are available through the RMA to provide esplanade land while still ensuring certain activities required to be undertaken by land owners can continue, e.g. during lambing.

The Natural Environment Section of the Plan deals with development within 60 metres of MHWS (Coastal Management Area). The water margins section establishes the objectives and policies for public access to and along the significant waterways of the District although it also achieves a number of other outcomes including:

- preservation of the quality of water;
- protection of the landscape/scenic values of the areas;
- acts as a buffer to help reduce the effects of natural hazards; and
- protection of the ecological values of the areas.

In setting aside esplanade land it is necessary to ensure that improved access does not compromise natural character. The Council needs to ensure that the acquisition and width of esplanade reserves and esplanade strips is compatible with the recreational use, public access and conservation values sought.

The only existing area of public access along the coast is the Honeycomb

Walkway. Access to the significant rivers is from the Cliffs for the Ruamahanga River, River Road Matarawa for the Waiohine River, and Hughes Line for Waingawa River.

Section 6 of the Resource Management Act 1991 requires Council to recognise and provide for:

*"(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.*

*(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers."*

It is also acknowledged that setting aside esplanade land is not the sole means of ensuring the outcomes outlined above can be achieved. In addition the following mechanisms are included in the Plan:

- monitor the effectiveness of controls and the effects of activities;
- voluntary means of protection;
- riparian protection in conjunction with the Wellington Regional Council; and
- directly control those activities which affect the values of bodies of surface water.

## 7.2 OBJECTIVE

**7.2.1 The natural character of significant water margins is preserved.**

**7.2.2 Maintain and enhance public access to and along significant water margins.**

## 7.3 POLICIES

**7.3.1 Prioritise and protect those water margins which are significant in terms of recreational, public access, landscape and ecological values.**

*Explanation:*

*The Council acknowledges the need to protect water margins through the taking of esplanade land but in order to effectively achieve protection certain bodies of surface water will be given priority. Council will: monitor the need for change to the water margins included as significant within the Plan; review priority bodies of surface water to assess the need for additional areas to be added; and the effectiveness in terms of achieving the anticipated environmental results.*

**7.3.2 Promote access to and the protection of water margins through the provision of esplanade reserves, esplanade strips, access strips and voluntary mechanisms.**

*Explanation:*

*A number of mechanisms both voluntary and regulatory will be used to achieve protection and provide access. The definitions of esplanade reserves, esplanade strips and access strips are included in Chapter 17 - Definitions.*

**7.3.3 In establishing esplanade land acknowledge the rights of private land owners.**

*Explanation:*

*Where land is set aside for public access recognition in drafting the instrument will be given to the needs of individual land holders. For example, recognition needs to be given to situations where a land owner needs to use the area for specified activities and public access may need to be restricted (for example, during lambing and periods of grass staggers).*

**7.4 METHODS**

**7.4.1 District Plan**

- (a) Identify those water margins which are significant within the District.
- (b) Require esplanade land at the time of subdivision.



- (c) Provide for variation in tenure arrangements and assess the need to retain the whole or part of the area during a subdivision consent process.
- (d) The Coastal Management Area policies and rules (contained within the Natural Environment Section) will be used to control development within 60 metres of Mean High Water Spring (MHWS).
- (e) Requirements for vesting of esplanade land are included as part of the financial contribution section.

**Reasons**

Priority will be given to establishing esplanade land along the significant water margins within the District. In these areas subdivision consents will be assessed against criteria relating to public access and coastal management.

An assessment of the effects of land use activities on the coast needs to be made to establish a mechanism to off-set the adverse effects of development.

**7.4.2 Annual Plan**

- (a) Council will consider through the annual plan process the funding implications of acquisition and/or compensation for esplanade reserves and esplanade strips.

**Reasons**

The cost of acquiring and compensating for esplanade land is best dealt with publicly through the annual plan process. This enables the public to comment on the cost to the community in acquiring these areas.

**7.4.3 Other Mechanisms**

- (a) Negotiate with landowners to achieve voluntary mechanisms of protection (for example, covenants, access strips).
- (b) Negotiate as appropriate for the public acquisition of land adjacent to bodies of surface water in forums outside of the subdivision process.

- (c) Education to show the importance of managing the adverse effects of land use on riparian margins.
- (d) Ongoing monitoring to assess the need to add or alter esplanade land areas including deciding on strategic criteria for determining which areas may be added.
- (e) Liaison with the Wellington Regional Council in order to achieve effective protection of water margins.

**Reasons**

The use of voluntary mechanisms is important in achieving protection as the land owner is involved in the process and as a result will be in agreement with the intent of protection. In addition education can effectively reduce the adverse effects of activities on bodies of surface water.

Over time the areas acquired and the need for additional areas will need to be re-assessed. This will be achieved as part of the on-going monitoring of the effectiveness of the plan.

The Wellington Regional Council deals with vegetation clearance, soil disturbance and discharges to land and water. In order to achieve integrated management of the protection of water margins liaison with the Wellington Regional Council is seen as essential.

**7.5 ANTICIPATED ENVIRONMENTAL RESULTS**

The implementation of the policies and methods is expected to result in the following outcomes:

- (a) Increase the opportunities for access by the public to significant water margins.
- (b) The reduction in the effects of natural hazards through the use of esplanade land as buffers.
- (c) Protection of the natural character of significant water areas.

## 7.6 DISTRICT RULES

### 7.6.1 DISCRETIONARY ACTIVITIES

- (a) Any subdivision of land where the land is within 20 metres of the following water margins is a discretionary activity.
- Ruamahanga River
  - Waingawa River
  - Waiohine River.
- (b) Any subdivision of land where the land is within 60 metres of MHWS is a discretionary activity.

### 7.6.2 Council may have regard to the following matters:

- (a) For allotments created on subdivision of less than 4 hectares in area, an esplanade reserve will generally be required at a width of 20 metres. An esplanade strip, generally at a width of 20 metres, may be required instead of an esplanade reserve if the natural character of an area does not warrant reserve status but public access is still important.
- (b) For allotments created on subdivision of more than 4 hectares in area, an esplanade reserve or strip may be required.
- (c) **The Bed of a River or Lake**  
Whether the requirements to vest the bed of a river or lake in Council (Section 237A of the Resource management Act 1991) can be waived.

These matters will be assessed against the following;

- (i) The need to retain all or part of the water margin in Council ownership and any implications of providing for the land owner to retain ownership. (This may be appropriate where the land owner requires access as part of their operations provided the provisions of section 229

of the Resource Management Act can be met.)

- (ii) Whether the mark of MHWS and the line of the river is subject to change (an esplanade strip may be more appropriate in these situations).
- (iii) Whether the requirement for a 20-metre wide esplanade reserve is necessary in the circumstances, the following will be assessed in order to determine this:
  - whether public access will be restricted now and in the future; and
  - the importance of the water margin for maintaining and enhancing ecological, conservation and landscape values of the water and adjacent land; and
  - the need to mitigate natural hazards.
- (iv) Whether the requirements to vest the bed of a river or lake in Council (Section 237A of the Resource Management Act 1991) can be waived where there are particular circumstances which mean public access, recreation or conservation values will not be adversely affected.

*Explanation:*

*Water margins are an important means of achieving access to the coast and significant bodies of surface water. In addition they help establish a buffer to avoid the potential adverse effects of land based activities on the bodies of surface water. In order to assess these matters it is considered appropriate to deal with them as part of a resource consent application.*

*The Act sets up the presumption that where an allotment of 4 hectares or less is created upon subdivision an esplanade reserve will be taken. For allotments over 4 hectares the Act allows for a rule that esplanade reserves or strips may be required.*

**Refer to the relevant zone provisions for all other matters which will be considered for a subdivision application as a discretionary activity.**

Appendix 7A. Rationale for Significant Bodies of Surface Water

	Ruamahanga	Waiohine	Waingawa
<b>WRC- Regional Policy Statement - Water bodies of Regional Significance</b>			
- natural features -indigenous vegetation - habitats of indigenous aquatic fauna		Gorge & above	
-landscape & scenic qualities	Gorge & above	Gorge & above	
-landform and geological characteristics			
- heritage, recreational, other amenity	mid-river (recreation, angling)		
<b>WRC - PROPOSED Fresh Water Plan</b>			
-Rivers & Margins with high degree of natural character		above the cable way (forest Park)	
- nationally threatened indigenous fish & aquatic plants			upstream of confluence with Ruamahanga
-water quality managed for fish and fish spawning		middle & upper (above confluence with Ruamahanga)	above confluence with Ruamahanga
-regionally significant amenity & recreation values (contact recreation purposes)	Carterton section canoe, kayak, angling	gorge for raft. tube, kayak, angling  gorge to Ruamahanga raft, kayak, canoe, angling	above road end rafting & tubing  road end to Ruamahanga kayak, raft, angling
-water supply			above confluence with Ruamahanga
-water quality needs enhancement	Carterton section (recreation)	from gorge to confluence with Ruamahanga (recreation)	
<b>DOC : SIGNIFICANT NATURAL AREAS (NB Does not include sites of landscape, vegetative or geological value )</b>			
Fish Species : Australis Lamprey	SF81-Doc ref 622	SF95 – DoC ref 621	
Fish Species : Brown mudfish			SF85 – DoC ref 623

Note: The rivers identified above are limited to the main rivers and do not include any tributary.