

## Notice of Meeting:

I hereby give notice that an ordinary meeting of the Planning and Regulatory Committee will be held on:

**Date:** Tuesday 7 June 2016  
**Time:** 1.00 pm  
**Venue:** Edinburgh Room, Municipal Chambers, The Octagon, Dunedin

Sue Bidrose  
Chief Executive Officer

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## Planning and Regulatory Committee PUBLIC AGENDA

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### MEMBERSHIP

<b>Chairperson</b>	Cr David Benson-Pope	
<b>Deputy Chairperson</b>	Cr Aaron Hawkins	
<b>Members</b>	Cr John Bezett	Cr Hilary Calvert
	Mayor Dave Cull	Cr Doug Hall
	Cr Mike Lord	Cr Jinty MacTavish
	Cr Andrew Noone	Cr Neville Peat
	Cr Chris Staynes	Cr Richard Thomson
	Cr Lee Vandervis	Cr Andrew Whiley
	Cr Kate Wilson	
<b>Senior Officer</b>	Simon Pickford, General Manager Services and Development	
<b>Governance Support Officer</b>	Lynne Adamson	

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Lynne Adamson  
Governance Support Officer

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**Note:** Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.



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**1 PUBLIC FORUM**

**1.1 Rhys Owen - Freedom Camping**

Rhys Owen wishes to address the meeting concerning Freedom Camping.

**2 APOLOGIES**

Apologies have been received from Mayor Dave Cull and Cr Lee Vandervis.

That the Committee:

**Accepts** the apologies from Mayor Dave Cull and Cr Lee Vandervis.

**3 CONFIRMATION OF AGENDA**

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

**4 DECLARATION OF INTEREST**

There were no new declarations of interest.

## PART A REPORTS

### CAMPING CONTROL BYLAW 2015 - SEASON REVIEW UPDATE

Department: Parks and Recreation

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#### EXECUTIVE SUMMARY

- 1 The purpose of this report is to update the Planning and Regulatory Committee on the 2015/2016 Freedom Camping season following the adoption of the Camping Control Bylaw 2015 in September 2015.

#### RECOMMENDATIONS

That the Committee:

- a) **Notes** staff will work with the local Community Boards before the beginning of the 2016/2017 season to ensure infrastructure requirements are adequately met at the designated unrestricted freedom camping sites, Warrington Domain and Ocean View Recreation Reserve.

#### BACKGROUND

##### Previous Camping Control Bylaw 2013 and Responsible Camping Policy

- 2 Council adopted the previous Camping Control Bylaw and Responsible Camping Policy in 2013. The bylaw introduced three trial areas for freedom camping in non-certified vehicles and permitted self-contained camping throughout the rest of the Dunedin City boundary. Prohibited sites included scenic reserves, cemeteries and Tairoa Head.
- 3 The Council was unable to enforce the previous bylaw, as controls were included in the policy rather than the bylaw. This created confusion for the community and campers.
- 4 In June 2015 Council approved a new draft Camping Control Bylaw 2015 (the bylaw) for public consultation.

##### Adopted Camping Control Bylaw 2015

- 5 Following public consultation, the bylaw was adopted by Council in September 2015 with an operative date of 1 November 2015.
- 6 The bylaw consolidated the previous Camping Control Bylaw 2013 and Responsible Camping Policy into a single document. The most significant change was that the new bylaw allowed for enforcement of freedom camping in prohibited areas throughout the city.

- 7 Unrestricted freedom camping sites were reduced from three sites to two; and three prohibited zones were introduced on the Otago Peninsula.

## **DISCUSSION**

### **Implementation of the bylaw**

- 8 The Freedom Camping Act 2011 and the bylaw allow freedom camping to occur all year round, however the camping season is considered to be from the start of the September through to the end of April. For the 2015/2016 season the bylaw was operative on 1 November 2015 with monitoring and enforcement carried out through to the end of May 2016 due to the warmer weather.
- 9 Staff took the approach of a strong education programme on the bylaw and consistent enforcement of breaches to the bylaw.
- 10 Freedom Camping app providers were supplied with the bylaw and associated maps to identify prohibited and non-prohibited areas. Throughout the season these apps were monitored to ensure correct information was provided to campers.
- 11 The 'where can I camp' brochures were updated, printed and distributed to businesses and organisations across the city and at relevant entry points for visitors. The brochure will be reviewed in September each year for the following season.
- 12 For the first two weeks of the season, an education programme was carried out before infringement notices were issued.
- 13 Freedom camping signs were installed on the roads at each entry and exit point to the prohibited areas on the Otago Peninsula. Directional signs at Warrington were installed later in the season to add clarity and direct campers to the correct designated freedom camping site.
- 14 Onsite signs and maps were installed at Warrington Domain (Warrington) and Ocean View Recreation Reserve (Ocean View). These two sites are included in the bylaw as unrestricted designated freedom camping sites. Throughout the season both sites had additional maps and signs installed at the request of the community and Community Boards for greater information clarity.

### **Enforcement**

- 15 A fixed term (6 month) contract for the first season was awarded to an external contractor to complete the enforcement of the bylaw. The contract was for one daily three hour patrol alternating across four selected routes. This was completed between the hours of 4:00-7:30am.
- 16 The early morning patrols were introduced following feedback from other districts as an effective method where no direct contact is made with the campers. The enforcement programme was not reactive.
- 17 The Kensington Oval car park was consistently used by campers throughout the season by both self-contained (permitted) and non-self-contained vehicles (not permitted). This was monitored by enforcement officers and added to the end of daily patrols.
- 18 The contract was extended for a one month period on a reduced patrol cycle to monitor the freedom camping activity throughout the warmer weather in May.
- 19 Staff will determine the most appropriate method of providing management and administration of enforcement services ahead of the 2016/17 season.

**Infrastructure demands**

- 20 The greatest pressures on existing infrastructure were observed throughout the season at Warrington and Ocean View, which were at or exceeding capacity.
- 21 Ocean View has a shared car park where half the space is designated to freedom campers and half to public use. Due to the high number of campers at this site vehicles often parked in the public area leading to infringements being issued and causing frustration for other users of the space. Additional rubbish collection was also required at Ocean View.
- 22 At Warrington, the toilet block and existing rubbish bins were insufficient for the numbers of campers. Additional rubbish bins and collections were included throughout the season and latterly temporary portaloos were placed at the opposite end of the existing toilet block. Below is a record of campers kept by the community from February-April.

<b>Vehicle numbers at Warrington Reserve Camping Area</b>			
<b>Month</b>	<b>Average vehicles/night</b>	<b>x days in month</b>	<b>x est. 2 people per vehicle</b>
February	74	2,146	4,292
March	59	1,829	3,658
April	35	1,050	2,100
<b>Total 'person nights' for three months</b>			<b>10,050</b>

- 23 Staff are working closely with the appropriate Community Boards on options to mitigate infrastructure demands prior to the 2016/2017 season.

**2015/2016 Costs**

- 24 The implementation and running costs for the 2015 Bylaw are shown in Table 1.

	<b>Costs 2014/15</b>	<b>Costs to date 2015/16</b>	<b>Estimate 2016/17</b>
Security	\$12,048	\$33,060	\$34,000
Litter and Illegal Dumping	\$11,573	\$19,127	\$15,000
Toilet Facilities		\$11,028	\$28,000
Signage - capital one off		\$24,691	\$0
Signage - operational	\$2,021	\$3,527	\$3,000
Brochures	\$525	\$2,357	\$2,000
Infringement Notices	\$0	\$1,850	\$0
	<b>\$10,674</b>	<b>\$95,640</b>	<b>\$82,000</b>

*Table 1: Costs associated with the implementation of the 2015 Bylaw*

- 25 Installation of new signs at a cost of \$24,691 will not be incurred in future years. Excluding the cost of signs, it is expected that remaining expenditure in the 2015/16 year will be recouped by infringement revenue.

**Infringement Notices**

- 26 A total of 515 infringement notices were issued between 14 November 2015 and 30 April 2016, of these.
  - 296 were issued to non-self-contained vehicles parked in restricted areas.
  - 140 were issued to vehicles parking outside of the designated area at Ocean View.

- 77 were issued to vehicles camping in prohibited zone areas on Otago Peninsula.
  - 2 were issued to vehicles camping for more than 2 consecutive nights.
- 27 Of the infringement notices, 139 exemptions were granted for reasons including poorly displayed self-contained vehicle warrants, initial poor signage at Ocean View, and unclear or incorrect information recorded on infringement notices.
- 28 Staff directed enforcement officers to take a consistent approach when issuing infringements and to uphold the conditions and restrictions of the bylaw.

**Revenue**

- 29 Council has received \$75,200 in revenue from the 376 infringements paid, equating to 64% collection rate. The remaining 134 notices (valued of \$26,800) are either still within the first 28 day payment period, being issued with their first reminder notice or lodged with the court for processing.

**Future Revenue Options**

- 30 Charging campers a small fee to stay at the two unrestricted sites (Warrington and Ocean View) has been discussed by staff throughout the season with a view to any income being used for additional infrastructure.
- 31 The Freedom Camping Act 2011 (section 5(3)) does not enable local authorities to charge or take a donation to assist with the provision of infrastructure for freedom camping. Options around community driven projects that campers could contribute to or donate to may be an option to investigate ahead of the 2016/2017 season.
- 32 The potential introduction of any fee or donation collection will need to be considered in light of the purpose of freedom camping and the impact on camp grounds.
- 33 Central government also announced in May 2015 a \$12 million dollar fund for small communities to build toilets, signs and van parks to cope with freedom campers in particular. The fund will be spent over four years and will likely be administered by government and private sector representatives. As further details on the fund emerge staff will monitor and assess Council's eligibility.

**Additional Unrestricted Sites**

- 34 Feedback was received that an additional location for unrestricted freedom campers is required to assist in managing volume. At the time of the bylaw review staff investigated appropriate areas which were easily accessible, appealing and had infrastructure in place.
- 35 To implement a new site by the 2016/2017 season, an appropriate site would need to be identified and its significance assessed. Dependant on the level of significance, public consultation may be required to amend Schedule C of the bylaw.

**New Zealand Responsible Camping Forum**

- 36 Staff attended the New Zealand Responsible Camping forum in April 2015 with freedom camping media and technology providers, tourism industry representatives, rental vehicle operators and local and central government staff. A number of common issues were discussed including demands on local infrastructure, enforcement policies, education at entry gates, land ownership challenges, data and research opportunities and the current Freedom Camping Act.

- 37 The New Zealand Motor Caravan Association (NZMCA) presented issues with the current certified self-contained standards. The NZMCA is intending to work with rental companies to review the current standards for certified self-contained vehicles.
- 38 Tourism Holdings Limited and rental operators expressed a desire to work with Council's enforcement programmes to assist in collection of unpaid infringements by 'tagging' the vehicles instead of the driver. This would enhance the ability of Councils to collect fine revenue.

**Community Board Feedback**

- 39 The Community Boards most affected by freedom camping activities have agreed on the use of an enforcement service provider and support the continued use to ensure the freedom camping activity is managed effectively.
- 40 The Saddle Hill Community Board (SHCB) monitored the Ocean View site closely and advised that the external sink and recycling bins installed were of assistance.
- 41 The SHCB engaged with local residents during the public consultation before the bylaw was adopted and throughout the season. The majority of the community is supportive of the Ocean View freedom camping area as long as it is enforced, kept clean and the infrastructure can cope with the demands. There were concerns raised about the volume of campers within the designated area and if this was a health and safety issue. This will need to be continually monitored in coming seasons. The SHCB acknowledged the need for further unrestricted designated site and have identified options for staff to investigate further.
- 42 The Otago Peninsula Community Board (OPCB) has confirmed the bylaw is working well in its community and improvements to signs have assisted. Small pockets of litter and additional signage concerns have been raised and these will be addressed by staff over the next season. The OPCB has further advised that larger campervans and motorhomes are causing traffic and parking issues at visitor attraction car parks, but this is not directly associated with the bylaw.
- 43 The Waikouaiti Coast Community Board (WCCB) has confirmed it is generally supportive of freedom camping but request that toilet and litter infrastructure at the Warrington Domain is upgraded to cope with the demands created by the designated unrestricted freedom camping site. Additional signs and road markings have also addressed safety issues in accessing the site.

**OPTIONS**

- 44 Not applicable.

**NEXT STEPS**

- 45 Staff will investigate options for providing additional infrastructure for Warrington and Ocean View, firstly from within existing budgets.
- 46 Staff will also investigate the appropriate management of enforcement contracts for next season.
- 47 The monitoring of freedom camping apps and working closely with Community Boards will continue as part of the ongoing management of freedom camping.
- 48 Staff will continue to work and engage with the New Zealand Responsible Camping Forum.

**Signatories**

Author:	Jendi Paterson - Recreation Planning and Facilities Manager
Authoriser:	Ruth Stokes - General Manager Infrastructure and Networks

**Attachments**

There are no attachments for this report.

**SUMMARY OF CONSIDERATIONS**

***Fit with purpose of Local Government***

This report relates to providing a regulatory function and it is considered good-quality and cost-effective.

***Fit with strategic framework***

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Economic Development Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spatial Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks and Recreation Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The bylaw is consistent with a number of strategies as it balances the economic benefits of camping and the need to provide for this activity, with controls in place to manage the effectiveness on the environment and communities.

***Māori Impact Statement***

The Otākou Runaka has an interest in the Pukekura Reserves at Taiaroa Head which remains a prohibited site for any freedom camping activity under the bylaw.

***Sustainability***

Freedom campers and visitors to the City provide economic benefits which need to be balanced with potential effects on the environment and our communities.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

Not applicable

***Financial considerations***

Costs incurred for one off implementation requirements of the bylaw where covered from existing operating budgets. As per the report annual enforcement costs are proving to be self-funding, however increased infrastructure requirements will need to be carefully considered against existing spending priorities.

***Significance***

Not applicable

***Engagement – external***

Communication and engagement with community groups and organisations, local businesses and Community Boards remains a key driver to the success of the bylaws implementation.

***Engagement - internal***

Consultation with the Transport, iSite and Enterprise Dunedin has been ongoing throughout the season.

***Risks: Legal / Health and Safety etc.***

No identified risks

***Conflict of Interest***

No conflicts of interest.

**SUMMARY OF CONSIDERATIONS**

***Community Boards***

Communication and liaising with the Otago Peninsula, Waikouaiti and Saddle Hill Community Board's has been regular throughout the 2015/1016 season.

## PLANNING AND REGULATORY NON-FINANCIAL ACTIVITY REPORT FOR THE QUARTER ENDED 30 MARCH 2016

Department: Community and Planning

### EXECUTIVE SUMMARY

- 1 This report updates the Committee on activities including city planning, resource consents, building services, alcohol licensing, environmental health, animal control and parking enforcement.

### RECOMMENDATIONS

That the Committee:

- a) **Notes** the Planning and Regulatory non-financial activity report for the quarter ended 30 March 2016.

### BACKGROUND

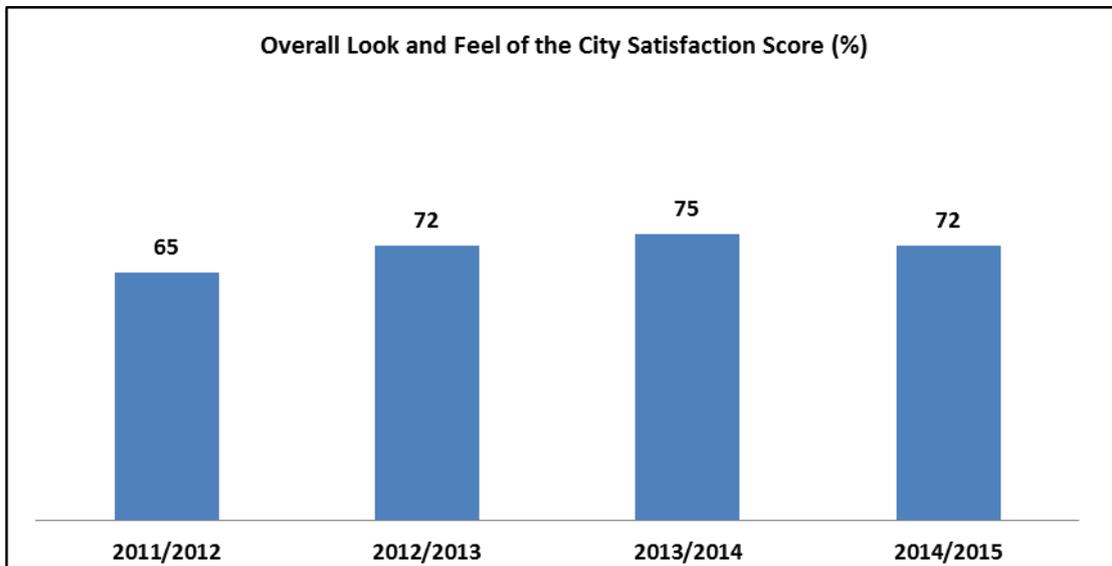
- 2 The Community and Planning group of activities works with other agencies to set the direction for managing Dunedin's built and natural environment, and is responsible for promoting the sustainable management of the natural and physical resources through its administration of the functions of the Council under the Resource Management Act 1991 (RMA).
- 3 Regulatory Services contributes directly to the Safe and Healthy City outcome and enhances personal safety in relation to building services, animal services, health licensing, the sale and supply of alcohol and parking enforcement.

### DISCUSSION

#### Service and Satisfaction

- 4 The Residents' Opinion Survey is the principal mechanism by which the Council measures resident satisfaction with a wide range of its activities.
- 5 The following graph show key results from the past four annual Resident Opinion Surveys (2011/12, 2012/13, 2013/14 and 2014/15) relevant to the Community and Planning group of activities.
- 6 From May 2016 the Residents' Opinion Survey will be conducted on a continuous basis throughout the year and results will be reported to the Committee on a quarterly basis.

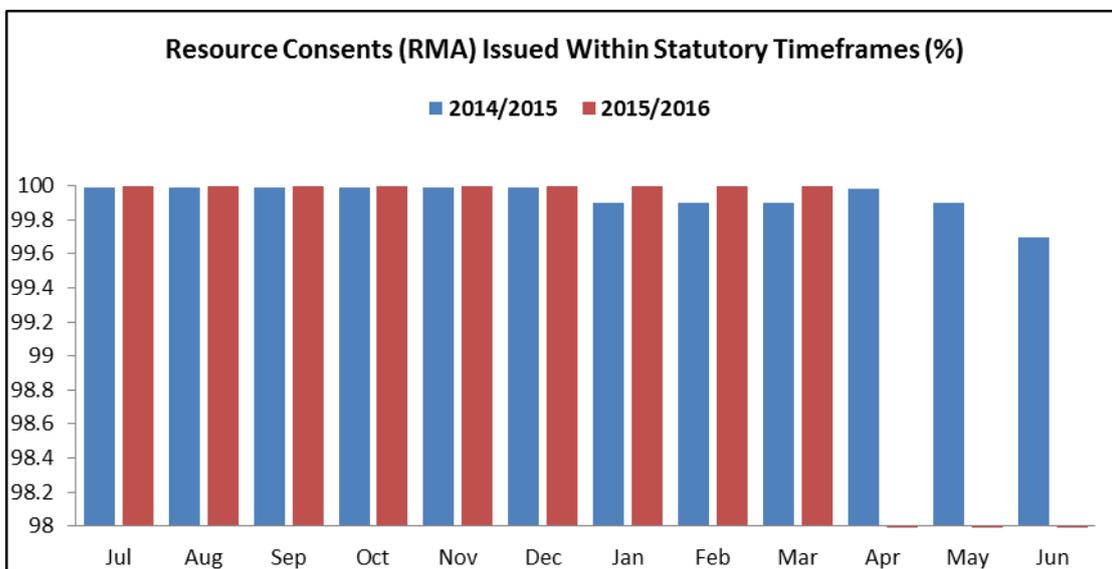
- 7 A 3% decrease in satisfaction with the 'overall look and feel of the city' was reported in 2014/15 compared to 2013/14 (although this may not be significant given the survey margin of error of +/- 2.9%).



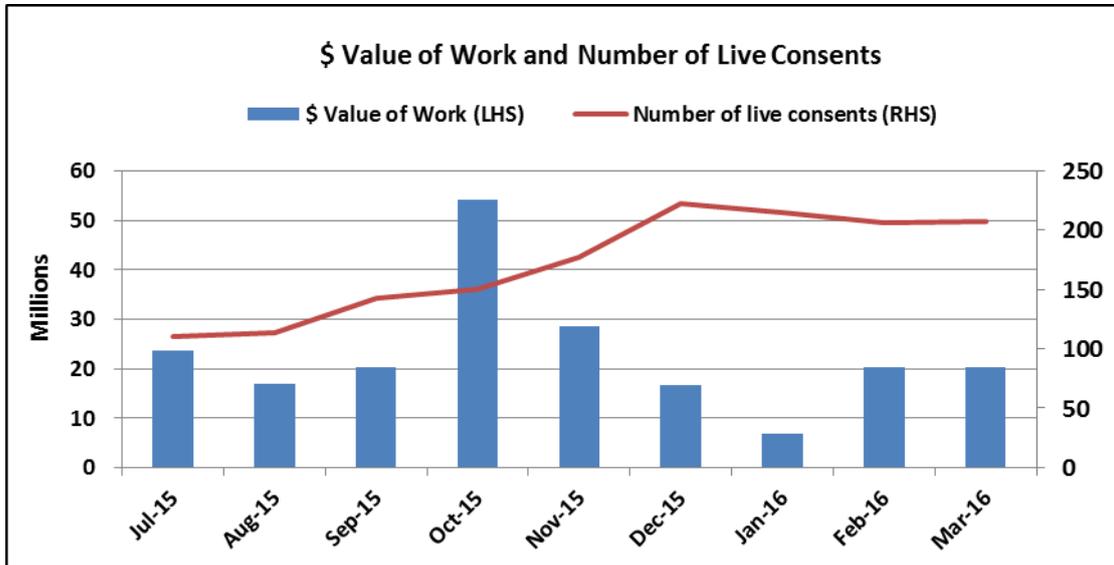
- 8 Other survey results indicate that residents are least satisfied with the 'look and feel' of Central City and South Dunedin retail areas. These areas have been prioritised for investment by the Council.

**Value and Efficiency**

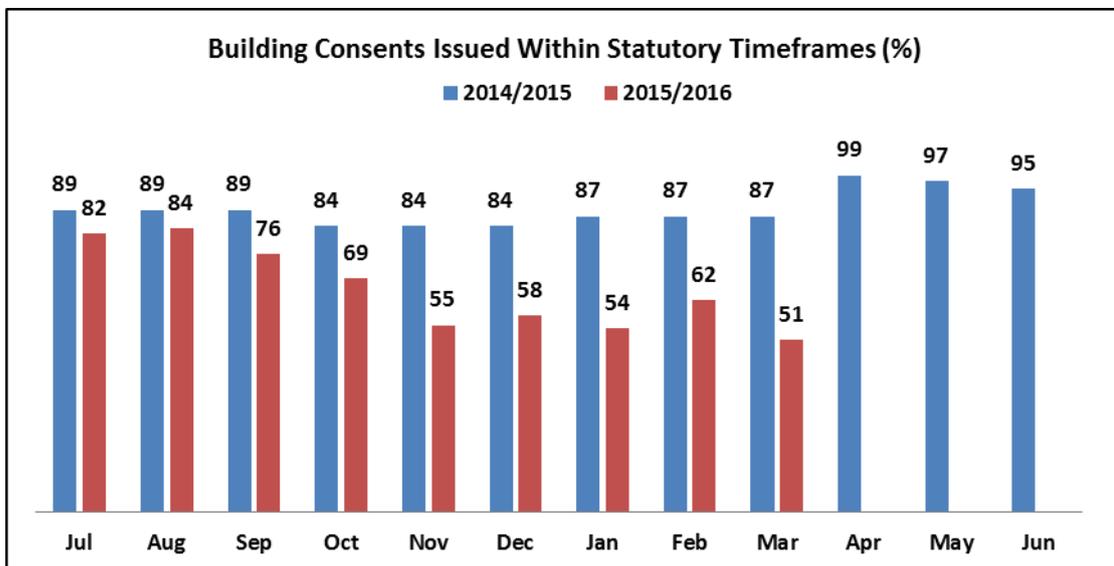
- 9 Throughout 2015/16 the Resource Consents team has achieved 100% compliance with the processing of resource consents within statutory timeframes.



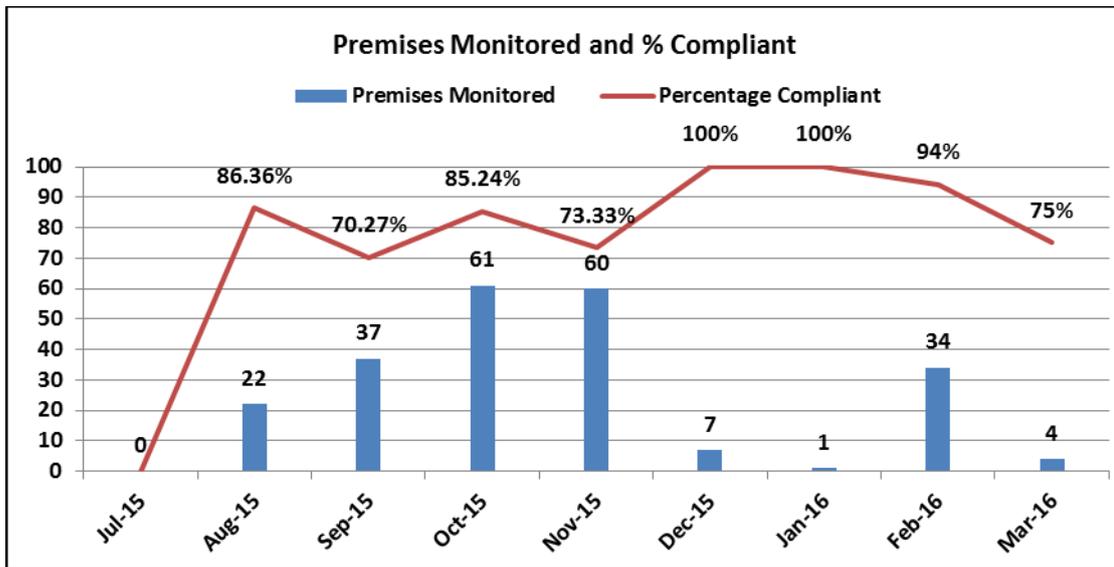
- 10 The number of building consent applications in progress was significantly higher in the quarter to 31 March 2016 compared to the same period in the prior year. In the three months to 31 March there was also a 16% increase in the value of building work for which consent was sought compared to the same period in the prior year.



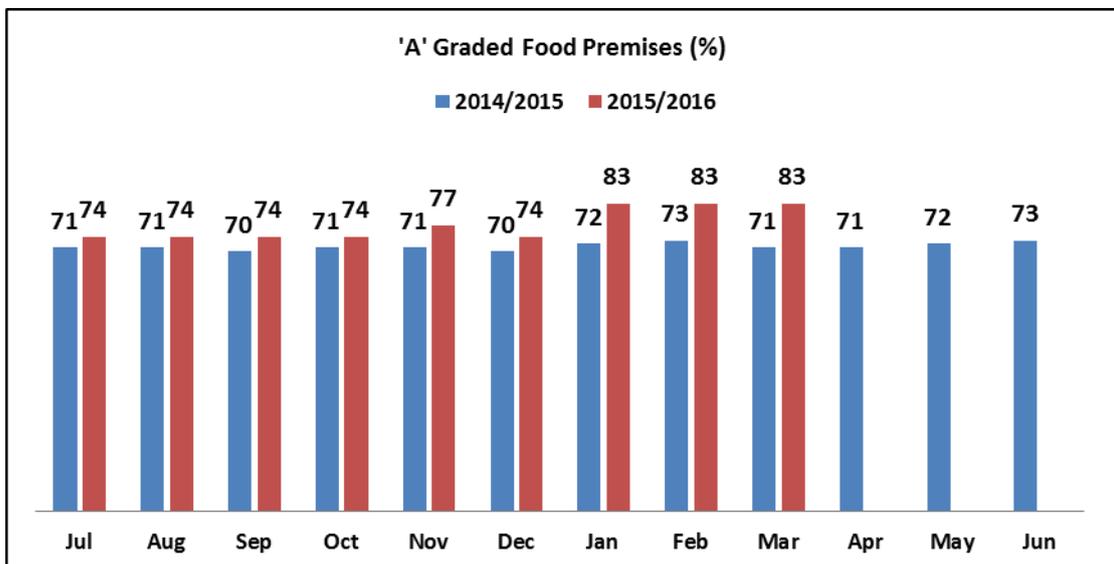
- 11 The building consent processing team are currently below full staff compliment and are therefore recruiting additional processing officers. To bring the processing times back to less than 20 working days we are offering over time to all employees, outsourcing applications to external contractors and engaging contractors to work in-house.



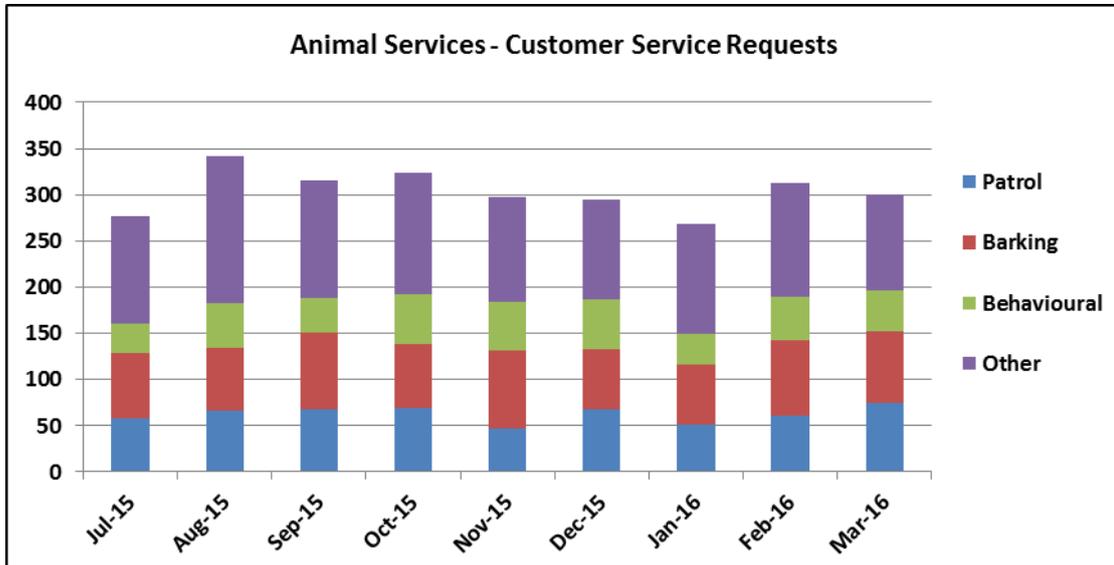
- 12 Data on the number of licenced premises monitored, and the percentage of which are compliant with licences is provided below.



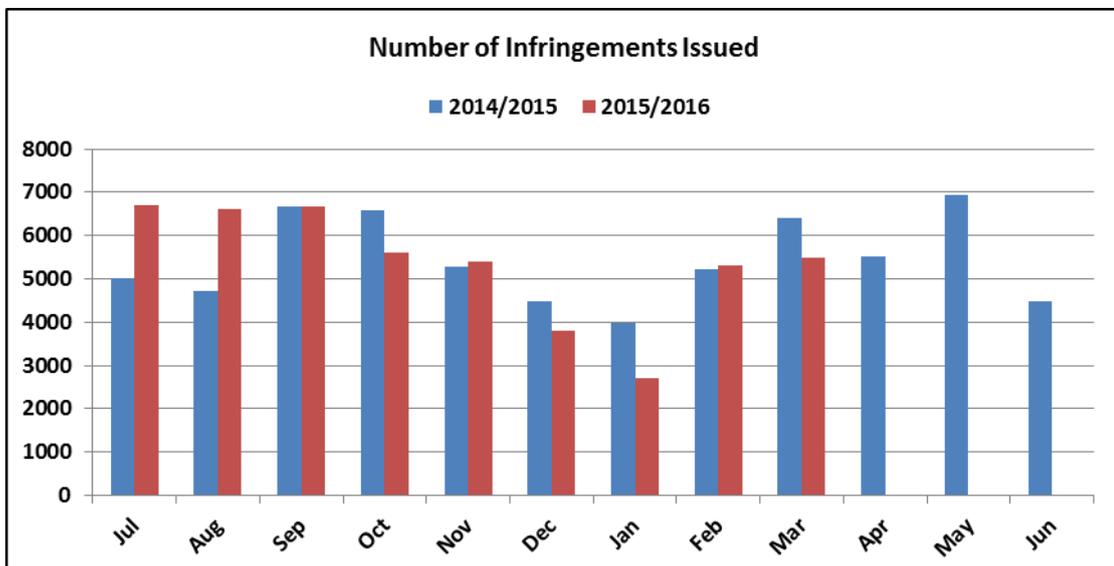
- 13 The increase in 'A' graded food premises over the quarter ending March 2016 is likely due to the new Food Act 2014 coming into force on 1 March 2016. Over 80% of Dunedin food premises are now operating under the new risk based management system, enabling them to implement higher food safety standards.



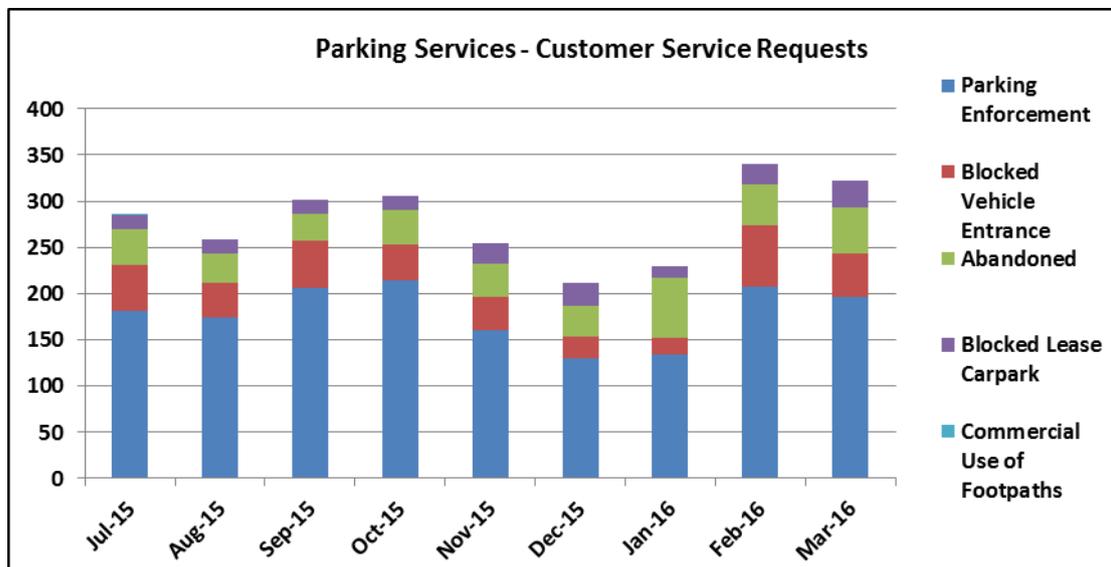
- 14 The number of Animal Services customer requests received over the quarter ending March 2016 was fairly consistent with the corresponding quarter of the previous year. Requests concerning animal behaviour received over March 2016 were lower than the corresponding month of the previous year. This could be due to the activity's emphasis on public messaging on safety around dogs.



- 15 Each year the number of parking infringements generally reduces over the Christmas and New Year period and increases through February and March. The number of infringements issued was slightly lower due to a staff vacancy and taking of leave.



- 16 Abandoned vehicle complaints were higher in the three months to 31 March 2016 than the corresponding period last year, with lower steel prices a likely factor. Blocked vehicle entrances have also accounted for a greater number of infringements, possibly as a result of greater awareness of the availability of enforcement following publicity about this issue.



**Major Initiatives**

- 17 **Second Generation District Plan (2GP)** – The 2GP programme moved from the submission to hearings stage. Council received submissions from 1,504 submitters covering some 10,917 submission points. The hearings panel, chaired by Commissioner David Collins, has completed the first three hearing topics.
- 18 **Central City Plan** - A confirmed Central City Plan project management structure is in place, allowing for the planning and consultation phase to move ahead once a programme manager is appointed. Council approved a revised commencement date for implementation of physical works and a budget for the programme manager during the Annual Plan deliberations to align with this new project management structure.
- 19 **Food Act** – Environmental Health is currently involved in the implementation of the Food Act, which came into effect on 1 March and has a transition phase over the next three years. Environmental Health recently achieved accreditation from the Ministry for Primary Industries for its quality management system following an on-site assessment, meaning Environmental Health can now verify National Programme food operators. Significantly, Dunedin is the first council to gain accreditation and the team will assist customers with the transition to the new requirements.

**Capital Projects**

- 20 No major capital projects are being undertaken across the Community and Planning or Regulatory Services groups.

**OPTIONS**

21 As this is an update report there are no options.

**NEXT STEPS**

22 A pilot of the use of Case Managers for customers wishing to start or develop small businesses which require interaction with a number of Council departments commenced in February and will conclude in July. Progress with the pilot has been promising with positive feedback from customers who have participated, however a full evaluation will be completed.

23 2GP hearings will continue with around one third scheduled to be completed by the end of June. The major topic will be the plan overview.

24 Central City Plan physical upgrade works will continue in the Warehouse Precinct, including a tender for amenity works in Jetty Street. Works in Bond Street and the area between Rattray Street and Liverpool Street are in planning and will be consulted on in mid-2016. Relationship building, information gathering, research, and consultation will be the focus for the Central City team to replicate the positive and collaborative outcomes achieved in the Warehouse Precinct.

**Signatories**

Author:	Bill Frewen - Senior Policy Analyst
Authoriser:	Simon Pickford - General Manager Services and Development

**Attachments**

There are no attachments for this report.

**SUMMARY OF CONSIDERATIONS**

***Fit with purpose of Local Government***

This report relates to providing a public service and it is considered good-quality and cost-effective.

***Fit with strategic framework***

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Other strategic projects/policies/plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Planning and Regulatory portfolio of activities support the outcomes of a number of strategies.

***Māori Impact Statement***

There are no known impacts for tangata whenua.

***Sustainability***

As an update report, there are no specific implications for sustainability.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

As an update report there are no implications for the LTP, although some measures are level of service performance measures annually reported as part of the LTP.

***Financial considerations***

The updates reported are within existing operating and capital budgets.

***Significance***

This decision is considered of low significance under the Significance and Engagement Policy.

***Engagement – external***

As an update report no external engagement has been undertaken.

***Engagement - internal***

As an update report no internal engagement has been undertaken.

***Risks: Legal / Health and Safety etc.***

There are no identified risks.

***Conflict of Interest***

There is no conflict of interest.

***Community Boards***

Not applicable.