

# Moorings and Anchorage

**Recommendations in response to submissions on the Proposed Regional Plan for Northland - Section 42A hearing report**

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## Purpose and format of the report

1. This report provides the hearing panel the rationale for the recommended changes to the Moorings and Anchorage provisions in the Proposed Regional Plan for Northland (the Proposed Plan) in response to submissions. The recommended changes are set out in the document *Proposed Regional Plan for Northland – S42A recommended changes*.
2. The recommendations made in this report are the opinion of the author and are not binding on the hearing panel. It should not be assumed that the hearing panel will reach the same conclusions.
3. The authors recommendations may change as a result of presentations and evidence provided to the hearing panel. It's expected the hearing panel will ask authors to report any changes to their recommendations at the end of the hearing.
4. The recommendations focus on changes to the Proposed Plan provisions. If there is no recommendation, then it's to be assumed that the recommendation is to retain the wording as notified.
5. Generally, the specific recommended changes to the provisions are *not* set out word-for-word in this report. The specific changes (including scope for changes) are shown in the document *Proposed Regional Plan for Northland – S42A recommended changes*.
6. This report is structured with a focus on the key matters for the Moorings and anchorage provisions raised in submissions. The key matters are:
  - Identification of significant anchorages
  - Management of sewage from vessels
7. Matters covered by submissions that fall outside the key matters are addressed in the "Other matters" section in less detail.
8. The approach of addressing matters raised in submissions (rather than addressing submissions and/or and submission points individually) is consistent with Clause 10 of Schedule 1 to the RMA.
9. This report should be read in conjunction with sections 8.3 - Mooring and 8.5 – Anchoring and Anchorages in the Section 32 report.

## Report author

10. My name is Michael James Payne and I have overall responsibility for this report. I work as a Policy Analyst for the Northland Regional Council (regional council). For further details about my qualifications and experience, refer to the s42 report: *General approach*.
11. The following council staff and consultants have assisted me with the preparation of this report:
  - Paul Maxwell, Coastal and Works Consents Manager, Northland Regional Council.
  - Ross Watters, Maritime Officer.
  - Jim Lyle, Regional Harbourmaster.
  - Kier Volkerling, Consultant engaged to advice tangata whenua provisions.
12. Although this is a council hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing this report and I agree to comply with it when giving oral presentations.

## About the moorings and anchorage provisions

13. The relevant provisions in the Proposed Regional Plan for Moorings and addressed in this report are:

<p><b>Definitions</b></p> <ul style="list-style-type: none"><li>1. Anchoring</li><li>2. Grounding</li></ul>	<ul style="list-style-type: none"><li>• Mooring</li><li>• Property</li></ul>	<ul style="list-style-type: none"><li>• Sewage holding tank</li><li>• Swing mooring</li></ul>
<p><b>Rules</b></p> <ul style="list-style-type: none"><li>• C.1.2.1 Vessels not underway – permitted activity</li><li>• C.1.2.2 Vessels – sewage management – permitted activity</li><li>• C.1.2.3 New swing moorings in a Mooring Zone – permitted activity</li><li>• C.1.2.4 Existing mooring in a Mooring Zone – permitted activity</li><li>• C.1.2.5 Existing swing mooring outside Mooring Zone – permitted activity</li><li>• C.1.2.6 Relocation of a mooring by the Harbourmaster – permitted activity</li><li>• C.1.2.7 Maintenance and repair of moorings – permitted activity</li><li>• C.1.2.8 New mooring in a Mooring Zone with limited shore-based facilities – restricted discretionary activity</li><li>• C.1.2.9 Placement or relocation of a mooring and the occupation of space – discretionary activity</li><li>• C.1.2.10 Vessels not underway and sewage management – discretionary activity</li><li>• C.1.2.11 Moorings in significant areas – non-complying activity</li><li>• C.6.9.7 Discharges of untreated sewage from a ship or offshore installation</li></ul>		
<p><b>Policies</b></p> <ul style="list-style-type: none"><li>• D.5.9 Moorings outside Mooring Zones</li><li>• D.5.9 New moorings in Mooring Zones with limited shore-based facilities</li><li>• D.5.11 Regionally Significant Anchorages</li><li>• D.5.12 Recognised Anchorages</li><li>• D.5.17 Marinas and moorings in high demand areas</li></ul>		
<p><b>Maps</b></p> <ul style="list-style-type: none"><li>• Coastal zones</li></ul>		

14. The Proposed Plan manages moorings through a suite of rules C.1.2.3 - C1.2.9. Generally speaking existing moorings are permitted as are new moorings inside a mooring zone. New moorings outside a mooring zone or new moorings in mooring zones with limited landbased facilities requires resource consent.
15. The Proposed Plan manages sewage from vessels through Rule C.1.2.2, which includes provisions for sewage containment and Rule C.6.9.7 which prohibits the discharge of

untreated sewage from vessels or offshore installations within the mapped marine pollution limits.

16. Sewage from vessels is also regulated at a national level through the Resource Management (Marine Pollution) regulations 1998 (Marine Pollution Regulations). In some places, the Proposed Plan extends the distance from shore where a vessel can discharge untreated sewage. These extensions generally require vessels to navigate outside harbours or estuaries to discharge untreated sewage. In the Bay of Islands, the minimum distance a vessel can discharge untreated sewage has increased from 500m (specified in the Marine Pollution Regulations) to 1000m.

## Overview of submissions

17. A total of 17 submitters made submissions on the moorings and anchorage provisions, and these were broken up into 51 submission points.
18. The key matters raised in submissions related to;
  - Identifying and managing anchorages
  - Sewage management

## Identifying and managing anchorages

19. The Proposed Plan contains policies, rules and maps recognising the value of certain parts of Northland's coast for anchoring vessels. The Proposed Plan has two classifications for anchorages. The most valued anchorages are 'Regionally Significant Anchorages'. Regionally Significant Anchorages have good holding and shelter. They may also have some aesthetic appeal or recreational value; however, the most prominent value of these anchorages is that they are heavily relied on during storm events to provide safe anchorage.
20. Regionally Significant Anchorages are managed through rules on moorings and coastal structures, which require resource consent, as well as through policies D.5.10 and D.5.11. Policy D.5.10 states that moorings must not be in a Regionally Significant Anchorage. Policy D.5.11 recognises the value of Regionally Significant Anchorages and states that Regionally Significant Anchorages are to be managed to avoid structures that have adverse effects on anchoring in these locations.

21. The second classification is Recognised Anchorages. These are areas of the coast identified in cruising guides, pilot books and other similar publications. Recognised Anchorages have not been mapped in the Proposed Plan. Recognised Anchorages range from scenic places to stop for lunch that may still be exposed to swell and wind through to secure overnight anchorages. A lighter regulatory approach is taken for the management of Recognised Anchorages, compared to the management of Regionally Significant Anchorages. There are no rules in the Proposed Plan referring to Recognised Anchorages, however new activities (e.g. moorings, jetties and aquaculture) that are likely to affect the use of these areas for anchoring generally require resource consent. Policy D.5.12 highlights their value to the boating public.

## Submissions

22. Yachting NZ raised several concerns about the Proposed Plan's approach to identifying and managing anchorages. Yachting NZ's requests can be summarised as:
- Replace the maps of, and all references to, "Regionally Significant Anchorages" with two new types of anchorages - "Recognised Anchorages" and "Recognised Recreational Anchorages".
  - Amend policy to require adverse effects on "Recognised Anchorages" and "Recognised Recreational Anchorages" to be avoided
  - Amend some of the coastal structure rules to further limit some types of coastal structures in "Recognised Anchorages" and "Recognised Recreational Anchorages"

## Analysis

### *Types of anchorages*

23. Yachting NZ's proposed definitions for the two types of anchorage is as follows:
- *Recognised Anchorages* - means an anchorage which is referred to in cruising guides, pilot books and similar publications as being suitable shelter for small/large craft in adverse weather
  - *Recognised Recreational Anchorage* - means an anchorage (refer Recognised Recreational Anchorages Maps) of value to the boating community because of its shelter, holding, amenity and/or significant recreational values

24. In the Proposed Regional Plan, Regionally Significant Anchorages are described as “... *strategic anchorages that are heavily relied on during bad weather – usually also popular in times of lighter winds of appropriate direction.*”<sup>1</sup>
25. Yachting NZ suggest the Regionally Significant Anchorages are not accurate, and fail to capture anchorages with significant amenity and recreational value.
26. The process for identifying the Regionally Significant Anchorages involved identifying anchorages as either places to of refuge, overnight anchorages or day anchorages with members of boating clubs and Yachting NZ and Yachting Northland – refer section 8.5 *Anchorages and anchoring* in the Section 32 report. Staff mapped the anchorages identified as places of refuge as being Regionally Significant Anchorages.
27. Yachting NZ raised concerns with the process for identifying anchorages. This was a surprising given the process was designed and implemented in conjunction with them, and it was my understanding that they were comfortable with the mapped Regionally Significant Anchorages. They were also comfortable with not mapping the recreational anchorages. Recreational Anchorages were mapped in the Draft Regional Plan but were subsequently taken out as a result of discussions with Yachting NZ.
28. While Yachting NZ has raised general concerns with the accuracy of the maps they have not provided any new maps or examples of the inaccuracy. They suggest that further work is required, without any suggestion of what that might entail. In the absence of detail, I’m unable to assess the merits of the concerns.

***Policy ‘bar’***

29. I am not averse to adding Recognised Recreational Anchorages to the Proposed Plan, but I do not agree with Yachting NZ’s proposal to set an ‘avoid adverse effects’ bar for these anchorages. It is my view, and the view of the regional council’s Maritime Team, and those people that participated in identifying the anchorages, that the most important anchorages are those that provide refuge during adverse weather conditions. An ‘avoid adverse effects’ policy bar for these anchorages is, appropriate, in my opinion. However, I do not believe the same should be applied to other anchorages, because:
  - There is no higher-level policy document direction requiring it.

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<sup>1</sup> Page 227, Proposed Regional Plan, September 2017

- It would be inconsistent with how the 'avoid adverse effects' bar has been used in higher level documents. For example, in the NZCPS the 'avoid adverse effects' bar only applies to the outstanding natural character, outstanding natural features and landscapes, nationally significant surf breaks and significant indigenous biodiversity.
- Yachting NZ has provided no resource management reasons for why the bar should apply.

30. As I mentioned above, I would be comfortable including the *Recognised Recreational Anchorages*. Should they be included, then I believe the policy bar is 'avoid significant adverse effects' as this is consistent with higher level policy guidance.

### **Rules**

31. Yachting NZ proposed that the following rules should not apply in Recognised Anchorages and Recognised Recreational Anchorages:

1. C.1.1.6 *Monitoring and sampling equipment – permitted activity* and
2. C.1.1.11 *Structures for scientific, research, monitoring or education purposes – controlled activity*

It's not clear from the submission why they have requested this change.

32. The types of structures anticipated by these rules are very different to other types of structures which have a much greater risk of impacting on the use of anchorages (e.g. moorings). Deploying monitoring and sampling equipment is not a common activity and I anticipate there will be few instances where there would be a need or demand to deploy it in an identified anchorage. Even if it were to occur, the conditions of the rule limit the extent of the structure and the Harbour Master can use his powers to move the structure if there is a concern about the structure impacting on navigation. The same reasoning applies to the controlled activity rule (C.1.1.11), with the addition of a matter of control being effects on Regionally Significant Anchorages (as currently worded). I would be comfortable with amending the matters of control to include the recreational anchorages if they are mapped in the Proposed Plan.

### **Recommendation**

33. Retain Rules C.1.1.11 *Structures for scientific, research, monitoring or education purposes – controlled activity* Retain Rules C.1.1.6 *Monitoring and sampling equipment – permitted activity* as notified.

34. Retain Policies D.5.11 and D.5.12 as notified.
35. Retain Regionally Significant Anchorages as shown in - *I Maps* as notified.

## Sewage Management

### Background

36. In this section, I have provided an overview of the rules in the Proposed Plan and national regulation that influences these rules.
37. The Proposed Plan manages sewage discharges by:
  - a. generally prohibiting sewage discharges from vessels in a Marine Pollution Limit
    - i. (Rule C.6.9.7 *Discharges on untreated sewage from a ship or offshore installation – prohibited activity*), and
    - ii. Section I – Maps (Marine Pollution Limit)
  - b. restricting overnighting on vessels in a Marine Pollution Limit (rules C.1.2.2 *Vessels – sewage management – permitted activity* and C.1.2.10 *Vessels not underway and sewage management – discretionary activity*).
38. The primary mechanism regulating the discharge of untreated sewage in New Zealand's coastal marine area is the Resource Management (Marine Pollution) Regulations 1998 (marine pollution regulations).
39. The regulations were developed under section 360 RMA and seek to control a variety of activities with the potential to cause marine pollution. These activities include the discharge of untreated and treated sewage from ships (referred to in this report and the Proposed Plan as vessels) or offshore installations.
40. Where the marine pollution regulations apply, section 15B(3) RMA limits the ability of regional councils to put rules in place unless the regulation explicitly provide for them.
41. Regulation 11(2) prohibits the discharge of sewage unless that discharge occurs (among other restrictions):
  - (a) More than 500 metres (0.27 nautical miles) seaward from mean high water springs; and

- (b) More than 500 metres (0.27 nautical miles) from a marine farm; and  
water depths greater than 5 metres ...
- (c) five metres<sup>2</sup>.

42. Regulation 11(3) gives council's jurisdiction to include a rule in a regional plan relating to the discharge of untreated sewage to the CMA if;

*a) the rule increases the distances seaward or increases the depth specified in subclause (2) for any harbours, estuaries, embayments, or other parts of a region, or increases the distances from a marine farm, marine reserve, or mataitai reserve specified in subclause (2), for all or any part of the year; and*

*b) the rule takes effect on or after 1 July 2000.*

## **Submissions and Analysis**

43. There were a range of views on the approach to managing sewage discharges from vessels:

- Aquaculture NZ, Fish and Game, Northport, Durham G and Auckland Council (for example) support the approach.
- Other submitters suggested amendments to make C.1.2.2 more stringent (e.g. Miru M) or lenient (e.g. Claydon C and Yachting NZ).
- Philbrick B submitted that C.1.2.2 be deleted because it is intrusive, creates unnecessary expense and bureaucracy, and there are existing national regulations.
- CEP Services Matauwhi Limited suggested an amendment to C.1.2.2 to ensure sewage holding tanks include chemical toilets.

44. Yachting NZ raised the most substantive concerns with the approach. They do not agree with the extensions to the default areas where sewage discharges are prohibited (the extensions) nor the restrictions on overnighting on vessels in a Marine Pollution Limit.

### ***Extensions to the marine pollution regulations default areas***

45. Yachting New Zealand submitted opposing these extensions and seeking that they be deleted. The reasons given to support is a 'lack of probative evidence to justify a change'.

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<sup>2</sup> There are some exceptions, but they don't generally apply to recreational vessels.

46. Northport, Northland Fish and Game and Auckland Council support. Unfortunately, the reasons for their support have not been stated in their submissions.
47. I agree with Yachting New Zealand in that the Section 32 Report (section 4.11 *Other discharges*) does not provide much evidence to support an extension to Regulation 11<sup>3</sup> the marine pollution regulations requirements for untreated sewage discharges from ships. However, I do believe the extensions are appropriate for the reasons set out below.
48. The Marine Pollution Limit is a combination of the default areas as per the Resource Management (Marine Pollution) Regulations and extensions to these areas. This limit is shown in Section I (“Maps”) of the Proposed Plan. The Proposed Plan extends the Marine Pollution limit in;
- The Bay of Islands, near Motuarohia, Motorua and Urupukapuka islands
  - Whangaroa Harbour to exclude discharges within the harbour
  - Whangaruru Harbour to exclude discharges within the harbour
49. In the Bay of Islands, the provisions of the Resource Management (Marine Pollution) Regulations 1998 provide for untreated sewage to be discharged in or near areas that are heavily used for recreational swimming, diving and shellfish collection. There is a potential conflict between these uses and the discharge of untreated sewage. I am not aware of any monitoring data to support this position. However, this issue was raised a number of times at public meetings and at the hearings on the Moorings and Marina’s strategy for Northland, 2014. Two examples of the type of comment that was expressed at these meetings is;

*It was stated that the discharge of untreated sewerage into the moana is unacceptable. It presents a risk to human health and the ability of people to harvest shellfish, recreationally, commercially and for customary reasons.<sup>4</sup>*

*“Sewage in the water is not acceptable, and it is the role of NRC to ensure that discharges do not happen.”<sup>5</sup>*

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<sup>3</sup> Resource Management (Marine Pollution) Regulations 1998

<sup>4</sup> Northland Regional Council, Moorings and Marinas Strategy for Northland – Tangata Whenua Consultation Report, April 2014.

<sup>5</sup> Andrew Douglas Lush, Submission on November 2013 Draft “Mooring and Marina Strategy, 28 February 2014.

50. Based on discussions I have had with the public, the discharge of untreated sewage in these areas are no longer accepted by the public. The Regional Harbourmaster and other maritime staff are of the same view, based on their interactions with the public.
51. In their Iwi / Hapu environmental management plans, Ngati Kuta and Ngati Wai both raise untreated sewage discharges in the CMA and an increase in recreational boating as issues in their rohe<sup>6</sup>. Ngati Wai and Ngati Kuta both have an interest in Bay of Islands where the Proposed Plan extends the marine pollution limit beyond the minimum requirements set in the marine pollution regulations. In a recent meeting with the Regional Harbourmaster, representatives from Ngati Kuta expressed their concern that vessels have the ability to legally<sup>7</sup> discharge untreated sewage in Rawhiti Inlet.
52. The proposed extension seeks to limit the risk to human health and the ability of people to harvest shellfish in this very high value and popular recreational area by increasing the minimum distance from land where a vessel can discharge untreated sewerage from 500m to 1km.
53. In Whangaroa Harbour, the Proposed Plan removes a small area where marine pollution regulations permit the discharge of untreated sewage within the harbour. Te Rūnanga o Whaingaroa have continually expressed strong concerns about untreated sewage discharges in the harbour and have requested that these discharges are prohibited. While Te Rūnanga o Whaingaroa have submitted on the Proposed Plan, commenting generally regarding their concern about untreated sewage discharges from vessels in the harbour. They have not submitted on the proposal to prohibit these discharges within the harbour.
54. Similarly, in Whangaruru Harbour there is an area inside the Harbour where vessels can discharge untreated sewage under the marine pollution regulations. This area has been removed in the Proposed Plan.

***Restrictions on overnight on vessels within a Marine Pollution Limit***

55. The rationale for the added layer of control of restricting overnighting on vessels is to provide a tool to make enforcement easier. It is very difficult to carry out any formal enforcement of the sewage discharges from vessels rules because it requires catching

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<sup>7</sup> As provided for under the Resource Management (Marine Pollution) Regulations 1998

someone in the act of discharging. It is considerably easier to record the number of nights a vessel overnights.

56. The Section 32 assessed this approach by assessing the risk of unlawful sewage discharges vs costs of the added constraints on recreational boaties. The conclusion is that the decrease in risk of sewage discharges outweighs the constraints on recreational boaties.
57. Sewage discharges from vessels are a risk because sewage contains bacteria, viruses and other pathogens. When untreated sewage is discharged into the sea, there is a risk of other people being exposed to the pathogens through contact or swallowing contaminated water.
58. The seafood industry pays a high cost if shellfish harvest areas are closed due to contamination. More commonly, people catch sewage-related illness when they eat shellfish that has filtered pathogens from the water while feeding. Mussels, oysters and scallops all concentrate pathogens by filter-feeding.<sup>8</sup>
59. The 10-night limit is based on the standards imposed in NZS5465:2001 - *Self-containment of Motor Caravans and Caravans*. The standard imposes a minimum requirement of 4l blackwater containment per person per day. A standard 40 litre holding tank would last up to 10 days with one person on board
60. The premise of rule C.1.2.2 is that it doesn't create any substantive additional constraint to boaties. It prescribes time limits and sewage management requirements that would otherwise generally need to be met (as a minimum) to comply with the 'no discharge' rule.
61. However, Claydon suggests that there is large variation in the capacity of holding tanks as a result of the size of the tank, the number of people on the vessel and the availability of toilet facilities ashore. Claydon C suggests the only approach is for the rule to say that it is not a permitted activity to stay overnight on a vessel with full holding tanks. The proposed amendment of the rule would do little to improve enforceability. For council to prove that a holding tank is full, it would need to board the vessel and in most cases, enter

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<sup>8</sup> The New Zealand Seafood Industry Council in conjunction with Maritime New Zealand, *A guide to managing waste on board your vessel*

the cabin. Legal advice sought by council was that there are significant legal constraints for council staff to enter into the cabin of a vessel without the authority of the occupier.

62. Picking up on Claydon C's point about the large variation in sewage holding tank capacity, I accept that this is an issue with the rule. Advice from council's maritime team is that most vessels, even with only one person staying aboard, would not have sewage holding tank capacity to exceed 10 overnight stays without disposal. The casualty of the rule will be the exceptions i.e. those vessels that have the capacity to exceed 10 overnight night stays. These vessels would have three options:
- apply for a consent (which is only a realistic option if the vessel is seeking to overnight in the same location e.g. on a mooring),
  - comply with the rule (which may result in 'unnecessarily' having to navigate into waters where sewage can be disposed or visiting a sewage pump out facility), or
  - ignore the rule and rely on the discretion of the regional council (which comes with its inherent risk).
63. Councils Coastal Monitoring Manager – Ricky Eyre provided an insight into how these provisions would be used by Council when he said the reality is that council has limited resources and is likely to only enforce the rule in the most extreme cases.
64. Even with the limitations of the rule, on balance I'm of the opinion that the 10 overnight stays limitation is warranted, to give council a tool to better manage the risk of sewage discharges from vessels.

### ***Other amendments***

65. I agree with the principle of CEP Services Matauwhi Limited relief to include chemical toilets as a permitted activity under Rule C.1.2.2.
66. There are positive and negative elements of the submitters proposal that need to be weighed up. On the positive side, including chemical toilets provides a low cost option for the public to manage their sewage, contain it onboard and avoid the need to discharge to the CMA. Around 20% of vessels (excluding trailer boats) do not have holding tanks. As it stands these vessels would need to install holding tanks, apply for resource consent or not stay onboard overnight. There is a risk that a portion of the public may unwittingly be in contravention of these rules, even if they don't discharge sewage within the Marine pollution limit.

67. The negative effects of the proposal, in the opinion of councils coastal monitoring team, are an increased risk of inappropriate sewage discharges when compared to holding tanks and greater difficulty to monitor compliance. That is, it is relatively easy to determine if a vessel has navigated to a pump out facility or into open waters but it is more difficult to determine if a portable toilet has been taken ashore and emptied appropriately.
68. In my opinion, it is better to provide for the use of portable toilets as a relatively cheap and easy way to comply with the rule and bear the increased risk of improper discharges from portable toilets. The alternative is relying on holding tanks and treatment systems. For those vessels that do not already have a holding tank or treatment system the cost of complying with the rule is relatively expensive<sup>9</sup>. One argument is that the rule will drive the installation of holding tanks and treatment systems in vessels that don't already have them. However, the counter argument is that if the cost of complying with the rule is too high people will simply not comply. If the barriers to compliance are lower we are likely to get higher rates of compliance and fewer discharges of untreated sewage close to shore.
69. The implication of the change sought by Miru M and Tinopai RMU Limited is that no vessel may overnight in an Area of Significance to tangata whenua. It is not clear what effect the submitters are seeking to manage i.e. whether it is the risk of sewage discharges or some other effect associated with the presence of the vessel. Without an understanding of the effects of concern, I am unable to consider the merits of the request.
70. Te Runanga o Whaingaroa outline various concerns with vessel anchoring in the Whangaroa Harbour, and in particular to the risk of vessel sewage discharge, concerns that there is not enough monitoring by council and that council monitoring should be prescribed in the Proposed Plan. The Proposed Plan does not include any setting out of monitoring regimes. As outlined in section 1.5 of the Section 32 report, it is better to have monitoring regimes sit outside the Proposed Plan to allow more flexibility in response to variations in risk, technology and resourcing priorities (for example).

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<sup>9</sup> The price of sewage treatment systems start from \$2500. Holding tanks cost \$180.00 plus installation.

## Recommendation

71. Amend Rule C.1.2.2 *Sewage management - permitted activity* to provide for the use of chemical / portable toilets as shown in *Proposed Regional Plan for Northland – S42A recommended changes*.

## Evaluation of recommended changes

72. The changes have minor effect and are within the scope of a change under clause 16, Schedule 1, RMA.

## Other matters

73. Refer to Appendix A for the summary of submission points, analysis and recommendations made on the Mooring and anchorage provisions not addressed in the key matters sections of this report.

## Appendix A - Response to other matters raised in submissions

Note – this table does not include the summary of submission points, analysis and recommendations made on the anchorage and mooring provisions addressed in the key matters sections of the report.

Provision	Summary of main submission points	Discussion	Recommendation
New Rule	GBC Winstone is seeking a new controlled activity rule for new moorings in a coastal commercial zone.	<p>I can see the benefit of having a lesser activity status for mooring in a coastal commercial zone than in other parts of the CMA.</p> <p>I am concerned that the controlled activity rule proposed by the submitter may provide the ability for anyone to obtain a mooring in a coastal commercial zone. As a controlled activity council does not have the ability to decline the application.</p> <p>There is potential for new moorings to affect the use of the zone for its intended purpose.</p> <p>A restricted discretionary rule may be more appropriate in this instance.</p>	Insert a new restricted discretionary rule for new moorings in a coastal commercial zone as shown in C.1.2 of the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i> .
Rule C.1.2.5	<p>MLP LLC and Mace C request;</p> <p>3) <del>the mooring is:</del>  <del>a) the only mooring associated with a property, and</del>            3b) the mooring is located within a two kilometres of the property, and</p> <p>...</p>	<p>Rule C.1.2.5 provides for existing out of zone moorings as permitted activities.</p> <p>The proposed rule is less onerous than the equivalent rule in the Operative Coastal Plan, which requires all out of zone moorings to obtain resource consent as a discretionary or non-complying activity.</p>	Retain Rule C.1.2.2 as notified.

Provision	Summary of main submission points	Discussion	Recommendation
	<p>OR</p> <p>...</p> <p>3) the mooring is:</p> <p>3a) <del>the</del> <u>there is only one mooring associated with a property with a coastal frontage less than 500m and for a property with coastal frontage exceeding 500m no more than one mooring per 500m of coastal frontage, and</u></p> <p>3Ab) the mooring is located within a two kilometres of the property, and</p> <p>...</p>	<p>The Proposed Plan takes a more permissive approach. Existing moorings are permitted activities, provided there is no more than one mooring per property.</p> <p>Any additional moorings require resource consent (C.1.2.9), as they currently do under the operative Regional Coastal Plan.</p> <p>In my view, the conditions provide some balance to the permissive activity status This approach is intended to manage the proliferation of moorings and encourage the efficient use of space in the CMA<sup>10</sup></p> <p>The submitter suggests that moorings caught by this rule were assessed as being appropriate when resource consent was granted for their initial placement.</p> <p>In response to the comment above: the majority of moorings in Northland were in place before the Resource Management Act came into force in 1991. While a large proportion of these moorings are now consented, there are some that have not yet obtained resource consent.</p>	
Rule C.1.2.11	Royal Forest and Bird Society of New Zealand (Forest and Bird) have requested that the activity	I agree that moorings can potentially have adverse effects on benthic ecosystems.	Retain C.1.2.11 as notified.

<sup>10</sup> NZCPS 2010 policy 6(2)(e)

Provision	Summary of main submission points	Discussion	Recommendation
	status of new moorings in significant ecological areas is amended from discretionary to non-complying.	<p>In my opinion, a discretionary activity status along with the direction in Policies D.2.7 “<i>Managing adverse on indigenous biodiversity</i>”) effects and Policy D.2.8 (“<i>Precautionary approach to managing effects on significant indigenous biodiversity</i>”) will allow for a case by case assessment of new moorings. I also believed the proposed approach is robust enough to allow an application to be declined if the level of effect is unacceptable.</p> <p>The submitter has not provided any evidence to suggest why they believe a discretionary activity is inappropriate. If this information is presented at the hearing I am open to changing my recommendation.</p>	
Rule C.1.2.5	Bay of Islands Maritime Park Inc have requested this provision is linked to a policy preventing the proliferation of moorings.	I agree that the proliferation of moorings is undesirable. I also believe that the rules for moorings and Policy D.5.9, particularly clause 2 are adequate to avoid the proliferation of moorings.	Retain as Rule C.1.2.5 as notified.
Rule C.1.2.5	CEP Matauwhi Services is seeking an additional condition stating that;	The submitter has requested a new condition ensuring existing moorings in significant areas <sup>11</sup> are not a permitted activity.	Add a clause to rule C.1.2.5 requiring resource consent for moorings seeking to establish within Sites or Areas of Significance to Tangata Whenua as shown

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<sup>11</sup> Significant Ecological Areas, Outstanding Natural Character, Outstanding Natural Features, Sites or Areas of Significance to Tangata Whenua and Regionally Significant Anchorages and Regionally Significant Surf Breaks.

Provision	Summary of main submission points	Discussion	Recommendation
	<p><u>Existing mooring is not located in any mapped special area or in any area which meets any of the criteria in Appendix 5 of the Regional Policy Statement for Northland.</u></p>	<p>In respect to existing moorings in Significant Ecological Areas (SEA's). I sought advice from Vince Kerr of Kerr and Associates to provide advice on the risk of moorings on SEA's. Mr Kerr assisted council in identifying SEA's in Northland.</p> <p>It should be noted that Mr Kerr's comments are based on his observations. If a more robust response is required further study will be needed.</p> <p>Mr Kerr stated that in his view Sea Grass Bed and benthic communities such as shellfish and Horse Mussels were the most common SEAs to be effected by moorings.</p> <p>Mr Kerr has closely followed sea grass beds in mooring and anchoring areas. In his view moorings are not a great threat.</p> <p>In respect to Shellfish and Horse Mussel beds Mr Kerr does not think that moorings are a great risk.</p> <p>With that in mind and considering that moorings are already in place I do not believe the additional measures suggested by the submitter are warranted.</p> <p>Turning to the submission point on areas of Outstanding Natural Character. It is important to remember that these areas were identified as being outstanding with those moorings being in place. I do not believe it is necessary to require</p>	<p>in <i>Proposed Regional Plan for Northland – S42A recommended changes</i></p>

Provision	Summary of main submission points	Discussion	Recommendation
		<p>resource consent on the basis of the mooring being in an area of Outstanding Natural Character.</p> <p>There are no moorings in Regionally Significant Surf Breaks. It is unnecessary to list Regionally Significant Surf Breaks in this list.</p> <p>There is one mooring in an Outstanding Natural Feature. That is mooring M1699 which is place on the Rahui Basalt Flow in Kerikeri Inlet. Given the robust nature of this Outstanding Natural Feature a mooring is unlikely to have an adverse effect on its integrity or values.</p> <p>This view was reinforced by advice received from Bruce Hayward<sup>12</sup> which stated that the main values of this feature are above the low water mark. If the mooring is below the mean low water springs it will have nil effect on the values of the Outstanding Natural Feature.</p> <p>I do not believe requiring resource consent for this mooring is necessary or appropriate.</p> <p>Moorings could adversely affect Sites or Areas of Significance to Tangata Whenua or the ability of vessels to anchor in Regionally Significant Anchorages.</p>	

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<sup>12</sup> Bruce W Hayward FRSNZ PhD. Author of *Outstanding Natural Features Identifying and Mapping additional sites in Northland Methodology Report*

Provision	Summary of main submission points	Discussion	Recommendation
Rule C.1.2.5	Lang G has requested the deletion of subsections 3) a) and b) and 5).	<p>I agree, in part to the submission made by Mr Lang. In hindsight, whether a mooring owner is two or ten kilometres from the mooring will have little bearing on their impact the services adjacent to the mooring.</p> <p>I recommend that this condition is deleted</p>	Delete clause 3b of Rule C.1.2.5 as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i>
C.1.2.6	CEP Matauwhi Limited are seeking an additional clause that excludes the harbourmaster relocating moorings into special areas identified in the plan maps or areas that meet the criteria of Appendix 5 of the Regional Policy Statement for Northland.	I agree that a case by case assessment through a resource consent is reasonable when relocating moorings into an SEA.	Add a clause to rule C.1.2.6 preventing moorings being relocated into Significant Ecological Areas as a permitted activity as shown in <i>Proposed Regional Plan for Northland – S42A recommended changes</i>
C.1.2.8	<p>Add to matters of discretion:</p> <p><i>the ability to create a mooring that is secure in poor weather and sea conditions</i></p>	<p>The ability for a mooring to be safe in bad weather is critical however it is not necessary to consider this matter as part of a resource consent application.</p> <p>It is unclear why the submitter considers moorings in mooring zones with limited shore based facilities be treated differently to</p>	Retain Rule C.1.2.8 as notified.
C.1.2.8	<p>Add to matters of discretion:</p> <p><u><i>effects on the characteristics and qualities of any nearby special area.</i></u></p>	CEP Services Matauwhi Limited are seeking amendments to the matters of discretion because <i>some of these listed mooring areas adjoin special areas. The</i>	Retain Rule C.1.2.8 as notified.

Provision	Summary of main submission points	Discussion	Recommendation
		<p><i>matters of discretion do not allow the control of mooring buoys to ensure that adverse effects are minimised on the values of those special areas.</i></p> <p>The mooring zone is intended for moorings and moored vessels.</p> <p>I am not opposed to the principle of manging mooring buoy design to minimise effects on special areas. However, I am struggling to support the relief sought for two reasons;</p> <p>24. This issue has not been raised in respect to moorings in other mooring zones.</p> <p>It is unclear why moorings in mooring zones with limited shore-based facilities should be treated differently to moorings in other mooring zones, aside from the fact that we have identified issues around shore based facilities.</p> <p>25. All of the mooring zones identified in Rule C.1.2.8 have existing moorings. In most cases the mooring zones are at or near capacity. The number of new moorings going into these areas is expected to be small. It is hard to see how considerate design of the small number of new mooring buoys will have a meaningful benefit when they represent such a small proportion of mooring buoys in those zones. For instance Te Uenga Bay is</p>	

Provision	Summary of main submission points	Discussion	Recommendation
		<p>where I see the greatest proportion of new moorings. The mooring zone can accommodate up to 7 new moorings which is 15% of the moorings in that zone. In nearby Waipiro Bay new moorings would be up to 5% of moorings.</p>	
<p>Rule C.1.2.8</p>	<p>Far North District Council and Kaipara District Council are seeking an additional matter of discretion;</p> <p><u><i>the need for the integrated management of any associated land use effects outside the CMA</i></u></p>	<p>I agree with the principle of including matters of discretion on effects of moorings outside the CMA.</p> <p>I have attempted to be specific about what these effects are by including the following as matter of discretion <i>Effects on parking, toilet facilities, refuse disposal and dinghy storage as matters of discretion.</i></p> <p>I am not aware of other effects that should be considered.</p> <p>If there are other effect on land that should be considered I believe it would be beneficial to be specific about what they are, if possible.</p> <p>Further information on the effects the submitters are seeking to be included as matters of discretion would be useful.</p>	<p>No change</p>
<p>Rule C.1.2.8</p>	<p>Royal Forest and Bird Protection Society seek an additional matter of discretion;</p> <p><u><i>effects on indigenous biodiversity.</i></u></p>	<p>It is unclear what effect the addition of a small number of new moorings into an existing mooring zone will have on indigenous biodiversity. Consequently, I do not see how the additional clause will benefit indigenous biodiversity.</p>	<p>No change.</p>

Provision	Summary of main submission points	Discussion	Recommendation
		<p>The submitter has not provided any evidence on how this proposed rule would affect indigenous biodiversity.</p> <p>I cannot support the relief sought at this time.</p>	
<p>Rule C.1.2.8 and Maps - Coastal</p>	<p>Kaipara District Council seek an additional matter of discretion;</p> <p><u><i>the effect of the location of the Mooring Zone on established community uses in the area</i></u></p>	<p>The justification for this clause seems to be centred around a new mooring zone being placed over an area of CMA in Mangawhai harbour that is used for swimming. The area has an existing swimming pontoon. The pontoon has resource consent. I believe Kaipara District Councils concerns are better dealt with through zoning rather than by adding additional matters of discretion.</p> <p>The original thinking in relation to swimming in the area was that the reconsent for the swimming pontoon and the shallow water between the pontoon and shore would safeguard the area for swimming.</p> <p>In hindsight, it may be more appropriate if the area used for swimming is zoned 'general coastal' rather than 'mooring zone'.</p> <p>If the area used for swimming is zoned for mooring (as it is in the Proposed Plan) it is inconsistent with the community's current use and aspirations for the area. For that reason, I recommend changing the zoning of the area around the swimming pontoon from mooring zone to general coastal zone.</p>	<p>Amend the mooring zone in Mangawhai as shown in Amend I Maps.</p>

Provision	Summary of main submission points	Discussion	Recommendation
Rule C.1.2.9	Upperton T opposes rules that provide moorings outside mooring zones.	<p>In my view, there are instance where out of zone moorings may be appropriate. For instance, where access by boat is the only access to a property.</p> <p>I believe it is important to provide an option to apply for out of zone moorings. I believe the rules in Section C.1.2 and the polices in D.4 provide a good balance between providing for out of zone moorings, minimising proliferation of moorings and taking account of the effect of moorings on other users of the CMA and special area.</p> <p>I do not recommend the relief sought is adopted.</p>	No change
Rule C.2.10	New Zealand Defence Force request amendments to C.1.2.10 to cover associated disturbance under RMA s12(1)(c).	The relief sought is consistent with council's intent.	Amend Rule C.2.10 as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i> .
New Policy	Russell Boating Club have requested new policies to improve the public utilisation of existing mooring areas.	There appears to be two main components to Russel Boating Clubs submission point. The first being the management of derelict vessels and derelict / un-serviced moorings. This aspect of mooring management is regulated by councils Navigation Safety bylaw. The bylaw includes provisions allowing council to direct the removal of abandoned vessels, cancel mooring licences and remove moorings. I believe this aspect of mooring management is well covered by the Navigation Safety Bylaw and that policy in the Proposed Planis unnecessary. This submission has been passed to Councils Maritime team to look into the licensing and maintenance issues the submitter raised.	No change.

Provision	Summary of main submission points	Discussion	Recommendation
		<p>The second component raised in the submission is the possibility of council improving the utilisation of mooring space, generally. Council looked into this as part of the Moorings and Marinas Strategy, 2014. Council considered several option including making it mandatory for moorings to be available to the public when they were not used by the mooring owner, council ownership of all moorings and encouraging rental of unused moorings.</p> <p>Council concluded that the only viable options for improving the utilisation of moorings were non-regulatory options around encouraging mooring rental.</p> <p>It is worth noting moorings can be subject to excessive wear and damage when they are used by vessels they are not designed to accommodate.</p>	
Policy D.5.9	Bay of Islands Planning and Far North Holdings believe the Plan should take a more proactive approach to achievement of integrated management of cross boundary issues.	It is unclear how the submitters want council to achieve <i>a more proactive approach to achievement of integrated management of cross boundary issues.</i>	No change.
Policy D.5.9	Bay of Islands Maritime Park Inc have requested; <ol style="list-style-type: none"> <li>1. To move the policy to the rule section, and</li> <li>2. To exclude moorings from areas of high ecological</li> </ol>	<p>In my opinion, there may be situations where new moorings could be placed in Significant Ecological Areas.</p> <p>This is best managed through a resource consent process, which will allow for a case by case</p>	No change.

Provision	Summary of main submission points	Discussion	Recommendation
	value unless they are public moorings.	<p>assessment and where decisions can be guided by Policy D.2.7 and D.2.8.</p> <p>I was not sure whether the submitter was referring to 'excluding' existing moorings or new moorings from these areas. The response above is based on the assumption that they were referring to new moorings.</p>	
Policy D.5.9	<p>CEP Matauwhi Services Ltd are seeking;</p> <ol style="list-style-type: none"> <li>1. Amend clause 7 to identify more special areas, including Areas of High Natural Character, and areas that meet the criteria for 'significance' in Appendix 5 of the Regional Policy Statement.</li> <li>2. Clause 7 f) to g) should be subject to it being established that there is no practicable alternative location outside the special area.</li> </ol>	<p>In my view, it is not appropriate to exclude moorings from areas of high natural character or significant ecological areas. A better option is to provide for a case by case assessment of effects.</p> <p>It may be appropriate to place and use moorings in these areas and I believe applicants should have the opportunity make a case for using these areas for mooring, provided the effects of mooring are acceptable in respect to policies within the plan, Regional Policy Statement and NZCPS.</p> <p>In respect to Significant Ecological Areas (SEA'S) Vince Kerr, marine ecologist who identified and mapped SEA's for the Proposed Plan made the comment that moorings are "not a great threat" to the values of SEA's. This supports my earlier assertion that there may be instances where moorings in SEA's are appropriate.</p> <p>I believe the policy should not exclude moorings in these areas. A better option in my opinion is to allow for a case by case assessment of the effects on these areas to be undertaken through</p>	No change.

Provision	Summary of main submission points	Discussion	Recommendation
		the resource consent process. I believe the policies of the Proposed Place provide an appropriate level of guidance to this process.	
Policy D.5.9	GBC Winstone are seeking several amendments to better provide for out of zone moorings associated with established industrial activities.	The submitter appears to be seeking amendments to Policy D.5.9 to better provide for Dolphin Moorings within Coastal Commercial Zones. Staff believe it is more appropriate for Dolphin Moorings to be treated as a 'structure' (Dolphin Moorings do not fit within in the definition of mooring) rather than a mooring. The policies on moorings should not apply to Dolphin Moorings.	No change.
Policy D.5.9	Heritage NZ seeks amendments to include sites of significance to tangata whenua and include heritage sites.	I have discussed this matter with Keir Volkerling who is preparing the 42A report titled 42A – tangata whenua. We agree that sites of significance to tangata whenua should be a consideration as part of policy D.5.9 .  <i>Amendments have been made to Proposed Regional Plan for Northland – S42A recommended changes</i>	Amend policy D.5.9 as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i>
Policy D.5.9	Mace CR seek; Delete D.5.9(2) and D.5.9(3). Amend D.5.9(7) by including the following new clauses: i) <u>the mooring by itself or in combination with existing moorings in the same bay or inlet, will not result in more than minor adverse effects, and</u>	The submitter is seeking that the policy be reordered and that some minor changes to the wording are made.  From the submission, it is unclear what the amendments achieve. It is hoped that this will become clearer through the hearing process.	No change

Provision	Summary of main submission points	Discussion	Recommendation
	<p>j) <u>the mooring with establish a precedent for additional new mooring in the same bay or inlet.</u></p>		
Policy D.5.9	<p>Matauri Bay Trust seek amendments to Policy D.5.9 to <i>provide the policy basis for rule C.1.2.5 to recognise that existing moorings outside mooring zones are appropriate and are not subject to consenting requirements of policy D.5.9.</i></p> <p><i>Specifically amend the policy to specify that existing moorings outside Mooring Zones are appropriate where adverse effects on the environment, navigation and on other users of the coastal marine area are appropriately avoided, remedied or mitigated, with specific reference to the type of standards included at rule C.1.2.5.</i></p>	<p>Policy D.5.9 is intended to guide decision making on resource consent applications for moorings.</p> <p>Moorings that meet the conditions of rule C.1.2.5 are permitted. As such they do not have to meet the tests set out in Policy D.5.9.</p> <p>I do not believe it is necessary to include a statement as sought by the submitter.</p>	No change
	<p>Northport seek the following amendments:  5) <i>not be located within a <u>commercial shipping channel</u>, navigation channel and not be located within the coastal commercial zone or <u>coastal commercial port zone</u> unless it is directly associated with a maritime</i></p>	<p>The staff recommendation is to not identify commercial shipping channels in the Proposed Plan . For consistency, I do not believe commercial shipping channels should be referred to in this policy. See section 42a report – coastal structures for more details.</p> <p>I agree with the submitter that it would be inappropriate for a mooring to establish in a coastal commercial port zone (or otherwise</p>	Amend policy D.5.9 as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i>

Provision	Summary of main submission points	Discussion	Recommendation
	<i>related commercial enterprise.</i>	named zone of this type) as it the mooring could inhibit port operations or expansion.	
Policy D.5.9	Whangarei District Council believes this policy is more appropriate as an information requirement.	<p>This policy does, in several instances, direct applicants to provide information on certain matters. Those clauses also include tests that must be met for an application to be considered appropriate.</p> <p>I believe the information in the policy is best placed within the policy section of the plan.</p>	No change
Policy D.5.9	<p>Yachting New Zealand have requested the following amendments:</p> <p><del>2) not by itself and/or in combination with existing moorings in the same bay/inlet, result in more than minor adverse effects, and</del></p> <p><del>3) not be allowed where the mooring will more likely than not result in setting a precedent for additional new moorings in the same bay/inlet,</del></p> <p>...</p> <p>7) e) <u>Regionally Significant Anchorages and Recognised Recreational Anchorages.</u></p>	<p>The submitter seeks that clause 2 be deleted because</p> <p><i>An application for resource consent should be addressed on its merits by reference to the provisions of the Act, and it is not appropriate for a Policy to import a higher standard of assessment (in effect that the activity must have no more than minor adverse effects)</i></p> <p>I disagree with the submitter on this point. Policies in plans throughout New Zealand set the level of adverse effect that is appropriate for a particular resource, location or regional.</p> <p>I have not seen evidence to suggest that the proposed <i>no more than minor</i> threshold should be more lenient or stringent.</p> <p>Clause 2 has been included in the Proposed Plan to reflect community and council concern around the proliferation and cumulative effects of</p>	Retain D.5.9(2) as notified and delete D.5.9(3) as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i>

Provision	Summary of main submission points	Discussion	Recommendation
		<p>moorings outside mooring zones. I recommend that clause 2 is retained as notified.</p> <p>Another point raised by the submitter is that it is inappropriate for the policy to include conditions around setting precedent. I accept this point and recommend clause 3 is deleted.</p>	
Policy D.5.10	<p>Bay of Islands Planning seek that the plan takes a <i>more proactive approach to achievement of integrated management of cross boundary issues.</i></p>	<p>Bay of Islands Planning Limited suggested the Proposed Plan be more proactive in achieving integrated management of cross boundary issues and reference policies D.5.10 in this regard. However, they don't offer any detail, nor is it immediately apparent, how this might be achieved – therefore I'm unable to assess this request.</p>	Retain Policy D.5.10 as notified.
	<p>Far North District Council see the following amendments:  <i>"Adequate parking, toilet facilities, refuse disposal and dinghy storage from are provided at all times of the year at their own on private property near the proposed mooring".</i></p>	<p>I agree with the submitter that there are a number of ways that a mooring owner may be able to deal with the land based effects of their mooring. The suggested amendments make the policy more flexible and more user-friendly while achieving the same outcome.</p>	Amend policy D.5.10 as shown in the document titled <i>Proposed Regional Plan for Northland – S42A recommended changes</i>
Policy D.5.10	<p>Far North Holdings Limited request amendments that <i>do not allow any more moorings to be approved at Opuā until wider issues around public parking, lack of control over live-aboard owners and vessels without holding tanks are resolved.</i></p>	<p>It is unclear whether the submitter believes that the rules and policies of the plan are adequate to achieve their stated goal or if amendments are required.</p> <p>I am unable to support or oppose the relief sought.</p>	No change

Provision	Summary of main submission points	Discussion	Recommendation
Policy D.5.10	Royal Forest and Bird Protection Society state that new structures should not be anticipate in areas of indigenous biodiversity, Outstanding Natural Character, features or landscape areas.	<p>It is anticipated that moorings are placed in mooring zones. There are no mooring zones in these areas.</p> <p>The submitter has not demonstrated how the relief sought is appropriate. Without more information, I am unable to adequately consider the request and can therefore not support or oppose the relief sought.</p>	No change
Policy D.5.11 and Policy D.5.12	Royal Forest and Bird Protection Society state that new structures should not be anticipate in areas of indigenous biodiversity, Outstanding Natural Character, features or landscape areas.	There is some overlap between the Regionally Significant Anchorages and Significant Ecological Areas identified in the Proposed Plan. The anchorages identified in the Proposed Plan have been used for anchoring for a very long time and the Significant Ecological Areas we only recently assessed as being significant even though vessels were anchoring in the area. It is unclear why the submitter believes that these activities are incompatible.	No change
Maps - Coastal	Easter Bay of Islands Preservation Society and J Howell request that the North-western half of Waipiro Bay be included as a Regionally Significant Anchorage.	<p>The advice received from boating clubs during the development of the Proposed Planis that Wipiro Bay was a good anchorage but that it was not, in their view a storm anchorage.</p> <p>I note that Yachting New Zealand has requested that recreational anchorages are mapped in the plan. If this relief is granted Wiapiro Bay would be mapped as a recreational anchorage. Whether Waipiro Bay is mapped or included by reference. The bay will be afforded the benefits of Policy D.5.12.</p>	Retain Maps-Coastal as notified.

Provision	Summary of main submission points	Discussion	Recommendation
General	<p>Submitter states that NRC has not managed the designated mooring areas and that after the 2014 storm many boats dragged their moorings and no attempt has been made to reposition them. The navigation channels into the Waikare and Kawakawa rivers are no longer discernible.</p>	<p>Advice from Council's Maritime Team was that these moorings have been repositioned to their original location.</p> <p>In respect to the navigation channels into the Waikare Inlet and the Kawakawa river, Council's Maritime have identified and mapped navigation channels (for Council use).</p> <p>Navigation channels are not identified in the Proposed Plan ). However, the Harbour Master has powers under rule C.1.2.6 and the Navigation Safety Bylaw to relocate moorings out of this channel if necessary.</p>	No change.