

8. HOURS FOR FISHING FROM THE NEW BRIGHTON PIER

General Manager responsible:	General Manager City Environment DDI 941-8656
Officer responsible:	Transport and Greenspace Manager
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PURPOSE OF REPORT

1. To report back to the Burwood/Pegasus Community Board to decide what hours fishing should be allowed on the New Brighton Pier.

EXECUTIVE SUMMARY

2. Following consultation last summer on how to manage the conflict between people fishing and general sightseers on the New Brighton Pier, the Council chose the options to restrict fishing hours
3. The decision to restrict the hours of fishing is because since the rebuilt New Brighton Pier opened in 1997, some aspects of fisher behaviour have been in conflict with the expectations of other pier users and supporters. A growing number of complaints from members of the community and pier visitors have focussed on the mess that irresponsible fishers leave behind them, the disregard for the 'no fishing' area at the end of the pier and unsafe fishing practises, such as overhead casting.
4. Most of the conflict and complaints about fishing occur at high use times – on weekends during summer months.
5. The options identified for how the Council could manage fishing off the pier are listed with the percentage of submitters supporting:
 - (a) No change – current unrestricted access and fishing rules apply, with limited enforcement. – 7%
 - (b) Increased enforcement and communication – on-site supervision, supported by a public education programme. – 31%
 - (c) Restricted fishing - allow fishing only at specified times or days. – 15%
 - (d) Total ban on fishing – with on-site enforcement. - 30%
 - (e) Structural addition to the pier – an additional platform to separate sightseers and fishers. – 16%
6. The Council gave delegation to the Board to restrict the hours of fishing.
7. The recommendation is for the Board to not allow fishing on weekends and New Zealand statutory holidays during the time daylight saving is in place – between the hours of 6am and 6pm, (currently beginning 30 September 2007 and ending on 6 April 2008)
8. Fishing is to be permitted outside of these times with rules in place to minimise the potential conflict between pier users and to prevent damage to the pier. This situation is to be reviewed in 12 months time. Fishing within the banned time for special one off events can be permitted by the Transport and Greenspace Unit Manager.
9. Increased enforcement and communication will be necessary to ensure the restricted hours and pier rules are being followed. Breaches of the restricted hours or Pier rules can be enforced by issuing a Trespass Notice. The rules for this and other Council administered piers will be reviewed and may include existing and new rules – such as one rod only per person fishing. For this year removal of the no fishing zone will also be trialled.

FINANCIAL IMPLICATIONS

10. The Council has supported increasing enforcement. This is not currently budgeted for. Funding of \$25,000 would enable part-time staff to be employed at the appropriate times, especially weekends and peak use times to ensure the hours of fishing restriction and pier rules are being followed. The cost of increased signage will be covered within existing resources. For the 2007/08 financial year the staffing costs will be met using the budget for casuals which will impact on other work in the Regional Parks. The new costs will be proposed in the 2008/09 Annual Plan.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

11. Not specifically mentioned.

LEGAL CONSIDERATIONS

12. Whoever is employed to enforce the rules on the pier will need to have delegation to issue Trespass Notices.

Have you considered the legal implications of the issue under consideration?

13. Yes see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. Aligns with the objective "To provide a network of parks, open-space, waterways and wetlands that meet community and environmental needs", and "Providing a variety of recreation opportunities and facilities in parks."

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

15. Not applicable.

ALIGNMENT WITH STRATEGIES

16. Recreation and Sports Strategy, Parks Access Policy.

Do the recommendations align with the Council's strategies?

17. Yes.

CONSULTATION FULFILMENT

18. A previous report was submitted to the Council following public consultation with 280 responses received. The existing pier users and members of the general community were consulted on their preferred option to manage the pier.

STAFF RECOMMENDATION

It is recommended that the Board, acting under delegated authority, resolve:

- (a) To allow fishing to continue on the New Brighton Pier except for the time between 6am and 6pm on weekends and statutory holidays during the months of daylight saving. (This summer beginning 30 September 2007 and ending on 6 April 2008).
- (b) To remove the existing small 'no fishing' zone marked at end of pier.

BACKGROUND (THE ISSUES)

19. At the 21 July 2007 Council meeting it was resolved that:
 - (a) That fishing on the pier be restricted to certain days and times and be reviewed in 12 months time.
 - (b) That the Board be delegated power to decide the days and times during which the restrictions set out in (a) are to apply.
20. Restricted hours. The problems and conflicts between fishers and non fishers meant that some 30% of the submitters to the consultation supported banning fishing totally – thus the remainder are supportive of fishing continuing but want the situation improved.
21. The restriction on fishing should be when the pier is used the most by sightseers to reduce the potential conflict between fishers and non fishing visitor. Observations by staff and recorded complaints show that there are more conflicts in the summer months during fine weekends.
22. The hours of restriction need to be clear, simple and well communicated to the public. Some people have suggested that fishing is permitted during good fishing conditions that are dependant on the tide. This would be very difficult to manage and promote.
23. The pier will be cleaned by contractors at the time fishing finishes so that other visitors will enjoy a clean pier.
24. These hours will still allow fishing during the non daylight saving time; in the evenings and during school holidays (that fall outside of weekend and statutory holiday times). One of the reasons the new pier was built was to allow for easy fishing by the community.
25. A review of the restricted hours will be done in a year's time to determine the success of the restriction. During the 12 months the situation will be monitored and any complaints recorded.
26. If in the event that the community wish to organise a special event for fishing during the 'no fishing hours', permission to do so may be issued by the Transport and Greenspace Unit Manager.

Signage and rules

27. Once a decision has been made on the restricted hours signage will be put in place to inform visitors on the new rules. There are currently rules in place for the New Brighton Pier such as no dogs, no diving, and no crab-pots. The rules for this and other Council owned piers are currently being reviewed and will be reported separately to the Council at a later date. One rule that is being suggested by some to help manage the existing problem is for 'one rod' only to be carried and used on the pier at one time by fishers.
28. As well as on site signage other methods of communicating the new restrictions will be used i.e. media, leaflets and the Councils website.

Enforcement

29. The Council has supported increasing the enforcement on the pier – this is likely to be necessary in the first few months of the new restrictions being put in place.
30. An educational stance is preferred to seek compliance of the restrictions however if this is not successful the Trespass Act will be used to enforce the new restrictions.
31. Staff will develop a communication/education plan, including signage to increase awareness of the rules of using the Pier. This would enable the pier to continue to be used for one of its original purposes, in the most cost effective way. Fishing can continue but it will be better managed. An increased enforcement/educational presence would minimise the conflict between groups such as fishers and sightseers.

ASSESSMENT OF OPTIONS

The Preferred Option

32. Allow fishing to continue on the New Brighton Pier except for the time between 6am and 6pm on weekends and statutory holidays during the months of daylight saving

	Benefits (current and future)	Costs (current and future)
Social	Fishing can continue, but potential conflict is minimised by not allowing it during the most popular times the pier is used by visitors	Fishing not allowed all the time
Cultural		
Environmental		
Economic	More focussed use of staff enforcement to times of greatest conflict.	Increased staff enforcement resources required, increased signage
<p>Extent to which community outcomes are achieved:</p> <p>The option contributes to A Safe City and A City for Recreation, Fun and Creativity</p> <p>Impact on the Council's capacity and responsibilities:</p> <p>This will increase the Council's efficacy managing conflict on the pier</p> <p>Effects on Maori:</p> <p>Not applicable.</p> <p>Consistency with existing Council policies:</p> <p>Not applicable.</p> <p>Views and preferences of persons affected or likely to have an interest:</p> <p>The option of restricted fishing was preferred by 15% of those who took part in consultation.</p> <p>Other relevant matters:</p> <p>Not applicable.</p>		

Maintain the Status Quo (if not preferred option)

33. No change. Continue to allow fishing– current unrestricted access and fishing rules apply, with limited enforcement.

	Benefits (current and future)	Costs (current and future)
Social	Fishing will continue	Conflict and complaints will continue
Cultural		
Environmental		
Economic	No extra cost for enforcement	On going maintenance costs for cleaning and vandalism
<p>Extent to which community outcomes are achieved: A City of Recreation Fun and Creativity.</p> <p>Impact on the Council’s capacity and responsibilities: The Council would be seen to be doing nothing about an issue the community has raised.</p> <p>Effects on Maori: Not applicable.</p> <p>Consistency with existing Council policies: Yes.</p> <p>Views and preferences of persons affected or likely to have an interest: This is not the preferred option of those consulted.</p> <p>Other relevant matters: Not applicable.</p>		

At Least one Other Option (or an explanation of why another option has not been considered)

34. Fishing is permitted only during occasional 'special' events throughout the year

	Benefits (current and future)	Costs (current and future)
Social	Minimising the fishing and sightseeing conflict	Loss of a popular recreation activity for most of the year
Cultural		
Environmental	Less fish taken	
Economic	There will be less maintenance costs as there will be less fish mess to clean.	There will still be significant costs to enforce a fishing ban and costs to inform when fishing is permitted. Higher administration costs than other options

Extent to which community outcomes are achieved:

This option is aligned to a Safe City , but not a City for Recreation, Fun and Creativity

Impact on the Council's capacity and responsibilities:

This option does not encourage recreation and outdoor use

Effects on Maori:

Not applicable.

Consistency with existing Council policies:

Goes against encouraging physical activity

Views and preferences of persons affected or likely to have an interest:

A variation of 'restricted hours' – Tending towards complete banning of fishing on the pier – which 30% of those consulted preferred

Other relevant matters:

Not applicable.