



Information Sheet: Private Plan Change 21

Waikawa Bay Plan - Mooring Management Areas & Marina Zone Extension

Introduction

Port Marlborough New Zealand Limited has prepared a Private Plan Change to the Marlborough Sounds Resource Management Plan. The purpose of the Plan Change is to improve the management of the water space at Waikawa Bay. The Plan Change proposes a long-term, integrated planning solution to resolve conflicts in allocation of water space within the finite waters of Waikawa Bay. The plan change seeks to balance the needs of existing and new mooring owners, potential marina berth holders, the commercial marina operator (Port Marlborough New Zealand), and other commercial interests, with the needs and aspirations of tangata whenua, adjacent property owners, non-boating users of the area, other stakeholders. The plan change seeks this balance in a way which takes into account environmental considerations.

Background

By way of background, the water area at Waikawa Bay is currently zoned partly as Marina Zone and partly as Coastal Marine Zone 1 in the Marlborough Sounds Resource Management Plan. Swing moorings are currently provided for via discretionary resource consents within the Coastal Marine 1 Zone. A 'bulk' resource consent application to Marlborough District Council for 186 individual (mostly existing) swing moorings at Waikawa Bay has been partially considered at a hearing by a commissioner and is in adjournment awaiting the development of a 'bay-wide' solution for management of waterspace within the Bay.

The outcome of the bulk swing mooring consent application is uncertain. While the bulk moorings applications nominally seek to legalise existing moorings, not all moorings are physically in place and a number of moorings are not on their nominated sites. The applications as they stand present levels of swing circle overlap (approximately 147 of the 186 applications have a swing circle overlap of 50% or greater). In addition, more than thirty of the applications are for swing mooring sites within the Marina Zone, and consenting of these moorings would preclude the use of the Marina Zone for its nominated purpose. The moorings configuration as applied for also presents navigational difficulties within the Bay.

Port Marlborough New Zealand established and operates a 600-berth marina within the Marina Zone at Waikawa Bay. There is significant outstanding demand for berths in the existing marina that cannot be satisfied through existing capacity. Port Marlborough New Zealand intends to expand its marina as soon as possible to meet existing demand through a 250-berth extension. In the longer term, demand for marina capacity is expected to continue and eventually a further extension of similar size is contemplated, so providing eventual capacity for 500 additional berths at Waikawa.

There is existing undeveloped Marina Zone area to the north east of the existing marina structure that could accommodate a marina extension of approximately 250 berths now, pending resource consent and pending removal of existing swing moorings. (These moorings are part of the bulk resource consent application referred to previously.)

Consultation undertaken by Port Marlborough New Zealand has shown a public preference that initial marina expansion should occur in the north west area, which is currently zoned Coastal Marine 1. Port Marlborough has identified an additional area suitable for marina development to the north west of the existing marina area, that could provide for around 250 additional vessels. Concepts for development of marina extensions both in the existing Marina Zone (north east area) and in the proposed north west area have been prepared.

It is noted that the north west area concept Marina Plan includes the reinstatement of the small beach which is located immediately north of the existing marina. The area set aside for the reinstatement of this beach

comprises the small triangular area at the north of the proposed Marina Zone area and would be publicly accessible via an extended road alongside the coast.

Plan Change 21 – Mooring Management Areas and Extension to the Marina Zone

Through the preparation of the proposed Plan Change, a range of zoning and planning methods have been assessed to determine the most effective option to achieve the stated objectives and policies of the New Zealand Coastal Policy Statement and the Marlborough Sounds Resource Management Plan, and the purpose of the Resource Management Act 1991. Plan Change 21 is the result of this assessment, as well as the findings of the technical reports, and the stakeholder feedback received. The primary components of the Plan Change are:

1. Rationalisation of management of swing moorings within Waikawa Bay. The management regime for swing moorings promoted through Plan Change 21 would see Mooring Management Areas established, as well as a Waka Mooring Management Area.

Management Regime Change with Bylaw: One approach is that a new Bylaw (Navigation Safety Bylaw 2010 (Mooring Management Areas) promulgated by Marlborough District Council would work alongside the proposed Mooring Management Areas and associated provisions in the Marlborough Sounds Resource Management Plan for the management of swing moorings at the Bay. Under this Bylaw, the allocation and management of swing moorings would be carried out by the moorings manager, who would be accountable to Marlborough District Council via a licensing system.

Amendments to the Coastal Marine 1 Zone are proposed which will dovetail with the Bylaw and change the activity status of swing moorings within the overlay area. Under the bylaw, within Waikawa Bay, swing moorings would be permitted activities within Mooring Management Areas and, in most cases, non-complying activities outside of the Mooring Management Areas. The exception to this is for consented swing moorings which seek to renew consents. These swing moorings would comprise discretionary activities. For new swing moorings within Waikawa Bay, which are located outside the Mooring Management Areas, a new policy supports swing moorings which are providing access to immediately adjoining properties. In order to retain the permitted activity status for swing moorings within the Mooring Management Areas, the requirements set out within the Bylaw must be achieved. Beyond Waikawa Bay, swing moorings remain discretionary activities within the Coastal Marine Zone 1.

Management Regime without Bylaw: Should the Navigation Safety Bylaw 2010 (Mooring Management Areas) not be enacted, an alternative method will be required to manage moorings within the Mooring Management Areas. The Plan Change provides for this alternative scenario, whereby moorings can be established within a Mooring Management Area by obtaining resource consent as a limited discretionary activity.

2. Extension of the Marina Zone to include an additional area to the north west of the existing Waikawa Bay Marina Zone, to enable initial marina expansion in that area and to provide future capacity to meet long term demand forecasts for boat accommodation in an efficient manner.

Amendments to the Marina Zone provisions are proposed which will provide, more comprehensively, for marina development and marina activities, and allow for more efficient assessment and processing of marina resource consent applications.

If you wish to raise any matters regarding how the water space at Waikawa Bay should be managed then you can submit on this plan change. The Council is currently seeking submissions on Plan Change 21; see the public notice for details.

If you require any further information regarding Plan Change 21 please do hesitate to contact Tony Quickfall on behalf of the Council on 03 546 4256, or 027 446 4256, or Rose Prendeville on behalf of Port Marlborough New Zealand on 03 520 3399.