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Kenepuru and Central Sounds Residents' Association Submission on Proposed Freedom Camping Bylaw

I write in my capacity as President of the Kenepuru and Central Sounds Residents' Association Inc.,
(Association).

Introduction

- 1.1 The Association was established in 1991 and currently has approximately 320 household members who live full time or part time in the Kenepuru and Pelorus Sounds. The Association's objects include, among others, to coordinate dealings with central and local government and represent members on matters of interest to them.
- 1.2 The surge in popularity of the concept of Freedom Camping off the back of a drive to encourage high levels of all types of international visitors to New Zealand has generated concern among members as the adverse impacts of this activity become apparent. We agree with MDC that it is timely to review both the practice of, and the legislative toolbox, to better manage this activity in the Marlborough region.

Overview

- 2.1 The Association generally supports the introduction of a revised and updated set of bylaws covering aspects of this activity for the purpose set out in Clause 5 of the draft bylaw.
- 2.2 The Association specifically supports the insertion of paragraph 8 of Schedule One to the draft bylaws prohibiting the practice in and around the roading network of the Kenepuru Sounds (as detailed in the map set out at page 12 of the draft bylaws). As to what is intended to be included in the reference to "road" see our further comment at paragraph 3.11 below.
- 2.3 The Association specifically supports the prohibition on freedom camping in the area known as Ohauparuparu Reseve at the head of the Kenepuru Sound (as detailed at paragraph 23 of Schedule One of the draft bylaw).

- 2.4 Subject to our comments elsewhere on what constitutes a “certified self-contained vehicle“ the Association supports the restrictions on freedom camping at the Ohingaroa Reserve (as detailed at paragraph three of Schedule Two of the draft bylaws).
- 2.5 The Association notes the discretion given to the CEO of MDC at Clause 7 to, in writing, allow freedom camping in prohibited areas on a case by case basis and queries the need/rationale for this carve out.

Discussion

- 3.1 **The Problem:** The adverse effects of freedom camping has over the past decade become more apparent as large numbers of more budget conscious international visitors enthusiastically save a few dollars by freedom camping in cars and crudely modified vans as and where they choose.
- 3.2 Unfortunately the reality is New Zealand now has a population of more than five million with (pre-covid 19) around four million international visitors per year. The international tourist industry sector expressed desire to achieve high annual rates of growth above that number will (we assume) be undimmed post Covid19. Something has to give and, regrettably, that is the custom of unrestricted freedom camping off and adjacent to our roading network, whether it is by New Zealanders or international visitors.
- 3.3 **The solution:** We agree we need as a region to take the opportunities presented by this unanticipated pause in international tourism and use it to better manage the activity. As we see it this will involve more effort around; education about the does and don'ts of freedom camping regionally (and nationally); more and widespread enforcement of the likes of the draft bylaws, more signage; ensuring existing “alternative” areas/facilities are well designed and coping and, where not, upgrading the same in a timely fashion.
- 3.4 These draft bylaws represent a useful first step and the Association commends the MDC accordingly.
- 3.5 **Certified self-contained vehicles:** The definition reads well. However we are unclear whether it will really address the issue of stickers but no facilities or the laughable “pottie“ facilities seemingly currently qualifying for the sticker.
- 3.6 It is also unclear to the Association if the Enforcement Officers powers extend to being able to inspect the vehicles “facilities “. We can explore the realities and the MDC views at the hearing. The Association reserves the right to make additional submissions and recommendations at the hearing following that discussion.
- 3.7 **Enforcement:** It is not enough to have regulations, educate the target audience about their existence, but not be prepared to enforce the same. This aspect is particularly important in the likes of more remote areas of the Sounds.
- 3.8 Accordingly the Council will need to increase the number (and thus visits) of “Council rangers” who we understand will be the enforcement officers. We are interested in hearing the views of that key hard working group on the issues likely to arise around enforcement of the draft bylaws (if any). As far as we could ascertain the current number and “area” assigned to such officers was not available from the consultation material supplied by Council. We signal that the Association may wish to make further enquiries of the panel at the hearing on these matters.

- 3.9 **Facilities:** The Association has been actively engaged over the years in seeking more and improved basic facilities such as public toilets. It has often been a prolonged and time-consuming task to make small gains. On some matters such as additional camper van waste disposal points to be supplied by MDC **we have failed**. This “less is better” mind set needs to change.
- 3.10 The association recommends that MDC needs to carefully monitor how existing designated camping spots, whether Council manages them or other providers (such as the Department of Conservation), are coping on a regular and ongoing basis. Where they are not (or fast reaching capacity) MDC needs, the Association submits, to pro-actively work to increase the availability either directly or in conjunction with the likes of DoC.
- 3.11 **Bylaw Definitions:** Freedom camping activity has often been located adjacent to the actual road on what is generally referred to as road reserve. There is no definition of “road” in the draft bylaws. It is difficult to ascertain from the likes of the map at paragraph 8 of Schedule One if the prohibited area includes road reserve (we have assumed it does). Perhaps, the Association submits, that could be addressed by inserting a simple definition of road as including road reserve?
- 3.12 We are unclear as to how the draft bylaws cover foreshore reserve areas adjacent to road/road reserve. We are uncertain if the MDC jurisdiction extends to such areas? We would like to explore this issue further at the hearing with the panel..
- 3.13 **Funding:** We appreciate a proactive and visible role as we envisage for MDC around this activity will come at a cost. We see no reason why that should be borne entirely by ratepayers. Rather, we urge MDC to continue to actively consider alternative ways as to how the demands of tourism on regional local infrastructure will be funded from other than ratepayer contributions.
- 3.14 Clearly, Central Government funding must play a significant role. By way of example, we point to the recent, but long overdue, introduction of an international visitor levy. We urge MDC either directly, or indirectly through the likes of the Local Government Association, to obtain a good chunk of the revenues and lobby hard to increase the levy to a more realistic figure (say \$125 per visitor v’s the current risible figure of \$35 - increase the pie).

Request to Appear

- 4.1 The Association confirms that it would like to present/talk to this submission at the public hearing and will be represented.

Yours faithfully



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