

**OVERVIEW**

Lyttelton Harbour is a focus for marine and port activities of regional significance. In addition to the substantial scope and scale of commercial shipping activities in the harbour, supported by the activities within the Lyttelton Port Zone, a range of recreational boating activities takes place on the harbour waters. Facilities to support these activities are presently provided in a limited fashion on the foreshore at several locations around the coast, including Magazine Bay, Charteris Bay, Purau and Governors Bay. These facilities include launching and retrieving facilities, storage facilities, moorings and servicing facilities.

As growth in recreational boating continues, there will be a need to manage the future development of ancillary activities and facilities. Further mooring, berthing, launching, retrieval and service facilities will be required. Such expansion needs to take place in appropriate locations and subject to appropriate resource management provisions.

The Boat Harbour Zone provides for the establishment of support and servicing facilities for small and recreational boats within a limited area adjacent to the Lyttelton Port Zone. These provisions will apply to the Magazine Bay area, adjacent to the port of Lyttelton, and have been formulated in order to enable the appropriate development and use of a range of berthing, servicing, launching and retrieving facilities and ancillary activities.

The provisions recognise the sensitive nature of the coastal environment in this part of the District. While the land subject to the Boat Harbour Zone provisions is suitable for the development of facilities as set out above, there are certain features of the immediate locality which require the responsible management of boating facilities within the boat harbour. These include the existing residential development set within the hillside landscape behind the coastal margin. Further, public access to the coast and the wider Lyttelton harbour is presently limited at this point and needs to be facilitated. The future development of boat harbour facilities in this area will help to secure this outcome.

Accordingly, provision is made for further development within the Boat Harbour Zone while maintaining and enhancing public access to the harbour and its margins, and avoiding, remedying or mitigating any adverse environmental effects of such development.

<b>ISSUE 1</b>	<b>Physical development within the coastal margins may prevent or restrict access to the coastline and coastal waters for recreational boating use.</b>
<b>OBJECTIVE 1</b>	<b>To maintain and enhance general public access to the coastal marine area for recreational boating.</b>

**POLICY**

- 1A** Enable a range of activities within the Boat Harbour Zone that facilitate public access to and enjoyment of the coastline of the district and the coastal marine area for recreational boating.

**EXPLANATION AND REASONS**

The maintenance of general public access to the coastline is an outcome which needs to be secured. The establishment of any of the activities and facilities provided for in the Boat Harbour Zone must not prevent general public access to the coastline. On the other hand, public access to the coastline for recreational boating may be facilitated and enhanced through the careful development of boat harbour facilities.

<b>ISSUE 2</b>	<b>The scale and intensity of development and the location of buildings and structures may detract from amenity values and the character of the coastline in the locality.</b>
<b>OBJECTIVE 2</b>	<b>To maintain amenity levels and avoid, remedy or mitigate the potential adverse effects of Boat Harbour activities on the amenity values of the surrounding areas.</b>

**POLICIES**

- 2A** All buildings and structures shall be of a scale, size and height so as not to dominate surrounding views or properties.
- 2B** All activities shall be managed in order to secure general amenity values and to minimise the adverse effects of noise, glare and vibration.
- 2C** All activities shall make adequate provision for car-parking and manoeuvring without causing congestion or detracting from the amenity of the surrounding area.
- 2D** On-site parking shall not produce adverse aural or visual effects that reduce the amenity of any site within the Residential Conservation Zone.
- 2E** Activities shall be provided with adequate infrastructure and services.

**EXPLANATION AND REASONS**

Boat harbour areas may contain a diverse range of activities and some of these have the potential to generate adverse effects on surrounding areas. Effects, which arise from the servicing, and repair of boats and the storage of hazardous substances may reduce amenity values of nearby residential areas.

An important resource management consideration in this area of the District is the satisfactory establishment of a range of activities and facilities without creating any adverse environmental effects which cannot be avoided, remedied or mitigated. The amenity values of nearby residential areas must be protected. The objectives and policies are intended to ensure that when activities and facilities are established within the Boat Harbour Zone they are consistent with the maintenance of environmental standards in adjacent Zones.

**METHODS TO ACHIEVE OBJECTIVES AND POLICIES**

Plan rules limiting activities to those associated with small-scale boating.  
Plan rules to ensure that adverse effects on adjacent Zones are avoided, remedied or mitigated.

**RULES****1. Permitted Activities**

The following are permitted activities where these meet the conditions set out in Rule 3 (below):

- a) Provision and operation of facilities for the storage, servicing, maintenance and repair of recreational boats.
- b) Provision of public toilets and changing rooms.
- c) Provision of car-parking areas.
- d) Retailing, provided that individual premises occupy no more than 150m<sup>2</sup> of gross floor area.
- e) Provision and operation of facilities for the launching of recreational boats.
- f) Provision of facilities for the supply of potable water to boats.
- g) Provision of effluent disposal connection points for the transfer of effluent wastes from boats to land based facilities.
- h) Provision for the collection and transfer of refuse from boats.

**2. Controlled Activities****Relocated Buildings**

For relocated building activity compliance with the following standards and terms is required for the activity to be a controlled activity:

- a) Compliance with all other relevant rules in this Plan.

#### 2.1 Resource Consent Conditions

In considering an application for a controlled activity for a relocated building the Council may impose conditions in relation to the following matters:

- The likely appearance of the building upon restoration or alteration, and its compatibility with buildings on adjoining properties and in the vicinity.
- The exterior materials used, and their condition and quality.
- The period required for restoration work to be undertaken.
- Any requirements to impose a bond or other condition to ensure completion of restoration work to an acceptable standard.

### **3. Conditions for Permitted Activities and Standards for Controlled Activities**

#### 3.1 Height

Maximum height of buildings and structures - 11 metres

#### 3.2 Lighting

All exterior lighting shall be positioned so that it is not directed at any property in the Residential, Residential Conservation or Town Centre Zones and ensures that maximum lux spill from artificial sources of light does not exceed 10 lux spill (horizontal or vertical) at or within any site in any Zone adjacent to the Boat Harbour Zone.

### **4. Restricted Discretionary Activities**

An application must be made for a restricted discretionary activity for any activity included in the list of permitted and controlled activities which does not comply with one or more of the conditions for permitted activities or the standards for controlled activities.

#### 4.1 Resource Consent Conditions

When considering an application for resource consent, conditions may only be imposed in respect of those matters over which the Council has restricted the exercise of its discretion.

### **5. Discretionary Activities**

The following are discretionary activities:

- a) Visitor Facilities.
- b) Retailing, where individual premises occupy more than 150m<sup>2</sup> of gross floor area.

**6. Non-Complying Activities**

(Updated November 2010)

- 6.1 Heli-landing areas located within 450m from any Rural-Residential, Small Settlement, Papakaianga, Akaroa Hillslopes, Residential, Residential Conservation or Town Centre Zone.  
except that this rule shall not apply to heli-landing areas on sites greater than 3000m<sup>2</sup> where all of the following conditions are met:
- (g) The number of flights do not exceed 12 (24 movements) in any calendar year;
  - (h) The flights (movements) do not take place on more than five days in any one month period;
  - (i) The flights (movements) do not exceed three in any one week;
  - (j) Any movements shall only occur between 8.00am and 6.00pm;
  - (k) No movements shall take place within 25m of any dwelling unless that dwelling is owned or occupied by the applicant;
  - (l) A log detailing the time and date of each helicopter movement shall be maintained and made available for inspection by the Christchurch City Council if requested.
- 6.2 Any activity not otherwise specified as a permitted, controlled, restricted discretionary, or discretionary activity is a non-complying activity.

**ASSESSMENT OF APPLICATIONS****7. Restricted Discretionary Activities**

Assessment of applications for restricted discretionary activities will be limited to those conditions for permitted activities with which the proposal fails to comply.

Applications for restricted discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Boat Harbour Zone.
- Any other objectives and policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

**8. Discretionary Activities**

Applications for discretionary activities will be assessed against the following:

- The relevant objectives and policies of the Boat Harbour Zone.
- Any other Objectives and Policies of the Plan which are relevant to consideration of the application.
- Any relevant criteria set out in Chapter 30 (Resource Consent Procedures).

In addition, the conditions for permitted activities will be used as a guide.

**ANTICIPATED ENVIRONMENTAL RESULTS**

The following environmental results are anticipated from the implementation of the objectives and policies relating to the Boat Harbour Zone:

- Protection of distinctive landscapes and the rural character of the areas.
- Buildings of compatible scale, intensity and location.
- Effective management of adverse effects such as earthworks, stormwater and effluent disposal.

**REFERENCE TO OTHER PROVISIONS**

- 14 Cultural Heritage
- 31 Subdivisions
- 32 Financial Contributions
- 33 Noise
- 34 Signs
- 35 Access Parking and Loading
- 37 Waste Management and Hazardous Substances