

Attachment A: Summary of submissions and panel recommendations

Submission Points/Amendment Sought John Scott Taylor	Officer Comment/Recommendation	Hearings Panel Recommendation
Adopt the Daily Fees as being \$5.00	Approve. No change to bylaw required.	Approve submission
Adopt the Annual Charge or Concession Fee of \$40.00 for 2014/15, with an increase to \$50.00 for 2015/16.	Decline – annual concession fee has not changed for many years and is not at a level to discourage frequent use of waterways facilities. Staged introduction possible, but is not best method to meet LTP targets.	Approve submission – Panel accepts advice that the annual permit fee should be set for 7-8 launches per annum to recognise variability in weather conditions.
Submission Points/Amendment Sought Bruce Hebbard	Officer Comment/Recommendation	Hearings Panel Recommendation
Hold the ramp user fees at the current level.	Decline - modest increase after many years of no increase in fees. Increase is necessary to meet terms of LTP.	Decline – ramp fees set as above.
Include the ramp fees in the rates the same as the library fees fee are - Council to issue tokens to ratepayers.	Decline – beyond scope of bylaw process. Submitter is encouraged to make proposal at next year's LTP hearing.	This submission is beyond the scope of the panel's terms of reference, but the point is noted for Council's attention. Submitter is advised to submit this point at annual plan hearing.
Non-ratepayers to pay for ramp by fee at ramp.	Approve – system proposed by bylaw will require payment of ramp fees by non-ratepayers.	Approve submission
Submission Points/Amendment Sought John Glover	Officer Comment/Recommendation	Hearings Panel Recommendation
Define what makes a “commercial structure”;	Approve – new definition now proposed.	Approve submission revised licence structure now proposed.
Specify and justify the size of the fees for Commercial structures;	Decline - No change required, there will be an opportunity for submission on value of fees during the public process to the Long Term Plan.	Decline – flexibility required to have fees appropriate for the structure and the use of the structure. Revised licencing system now permits an application for either a commercial or non-commercial structure.

Insert a provision allowing Council to waive or reduce fees at its discretion	Approve – new provision proposed in clause 20.	Approve - Inserted in clause 20
Set commercial fees as part of a bylaw process instead of in the annual plan	Decline – annual plan fee schedule permits the regular updating of fees in line with inflation and market fluctuations.	Decline - flexibility required to have fees appropriate for the structure and the use of the structure. Waiver provision may apply where use of structure is predominantly for the public good.
Submission Points/Amendment Sought: Stuart John Dever	Officer Comment/Recommendation	
Totally drop the annual inspection of mooring...that should be the onus of the owner of the mooring.	Approve – clause 11 now amended to clarify moorings owner to undertake required inspection.	Approve – clause 11 and also schedule 1 fees now adjusted to remove option for Council to inspect moorings. Licence holders are now required to provide a certificate of inspection every 2 nd year when mooring permit is renewed.
Totally drop ramp fee charges.....they are a public amenity, and should be free to use, just like public toilets and public parks.	Decline – this is a matter for a submission on the annual plan. Fees are necessary to meet LTP targets.	Decline – Long Term Plan targets require collection of fees from the users of maritime facilities. This submission is beyond the scope of the panel's terms of reference, but the point is noted for Council's attention. Submitter is advised to submit this point at annual plan hearing.
Instead of having "commercial or non-commercial" fees for mooring, charges should be on length of the vessel, under 10 metres, and over 10 metres.	Decline – fees on the mooring distinguish between commercial and non-commercial.	Decline – administration and enforcement of fees is more efficient if status of craft is the basis for fees.
Submission Points/Amendment Sought: Jon Clow (Real Journeys)	Officer Comment/Recommendation	
Allow for public consultation regarding the siting of moorings	Decline – Resource Consent process allows for public consultation on the siting of a mooring.	Decline - Resource Consent process allows for public consultation on the siting of a mooring.

Moorings inspection to be conducted by "suitably qualified" person.	Approve - Clause 11 now modified to require inspection by suitably qualified person.	Approve
Exclude Earnslaw slipway from operation of bylaw	Decline – note that fee waiver clause has been introduced.	Decline – fees are to be applied to all maritime structures
Add condition that any public use of foreshore structures cannot interfere with commercial use of foreshore structures by the foreshore structure owner or lease holder.	Decline – public use posing safety risks is dealt with by harbourmaster or by Navigation Safety Bylaw.	Approve – clause 15(6) modified to give commercial permit holders preferential use over defined part of structure. Council is to specify public use areas for structure when application for licence is made.
In respect of commercial operators, any terms and conditions attached to any permit under this clause should, be determined in consultation with the structure owner and operator and not at the sole discretion of the Council.	Decline – no change required to bylaw. Condition setting/application process will involve liaison with applicant.	Decline – no change required to bylaw. Condition setting/application process will involve liaison with applicant.
Bylaw should not deal with non-compliance under Building Act 2004 and Resource Management Act 1991.	Decline – council needs to avoid use of moorings without the necessary building permits or resource consent permits. Wording of clause 23 modified to clarify operation of provision.	Approve in part. The Panel agrees that the
Restrict use of fees collected to waterways facilities and services	Decline – beyond scope of bylaw public consultation process. Suitable for annual plan or Long Term Plan submission	Decline – beyond scope of bylaw public consultation process. Suitable for annual plan or Long Term Plan submission. The Hearings Panel notes the Long Term Plan requires that funding be applied to waterways facilities and services.

The title of schedule 1 is not correct	Approve – title modified	Approve – title modified.
Specify and justify fees for all commercial activities and structures	Decline – beyond scope of bylaw public consultation process. Suitable for annual plan or Long Term Plan submission	Decline – flexibility required to have fees appropriate for the structure and the use of the structure. Revised licencing system now permits person to elect application for either a commercial or non-commercial structure.
Annual inspections not required due to freshwater environment.	Decline – advice of harbourmaster is that minimum annual inspection is required to minimise risk of mooring failure.	Approve – panel accepts submitter’s advice that mooring inspection certificates required by insurer every second year. Term of mooring permit also adjusted to apply for a 2 year period to align with the inspection certificate period.
Submission Points/Amendment Sought: Wakatipu Yacht Club Inc	Officer Comment/Recommendation	Hearings Panel Recommendation
Maintain mooring fee at existing level	Decline – terms of the LTP will not be met.	Decline – terms of LTP will not be met. Adjusted fee structure to recognise “short” season.
Discuss with the Wakatipu Yacht Club Inc with the view to minimise the impact that any ramp fee increases and/or enforcement regime will have on the Yacht Club facilities and the amenity value of the Club site	Neutral – advice to club is that fees will be charged for use of boat club facilities under the bylaw. The operations department has been advised of the Club’s concerns on waterways facilities.	Approve – new structure licence regime will apply to Yacht Club, but there is provision for club to apply for a waiver. Condition of club facilities is noted, and has been referred to the operations department for liaison.
Council consider making a special case for a community based club that is operated purely on a volunteer basis and is part of the recreational community.	Approve – propose waiver provision to enable Council to reach an agreement on the fees for charitable or public good purposes. Clause 20 has been amended to include the power to waive any fees in whole or part.	Approve – waiver provision to enable Council to reach an agreement on the fees for charitable or public good purposes. Clause 20 has been amended to include the power to waive any fees in whole or part.
Submitters not wishing to be heard		
Submission Points/Amendment Sought John Cochrane	Officer Comment/Recommendation	Hearings Panel Recommendation

<p>Support the idea of increase on launching fees for boats. Would like to see it go even further to include all boat launching spots. (eg) Elly [sic] Point, Waterfall Creek.</p> <p>We then truly could spend the extra money generated to improve our jetties and launching facilities for a better outcome for all that use the lakes.</p>	<p>It is not possible to cover every possible launching point, however, the Council has drafted the bylaw to be as broad as possible and it will include fees for people launching their boats from major launch points</p>	<p>Panel recommends that the Council research how many ramps and launch facilities would not be captured by current provisions of bylaw. If the number is significant, then the Council could propose an amendment to broaden the fee capture points.</p>
<p>Submission Points/Amendment Sought Dave Attwell</p>	<p>Officer Comment/Recommendation</p>	<p>Hearings Panel Recommendation</p>
<p>Do not increase current boat ramp fees for annual permits</p> <p>Boaties voluntarily maintain ramp access and do work not done by Council.</p> <p>Maintenance of ramp area is not high cost, therefore question need to increase fees.</p>	<p>Decline – modest increase after many years of no increase in fees recognises the contribution from boating community. Increase is necessary to meet terms of LTP.</p>	<p>Decline. Modest increase proposed.</p> <p>Volunteer contributions are gratefully acknowledged</p> <p>The fees charged contribute to costs of Harbourmaster services. Therefore fees must be charged, despite the “low” costs of maintenance for some facilities.</p>