



EXTRAORDINARY COUNCIL MINUTES

MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF WESTLAND DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM ON MONDAY 9 DECEMBER 2024 COMMENCING AT 9 AM

The Council Meeting was live streamed to the Westland District Council YouTube Channel and presentations are made available on the council website.

i. KARAKIA TĪMATANGA OPENING KARAKIA

The opening Karakia was read by Her Worship the Mayor.

ii. MEMBERS PRESENT AND APOLOGIES

Chairperson	Her Worship the Mayor
Deputy and Southern Ward Member:	Cr Cassin
Northern Ward Members:	Cr Neale, Cr Burden (via zoom)
Hokitika Ward Members:	Cr Baird, Cr Davidson
Southern Ward Members:	
Iwi Representatives:	

NGĀ WHAKAPAAHA APOLOGIES

Cr Gillett, Kw Tumahai.

ABSENT

Cr Phelps, Cr Manera, Kw Madgwick.

Moved Cr Neale, seconded Cr Baird and **Resolved** that the apologies from Cr Gillett and Kw Tumahai be received and accepted.

STAFF PRESENT

B Phillips, Chief Executive; L. Crichton, Group Manager Corporate Services and Risk Assurance; E Bencich, Acting Group Manager District Assets; D. Maitland; Executive Assistant; E. Rae, Strategy and Communications Advisor (via zoom); P. Coleman, Governance Administrator; A. Paulsen, Asset Strategy and Development Manager; K. Baird, Asset Management Officer.

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

The Interest Register had been circulated. There were no changes to the Interest Register noted.

4. PŪRONGO KAIMAHI STAFF REPORTS

- **Proposed Draft Responsible Freedom Camping Bylaw 2024 – Hearing, Deliberations and Decisions Report**

Alicia Paulsen, Asset Strategy and Development Manager spoke to this item and advised the purpose of this report was to hear submissions from the community on the Statement of Proposal and Draft Responsible Freedom Camping Bylaw 2024, deliberate on the submissions and instruct staff to amend the bylaw if necessary.

Moved Cr Neale, seconded Cr Baird and **Resolved** that:

1. Council receive the report.
2. Council hear and receive the written and verbal submissions.
3. Council deliberates on the submissions on the Draft Responsible Freedom Camping Bylaw 2024 in the open part of the meeting.

5. SUBMISSION HEARINGS

HEARING SUBMISSIONS:

The following members of the public were in the council chambers or connected via zoom to speak to their submission:

Schedule of Verbal Submissions

The following speakers were taken out of order to the Agenda papers.

NAME
Whataroa Community Association
Sonia Pettigrew, Matainui Creek Ltd
Lez Morgan
Elliot Hendry, Orange Sheep Campervan Park
Bruce Watson
Melanie Anderson, Destination Westland Ltd T/A Glacier Country Heliport
Rick Fennell
Carey Lister, Franz Josef Community Council
Richard Molloy
James Imlach, NZ Motor Caravan Assn
Logan Skinner
Brenda Monk
Ben Monk, South Westland Salmon
Te Rūnanga o Makaawhio (Kara Edwards)
<i>The following had requested to speak to their submission but were unable to on the day</i>
Barry Hughes, Okarito Kayaks
Graham Berry, Perivale Farm Ltd
Kw Tumahai, Te Rūnanga o Ngāti Waewae
Lorraine Molloy

Name	Comment
Paddy Kennedy, Whataroa Community Association	Community supports exclusion in the Whataroa Township. Would like to employ a local as an enforcement officer. Would like rubbish collection to improve as the bins overflow in the tourist season. Asked if the Whataroa community can get some assistance to clear the overgrowth at the proposed sites. Safety is an issue at the Whataroa Gorge area and needs to be improved.
Sonia Pettigrew, Matainui Creek Ltd	Signage needs to be prominent at the front of the Whataroa Gorge carpark. The risk of flooding and the camping zone need to be in the front and made bigger. This is a gravel extraction area and prone to flooding, not a great area for camping. Asked who will clear the area of campers in the case of flooding at the Whataroa Gorge.
Lez Morgan	Expressed concern regarding the natural beauty of Westland being compromised. UNESCO World Heritage areas should be protected.
Elliot Hendry, Orange Sheep Campervan Park	Enforcement - regulation becomes meaningless if there is no enforcement. Franz Josef/Waiiau location is inappropriate as it is too close to the heliport, also there are freedom campers going into the campervan park to use the facilities. Campgrounds have to pay rates, but freedom camping does not, this applies pressure to local businesses and needs to be addressed.
Bruce Watson (apology from Claudia Landis)–	South Spit, main point is the issue of access to the site, if camping is allowed there it restricts access to the beach for locals who use this area a lot. Environmental, safety and public access, the area can sometimes get waves up to the carpark. Public access to all beaches should be consistent. Sunset point should be added in as a prohibited area also. There is provision for temporary closures. This should be amended to be temporary or permanent closures as an option on sites.
Melanie Anderson, Chief Executive of Destination Westland	Biggest concern is safety to heliport operations. Need to ensure there is very strong controls in place so there is no increase to the risk that is already there. With regard to waste bins, the attraction of birds to this area would be a big risk to safety. This site would need to be vacated from 7am to 10pm as this is operational time and to ensure there is no blockage to the medivac site. People using drone in the area can cause very serious and even possible fatal problems in these areas. Pre covid the Franz Josef/Waiiau heliport was the busiest in New Zealand.
Rick Fennell, Ross Beach	Agreed with the bylaw prohibiting camping in the township, and would like to extend this to the cemeteries, Ross Beach Road and its berms. Campers block the road access to the beach at Ross. Beach Road is a blue penguin habitat, the carpark has erosion issues, and people are lighting fires on the beach. There are issues with people parking near the Totara Bridge. Monitoring is a big issue. Signage is required to show prohibited areas.
Carey Lister (Franz Josef Community Council),	Litter, Human waste, safety of the heliport, and overcrowding are all areas of concern for the Franz Josef/Waiiau area. There does not appear to be a lot of support from the community for the site being included in the bylaw.
Richard Molloy, Franz Josef	Spoke regarding his previous involvement in policing freedom camping in the area. Responsible campers go to campgrounds. Some campervans have stickers that are not correct for their type of vehicles. Base of the Fox Hills back to McDonalds creek should be a prohibited area.

James Imlach, New Zealand Motor Caravan Association	Current bylaw has some short comings. Too many issues with other councils using the temporary closures as permanent closures. Revisit the site assessments, ensure the prohibited sites are consistent and comply with the law. There are new self-containment laws that have been rolled out. Provided clarification that discounts are not given if the toilets are not used in the campervans.
Logan Skinner	Campers usually don't like using the toilets and showers in the campers and he has experienced times where they use the shower and toilet facilities at the campground in Franz Josef, without paying for the use. A lot of antisocial behaviour has been experienced. The proposed Franz Josef site is in a flood zone, and this is deemed an unsafe area.
Brenda Monk, Paringa	The freedom campers are arriving in Westland District and have been encouraged to visit the area. All the laybys, gateways, anywhere they can stop they will, this has improved a little since there have been designated freedom camping area. The Paringa Salmon Farm is close to one of these sites, with toilets, the system worked well, freedom campers came to the allocated area and locals were employed as rangers who would check the areas. With no paid monitoring there will be issues.
Ben Monk, Paringa	Support the Paringa camp group next to the Salmon Farm Café. Sought more clarification around the other vehicles and areas. The campground at Lake Paringa, which flooded in the last weather event (this is a Department of Conservation (DOC) campground) a person evacuated 35 campervans at the ground and suggested this be followed with the department. Need to ensure that campgrounds without facilities are used only by self-contained vehicles.
Kara Edwards, Te Runanga o Makaawhio	There needs to be monitoring and enforcement in place for this bylaw. Does not support non-self-contained vehicles camping in a site without facilities. Does not support the proposed bylaw as it is. All people of Westland are kaitiaki, looking after the space and place, this is impacted when people are unable to ensure that the regulations and policies are followed to keep rubbish and waste away from land, bush and rivers. Opportunity to look at dealing with the issue by asking DOC to extend some of their existing campgrounds to enable more campers.

Cr Baird left the meeting at 10.27 am, returning to the meeting at 10.29 am.

Deputy Mayor Cassin left the meeting at 10.47 am, returning to the meeting at 10.49 am.

Points raised during submission discussions by Council and staff:

- All beach access should be noted, 20 metre provision on access roads to rivers, lakes and beaches.
- It is already prohibited to camp in Cemetery Reserves as part of the Reserves Act 1977.
- A very thorough advertising campaign will need to be undertaken to show freedom campers where they can and cannot camp.
- Once the bylaw is adopted it should be sent to all companies that rent "campers", to ensure that they know what the restrictions are in the Westland District.
- The law has changed since the last bylaw was created, and staff have gone through all the prohibited areas and worked through the law change to make sure these comply.

Moved Deputy Mayor Cassin, seconded Cr Davidson and **Resolved** that the meeting adjourn for a break at 11.07 am. The meeting reconvened at 11.37 am.

DELIBERATION AND DECISIONS ON SUBMISSIONS:

Alicia Paulsen, Asset Strategy and Development Manager spoke to this part of the meeting. Staff had compiled a list of potential changes based on submissions.

1. Lake, seashore, beach frontage. The draft bylaw states a 20 metre buffer for these areas, requests have been made to extend this to 50 metres, and there has been a request from Iwi to include rivers in this list which will encompass the roads that access these areas to add clearly visible signage to these areas and protect the waterbodies.

Discussion:	<ol style="list-style-type: none">a. There is a high risk of heavy rain and flooding in some of these areas. Campers are potentially at risk; Council have a responsibility to campers if they are permitted to camp in an area then Council must ensure safety measures are taken.b. Staff to add more clarification to the definition of waterbodies (high tide mark/water/end of beach/riverbed).c. Signage and education are important and a standard phrase for signage needs to be developed for potential flooding areas, to camp at your own risk.d. Safety is important. Signage needs to be placed at critical heights and points where it is clearly visible to all entering the sites.e. Important to put flyers at the sites, petrol stations and cafés in Westland District to show freedom campers where they can or cannot camp.f. A focus on cultural, environmental, health and safety, and accessibility when creating the bylaw.
Decision:	<ol style="list-style-type: none">a. Waterbody description to include rivers in the exclusion zone along with lakes, seashore and beach frontage.b. Extend the 20 metre exclusion zone around the waterbody areas to a 50 metre exclusion zone.c. All waterbodies as included in the bylaw (including lagoons, creeks and other bodies of water).

2. Changes to the temporary closure clause (clause 10). A definition of what temporary means to be included and must provide evidence if a site needs to close, the reasons and possible timelines, to be included in the bylaw.

Decision:	<ol style="list-style-type: none">a. Staff to make the amendments as noted in item 2.
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3. Townships to remain prohibited within the draft bylaw. The concept of township bans was challenged in submissions. There is enough evidence to prohibit Okarito and the road to Okarito, Bruce Bay, Jacksons Bay, Hokitika Central Business District (CBD), Fox Glacier and Franz Josef. The prohibited areas are currently defined using the speed sign changes i.e. from the entry into town, where the speed slows the exclusion zone will begin.

Discussion:	<ol style="list-style-type: none">a. Hokitika may lose its Motor Home Friendly status if the exclusion zone is beyond the CBD.b. A discussion with DOC is required regarding the Lake lanthe campground with a view to identify if the area can be increased in size.c. Signage and education will need to be looked at.d. Signage to be erected at Cemeteries to show these are not camping areas and are excluded from camping under the Reserves Act.e. The Docherty's Creek area to be checked if the boulders are still in place as this area is prone to flooding.
Decision:	<ol style="list-style-type: none">a. Franz Josef – The Heliport site to be removed as a freedom camping site.

	<ul style="list-style-type: none"> b. Franz Josef Township to be added as a prohibited area from the Tartare Bridge to the Waiho River Bridge. c. Okarito – Ōkārīto to be added as a prohibited area from the State Highway 6 turn-off, including the Forks-Okarito Road to and including the Ōkārīto Township. d. Bruce Bay – Include Bruce Bay as a prohibited area from the sign on the northern corner before the Bruce Bay Marae to the southern end of the township area of Bruce Bay. e. Jackson Bay – Add Jackson Bay as a prohibited area from the speed sign at the entrance of the township to the end of town and including the surrounding bush area. f. Fox Glacier – Add Fox Glacier as a prohibited area from the base of the Fox Hills to the speed sign at the southern end of the township. g. Hokitika – Allow 12 freedom camping parks at both Sunset Point and Beach Street. Add Cass Square as a prohibited area. Add Hokitika CBD as a prohibited area (except for the Sunset Point and Beach Street sites) bounded by the 30km speed zone area of the CBD.
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4. Townships - Not prohibited within the bylaw –

Discussion:	<ul style="list-style-type: none"> a. Townships are able to erect community donation boxes at camping sites (Woodstock and Kumara both have these). b. Otira - Freedom camping cannot be banned from Otira as Council do not own land in Otira. c. Kumara, Rimu and Woodstock areas – there were no submissions on these areas. All the townships seem to be managed well, and there is camping at the Kumara and Woodstock Domain. d. The Mahinapua road reserve to be investigated on the access road to the beach. e. Ross – Cemeteries are prohibited sites as stated in the Reserve Act 1977. The end of Beach Road will be an excluded zone as covered by the 50 metre waterbodies exclusion as will the Chinese Gardens in Ross. A conversation is required with the Ross Community on the management of the area. f. Whataroa – the Community are using the Whataroa Domain as a Park over Property (POP). The Whataroa Gorge area needs to be managed in terms of signage and scrub trimming. g. Haast – Hannahs Clearing, Okuru and Jackson Bay are covered by the water bodies exclusion extension to 50 metres. h. Community Hall carparks, clarity is required as these should be added to the excluded zone due to the facilities being used as civil defence bases.
Decision:	<ul style="list-style-type: none"> a. Kumara, Rimu and Woodstock – Prohibited area to be removed b. Kaniere – Prohibited area to be removed. Kainere Domain carpark to remain a prohibited area. c. Ruatapu – Prohibited area to be removed d. Ross – Prohibited area to be removed. The Ross Community Hall carparking area to be added as a prohibited area. Erect signage at the Community Hall to advise people where they can and cannot camp, to ensure the site is clear of campers. e. Hari Hari – Prohibited area to be removed. Add the Hari Hari Community Hall as a prohibited area. f. Whataroa – No current prohibited area, leave as is. g. Haast – Prohibited area to be removed

Moved Cr Baird, seconded Cr Davidson and **Resolved** that the meeting adjourn for lunch at 1.00 pm. The meeting reconvened at 1.35 pm.

5. Arahura, Milltown and Bruce Bay, additional evidence required from Iwi to prohibit these sites in the bylaw.

The submission from Kw Tumahai was tabled at the meeting and discussed.

Her Worship the Mayor thanked all the submitters for taking the time to participate in the process and those who came to speak to their submission for their time.

Moved Cr Davidson, seconded Baird and **Resolved** that following the verbal and written submissions and further discussion at the meeting, the Chief Executive be instructed to make the necessary amendments to the Draft Responsible Freedom Camping Bylaw 2025, returning to Council in early 2025 for final approval.

**DATE OF NEXT ORDINARY COUNCIL MEETING – 17 DECEMBER 2024
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

MEETING CLOSED AT 3.20 PM

Confirmed by Council at the 17 December 2024 Council meeting.

**Her Worship the Mayor
Chair**

Date: