

Summary of Decisions requested by Submitters to Plan Changes 1 and 2, Regional Coastal Environmental Plan

Submission Number	Submission Point	Plan Change	Submitters Address	Decision Requested
1	1.1	PC2	George C Spencer 6 Parkdale Close Ashburton 7700	Reword the proposed new provision to Rule 8.23 2(b) as follows: <i>"<u>The occupation of the Coastal Marine Area by a Lawfully Established Structure comprising a boatshed and its associated launching ramp or rails within a Boatshed Area that is permitted by this rule explicitly includes the boatshed owner to exclude other persons from the said structure.</u>"</i>
2	2.1	PC1	Guy Carnaby 1 Rifleman Lane Balmoral Hill Christchurch 8081	Support the change to Rule 8.1(r).
	2.2	PC1	Guy Carnaby	Support the change to Rule 8.23(e).
	2.3	PC2	Guy Carnaby	Support the change to Rule 8.23(f)1.
	2.4	PC2	Guy Carnaby	Support the change to Rule 8.23(f)3.
	2.5	PC2	Guy Carnaby	Include a definition of "abandoned" so that moorings only used occasionally or in summer are excluded <u>or</u> reword Rule 8.23(f) 2 to reflect this.
3	3.1	PC1	Daniel Petrache 8 Ross Terrace Lyttelton	Amend proposed Note 4 under Rule 8.23 (PC1(f)) to reference a specific version of the Navigation Safety Bylaws, referred to by date, rather than referring to " <i>the current Navigation Safety Bylaws</i> "
4	4.1	PC1	Department of Conservation Private Bag 4715 Christchurch	Supports the Proposed Plan Change 1, subject to minor alterations. Refer submission points 4.2 to 4.7.
	4.2	PC2	Department of Conservation	Supports the Proposed Plan Change 2, subject to minor alterations. Refer submission points 4.8 to 4.11.
	4.3	PC1	Department of Conservation	Add to the end of the proposed Rule 8.1(r) as follows: " <i>...as a Lawfully Established Structure and is replaced in the same</i>

				<i>location.</i> "
	4.4	PC1	Department of Conservation	Retain the Proposed Plan Change 1(b).
	4.5	PC1	Department of Conservation	Alter proposed Rule 8.1(r) to include provision made in proposed Note (4) (proposed Plan Change 1(c)) that the placement of a swing mooring in the Coastal Marine Area is required to comply with the current Navigation Safety Bylaws governing such an activity
	4.6	PC1	Department of Conservation	Amend existing Note (2) to reflect the addition of sub clauses (r) and (s).
	4.7	PC1	Department of Conservation	Retain the Proposed Plan Change 1(d), but give consideration to adding new Rule 8.19B to the section of the RECP entitled "Occupation of the Coastal Marine Area".
	4.8	PC2	Department of Conservation	Retain Proposed Plan Change 2(a), but add a new condition or standard as follows: " <u>4. public access to and along the foreshore is maintained</u> ".
	4.9	PC2	Department of Conservation	Retain Proposed Plan Change 2(b).
	4.10	PC2	Department of Conservation	Retain Proposed Plan Change 2(c).
	4.11	PC2	Department of Conservation	Retain Proposed Plan Change 2(d).
5	5.1	PC1	Graham W Batchelor 41 Kirkwood Avenue Christchurch	Amend the proposed Rule 8.1(r) to have the placement of a swing mooring in a swing mooring area to apply to new swing moorings, not just replacements, as a permitted activity.
	5.2	PC1	Graham W Batchelor	Amend the proposed Rule 8.23(e) to have the placement of a swing mooring in a swing mooring area to apply to new swing moorings, not just replacements, as a permitted activity.
6	6.1	PC1	Stephanie Brown 38 Reserve Terrace Lyttelton	Supports the proposed Plan Change 1 subject to amendments, refer submission points 6.3 and 6.5.
	6.2	PC2	Stephanie Brown	Supports the proposed Plan Change 2 subject to amendments, refer submission point 6.4

	6.3	PC1	Stephanie Brown	Hold Plan Change 1 until the bylaws on Navigational Safety are confirmed.
	6.4	PC2	Stephanie Brown	Hold Plan Change 2 until the bylaws on Navigational Safety are confirmed.
	6.5	PC1	Stephanie Brown	Amend Note 4 following Rule 8.1 (PC 1(c)), by stating what the conditions of the permitted activity are by either referring to the Navigation Safety Bylaws by year or include the conditions.
7	7.1	PC2	Christchurch City Council (J Ridgen) Principal Advisor Natural Resources	Delete clause (f)3, <u>or</u> ; Amend by deleting the text " <i>evidence that the structure is a Lawfully Established Structure</i> " <u>and</u> ; Add a new clause 4 to read as follows: <u>"4. There is no information on Regional Council files that the structure required resource consent or any other form of authorisation, and evidence that no such consent or authorisation was obtained."</u>
	7.2	PC2	Christchurch City Council	Add a new clause to the definition of Lawfully Established Structure as follows (or similar): <u>"(e) a structure that at the time it was built either did not require, or had obtained, appropriate permission, license, permit authority or resource consent because it was outside the Coastal Marine Area as defined by the legislation operative at the time."</u>
8	8.1	PC1	Joan H Swift 30 Holliss Avenue Christchurch 8022	Supports the proposed Plan Change 1.
	8.2	PC2	Joan H Swift	Supports the proposed Plan Change 2
9	9.1	PC2	Selwyn District Council Private Bag 1 Leeston	Delete clause (f)3, <u>or</u> ; Amend by deleting the text " <i>evidence that the structure is a Lawfully Established Structure</i> " <u>and</u> ; Add a new clause 4 to read as follows: <u>"4. There is no information on Regional Council files that the structure required resource consent or any other form of authorisation, and evidence that no such consent or</u>

				<u>authorisation was obtained."</u>
	9.2	PC2	Selwyn District Council	Add a new clause to the definition of Lawfully Established Structure as follows (or similar): <u>"(e) a structure that at the time it was built either did not require, or had obtained, appropriate permission, license, permit authority or resource consent because it was outside the Coastal Marine Area as defined by the legislation operative at the time."</u>
10	10.1	PC1	Kaikoura District Council (R Vaughan) 34 Esplanade PO Box 6 Kaikoura	Retain the proposed change to Rule 8.1 (r).
	10.2	PC1	Kaikoura District Council	Retain the proposed change to Rule 8.1 (s).
	10.3	PC1	Kaikoura District Council	Retain the proposed interpretation provision for Rule 8.1(r)
	10.4	PC1	Kaikoura District Council	Retain the proposed interpretation provision for Rule 8.1(s)
	10.5	PC1	Kaikoura District Council	Retain proposed Rule 8.19B.
	10.6	PC1	Kaikoura District Council	Retain proposed Rule 8.23(e).
	10.7	PC1	Kaikoura District Council	Retain proposed note (4) for Rule 8.23(e).
	10.8	Does not relate to PC1 or PC2	Kaikoura District Council	Add a new map 3.8 to volume 2 of the Regional Coastal Environment Plan, showing a proposed (by the submitter) new Swing Mooring Area around Kaikoura wharf - (refer submission for map).
	10.9	PC2	Kaikoura District Council	Retain proposed Rule 8.23(f).
	10.10	PC2	Kaikoura District Council	Retain proposed provision to Rule 8.23.
	10.11	PC2	Kaikoura District Council	Retain proposed definition of Lawfully Established Structure (PC 2(c)).
	10.12	PC2	Kaikoura District Council	Retain Proposed definition for Authorised Structure (PC 2(d)).

11	11.1	PC1	Andrew J Whiteside Moncks Bay Mooring Association C/o 246 Main Road Moncks Bay Christchurch 8081	Reword proposed Rule 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.
12	11.1	PC1	Andrew J Whiteside Christchurch Yacht Club C/o 246 Main Road Moncks Bay Christchurch 8081	Reword proposed Rule 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.
13	11.1	PC1	Andrew J Whiteside 246 Main Road Moncks Bay Christchurch 8081	Reword proposed Rule 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.
14	12.1	PC1	John A Sutherland Moncks Bay Mooring Association 4 Flinders Road Christchurch 8022	Reword Rule proposed 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.
	12.2	PC2		Add a provision to the proposed definition of a lawfully established structure (PC2(c)), indicating that some records on some moorings are inaccurate and incomplete, and that these moorings (with inaccurate or incomplete records) may also be deemed to be a "Lawfully Established Structures".
15	13.1		John R Milligan 1/70 Champion Street Christchurch	Adopt the proposed Plan Change 1
	13.2		John R Milligan	Adopt the proposed Plan Change 2 with amendments. Refer submission points 13.4 to 13.6.
	13.3	Does not relate to PC1 or PC2	John R Milligan	Delete the heading "Military training" from Rule 8.23(d).
	13.4	PC2	John R Milligan	Amend the proposed clause under "Exclusive Occupancy" in Rule 8.23 (PC2(b)) as follows (amendments proposed shown

				<u>underlined</u>): " ... <i>within a Boatshed Area or by a clubhouse that are in either case permitted by this rule explicitly includes the right of the boatshed or clubhouse owner to exclude persons from the interior of those buildings.</i> "
	13.5	PC2	John R Milligan	Add a new clause as (e) to the definition of Lawfully Established Structure as follows: "(e) a clubhouse"
	13.6	PC2	John R Milligan	Add a new definition for "Clubhouse" as follows: <i>"Clubhouse means: an enclosed structure held by a society of persons (whether corporate or not) formed for purposes that include the fostering of aquatic activities, and held by it for the principal purpose of providing facilities to it's members."</i>
16	14.1	PC1	Lindsay J Coles 104A Panorama Road Christchurch	Reword proposed Rule 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.
17	15.1	PC2	Lyttelton Port Company Ltd C/- Lane Neave Lawyers PO Box 13-149 Christchurch	Oppose proposed provision 1 under proposed rule 8.23(f)
	15.2	PC2	Lyttelton Port Company Ltd	Oppose proposed provision 2 under proposed rule 8.23(f)
	15.3	PC2	Lyttelton Port Company Ltd	Oppose proposed provision 3 under proposed rule 8.23(f)
	15.4	PC2	Lyttelton Port Company Ltd	Support proposed Rule 8.23 (f) without provisions 1,2 and 3
	15.5	PC2	Lyttelton Port Company Ltd	Oppose in part, the proposed definition of "Lawfully Established Structure" (PC 2(c))
	15.6	PC2	Lyttelton Port Company Ltd	Add a new sub clause to Rule 8.23(f) as follows: <i>"4. Conditions 1-3 above do not apply to any structures within an Operational Area of a Port and do not apply to any navigational aids."</i>
	15.7	PC2	Lyttelton Port Company Ltd	Add a new sub-clause (e) to the definition of Lawfully Established Structure (PC2(c)) as follows:

				<u>"(e) all structures in operational areas of a port erected prior to the enactment of the Resource Management Act 1991."</u>
	15.8	PC1	Lyttelton Port Company Ltd	<p>Delete proposed Rule 8.19B and replace with new Rules 8.36 and 8.37 as follows:</p> <p><i>"Use of the Coastal Marine Area</i></p> <p><i>Rule 8.36</i></p> <p><i>The use of the Coastal Marine Area for the purpose of mooring vessels or other floating objects is a permitted activity provided that:</i></p> <p><i>(a) The moored vessel or other floating object is located within a Swing Mooring Area defined in Schedule 5.7;</i></p> <p><i>(b) The moored vessel or other floating object is located within an operational area of a port, and is covered by a coastal permit issued pursuant to section 384A of the Resource Management Act 1991 or a deemed coastal permit, and is reasonably necessary for port operations;</i></p> <p><i>(c) The moored vessel or other floating object is:</i></p> <p><i>i. For a temporary purpose such as loading, unloading, refueling a vessel or any other similar purpose for which it is reasonably necessary to moor a vessel temporarily but excludes the storage of any vessel; or</i></p> <p><i>ii. Necessary to protect the health or safety of persons or the safety of the vessel from an immediate and unforeseen threat or danger; or</i></p> <p><i>iii. Necessary to secure a marker, beacon, buoy or other floating navigation aid or temporary race mark buoy;</i></p> <p><i>(d) The vessel has been moored for a temporary period using an anchor as part of normal navigation.</i></p> <p><i>Rule 8.37</i></p> <p><i>Except as provided for by, Rule 8.36; the use of the Coastal</i></p>

				<p><i>Marine Area for the purpose of mooring vessels or other floating objects is a non-complying activity.</i></p> <p><i>Principal Reason</i></p> <p><i>Those swing moorings areas shown in Schedule 5.7 of the Coastal Marine Area were established many years ago and are now an accepted feature. Outside of these areas however the mooring of vessels is only anticipated for temporary periods as part of normal vessel navigation. The exception is within the immediate areas of the commercial ports providing the mooring is associated with port operations.</i></p>
	15.9	PC1	Lyttelton Port Company Ltd	Such other consequential incidental amendments, deletions or additions to any part of the Plan as may be necessary to give effect to the purposes and intent of the relief sought by the Lyttelton Port Company
	15.10	PC2	Lyttelton Port Company Ltd	Such other consequential incidental amendments, deletions or additions to any part of the Plan as may be necessary to give effect to the purposes and intent of the relief sought by the Lyttelton Port Company
18	16.1	PC1	SJ Collins Family Trust C/- Lane Neave Lawyers PO Box 13-149 Christchurch	Supports and seeks to confirm Plan Change 1.
19	17.1	PC1	Raymond I King-Turner Christchurch Yacht Club 88 Beachville Road Redcliffs Christchurch 8081	Reword proposed Rule 8.23 (e) to include existing swing moorings outside swing mooring areas as a Permitted Activity.