

**SUMMARY OF KEY CHANGES**  
**NORTHERN PEGASUS BAY BYLAW 2016**

**Proposed Key Changes**

The following table is a summary of the key changes proposed for the new bylaw. These should be read in conjunction with the bylaw maps.

<b>2010 Bylaw</b>	<b>Currently Proposed for 2016 Bylaw</b>
<b>Empowering Legislation</b>	
<ul style="list-style-type: none"> <li>Sections 145 and 146 of the <i>Local Government Act 2002</i>.</li> </ul>	<ul style="list-style-type: none"> <li>Sections 145, 146 and 153 (3) of the <i>Local Government Act 2002</i>.</li> <li>Section 22AB of the <i>Land Transport Act 1998</i>.</li> </ul>
<b>Purpose</b>	
<ul style="list-style-type: none"> <li>To control activities and the use of land, including camping, the use of horses and the use of vehicles, on the foreshore, beaches and adjacent areas of Northern Pegasus Bay.</li> </ul>	<ul style="list-style-type: none"> <li>To control activities on the beaches, including the foreshore, and adjacent land areas of Northern Pegasus Bay in order to:               <ul style="list-style-type: none"> <li>manage recreational uses for the benefit and enjoyment of all users;</li> <li>minimise environmental impacts arising from this recreation activity;</li> <li>protect, promote and maintain public health and safety;</li> <li>protect the public from nuisance;</li> <li>minimise the potential for offensive behaviour in public places.</li> </ul> </li> </ul>
<b>Preamble</b>	
	<ul style="list-style-type: none"> <li>An explanatory section has been added to the proposed bylaw to provide context and explain the more significant issues the bylaw addresses.</li> </ul>
<b>Definitions</b>	
	<ul style="list-style-type: none"> <li>New definitions have been included for the following words to assist with the interpretation of the bylaw and provide consistency with other Acts; absolutely protected or partially protected wildlife, access route, access trail, authorised officer, bed, building, coastal environment, coastal marine area, detritus, enforcement officer, freedom camp, kite surfing, land yacht, last high tide, motorcycle, motor vehicle, recreational driving and under control.</li> </ul>
<b>Vehicle Access</b>	
<ul style="list-style-type: none"> <li>Open access from the Kairaki Beach Car Park to 400 metres south of the extended mid line of Woodend Beach Road.</li> </ul>	<ul style="list-style-type: none"> <li>Restricted access from the Kairaki Beach Car Park to the Ocean Outfall.</li> <li>Access restricted for the purposes of boat launching or retrieval, taking machinery and equipment used for legitimate recreation purposes to and from the water's edge, fishing, whitebaiting, mahinga kai gathering or to</li> </ul>

2010 Bylaw	Currently Proposed for 2016 Bylaw
	ensure disability access for holders of mobility parking permits.
<ul style="list-style-type: none"> <li>Open access from the Hurunui District Council/Waimakariri District Council northern boundary to the north of the Ashley/Rakahuri River Mouth.</li> </ul>	<ul style="list-style-type: none"> <li>Restricted access from the Hurunui District Council/Waimakariri District Council northern boundary to the north of the Ashley/Rakahuri River Mouth.</li> <li>Access restricted for the purposes of boat launching or retrieval, fishing, white baiting and mahinga kai gathering.</li> </ul>
<ul style="list-style-type: none"> <li>Permitted access to the Ashley/Rakahuri River Mouth on a specified access route between 15 August and 30 November.</li> <li>Permits issued for the purposes of boat launching or retrieval, fishing, whitebaiting, mahinga kai gathering, or to enable disability access for holders of current disability cards.</li> </ul>	<ul style="list-style-type: none"> <li>Permitted access to the Ashley/Rakahuri River Mouth on specified access route between 15 August and 30 November.</li> <li>Permits issued for the purposes of boat launching or retrieval, fishing, whitebaiting and mahinga kai gathering.</li> </ul>
<ul style="list-style-type: none"> <li>Vehicle access to Fenton Reserves and Nohoanga sites not specified. In practice only from upstream of the Ashley /Rakahuri River Mouth and land west of the estuary.</li> </ul>	<ul style="list-style-type: none"> <li>Owners of Fenton Reserves and holders of Fenton Entitlements are exempt from bylaw vehicle provisions when accessing waterways associated with these reserves and entitlements for mahinga kai purposes.</li> <li>Access will be subject to a separate agreement between the council, Environment Canterbury and Fenton Reserve Trustees.</li> <li>Reference to Nohoanga sites removed as none exist in the area.</li> </ul>
<ul style="list-style-type: none"> <li>Vehicles must drive below the last high tide mark except when on access tracks or when directly entering or leaving a beach area.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicles must drive on below the last high tide mark, unless it is unsafe to do otherwise, except at the Waimakariri River Mouth or on an access route specified in the bylaw.</li> </ul>
<ul style="list-style-type: none"> <li>Recreational driving along the foreshore is allowed.</li> </ul>	<ul style="list-style-type: none"> <li>Recreational driving along the foreshore is prohibited.</li> </ul>
<ul style="list-style-type: none"> <li>All types of vehicles permitted to be on the road are permitted to be on the beach.</li> </ul>	<ul style="list-style-type: none"> <li>All types of vehicles permitted to be on the road (registered and licensed) are permitted on the beach apart from 2 wheel motorbikes which are prohibited.</li> </ul>
	<ul style="list-style-type: none"> <li>Approved 4 wheel drive clubs may obtain exemptions which allow them to drive on prohibited or restricted areas of the beach to undertake civil defence or rescue training and for track, beach or facility maintenance, rubbish removal and pest control.</li> </ul>
<ul style="list-style-type: none"> <li>Vehicles must give way and show due consideration to people and horses at all times.</li> </ul>	<ul style="list-style-type: none"> <li>Vehicles must give way and show due consideration to people, horses, other animals and birds at all times.</li> <li>No person may drive or ride a vehicle in a manner that might be dangerous to any person.</li> </ul>
	<ul style="list-style-type: none"> <li>Vehicles must stay clear of areas of driftwood and other detritus likely to be used for bird habitat areas in the Ashley River/Rakahuri and Saltwater Creek Estuarine area or on beach areas adjacent to the estuary.</li> </ul>

2010 Bylaw	Currently Proposed for 2016 Bylaw
<ul style="list-style-type: none"> <li>• People must obtain the permission of the surf lifesaving patrol before driving through a flagged patrol area.</li> </ul>	<ul style="list-style-type: none"> <li>• No person may drive through a flagged surf lifesaving patrol area.</li> </ul>
<b>Horse Access</b>	
<ul style="list-style-type: none"> <li>• Access for all horses from the Kairaki Beach Car Park to the south of the Ashley River/Rakahuri and Saltwater Creek Estuarine area.</li> </ul>	<ul style="list-style-type: none"> <li>• Access for recreational riders from the Kairaki Beach Car Park to the south side of the beach entrance to the Waikuku Beach Horse Float Car Park and Access Trail.</li> </ul>
<ul style="list-style-type: none"> <li>• Access for all horses from the Hurunui District Council/Waimakariri District Council northern boundary to north of the Ashley /Rakahuri River Mouth.</li> </ul>	<ul style="list-style-type: none"> <li>• Access for all horses from the Hurunui District Council/Waimakariri District Council northern boundary to north of the Ashley /Rakahuri River Mouth.</li> </ul>
<ul style="list-style-type: none"> <li>• Access for all horses from the south of the Ashley River/Rakahuri and Saltwater Creek estuarine area to the river mouth through a locked gate and then via a specified access route between 15 August and 30 November each year.</li> </ul>	<ul style="list-style-type: none"> <li>• All horses prohibited from the Ashley River/Rakahuri and Saltwater Creek estuarine area.</li> </ul>
<ul style="list-style-type: none"> <li>• No restrictions on commercial horse training.</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial horse training restricted to north of the Ashley /Rakahuri River Mouth and to a new designated area at Woodend Beach which extends approximately 3.2 km's (2 miles) either side of the beach entrance to the Woodend Beach Horse Float Car Park and Access Trail.</li> <li>• Woodend Beach commercial horse training in accordance with a user agreement.</li> </ul>
	<ul style="list-style-type: none"> <li>• Access for recreational riders with a permit through a locked gate at the Waikuku Beach Horse Float Car Park.</li> </ul>
	<ul style="list-style-type: none"> <li>• Open access for all horses over a low rail at the Woodend Beach Horse Float Car Park.</li> <li>• Access for all horses during day light hours through an open gate at the Woodend Beach Horse Float Car Park at the discretion of Te Kōhaka o Tūhaitara Trust.</li> </ul>
	<ul style="list-style-type: none"> <li>• Access for recreational riders only from the eastern end of Reid Memorial Avenue, Pines Beach, via a low step-over bar.</li> </ul>
<ul style="list-style-type: none"> <li>• Access restricted to below the last high tide mark, except when directly entering or leaving the beach.</li> </ul>	<ul style="list-style-type: none"> <li>• Access restricted to below the last high tide mark except when on access trails or at the Waimakariri River Mouth or to avoid potentially unsafe situations.</li> </ul>
<ul style="list-style-type: none"> <li>• Any person undertaking horse riding must give way and show due consideration to pedestrians at all times.</li> </ul>	<ul style="list-style-type: none"> <li>• Any person undertaking horse riding must give way and show due consideration to pedestrians at all times.</li> <li>• Any person driving a horse and sulky must stay clear of pedestrians and ensure their driving does not endanger any person, bird or other animal.</li> <li>• Any person in charge of a horse shall remove the faeces passed by their horse/s from the horse float car</li> </ul>

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<ul style="list-style-type: none"> <li>• Permission must be obtained from the surf lifesaving patrol prior to taking a horse through a flagged surf patrol area.</li> </ul>	<p>parks.</p> <ul style="list-style-type: none"> <li>• Recreational riders should not pass through flagged surf patrol areas. In the event this is unavoidable when returning from a trip, riders must take all care to safely pass through the flagged area.</li> <li>• Commercial horse trainers are prohibited from passing through flagged surf patrol areas.</li> </ul>
<b>Prohibited/Restricted Areas for Specified Recreational Activities</b>	
	<ul style="list-style-type: none"> <li>• Dogs, horses, land yachts, drones and model aircraft are prohibited from the Ashley River/Rakahuri and Saltwater Creek estuarine area.</li> <li>• Microlights and helicopters are prohibited from taking off or landing in the Ashley River/Rakahuri and Saltwater Creek estuarine area.</li> <li>• The Ashley River/Rakahuri and Saltwater Creek estuarine area is a restricted area for kite surfing as per an annual user agreement.</li> <li>• A 5 knot speed limit applies to water craft in the estuary (as per the Ecan Navigation Safety Bylaws 2010).</li> <li>• Land yachts are only to be operated between Kairaki Beach and the beach entrance to the Waikuku Beach Horse Float Car Park and Access Trail.</li> <li>• Land yachts may not pass through flagged surf patrol areas. In the event this is unavoidable, operators must stop and push the yacht through the flagged area.</li> </ul>
<ul style="list-style-type: none"> <li>• Prohibited area for freedom camping.</li> </ul>	<ul style="list-style-type: none"> <li>• Prohibited area for freedom camping.</li> </ul>
<b>Dog Control</b>	
<ul style="list-style-type: none"> <li>• Dogs are required to be on a leash in the Ashley River/Rakahuri and Saltwater Creek estuarine area with the exception of licensed owners' gamebird dogs in gamebird hunting season.</li> </ul>	<ul style="list-style-type: none"> <li>• Dogs are prohibited in the Ashley River/Rakahuri and Saltwater Creek estuarine area with the exception of licensed owners' gamebird dogs in gamebird hunting season.</li> </ul>
	<ul style="list-style-type: none"> <li>• Dogs are prohibited in areas between surf patrol flags and 50 metres beyond these (as per the Dog Control Bylaw 2009).</li> <li>• Dogs are required to be under continuous and effective control at all times (as per the Dog Control Bylaw 2009).</li> <li>• Dogs which are not able to be under effective voice control around horses are required to be placed on a lead when in the vicinity of a horse.</li> <li>• The owner of a dog must carry a suitable receptacle for containing dog faeces and any faeces dropped by the dog must be removed from the beach immediately (as per the Dog Control Bylaw 2009).</li> </ul>

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<b>Interference with Beach Areas and Other Beach Users</b>	
<ul style="list-style-type: none"> <li>No person shall disturb or interfere with any roosting, nesting, resting or feeding birds or remove or destroy any bird nest or its contents.</li> </ul>	<ul style="list-style-type: none"> <li>No person shall destroy, injure, interfere with or distress any roosting, nesting, resting or feeding birds or remove or destroy any bird nest or its contents.</li> <li>No person shall introduce any substance that may injure any other person, animal or plant life.</li> <li>No person shall intentionally interfere with any other person's legitimate use or enjoyment of the beach.</li> <li>No person may harm wildlife (as per the provisions of the Wildlife Act 1953).</li> <li>Fire permits are required for fires (as per the Fire Control Bylaw 2014).</li> </ul>
<b>Enforcement</b>	
	<ul style="list-style-type: none"> <li>Additional clauses have been added and existing clauses altered to give the Council greater powers to enforce the bylaw.</li> </ul>
<b>Review</b>	
<ul style="list-style-type: none"> <li>The Bylaw was legally required to be reviewed after 5 years.</li> </ul>	<ul style="list-style-type: none"> <li>Legally required to be reviewed after 5 years as it is considered to be a new bylaw.</li> <li>Bylaw implementation plan will be developed and reviewed after 2 years of operation.</li> <li>The council reserves the right to carry out an early review of any aspect of the bylaw that has not been found to have been effective in addressing identified user conflicts, health and safety concerns, matters of public nuisance and environmental issues.</li> </ul>