

**Submission on Plan Change 21 to the
Marlborough Sounds Resource Management Plan**

Mooring Management Areas & Marina Zone Extension, Waikawa Bay

This submission relates to all of the proposed Plan Change 21 as proposed by Port Marlborough Ltd (Port Marlborough).

The Marlborough Berth and Mooring Association (MBMA) supports Plan Change 21

The reasons for MBMA's submission are set out below.

MBMA is an incorporated society with over 340 fully subscribed members. Of the approximately 180 mooring owners in Waikawa Bay, 120 are members of MBMA.

Existing moorings in Waikawa Bay were authorised by previous legislation under Harbour Board Bylaws. Moorings are required to be re-validated under the Resource Management Act (RMA).

There were a number of options to validate the existing moorings under the RMA. Council decided that individual mooring holders should apply for a coastal permit under the RMA. The applications were publicly notified. Port Marlborough Ltd (Port Marlborough) submitted on mooring applications as it wanted to expand its marina facilities in Waikawa Bay. MBMA was formed around this time to represent the interests of mooring and marina berth holders in Marlborough.

A single hearing was held for all mooring applications as a bulk lot in April 2008. The case was heard by Commissioner John Maassen. The Commissioner identified fundamental legal flaws in being able to approve all the mooring applications. This was mainly due to the fact that many moorings were not located in accordance with their previous authorisations and also many mooring swing circles overlapped.

The hearing was adjourned to enable the parties to discuss alternative methods to deal with the issues.

Port Marlborough and MBMA representatives have subsequently worked together to investigate alternative proposals that could provide for Port Marlborough's aspirations, provide for validation of existing moorings and that also could provide for better management of the existing moorings in the Bay. A representative from the Marlborough District Council chaired many of the meetings.

Throughout the process, MBMA has kept its members fully informed of progress and of the overview of the proposed Plan Change. The hearings Commissioner has also been kept updated as to progress. Port Marlborough in particular has liaised with others in the community.

The agreed solution was for a combined bay-wide Plan Change application that would include new Mooring Management Areas and also provide for a new marina zone on the north-west side of the Bay. This co-operative process has culminated in proposed Plan Change 21. A bylaw to manage the moorings within the proposed Mooring Management Areas is also proposed and is open for separate public submission. This bylaw in conjunction with Plan Change 21 will allow for a simple licensing system for moorings rather than requiring individual resource consents.

MBMA supports this global approach to boat berthing and mooring in Waikawa Bay rather than an ad-hoc piecemeal approach. The approach taken in Plan Change 21 also provides for forward planning that should give MBMA's members and the community a level of certainty for future development of the Bay.

In summary MBMA considers that Plan Change 21 combined with the Mooring Management Bylaw will provide its members with the legal formalisation they are seeking for their moorings. It will also provide for a simple licensing process and improved management of moorings in the Bay.

The decision MBMA wishes Council to make is to approve the Plan Change as publicly notified.