



TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

Membership of the Planning and Regulation Committee:

Cr Murray Cox (Chairman)
Claire Barlow (Mayor)
Cr Noel Jackson
Cr Evan Williams
Cr Russell Armstrong
Cr James Leslie
Cr Graham Smith

Notice is given of the Meeting of the Planning and Regulation Committee to be held on Tuesday, February 3, 2015, following the completion of the Asset and Services Committee meeting.

VENUE: Council Chambers, Fairlie.

BUSINESS: As per agenda attached

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER



PLANNING AND REGULATION COMMITTEE

Agenda for Tuesday, February 3, 2015

APOLOGIES

DECLARATIONS OF INTEREST

VISITOR:

Rural Fire Officer Rob Hands will attend the meeting to speak to the committee about the rural fire issues on the agenda.

MINUTES:

Confirm and adopt as the correct record the minutes of the Planning and Regulation Committee meeting held on November 25, 2014, including those parts taken in public excluded.

Confirm and adopt as the correct record the minutes of the Planning and Regulation Committee hearing of submissions held on November 27, 2014.

Confirm and adopt as the correct record the minutes of the Planning and Regulation Committee meeting held on November 27, 2014.

REPORTS:

1. Damage and repair of the Tekapo Rural Fire Tanker (Rob Hands).
2. Twizel fire and damage to Twizel Rural Fire Tanker (Rob Hands).
3. Planning and Regulation Manager's Activity Report (attached).
4. District Plan Review and Costings (discussion).
5. Standing Reports – Verbal reports from the Water Zone committees.

PUBLIC EXCLUDED:

Resolve that the public, be excluded from the following part of the proceedings of this meeting namely:

1. Discussion on public excluded minutes, Planning and Regulation meeting November 25, 2014.
2. Plan Change 13 – Outcome of Mediation on Hazards (attached).
3. Plan Change 13 – position on Federated Farmers application for leave to apply to the Court of Appeal (attached).

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Previous Minutes November 25, 2014	Maintain legal professional privilege	48(1)(a)(i)
Plan Change 13 Outcome of Mediation	Maintain legal professional privilege	48(1)(a)(i)
Plan Change 13 Position on Fed Farmers	Maintain legal professional privilege	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *All items under section 7(2)(g).*

RESOLUTION TO RESUME OPEN MEETING

ADJOURNMENTS:

12.00pm: Lunch

3.00pm: Afternoon tea

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, NOVEMBER 25, 2014, AT 1.15PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Arlene Goss (Committee Clerk)
Rob Hands (Rural Fire)

APOLOGIES:

An apology was received from Cr Noel Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

In the previous minutes the name Nathan Taylor, under those present, needs to be corrected to Nathan Hole.

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on October 16, 2014, be confirmed and adopted as the correct record of the meeting with the correction noted above.

Claire Barlow/Graham Smith

REPORTS:

ALBURY FIRE STATION:

The purpose of this report was for the committee to consider a proposal from Rob Hands, SCRFD, to build a new garage to house the Albury Fire Tanker.

The chairman welcomed Rob Hands to the meeting. He gave a power point presentation regarding the Albury Fire Station. The current shed for the tanker is too low and new tanker will not fit. The best solution is to build another shed at the right height. This would also provide a facility for the volunteers to use for training.

An application was made to the national fire authority, who have committed 50% funding. There is about \$50,000 sitting in the Mackenzie ledger of retained earnings. A fair bit of this has come from training being carried out by volunteers. Albury have generated a lot of this income.

Rob Hands was looking for approval from councillors to spend that money, as it was not a budgeted item. Cr Smith asked if the new building would go on the same spot as the old building, and was there a use for the current building. The old building would stay and continue to be used. Was there a question of land ownership? Rob Hands said there was a question regarding the boundary with neighbouring land owned by Cr Smith. Councillors commented that Cr Smith had a conflict of interest in this matter.

The Mayor asked what the level of depreciation would be on a new building. Not much as it would be over the life of the building. Cr Leslie asked if the amount being requested included the cost of turning the old building into a training venue. Rob Hands hoped so as he wanted to do the whole project within the amount received. He had not priced the alterations to the current shed, but said he won't be coming back to council for more money.

The Mayor congratulated Rob Hands on his application and said it was a 'no-brainer'. Cr Smith asked for the total cost - \$60,000 of which the MDC contribution would be \$30,000 from retained earnings.

Resolved:

1. That the report be received.

James Leslie/Graham Smith

2. That the committee approves the expenditure of \$30,000 retained earnings to construct a new vehicle garage for the Albury Fire Tanker and to convert the current station into a training/meeting room.

Russell Armstrong/Evan Williams

Rob Hands said he would also like to draw councillor's attention to the volunteer welfare fund. In the event that volunteers come under hardship there was a process for allocating funding for the individual. This fund would build up and be managed by an independent body. A committee would be set up. He suggested setting up a budget line item to contribute an amount per volunteer. He said he would like council to consider this. If appropriate he would include this as a line in the budget request.

Rob Hands left the meeting at 1.29pm.

PLANNING AND REGULATION MANAGER'S ACTIVITY REPORT:

The purpose of this report was to provide the committee with an activity report for planning and regulations for the period 4 October to 17 November, 2014.

Nathan Hole said the value of building work consented over this period was just over \$3 million, compared with \$2.74 million for the previous period. He said building activity had been strong. Council was tracking to reach about 320 building consents this year, which was higher than any previous year.

He also said the council had recently gone through the building accreditation process and would retain its accreditation as a consenting council.

Cr Leslie asked regarding subdivision resource consents. Was Meridian planning to divide the land at Twizel into four allotments? Nathan Hole said there were two key allotments but there was also a small portion to be vested as legal road. Each small portion had its own allotment number. Council does not need to provide services to all four lots. He offered to show Cr Leslie the plan related to this.

Cr Williams asked what corrective matters were required by the building accreditation process. One was related to people's delegations and job titles and there were some amendments needed to processing forms. The auditors checked the appropriate staff levels and looked at council's percentage of compliance to meet the statutory time frames. This came in 89%. If it drops below 90% it raises the question as to whether council has the right number of staff.

Resolved that the report be received.

Claire Barlow/James Leslie

ROAD STOPPING PROPOSAL – BUCHANAN STREET, FAIRLIE:

This report is for the committee to consider a proposal from Owen Hunter to stop the unformed portion of Buchanan St, Fairlie, and buy land.

Nathan Hole said this would need to go to full council because that was where the delegation sits. This parcel of land was created in 1879 for a morgue that was not built. It also provides legal access into the domain. Owen Hunter has suggested adding an easement to protect this access.

The Mayor suggested council engage with the Walking Access Commission regarding this matter.

Nathan Hole said if council agreed this matter would be publically advertised and people could make submissions. He asked if council wanted to consider whether this was a key piece of land or not.

The Mayor raised the role of Owen Hunter as community board chairman and questioned whether there was a conflict of interest. The chief executive said Owen Hunter was not making a decision on this matter. If it went to the community board he would declare an interest and not vote.

Nathan Hole was asked who would pay the costs of stopping the road. The person seeking to stop a road usually pays for the costs of stopping the road. Owen Hunter has put forward a price of \$60,000 with the expectation this would cover the costs. The Mayor said we would need to get a valuation. Cr Smith said this amount would not pay for the stopping of the road. Nathan Hole said there would be costs of advertising for submissions, legal costs, a hearing, a right of appeal, and survey costs. Council would need an agreement up front that Owen Hunter would pay these costs.

The Mayor said it was important to get feedback from the community board before this matter went to council. A recommendation from the community board could be debated at council.

The chairman said another option was for council to pay to stop the road and put a viable section on the market and hopefully make a little money from it. Cr Smith said there would always need to be access provided for. Nathan Hole said this access was proposed to be provided along the boundary with Owen Hunter's current home next door to the site.

The chief executive asked Nathan Hole if this land was identified as surplus and Nathan Hole said he would check this. Cr Leslie checked and said the land had already been consulted on in the Long Term Plan and listed as surplus.

There was a suggestion that the land could become part of the domain. Nathan Hole said it was currently zoned residential and had its own title. It was a saleable parcel of land if council wanted to sell it. Cr Armstrong suggested a full costing of the costs of stopping the road and an approach back to Owen Hunter to see if he was still interested.

Resolved:

1. That the report be received.

James Leslie/Russell Armstrong

2. Resolved that the committee sends Owen Hunter's proposal to the Fairlie Community Board and asks them to make a recommendation to council.

Russell Armstrong/James Leslie

VERBAL REPORTS FROM THE WATER ZONE COMMITTEES:

Cr Williams said the Opihi Orari Pareora Water Zone committee has held some public meetings and received a fair bit of public support. They are still working to form catchment groups to isolate some of the problems and find local ways to manage them.

Cr Cox said the Upper Waitaki Water Zone committee have formed a nitrogen allocation working group. There had been discussion around current consents

and whether water or nutrient allocations could change as a result of the water zone process. Some farmers probably thought they were safe with current consents but they needed to understand that there could be some changes coming up. The other side of the equation was to make sure the technical information was correct. The committee have done some work around what would happen to the health of Lake Benmore in terms of the aspirational needs of farmers going forward. There was a discussion on the Mackenzie Agreement. There was no government money for this but some aspects could be fed into the water zone process. But the committee was also reminding people that other things like plan change 13 had to be fed into the zone implementation plan as well. The zone committee also had a presentation from Meridian to say they would be looking for exemptions from the National Fresh Water Management Strategy.

PUBLIC EXCLUDED:

Resolved that the public, be excluded from the following part of the proceedings of this meeting namely:

1. Plan Change 13 High Court Appeal Update.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Plan Change 13 High Court Appeal Update	Maintain legal professional privilege	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Plan Change 13 High Court Appeal Update, under section 7(2)(g).*

James Leslie/Graham Smith

The Planning and Regulation Committee continued in open meeting.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 2.34PM**

CHAIRMAN: _____

DATE: _____

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: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, NOVEMBER 27, 2014, AT 1.00PM

PRESENT:

Cr Murray Cox (Chairman)
Mayor Claire Barlow
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)
Arlene Goss (Committee Clerk)
Jane Whyte (Consultant)
Jack Montgomerie from the Timaru Herald
6 people who earlier made submissions on the Freedom Camping Bylaw

APOLOGIES:

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

Claire Barlow/Graham Smith

DECLARATIONS OF INTEREST:

The chairman said two close relatives of councillors have made submissions on bylaws. These are the brother of the chairman and the wife of Cr Armstrong. This does not warrant either of those councillors abstaining from voting, but the interest has been noted.

CONSIDERATION OF SUBMISSIONS:

FREEDOM CAMPING BYLAW AND STRATEGY:

The purpose of this report was to provide the committee with a summary of submissions that have been received to the draft Freedom Camping Bylaw 2014; provide the committee with a summary of submissions that have been received to the draft Freedom Camping Strategy 2014; seek recommendations on any amendments to the draft bylaw before presentation for council adoption; and seek that the committee adopt a final Freedom Camping Strategy following consideration of submissions.

Jane Whyte said the report attempts to group the points made in public submissions. Staff have noted those areas that fit within the legislation for the committee to consider. They have also prepared some maps to assist with decision making.

Jane Whyte took councillors through the points one at a time. The first was the idea of combining the strategy and bylaw. Discussion was held on the purpose of the bylaw and strategy. Garth Nixon said the benefit of having a strategy was that it was possible to amend it without a bylaw review. The chairman said the committee will consider this at the end of the considerations.

The next set of submissions was from submitters who supported specific sites but not some of the sites identified. Those submissions in support of sites are noted.

The next group of submissions said they did not want a change the current system but they also were not very supportive of freedom camping. These people did not appear to understand that under the current system freedom camping is permitted everywhere in the district without any restriction.

One submission is in support of reviewing the strategy in two years.

Signage came through in submissions. In the report from staff an example is provided regarding the type of signage could be used. It's clear in the bylaw that signage is needed. The chairman said signage needs to be consistent with what people are seeing in the districts they are coming from, so it's recognisable.

Car parking concerns. Some people were concerned that freedom campers would cause a conflict with other activities. The staff view is that this is not likely to be a problem. This concern is linked to the decision to put freedom camping in urban areas. Cr Leslie said this problem also comes up on the Lake Ohau foreshore.

Facilities for toilet and waste, fires, health and safety matters featured. The toilet and waste issues came through in almost all of the submissions. The chairman said the strategy was saying all camping areas should be for self-contained vans only. This comes back to policing.

The next group of submissions related to economic considerations, including the effects on holiday parks. Under the Act trade competition is not one of the reasons to justify a bylaw restriction.

Another problem raised was adverse effects on property values. This is often a consequence of other problems like nuisance effects.

Economic contributions. There were submissions that said freedom campers didn't contribute financially and other submissions to say they did contribute economically. The Mayor said this is not a matter we can consider when creating a bylaw.

Visual impact was in some submissions. Visual distraction is not specifically identified in the bylaw. But if you need to protect an area or protect access to the area it's valid to consider this. The Mayor asked if it was appropriate to use a bylaw to limit activity that goes on in the basin because it has been declared an outstanding natural landscape. Jane White suggested that the district plan was a better tool to protect this than a bylaw.

The chairman said it was interesting regarding the Lake Ohau submission that houses had restrictions on things like washing lines but campervans did not.

The next group of submissions was in regards to monitoring and enforcement. This would depend on what the final form of the bylaw is. Policing and monitoring is a very important matter. If you have a bylaw it is a regulation and it is appropriate to enforce it. The chairman said we could use the policing tools under the Local Government Act.

Jane Whyte said under the Act camping is allowed unless it's not. The purpose of the bylaw was to impose restrictions and prohibitions.

The chairman asked regarding sending fines to rental companies - is this in the contract that people sign with rental companies? Garth Nixon said he understands that normally the fine is against the vehicle rather than the person, and then the rental company is responsible for recovering the money.

The chairman agreed that the NZMCA should be a stakeholder in the strategy.

Jane Whyte said the issue of self-contained vehicles was a key matter because self-containment would solve many of the other problems such as toilet facilities. The committee agreed to discuss this.

In the draft bylaw the areas identified are restricted to self-contained vehicles. Non self-contained vehicles will be directed towards appropriate campgrounds. The Mayor asked 'can you put a blanket ban on non-self-contained camper vans'. Yes potentially. But the bylaw can only be enforced on council land, not on all land in the district. Cr Smith said this would be a good stance for council to take. The chairman said if this decision was made the strategy would say that only self-contained campers are welcome in the district, and the bylaw would enforce this on council land.

The two key reasons would be to provide for public health and safety and the preservation of natural areas. Toni Morrison asked if there were areas with public toilets such as at Lake Opuha where non self-contained camping would be appropriate.

Garth Nixon said people can go camping with their portaloo and tent and he cautioned against only allowing self-contained vehicles. Jane Whyte said currently the bylaw talks about self-contained camping, which includes vehicles and tent camping in the definitions.

Toni Morrison asked if it was possible to attribute waste and litter to freedom campers or could it come from day trippers. Active monitoring is needed to determine this.

The Mayor said if the intent is to protect the area, protect it from what. Jane Whyte said this was not explained further in the Act. She believes it's about protecting the area being used, rather than the whole environment of the Mackenzie basin.

The chairman said if you are camping you need to be self-contained, whether in a tent or a vehicle. A public toilet is a toilet, not a bathroom or kitchen or laundry. Even if there is a public toilet it does not make you self-contained. A pup tent and a sleeping bag next to a toilet are not self-contained.

Councillors were asked if they want to include in the bylaw that freedom camping is only permitted for self-contained camping under this bylaw? The chairman said this would address many of the problems put forward in submissions.

Garth Nixon said there is a need to look at the definition for self-contained. The chairman said this would include having your own water and waste water.

Councillors agreed to introduce a new restriction that freedom camping within the Mackenzie District is self-contained camping only in the areas that can be enforced by council.

Jane Whyte said a group of submissions suggested no freedom camping anywhere, or none in urban areas. Council cannot prohibit it everywhere in the basin. Council does not own the whole basin so there is no legal tool that can achieve this.

Regarding no freedom camping in urban areas, Garth Nixon put a map of central Twizel on the screen and asked if there were any areas in the strategy that people are happy with as camping areas. The chairman said the public are not ready for it and we don't have a policing in place to give people confidence that it will be managed. The Mayor said we can't police them unless we have an effective bylaw in place.

Garth Nixon looked at council land in Twizel. He suggested removing the parking space behind the events centre. If the whole town centre was banned where do we send them? The Mayor said her reading of submissions was that people don't want them anywhere in the town centre. She asked how Queenstown frame their bylaw to prevent freedom camping in urban areas. Jane Whyte said each area of Queenstown has been looked at in a piece by piece approach.

Garth Nixon said there were concerns about people camping in Market Place. This could be banned except for self-contained campers and could be policed.

Cr Leslie gave an example from Westland but this was a policy, not a bylaw. Jane Whyte explained the difference between a policy and a bylaw. Cr Leslie asked if the bylaws could be the same in neighbouring areas. Yes if the problems are the same.

The Mayor asked regarding an area to the southwest of Twizel has been suggested by a submitter. If we have a single area like this can we say this is the only place you can camp? Cr Armstrong suggested a single area would make monitoring and enforcement easier. He suggested an area of land near the industrial area. Further discussion was held on the various locations in Twizel and whether the overall approach should be to restrict freedom camping as much as allowed in the bylaw or take a different approach.

The Mayor read from the Queenstown bylaw and asked if we could do similar. Discussion was held on whether this approach could be taken. She said banning camping in Twizel was a safety issue related to children being safe to go where they want.

Garth Nixon suggested banning freedom camping in the area around Market Place and behind the events centre and encourages it elsewhere. Cr Armstrong suggested the area near the golf course which is currently leased by the golf club.

The committee agreed to ban all freedom camping in Market Place, which is central Twizel. Other parts of Twizel were considered. Garth Nixon suggested also banning freedom camping in the lagoon area on the shore of Lake Ruataniwha next to the commercial campground. This is about protecting access to the lake. Councillors supported this.

Regarding Tekapo, Garth Nixon suggested extending the restricted area in Tekapo to include the whole lakefront area near the Church of the Good Shepherd. Can we prohibit camping in that particular area? Jane Whyte said yes there is a reason that falls within the reasons in the bylaw. The committee agreed to ban freedom camping in this area.

Garth Nixon raised the commercial business area in Tekapo. There are three suggested parking areas in the bylaw. The committee asked for these sites to be removed. Regarding the parking/rest area on Hamilton Drive, discussion was held on this site as a possible alternative. The chairman suggested this site could be trialled and monitored. The chairman said the concerns were around litter, if this was policed it could be maintained. Garth Nixon asked if members were happy to bump the number of campervan spaces up from five parks to 10. The committee decided to leave it at five and monitor. Any overflow could go to the commercial campground. There are also other areas outside the township.

There were two public submissions regarding camping in Murray Park, Tekapo. Is Murray Park a reserve? The chairman suggested a clause regarding parks and reserves to protect public access to all reserves, playground and recreational parks. Discussion was held on this and the implications of it. It would affect plans to use the sports park in Fairlie for freedom camping. It was decided to ban freedom camping at Murray Park and deal with other parks and reserves as problems arise.

There was one submission related to Fairlie, asking for a ban in the urban area at page 80 of the submissions. This is submission number 38 representing the holiday park in Fairlie. We have had no submissions from the residents of Fairlie to say they want a ban and we reserve the right to monitor and address a problem if it arises. The committee took no action on this.

Regarding the lakefront set back zone, there was one submission asking for a greater setback area than the current 20m from the shore at Lake Opuha. The committee was happy with 20m.

Regarding Lake Ohau, having to be self-contained solves many of the issues raised by submitters. Cr Smith asked if a similar restriction to Lake Opuha, regarding not camping at the peak time in Christmas, was appropriate at Lake Ohau. Garth Nixon said this area hasn't been raised with us previously in terms of rubbish or clean up. There is an Alps2Ocean toilet in the area.

The chairman asked if council would consider having a rubbish skip at Lake Ohau. Garth Nixon said he would prefer to put in signage asking campers to take away their rubbish. Cr Leslie suggested a limit on long-term camping. Cr Armstrong said the biggest problem was people camping 2-3 weeks at a time. Garth Nixon suggested a one week limit but Toni Morrison asked how this would be enforced.

Cr Smith is reluctant to have a lot of different rules for different places. Cr Leslie said the main purpose of the Lake Ohau site was for boat access. This is an access problem. He doesn't want Freedom Camping there at all. Garth Nixon suggested leaving the status quo because including Lake Ohau in the strategy would mean it was promoted and attract more people than it does currently.

The committee agreed no freedom camping would be allowed at all in an area around the boat ramp to allow public access to the boat ramp and lake. This area goes from where the road reaches the foreshore to 200m past the boat ramp.

Jane Whyte raised the issue of the length of time for freedom camping. Submissions suggested five nights. The reason for this restriction would be to allow public access and access for other campers. The committee discussed this and agreed on a seven day restriction.

Regarding a submission to remove a toilet at Haymans Road, this is on LINZ land and out of council control. Regarding an area called the Pines, this is also LINZ land at Lake Pukaki and a good spot for camping. It's always tidy and well organised and we need to encourage camping on this site. The car park at the Lake Pukaki Visitor Centre is Meridian land with no opportunity to control freedom camping in this area. A couple more areas listed on page 18 of the report are also out of council control.

Jane Whyte asked for clarification regarding urban areas generally. Do councillors want to seek a full ban on urban areas? The committee decided not to do so, because this would not work in Fairlie where campervans are encouraged in the urban area.

The committee then considered monitoring and enforcement. This matter is of concern and has been raised a number of times by submitters. Garth Nixon said we currently have a number of volunteer officers around the district. In terms of issuing infringement notices and fines, he is not sure that voluntary officers would be able to do that. His opinion was to employ contractors in Twizel and Tekapo for 2-3 evenings a week. They would monitor, police, and provide education and feedback to council.

Cr Smith said it's important that we monitor and enforce this. The chairman said we need to collect data on where vans are and any problems. Cr Leslie suggested a lead in period of a year to educate people without fining them, and bringing in a contractor after that. Garth Nixon said volunteers cannot be relied on to collect accurate information because they were limited in how often they could go out. He also saw immediate enforcement as a way to recover the costs of things like signage. Queenstown issues 10,000 fines per annum with a 70% success rate in recovering payment.

The chairman said fining someone would send the message out on social media that we are firm. Cr Leslie asked about the community patrol. They would be keen to help. Cr Armstrong suggested offering them a percentage. Garth Nixon said we have not done enforcement before so need to learn how to do it correctly. He raised the possibility of collaboration with Timaru District Council.

Nathan Hole said there is no reason why volunteers couldn't be trained to issue an infringement notice, but we would need to make sure they understand what's required. The person issuing the notice needs sufficient evidence to back it up.

Jane Whyte said council can tell submitters that it intends to monitor and enforce the bylaw. The chairman asked staff for a future report to council on how they are going to do that and how much it will cost.

The issue of fire danger can be included in the signage.

Jane Whyte returned to the first question and asked if the councillors saw a need for both a bylaw and a strategy. Yes, the strategy allows us to address the whole district, including areas that are not our land. We cannot control this land but we can say what we want to see.

One submission asked for a definition of licenced campground. This definition is no longer needed given the changes that have agreed to. Jane Whyte said several submissions also asked for changes to specific clauses and these would be addressed when the changes were made. A final version of the bylaw and strategy would go to the council meeting on December 9 for councillors to approve.

Resolved:

1. That the report be received.

Graham Smith/Russell Armstrong

2. That the committee, having considered all submissions and heard from submitters who wished to speak to their submission, makes decisions in regard to the submissions, notes its reasons for those decisions and recommends any appropriate changes to the draft Freedom Camping Bylaw 2014.

Graham Smith/Claire Barlow

3. That the committee directs staff to make any changes identified in 2. above and presents the revised draft Freedom Camping Bylaw 2014 along with the committee's reasons for its recommendations, to Council for consideration at its meeting on 9 December 2014.

Claire Barlow/James Leslie

4. That the committee having considered all submissions and heard from submitters who wished to speak to their submission, makes decisions in regard to the submissions, notes its reasons for those decisions and adopts a final Freedom Camping Strategy 2014 with the changes noted above.

Graham Smith/Russell Armstrong

DOG CONTROL BYLAW AND POLICY AND MOBILE SHOP AND TRADER BYLAW:

The purpose of this report was to provide the committee with a summary of submissions that have been received to the draft Dog Control Policy and draft Dog Control Bylaw 2014; provide the committee with a summary of submissions that have been received to the draft Mobile Shop and Trader Bylaw 2014; and seek recommendations on any amendments to the draft bylaw before presentation for council adoption.

There were five submissions on mobile shops and traders, four from Twizel and one from Tekapo. The one from Tekapo was in support. All the Twizel submissions opposed the bylaw and did not want traders anywhere in Twizel. Most are from business owners and most of the concerns are related to trade competition. There is a level of restriction in the bylaw regarding distance from other shops at 200m.

The chairman said completely prohibiting mobile traders would prevent market days from taking place. Cr Smith asked if there were any pressing problems in Twizel.

Nathan Hole said a mobile shop selling fish and chips has been the subject of concerns from one business. Most of the issues are related to people trading from rural areas like the Lake Pukaki Lookout. We get complaints about 2-3 times a year related to mobile traders.

We need to have a bylaw, but it's up to us how we monitor and enforce it. One person has suggested extending the 200m to 300m. Nathan Hole says the 200m has worked well in the past.

Regarding the dog bylaw and strategy there are two submissions, both addressing dogs in Twizel. One says dogs should be on a lead in the shopping area and people need to be picking up after their dogs. This is a prohibited area so dogs should not be allowed in there already. The bylaw does have provisions that people pick up after their dogs. The chairman said the problem is signage letting people know that dogs are not allowed in Market Place. The Mayor said you also need to enforce this. The dog officer does do regular checks of Market Place. The Mayor said we could put information in the local newspapers detailing that fines will be issued.

Resolved:

1. That the report be received.

Graham Smith/Claire Barlow

2. That the Committee, having considered all submissions recommends the follow draft bylaws be adopted without amendment:

- a. the draft Dog Control Bylaw and Policy 2014,
- b. the draft Mobile Shops and Traders Bylaw 2014

Claire Barlow/James Leslie

CONSIDERATION OF OTHER DRAFT BYLAWS:

The purpose of this report was to: provide the committee information arising from the Special Consultative Procedure Consultation undertaken with respect to a number of draft bylaws and seek recommendations on any amendments to the draft bylaws before presentation for council adoption.

Resolved:

1. That the report be received.

Claire Barlow/Russell Armstrong

2. That the committee note that no submissions were received on the following draft bylaws:

- a) Draft Market Place Liquor Ban Bylaw
- b) Draft Wastewater Network Bylaw
- c) Draft Water Supply Bylaw
- d) Draft Downlands Water Supply Bylaw

Graham Smith/Russell Armstrong

3. That the committee recommends the draft bylaws be adopted without amendment and direct staff to present the draft Bylaws along with the committee's reasons for its recommendations, to Council for consideration at its meeting on 9 December 2014.

Graham Smith/Russell Armstrong

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.00PM**

CHAIRMAN: _____

DATE: _____

Unconfirmed

MACKENZIE DISTRICT COUNCIL

REPORT TO: PLANNING AND REGULATION COMMITTEE
SUBJECT: GROUP MANAGER'S ACTIVITY REPORT
MEETING DATE: 3 FEBRUARY 2015
REF: PAD 4/1
FROM: NATHAN HOLE, MANAGER PLANNING AND REGULATIONS

PURPOSE OF REPORT:

To provide the Committee with an activity report for planning and regulations for the period 18 November 2014 to 26 January 2015.

STAFF RECOMMENDATIONS:

1. That the report be received.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

RESOURCE CONSENT ACTIVITY:

Applications Received: 15

Certificate of compliance

140080 Vodafone Ltd
Install a telecommunication mast within existing designated Chorus exchange, Tasman road, Twizel

Subdivision

140073 Deepburn Farm Ltd
Boundary adjustment between three existing certificates of title, Plantation Road, Fairlie

140081 P & S Cameron
Boundary adjustment sections 3, 4 & 5 SO 320101, State Highway 8 & Rhoboro Downs Road, Twizel

Land use

140070 G Nixon
Relocate dwelling to Rural Zone, School Road, Fairlie

140071 C & B O'Brien
Dwelling within Manuka Terrace Rural-Residential Zone, Twizel

140072 Pukaki Airport Board
Operation of a quarry, State Highway 8, Twizel

140074 Transpower Ltd
Replacement of three existing transmission line structures, Tekapo - Timaru transmission line

140075 E Carrington
Locate garage within setback from internal boundary, Cass Crescent, Twizel

140076 Mt Gerald Station Ltd
Farm building within Mackenzie Basin Subzone, Lilybank Road, Pukaki

140077 Mt Gerald Station Ltd
Farm building within Mackenzie Basin Subzone, Lilybank Road, Pukaki

140078 C Toader
Extension of a lapsing period of land use consent RM090008 – additional 3 years, Glen Lyon Road

140079 C Toader
Temporary buildings within Lakeside Protection Area, Glen Lyon Road

- 140082 A Wall
Extraction of gravel 32,500 cubic metres, Simons Pass, Twizel
- 140083 J France
Locate residential building within flood risk area, Albury
- 140084 Meridian Energy Ltd
Construct an office building within setback from road boundary, Market Place, Twizel

Applications Granted: 10

Subdivision

- 140032 H Hunter
Subdivide Lot 3 DP 447227 into 5 allotments, North West Arch, Twizel
- 140046 Glentanner Station Ltd
Application under Section 226 of the RMA, Glentanner Station, State Highway 80
- 140067 Meridian Energy Ltd
Subdivide Lot 1 DP 445569 into 4 allotments, Market Place, Mackenzie Drive, Two Thumb Drive, Tasman Road, Twizel
- 140081 P & S Cameron
Boundary adjustment sections 3, 4 & 5 SO 320101, State Highway 8 & Rhoboro Downs Road, Twizel

Land Use

- 140060 Earthworks to construct a 100,000m³ water storage dam for irrigation and centre pivot irrigators, Richardson Road, Albury
- 140063 M Bacchus
Construct a dwelling and construct and operate visitor accommodation, Pukaki Village Zone, Twizel
- 140070 G Nixon
Relocate dwelling to Rural Zone, School Road, Fairlie
- 140071 C & B O'Brien
Dwelling within Manuka Terrace Rural-Residential Zone, Twizel
- 140074 Transpower Ltd
Replacement of three existing transmission line structures, Tekapo - Timaru transmission line
- 140075 E Carrington

Locate garage within setback from internal boundary, Cass Crescent,
Twizel

140077 Mt Gerald Station Ltd
Farm building within Mackenzie Basin Subzone, Lilybank Road, Pukaki

CONSENT NUMBERS:

Resource Consents	
Applications Received	Applications Granted
15 (6)	10 (4)
Certificates of Compliance	
Applications Received	Application Granted
0	1
Building Consents	
Applications Received	Applications Granted
41 (42)	36 (36)
LIMs processed	
52 (24)	

The figures in brackets are those reported last meeting cycle.

The value of granted building consents for the period is \$5.44M

DISCUSSION:

Resource consent activity increased prior to Christmas, as well as a significant increase in LIMs processed.