

Auckland Regional Plan: Coastal

Proposed Plan Change 2 Coastal Occupation Charging

Summary of Submissions Received

Notified for Further Submissions
5 September 2007

Further Submissions Period Closes
4 October 2007
5.00 p.m

1 -Transpower

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the change not to charge for the occupation of coastal space.		

Submission Point:	2	Chapter:	Whole of plan change
Issue:	Clarification	Clause:	
Decision Requested:	Supports the ARC seeking clarification of Coastal Occupation Charging.		

2 -Metro Water Limited

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the plan change and considers the change is appropriate given the legal and policy uncertainties relating to section 64A of the Resource Management Act.		

Submission Point:	2	Chapter:	Whole of plan change
Issue:	Future COC regime	Clause:	
Decision Requested:	Support that any coastal occupation charging regime should consider compensation for lost benefit due to private use, take into account the public benefit lost and the purpose of the area occupied.		

3 -Environment Waikato

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the approach taken to not introduce coastal occupation charging at this time.		

Submission Point:	2	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports that there are a number of barriers to the implementation of a coastal occupation charging regime: including lack of clarity on what these charges are, lack of a presumption in favour of charging and a lack of a nationally consistent policy.		

Submission Point:	3	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the a plan change stating coastal occupation charges will not be levied at this time.		

4 -Bucklands Beach Yacht Club

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports that the provisions of the RMA are too uncertain to provide a sound basis on which to introduce coastal occupation charging.		

Submission Point:	2	Chapter:	Section 32
Issue:	Section 32	Clause:	Introduction
Decision Requested:	Supports the introduction as background to the power given to regional councils to introduce a coastal occupation charging regime, and that it is not mandatory to introduce one.		

Submission Point:	3	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 2
Decision Requested:	Supports that there are too many legal and policy uncertainties particularly whether coastal occupation charges should be applied to not-for-profit organisations.		

Submission Point:	4	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 3
Decision Requested:	Supports the underlying principles for coastal occupation charging but cautions defining and separating out private and public benefits is a complex matter. Some private use can create a greater public use, access and benefit.		

Submission Point:	5	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 4
Decision Requested:	Supports the process ARC has taken to not develop a coastal occupation charging regime.		

Submission Point:	6	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 5
Decision Requested:	Supports the barriers to the development and implementation of coastal occupation charges.		

Submission Point:	7	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 5.1
Decision Requested:	<p>Supports section 5.1 barriers to implementing coastal occupation charges specifically:</p> <ul style="list-style-type: none"> - lack of understand of what coastal occupation charges are - no presumption that charges should apply and this should be used as a first principle to test any charging - absence of a clear, consistent or agreed methodology and supports ARC opposition to using an adjacent terrestrial land vales - equity and consistency issues without a underlying valuation principles could price out activities within the CMA and deprive the public of benefits provided - limited central government guidance to ensure a consistent approach adopted throughout NZ. 		

Submission Point:	8	Chapter:	Section 32
Issue:	Section 32	Clause:	Section 6
Decision Requested:	Supports the ARC conclusions and would wish to make extensive submissions on any proposal to introduce Coastal Occupation Charging.		

5 -Hauraki Kayak Group (Inc)

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Support the plan change subject to submission 5/2.		

Submission Point:	2	Chapter:	
Issue:	Future COC regime	Clause:	
Decision Requested:	Supports that if a Coastal Occupation Charging regime is introduced that a distinction needs to be made between 'commercial' and 'recreational' use of the coastal environment. Membership open to all members of the public is not a complete 'private occupation' of a public space and expenses should be kept to a minimum.		

6 -Crusing & Navigation Association of NZ Inc

Submission Point:	1	Chapter:	Whole of Plan change
Issue:	Support	Clause:	
Decision Requested:	Support the plan change and oppose coastal occupation charging being introduced for recreational boating. Reasons including; <ul style="list-style-type: none"> - Auckland's name 'City of Sales' thanks to individuals investment in sailing and creation of the yacht clubs - Yacht club facilities provide increased public access - Many non-yachties benefit from the facilities as crew or guests - Costs of administration of charges could outweigh benefits. 		

7 -Westhaven Marina Users Association Inc

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Support the plan change and oppose coastal occupation charging being introduced for recreational boating. Reasons include: <ul style="list-style-type: none"> - Berth licensees and renters pay for all facilities including maintenance and works, few amenities are supplied by local authorities - Yacht club facilities provide increased public access - Many non-yachties benefit from the facilities as crew or guests - Auckland's name 'City of Sales' thanks to individuals investment in sailing and creation of the yacht clubs 		

8 -Auckland Maritime Foundation T/A Half Moon Bay Marina

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the plan change given: - the level of uncertainty regarding the appropriate basis on which a coastal occupation charging regime may be introduced - inadequate guidance and certainty as to the purpose of the charges.		

Submission Point:	2	Chapter:	General matter
Issue:	Alternative charging	Clause:	
Decision Requested:	Oppose Council trying to effectively recover similar charges via other means before any coastal occupation charging regime is formally considered and introduced, and that is introduced, such a regime should be applied to all marinas consistently.		

9 -Gulf Harbour Marina

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Clarification	Clause:	
Decision Requested:	Support not introducing a coastal occupation charging regime until such as time that fair and equitable regime can be applied to all occupiers.		

Submission Point:	2	Chapter:	General matter
Issue:	Alternative charging	Clause:	
Decision Requested:	Opposes initiating a charging regime that is not fair and equitable to all parties and not based on sound principles as it will only cause problems.		

10 -Rodney District Council

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Timing	Clause:	
Decision Requested:	Amend the plan change to provide certainty and specificity in regard to the introduction of a coastal occupation charging regime for the occupation of space in the CMA and any subsequent amendments.		

11 -Westpark Marina Association Trust

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the plan change as notified subject to amendments and or additions as a result of submissions 11/2.		

Submission Point:	2	Chapter:	General matter
Issue:	Alternative charging	Clause:	
Decision Requested:	Oppose council effectively trying to recover similar charges via other means before Coastal Occupation Charging is formally considered and introduced. If introduced the regime should apply to all marinas consistently.		

12 -West Park Marina Limited T/A West Park Marina

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports the plan change as notified subject to amendments and or additions as a result of submissions 12/2		

Submission Point:	2	Chapter:	General matter
Issue:	Alternative charging	Clause:	
Decision Requested:	Oppose council effectively trying to recover similar charges via other means before Coastal Occupation Charging is formally considered and introduced. If introduced the regime should apply to all marinas consistently.		

13 -Federated Farmers of New Zealand (Inc)

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	<p>Support the plan change as:</p> <ul style="list-style-type: none"> - within the Auckland region the exclusion of the coastal marine area from the general public does not result in the loss of any public benefit, therefore private benefits gained are irrelevant - not possible to development of a charging methodology that is equitable both to private occupiers of the CMA and to the general public. 		

14 -Department of Conservation

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Support in part to not proceed with coastal occupation charging subject to submission 14/2.		

Submission Point:	2	Chapter:	Whole of Plan Change
Issue:	Timing	Clause:	
Decision Requested:	Amend the plan change so the statement "at this time" is deleted and replace with "work will commence on the development of a coastal occupation charging regime following the gazettal of an amended New Zealand Coastal Policy Statement'. As the Minister of Conservation is revising the NZCPS to provide more guidance on the matter of coastal occupation charging.		

15 -Transit New Zealand

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Support	Clause:	
Decision Requested:	Supports not introducing a coastal occupation charging regime as a regime will potential effect the costs of maintaining the state highway network.		

16 -Vector Limited

Submission Point:	1	Chapter:	Whole of plan change
Issue:	Future COC regime	Clause:	
Decision Requested:	Supports the plan change without further modification however notes should a coastal occupation charging regime be developed the delivery of energy, electricity and fibre optics communications provides a public benefit.		