

MARLBOROUGH DISTRICT COUNCIL  
15 SEYMOUR STREET  
PO BOX 443, BLENHEIM 7240  
NEW ZEALAND

TELEPHONE (0064) 3 520 7400  
FACSIMILE (0064) 3 520 7496  
EMAIL [mdc@marlborough.govt.nz](mailto:mdc@marlborough.govt.nz)  
WEB [www.marlborough.govt.nz](http://www.marlborough.govt.nz)



**MARLBOROUGH  
DISTRICT COUNCIL**



Only Marlborough

24 November 2020

Record No: 20222147  
File Ref: D050-001-02  
Ask For: Mike Porter

## **Notice of an Extraordinary Council Meeting – Friday, 27 November 2020**

Pursuant to clause 22, schedule 7 of the Local Government Act 2002, an Extraordinary Meeting of the Marlborough District Council will be held in the Council Chambers, 15 Seymour Street, Blenheim on **Friday, 27 November 2020 commencing at 4.30 pm.**

### **BUSINESS**

As per Order Paper attached.

**MARK WHEELER  
CHIEF EXECUTIVE**





**Order Paper for an  
EXTRAORDINARY COUNCIL MEETING  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on FRIDAY, 27 NOVEMBER 2020 commencing at 4.30 pm**

**Open Meeting**

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## Marlborough District Council

**Order Paper for an EXTRAORDINARY  
COUNCIL MEETING**  
**to be held in the Council Chambers, 15 Seymour Street, Blenheim**  
**on FRIDAY, 27 NOVEMBER 2020 commencing at 4.30 pm**

### 1. Karakia

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Tēnā koutou, tēnā koutou, tēnā koutou katoa  
E te Atua tō mātou Kai-hanga,  
ka tiāho te maramatanga me te ora, i āu kupu kōrero,  
ka tīmata āu mahi, ka mau te tika me te aroha;  
meatia kia ū tonu ki a mātou  
tōu aroha i roto i tēnei huihuinga.  
Whakakī a matou whakaaro ā mātou mahi katoa,  
e tōu Wairua Tapu.  
Āmine.

(God our Creator,  
when you speak there is light and life,  
when you act there is justice and love;  
grant that your love may be present in our meeting.  
So that what we say and what we do may be filled with your Holy Spirit.  
Amen.)

### 2. Apologies

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### 3. Declaration of Interests

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Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

## 4. Proposed Responsible Camping Control Bylaw 2020

(Cllr Oddie) (Report prepared by Jane Tito)

R510-005-15-02

### Purpose of report

1. The purpose of this report is for Council to adopt the *Marlborough District Council Responsible Camping Control Bylaw 2020* with effect from 1 December 2020.

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### RECOMMENDATIONS

1. That Council approve the change to the name of the Marlborough District Council Bylaw on Freedom Camping and Control to the *Marlborough District Responsible Camping Control Bylaw 2020*.
2. That the *Marlborough District Council Responsible Camping Control Bylaw 2020* be adopted effective 1 December 2020.

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For the purpose of this report the following terminology is used:

- **Current Bylaw** means the *Marlborough District Council Freedom Camping Control Bylaw 2012* (incorporating 2016 amendments)
- **Proposed Bylaw** means the version that was publicly notified on 7 August 2020
- **Draft Bylaw** means the version Council now proposes to come into force on 1 December 2020
- **Responsible Camping** is used throughout this document and replaces the previous terminology used to describe “freedom camping” (except in publications)

### Background/Context

2. Following the Annual Plan process of 2019-20, and in consideration of submissions and presentations received by the community from earlier Annual Plans, Council agreed that a review of the *Marlborough District Council Freedom Camping Control Bylaw 2012* would take place from mid-2020.
3. A review of the *Marlborough District Council Freedom Camping Control Bylaw 2012* was held in 2015/16 which introduced the 2016 amendment. The *Current Bylaw* incorporates those amendments.
4. Council engaged a consultant specialising in the parks and recreation sector (co-funded by the Ministry of Business, Innovation and Employment) in 2019 to undertake a review of Responsible Camping in Marlborough.<sup>1</sup> The review took six months and the resulting report provided Council with information to support the Bylaw Review and an understanding of the impacts and issues freedom camping has on the Marlborough community.
5. As part of the review, the consultant also provided a comprehensive assessment of sites (Marlborough District Council Responsible Camping Review - Site Assessments, May 2020)<sup>2</sup> to the *Current Bylaw* and also at some additional sites within the region. The *review matrix* used in the assessment aligned with the Freedom Camping Act 2011,<sup>3</sup> Part 2, section 11(2)(a)(i), (ii) and (iii) to ensure that responsible camping sites in the *Bylaw* would meet the three provisions below:
  - 5.1. To protect the area;
  - 5.2. To protect the health and safety of people who may visit the area; and
  - 5.3. To protect access to the area.

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<sup>1</sup> Responsible Camping Review for Marlborough District Council (May 2020)

<sup>2</sup> Responsible Camping Review, Site Assessments (May 2020)

<sup>3</sup> Freedom Camping Act 2011

6. At the Assets and Services meeting of 9 July 2020, it was agreed:
  - to proceed with a review of the Marlborough District Council Freedom Camping Control Bylaw 2012,
  - to appoint a sub-committee (Freedom Camping Sub-Committee) to hear public submissions on the review, and
  - to agree on a bylaw review timeline.
7. It was agreed that the bylaw review period would be completed within the timeline and adopted for management of responsible camping for the 2020/21 summer season.
8. At the Council meeting of 6 August 2020, the Council approved public notification of the *Marlborough District Council Freedom Camping Control Bylaw 2020* and the notification period was set from 7 August 2020 to 7 September 2020.
9. A *Revised Statement of Proposal for Marlborough District Council Freedom Camping Control Bylaw* and the proposed *Marlborough District Council Freedom Camping Control Bylaw 2020* were developed as the review documents to support the public notification process.
10. Council received 350 submissions to the Bylaw Review from the Marlborough community and outside of the district including national camping organisations and holiday park owners.
11. The Marlborough District Council's Freedom Camping Sub-Committee heard 49 submissions over three days from 14 to 16 September 2020.

## Public Notification

12. The *Revised Statement of Proposal* and the *Proposed Bylaw* were the primary information documents developed to describe proposed changes to the *Current Bylaw*, as part of the review and on which submissions were based in the public notification process. Council was seeking guidance through the submission and subsequent hearings process on any changes or improvements to these documents as identified by the community and other stakeholders.
13. The *Proposed Bylaw* was prepared for the public notification process and developed from information gathered in the Bylaw Review by the consultant, Council data, and submissions to Annual Plans in 2017 to 2020.
14. The following areas were identified for specific review and comment in the *Revised Statement of Proposal*:
  - 14.1. That Marlborough move to be a self-contained vehicle region only,
  - 14.2. That five additional sites be added to the Prohibited camping sites,
  - 14.3. That three sites be added to the Restricted camping sites,
  - 14.4. That a reformat of the Wairau Diversion to better accommodate visitors in self-contained vehicles be considered, and
  - 14.5. That there were increased reasons or rationale where Council may close a site.
15. The *Proposed Bylaw* was prepared as the new Bylaw to manage responsible camping in the region and included proposed changes to the Prohibited and Restricted camping sites, a change to the wording to reflect a certified self-contained vehicle, and additional reasons for allowing Council to close a site.
16. As part of the notification process, Council also provided submitters with access (online) to the *Responsible Camping Review for the Marlborough District Council* and the accompanying *Site Assessments Review* (May 2020), an online mapping tool to provide further information on location of sites and a concept plan for proposed changes to the Wairau Diversion.

## Submissions and Hearings

17. Council received 350 submissions and the Freedom Camping Sub-Committee heard 49 submissions over three days (14-16 September 2020). For a number of the submitters, this was a second appearance in front of a responsible (freedom) camping committee, having been involved in a previous Bylaw review, and their submissions were both considered and thoughtful.
18. The submissions showed a broad consensus regarding the region becoming a self-contained vehicle region only. Several submitters also provided possible solutions to issues identified in the submissions process with the issues focussed on the sites and responsible camping in the region and New Zealand. There was a wide and balanced discussion from submitters with a range of ideas put forward for discussion and consideration.
19. Several submitters mentioned that a central government response was an area where Council could focus efforts in encouraging a review of the Freedom Camping Act 2011.
20. The information presented by submitters (for the most part), including those heard during the hearings process, provided the Freedom Camping Sub-Committee with a balanced discussion on the experience of the individuals, communities and other groups and associations.
21. This information allowed the Freedom Camping Sub-Committee to consider a range of solutions for managing responsible camping in Marlborough. The decisions made by the Freedom Camping Sub-Committee to meet a level of management of responsible camping which would satisfy the Freedom Camping Act 2011, and respond appropriately to the local community's views are:
  - 21.1. that the region become a self-contained vehicle region only;
  - 21.2. that responsible camping would be permitted at five sites in the Marlborough region;
  - 21.3. that the rationale for temporary closure of sites would be expanded to include:
    - i) closure of the site for maintenance or improvements required at the restricted area; and
    - ii) closure of the site where a period of recovery for the site is necessary.

This clause would be introduced particularly where there has been damage to the site or where the site has been over-used and would not recover sufficiently without temporary closure of the area.
22. The submissions provided substantial support to the decisions made by the Freedom Camping Sub-Committee in considering the management of responsible camping in Marlborough and supported the Sub-Committee's view that the Bylaw be updated to reflect the decisions.
23. The decisions are further expanded in the below paragraphs and in the Decision Report (**attached** as Appendix 4.1).<sup>4</sup>
24. A new Draft Bylaw (*Marlborough District Council Responsible Camping Control Bylaw 2020*) was developed to take into consideration the decisions made by the Freedom Camping Sub-Committee to provide management of responsible camping in Marlborough (**attached** as Appendix 4.2).

### *Self-contained vehicles*

25. A fundamental change introduced through the *Proposed Statement of Review* to the *Current Bylaw* is the move to be a self-contained vehicle region only. Currently there are a number of responsible camping sites managed by Council where both self-contained and non-self-contained vehicles are permitted to camp. There are also responsible camping sites where tenting is acceptable.
26. The submissions received showed that 46% of respondents agreed with the decision to move (in full and in part) to be a self-contained vehicle region only with 27% of respondents opposing the move in full or in part. There was a further 27% who did not provide a response to this question.

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<sup>4</sup> Decision Report of the Hearings Panel to Marlborough District Council and submitters in respect of Draft Marlborough District Council Responsible Camping Control Bylaw 2020.



27. During the hearings process, becoming a self-contained vehicle region was further expanded on by many speakers emphasising their belief that this move was a crucial one to Council's successful management of responsible camping in Marlborough.

### *Site specific submissions*

28. The *Proposed Bylaw* identified changes to the current responsible camping sites as follows:
- 28.1. that there would be three sites closed, these were Brown River, Ohauparuparu and Koromiko Recreation Reserve,
  - 28.2. that there would be three new sites developed, two in Picton and one at Ward township,
  - 28.3. that the current site at the Wairau Diversion would be developed to provide an improved layout and structure for responsible camping, to both enhance the health and safety of the site and to allow ease of monitoring, particularly at night, and
  - 28.4. that the remaining responsible camping sites would stay as they are in the current Bylaw but now with the new self-contained vehicle only provision.
29. The three main groups of submitters were represented by residents from the Picton, Ward and Double Bay communities. Of these areas, two had proposals in the draft Bylaw for new responsible camping sites, and residents for the other area (Double Bay) provided submissions detailing the experience received from visitors and campers to their local reserve. The community of Double Bay had engaged a lawyer to present on their submission and also introduced a discussion regarding the hierarchy of the Reserves Act and the Freedom Camping Act. Further detail on this discussion can be found in the **attached** Decision Report (see Appendix 4.1).
30. Other submitters included the NZ Motor Caravan Association (and individual members), Port Marlborough, the Responsible Campers Association Incorporated and residents from around the district with various interests and thoughts on responsible camping.
31. Council will be working with these groups to understand any matters or areas where Council could improve in a general sense.

### *Rationale for closing of responsible camping sites*

32. The *Current Bylaw* includes conditions for closure of a responsible camping site for either of the following reasons:
- 32.1. There being a high risk of fire or imminent flood in the areas; or
  - 32.2. Where the area is being used for an event approved by Council.
33. The *Draft Bylaw* includes the additional reasons for closures noted in the *Revised Statement of Proposal*. These additional reasons had high acceptance from submissions and during the hearings process. It should be noted that these clauses are used on a site-by-site basis and do not form or cannot be used as a blanket prohibition or restriction on camping. The sites will also receive regular monitoring and, where required, may be subject to restricted or prohibited access on the following bases:
- 33.1. There being a high risk of fire or imminent flood in the areas;
  - 33.2. Where the area is being used for an event approved by Council;
  - 33.3. There is a potential health and safety risk at the site including overcrowding;
  - 33.4. There is a need to better protect public access; or
  - 33.5. There is a need to allow for maintenance or improvements.

### **Change to Proposed Bylaw**

34. During the hearings process, there was a robust and balanced discussion around the sites in the *Current Bylaw*.

35. Council agreed to reduce the number of responsible camping sites to five in the *Draft Bylaw*. Considering that Council had a comprehensive site assessment undertaken of all responsible camping sites in the *Review of Freedom Camping*<sup>5</sup>, there has been sufficient discussion on the sites in the community and consideration by the Sub-Committee on Freedom Camping as part of the Bylaw Review process overall.
36. A more comprehensive report on decisions made by the Sub-Committee on Freedom Camping can be found in the **attached** Decision Report (see Appendix 4.1). Error! Bookmark not defined.
37. The five sites Council have agreed to provide as Responsible Camping sites in the region are:
- 37.1. Wairau Diversion, Spring Creek vicinity;
  - 37.2. Wynen Street, Blenheim;
  - 37.3. Taylor River Dam, Blenheim;
  - 37.4. Renwick Domain, Renwick; and
  - 37.5. Elterwater<sup>6</sup>, Ward vicinity.
38. Council agreed to work with the NZ Motor Caravan Association, Port Marlborough and the Cook Strait ferry companies on reviewing facilities and sites for responsible camping and the development of the Wairau Diversion into an improved area for overnight camping and day use activities on an ongoing basis.

### *Re-development of the Wairau Diversion*

39. As noted in the Revised Statement of Proposal, Council proposed a re-development of the Wairau Diversion site to better allow for responsible camping but to also emphasize the recreational use of this site. Only certified self-contained vehicles are permitted to camp at this site.
40. A number of the submissions agreed with Council's *Revised Statement of Proposal* to develop the Wairau Diversion as a key location for responsible campers and visitors. This was further reinforced in the hearings process, along with the fact that it would provide a good replacement for the current responsible camping site at Koromiko Recreation Reserve.
41. The close proximity of the Wairau Diversion to the ferries and both Blenheim and Picton was recognised in addition to being a site that has seen a growing number of campers in the last two years. The area has the capacity to provide for the growing number of responsible campers at this site and to also cater as a day use site.
42. Council will reformat the site to provide a focus on (1) a specific day use area, and (2) an area formatted to accommodate responsible campers. The responsible camping site will provide an improved format within the site to cater to overnight camping.
43. In the past two years, Council have found that a growing number of campers are camping at this location and the monitoring in the current format has become more difficult. The health and safety of visitors to the area and facilitation of required monitoring by the Council's ranger team were also considered in how Council may reformat this site.

### *Responsible camping rather than freedom camping*

44. In the past two years there has been a movement to change the terminology to responsible camping rather than freedom camping, when referring to camping under the Freedom Camping Act 2011. This terminology was initially used by the Responsible Camping Working Group set up in 2018 (by the Minister of Tourism) to elicit a more positive brand that promotes all camping in New Zealand.

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<sup>5</sup> Site Assessments, Responsible Camping Review for Marlborough District Council (May 2020), prepared by Paul McArthur.

<sup>6</sup> Elterwater is a lay-by area managed by the NZ Transportation Authority. Council will be seeking a formalised agreement to use this site as a Council Responsible Camping site.

45. The Responsible Camping Working Group also recognised that this type of camping has a net positive economic and social impact on communities and the local environment, and that people generally camp responsibly in our public places, with only a few campers acting irresponsibly.
46. The Council agreed to change the name of the proposed Bylaw to Responsible Camping Bylaw 2020 to reflect and encourage consistent behaviours of the camping community and also to bring a consistency in terminology with central government and neighbouring territorial areas.

### **Marlborough District Council Responsible Camping Control Bylaw 2020**

47. The new Responsible Camping Control Bylaw 2020 has been updated to include the following changes:
  - 47.1. That Marlborough move to be a self-contained vehicle region only.
  - 47.2. That Marlborough moves to only five areas where responsible camping may occur within the region and by default removes the agreement of responsible camping district-wide.
  - 47.3. That there are increased reasons or rationale where Council may temporarily close a site.
  - 47.4. The Marlborough District Council responsible Camping Bylaw will be effective from 1 December 2020.

### **Attachments**

Appendix 4.1 – Decision Report

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Appendix 4.2 – Marlborough District Council Responsible Camping Control Bylaw 2020

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Author	Jane Tito, Manager Parks and Open Spaces
Authoriser	Jamie Lyall, Manager Property and Community Facilities

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**Decision Report of the Hearings Panel to Marlborough District  
Council and submitters in respect of Draft Marlborough District  
Council Responsible Camping Control Bylaw 2020**

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Hearings Panel:      David Oddie (Chair)  
                             Brian Dawson (Deputy Chair)  
                             Jenny Andrews  
                             David Croad  
                             Gerald Hope  
                             Thelma Sowman

Hearings:            14 September to 16 September 2020

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David Oddie

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David Croad

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Brian Dawson

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Gerald Hope

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Jenny Andrews

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Thelma Sowman

Dated \_\_\_\_\_

## Introduction

1. The Marlborough District Council Freedom Camping Control Bylaw 2020 was notified on 7 August 2020 for submission with the submission period closing on Monday 7 September 2020. There were 350 submissions received with 77 submitters indicating they wished to be heard at subsequent hearings.
2. Hearings were held from Monday 14 of September to Wednesday 16 September 2020. The Council's Hearings Panel consisted of Councillor Oddie as Chair, Councillor Dawson as Deputy Chair and Councillors Andrews, Croad, Hope and Sowman as Panel members. 49 submitters appeared before the Hearings Panel, some of whom appeared for multiple submitters.
3. The Hearings Panel subsequently deliberated on 18 September, 19 October and 9 November and this report records the decisions of the Panel and the reasons for those decisions. A schedule is attached to this Decision Report setting out the decisions and reasons under the Freedom Camping Act as to why sites have been prohibited or restricted.
4. For the purpose of this Decision Report the following terminology should be noted:
  - **Current Bylaw** means the Marlborough District Council Freedom Camping Control Bylaw 2012 (with 2016 amendments)
  - **Proposed Bylaw** means the version that was publicly notified on 7 August 2020
  - **Draft Bylaw** means the version Council now proposes to come into force on 1 December 2020.

## Approach to decision making

5. The Hearings Panel acknowledges the efforts of submitters in preparing submissions and particularly those submitters who had provided alternative suggestions or solutions to the management issues facing the Council with freedom camping. The Panel also acknowledges the short timeframe for the review process however the Council is intent on any changes to the current framework for freedom camping being in place for the upcoming 2020/21 summer season.
6. In making their decisions the Hearings Panel has reviewed the following:
  - Responsible Camping Review for Marlborough District Council May 2020;
  - Marlborough District Council Responsible Camping Review Site Assessments May 2020;
  - Submissions lodged on the proposed bylaw and evidence presented at subsequent hearings;
  - Schedule of decisions attached to this Decision Report; and
  - Post Hearings Site Assessment Update November 2020.
7. The Hearings Panel records that it considers the provisions of the draft bylaw are the most appropriate and proportionate way of addressing problems in relation to all areas covered by the draft bylaw as required by section 11(2)(b) of the Freedom Camping Act 2011.
8. Decisions on the submissions received are collated in this one Decision Report rather than on each individual submission. The reason for this is that many of the submissions were similar in both content and reasons for either their support or opposition to freedom camping. Consequently the Hearings Panel has grouped its responses and decisions accordingly. A copy of this Decision Report, draft bylaw and Post Hearings Site Assessment Update – November 2020 can be found on the Council's website at [www.marlborough.govt.nz](http://www.marlborough.govt.nz).
9. The decisions on submissions have been grouped as follows:
  - Overview of submissions received

- Decisions on submissions
- 'Responsible' rather than 'freedom camping'
- Requirement for self-containment
- Monitoring and enforcement
- Redevelopment of Wairau Diversion
- Legal matters
- Other matters

10. Abbreviations used

BORA	Bill of Rights Act 1990
CSC	Certified self-contained
FCA	Freedom Camping Act 2011
MEP	Marlborough Environment Plan
NZMCA	New Zealand Motor Caravan Association
NZTA	New Zealand Transport Agency/Waka Kotahi
RA	Reserves Act 1977
RMA	Resource Management Act 1991
Review report	Responsible Camping Review for Marlborough District Council – Paul McArthur, May 2020

## Overview of submissions received

11. Many submitters requested that the Council prohibit freedom camping throughout the District. The reasons for seeking the prohibition were varied but those most frequently mentioned by submitters included the following:
  - There is an impact on local accommodation businesses
  - Higher spending tourists are needed to stay and spend money in Marlborough
  - There are already existing Department of Conservation and private campgrounds available
  - Camping should be user pays
  - Ratepayer money should not be used to provide facilities for campers
  - There are impacts on the environment with rubbish and toileting frequently described as issues
  - Campers are intimidating locals
  - Sites should not be located near residential areas
12. Several submissions stated the Council should be proactively seeking changes to the Freedom Camping Act legislation to enable a local authority to prohibit freedom camping. Submitters also questioned how many sites a local authority was required to provide for.
13. There were submissions that supported freedom camping. These submissions considered the Council was not doing enough to provide or support freedom camping, particularly in urban areas. It was said that ways to make the District more attractive and welcoming of visitors should be identified so that visitors were encouraged to stay longer and spend more. There was support for more facilities and sites to be provided with fewer restrictions and prohibitions in place.
14. Feedback was received on both the restricted and prohibited sites included within the proposed bylaw. Submissions noted additional areas that should be made prohibited for freedom camping as well as identifying some areas that could be considered restricted areas.
15. There was widespread support from submitters for freedom camping to be undertaken in CSC vehicles.
16. The Hearings Panel notes that the starting premise in the Freedom Camping Act (FCA) is that freedom camping is permitted everywhere unless it is restricted or prohibited. Sections 10 and 12 of the FCA state respectively:
  - 10 *Freedom camping is permitted in any local authority area unless it is restricted or prohibited in an area—*
    - (a) *in accordance with a bylaw made under section 11; or*
    - (b) *under any other enactment.*
  - 12 *A local authority may not make bylaws under section 11 that have the effect of prohibiting freedom camping in all the local authority areas in its district.*
17. A bylaw is the process by which freedom camping can be prohibited or restricted. However, there are limitations on the matters the Council can consider when making bylaws. These are set out in sections 11(1) and (2) of the FCA as follows:
  - 11(1) *A local authority may make bylaws—*
    - (a) *defining the local authority areas in its district or region where freedom camping is restricted and the restrictions that apply to freedom camping in those areas;*
    - (b) *defining the local authority areas in its district or region where freedom camping is prohibited.*
  - 11(2) *A local authority may make a bylaw under subsection (1) only if it is satisfied that—*
    - (a) *the bylaw is necessary for 1 or more of the following purposes:*
      - (i) *to protect the area;*



- (ii) *to protect the health and safety of people who may visit the area;*
- (iii) *to protect access to the area; and*
- (b) *the bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to that area; and*
- (c) *the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.*

18. In considering the issues around prohibitions on freedom camping and several of the matters highlighted above, the Hearings Panel concluded the following:

- The Council cannot prohibit freedom camping everywhere across Marlborough given the requirements of the FCA.
- The proposed Marlborough District Council Freedom Camping Control Bylaw 2020 was considered to meet the requirements of the FCA in providing for freedom camping in Marlborough.
- The Council will continue to actively take part in discussions nationally aimed at improving the legislation for freedom camping to ensure the best outcomes for the environment, residents of Marlborough and visitors to the District.

## Decisions on submissions

### General comments

19. The Hearings Panel acknowledges the concerns expressed through submissions of the localised impacts experienced from freedom camping and the potential concerns raised in respect of the proposed three new sites included in the proposed bylaw (Ward Domain, carpark at 44 High Street in Picton and Memorial Park in Picton). Many of the concerns expressed about freedom camping in the submissions were common across the sites.
20. There was concern the proposed closure of some currently operating freedom camping sites would see these areas become unavailable for day use, if vehicles visiting them were not certified self-contained (CSC) e.g. Brown River and Koromiko Recreation (Collins Memorial) Reserve. However, a vehicle visiting an area for day use is not freedom camping as there is no overnight stay involved and therefore there is no requirement for self-containment. This type of activity is specifically excluded from the definition of freedom camping in the FCA – see section 5(2) which states:
- 5(2) In this Act, freedom camping does not include the following activities:*
- (a) temporary and short-term parking of a motor vehicle;*
  - (b) recreational activities commonly known as day-trip excursions;*
  - (c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.*
21. There was a concern expressed from some submitters that there is a difference between what was recommended in the site assessment report (May 2020) prepared for the review process and what was notified in the proposed bylaw. The Hearings Panel records this is not an unusual situation and the process followed still allowed the opportunity for everyone to have a say about sites – whether supporting or opposing freedom camping at them. Additionally, while a site assessment report is a significant factor in the notification of a proposed bylaw, decision makers have discretion as to what to include in a proposed bylaw, so long as this is within the bounds of the FCA.
22. In terms of spending ratepayer money to provide facilities for freedom campers, funding for recent and proposed improvements is and has been both ratepayer and central government funded. Upgrades to a number of toilet facilities around Marlborough have been programmed as part of the Council's 10 year improvement programme. The timing of these upgrades has coincided with the availability of part funding through central government's Tourism Infrastructure Fund (TIF).
23. The TIF was extended in 2018 to specifically provide additional funding related to the management of freedom camping. The Council made application to this fund for improvements to freedom camping sites at Ohingaroa Bay Reserve, Double Bay Reserve, Alfred Stream Reserve, Brown River, Anakiwa and Koromiko Recreation (Collins Memorial) Reserve and for additional signage. Further funding was

applied for and received for the 2019/20 summer season to assist with monitoring and the preparation of a feasibility study on freedom camping.

24. It is important to acknowledge that in most cases the Council's freedom camping sites existed as areas for day use prior to the introduction of the freedom camping legislation. This includes sites at Koromiko Recreation (Collins Memorial) Reserve, Ohingaroa Bay Reserve, Double Bay Reserve, Alfred Stream Reserve, Brown River, Blairich Reserve, Renwick Domain, Wairau Diversion and Taylor Dam Reserve – upper level. While improvements may have been added or made to some of these sites they have benefitted both day users and freedom campers.
25. Overall, in considering the submissions received and evidence presented, the Hearings Panel considered there had been an inappropriate level of impacts resulting from freedom camping at locations throughout Marlborough and that over time these impacts are becoming unsustainable. The increase in the numbers of visitors over the life of the FCA has seen the nature of some areas where freedom camping has been enabled, change considerably. Additionally, where earlier there was a quietening off of use of freedom camping sites over the winter period, in recent years the frequency of occupation has increased with some sites being occupied many nights throughout the year. This has not allowed sites to recover from sustained use. Further the submissions and evidence were instrumental in the Hearings Panel reaching a decision to confirm the requirement for freedom camping to be undertaken in CSC vehicles.
26. The next section of this Decision Report records the Hearings Panel's decisions on sites and the reasons for the decisions with further detail in the attached schedules. The Panel has considered the provisions of the FCA in reaching these decisions as well as the high level objectives contained in the *Responsible Camping Review for Marlborough District Council* report (p.8). These objectives set out what the Council is trying to achieve in providing for freedom camping as follows:
  - The natural environment is protected;
  - The quality of life of local communities is maintained;
  - Responsible campers are welcomed and enjoy their stay; and
  - Economic activity is sustainable and benefits the local economy.

#### **Brown River, Ohauparuparu Bay and Koromiko Recreation (Collins Memorial) Reserve sites**

27. The proposed bylaw provided for the closure of freedom camping sites at Brown River, Ohauparuparu Bay and Koromiko Recreation (Collins Memorial) Reserve for reasons set out in the Statement of Proposal accompanying the proposed bylaw. Few submissions were received on the proposed closure of the sites at Brown River and Ohauparuparu Bay.
28. The site at Brown River was identified as a health and safety risk to overnighting campers due to the potential to flood with speed and the lack of a good warning system. The site is also popular with the local community and a petition from the local community had shown a preference for it to be returned to a day use purpose. Some submitters did support the retention of the site for freedom camping as it was an out of town location away from residences.
29. The Ohauparuparu Bay site is located on land that is a mixture of Sounds Foreshore Reserve, private ownership and an unformed legal road with the site being located predominantly on private land. As the land is not all under the control or management of the Council, the FCA cannot apply to the area of private land or Sounds Foreshore Reserve and the Council cannot legally control freedom camping here. Section 3 of the FCA states as follows:
  - 3(2) *This Act regulates freedom camping—*
    - (a) *on land controlled or managed by local authorities (city, district, and regional councils); and*
    - (b) *on land controlled or managed by the Department of Conservation under the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953.*

- (3) ...  
(4) *This Act does not regulate freedom camping on private land.*

30. The Hearings Panel considers the closure of the Brown River and Ohauparuparu Bay sites are still appropriate for the reasons set out in the Statement of Proposal and as set out in the attached schedule of decisions.
31. For the Koromiko Recreation (Collins Memorial) Reserve there were more submissions received than for the other two sites in this grouping with both supporting and opposing submissions received. Reasons in the Statement of Proposal for closure were the proposed change in use of the Wairau Diversion as the preferred fatigue stop for those travelling to or from the interisland ferries in Picton and some concerns about traffic management risks related to the adjacent State Highway 1.
32. Some of those opposing the closure did so on the basis of the site being recently upgraded and being preferred over the two proposed sites in Picton. Others supporting the closure considered the site to be too small for freedom camping, that it was often overflowing with vehicles, had lost its original day use purpose and was too close to State Highway 1.
33. While the outcome for this Reserve could be expected to rely on in part the outcome of the two proposed Picton sites to provide for travellers moving to and from the ferries, the Hearings Panel has confirmed proposals for the Wairau Diversion to become the preferred fatigue stop for these travellers. The Panel was also mindful of the Reserve previously being a day use location for picnics, for a toilet stop and for providing access to the adjacent QE II National Trust area. In considering these factors the Panel considered the Koromiko Recreation (Collins Memorial) Reserve should be prohibited for freedom camping as set out the attached schedule of decisions.

#### **Proposed new freedom camping sites in proposed bylaw**

34. Three new freedom camping sites were included in the proposed bylaw: a site at Ward Domain; and two sites in Picton (a carpark at 44 High Street and an area in Memorial Park adjacent to the Emergency Operations Centre). Many submissions were received about these proposed new sites, almost all in opposition.
35. The reason for identifying Ward Domain as a proposed freedom camping site was as a consequence of the removal of the nearby Lake Elterwater site from the proposed bylaw. The reason for the removal was that the site is state highway under the control of the New Zealand Transport Agency (NZTA) and not under the Council's control or management. As was discussed in relation to the Ohauparuparu Bay freedom camping site, the Council cannot have a bylaw over an area that is not under its control or management – see section 3 of the FCA referenced above. For that reason Ward Domain was identified as a location where freedom camping could be appropriate.
36. However, in response to a request to consider whether there is a legal way in which the Council could effectively take control of the Lake Elterwater site staff are pursuing a possible delegation from NZTA under the provisions of the Government Roadway Powers Act 1989. This would enable the Council to have management responsibilities for vehicles at the site including for the purposes of freedom camping.
37. The Hearings Panel noted the concerns raised by submitters in opposition to freedom camping at Ward Domain<sup>1</sup>. These concerns included pollution of waterways, water availability, littering, the presence of other accommodation facilities nearby, security concerns, impact of dogs on stock grazing at the Domain, proximity of Ward Memorial to the freedom camping site and community use of the Domain. In considering these submissions the Hearings Panel was of the view that regardless of the outcome of the delegation process, the freedom camping site proposed for Ward Domain will not be retained in the final bylaw.

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<sup>1</sup> Also referred to as Weld Park by some submitters.



38. In making this decision the Panel acknowledged the importance of the wide range of community uses carried out at the Domain and that this was highlighted in the May 2020 site assessment undertaken for the review. The Panel considered that community use could be compromised or made more difficult if freedom camping was to occur at the site. Therefore to protect access to the area and to protect the area the Panel concluded that no freedom camping should occur at Ward Domain.
39. The May 2020 site assessment undertaken for the review identified that freedom camping should be prohibited for the whole of the Picton Urban Area except for some consideration being given to a small area for overnight stays. Sites such as the carpark at 44 High Street, marina carpark or the ferry terminal precinct were identified as potential sites. Subsequently the carpark site at 44 High Street and the Memorial Park site were identified as freedom camping areas in the proposed bylaw.
40. The Hearings Panel listened to many views of why the two proposed sites were not appropriate. For the High Street carpark there were concerns raised from adjacent landowners who had experienced issues of noise and inappropriate behaviours from freedom campers at this location previously when it had been used on a trial basis. For Memorial Park, the proximity of the site to the emergency centre facility was of concern to many as was the loss of area for boat trailer parking on the reserve, the impact on the amenity of the Park to nearby residents and to nearby marina activities.
41. A number of submitters also highlighted the existence of existing campground facilities available in the Picton area. Some submitters also suggested alternative locations for freedom camping site(s) in Picton, although most of these were not immediately available for use.
42. After considering the submissions and the issues around freedom camping, particularly for those arriving on late ferries or leaving on early ferries, the Hearings Panel has decided to exclude the 44 High Street and Memorial Park sites from the draft bylaw. This would help to ensure the quality of local communities is maintained and reduce impacts on surrounding properties. Health and safety of those using marina facilities and the emergency operations centre would also be maintained.
43. The Panel concluded therefore that the whole of the Picton Urban Area should remain prohibited to protect the area, to protect the health and safety of people who may visit the area and to protect access to the area, as was identified in the May 2020 site assessment.
44. Further, the Hearings Panel consider discussions with Port Marlborough New Zealand Limited are required with a view to finding an appropriate location for freedom campers close to ferry activities in Picton. The reason for this is that many freedom campers either arrive in or leave from Marlborough by way of the interisland ferries. Considering the needs of these customers and how they can best be provided for is a matter that requires further consideration.

#### **Marlborough Sounds based freedom camping sites**

45. The impacts of freedom camping on sites located in the Marlborough Sounds were of particular concern for the Hearings Panel, given the generally sensitive nature of this coastal environment. There are three sites within this grouping and these are at Double Bay Reserve, Ohingaroa Bay Reserve and Anakiwa. All three sites are relatively close to residential dwellings (both holiday homes and permanent residences) and are small providing for 16 vehicles in total<sup>2</sup>.
46. Many submissions were received on the Double Bay site seeking its closure for freedom camping and a return to day use only. Comments were made by those who live permanently in the Bay as well as those who are landowners. Concerns of those opposing freedom camping included health and safety issues, intimidation of locals, noise, original day use purpose lost, danger on roads leading to the site, water quality and availability and rubbish. While fewer submissions were made in relation to Ohingaroa Bay and Anakiwa some of the same issues concerning Double Bay were also expressed

<sup>2</sup> The May 2020 site assessments undertaken for Double Bay and Ohingaroa Bay recommended the sites be closed. However, the proposed bylaw did not follow these recommendations.

about these two sites. The visual impact of freedom camping vehicles at Anakiwa was an additional issue for some submitters.

47. In considering the future of these three sites the Panel was mindful of the likely impact of closing one or two of them on the remaining site(s) in this grouping. The closure of Double Bay and Ohingaroa Bay as recommended in the May 2020 site assessment report would see the Anakiwa site left open to accommodate six vehicles. This would place significant pressure or demand on the Anakiwa site including on the roadways leading to the area – these roadways are prohibited for freedom camping in the current and proposed bylaw. Given this the Panel's approach was that either none of the sites would be closed or all of them would be closed.
48. Although there were general submissions seeking retention of all freedom camping sites and several that did not oppose freedom camping at Double Bay, the Hearings Panel was concerned at the reported loss of enjoyment local residents and others have experienced as a result of freedom camping in the Bay. The loss of the Bay as a day use site and the other reported amenity related issues were such that the Panel concluded the site should become prohibited for freedom camping.
49. Consequently the other two Marlborough Sounds sites will also become prohibited for freedom camping. For Ohingaroa Bay with only four available spaces for vehicles, this will not result in a significant loss for freedom campers, particularly as there are a number of Department of Conservation campsites in the area providing a similar camping option. This decision allows Ohingaroa Bay to return to day use purposes.
50. For Anakiwa, the area is already under considerable parking pressure in terms of providing access to the Queen Charlotte Track, which starts just metres away from the freedom camping site. The area on which the freedom camping site sits is locally known as the Village Green and is a popular parking and community space for day use. The continued presence of freedom camping has the potential to affect these uses, particularly if this site remains the only one open in the Marlborough Sounds area.
51. On balance in considering the submissions and evidence received and the objectives included in the review report the Hearings Panel concluded that all three sites should be closed to ensure the natural environment is protected and the quality of life of local communities is maintained. In terms of the provisions of the FCA the Panel considered the three sites should be prohibited for freedom camping to protect the areas and to protect access to the areas.

#### **Alfred Stream Reserve and Blairich Reserve sites**

52. These two sites were proposed to be retained for freedom camping with restrictions requiring vehicles to be CSC and stay no more than two consecutive nights in any four week period. Few submitters commented on freedom camping at Blairich Reserve and those that did described how the site provided for tenting, including for those cycling through the Molesworth Station. The change to CSC being required at all freedom camping sites removes this opportunity.
53. For Alfred Stream Reserve near Rai Valley, submitters raised the issue of flood hazard and the loss of the site for day use as reasons why the site should be closed to freedom camping. Those supporting retention of the site included cyclists who saw this location as an ideal resting point either heading to or coming from Nelson.
54. Although there were fewer submissions on these two sites compared with other sites, the Hearings Panel has reflected whether they should continue to be used for freedom camping as part of the overall decision making on the approach to freedom camping in Marlborough.
55. At Alfred Stream Reserve the Panel noted the site is relatively small and that works had been undertaken to try and lessen the impacts of freedom camping at the site. The issues around flood hazard while not being as significant as at the nearby Brown River site, still saw the two sites being managed as one i.e. when river levels resulted in the closure of one site, the other site was usually

closed for the same reason. Additionally, the petition lodged by the local community referred to in paragraph 26 in respect of the Brown River site also talked about the impact of freedom camping on Alfred Stream.

56. The Panel noted the purpose of the Alfred Stream Reserve as Local Purpose (picnic area) and considered the use of the reserve for freedom camping has seen a detrimental effect on day use of the site by passing motorists and the local community and therefore the primary purpose of the reserve.
57. The May 2020 site assessment undertaken for this site did not recommend a prohibition for freedom camping. However, in considering the submissions received the Hearings Panel concluded that a similar assessment for Brown River in respect of protecting access to the area was also applicable to Alfred Stream Reserve. Accordingly the decision made is to prohibit freedom camping as set out in the attached schedule.
58. For Blairich Reserve the initial site assessment did not raise any significant issues with the continued use of the site for freedom camping. The one issue raised was in relation to the potential for flooding during extreme events. The flooding risk is from the Awatere River which is immediately adjacent to the site. The flood risk is characterised as Level 2 in the MEP.
59. Another hazard of more concern for the Hearings Panel is the fire risk that exists in this very dry east Marlborough rural environment. The potential for fires can result from natural hazards in certain weather conditions but is more likely to result from activities undertaken by humans in this area. Despite no fires being allowed to be lit at Blairich Reserve, monitoring by Park Rangers has on a number of occasions noted the remnants of overnight fires.
60. Although the reserve is adjacent to the Awatere Valley Road it is some distance from a main road i.e. State Highway 1 and there are few escape routes in the event of fire. It is also notable that the road through the Molesworth Station further up the Awatere Valley Road does close due to fire risk. Therefore the Hearings Panel considered that the Blairich Reserve should be closed to freedom camping to protect the health and safety of people who may visit the area.

#### **Retention of five freedom camping sites**

61. As a consequence of decisions on the sites previously discussed in this Decision Report, the Hearings Panel has considered five locations to be appropriate for freedom camping, with restrictions. These sites are located at Lake Elterwater, Taylor Dam Reserve – upper level, Wairau Diversion, Wynen Street carpark, Blenheim and Renwick Domain.
62. Use of the Lake Elterwater site as a freedom camping area under the Freedom Camping Act is contingent upon a delegation being given by NZTA to the Council to control and manage this location. The site is being included within the draft bylaw in anticipation of this occurring. However, even if Lake Elterwater is not identified as a freedom camping site, more than likely it will be continued to be used for this purpose. The only difference would be that no monitoring or enforcement action would be carried out here by the Council.
63. The Wairau Diversion is the largest of the Council's freedom camping sites. Further commentary on this site, particularly in relation to enhancement of the site, is covered later in this Decision Report.
64. Very little comment in relation to the Renwick Domain, Wynen Street and Taylor Dam sites was received. The Hearings Panel heard views expressed by those who freedom camp that sites such as Wynen Street were not pleasant or attractive to stay at given they were completely tar-sealed and surrounded by buildings. However, the site is a carpark area able to accommodate a significant number of vehicles compared with other freedom camping sites. The site is also centrally located in Blenheim and is no more than a 1- 2 minute walk from the Taylor River Reserve, which provides an



extensive area of green space for visitors to enjoy. The Panel noted that the Taylor Dam site is located a 5 minute drive from Blenheim and offered an alternative type of stay being in a rural location.

65. In summary, the Hearings Panel confirms these 5 sites to be appropriate for freedom camping (with restrictions) satisfying the provisions of the FCA (as set out in the May 2020 site assessment report and November 2020 Post Hearings Site Assessment Update report) as well as the Council's high level objectives for freedom camping.

### Temporary closure of freedom camping sites

66. The current bylaw includes a provision enabling the Council to temporarily prohibit freedom camping for two specific reasons (hazard risks relating to fire and flooding and when an area was being used for an event). The proposed bylaw modified these reasons to enable a prohibition to apply when: there is a high risk of fire or imminent flood in the area; there is a potential health and safety risk at the sites including overcrowding; for an event approved by the Council; there is a need to better protect public access; or maintenance is required at the restricted area.
67. Few submissions were received on this provision. The Hearings Panel in confirming its inclusion in the draft bylaw has proposed two minor amendments. These have been included in acknowledgement that from time to time it may be appropriate to close a site to camping where improvements to be made are of a scale that extends beyond maintenance, such as is proposed for the Wairau Diversion. The Panel also noted concerns expressed by submitters that some sites never get a chance to recover from intensive use over the summer period. The two changes are as follows:
- An addition to clause 6.2(e) to read as follows *"maintenance or improvements are ~~is~~ required at the restricted area."*
  - An additional clause (f) to read as follows *"a period of recovery for the site is necessary".*

### District wide provision for freedom camping

68. The current and proposed bylaws both include a provision that enables freedom camping across the District where an area is not otherwise restricted or prohibited. Any camping under this provision is subject to a number of general restrictions as follows:
- Spending no more than two consecutive nights at a site in any four week period;
  - Camping in a CSC vehicle;
  - Lighting no fires;
  - Not restricting access to the area; and
  - Appropriately disposing of all waste.
69. As indicated earlier in this Decision Report, the Hearings Panel considers there have been impacts from freedom camping on the Marlborough environment that have become unsustainable over time. The issues have arisen because of a significant increase in the number of freedom campers visiting the District, the type of vehicles some campers move around in and the increased frequency of occupation of freedom camping sites. The behaviours of some campers have also been noted by the Hearings Panel as a cause of concern to some communities.
70. The Hearings Panel's overall approach to freedom camping is to identify those areas where camping is considered appropriate and the effects of camping can be sustainably managed. These locations in Marlborough have been identified as the Wairau Diversion, Renwick Domain, Taylor Dam Reserve - upper level, Wynen Street carpark (Blenheim) and Lake Elterwater. These five sites have the capacity for upwards of 120 spaces for vehicles nightly. This is in addition to the many other opportunities for camping available through commercially run campgrounds and Department of Conservation

campgrounds and freedom camping areas<sup>3</sup>. The Council's sites also provide a range of options for campers from urban through to rural and coastal locations.

71. The Hearings Panel noted that much of the land that is controlled or managed by the Council is already prohibited for freedom camping under the provisions of the Reserves Act 1977 (RA). Unlike the FCA where freedom camping is permitted everywhere unless otherwise restricted or prohibited, under the provisions of the RA the reverse applies – see paragraphs 106 to 111 for more discussion on this.
72. The district wide provision currently applies to many local roads around the District that are narrow and windy. These roads have few areas for vehicles to pull completely off the formed road while staying on the legal road in a safe manner. This is a significant reason behind the prohibition for camping on the Marlborough Sounds roads.
73. The Hearings Panel also became more aware of the concerns of landowners submitting in opposition to freedom camping from the east Marlborough area because of fire risk. This is becoming more evident in eastern areas of New Zealand generally. However, given that many of Marlborough's local roads in rural areas traverse long valleys, there are concerns about adequate escape routes during a fire event for those camping in these locations. Having campers in known locations rather than situated up valley roads means management of people is easier during hazard events. Several submitters also raised concerns about the potential for accidental fires from campers themselves when using camp stoves.
74. When considering all of these factors, which are consistent with the provisions of the FCA in enabling prohibitions to apply, the Hearings Panel reached the decision that the proposed district wide provision enabling freedom camping should be removed from the draft bylaw. The consequence of this is that unless freedom camping occurs in one of the five sites identified above it will be prohibited elsewhere in the District.

### Summary of recommendations

75. In summary the Hearings Panel has decided the following in respect of the draft bylaw:
  - Confirm the proposed closure of sites at Brown River, Ohauparuru Bay and Koromiko Recreation (Collins Memorial) Reserve with these areas becoming prohibited for freedom camping.
  - Close current sites at Alfred Stream Reserve, Ohingaroa Bay Reserve, Double Bay Reserve, Anakiwa and Blairich Reserve and make these sites prohibited for freedom camping.
  - Remove the two freedom camping sites proposed in Picton (at 44 High Street and Memorial Park) and the freedom camping site proposed at Ward Domain from the draft bylaw.
  - Retain restricted sites for freedom camping at the Wairau Diversion, Renwick Domain, Taylor Dam Reserve - upper level, Wynen Street carpark (Blenheim) and Lake Elterwater. (The inclusion of a site at Lake Elterwater is dependent on the Council being able to gain control or management of the site from NZTA.)
  - Confirm the inclusion of a provision in the draft bylaw enabling the temporary closure of freedom camping sites in certain circumstances with minor amendment.
  - Remove the district wide provision from the draft bylaw (6.3) enabling freedom camping (subject to restrictions) in areas where no other prohibitions or restrictions apply.
76. For the avoidance of doubt, the decisions of the Hearings Panel in removing the district wide provision, means that freedom camping may only take place at five locations – everywhere else in the

<sup>3</sup> It is acknowledged the presence of other camping opportunities is not a factor under the Freedom Camping Act that the Council can consider when deciding to restrict or prohibit freedom camping.



District will be prohibited for freedom camping. The related mapping in the draft bylaw will therefore only show those areas where freedom camping may occur.

77. For those submitters who had sought additional areas to be made available for freedom camping or additional areas to become prohibited for freedom camping, an assessment of these has been set out a schedule of decisions attached to this Decision Report. This is supported by the November 2020 'Post Hearings Site Assessments Update' report separate to this Decision Report.
78. There are sites identified as prohibited for freedom camping in the proposed bylaw that have not been otherwise discussed in this Decision Report. For these sites the attached schedule of decisions records the Hearings Panel decision.
79. Several mapping issues were identified through submissions and these are addressed in Schedule One of this Decision Report.

## **Responsible rather than freedom camping**

80. Although the FCA is the statutory basis for establishing a bylaw around freedom camping, a number of local authorities and others are using the wider term 'responsible camping' instead. This term is being used to reflect the desired behaviour of all campers enjoying the New Zealand outdoors, irrespective of the sites and locations they seek to stay at, the type of vehicle they drive, or equipment they have. It is about travelling safely and respecting the environment and the communities in which they visit.
81. As a way to encourage the desired behaviours for all campers, the Hearings Panel has considered the draft bylaw should be renamed as the Marlborough District Council Responsible Camping Bylaw 2020. This change is reflective of the high level strategic direction taken in the report *Responsible Camping Review Marlborough District Council May 2020* in which an objective sought that 'Responsible campers are welcomed and enjoy their stay'. The change also acknowledges the comment made by many submitters that often it is only a few campers who are not acting responsibly.

## **Requirement for self-containment**

82. The proposed bylaw required all vehicles using the Council's responsible camping sites to be CSC. The reason for including the CSC requirement for all vehicles was because the Council considered for camping to be sustainable, there needs to be conditions where the environment can sustain the numbers of campers staying at a site. A definition of CSC was included in the proposed bylaw and this includes reference to a New Zealand Standard for compliance - NZS 5465:2001. Reference to the New Zealand Standard is currently the only nationally recognised standard to determine compliance.
83. There was very strong support through the submissions for all vehicles to be CSC when responsible camping. There was also support for the Council to strengthen the definition of CSC to require that a toilet has to be permanently installed for that purpose in the vehicle, separate from other parts of the accommodation, with appropriate holding tanks. Others considered CSC should also mean there is a requirement for the storage of clean water and grey water.
84. A few submitters opposed the requirement for CSC and were of the view that using CSC as a means to restrict responsible camping is not within the spirit or intent of the FCA and there is the potential for the proposed bylaw to be inconsistent with the Bill of Rights Act (BORA). Submitters commented that not all responsible campers use vehicles and this means that provision needs to be made for campers such as cyclists or those using back country areas to be non self-contained. While the requirement for CSC contained in the proposed bylaw would see these campers not able to stay at responsible camping sites in Marlborough, there are other opportunities for non CSC campers to stay at DOC campgrounds or commercial campgrounds.

85. A concern was also raised about the ability for inspections to be carried out by Council staff to determine whether vehicles are CSC or not. This is discussed in the Legal Matters section of this Decision Report.
86. The Hearings Panel considered the definition of 'freedom camp' in the FCA (section 5(1)) would likely exclude those camping in back country areas unless these are within 200m of a motor vehicle accessible area. This section states:  
*5(1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:*  
*(a) a tent or other temporary structure:*  
*(b) a caravan:*  
*(c) a car, campervan, housetruck, or other motor vehicle.*
87. The Hearings Panel, in listening to the evidence of those who appeared at the hearings and from reading through submissions, was of the view that it was appropriate and proportionate to retain the requirement for self-containment. The main reason for retaining CSC was that this is required in order to protect the areas (sites) as well as the health and safety of people who may visit the sites. Of the five responsible camping sites to be retained in the draft bylaw, three already have a requirement for vehicles to be CSC in the current bylaw. So there is no change on restriction for these sites (Wynen Street, Taylor Dam Reserve – upper level and Wairau Diversion).
88. The Hearings Panel did not accept that a decision to require all responsible campers to be CSC would be against the spirit or intent of the FCA nor inconsistent with the BORA. Section 18(1) of the BORA provides that "Everyone lawfully in New Zealand has the right of freedom of movement and residence in New Zealand". The Panel did not consider this right to be affected as responsible campers who could not be CSC are not prohibited from camping in Marlborough. There are other alternative areas available with facilities to support non CSC camping.
89. The Panel did not accept that limiting responsible camping to CSC vehicles amounts to an absolute prohibition on freedom camping – section 12 of the FCA. The FCA enables restrictions to be placed on freedom camping and the requirement for CSC is one such restriction the Council has considered is appropriate. The reasons for this restriction being considered necessary are as set out in the review report (p33) and elsewhere in this Decision Report.
90. The Panel is aware that there has been work underway to review the current New Zealand Standard and its applicability to responsible camping. This may have implications for the draft bylaw going forward. However, in the meantime it is the only nationally recognised standard to determine compliance and is used by many local authorities around New Zealand to manage freedom camping.
91. The Hearings Panel in considering submissions seeking an addition to the definition of CSC requiring a separate area for a toilet facility within vehicles agreed that further clarification around what it means to be self-contained was appropriate. Therefore a change to the definition of self-contained will include a requirement for the toilet facility to be readily usable within the vehicle including sufficient head and elbow room at all times, even with the bed made up. The definition has also been slightly modified to ensure that compliance with the New Zealand Standard is what is required, not just the display of a warrant. The amended definition is as follows:  
*"Certified self-contained vehicle means a vehicle designed and built for the purpose of camping which is practically configured to meet the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days, without requiring any external services or discharging any waste, and:*  
  1. *Complies with NZS 5465:2001 Self containment of motor caravans and caravans;*
  2. *Displays a current self-containment warrant issued ~~under~~ in accordance with NZS 5465:2001 Self containment of motor caravans and caravans and any subsequent amendments in the inside left*

of the front window, or the inside left of the windshield, with the warrant details facing outwards; and

3. The toilet facility must be readily useable within the vehicle including sufficient head and elbow room at all times, even with the bed made up."

## Monitoring and enforcement

92. A widespread view amongst submitters was that monitoring and enforcement of responsible camping was key in the overall management of the activity. Some submitters considered that to date this hadn't been successful in Marlborough and were concerned that rules would not be enforced going forward.
93. Legal questions were raised about the ability of Enforcement Officers/Park Rangers to physically inspect if vehicles are self-contained rather than reliance being placed on the CSC certificate, which is required to be located in the front windscreen of the vehicle under NZS 5465:2001. Many submitters commented on the blue stickers attached to the rear of vehicles and that these were not lawful in terms of proving whether a vehicle was CSC or not. Submitters considered that if physical inspections of vehicles for compliance could not be undertaken then this would not help improve the situation with responsible camping in Marlborough – see paragraphs 115 -118 on the legal aspects of inspections.
94. In response to questions asked by submitters about the extent of monitoring that occurs, the Hearings Panel advises that currently there are two phases to the Council's monitoring programme.
- Responsible Camping Contractor/Ranger – with four to five staff engaged to monitor responsible camping. The contractor is the primary contact for all responsible camping concerns during the summer period. Patrols are carried out morning and night at the restricted sites. Patrols are also undertaken along some roads where camping is prohibited and the contractor also responds to complaints. However, the patrols do not stay at the sites all day or all night.
  - Park Ranger staff – respond to responsible camping issues outside of the contracted summer camping period whilst carrying out day to day ranger activities.
95. To support the monitoring activities of the Responsible Camping Contractor/Park Rangers, an app has been developed that records information about the outcome of patrols. For every site that is visited the number of vehicles present, the extent of compliance as well as other observations made about the visit are recorded. Information on when vehicles are asked to leave a site (either because they exceed the allowable number or they are not CSC where they should be), is recorded. Where infringements are issued, these are also noted. This system has been able to provide more robust data for staff when reporting to Council.
96. The Council has in place a series of maintenance contracts for its parks and open spaces and so matters related to the cleaning of toilets and rubbish collection (where there are facilities for rubbish collection) will be undertaken as part of the contract. It is unfortunate that from time to time toilets are abused and while it is unpleasant for members of the public who come across this, it is equally unpleasant and more so for the maintenance staff that have to clean this up.
97. The Council is reliant upon public complaints to alert them to unauthorised or inappropriate responsible camping particularly in areas that are prohibited. Many of these areas are remote and it is unlikely that complaints will be responded to within the time frame that would allow effective enforcement. A submitter noted that this is likely to result in a deterrent to complaints being lodged, negating a realistic reflection of the impact of responsible camping and the public sentiment against the activity.
98. The Hearings Panel records the following on monitoring and enforcement of responsible camping:
- Monitoring is key to the successful management of responsible camping.



- There is a cost associated with the monitoring of responsible camping generally as well as at the specific responsible camping sites. However, this cost is inevitable regardless of whether or not there is a bylaw in place under the FCA. The Council sets budgets for compliance and enforcement work through its Long Term Plan and Annual Plan processes. For responsible camping the activity is funded through general rates meaning all ratepayers contribute.
- It is important the public continues to report unauthorised or inappropriate responsible camping regardless of the location. This information is helpful to determine levels of (non) compliance, for where monitoring activities can be directed and to the overall extent of issues arising.
- There could be a need to increase the level of monitoring with an increase in the areas to become prohibited through the draft bylaw.
- Under the FCA the Council can issue fines for specific offences. The level of fines is set in the FCA. This is determined nationally and the Council has no discretion on the level of the fine. Nor can the Council take enforcement and compliance actions under the FCA when illegal camping takes place on land which is not owned or managed by the Council.
- The Council has received advice from the Ministry of Business, Innovation and Employment that it has been successful in receiving funding through central government's Responsible Camping Fund for the 2020/21 season. This includes funding for monitoring activities.

## Redevelopment of Wairau Diversion

99. The Statement of Proposal accompanying notification of the proposed bylaw highlighted that a reformat of the responsible camping site at Wairau Diversion was being proposed to allow the site to be used as a rest area for travellers either coming from or heading to the Picton ferry terminals. The reformatting was proposed to:
- Allow for improved monitoring of the site, better direction and access of the area to those travellers arriving late;
  - Provide improved health and safety management of camping numbers and the site itself; and
  - Provide an opportunity for an ambassador-type programme where there is a full time onsite manager employed during the high peak season from November to March each year.
100. As with other sites there was a mix of views about the use of the Wairau Diversion for responsible camping. Some were concerned at the approach of closing Koromiko and concentrating more campers at the Diversion. Fire risk, conflict with recreational users, health and safety concerns, a lack of adequate provision for toilets and rubbish and access into the site were issues highlighted through submissions and those appearing before the Hearings Panel.
101. There was support for a full time manager to be located at the site over the busy season with increased monitoring being identified as very important. There was also support for the proposed improvements to the site.
102. The Hearings Panel noted that the Wairau Diversion serves a variety of interests for day use in addition to overnight responsible camping activities. The area is popular for fishing around the Diversion mouth and also for whitebaiting from August through until November. Walking, biking, picnicking and motorbike activities all take place at varying locations along the length of the Diversion from Neal Road.
103. The Hearings Panel has determined that the eastern most area of the Wairau Diversion immediately adjacent to coast is to remain as a prohibited area for responsible camping. This provides for those day users to enjoy the attributes of this site and not be in competition for space with campers. The area immediately west of this prohibited area will be available for responsible campers subject to being CSC and staying no more than two consecutive nights in any four week period.

104. Proposed upgrades to the Wairau Diversion area will be pursued through the Council's Long Term Plan and Annual Plan processes, including for new toilet facilities, shelters and planting. Importantly the proposed redevelopment of the area will provide a clear delineation between day users and campers. This will enable the area for day use to be enhanced to provide facilities for those users.
105. The area for responsible campers will also be redeveloped to enhance their experience at this site. The area able to be occupied by campers will also be reduced at the western end to avoid conflict with other users. The Diversion site is extensive and management of responsible camping will be easier in a more confined space.
106. While it was the intention of the Council to put in place an ambassador type programme at the Diversion over the 2020/21 camping season, the redevelopment proposals for the area are in the early stages. Consideration is still being given to how the overall site will be managed, including what additional facilities will be developed beyond what is required for responsible camping. Given this it is unlikely the ambassador programme will be up and running for the 2020/21 season. However, regular patrols of the responsible camping area will be undertaken as has occurred in the past.

## Legal matters

107. There were several matters raised before the Hearings Panel that highlighted subsequent legal issues and these included:
  - The relationship between the provisions of the Reserves Act 1977 and the Freedom Camping Act 2011 and a view that the Reserves Act takes priority over the Freedom Camping Act.
  - Resource consent requirements under the Resource Management Act 1991.
  - The ability for Council's Enforcement Officers/Park Rangers to be able to inspect vehicles to determine whether there is compliance with the self-containment requirement.
  - The ability to charge for facilities provided on Council controlled or managed land.

## Reserves Act/Freedom Camping Act relationship

108. As advised earlier in this Decision Report unlike the FCA where freedom camping is permitted everywhere unless otherwise restricted or prohibited, under the provisions of the RA the reverse applies. Of particular relevance is section 44 of the RA, which does not allow camping in reserves unless this is consented by the Minister of Conservation or is provided for in a reserve management plan prepared under the RA. (A delegation has previously been made from the Minister of Conservation to local authorities to administer this section of the RA.)
109. Currently none of the reserves in Marlborough for which a reserve management plan is in place provides for camping to occur. Nor has an express permission to authorise camping on reserves the Council owns or administers been made by the Council. The default position in the RA therefore makes camping a prohibited activity.
110. To enable camping on reserves either existing reserve management plans would need reviewing or a process of the Council passing a resolution would be required. In either case consultation with the relevant communities of interest and consideration of their views would be necessary. It is also necessary to consider the purpose for which reserves have been vested or gazetted.
111. Of the five sites where responsible camping is able to occur under the draft bylaw as a consequence of decisions on submissions, the requirements of the RA affects the Renwick Domain and Taylor Dam Reserve – upper level sites. The remaining three sites to be included in the draft bylaw are land that is not reserve land under the RA.
112. For the Renwick Domain site, there is a reserve management plan in place however this does not provide for camping. For the Taylor Dam Reserve – upper level site, the freedom camping area is not

covered by a reserve management plan. The site is however, just outside the area covered by the Taylor Dam Recreation Reserve Management Plan (2009). This plan does state that camping is prohibited unless authorised.

113. Given this situation the Hearings Panel is as part of its decision recommending that acting under delegation from the Minister of Conservation and pursuant to section 44(1) of the Reserves Act, camping is authorised on:
- Part Lot 35 Deeds 5A - Classified and named Renwick Recreation Reserve by Gazette notice 100614 (Gaz 1980 p2847); and
  - Section 44 Block III Taylor Pass SD - Local Purpose (Soil Conservation and River Control) Reserve Gazette notice 115360 (Gaz 1983 p2500)

### Resource Management Act requirements

114. Of the five sites now recommended for inclusion in the draft bylaw, resource consents are required under the provisions of the Marlborough Environment Plan (MEP) for four of these sites: Wairau Diversion, Taylor Dam Reserve – upper level; Wynen Street carpark, Blenheim; and Lake Elterwater. There are no general or zone permitted activity rules that enable camping, (responsible camping or other forms of camping) at these locations.
115. The site at Renwick Domain is zoned as Open Space 2 in the MEP and there is a permitted activity rule enabling freedom camping provided the area has not been identified as a prohibited area in a bylaw made by the Council. The rule has not been appealed and so is regarded as operative.
116. Resource consent applications are currently being prepared for the four sites and will be lodged for processing soon. The Council's Resource Consents Team and Compliance Section are aware of the need for resource consent for these sites.

### Inspection of vehicles

117. The Hearings Panel sought advice on the ability for Enforcement Officers/Park Rangers to inspect a vehicle to determine compliance with the requirement for self-containment. It is apparent that while an external examination of a vehicle is lawful, an internal examination is not. Reasons for this are that:
- There is no statutory provision which gives power to Council enforcement officers to inspect a motor vehicle to check compliance with the bylaw; and
  - In the absence of express statutory authority, such an inspection would be in breach of the Council's powers and is likely also to breach section 21 of the BORA<sup>4</sup>.
118. The Hearings Panel is aware that there may be issues with whether toilets in motor vehicles are usable, even where a CSC certificate is displayed. However, given the advice received internal inspections of motor vehicles will not be undertaken.
119. The Hearings Panel has modified the draft bylaw to make clear the following:
- That only SCVs are allowed to freedom camp in restricted areas;
  - That the self-contained vehicles must comply with NZS 5465:2001 and have a current Self Containment Certificate issued in accordance with the Standard; and
  - That the current Self Containment Certificate for the vehicle must be displayed on the front window of the vehicle at all times.
120. The draft bylaw has also been amended to include a provision that specifically states Enforcement Officers will be checking certification to confirm compliance.

<sup>4</sup> Section 21 of the BORA states that "Everyone has the right to be secure against unreasonable search or seizure, whether of the person, property, or correspondence or otherwise."



### **Charging for use of facilities**

121. Both supporting and opposing submissions to the proposed bylaw considered it may be appropriate for the Council to charge for the use of facilities where these are present at a responsible camping site. However, the Council cannot impose a standard overnight charge for such facilities because this would amount to charging a fee for camping, meaning it would no longer fall within the definition of 'freedom camping' under the FCA. In that scenario, the area is also likely to require certification as a campground under the Camping Regulations 1985.
122. The Council could however charge or request a donation for the use of facilities where these are additional and not absolutely necessary for the activity of responsible camping. For example if shower facilities were located at a responsible camping site. The Council is considering something of this nature in the redevelopment of the Wairau Diversion site.
123. For the purposes of the draft bylaw the requirement for all vehicles to be CSC means that there is no requirement to provide for toilet facilities. However, each of the five sites in the draft bylaw has toilets located at the site or in close proximity meaning that no charges could be applied to these sites. The Council will investigate further the provision of further facilities at the Wairau Diversion responsible camping site as part of the redevelopment of this area. In the meantime no charges will be imposed at any of the sites.

### **Other matters**

124. The Hearings Panel has identified several matters coming out of the review process on which further comment is warranted. These include the importance of responsible camping sites for day use, building relationships with groups to manage responsible camping, consideration of facilities to be provided at responsible camping sites, and the whitebait permit system operating at the Wairau Diversion.

### **Day use of responsible camping sites**

125. As highlighted earlier in the Decision Report many of the sites that have been used for responsible camping were originally intended for day use. However, what became evident for the Hearings Panel through the review process is that the value of the day use activity at some sites has been lost with the presence of camping. In these circumstances the Hearings Panel has made a decision to prohibit camping to protect access to the area as is provided for in section 11(2)(a)(iii) of the FCA.
126. This was a factor in closing sites at Alfred Stream Reserve, Brown River, Double Bay Reserve, Ohingaroa Bay Reserve and Anakiwa. It has also been a factor in redeveloping the Wairau Diversion site to separate day use and camping activities. In addition, limiting the responsible camping site at Taylor Dam Reserve to the upper level has meant the lower level of the Reserve can be retained for day use and access to the area for the wider community remains unaffected.
127. The Hearings Panel wanted to stress the importance of managing reserves created under the RA in particular, for the purposes for which they were established.

### **Building relationships**

128. There were several relationship matters arising from the review process the Hearings Panel wanted to provide further comment on.
129. The first of these is the Council's ongoing relationship with the Department of Conservation who have similar responsibilities to the Council in respect of freedom camping under the FCA. The Department, like the Council, cannot prohibit freedom camping from all conservation land. Currently the Department has provided nearly 50 campsites throughout Marlborough. Many of these are basic campsites with few facilities and so are in some respects comparable to the Council's responsible camping sites.

130. The Council will continue to work alongside the Department to ensure the provision of responsible camping sites is sustainable from a community and environmental perspective whilst fulfilling the requirements of the FCA.
131. Working alongside groups such as the Responsible Campers Association Incorporated and the New Zealand Motor Caravan Association Incorporated, who are both advocates for responsible camping, was also seen by the Hearings Panel as important in the future management of responsible camping. Additionally, and as stated earlier in the Decision Report, working with Port Marlborough New Zealand Limited will be key to finding an appropriate overnight area for those responsible campers arriving off late ferries or leaving on early ferries.

### **Provision of facilities for responsible camping**

132. The Hearings Panel considered in its deliberations that there should be toilet facilities provided at each of the responsible camping sites despite responsible campers needing to be CSC. The reason for this was that if the sites were set up in this way, then campers had the choice of using facilities in their own vehicle or those provided. As explained elsewhere in this Decision Report many of the sites are also used at least in part by day users. The toilet facilities therefore serve day use visitors as well.
133. Of the five sites proposed for inclusion in the draft bylaw there are toilets located at or near all of them as follows:

Wairau Diversion: the existing toilets are proposed to be renewed as an outcome of the bylaw review process. As indicated earlier in this decision this will need to be funded through Long Term Plan and Annual Plan processes.

Taylor Dam Reserve – upper level: there are existing toilets located in lower area of the reserve. These are proposed to be upgraded through a current programme of renewals being undertaken for public toilets at a number of locations around Marlborough. These toilets are located approximately 400 metres from the responsible camping site.

Renwick Domain: public toilets are located in the Renwick Domain Pavilion and on Uxbridge Street. The Pavilion toilets are within 50 metres walking distance of the site while the Uxbridge Street toilets are approximately 150 metres from the site.

Lake Elterwater: there is a portaloo toilet facility located at Lake Elterwater which is supplemented with additional portaloo's over the busy summer period. The permanent portaloo is proposed to be upgraded through the current programme of renewals referred to above.

Wynen Street: there is no public toilet located on this carpark. However, there are public toilets located at three nearby locations – Kinross Street, Liz Davidson Place and High Street. The closest of these is approximately 150 metres away. It is not proposed that any additional toilets would be located on Wynen Street carpark.

### **Whitebaiting at Wairau Diversion**

134. A number of submitters made reference to the current permit system the Council operate during the whitebait season (from August to November). Submitters raised concerns not only with the length of time that those holding such permits can stay at the Wairau Diversion but also questioned the appropriateness of allowing people to catch whitebait in this manner. It is important to note the Council is not responsible for managing the whitebait fishery – this is the responsibility of the Department of Conservation under the Whitebait Fishing Regulations 1994.
135. The Council's permit system provides for CSC vehicles to stay at the Wairau Diversion responsible camping area for an extended period of time during the whitebait season. This enables campers to stay for a much longer period than is normally allowed under the current restrictions of 2 nights set out



in the 'Freedom Camping Control Bylaw 2012 (incorporating 2016 amendments)'. Some form of the permit system has been in place since 2006.

136. While the matter of whitebait permits is not a part of the bylaw review, the provisions of the current, proposed and draft bylaw do enable this system to occur. Having had the matter raised through the submission process, the Hearings Panel is recommending the operation of the current permit system be referred to the Council's Assets & Services Committee for review. An assessment of the appropriateness of the system can then occur with advice from the Council's environmental scientists.
137. Any changes to the current system if they occur would be in place for the 2021 whitebait season.



Record No.

<p><b>Marlborough District Council Responsible Camping Control Bylaw 2020</b></p>
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Pursuant to section 11 of the Freedom Camping Act 2011, the Marlborough District Council makes the following bylaw.

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## Bylaws

### 1. Title

This bylaw is the Marlborough District Council Responsible Camping Control Bylaw 2020.

### 2. Commencement

This bylaw comes into force on 1 December 2020.

### 3. Interpretation

In this bylaw, unless the context requires another meaning –

**Responsible camp** and **responsible camping** have the same meaning given to freedom camp and freedom camping respectively in section 5 of the Freedom Camping Act 2011.

**Enforcement officer** has the meaning given in section 4 of the Freedom Camping Act 2011.

**Local authority area** has the meaning given in section 6 of the Freedom Camping Act 2011 and also means within the Marlborough District.

**Certified self-contained vehicle** means a vehicle designed and built for the purpose of camping which is practically configured to meet the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days, without requiring any external services or discharging any waste, and:

- Complies with NZS 5485:2001 Self-containment of motor caravans and caravans;
- Displays a current self-containment warrant issued ~~under~~ in accordance with NZS 5485:2001 Self-containment of motor caravans and caravans and any subsequent amendments in the inside left of the front window, or the inside left of the windshield, with the warrant details facing outwards; and
- The toilet facility must be readily useable within the vehicle including sufficient head and elbow room at all times, even with the bed made up.

### 4. Purpose

The purpose of this bylaw is to regulate Responsible camping in local authority areas so as to:

- 4.1 protect the area;
- 4.2 protect the health and safety of people who may visit the area; and/or
- 4.3 protect access to the area.

### 5. Prohibited Areas

No person may responsible camp in any local authority area in Marlborough, unless otherwise provided for in this Bylaw.

### 6. Restricted Areas

- 6.1 No person may responsible camp in any local authority area identified in Restricted Areas unless he or she complies with the restrictions imposed on use of that area as set out in the Restricted Areas for Camping section of this Bylaw.
- 6.2 Restricted Areas will be regularly monitored and, where required, access will be restricted or prohibited on a site-by-site basis for the following reasons:

- (a) there is a high risk of fire or imminent flood in the area;
- (b) there is a potential health and safety risk at the sites, including due to overcrowding;
- (c) the area is being used for an event approved by Council;
- (d) there is a need to better protect public access; or
- (e) maintenance including improvements to allow recovery of the site.

The prohibition must be removed when the circumstances described in clause 6.2 no longer apply. While an area is prohibited under clause 6.2, no person may responsible camp in the area.

## **7. Offences and Penalties**

In accordance with section 20 of the Freedom Camping Act 2011, every person who Responsible camps in a local authority area in breach of any prohibition or restriction in this bylaw commits an infringement offence and is liable to a fee of \$200 (or other amount as prescribed by regulations made under that Act).

Section 20 of the Freedom Camping Act 2011 provides for other offences in relation to Responsible camping.

## **Restricted Areas for Camping**

No person may responsibly camp in any local authority area identified in Restricted Areas unless he or she complies with the restrictions imposed on use at that particular site.

## 1. Wairau Diversion

The Wairau Diversion area is located on the northern side of the lower reach of the Diversion. It is accessed from the intersection of Thomas Road and Neal Road.

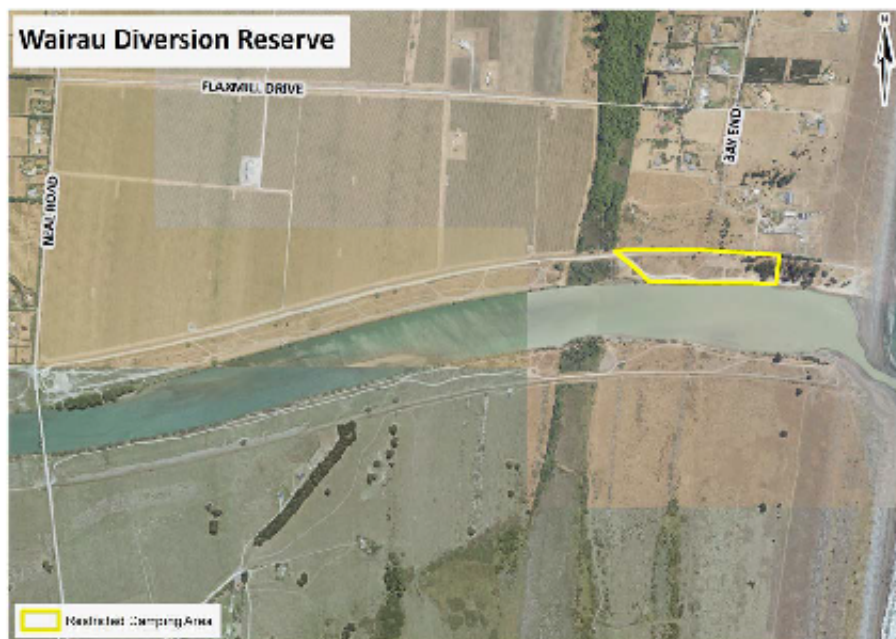
The area of the Wairau Diversion at the eastern end of the site is a restricted area for responsible camping. The Wairau Diversion Reserve Restricted Area is part of the reserve from the eastern boundary of the prohibited area adjacent to the Hinepango Wetland stretching in an easterly direction to the Wairau Diversion day use area. The area permitting responsible camping has a fence on its eastern boundary between the day use and the camping area.

No person may responsible camp except in the area shown and must be in a certified self-contained vehicle.

There is clear signage into the area directing campers to the area allocated for camping.

The maximum period anyone can responsible camp in this area is two consecutive nights in any four week period.

Vehicle numbers are limited to 75 vehicles.



## 2. Taylor Dam Reserve Upper Level

The responsible camping area at the Taylor Dam Reserve is in the Upper Levels of the Reserve.

The Taylor Dam Reserve Upper Level is located off Taylor Pass Road approximately 7 kms from Blenheim as shown on the Taylor Dam Reserve Upper Level map.

No person may responsible camp except in the area shown and must be in a certified self-contained vehicle.

There is clear signage into the area directing campers to the area allocated for camping.

The maximum period anyone can responsible camp in this area is two consecutive nights in any four-week period.

Vehicle numbers are limited to 10 vehicles.





### 3. Renwick Domain Carpark

The responsible camping area at the Renwick Domain Carpark is located in an area allocated within the centre car parking area, near the Renwick Domain Skate Park.

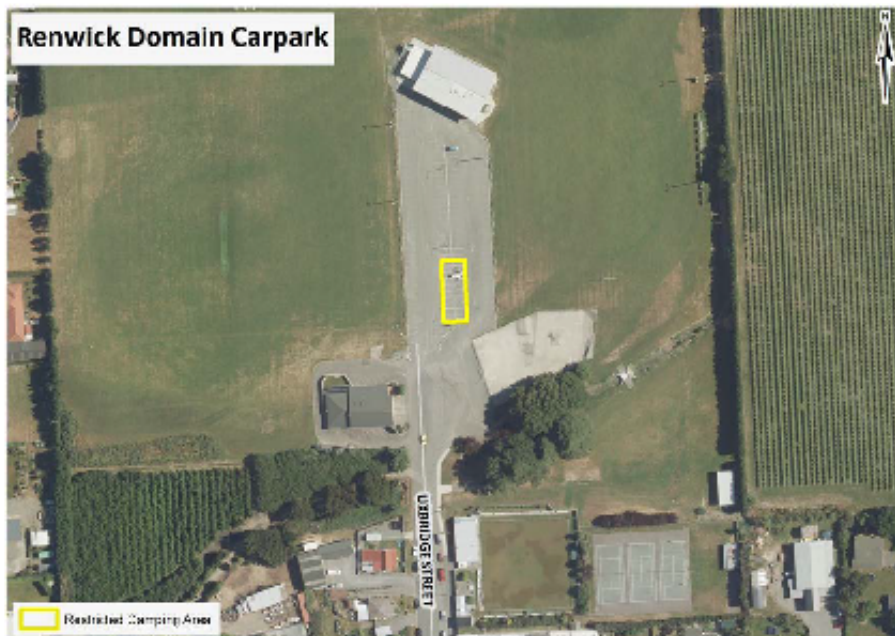
The Renwick Domain Carpark is located in Uxbridge Street, Renwick, as shown on the Renwick Domain Carpark map.

There is clear signage into the area directing campers to the area allocated for camping. There are 10 car park spaces available for responsible camping in the marked areas, park in the spaces numbered 1 to 10 – as marked on the ground.

No person may responsibly camp except in the area shown and must be in a certified self-contained vehicle.

Vehicle numbers are limited to 10 to be parked between the hours 6.00 pm - 9.00 am.

The maximum period anyone can camp in this area is two consecutive nights in any four-week period.



#### 4. Wynen Street Carpark

The responsible camping area at the Wynen Street Carpark is centrally located in Blenheim.

Wynen Street Carpark is located in Blenheim on Wynen Street (between Symons Street to the east and Market Street to the west) and as shown on the Wynen Street Carpark map below.

No person may responsibly camp except in the area shown and must be in a certified self-contained vehicle.

There is to be no washing hung outside of the van and there is to be no cooking in the car parking spaces.

The maximum period anyone can camp in this area is one night in any four-week period.

Vehicles are to be parked between the hours 6.00 pm - 9.00 am.



## 5. Lake Elterwater

Lake Elterwater Road Reserve is an area of legal road located approximately three kilometres north of Ward Township, adjacent to and to the east of State Highway 1.

No person may responsibly camp except in the area shown and must be in a certified self-contained vehicle.

The maximum period anyone can camp in this area is two consecutive nights in any four-week period.

