

ISSUES

Water, and access to it, is vital. Waters and their adjacent riparian margins function together to provide for biodiversity, water quality and ecosystem health and resilience. Waterbody margin areas (that are not in conservation estate) are under pressure from development and a range of activities that can degrade natural character. Natural character includes natural landforms, features, patterns and processes, indigenous plants and animals, water quality, and natural sounds. Monitoring shows a decline in the naturalness of rivers in Tasman.

Public access to waterbodies is important for recreation, cultural and spiritual values, food gathering and other uses of water. Access is often dependent on public land ownership or specific access arrangements, and may not provide sufficient access to all desired areas.

The current mechanisms in the TRMP are relatively slow, and largely reliant on acquisition of land through esplanade reserves and strips upon subdivision. Positive achievements for both natural character and access have largely been through mechanisms outside of the TRMP, relying on landowner and community efforts.

The policy and rule framework is inconsistent in its protection of natural character, and does not adequately promote or enable restoration and enhancement of natural character and public access. There is not a clear priority for preservation of natural character signalled in the policies or implemented through rules.

Historic degradation of natural character, including native riparian vegetation removal, channel armouring and straightening and structures in or activities located too close to waterbodies, represents a significant challenge to achieving healthy mauri of water, which is fundamental to fulfilling the concept of Te Mana O Te Wai (the first obligation is to water, then essential human health needs, then other consumptive uses) and providing for ecosystem health, cultural and spiritual values, and all other values and uses of water.

MANDATORY STATUTORY REQUIREMENTS

The Council must recognise and provide for the preservation of natural character of waterbodies and their margins, and the maintenance and enhancement of public access to the coastal marine area, lakes and rivers as matters of national importance under RMA Section 6(a) and 6(d).

Council must implement the New Zealand Coastal Policy Statement (NZCPS), which requires the preservation and restoration of the natural character of the coastal environment (including coastal margins) and provision for public access along the coast.

Council must implement the National Policy Statement for Freshwater Management (NPS-FM) including any amendments, and must ensure the Tasman Environment Plan (TEP) gives effect to Te Mana O Te Wai by placing the needs of water and ecosystem health as a first priority when managing freshwater bodies and their margins.

RECOMMENDATIONS

1. Provide greater direction on the intent of the framework, including prioritisation signalled in policies for the preservation of natural character, with clear direction on appropriate and inappropriate activities in margin areas, and the promotion of enhancement of both natural character and public access.
2. Implement relevant national instruments, including the NZCPS and NPS-FM, ensuring the TEP embeds Te Mana O Te Wai.
3. Better reflect the expectations and aspirations of iwi, including protection of, and access to, sites of importance to iwi, such as culturally significant areas and valued mahinga kai (food gathering sites).
4. Improve the integrated management of waterbodies, including integration with regional freshwater and coastal chapters and holistic consideration of margin areas and their connected waters, incorporating ki uta ki tai, and having regard to climate change.
5. Clarify and strengthen implementation through rules, including consistent use of setbacks and regional land use rules to protect natural character and public access for all waterbody types in all zones.
6. Strengthen the rules to require or incentivise restoration and enhancement of waterbody margins.
7. Complete wetland mapping and review provisions and rules to promote and enable wetland protection, restoration and creation.
8. Clarify and strengthen implementation through non-regulatory methods, including ongoing funding and monitoring, to help achieve the outcomes sought, including waterbody enhancement and restoration.

