

Subject **FW: Email to parties**
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Date 2019-05-31 12:30



Tasman District Council is seeking feedback on the draft Moorings and Coastal Structures Plan Change and Moorings Bylaw.

We are sending you this email because you have either been involved previously or requested involvement, or we think you could be affected by the changes. The proposed changes are discussed below and there is also a link to Council's website and a feedback form should you wish to provide feedback. **Feedback closes on the 12 July 2019.**

Why are we doing a review?

Moorings play an important role in the enjoyment of our coastline and there are many in Tasman waters. As a nation of boaties, our moorings have a rich history. They are valued as permanent, semi-permanent or temporary safe anchor points.

However, as they have proliferated, the importance of the rules governing them has also grown. Moorings have an impact on the environment and, if not well placed, can be a hazard to neighbouring boats and users. A poorly-placed or moving mooring "block" could allow boats to collide, impact on other moorings or break infrastructure on the seabed.

Currently only a third of moorings in Tasman District have a resource consent. The rest were generally put in before 1990 without their environmental or neighbourly impact being considered. Without a consent, there is no accountability for maintenance and appropriate material and location.

During the process of working through management options for moorings, additional matters regarding how other coastal structures are managed was identified and the opportunity was taken to address these issues as part of the review. We are now seeking feedback on the draft changes. After consideration of the feedback we will amend the Draft Plan Change and Bylaw and formally notify them for submissions.

1. The Plan Change

The following is proposed:

Proposed mooring areas

There are 11 new mooring areas proposed for the district and as long as a person has a Moorings Licence (issued by the Harbourmaster) they can moor their boat in the Mooring Area as a permitted activity. The following locations are proposed for mooring areas: Mapua, Motueka, Tapu Bay, Stephens Bay, Kaiteriteri, Otuwhero Inlet (Marahau), Torrent Bay, Boundary Bay, Milnthorpe and Mangarakau Wharf. (The maps can be viewed on the website.)

More types of moorings, better use of space

It is proposed to change the rules to allow for different types of mooring to be used outside of the Mooring Areas as a 'discretionary activity'. The current rules make it harder to apply for mooring types other than swing moorings, which are not always the best option.

There are also new policies proposed which encourage the efficient use of space for moorings - including the use of public moorings, efficient mooring systems and the removal of unwanted moorings. These policies are in addition to the existing policies guiding where moorings might be located.

Easy removal of abandoned and unwanted structures

Currently there are no rules regarding the removal of coastal structures that are no longer wanted or needed, including illegal structures. The coast is littered with such structures and it does not make sense to require a resource consent to remove the structure when the environmental effects are often minimal and the outcome usually beneficial. New rules are proposed to make it a permitted activity for the owners, Crown or the Council to remove coastal structures if certain conditions are met.

Removal of unwanted or unneeded structures

There are new policies encouraging the removal of structures when no longer wanted or needed. These policies support the new rules enabling the removal of such structures

Increased setbacks from existing seabed utilities

The seabed is home to many pipes and cables, which provide electricity and water to communities and carry away wastewater and sewage. If newer structures are located too close to these utilities there is a chance the structure will accidentally cause damage either by being in the wrong place or by shifting in storm events e.g. anchor blocks. It is proposed that all new structures including moorings in Mooring Areas need to be set back from utilities and if close, then greater care is needed to get the location right.

Establishment of public moorings

There is strong direction to reduce the amount of public space taken up with structures and to get the best value out of the space that is used. For this reason, new policies and the draft Bylaw encourage the establishment of public moorings that everyone can use.

Consent-free maintenance of wharfs and other structures

Currently it is assumed that if you build a coastal structure like a boathouse or wharf that you should be able to maintain and repair it as part of the resource consent. However, this assumption may not be correct and it becomes problematic when the structure grows or is significantly changed from what was originally applied for. New rules are proposed to make it clear that structures can be maintained and repaired, but there are limits on what can be done before a new resource consent is required.

Contact details required for owners of permitted structures

When the rules were first written, a number of long-time coastal structures were made permitted activities with no resource consent needed. Over time, the Council has become uncertain who owns those structures or may never have known who owned it. The Council is required by Government to keep a record of ownership for every structure in the coastal area and the Council regularly gets asked who is the legal owner when these structures come up for sale. To meet the requirements of Government and to provide greater certainty to owners and the community, the existing rules are proposed to be changed to require owners of permitted activity structures to provide Council with their name and contact details.

Structures required to be kept free of marine pests

It is very easy for unwanted maritime pests to get transported here from other places and then spread throughout the district. If some marine pests were to take hold here, they would cause a huge amount of environmental and economic harm. A new condition is being added to the coastal structures rules to require structure owners to keep their structures free of pests.

Additional public structures on the list of structures not needing consent

The plan includes a list of structures which have been around for a long time and are thought to have a low impact on the environment. These structures are listed as permitted activities. This means they can remain there so long as they are needed, without a resource consent. A number of existing structures within the Abel Tasman National Park are

proposed to be added to the list. All of the structures proposed to be added help provide public access or use of the park.

2. The Draft Moorings Bylaw

As part of the proposed changes, a new bylaw has been drafted. The Bylaw contains details about how moorings in the Mooring Areas will be allocated and managed through a Mooring Licence.

The following is proposed:

Who can apply for a Mooring Licence?

Anyone, however there are some limitations:

- In areas of high demand, limitations are proposed regarding who can apply and/or for what they may be used for.
 - **Glasgow/Torrent and Boundary Bay Mooring Areas**
Only landowners in the area may apply for a Mooring Licence. This is a current rule that has been copied over to the new draft Bylaw.
 - **Kaiteriteri Mooring Area 1**
Over time this area will transition to a public mooring area and only those providing public moorings will be able to apply for a licence.
 - **Kaiteriteri Mooring Area 2**
Only commercial boat operators with a need to be in Kaiteriteri and other lawful mooring owners within the area can apply.
- No applications will be accepted for space already taken up by a legal mooring. The existing mooring owner is to be given preference to that space at time of renewal. It is also proposed to operate a waitlist for those who miss out and there is no other spaces available.
- Not everything applied for can be granted a Moorings Licence, particularly if the area requested is too large or there are too many applications.
- The call for applications for each Mooring Area will be staggered to help manage the workload. The call for applications will be through a public notice placed in the newspaper.

Mooring Licence conditions

Most conditions will be around the type of boat, location, maintenance and duration of the licence.

Management and maintenance of moorings

The current way of managing moorings is expensive and not working well. Currently when a person applies for a particular location they are either granted a resource consent or declined. Over time, mooring owners may change boats, needing more or less room. The process of applying for a mooring or changing the details can be expensive and off putting. This leads to inefficiently used space. The proposed changes are intended to make the management of moorings cheaper, more efficient and flexible through the use of an easy to change and frequently reviewed Mooring Licence. In addition, mooring owners are a community and often have ideas about how they would like their mooring area managed or may have ideas about doing something slightly different. The draft Bylaw supports such discussions taking place with the harbourmaster.

Mooring Licences can be transferred, reviewed and cancelled. This is to prevent people being left with Mooring Licences they don't need, want or can't use.

Where to from here?

You can read more about the proposed changes on Council's website [here](#).

We would love to receive your feedback on the proposed changes. You can either do that by filling out the [online submission](#) or **feedback form** under 'How to have your say' and returning it to Council.

If you have any queries, please do not hesitate to contact Tania Bray (Tania.bray@tasman.govt.nz or on 03 5438400).

Regards

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