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**MARLBOROUGH
DISTRICT COUNCIL**



18 March 2022

Record No: 2252601
File Ref: D050-001-02
Ask For: Mike Porter

Notice of an Extraordinary Council Meeting – Thursday, 24 March 2022

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 **Thursday, 24 March 2022 commencing at 8.30 am.**

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 THURSDAY, 24 MARCH commencing at 8.30 am**

Open Meeting

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Marlborough District Council

**Order Paper for an
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1. Karakia

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

3. Declaration of Interests

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. Review of the Responsible Camping Control Bylaw 2022 – Appointment of Hearings Panel

(Report prepared by Jane Tito)

R510-005-15-02

Purpose of report

1. The purpose of this report is to appoint a Hearings Panel to review and hear submissions and make recommendations to Council on the Marlborough District Council Responsible Camping Control Bylaw 2022.

Executive Summary

2. Council adopted the Marlborough District Council Responsible Camping Control Bylaw 2020 on 27 November 2020 with the new bylaw taking effect from 1 December 2020.
3. In August 2021 Council agreed to review the 2020 Bylaw following the 2020-21 camping season and a legal challenge from the New Zealand Motorhome Caravan Association (NZMCA).
4. In November 2021 Council approved the public notification of a draft Marlborough District Council Responsible Camping Control Bylaw 2022. The notification period was extended until 31 January 2022.
5. Council received 91 submissions with 21 submitters requesting to speak at the hearing. A Hearing panel of three persons is proposed as suitable to review submissions, listen to submitters and make recommendations to Council. A Hearing is scheduled to take place on 28 March 2022.
6. Subject to due process the Marlborough District Council Responsible Camping Control Bylaw 2022 is proposed to be adopted in May 2022.

RECOMMENDATION

That Council approve the appointment of the Hearings Panel consisting of Commissioner Martin Williams (Chair), Mayor John Leggett and Deputy Mayor Nadine Taylor to review and hear submissions and make recommendations to Council on the Review of the Responsible Camping Control Bylaw 2022.

Background

7. The Marlborough District Council's *Responsible Camping Control Bylaw 2020* was adopted at a Special Extraordinary Council Meeting on 27 November 2020 with the new Bylaw being effective from 1 December 2020.
8. Council approved a review of the Responsible Camping Control Bylaw 2020 at a meeting on 5 August 2021 in response to a legal challenge on process from the NZ Motorhome Caravan Association and to assess the effect of the 2020 Bylaw during the 2020/21 responsible camping season.
9. The Bylaw Review followed the special consultative procedure under section 83 of the Local Government Act 2002 (LGA).
10. At an Extraordinary Council meeting on 15 November 2021, Council approved notification of the draft Marlborough District Council Responsible Camping Bylaw 2022 for an 8-week period through to 17 January 2022 which was subsequently extended to 31 January 2022 following an application for a time extension from a national camping body.

11. Council received 91 submissions with 21 submitters indicating that they would like to speak. Council is proposing a Hearings panel of three to review and hear submissions with a date of 28th March set aside for a Hearing.

Proposed panel

12. A panel of three is proposed to review and hear submissions in the Review of the Responsible Camping Control Bylaw 2022. The panel proposed consists of an independent Commissioner who will act as Chair and two Marlborough District Council elected officials, as follows:
- Commissioner - Martin JE Williams (Chair)
 - Mayor - John Leggett
 - Deputy Mayor - Nadine Taylor

13. It is proposed that the hearings will take place on 28 March 2022 with a new Bylaw scheduled to be in place by May 2022.

14. Mr Martin was appointed to act as a Hearings Commissioner by Council in November 2018. At that time a summary of his experience noted:

Martin Williams has over 20 years experience in practising in resource management and local government law. He has represented a wide range of private and public sector clients at local authority and appeal hearings, appearing as counsel in a number of leading Environment and High Court cases as well as in the Court of Appeal and Supreme Court.

Next steps

15. Staff will confirm arrangements for the hearings to take place on 28 March 2022 and provide support to the panel as required.
16. A new Responsible Camping Control Bylaw 2022 is scheduled to be adopted and effective from May 2022.

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