

MACKENZIE DISTRICT COUNCIL

MINUTES OF A HEARING OF THE PLANNING AND REGULATION COMMITTEE HELD AT THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, NOVEMBER 27, 2014, AT 9.30AM

PRESENT:

Cr Murray Cox (Chairman)
Claire Barlow (Mayor)
Cr Graham Smith
Cr James Leslie
Cr Russell Armstrong

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Garth Nixon (Community Facilities Manager)
Toni Morrison (Senior Planner)
Jane Whyte (Consultant)
Arlene Goss (Committee Clerk)
Jack Montgomerie from the Timaru Herald

The meeting was also attended by those speaking to their submissions with times allocated as follows:

9.30 Bruce Pipe
9.40 Andrea & Gavin Cox
10.00 Bruce Lochore - NZMCA
10.50 Peter & Jane Race
11.00 Ray Frew
11.10 Lyn Martin
11.20 Stella Sweney
11.50 Walter and Zita Speck

OPENING:

The chairman welcomed everyone to the meeting.

APOLOGY:

Resolved that apologies be received from Cr Noel Jackson and Cr Evan Williams.

Graham Smith/Russell Armstrong

DECLARATIONS OF INTEREST:

Cr Cox declared that one of the submitters was his brother. Cr Armstrong declared that his wife also made a submission. Due to the number of

submitters and nature of submissions the chairman did not think this created a conflict of interest.

HEARING OF SUBMISSIONS:

The purpose of this meeting was to consider public submissions to the following draft bylaws and strategies:

- Draft Freedom Camping Bylaw 2014
- Draft Freedom Camping Strategy 2014
- Draft Dog Control Bylaw 2014
- Draft Dog Control Policy 2014
- Draft Mobile Shops and Traders Bylaw 2014
- Draft Market Place Liquor Ban Bylaw 2014
- Draft Wastewater Network Bylaw 2014
- Draft Water Supply Bylaw 2014
- Draft Downlands Water Supply Bylaw 2014

Resolved:

1. That the report be received.

Claire Barlow/Graham Smith

2. That the committee receive the submissions and hear from those submitters who wish to be heard.

Graham Smith/Claire Barlow

The chairman explained the process and requirements of the hearing. He said the committee will consider submissions then send recommendations to the council meeting in two weeks time, with the final decisions to be made by council.

BRUCE PIPE, SUBMISSION 24:

Bruce Pipe said he owns a property in the MDC area on the edge of Lake Ohau. He would like to make three points. Freedom Camping might have an eco warrior influence but these people are camping on the cheap. They are not making a contribution to local businesses. He asked that priority given to freedom campers is low and be behind the priority given to local residents and businesses.

He said his second point was that the integrity of the district scheme must be maintained.

His third point was that by bringing in a bylaw to solve an issue it may create a greater problem elsewhere. The area he was concerned about was part of the Lake Ohau foreshore. It was a popular picnic and boating area and there could be 50-60 people in that area on a popular day, with no toilets. He said this creates health and water quality issues. He said camping is becoming

more common with a mixture different types, including tents, cars, caravans and campervans. This is happening in an area deemed by council to be an outstanding natural landscape, it also has a lakeside protection zone. Council has gone to great lengths to limit the development of the three private properties in this area with a range of conditions imposed on any development. This includes controls over colour schemes and house design. For example there were to be no clothes lines in front of houses. Freedom campers have clotheslines strung between the trees.

He said the problem is likely to get worse. He said while houses are permanent, the campers are temporary. But when tourists visit the area their impression is what they see on that day.

He said freedom camping cannot meet the controls in the district scheme. He would like freedom camping to be banned in the area described as the shorefront, from the weir to Port Bryson boat ramp and 200 metres from the edge of the lake.

Cr Smith asked if the problems are just the peak periods or all the way through the season. Mr Pipe said the potential for greater problems is in summer, not only campervans but with the salmon farm nearby people spend the day fishing and move to Lake Ohau to stay the night. The real problem is public holidays and school holidays and the issue is NZ people, not rental campervans with overseas tourists.

Cr Smith said at Lake Opuha camping has been banned at the peak Christmas period and would this work. Mr Pipe said the problem times included Easter, school holidays and other times.

GAVIN COX, SUBMISSION 42/43:

Gavin Cox said he wished to make two submissions, one as a ratepayer and the second as the general manager of Lake Tekapo Hotels and Holiday Park.

As a ratepayer with two properties in Tekapo he believes the bylaw attracts the non compliant freedom camper and creates pollution. He wants the bylaw to be consistent with Queenstown which only allows camping in areas outside the 80km zone and areas where there is freedom camping now. It should be fully enforced by a full time officer of the council and then people could find out where they can freedom camp without being hassled. He would like to see more promotion of responsible freedom camping. No council bylaw or policy should have an adverse affect on local businesses. The proposed sites provide for 140 vans a week which is a significant loss to the holiday park. The holiday park provides adequate accommodation.

As general manager of Lake Tekapo Hotels and Holiday Park, he said the park does encourage freedom camping but only self contained in designated areas. To provide the parks listed in the draft bylaw threatens the financial viability of the camp. He outlined work undertaken by local businesses in the

campground. He quoted from the Act to say that an authority may make a bylaw only if necessary. He said the bylaw is not the best way to address the problem of freedom camping in the district. He said self contained drivers prefer the security of the camp ground and the amenities and social atmosphere. His camp is accessible 24/7. The camp will incur an annual income loss in the vicinity of \$300,000 and it won't solve the problems as outlined in the strategy.

Mr Cox asked if the council would also impose a \$300,000 levy on other businesses in the area to make it a fair playing ground. He believes freedom camping should be prohibited in all areas where the speed limit is under 80km. He listed the current camping areas like Lake Alexandrina as good places.

He thinks campervans who break the rules should have an instant fine. It is essential that the bylaw be enforced all year around. He would like a solution with no negative impact on the ratepaying community and businesses.

Cr Cox asked regarding the additional sites. If those additional parks are put into the town, does he think those people would have normally gone to the camping ground. Mr Cox said yes, people gravitate to places where there are other campervans.

BRUCE LOCHORE, NZMCA:

Mr Lochore said the NZMCA fully supports the proposed the bylaw and strategy. It addresses the issues created by errant freedom campers while not having a negative impact on good campers. Domestic tourism here is large. NZers want to come to this district almost as a pilgrimage. Mackenzie is in the unique position of attracting a large number of international visitors. With that sometimes comes issues. There are issues related to freedom camping but these come from predominately international tourists in non certified, un-self contained vehicles. The Freedom Camping Act is the tool and the proposed bylaw and strategy is a way to enact it.

The responses to submissions in the staff report are correct. There is room for restriction or prohibition in some areas. He understands concerns from holiday parks that they feel this is a loss of business. He said they are the single biggest benefactors of growth in this sector. This sector is growing rapidly and they have the ability to benefit from it. Also other businesses such as cafes and supermarkets will benefit.

The decision to prohibit freedom camping in non self contained vehicles is bold and MDC have addressed the number one concern head on. This concern is the issue around defecation and non self contained vehicles. He applauds the strong approach by the council to prohibit these in the district. MDC has supported the bylaw with a clear strategy and NZMCA supports the implementation of it.

If MDC had not taken this approach the law states freedom camping would have been anywhere and everywhere. This has gone a long way towards managing freedom camping and he applauds council for that.

PETER AND JANE RACE, SUBMISSION 89/90:

Peter Race from the Twizel Holiday Park said you cannot prevent freedom camping everywhere in the district. It's the location and policing of the sites that is vital. If done in the correct areas it can be policed properly. He has questions for council such as why are the proposed sites in the townships in close proximity to camping grounds. Fairlie, Tekapo and Twizel proposed sites are within a few hundred metres of holiday parks. This doesn't seem right. Why is council targeting this industry?

Is council in consultation with the NZMCA and apprehensive at what has gone on at other councils around the country? He is a member of the NZMCA and has been a freedom camper and is now a campground owner.

It's great business for the towns. The motor homes are big business in our communities. They will always buy essentials but don't need to be in urban areas. Let's learn from other regions mistakes so we don't have problem after problem. Stop the problems before they occur. He said the policing of these sites will be difficult and costly to the ratepayer.

He quoted from the Otago Daily Times that says a council will spend \$20,000 policing an area. This is a good opportunity for everyone to work together to get this right. Freedom camping must be encouraged in the correct vehicle and appropriate place so you can control it. He called for instant fines.

Twizel Holiday Park has always had a good relationship with council and a lot goes on behind the scenes, including him being an enforcement officer in moving campers on. He hopes to continue this relationship into the future.

Cr Cox asked Mr Race where he moves campers on to. He tells them to go into the holiday parks, but its often too late if it's the next morning and they are leaving town.

RAY FREW, SUBMISSION 94:

Mr Frew is against Freedom Camping. He called for the appointment of an enforcement officer. Mackenzie has good holiday parks. Has good camping at the top of Lake Benmore, and at Ruataniwha Holiday Park, and council is proposing free sites next to them. The strategy suggests working with landowners. There is no mention of not being able to charge people, so why not make all existing campgrounds freedom camping areas and appoint an enforcement officer.

Yesterday morning someone parked outside the toilets at Twizel. Two motorhomes and a tent at another site. There was a roaring fire next to one of

the tents yesterday morning which is a disaster waiting to happen. He would like one nice site like the DOC site at Mount Cook. He said seeing motorhomes and tents dotted here and there does not enhance the tourism of the area. In Gisbourne there are nine sites set up with a charge.

He has come across rubbish, empty bottles and has tidied up after campers. Cr Smith said some of the issue is that there is no signage. Mr Frew said if the council don't put a sign up he will put one up himself. Needs signs put up around the town. He thinks you should take the 'r' out of Freedom and make them pay a little bit to stay.

ADJOURNMENT:

The hearing adjourned for morning tea at 10.20am and reconvened at 10.42am.

LYN MARTIN, SUBMISSION 72, AND STELLA SWENEY, SUBMISSION 108:

Lyn Martin - The strategy of encouraging and informing is noble but changing behaviour is a long shot. She believes gentle persuasion will not be sufficient. Enforcement is required. Time taken to encourage behaviour change will give the impression that this area is soft on freedom camping. She agrees that camping should not be permitted in a township but should be encouraged outside the township. She asked that MDC follow the approach taken by Lakes District. A freedom camping decision should not be driven by a perceived lack of tourists and their dollars.

Stella Sweney – She said she understands that “by speaking today we will not be able to speak on this matter at future community board meetings” but they have chosen to speak. The first issue is confusion at having a strategy and a bylaw. A bylaw with explanatory notes would be clearer.

She has visited the Wanaka area and saw a superb freedom camping spot. Freedom camping is a reality that we need to manage and manage well for the district. Will the proposed bylaw effectively manage freedom camping in the district? No. Why? There is confusion about what freedom camping is, with the desire from council to have commercial gain from these visitors by having parks in urban areas.

Twizel residents have made it very clear they will not accept FC parks next to the town centre and other submissions oppose parks in central Tekapo. The bylaw needs to be consistent with Queenstown District Council, it needs to be no freedom camping in urban areas across the district.

Need a safe and enjoyable experience. The MDC strategy and bylaw favours visitors over residents. The plan for how the bylaw will be enforced is essential. Need a firm reputation on social media. In Tekapo there are sites within a 10min drive and a large parking area at the entrance to the national park. One area at the regional park and three others a short drive away is sufficient for Tekapo.

Lyn Martin - Enforcement is not clear. There has been none to date. The strategy says to use notices but then what. Education sounds great but it would be more specific to state that areas outside the town are opened up. If the community chooses enforcement they will come up with the money. The management of non self contained vehicles needs strong enforcement. Social media can work for us as campers learn that enforcement is a reality.

Stella Sweney - The NZMCA has argued strongly for a permissive environment but they are only one segment of the freedom camping group, there are many others who are visitors to our country for a few weeks and it's another ball game. A permissive regime would be fine for NZMCA members but unfortunately they will need to be restricted as well, because of people who don't understand our laws.

Mayor Barlow asked - do you think the Mackenzie ratepayers will be happy to pay for enforcement? Stella Sweney said she has already had volunteers put their hands up.

Mayor Barlow said there had been no submissions from Fairlie. Did they think the district should have a consistent policy or room for different rules in different towns. Stella Sweney said Fairlie residents would have to respond to that.

The meeting adjourned at 10.55am, awaiting the arrival of submitters, and reconvened at 11.40am

WALTER SPECK, SUBMISSION 116:

Walter Speck said his submission was in support of Stella's submission but he would like more of a strategic approach. He has lived in TEkapo for 30 years. The one thing we know and the message we receive from our guests is that Lake Tekapo is one of the most scenic places in the world. We can never recreate a natural landscape so it needs to be protected. All our decisions should take into consideration that we have to protect and enhance our views and appearance. Don't want a situation where signs lead to buildings or toilets being erected in 10 years. Need to plan so no visual disruption or noise is created. In front of the lake we need to protect the views. This is our future and our asset.

We have got a camping ground in Tekapo. Campers should go to this. Freedom camping areas should be out of site but should not compete with a business and not be in urban areas. Have to ask questions, do we want quality or quantity, do we want visitors to be beneficial or a burden. Visitors come here to benefit from our views and landscape so we have to manage them so they do not destroy our future. Tourists do not want to see clutter, too many people or smell anything bad or suffer from noise or a traffic jam.

He raised a problem area of Pines Beach which is not under council ownership. We need to protect areas going up the lake.

The chairman thanked everyone for attending the meeting and for making their submissions. These will be considered at 1pm at a second meeting the committee to consider the issues and make recommendations to council.

THE CHAIRMAN DECLARED THE HEARING CLOSED AT 11.46AM

CHAIRMAN: _____

DATE: _____