

# **Draft Freedom Camping Bylaw Deliberations**

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<b>TO</b>	Thames-Coromandel District Council
<b>FROM</b>	Christine Tye - Strategic Planner & Policy Analyst
<b>DATE</b>	16 September 2014
<b>SUBJECT</b>	<b>Draft Freedom Camping Bylaw Deliberations</b>

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## **1 Purpose of Report**

To present a summary of all submissions received to the draft Freedom Camping Bylaw 2014 for Council's consideration, and to seek decisions on any changes to the draft bylaw before presentation for Council adoption.

## **2 Background**

The Council is required to comply with the Local Government Act 2002 (LGA02) in respect to the community consultation process for the adoption of the draft Freedom Camping Bylaw, which includes inviting submissions from the public and giving submitters a reasonable opportunity to be heard.

The High Court has recently delivered its decision on the judicial review of the current bylaw, the Freedom Camping Bylaw 2011 (NZMCA v TCDC CIV-2013-419-955 [2014] NZHC 2016). The decision is very helpful in assisting Council in reviewing the bylaw. It also requires Council to "forthwith to take the necessary statutory steps pursuant to s 156 of the Local Government Act 2002 to revoke Clauses 203.5 and 2003.5 of its Consolidated Bylaw". This process was underway when the decision was delivered, being included in the statement of proposal for the bylaw review.

## **3 Issue**

Submissions have been received to the draft Freedom Camping Bylaw 2014, and Council must now deliberate on the submission points and determine final content for a revised Freedom Camping Bylaw.

Staff have prepared a deliberations decisions paper to assist in this process, provided as **Attachment A**.

Three submissions were received on the proposed revocation of clauses 203.5 and 2003.5 of the Consolidated Bylaw.

## **4 Discussion**

During the submission period a total of 121 submissions were received, of which two submissions were late. A further seven forms were received with submitter details but no comment/submission. Staff have followed up with these submitters in case their submission was missing in error, and to date none of the affected submitters have forwarded any further information.

Council held a hearing on Tuesday, 26 August 2014 when submitters who wished to be heard spoke to their submissions.

To assist in decision-making, the submission points have been sorted into the following categories for consideration by Council.

- General approach to freedom camping
- Schedule One - Prohibited areas
- Schedule Two - Restricted areas
- Schedule Two - Restrictions
- Other
- Outside scope

Each category above includes a series of decision matters. Where possible submitter points have been combined into one decision matter, such as where submitters raise similar points that can be captured together.

For each decision matter within the above categories, the following is set out:

- Summary of submission comments
- Staff comment
- Staff recommendation
- Reason for recommendation

Each decision matter requires a Council decision and a reason for the decision.

The draft Freedom Camping Bylaw 2014 Statement of Proposal and Section 11 Analysis documentation has been provided separately for reference. Area reference numbers (e.g. 00X) are consistent across the documents and can be used to find applicable area documentation. Areas are generally presented in the documents by community board area, where appropriate to order.

## **5 Suggested Resolution(s)**

That the Thames-Coromandel District Council:

1. Receives the report.
2. Resolves that having considered all submissions and further hearing submissions from certain submitters on 26 August 2014 makes the decisions in regards to the draft Freedom Camping Bylaw 2014 and notes its reasons for those decisions in the deliberations decisions paper.
3. Directs staff to make changes arising from decisions made relating to the draft Freedom Camping Bylaw 2014, and present the revised draft Freedom Camping Bylaw 2014 to Council for adoption at its meeting on 22 October 2014.
4. Resolves to revoke clause 203.5 of the Council's Public Places Bylaw (Part 2 Public Places Bylaw 2004) in accordance with the requirements of the decision of the High Court (NZMCA v TCDC CIV-2013-419-955 [2014] NZHC 2016) and the Local Government Act 2002.
5. Resolves to revoke 2003.5 of the Council's Parking Control Bylaw (Part 20 Parking Control Bylaw 2004) in accordance with the requirements of the decision of the High Court (NZMCA v TCDC CIV-2013-419-955 [2014] NZHC 2016) and the Local Government Act 2002.
6. Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002.

## **References-Tabled/Agenda Attachments**

**Attachment A** *Draft Freedom Camping Bylaw 2014 Deliberations Decisions*

## **Draft Freedom Camping Bylaw 2014**

### **Deliberations Decisions**

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## **General Approach to Freedom Camping**

The submission form for the draft Freedom Camping Bylaw provided an open comment box and no set questions, therefore robust quantitative analysis has not been undertaken. A range of submission comments have been received, from general overall view to specific proposal matters and some outside the scope of the freedom camping bylaw.

As a brief summation of submissions, most submitters were supportive of reviewing the bylaw and taking a more permissive approach towards certified self-contained freedom campers. However, submitters tend to consider that the proposed draft bylaw is still too restrictive and want restrictions to be loosened, particularly by way of removing the summer prohibition, extending the departure time and maximum number of nights at an area, and increasing the maximum number of vehicles permitted at an area.

Reasons provided to support these changes include:

- a view that certified self-contained freedom campers are responsible and benefit the district's economy
- having freedom campers stay overnight in an area deters crime in the vicinity
- issues associated with freedom campers are not caused by freedom campers alone
- freedom campers of the certified self-contained type tend to be older retirees wanting to explore the area, therefore allow a later start time and opportunity of more than one night to explore an area and spend money locally.

Reasons provided for not supporting freedom camping and a more permissive approach include:

- concerns for the environment and an increase of existing issues
- a negative impact on local commercial accommodation providers and flow-on service providers
- access issues from a public and private property perspective
- that further analysis should be undertaken to consider issues and assess proposed areas for prohibition or restriction before any decisions are made.

Below are decision matters related to the bylaw approach overall - continuing the bylaw review process and revocation of clauses in the Council's Public Places Bylaw and Parking Control Bylaw. Also in this section are decision matters regarding the general approach for a district-wide restriction for certified self-contained freedom camping vehicles only, and general area types for freedom camping.

Refer to the full submissions as referenced throughout this report for all submitter comments provided.

### **1. Approach and continuing bylaw review process**

#### **Summary of submission comments**

Submitter comments in reference to general approach to freedom camping are summarised in Appendix 1 (at end of report). Note that some submitters did not provide a reason for their views.

#### *Undertaking further analysis*

Two submitters directly requested that Council undertake further analysis before any decision-making, those submitters being the NZMCA (#24) and Colin Day (#128). Note that the NZMCA submission recommends that Council defer any final decision on the draft bylaw until after the High Court has released its decision on the judicial review, of which occurred the day prior to hearing of submissions being 25 August 2014.

The NZMCA recommends further in-depth analysis be undertaken to ensure all restrictions and prohibitions are based on existing and not presumed problems, and are necessary, appropriate and proportionate in accordance with the Freedom Camping Act. In their submission the NZMCA refers to a number of proposed areas for prohibition or restriction as a 'non-exhaustive list offering a reasonable cross-section of the key issues'. Further, that they expect many of the issues would apply to other areas and therefore consider that these should be addressed across the board.

See the NZMCA full submission for further detail including issues identified for specific areas.

Colin Day (#128) considers that further research should be undertaken to ascertain where the problems really are before any changes are made, as freedom camping may not be the real problem.

#### **Staff comment**

Council has determined its approach to freedom camping and review of the freedom camping bylaw, as set out in the bylaw review determination report. Submitter comments indicate general support to this approach.

It is not considered necessary to completely re-visit the analysis undertaken to date, although Council may choose to do so.

The High Court decision on the judicial review indicates that the Council's approach to area assessments and how areas are therefore treated under the bylaw is acceptable. The High Court decision that was released subsequent to the NZMCA making its submission provides some guidance as to an appropriate response to the issues raised by the NZMCA.

Submission comments have been referenced and presented for decision in this report as considered appropriate. Regarding issues raised on particular proposed areas for prohibition or restriction, these have not been presented separately in all cases as the NZMCA iterate that the list is 'non-exhaustive' and should be addressed across the board. As expressed above, staff do not consider this necessary and unless a specific issue has been raised the areas are not re-presented for decision.

#### **Staff recommendation**

Continue the bylaw review process as set out in the bylaw review determination report.

#### **Reason for recommendation**

- Council has determined its approach to freedom camping and review of its current Freedom Camping Bylaw, as set out in the bylaw review determination report.
- Council is satisfied that the analysis undertaken to date is robust and it supports and informs the bylaw review process.

## **2. Revoke clauses in Public Places Bylaw and Parking Control Bylaw**

#### **Summary of submission comments**

The NZMCA (#24) - Supports revoking clause 203.5 of the Public Places Bylaw and clause 2003.5 of the Parking Control Bylaw.

Reasons -

- These bylaws are invalid (as argued in the recent judicial review), and the Council has acknowledged it wrongly assumed the LGA bylaws were automatically revoked once the Freedom Camping Act came into force. It is appropriate that Council now formally revoke the bylaws.

Dawn & Ron Walker (#36) - The bylaw clauses 203.5 and 2003.5 should not be revoked.

#### Reasons -

- Revoking these clauses will increase the current problem and numbers of freedom campers with regard to public health and safety, nuisance of fires on beach reserves, and economic disadvantage for local holiday parks and accommodation/tourist operators.
- TCDC needs to think seriously about the social, cultural, environmental and economic implications of more freedom camping.

Kelly Walker, Walker Electrotec Ltd (#38) - The current bylaw including clause 203.5 should remain in force.

#### Reasons -

- Freedom camping is a threat to our natural environment - rubbish and faecal matter left (particularly by non self-contained campers) are unsanitary and unsightly.
- Keeping the Coromandel clean in respect to rubbish and faecal matter is essential to maintaining our tourism trade.
- Freedom camping threatens tourism operators directly and bach owners indirectly (often bach owners rent out accommodation), and then also servicing businesses.
- The submitter owns an electrical business that services tourism operators and bach owners, and comments that getting a reputation as the 'once pristine now dirty and disgusting Coromandel' will negatively affect the disposable income available to hire contracting businesses. [Kelly Walker, #38]

#### Staff comment

A small number of submitters commented to the proposed revocation of clause 203.5 in the Council's Public Places Bylaw and clause 2003.5 in the Parking Control Bylaw. The NZMCA is understandably supportive, while others consider that revoking the clauses will increase current problems.

The High Court decision on the judicial review requires that Council formally revoke these clauses due to the conflict they created.

#### Staff recommendation

Revoke clause 203.5 of the Council's Public Places Bylaw and clause 2003.5 in the Parking Control Bylaw.

#### Reason for recommendation

- To ensure consistency with legislative requirements.
- To action High Court order.

### 3. District-wide restriction for certified self-contained only

#### Summary of submission comments

Six submitters supported/encouraged freedom camping for self-contained vehicles noting the benefits to businesses from this tourism activity including the reliance of some businesses on the tourism sector [Bruce Douglas (#13), Irene Wykes (#50), Dave Arts (#112), Arthur and Shirley Taylor (#94), G&J Baker (#62), Sheryl Cassidy (#70)].

Seven submitters supported allowing only self-contained vehicles for freedom camping on the basis that campers without toilet facilities leave behind litter and excrement in public places [Neville Sharpe (#14), Peter and Gloria McEntyre, Seabreeze Holiday Park (#37), Waikato Caravan Club (#39), Meryl Marks (#72), Arthur and Shirley Taylor (#94), Jane Beck (#84), G&J Baker (#62)].

Jane Beck requested that the restriction be amended for all local authority areas to read "...must be certified self-contained if there is no public toilet within 200m".

Three submitters supported restricting freedom camping to self-contained vehicles without a reason [Leslie Martin (#41), Peter Smale (#42), Allen and Janet Kerley (#99)].

Valerie Ackland, # 44 noted that self-contained campers were considered responsible, as they had taken the expense to be self-contained. Warren Doel (#55) supported self-contained vehicles because many freedom campers were responsible older persons with well-maintained vehicles. Owen Alloway (#47) noted standards need to be met, as penalties from the NZMCA can and do occur. Rick Crandell (#67) noted that RV, mobile homes and towed campers were least likely to offend.

#### **Staff comment**

Identified reasons in accordance with section 11 of the Freedom Camping Act for restricting the entire district to only allow certified self-contained freedom camping are still considered applicable.

The majority of submitters support this approach.

#### **Staff recommendation**

No change from proposed draft, that is freedom campers must be certified self-contained.

#### **Reason for recommendation**

- To protect the area and the health and safety of visitors, as set out in Section 11 Analysis documentation.

## **4. Types of areas for freedom camping**

A number of submitters have commented regarding general types of areas where freedom camping should or should not occur, and considerations for prohibited and restricted areas. Those comments are summarised below. Note that some submitters did not provide a reason for their views.

Seven submitters commented that freedom camping should only be allowed where there are facilities in particular public toilets [David Wight, #43; Pamela Read, #21; Jane Fleming, #108; Charleen Thorner, #98; Warren Doel, #55; Peter Smale, #42; Mark Alloway, #4].

Six submitters suggested that freedom camping be restricted to areas that were 'out of the way' therefore not highly visible to residents/travellers [Geoff Hawthorn, #28; Stephen Waite, #81; Stuart Morgans, #82; Olivia Quinnell, #92; Jane Hayes, #57; Trevor Hayes, #56].

Four submitters suggested that freedom camping should be kept away from commercial accommodation providers particular campgrounds noting that some freedom campers used the campgrounds' facilities without paying their way [Graeme Sturgeon, #9; Geoff Hawthorn, #28; Sheree Webster, #100; Caron Steffert, #87].

Two submitters requested that freedom camping areas not be in view of residents or block the view of residents/ratepayers as they had paid for that view in buying their property [Peter and Gloria McEntyre, #37; Gail Berry, #66].

There were mixed views on whether freedom camping should be within towns - Sharron Fisher, #123 considered freedom camping should be within walking distance of towns so campers could spend money there; Jane Fleming #108, Susan Martin #97, Stephen Waite, #81, Stuart Morgans, #82, and Olivia Quinnell, #92 did not want camping in residential streets and Edie Windsor, #17 did not support camping in town car parks or close to urban areas.

Two submitters noted their preference for no camping in sensitive areas on the Coromandel [Patricia Hishon, #127] and no camping at popular scenic reserves or parking areas [Steve Holehouse, #119].

Two submitters suggested lessening the proposed restrictions for self-contained vehicles allowing campers to either use laybys or beachfronts (including boat ramps) overnight [Colin Muter, #71; Glen Austin, #74].

### **Staff comment**

Consideration to areas for prohibition or restriction of freedom camping has been undertaken on a case by case basis, rather than a general area type approach. It is not considered necessary to change this approach.

Further staff comments are provided below in relation to general area types referred to in submissions - residential areas, picnic areas, in proximity to commercial accommodation, and areas with public facilities.

In review of submission points to proposed areas for prohibition or restriction there are a several identified areas of the same type that could be appropriate to be considered in a wider sense. These are presented further below, being boat ramps and launching areas, and Council office and library car parks.

#### *Residential areas*

Regarding comments to freedom camping in residential areas, the Freedom Camping Act allows for prohibition or restriction of an area to protect the area, the health and safety of visitors, and access to the area. It does not enable protection of matters such as property owner views.

The High Court decision on the judicial review indicates that a 'site specific' approach that could encompass general urban areas is acceptable (as in the current 2011 bylaw). This recognises the potential of problem migration.

In deciding to review the current Freedom Camping Bylaw, Council determined to take a more permissive approach and undertake further assessment of issues associated with freedom camping in specific areas around the district. That analysis was undertaken and has involved opening up a number of broad urban areas and prohibiting or restricting freedom camping in particular areas of concern.

Issues associated with freedom camping in residential areas may be able to be avoided by other approach decisions, such as availability of appropriate freedom camping areas and providing information about these areas. Further, other legislation allows for the control of matters such as behaviour and parking in residential areas.

#### *Picnic areas*

There are arguments for and against freedom camping in proximity to picnic areas. Such as proximity to facilities usually located at picnic areas including rubbish bins and public toilets enables protection of the area, while close proximity may impede access to the area for others.

Under the proposed draft bylaw there are picnic areas where freedom camping can occur. Where these are restricted areas, the restriction for freedom camping to occur only in designated areas enables the Council to determine where these designated areas are. This should be considered on a case by case basis and take into account matters such as proximity to any picnic area.

#### *In proximity to commercial accommodation*

In regards to freedom camping in proximity to commercial accommodation, the Freedom Camping Act does not enable protection of matters such as economic development or commercial interests.

Several submitters whom are commercial accommodation providers in the district have raised concerns about health and safety of their visitors due to behaviour of freedom campers. Such behaviour is identified as predominantly associated with non self-contained freedom campers, therefore instances as reported may decrease under the restriction to only allow certified self-contained freedom campers.

#### *Areas with public facilities*

The approach for a district-wide restriction that freedom campers must be certified self-contained means freedom campers must have their own facilities. Therefore it is not considered necessary that areas where freedom camping is allowed be limited to those with public facilities. Matters such as enforcement are to be considered separately as a subsequent decision matter in the report.

#### **Staff recommendation**

No change from proposed draft bylaw in regards to approach to area types in general. Areas for prohibition or restriction have been considered on a case by case basis.

#### **Reason for recommendation**

- In deciding to review the current Freedom Camping Bylaw Council decided to take a more permissive approach.
- Areas are being considered for prohibition or restriction in accordance with the Freedom Camping Act as set out in Section 11 Analysis documentation.
- Prohibition or restriction of areas must be in accordance with the Freedom Camping Act, which does not enable protection of matters such as protection of property owner views, economic development or commercial interests.
- For restricted areas, restriction of freedom camping to occur only in designated areas enables consideration of proximity to areas such as any picnic areas.
- A district-wide restriction that freedom campers must be certified self-contained means freedom campers must have their own facilities and do not need to rely on public facilities.
- A range of mechanisms are available to address issues associated with freedom camping.

## **5. Boat ramps and launching areas**

#### **Summary of submission comments**

Refer to comments to specific proposed areas for prohibition or restriction.

#### **Staff comment**

There are justifiable reasons for prohibiting freedom camping at boat ramp and launching areas, particularly to protect the health and safety of visitors and access to the areas.

Boat ramps and launching areas are used at various times, usually tide dependent. Therefore restriction to certain times is not considered appropriate. The nature of vehicle usage in these areas and being busy places poses health and safety concerns especially if freedom campers are included in the mix.

The proposed draft bylaw includes some boat ramp areas in the district as prohibited or restricted. It is considered appropriate to have a generally consistent district-wide approach to these areas as issues associated with freedom camping in boat ramp and launching areas are applicable generally.

Areas have been considered on a case by case basis and the boat ramp and launching areas identified are those of greatest concern and that are local authority area. Council may choose to include further applicable boat ramp or launching areas if considered necessary.

This decision affects subsequent decisions regarding proposed prohibited or restricted boat ramp and launching areas to which submissions have been received.

#### **Staff recommendation**

Prohibit all boat ramp and launching areas that have been included in the proposed draft bylaw. Some areas have been included as restricted and these will be amended to prohibited areas, unless reason justifies otherwise.

#### **Reason for recommendation**

- For consistent approach to boat ramp and launching areas where it is considered necessary to protect the area, the health and safety of visitors, and/or access to the area.

## **6. Freedom camping at Council office and library car parks**

#### **Summary of submission comments**

G Hawthorn (#28) - Instead of allowing freedom camping at Danby Field car park and Rhodes Park (Thames), designate TCDC and library car parks as permitted areas.

Reasons -

- Danby Field and Rhodes Park would be available for shoppers and sports enthusiasts when required, without overburdening enforcement costs.
- Current restrictions in place at Danby Field car park are completely ignored.
- Danby Field and Rhodes Park are in full view of the main road and freedom camping provides an eye sore, including campers breaching the liquor ban.
- With increasing use of the Hauraki Cycle Trail, Danby Field is the obvious stop for additional cars and buses who will require its use early morning and late night. Filling it up with campers will cause parking and safety issues elsewhere.
- Rhodes Park is the only available sailing area left near Thames after storms destroyed the Thames Blokart Club land sailing facility at the racecourse. As parks are maintained for recreation, they should be available for that.
- Given the need for Rhodes Park parking area for sporting events, not just Saturday rugby but also mid-week and tournaments, the cost of enforcing availability would appear to outweigh allowing freedom campers' access.

Mercury Bay Community Board (#46) - Extend the restricted area for TCDC Mercury Bay Area Office Car Park to include staff parking and the fire station parking area.

Reasons:

- To allow for control over freedom campers

Mercury Bay Area Office (#45) - For the TCDC Mercury Bay Area Office Car Park, ensure that only five car parks behind the community board rooms are marked for freedom camping.

Reasons:

- So the operational car park is not affected.

#### **Staff comment**

Council office and library car parks are local authority area and could be prohibited or restricted as considered necessary to protect access.

The Whangamata library and area office car park is included in the proposed draft bylaw as a prohibited area, and the Mercury Bay area office car park is a proposed restricted area with designated freedom camping at the rear. Reasons as set out in Section 11 Analysis documentation for these controls are still considered valid, being to protect access to the

areas.

The Thames office and library car park areas and the Coromandel office car park area are not included in the proposed draft bylaw for prohibition or restriction.

Council car park areas are generally reserved for employee use except as otherwise marked, however this is not currently controlled under a bylaw and is not enforceable. Under the Parking Control Bylaw there are time limits at some surrounding areas. The Thames library car park has some time limit parking, but not across the full area. This is a very busy space used for parking by various employees and library patrons.

If access is to be ensured at these areas, it would be appropriate to prohibit or restrict the areas. Further, Council car parks should be available at all times in the case of a civil defence emergency. Freedom camping in the areas may impede access in such instances.

The submission from Geoff Hawthorn (#28) on this topic is in reference to the Council office and library car parks in Thames - suggesting they be designated as alternative permitted freedom camping areas instead of Danby Field car park and Rhodes Park. No changes are recommended for proposed restricted areas at Danby Field car park or Rhodes Park (see decision matters for restricted areas - Thames Community Board area).

Regarding submissions from the Mercury Bay Community Board and Mercury Bay Area Office staff to ensure restricted designation for only five freedom camping vehicles at the Mercury Bay area office car park (proposed draft area 053), restrictions for designation and maximum number of vehicles are discussed in a subsequent section. In brief, it is proposed that designations for freedom camping within restricted areas be determined on a case by case basis with community boards, and the area size of designations will approximately determine the maximum number of vehicles. This is proposed as a subsequent decision-making process.

Regarding the Mercury Bay Community Board request to amend the Mercury Bay area office car park area to include the adjoining fire station car park, this is considered appropriate to protect access.

### **Staff recommendation**

Prohibit the Thames office and Coromandel area office park areas, and the Thames library car park area.

Amend the restricted area for Mercury Bay area office car park (proposed draft area reference 053) to include the fire station parking area.

### **Reason for recommendation**

- Council office and library car park areas have high use by employees and visitors, and freedom camping in the areas would impede access.
- These areas must be available for use at all times in the case of a civil defence emergency.
- Reasons as set out in Section 11 Analysis documentation are still valid in regards to Whangamata and Mercury Bay office areas.
- Amendment to area for Mercury Bay Area Office Car Park to protect access at the adjoining fire station parking area.

# Schedule One - Prohibited Areas

## THAMES COMMUNITY BOARD AREA

### 7. Extend prohibition area at Tararu Cultural Art Centre

#### Summary of submission comments

G Hawthorn (#28) - Extend the prohibited area at Tararu Cultural Art Centre Car Park to include grass area surrounding the car park.

Reasons:

- Restricting the prohibition to the car park ensures that people will camp in the area other than in the car park, meaning the soft lawn will be destroyed.

The NZMCA (#24) - If access issues exist then restrict freedom camping rather than prohibit, as the area is not popular at night.

#### Staff comment

The applicable area is referenced as proposed area 009 - Tararu Cultural Art Centre Car Park, Tararu. 600 Tararu Road, SH25.

Contrary to comment from the NZMCA, analysis indicates that this area is often used at night as a community facility, as set out in Section 11 Analysis documentation. The need to protect access at this small area justifies prohibiting freedom camping.

Points raised by Geoff Hawthorn (# 28) regarding area definition are reasonable concerns. Under the proposed area description that refers to the car park freedom camping could occur on the surrounding grass and cause damage to the area.

The area of Tararu Cultural Art Centre car park could be amended to include surrounding area for the reason to protect the area. The area could be extended to include all 600 Tararu Road (Council owned) as shown in Figure 1 below. This area is known as Tararu Cultural Art Centre Reserve.

Figure 1



**Staff recommendation**

Amend the prohibited area of Tararu Cultural Art Centre Car Park, Tararu (proposed area 009), to encompass surrounds as shown approximately in Figure 1 above and described as follows:

- Tararu Cultural Art Centre Reserve, Tararu  
600 Tararu Road

**Reason for recommendation**

- To protect the area.

**8. Extend prohibition area at Thames Sailing Club****Summary of submission comments**

G Hawthorn (#28) - Extend the prohibited area at Thames Sailing Club to include grass area surrounding the car parks.

Reasons:

- Restricting the prohibition to the car parks ensures that people will camp in the area other than in the car parks, meaning no access to the beach over the grass.
- Freedom campers already hide on the grass immediately in front of the Sailing Club buildings and under the Pohutukawa trees. The submitter has previously sent Council photos of clothes lines tied to the 'No Camping' sign in this area.

**Staff comment**

The applicable area is referenced as proposed area 010 - Thames Sailing Club Car Parks, Tararu. Formed car parks around the Thames Sailing Club, 701 Tararu Road SH25.

Points raised by the submitter are reasonable concerns. Under the proposed area description that refers to the car parks freedom camping could occur on the surrounding grass area. This could cause damage to area which includes Pohukukawa trees and sensitive beach and coastline that is also popular for birds.

There are currently bollards across some access ways, however vehicles can access the reserve through private property. Further bollards could be installed to deter further vehicle access as possible, however it is considered that large motorhomes as would be allowed to freedom camp in the district under the proposed bylaw could cause greater damage to the area than smaller day-tripper vehicles.

The area for Thames Sailing Club car parks could be amended to include surrounding area for reasons to protect the area and access to the area. If the area is extended to include all 701 Tararu Road (Council owned) this would include grass reserve area with beach access and the turning circle at the end of Prices Ave, as shown approximately in Figure 2 below. This area is known as Tararu Beachfront South Reserve.

Figure 2



### Staff recommendation

Amend the prohibited area of Thames Sailing Club Car Parks, Tararu, to the extended area encompassing surrounds as shown approximately in Figure 2 above and described as follows:

- Tararu Beachfront South Reserve, Tararu  
701 Tararu Road

### Reason for recommendation

- To protect further surrounding area and access to the area.

## 9. Prohibition along Thames Coast Highway

### Summary of submission comments

P Read (#21) - No freedom camping along Thames Coast Highway.

Reasons:

- This is a coastal highway of great visual beauty. Allowing buses / campervans to park on verges thereby restricting access and a view of the coastline lessens enjoyment for tourists and day trippers alike.
- The narrowness of the road and the restriction on vision is a safety concern.

### Staff comment

The State Highway is not local authority area (is not owned or managed by the Council) and therefore is not an area the Council can prohibit or restrict.

Areas off the Thames Coast Highway that are local authority areas have been considered for prohibition or restriction on a case by case basis, and there are some locations that are considered appropriate for freedom camping and a total prohibition across the area is not considered necessary.

### Staff recommendation

No change from proposed draft in regards to prohibition of Thames Coast Highway. Applicable local authority areas have been considered for prohibition or restriction on a case by case basis.

### Reason for recommendation

- The State Highway is not local authority area and therefore the Council cannot prohibit or restrict.

- Areas are being considered for prohibition or restriction in accordance with the Freedom Camping Act as set out in Section 11 Analysis documentation, including local authority area off the Thames Coast Highway.

## COROMANDEL-COLVILLE COMMUNITY BOARD AREA

### 10. Amend prohibition to restriction at Oamaru Bay, Colville

#### Summary of submission comments

B Peddie (#1) - Move the area of Oamaru Bay in Colville from prohibited to restricted with prohibition from 20 December to end of February and holiday weekends.

Reasons:

- There is not a problem with self-contained campervans in this place.
- In the low season this area is a beautiful place to park and spend the night.

#### Staff comment

The applicable area is referenced as proposed area 036 - Oamaru Bay, Colville.

Reasons as set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area, being to protect the area, are still considered valid justification.

#### Staff recommendation

No change from proposed draft.

#### Reason for recommendation

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.

### 11. Amend prohibition to restriction at Kikowhakarere Reserve, Coromandel

#### Summary of submission comments

B Peddie (#1) - Move the area of Kikowhakarere Reserve in Coromandel, from prohibited to restricted with prohibition from 20 December to end of February and holiday weekends.

Reasons :

- There is not a problem with self-contained campervans in this place.
- In the low season this area is a beautiful place to park and spend the night.

The NZMCA (#24) - Remove for Kikowhakarere Reserve from the prohibited list.

Reasons:

- Analysis suggests freedom campers may exacerbate negative environmental effects, however this is not quantified.
- Visitors are permitted to park in the area during the day for recreational purposes. It is difficult to argue that the presence of self-contained vehicles overnight will exacerbate environmental effects any more than day visitors would.

#### Staff comment

The applicable area is also known as Shelley Beach Reserve and is referenced as proposed area 037.

Reasons as set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area, being to protect the area, are still considered valid justification.

There is a motor camp nearby and therefore available area for camping.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.

**12. Amend prohibition to restriction at Otautu, Coromandel****Summary of submission comments**

B Peddie (#1) - Move the area of Otautu Wharf, Coromandel, from prohibited to restricted with prohibition from 20 December to end of February and holiday weekends.

Reasons:

- There is not a problem with self-contained campervans in this place.
- In the low season this area is a beautiful place to park and spend the night.

The NZMCA (#24) - Remove Otautu Wharf Road from the prohibited list.

Reasons:

- Analysis suggests freedom campers may exacerbate negative environmental effects, however this is not quantified.
- Visitors are permitted to park in the area during the day for recreational purposes. It is difficult to argue that the presence of self-contained vehicles overnight will exacerbate environmental effects any more than day visitors would.
- The NZMCA note that a commercial campground is located nearby.

**Staff comment**

The prohibited area at Otautu is referenced as proposed area 038 - All Otautu Wharf Road.

There is no Council prohibition or restriction proposed at Otautu Wharf as this is not local authority area.

Reasons as set out in Section 11 Analysis documentation for proposing prohibiting freedom camping along Otautu Wharf Road are still considered valid justification, being to protect the area that is pristine coastal environment.

**Staff recommendation**

No changes from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping along Otautu Wharf Road.
- Otautu Wharf is not local authority area and therefore Council cannot prohibit or restrict freedom camping at this location.

**13. Amend prohibition on Te Kouma Road including Hannafords Wharf****Summary of submission comments**

D Hughes (#19) - 1. Extend the Hannafords Wharf area in the form of a restricted area to cover a section of the foreshore road in front of the Hannaford family baches. The restriction should prohibit over the peak period. 2. Restrict the turning area at the end of Te Kouma Road at the entrance to the James farm.

Reasons: -

- During the peak summer holiday period this section of road is heavily used as parking for family and boating visitors.

- Outside the peak holiday times there is room for two campervans, but in the peak period the vans would most definitely not be welcome.
- Vans have parked here and made themselves very unpopular with boaties and sightseers attempting to turn.

#### **Staff comment**

The applicable areas are referenced as 028 (Hannafords Wharf) and 031 (129 to 317 Te Kouma Road).

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at these areas are still considered valid justifications.

The area referred to in submissions as the turning area at the end of Te Kouma Road is not included in the proposed area for prohibition. Submitter concerns are considered reasonable reasons for including the turning circle in the area description for prohibition to protect the health and safety of visitors and access to the area.

For ease of referencing it is considered appropriate to merge the two areas proposed as 028 and 031, with amendment to reference all Te Kouma Road to include the turning circle. This approach is consistent with feedback from submitters such as the NZMCA regarding combining maps where practicable.

#### **Staff recommendation**

Amend proposed areas for Hannafords Wharf and Te Kouma Road to be one prohibited area described as follows:

- Te Kouma Road and Hannafords Wharf, Coromandel  
All Te Kouma Road including Hannafords Wharf

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.
- Submitter concerns regarding area on Te Kouma Road not included in the proposed area are considered valid reasons to prohibit freedom camping.
- Combined area for ease of referencing.

## **14. Prohibition on Port Jackson Road, Coromandel**

#### **Summary of submission comments**

J Beck (#84) - Allow freedom camping on all Port Jackson Road.

Reason:

- This area should not be prohibited.

The NZMCA (#24) - Prohibit areas only where it is necessary to protect the area and access.

Reasons:

- Agree the road can be hazardous in some areas, however question whether this is an appropriate reason to create a bylaw and prohibit freedom camping.
- There is suitable freedom camping areas along this stretch of road.

#### **Staff comment**

The applicable area is referenced as proposed area 039 - All Port Jackson Road.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area, the health and safety of visitors, and access to the area.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.

**15. Prohibition on Fletcher Bay Road, Coromandel****Summary of submission comments**

J Beck (#84) - Allow freedom camping on all Fletcher Bay Road.

Reason:

- This area should not be prohibited.

**Staff comment**

The applicable area is referenced as proposed area 040 - All Fletcher Bay Road.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area, the health and safety of visitors, and access to the area.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.

**16. Prohibition on Kennedy Bay Road, Coromandel**

#84

**Summary of submission comments**

J Beck (#84) - Allow freedom camping on all Kennedy Bay Road.

Reason:

- This area should not be prohibited.

**Staff comment**

The applicable area is referenced as proposed area 044 - All Kennedy Bay Road.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the health and safety of visitors and access to the area.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibition of freedom camping at this area.

**17. Prohibition at Amodeo Bay boat launch area****Summary of submission comments**

T Wahlgren (#78) - Limit freedom camping at Amodeo Bay in Coromandel, especially at peak season.

Reason:

- Many local visitors park here after boat launch.

#### **Staff comment**

This decision will be guided by Council's approach to boat launch areas in general - discussed under 'general approach' matters.

The area of Amodeo Bay is not included in the proposed draft bylaw for prohibition or restriction. Being a boat launching area there is reason to protect the health and safety of visitors and access to the area.

It is considered appropriate to have a consistent approach to freedom camping at boat ramp and launching areas. Prohibition is considered most appropriate due to use of these areas being at various times, the type of vehicles at these areas in often limited space, and the potential for hazards to occur.

#### **Staff recommendation**

Prohibit freedom camping at Amodeo Bay boat launching area.

#### **Reason for recommendation**

- To protect the health and safety of visitors and access to the area.
- For consistent approach to boat ramp and launching areas where it is considered necessary to protect the area, the health and safety of visitors, and/or access to the area.

## MERCURY BAY COMMUNITY BOARD AREA

### **18. Amend prohibition at Buffalo Beach and Brophys (Ohuka) Beach Reserves**

#### **Summary of submission comments**

R&G Wilson (#5) - Change prohibit to restrict at Buffalo Beach and allow provision for up to 5 vehicles.

B Molloy (#60) - Prohibit freedom camping along Buffalo Beach, Whitianga.

V Ackland (#44) - Allow certified motor homes at Brophys Beach and Buffalo Beach.

Reason:

- To allow motor home owners to stay and explore the area.

G Berry (#66) - Do not allow freedom camping at Brophys Beach, Whitianga.

Reason:

- It is not just toileting - many campers brush their teeth then spit their toothpaste on the grass. This is the same area that dog owners are expected to pick up their dog's mess and their own. Yuk.

Mercury Bay CB (#45) - Prohibit Brophys Beach Reserve.

Reason:

- To protect access.

#### **Staff comment**

The applicable areas are referenced as proposed areas:

- 045 (prohibited) Buffalo Beach and Ohuka (Brohys) Beach Reserves, Whitianga beachfront reserves along Buffalo Beach and Ohuka (Brohys) Beach.
- 046 (restricted) Brohys Beach Reserve, Whitianga. Pull-over area opposite 166A Buffalo Beach Road near the public toilet.
- 047 (restricted) Formed Car Parks along Buffalo Beach Road, Whitianga. South from Halligan Road, SH25.

Area 046 (restricted at Brohys Beach pull-over area) is a sub-set of area 045 (prohibited at Buffalo Beach and Brohys Beach), while area 047 (formed car parks along Buffalo Beach Road) are on the 'boundary' of area 045 (Buffalo Beach and Brohys Beach). This could cause confusion and amendments are considered appropriate for clarification and ease of referencing.

Reasons for prohibition and restriction as set out in Section 11 Analysis documentation are still considered valid. Reasons for controlling freedom camping at Brohys Beach are in regards to protecting the area and access to the area. Concerns regarding the sensitive environment and access to the small pull-over area are now considered justification for prohibiting freedom camping at Brohys Beach.

#### **Staff recommendation**

Amend proposed areas for Buffalo Beach and Ohuka (Brohys) Beach to be described as follows:

- Buffalo Beach, Whitianga Beachfront - restriction to designated freedom camping.
- Brohys (Ohuka) Beach Reserve, Whitianga North SH25 - prohibition.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid.
- Restricted freedom camping could occur at Buffalo Beach, as proposed.
- Brohys Beach is a sensitive environment and has only a small pull-over area. Reasons for protection justify prohibiting freedom camping at the entire Brohys Beach Reserve area.
- Amendments to area referencing for clarification.

## **19. Prohibition of Hahei settlement**

#### **Summary of submission comments**

The NZMCA (#24) - Undertake further research / analysis into issues and prohibitions.

Reason:

- Prohibiting entire settlement areas (Hahei and Hot Water Beach) is inconsistent with the intent of the Act. The prohibited areas include land outside the Council's management and control. These areas are of high significance as tourist

S Holehouse (#119) - Strongly agrees that no freedom camping should be allowed anywhere in Hahei.

P Hishon (#127) - Supports Hahei settlement being a prohibited area. Include the area of the paper road along the side of the wastewater plant as prohibited.

#### **Staff comment**

The applicable area is referenced as proposed area 059 - Hahei settlement - all built-up area of Hahei and close surrounds.

Several submitters support the prohibition of Hahei settlement.

Reasons as set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area and

access to the area.

It is considered that the prohibited area should include the paper road alongside the wastewater plant, as this is the intended parking area for the Cathedral Cove shuttle bus and freedom camping could impede access for others.

The High Court decision on the judicial review indicates that a prohibition of the whole urban settlement area is acceptable. Also, that area definition used in the current 2011 bylaw that refers to urban area is also appropriate, that is meaning any location where the permanent speed limit is set at no more than 70 km/hr. Therefore a similar definition could be retained in this instance, and the paper road is included within the parameters of such a definition for Hahei.

### **Staff recommendation**

No change from proposed draft in regards to prohibition. Amend the area definition as follows:

- Hahei Settlement  
Within the Hahei urban area being at which point the permanent speed limit is set at no more than 70 km/hr.

### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area.
- Amendment to area definition for clarification, and to protect access to additional parking area where freedom camping may impede access for others.

## **20. Prohibition of Hot Water Beach settlement**

### **Summary of submission comments**

The NZMCA (#24) - Undertake further research / analysis into issues and prohibitions.

Reason:

- Prohibiting entire settlement areas (Hahei and Hot Water Beach) is inconsistent with the intent of the Act. The prohibited areas include land outside the Council's management and control. These areas are of high significance as tourist

T Knight (#31) - Fully approve Hot Water Beach as a prohibited area.

### **Staff comment**

The applicable area is referenced as proposed area 060 - Hot Water Beach settlement. All built-up area of Hot Water Beach and close surrounds.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area and access to the area.

The High Court decision on the judicial review indicates that a prohibition of the whole urban settlement area is acceptable. Also, that area definition used in the current 2011 bylaw that refers to urban area is also appropriate, that is meaning any location where the permanent speed limit is set at no more than 70 km/hr. Therefore a similar definition could be retained in this instance

### **Staff recommendation**

No change from proposed draft in regards to prohibition. Amend the area definition as follows:

- Hot Water Beach Settlement

Within the Hot Water Beach urban area being at which point the permanent speed limit is set at no more than 70 km/hr.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area.
- Amendment to area definition for clarification.

## **21. Prohibition at Otama**

#### **Summary of submission comments**

R & G Wilson (#5) - Consider making somewhere available for freedom camping at Otama.

#### **Staff comment**

Prohibited area at Otama is referenced as proposed area 065 - Otama Beach Reserve and Otama Beach Road.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area and access to the area. It is a sensitive environment with limited public parking available.

The prohibited area does not encompass all Otama, but covers local authority accessible areas. Much of the area at Otama is DOC land.

The mapped area needs amending to correctly identify the description.

#### **Staff recommendation**

No change to proposed draft in regards to being a prohibited area.

Amend the mapped area of Otama Beach Reserve and Otama Beach Road to correctly identify the description.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping at this area.
- Amendment to mapped area for accuracy and consistent referencing.

## **22. Prohibition at Opito Bay**

#### **Summary of submission comments**

R & G Wilson (#5) - Consider making somewhere available for freedom camping at Opito.

The NZMCA (#24) - Remove Opito Bay Road and associated reserves from the prohibited list.

Reason:

- Day visitors and boaties are permitted to park their vehicles (including tractors) and trailers in the area so it is difficult to argue prohibiting freedom camping vehicles is necessary to protect the area.

#### **Staff comment**

Prohibited area at Opito Bay is referenced as proposed area 066 - Opito Bay road and associated reserves, including Skippers Road Reserves, Jack Mills Reserve, Stewart Stream Reserve, Opito Bay Esplanade South.

As set out in Section 11 Analysis documentation, reasons for proposing prohibiting freedom

camping at this area relate to the sensitive environment, hazardous road access and limited public parking available.

The prohibited area does not encompass all Opito Bay, but does span the coast where uncontrolled freedom camping would most likely occur and could be most problematic. There could be some area within the prohibited area for restricted designated freedom camping, if Council wanted to allow this. However, any freedom camping should be limited and therefore designated capacity may not allow for multiple vehicles as several submitters have requested - see restriction for maximum number of vehicles for more detail.

#### **Staff recommendation**

Amend prohibition to restriction for designated freedom camping.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid to protect the area, the health and safety of visitors, and access to the area.
- Some restricted freedom camping could occur at designated sites.

### **23. Extend prohibition area at Whangapoua Beach**

#### **Summary of submission comments**

A & S Morgan (#30) - Prohibit freedom camping along the eastern end of Whangapoua Beach through to Whangapoua Wharf.

Reason:

- The area along Whangapoua Beach shows the western end of Whangapoua Beach only.

#### **Staff comment**

The applicable area is referenced as proposed area 071 - Meri Te Tai Reserve along Whangapoua Beach. Including areas known as William Mangakahia Lagoon Reserve and Pungapunga Island Reserve, and access ways.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area and access to the area.

The submitter's request to extend the area to include the eastern end of Whangapoua Beach is considered reasonable and reasons would be consistent with the Section 11 Analysis documentation for the area as proposed.

It is considered appropriate to extend the area along the beach to encompass Whangapoua Wharf and a further 200m to protect access to the area which is popular for boat trailer parking.

#### **Staff recommendation**

Amend the area of Meri Te Tai Reserve along Whangapoua Beach to be described as follows:

- Whangapoua Beach and Wharf including associated areas, Whangapoua. Including Meri Te Tai Reserve, areas known as William Mangakahia Lagoon Reserve and Pungapunga Island Reserve and access ways.

#### **Reason for recommendation**

- To protect the area and access to the area.
- Reasons as set out in Section 11 Analysis documentation for Meri Te Tai Reserve along Whangapoua Beach are considered relevant for all Whangapoua Beach and Wharf surrounds.

- Amendment to area referencing for clarification.

## TAIRUA-PAUANUI COMMUNITY BOARD AREA

### 24. Amend prohibition to restriction Sailors Grave, Tairua

#### Summary of submission comments

R & G Wilson (#5) - Consider allowing a limited number of freedom campers at some proposed prohibited areas, such as provision for up to two vehicles in Sailor's Grave car park.

Reasons:

- While proposals for the new bylaw are an improvement on the previous one it is apparent that Council is still employing a prohibitive approach by blocking out huge areas.
- Campervans overnighing in some areas provide a deterrent to unruly behaviour. This is why many golf and other clubs encourage overnight stays.

The NZMCA (#24) - Remove Sailors Grave, Te Karo Bay, from the prohibited list.

Reason:

- Analysis suggests prohibition is only necessary to control dogs owned by freedom campers. This issue is more appropriately managed under Dog Control bylaws.

#### Staff comment

The applicable area is referenced as proposed area 074 - Sailors Grave, Te Karo Bay.

Reasons as set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area. The area is near a DOC kiwi sanctuary that is being developed and this needs protecting.

The NZMCA questions the prohibition as the identified issue of dogs in the area is not only associated with freedom campers, and therefore should be addressed via the Dog Control Bylaw. While staff agree, the kiwi sanctuary area needs protecting from activities of visitors in general and prohibiting freedom camping in the area assists with this.

#### Staff recommendation

No change from proposed draft.

Consider prohibiting dogs at this area in review of the Council's Dog Control Policy and Bylaw.

#### Reason for recommendation

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area, being to protect the area.
- Issues are not solely associated with dogs as limiting human activity in the areas is considered appropriate to protect the sensitive habitat.
- The Council is currently reviewing its Dog Control Policy and Bylaw and timeframes enable this submission to be considered.

### 25. Amend prohibition to restriction at Kennedy Park, Pauanui

#### Summary of submission comments

S Peploe (#83) - Allow freedom camping at Kennedy Park, Pauanui.

Reason:

- This park has a toilet block and would appear suitable.

J & A Fryer (#18) - Consider the area of Kennedy Park in Pauanui as suitable for restricted freedom camping.

Reasons:

- The entrance off Kennedy Park Lane could be suitable for two vans but 'is a little rough'.
- The area at the end of the entrance off Vista Paku could be used if parking off the drive way.

The NZMCA (#24) - Remove Kennedy Park, Pauanui, from the prohibited list.

Reasons:

- It is not appropriate to prohibit freedom camping simply because a reserve management plan does. The section 11 test must still be met.
- It is illogical to suggest prohibition is necessary to protect the health and safety of visitors from treated wastewater when it is a sports field.

### **Staff comment**

The applicable area is referenced as proposed area 081 - Kennedy Park, Pauanui.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the health and safety of visitors due to the use of treated wastewater being used in the area.

### **Staff recommendation**

No change from proposed draft.

### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area.

## **26. Amend prohibition to restriction at Pleasant Point, Pauanui**

### **Summary of submission comments**

J & A Fryer (#18) - Consider the area of Pleasant Point Reserve as suitable for some freedom camping.

Reasons:

- The car park area overlooking the sea is suitable for a number of vans.
- There is evidence of vehicles and trailers parking here and it can be for sharing, not monopoly of locals.
- There is a public dump station on site.
- There appears to be room for some parking further down the drive, for two or three vans.

S Peploe (#83) - Allow freedom camping at Pleasant Point, Pauanui.

Reason:

- This reserve has a toilet block and would appear suitable.

L Wright (#77) - Supports prohibition at Pleasant Point Reserve and environs.

Reason:

- Reasons tabled previously to Council by way of a submission of some 60+ people who opposed the idea of freedom camping in this area.

**Staff comment**

The applicable area is referenced as proposed area 084 - Pleasant Point Reserve and Access Way, Pauanui.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect the area, the health and safety of visitors, and access to the area.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area.

**27. Amend prohibition to restriction at 91A Pauanui Boulevard****Summary of submission comments**

J & A Fryer (#18) - The area of 91A Pauanui Boulevard could allow three vans.

Reasons:

- The car park could easily be shared.
- Allow only three vans so to leave room for others to park and enjoy the park.

The NZMCA (#24) - Remove from 91A Pauanui Boulevard from the prohibited list. Restrict access over summer.

Reason:

- The area is suitable for freedom camping outside the busy season.

**Staff comment**

The applicable area is referenced as proposed area 085 - being 91A Pauanui Boulevard Pull-Over Area. Formed pull-over area at 91A Pauanui Boulevard adjacent to 96 and 94 Pauanui Boulevard.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting freedom camping at this area are still considered valid justification, being to protect access to the area which has limited space.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for prohibiting freedom camping in the area.

**28. Prohibition of Hikuai Hall Reserve Car Park****Summary of submission comments**

J & A Fryer (#18) consider that the Hikuai Hall Committee should be able to control what happens in the hall reserve and car park, and make the final decisions on who can use the area should the Council approve the area to be used for overnight camping.

**Staff comment**

The Hikuai Hall Reserve including the car park was not included in the proposed draft bylaw as a prohibited or restricted area.

There is no lease agreement with the hall Committee, therefore the Committee has no formal decision-making authority on use of the area. However, staff are aware that the hall Committee does not want freedom camping in the area of the hall.

The hall and therefore car park is frequently used, at times early in the morning and in evenings. Freedom camping in the area could cause access issues.

The Tairua-Pauanui Reserve Management Plan states no freedom camping in reserves, including the Hikuai Hall Reserve.

**Staff recommendation**

Prohibit freedom camping in the Hikuai Hall Reserve.

**Reason for recommendation**

- To protect access to the area.

## WHANGAMATA COMMUNITY BOARD AREA

### 29. Prohibition at Otahu Point Reserve, Whangamata

**Summary of submission comments**

G Webb (#48) - That the area of Otahu Point Reserve (Whangamata) be included in Schedule One as a prohibited area, or Schedule Two for restriction and be dealt with accordingly.

Reasons:

- The reserve carries a Waahi Tapu status and is an old burial ground for both Maori and Pakeha, and is deemed to be their urupa by Ngati Puu.
- Informal camper van parking has taken place in the area for years. Perhaps this could continue but tenting is contrary to the reserve status.
- The beach/estuary is extremely popular with family groups particularly when north east to easterly winds are blowing in the main beach.
- The adjoining sand spit is a significant nesting area for NZ Dotterel with dogs totally banned for part of the breeding season.

**Staff comment**

The area of Otahu Point Reserve in Whangamata is not included in the proposed draft for prohibition or restriction. However, submitter points raised are relevant particularly regarding the sensitive environment and the area being a significant dotterel nesting area.

It is considered appropriate to prohibit freedom camping in this area.

**Staff recommendation**

Prohibit freedom camping at Otahu Point Reserve, Whangamata.

**Reason for recommendation**

- To protect the area.

## **Schedule Two - Restricted Areas**

### THAMES COMMUNITY BOARD AREA

#### **30. Amend restriction to prohibition at Rhodes Park Reserves, Thames**

##### **Summary of submission comments**

G Hawthorn (#28) - Instead of allowing freedom camping at Danby Field car park and Rhodes Park (Thames), designate TCDC and library car parks as permitted areas.

Reasons:

- Rhodes Park would be available for shoppers and sports enthusiasts when required, without overburdening enforcement costs.
- Rhodes Park are in full view of the main road and freedom camping provides an eye sore, including campers breaching the liquor ban.
- Rhodes Park is the only available sailing area left near Thames after storms destroyed the Thames Blokart Club land sailing facility at the racecourse. As parks are maintained for recreation, they should be available for that.
- Given the need for Rhodes Park parking area for sporting events, not just Saturday rugby but also mid-week and tournaments, the cost of enforcing availability would appear to outweigh allowing freedom campers' access.

##### **Staff comment**

The applicable area is referenced as proposed area 003 - Rhodes Park Reserves, Thames. Ngati Maru Highway, SH25.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in this area are still considered valid justification, being to protect access to the area. If restricted to designated freedom camping then prohibition is not considered necessary in order to allow reasonable access for others.

##### **Staff recommendation**

No change from proposed draft regarding restricting freedom camping in this area.

##### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still considered valid justification for restricting freedom camping in the area.
- Designated freedom camping only will allow reasonable access for others.

#### **31. Amend restriction to prohibition at Danby Field Car Park, Thames**

##### **Summary of submission comments**

G Hawthorn (#28) - Instead of allowing freedom camping at Danby Field car park and Rhodes Park (Thames), designate TCDC and library car parks as permitted areas.

Reasons:

- Danby Field would be available for shoppers and sports enthusiasts when required, without overburdening enforcement costs.
- Current restrictions in place at Danby Field car park are completely ignored.
- Danby Field is in full view of the main road and freedom camping provides an eye sore, including campers breaching the liquor ban.
- With increasing use of the Hauraki Cycle Trail, Danby Field is the obvious stop for additional cars and buses who will require its use early morning and late night. Filling it up with campers will cause parking and safety issues elsewhere.

**Staff comment**

The applicable area is referenced as proposed area 004 - Danby Field Car Park and Entrance, Thames. Queen Street, SH25.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in this area are still considered valid justification, being to protect access to the area. If restricted to designated freedom camping then prohibition is not considered necessary in order to allow reasonable access for others.

**Staff recommendation**

No change from proposed draft regarding restricting freedom camping in this area.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still considered valid justification for restricting freedom camping in the area.
- Designated freedom camping only will allow reasonable access for others.

**32. Amend restriction to prohibition at Kuranui Bay Reserve****Summary of submission comments**

G Hawthorn (#28) - Make Kuranui Bay reserve in Thames a prohibited area.

Reasons:

- This is a dog exercise area extensively and frequently used by Thames residents.
- The BBQ facilities are extremely popular with locals and are regularly used for large gatherings.
- The car park area is small and during summer is regularly full with locals from just before daylight and in the evenings.
- The proposed three camper limit will fill the car park when eight meter motorhomes parallel park as they frequently do in this area. To make the area unavailable to locals is unfair.
- Proposed restrictions will not help as they would require 24/7 patrolling to enforce.

**Staff comment**

The applicable area is referenced as proposed area 008 - Kuranui Bay Reserve, Thames.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping at this area relate to access. The submitter expands on these reasons, such as the area being extremely popular for large gatherings and as an exercise area, and considers that freedom camping should be prohibited. Staff consider that there is reasonable reason for this amendment.

Note that if the area is to remain a restricted area then submitter comment (Jane Beck, #84) regarding restriction on maximum number of freedom camping vehicles would be relevant - this general restriction is discussed as a subsequent decision matter in this report.

**Staff recommendation**

Amend restriction to prohibition at Kuranui Bay Reserve, Thames.

**Reason for recommendation**

- To protect access to the area.

**33. Amend restriction to prohibition at Tararu Beachfront North Reserve**

**Summary of submission comments**

G Hawthorn (#28) - Make Tararu Beachfront North Reserve a prohibited area.

Reasons:

- The grassed area is very soft. Vehicles arriving at night will become stuck and make a mess.
- This area is immediately in front of and adjacent to a commercial accommodation provider (Sunset Motel). Allowing freedom camping in this area will affect the motel, such as trespassing and use of facilities.
- This area is used as Thames's only all tide access by recreational and commercial flounder fishermen. The last thing they need is to be hassled trying to launch and retrieve through campervans.
- To make this area suitable for freedom camping would involve huge ratepayer expense and there is no justification.

A McCartney (#113) - Make Tararu Beachfront North Reserve prohibited for freedom camping.

Reason:

- It has often been used by non-self-contained campers who defecate in the area. Even self-contained campers should not be allowed to stay overnight as it takes away the enjoyment for others wishing to use the reserve.

**Staff comment**

The applicable area is referenced as proposed area 011 - Tararu Beachfront North Reserve, Tararu. 1023 Tararu Road, SH25.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in this area are still considered valid justification. While submitter concerns are reasonable, if freedom camping is restricted to designated areas this could avoid potential problems occurring. Effect of freedom camping on commercial accommodation providers is not a reason able to justify prohibiting or restricting an area.

**Staff recommendation**

No change from proposed draft regarding restricting freedom camping in this area.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still considered valid justification for restricting freedom camping in the area.
- Designated freedom camping only will enable potential problems to be managed.

## MERCURY BAY COMMUNITY BOARD AREA

### 34. Amend restriction to prohibition at 42 Albert Street, Whitianga

Mercury Bay Community Board (#46) - Move the area of 42 Albert Street in Whitianga from a restricted area to a prohibited area.

Reason:

- This area will become an integral part of the CBD upgrade in future.

A Macassey-Pickard (#89) - Designate part of the 42 Albert Street site as appropriate for freedom camping, do not allow it across the entire site.

Valarie Ackland (# 44) asks that restrictions for Taylors Mistake (42 Albert Street) be amended to allow self-contained freedom campers to stay in the area between 6pm - 9am.

- Reason being that overnighers should be welcome.

#### Staff comment

The applicable area is also known as Taylors Mistake and is referenced as proposed area 049 - being 42 Albert Street Whitianga. Currently used as a boat trailer parking overflow area.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in the area are still considered valid justification, being protect the health and safety of visitors and access to the area.

There is considered reason to amend the area to prohibited. Although the CBD upgrade project is not yet underway, the area is used from time to time for events and throughout the summer for boat trailer parking, and freedom camping would impede access.

Amendment to the area description is considered appropriate to reference Taylors Mistake, as the area is commonly referred.

#### Staff recommendation

Amend restriction to prohibition, and the area to be described as follows:

- 42 Albert Street, Whitianga  
Otherwise known as Taylors Mistake

#### Reason for recommendation

- Amendment to prohibition of freedom camping to protect access.
- Amendment to area definition for clarification.

### 35. Restriction at Beachfront Reserves, Cooks Beach

#### Summary of submission comments

P Smale (#42) - Agree with allowing designated freedom camping at the Purangi Boat Ramp area.

P Smale (#42) - Allow designated freedom camping at Central Reserve in Cooks Beach, adjacent to toilets.

P Smale (#42) - Allow designated freedom camping at the Western Reserve (Cooks Beach) by Cooks Stream but some distance from the playground.

S Holehouse (#119) - In the area of Purangi Reserve, Cooks Beach, overnight stays should only be allowed on the overflow boat trailer land, as is the case at present. There should be

no campervans permitted to stay t the reserve itself (water front pine trees area).

Reasons:

- The reserve area should remain for families to picnic and enjoy the estuary.
- The area should not be allowed to mutate into a campground for all manner of large unwieldy campervans and the cheapo sleeper vans.

#### **Staff comment**

Applicable areas are referenced as proposed areas:

- 054 (prohibited) Central Reserve along Marine Parade, Cooks Beach. Coastal reserves along Marine Parade, 19 Banks Street.
- 055 (restricted) Purangi Reserve, Cooks Beach.

Reasons set out in Section 11 Analysis documentation for proposing prohibiting and restricting freedom camping at these areas are still considered valid. These reserve areas, and also the Western Reserve area, are sensitive coastal environments that are particularly popular in summer. The Purangi Reserve includes a boat ramp and parking area.

Submitters comment on the suitability of freedom camping at locations along the Beachfront Reserves, including Central Reserve, Western Reserve, and Purangi Reserve. Amendments could be made so as to have one restricted area that encompasses these reserves, with freedom camping to occur in designated areas only. It would be appropriate for the designated areas to be away from the boat ramp so as to avoid identified issues regarding access and health and safety concerns.

#### **Staff recommendation**

Amend proposed areas for Central Reserve and Purangi Reserve to include Western Reserve and be described as a restricted area as follows:

- Beachfront Reserve, Cooks Beach.

Apply restrictions for freedom camping within designated areas only, and any others as determined by subsequent decisions regarding restrictions.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for controlling freedom camping in the area.
- Amendments by way of extended area to protect the area, the health and safety of visitors and access to the area.
- The area includes a boat ramp and parking area, and freedom camping would impede access and pose health and safety concerns.
- Amendment to area definition for clarification.

### **36. Amend restriction to prohibition at Shakespeare Cliff, Cooks Beach**

#### **Summary of submission comments**

S Holehouse (#119) - No freedom camping at the Shakespeare Reserve upper and lower areas.

Reasons:

- The proposal to encourage large campervans to drive up to the Shakespeare reserve in the hope of securing one of the three spots available is just plain dangerous and irresponsible. The narrow gravel road is dangerous right now even when normal vehicles meet.
- The road and parking area would need to be made wider and tarsealed.
- The submitter questions the increased hazards and inconvenience for other users of the reserve, and the cost of maintenance and supervision to cater for just three campervans.

A Macassey-Pickard (#89) - Do not allow freedom camping at Shakespeare Cliff Reserve .

Reason:

- This area has high environmental value.

#### **Staff comment**

The applicable area is referenced as proposed area 056 - Shakespeare Cliff Reserve, Cooks Beach. Purangi Road.

Reasons set out in Section 11 Analysis documentation for restricting freedom camping in the area are still valid, being to protect the area, the health and safety of visitors, and access to the area.

However, submitter comments express reasonable concern for any freedom camping in the area, such as potential for hazards on the narrow road and access issues in the parking areas, and it is considered appropriate to amend the restriction to prohibition.

#### **Staff recommendation**

Amend restriction to prohibition at Shakespeare Cliff, Cooks Beach.

#### **Reason for recommendation**

- Reasons set out in Section 11 Analysis documentation for restricting freedom camping in the area are still valid.
- Staff agree with submitter concerns that give basis for amending restriction to prohibition to further protect the area, the health and safety of visitors, and access to the area.

### **37. Restriction at Flaxmill Bay, Ferry Landing, Front Beach**

#### **Summary of submission comments**

P Smale (#42) - Prohibit freedom camping in Flaxmill Bay, Front Beach and the Ferry Landing [Wharf] car park, and Ferry Landing Cemetery car park.

Reason:

- These areas are unsuitable for various reasons.

K Vernon (#2) - Include the following areas at Front Beach, Ferry Landing in Schedule 1 - Prohibited areas, to protect the area (e.g. natural character, endangered birds, vegetation), maintain public access, and health and safety:

- Bay View Place, Ferry Landing
- Purangi Road between the intersection with Panorama Ave and Flaxmill Bay
- All footpaths and road berm / verge areas associated with Purangi Road
- Public space at 1100 Purangi Road
- Public access ways to the beach
- The beach and associated esplanade reserve / public land

Reasons:

- These high access areas are heavily used by people visiting the beach, including many family groups and children.
- The beach is a nesting area for the endangered dotterel.
- Esplanade reserve areas should be left undisturbed to prevent erosion.
- There are no toilet facilities.

K Vernon (#2) - Include Flaxmill Bay Road and beach in Schedule 1 - Prohibited areas.

Reasons:

- Flaxmill Bay is a small but popular beach.
- There is a small toilet facility but limited space for public use including the manoeuvring and launching of boats. The area should not be taken up by freedom campers.
- The road is narrow with people crossing from housing and the campsite, so is not suitable for parking.
- Parts of the beach are nesting areas for the endangered dotterel.

K Vernon (#2) - Include Flaxmill Bay public land area between the road and beach to Schedule 2 - Restricted areas, with the following restrictions:

- Limit to one camp site (tent, vehicle, etc.)
- Designate the area close to the toilet facilities.
- One night only.
- Departure by 8am.

K Vernon (#2) - Include the entire Ferry Landing Settlement in Schedule 1 - Prohibited areas, except where areas are identified in Schedule 2 as restricted areas.

Reasons:

- Ferry Landing Settlement is similar to Hahei and Hot Water Beach - being small and coastal that sees an influx of people during summer and large numbers of holiday makers and tourists passing through.
- For consistency with approach for Hahei and Hot Water Beach being prohibited areas.

K Vernon (#2) - Remove Ferry Landing Cemetery Car Park from Schedule 2 - Restricted areas.

Reasons:

- This is not an appropriate place for freedom camping as there are no toilets, and it is the 'gateway' to the cemetery including areas where returned service personnel are buried. Allowing freedom camping in this area shows a lack of respect for the deceased.

K Vernon (#2) - Include Ferry Landing Wharf Car Park in Schedule 2 - Restricted areas.

Reasons:

- This is a better place for freedom camping (instead of Ferry Landing Cemetery Car Park) as the area is close to the toilet facilities.
- The restrictions of departure by 8am and a limit to four marked spaces would mean there would be little or no impact on people using the ferry service.

**Staff comment**

The applicable areas are referenced as proposed areas:

- 057 (prohibited) Ferry Landing Wharf Car Parking Areas, Whitianga. Formed car park at the end of Ferry Landing Road, where the ferry docks. Formed car parks along Ferry Landing Road and Purangi Road.
- 058 (restricted) Ferry Landing Cemetery Car Park. Formed car park at 1140 Purangi Road.

Reasons for prohibition and restriction set out in Section 11 Analysis documentation are still considered valid. These relate to access in the small areas.

Submitters make further reasonable points regarding these areas and surrounds, in that they are small 'destination' areas heavily populated in summer and not dissimilar to Hahei and Hot Water Beach where freedom camping is prohibited, narrow roads are hazardous especially when busy, the sensitive coastlines are prone to erosion in places, and there are nesting areas for the endangered dotterel. Further, that the Ferry Landing Cemetery car park should be a prohibited area due to the nature of the area and in respect and to ensure access for proceedings that occur there.

Staff consider that submission points give reason to make area amendments to create one restricted area that would encompass Ferry Landing, Front Beach and Flaxmill Bay, and permit restricted freedom camping in designated areas only. Such designations should be at the Ferry Landing Wharf Car Park (as proposed) and at Flaxmill Bay near the public toilets. However, such designation should be determined with the Mercury Bay Community Board in a subsequent process (discussed in decision matter regarding restriction for designated areas and maximum number of vehicles).

The area definition should be consistent with the recommended amended approach for Hahei and Hot Water Beach relating to the area within speed limit signs, as the High Court decision on the judicial review indicates that such a definition is acceptable.

**Staff recommendation**

Amend proposed areas for Flaxmill Bay and Ferry Landing to include surrounds and to be described as a restricted area as follows:

- Flaxmill Bay, Ferry Landing, and Front Beach; Mercury Bay.  
Within the urban areas being at which point the permanent speed limit is set at no more than 70 km/hr.

Apply restrictions for freedom camping within designated areas only and any other restrictions as determined by subsequent decisions regarding restrictions.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are still valid justification for restricting freedom camping in the wider area.
- Amendments by way of extended area to protect the area, the health and safety of visitors and access to the area.
- Amendment to area definition for clarification.

### 38. Amend area description for Pull-Over Area at Quarry Point, Kuaotunu

#### Summary of submission comments

Mercury Bay Community Board (#46) - Amend the area description for Pull-Over Area East of Quarry Point Boat Ramp in Kuaotunu from 'east' to 'west'.

Reason:

- This is an error in reference.

A & S Morgan (#30) - The pull-over area east of Quarry Point Boat Ramp (Kuaotunu) should not be a restricted area.

Reasons:

- This will be a distraction for motorists passing as it is a small pull-over areas very close to the state highway which has no trees or natural landscape to screen the area.
- The area is adjacent to a change of speed zone where motorists are already focused on slowing or speeding up.
- This area is used by walkers as there is no footpath connecting the east and west ends of Kuaotunu. Having an unlimited number of freedom campers will force people to walk on the state highway which is not appropriate.

C Tegg (#120) - The existing freedom camping area in Kuaotunu should be retained.

Reasons:

- It is metalled, access is reasonable easy and the size of the area makes limiting the number of motorhomes / caravans to overnight easy to control.
- This location would allow for freedom camping 12 months of the year as very little other traffic use this spot.
- This location would make enforcement by bylaw officers much easier.

C Tegg (#120) - Do not allow freedom camping at the reserve area in Kuaotunu opposite Grant and Judith Simpsons property (as referred to in bylaw being pull-over area east of the Quarry Point Boat Ramp, area 062).

Reasons:

- The proposed reserve area would require some upgrading to allow ease of entry and exit.
- The area is currently regularly used for overflow parking for boat trailers and some restrictions of this would need to be enforced if freedom camping is permitted here.

C Tegg (#120) - As an alternative to allowing freedom camping at area 062, allow a limited number of freedom campers in a dedicated area on the reserve by the Kuaotunu tennis courts.

Reason:

- Access is easy and public toilets are easily accessed.

J DeLellis (#116) - Re-consider areas in Kuaotunu.

Reasons:

- There is a campground just down the road.
- When there are more than two self-contained vehicles parked on the reserve there is no room for locals to visit the area.

**Staff comment**

The applicable area is references as proposed area 062 - Pull-Over Area 'East' of Quarry Point Boat Ramp, Kuaotunu.

The reference to 'east' is an error and should be amended to 'west'.

Reasons set out in Section 11 Analysis documentation are still considered valid justification for restricting freedom camping in the area, being to protect the area, the health and safety of visitors and access to the area.

While reasons set out in Section 11 Analysis documentation are still valid, submissions support amending restriction to prohibition at this area particularly as it is regularly used as overflow parking for boat trailers and freedom camping would impede access.

As this area is used for boat trailer parking, applying a consistent approach as for boat ramps and launching areas is relevant. Prohibition is considered most appropriate due to use of these areas being at various times, the type of vehicles at these areas in often limited space, and the potential for hazards to occur.

**Staff recommendation**

Amend area description to reference 'west' instead of 'east'. Amend restriction to prohibition of freedom camping at this area.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are valid to protect the area, the health and safety of visitors, and access to the area.
- Submissions give reason to amend restriction to prohibition.
- This area is often used as overflow parking for boat trailer parking, and therefore should have consistency in approach to boat ramp and launching areas where it is considered necessary to protect the area, the health and safety of visitors, and/or access to the area.

**39. Amend restriction to prohibition at Quarry Point Boat Ramp, Kuaotunu****Summary of submission comments**

Mercury Bay Community Board (#46) - Move the area of Quarry Point Boat Ramp in Kuaotunu (063) from a restricted area to a prohibited area.

Reasons:

- This area should never have been included as previous discussions were held.

R & G Wilson (#5) - Do not allow vans to part at Kuaotunu Quarry Point Boat Ramp parking area. Instead, consider making spaces available close to the tennis court car park and toilets and/or picnic area past Kuaotunu shop.

Reason:

- There are likely to be clashes with boaties.

C Tegg (#120) - Do not allow freedom camping at the Kuaotunu Boat Ramp car park.

Reasons:

- This area is not suitable as the size of the car/trailer park would encourage flouting of the rules.
- The ramp is very busy all year round, and opening this area up to freedom camping could result in a lot of frayed tempers and possible confrontations.
- Boat trailer parking in this area is overcrowded regularly with the overflow vehicles and trailers parking along the edge of State Highway 25 which creates its own issues of safety.

C Holmes (#54) - Do not allow freedom camping at Kuaotunu boat ramp.

Reasons:

- A lot of people that are keen fishermen leave the ramp as early as 5am.
- Even out of the proposed dates this ramp gets very congested with cars and boat trailers.
- There is an excellent area that could be used by the Kuaotunu store on the reserve where at least six motorhomes could park up without being a hindrance to anyone.

J DeLellis (#116) - Re-consider areas in Kuaotunu.

Reasons:

- There is a campground just down the road.
- When there are more than two self-contained vehicles parked on the reserve there is no room for locals to visit the area.

### **Staff comment**

The applicable area is referenced as proposed area 063 - Quarry Point Boat Ramp, Kuaotunu.

This decision will be guided by Council's approach to boat launch areas in general - discussed under 'general approach' matters.

While reasons set out in Section 11 Analysis documentation for restricting the area are still valid, submissions support amending restriction to prohibition at this area as it is a busy boat ramp and freedom camping could cause access and health and safety issues.

It is considered appropriate to have a consistent approach to freedom camping at boat ramp and launching areas. Prohibition is considered most appropriate due to use of these areas being at various times, the type of vehicles at these areas in often limited space, and the potential for hazards to occur.

### **Staff recommendation**

Amend restriction to prohibition at Quarry Point Boat Ramp, Kuaotunu.

### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are valid to protect the health and safety of visitors and access to the area.
- Submissions give reason to amend restriction to prohibition.
- For consistency in approach to boat ramp and launching areas where it is considered necessary to protect the area, the health and safety of visitors, and/or access to the area.

## **40. Amend area description for Omaro Boat Ramp Reserve, Matarangi**

### **Summary of submission comments**

Mercury Bay Community Board (#46) - Amend the area description for Omaro Boat Ramp Reserve in Matarangi to correct spelling (should be Omara) and remove the line 'Boat launch area at the end of Kenwood Drive'.

Reasons:

- For correct reference to the area.

**Staff comment**

The applicable area is referenced as proposed area 069 - Omaro Boat Ramp Reserve, Matarangi. Boat launch area at the end of Kenwood Drive.

The area definition should be amended as requested, for correct referencing and clarification.

**Staff recommendation**

Amend area definition to be described as follows:

- Omara Boat Ramp Reserve, Matarangi.

**Reason for recommendation**

- For correct referencing and clarification.

**41. Amend restriction to prohibition at Egans Park Reserve**

**Summary of submission comments**

A Macassey-Pickard (#89) - Do not allow freedom camping at Egans Park Reserve.

Reason:

- This area has high environmental value.

**Staff comment**

The applicable area is referenced as proposed area 072 - Egans park Reserve on the 309 Road, Kaimarama.

Reasons set out in Section 11 Analysis documentation for proposing restricted freedom camping at this area are still considered valid justification, being to protect access to the area.

Although this is a small area, staff consider that allowing freedom camping in designated areas only would be appropriate and enable issues regarding access, and submitter concerns for the environment, to be managed.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are valid justification for restricting freedom camping at this area.
- Restricting freedom camping to designated areas only would enable identified issues to be managed.

## TAIRUA-PAUANUI COMMUNITY BOARD AREA

### 42. Restriction at Paku Drive, Tairua

#### Summary of submission comments

Tairua-Pauanui Community Board (#27) - Include the area of Paku Drive car park in Tairua as a restricted area - formed car parks opposite the Tairua Surf Life Saving Club. Restrictions to be: vehicles to freedom camp only in the identified formed car parks near the toilet block, maximum of four vehicles, maximum one night stay, departure by 8am.

Reason:

- This existing restricted area was omitted from the draft bylaw.

#### Staff comment

The applicable area has not been included in the proposed draft bylaw. However, as the parking area being referred to is currently used for freedom camping and it is an area Tairua-Pauanui Community Board approves, it should be included as a restricted area.

Restriction particularly to designated freedom camping only is considered necessary to manage access issues, as the area around the Tairua Surf Life Saving Club becomes very busy at times especially during summer.

#### Staff recommendation

Restrict freedom camping in the area described as follows:

- Paku Drive, Tairua  
Formed car parks opposite Tairua Surf Life Saving Club, Tairua

Apply a restriction for freedom camping within designated area only, and any others as determined by subsequent decisions regarding restrictions.

#### Reason for recommendation

- To protect access to the area.

### 43. Restriction at Pauanui areas

#### Summary of submission comments

The Pauanui Community Office (# 6) considers that freedom camping should not be allowed in any areas in Pauanui proposed as restricted areas. They considers that if freedom camping is to be permitted in Paunau then it must be designed for in future. Further, that members of the Ratepayer Association are overwhelmingly opposed to any freedom camping in Paunau and that decisions regarding freedom camping should be made at the community board level by residents and ratepayers. Refer to the full submission for further detail and reasons provided, including a list of issues considered to be associated with freedom camping in Paunau.

J & A Fryer (#18) make general comments to several areas in Pauanui regarding suitability for freedom camping. Some of these areas are included in the proposed draft bylaw for prohibition or restriction and others are not. Comments to proposed prohibited areas have been referenced to those decision matters in the earlier 'prohibited areas' section. Further areas commented on are listed in the table below with staff comment, with the exception of Gallagher Park Lane (proposed area 086) which is presented as a separate decision matter due to the number of submissions received in relation to the area.

#### Staff comment

Concerns raised by the Pauanui Community Office representing the Ratepayer Association are generally consistent with concerns regarding freedom camping across the district and

particularly in urban areas.

In review of the Freedom Camping Bylaw Council has determined to take a more permissive approach. This has involved considering areas within Pauanui for prohibition or restriction on a case by case basis rather than prohibition or restriction across the whole area. Staff consider that the revised approach is still appropriate.

Areas that J & A Fryer (#18) comment on are set out below. As noted earlier, areas in Pauanui have been considered on a case by case basis. Where it is considered necessary to prohibit or restrict freedom camping these areas have been included in the proposed draft bylaw and reasons set out in Section 11 Analysis documentation are still considered valid.

Area and submitter comment	Staff comment
<p>Ajax Head</p> <ul style="list-style-type: none"> <li>• Not suitable for freedom camping.</li> <li>• The area is too close to children's swings and play equipment and would not be a 'good mix'.</li> </ul>	<ul style="list-style-type: none"> <li>• This reserve area has not been proposed for prohibition or restriction.</li> <li>• It is near the Waterways Parade car parks (proposed as restricted area # 078).</li> </ul>
<p>Beaumont Green</p> <ul style="list-style-type: none"> <li>• The area has no immediate hard areas but could accommodate several vehicles parked parallel to the road on the reserve edge, and restricted to three vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>• This reserve area has not been proposed for prohibition or restriction.</li> </ul>
<p>Chelmsford Court</p> <ul style="list-style-type: none"> <li>• This area could 'easily' accommodate two or three vehicles under the trees and several on road reserve, without impeding traffic or children playing.</li> </ul>	<ul style="list-style-type: none"> <li>• This reserve area has not been proposed for prohibition or restriction.</li> </ul>
<p>Given Grove</p> <ul style="list-style-type: none"> <li>• There is children's play equipment on the grass area and parked vans could create a safety issue.</li> <li>• There is 'plenty of space' around the roadway as road reserve that could be used and could accommodate five or six vans.</li> </ul>	<ul style="list-style-type: none"> <li>• This area has not been proposed for prohibition or restriction.</li> </ul>
<p>Parsons Dell</p> <ul style="list-style-type: none"> <li>• This area could be good for three or four vans under the trees although there is very little flat ground.</li> </ul>	<ul style="list-style-type: none"> <li>• This area has not been proposed for prohibition or restriction.</li> </ul>

<b>Area and submitter comment</b>	<b>Staff comment</b>
<p>1 Courtney Place, Pauanui Beach Front</p> <ul style="list-style-type: none"> <li>Cars can get between the trees in several places.</li> <li>The area appears possibly little used by children as the play area has no swings and is too close to the road for safety.</li> </ul>	<ul style="list-style-type: none"> <li>This reserve area has not been proposed for prohibition or restriction.</li> </ul>
<p>Lowe Park, Pauanui Beach Front</p> <ul style="list-style-type: none"> <li>There are several possible areas for three vans under trees at the entrance.</li> <li>There are areas for four vans to the north on the outside of the oval.</li> </ul>	<ul style="list-style-type: none"> <li>This reserve area has not been proposed for prohibition or restriction.</li> </ul>
<p>Pauanui Surf Club</p> <ul style="list-style-type: none"> <li>This is an ideal area for up to 10 vans, but as the gates close at night this is currently not possible.</li> </ul>	<ul style="list-style-type: none"> <li>This reserve area has not been proposed for prohibition or restriction.</li> <li>The gates are locked at night to stop vehicles.</li> </ul>
<p>South End, Paunau Beach Front</p> <ul style="list-style-type: none"> <li>This area has plenty of space to accommodate five vans.</li> </ul>	<ul style="list-style-type: none"> <li>This reserve area has been proposed for restriction as area 082 - South End Reserves. Formed car park on south side, 51 Pauanui Beach Road.</li> </ul>
<p>Royal Billy Point Reserve</p> <ul style="list-style-type: none"> <li>The car park area overlooking the inner harbour should be shared with local use and allow for two for three vans.</li> <li>The car park overlooking the ocean would take three vans without impinging on other recreational users.</li> </ul>	<ul style="list-style-type: none"> <li>This area has been proposed for restriction as area 083 - Royal Billy Point Reserve, 1A Vista Paku and 110 Tangiatori Lane.</li> </ul>
<p>Tangiatori Lane</p> <ul style="list-style-type: none"> <li>There is suitable area on the car park and grassed area for two or three vans.</li> </ul>	<ul style="list-style-type: none"> <li>110 Tangiatori Lane has been proposed for restriction within area 083 - Royal Billy Point Reserve, 1A Vista Paku and 110 Tangiatori Lane (noted above).</li> </ul>
<p>Brodie Lane</p> <ul style="list-style-type: none"> <li>The area at the end looking out to sea is good for two vans, but would have to compete with locals and their trailers.</li> </ul>	<ul style="list-style-type: none"> <li>This area has not been proposed for prohibition or restriction.</li> <li>The area goes into Tangiatori Lane.</li> </ul>
<p>Dunlop Drive</p> <ul style="list-style-type: none"> <li>The car par area looking out to sea is good for two or three vans.</li> </ul>	<ul style="list-style-type: none"> <li>This area has not been proposed for prohibition or restriction.</li> </ul>

**Staff recommendation**

No change from proposed draft.



### Reason for recommendation

- Council has determined to take a more permissive approach to freedom camping in the district, including in Paunau.
- Areas have been considered for prohibition or restriction on a case by case basis.
- Area analysis as set out in Section 11 Analysis documentation is still valid.

## 44. Amend restriction to prohibition at Gallagher Park Lane, Paunau

### Summary of submission comments

Tairua-Paunau Community Board (#27) - The area of Gallagher Park Lane, Paunau should be prohibited.

Reason:

- There are issues with property access in the area.

W & H Hartson (#29) - The area of Gallagher Park Lane, Paunau, should be prohibited.

- There are access issues with limited parking for residents and users of the park including tennis court.
- There are no public toilets, water supply or adequate rubbish facilities at Gallagher Park Lane or Gallagher Park.
- The lack of facilities and parking requirements of ratepayers makes the area completely unsuitable for freedom camping at any time of the year.

S Waite (#81), S Morgans (#82) & O Quinnell (#92) - Do not allow freedom camping at Gallagher Park Lane, Paunau.

Reasons:

- The submitters own property in this area as do friends. Allowing freedom campers here will bring an influx of undesirable behaviour which is inappropriate and a significant health and safety risk.
- There are no public facilities which will lead to freeloading off the residents.
- It has been a well-publicised issue that where freedom campers are situated there is a problem with public defecation - a significant health risk especially with a spot frequented by young children.
- The park is a wonderful spot greatly enjoyed by young children and their families, that will be overrun with freedom campers and their undesirable behaviour and taking up the five available spaces for families and individuals wanting to use the park.
- Gallagher Park Lane is a quiet, dead-end street and there will be significant loss of privacy. Many of properties have no fence.

S Peplow (#83) - Do not allow freedom camping at Gallagher Park Lane, Paunau.

Reasons:

- There are no toilets in the park or nearby.
- The area is the only area in Paunau where it is proposed that freedom campers can camp over the busy holiday period. The car park is already overflowing with ratepayers' and holidaymakers' vehicles and boats. There will be no room for two freedom camper vans.
- This is a residential street with only a tiny area bordering the park. It is not suitable for freedom parking at any time of the year.
- Freedom camping in the area is not consistent with feedback from the 2013 survey for types of areas where freedom camping should and should not be allowed.
- For reasons quoted by Mayor Glenn Leach such as the problem of human waste and rubbish left behind.

D Jackson (#85) - Do not allow freedom camping at Gallagher Park Lane.

Reasons:

- The quiet street and family atmosphere that attracted ratepayers in the first place will be destroyed and replaced by a road full of busy traffic, rubbish and noise.

G Frear (#88) - Make Gallagher Park Lane a prohibited area.

Reasons:

- There are no public bathrooms or water in reach for campers that could mean they then find local sources in surrounding properties.
- It could take away the access to Gallagher Park for children who regularly use the flying fox.
- It could cause risk for children who are often in the park unsupervised.
- Gallagher Park Lane already has limited parking, especially during the summer months when it is extremely full due to the popularity of the park.
- Freedom campers will take valuable parking space for the community and therefore people may start parking on the submitter's property.
- Freedom campers parked within a few meters of the submitter's property would be a concern as the submitter is a young female who regularly stays with friends and would feel unsafe. They currently choose to go to Pauanui because it is a safe environment and would not like this to change.

D Frear (#95) - Do not allow freedom camping at Gallagher Park Lane in Pauanui.

Reasons:

- There are no toilet or water facilities.
- There will be a loss of enjoyment for nearby property owners.
- There will be a loss of privacy due to car parks being close to properties.
- Families who own real estate in Pauanui drive to the car and use the car spaces to take their children to the flying fox.
- There is already a loss of parks due to new development.
- Gallagher Park Lane is a very small street and there will be a large impact with two campervans taking up space.
- The submitter's property boundary is against the car parks and there is concern that their property will be invaded with people attempting to use their water sources.
- If the proposal goes ahead it will leave a very bad taste in the mouths of people who pay good money to have peace and quiet in their summer homes.

A Frear (#104) - Do not allow any freedom camping at Gallagher Park Lane.

Reasons:

- This is a very small road and there would be a big impact on the parking available.
- The road is already busy in summer with residents' and visitors cars, and cars with children to use the flying fox.
- The submitter's property is only metres from the specified parks and this would impact on their peace, enjoyment and privacy, and sense of safety especially as they have young women who are feeling very vulnerable with the possibility of strangers camping close by if they are staying at the property alone.
- There is already a loss of car parks due to the new development of the previous tennis courts.
- The flying fox is close to the entrance into Gallagher Park Lane and is used heavily by children accompanied and unaccompanied, and is in non-stop use in summer months. The safe view of the road would be impeded and would impact on children safety.
- There are no toilet facilities and therefore a risk particularly for young children and grandparents of being exposed to the possibility of human waste.
- There is no running water available and there is a risk that visitors will help themselves to properties close by.

- There is no restriction on dogs with the vehicles, which is a safety risk for children using the park.

A George (#96) - Do not allow freedom camping at Gallagher Park Lane in Pauanui.

Reasons:

- The car park area is in the immediate proximity of the submitter's property and a number of others.
- This is a busy area in the holiday season as the car-park provides parking for visitors including to the children's play area and flying-fox.
- Gallagher Park Lane is a residential area.
- There are no public toilets or public access to water in the area.

J Fleming (#108) - No freedom camping at Gallagher Park Lane, Pauanui.

Reasons:

- This is a residential street and parking area, not a reserve.
- There are no adequate rubbish, water or toilet facilities nearby.

C Webb (#117) - Do not allow freedom camping at Gallagher Park Lane in Pauanui, or exclude over the peak summer holiday and require moving on in the morning.

Reasons:

- There is no toilet or water supplies close by.
- This is a residential cul de sac which is incredibly populated over summer and the car park is often fully utilised with visitors staying at the properties.
- The area is a very busy thoroughfare for families and pedestrians visiting the park and flying fox, walking their dogs and playing in Gallagher Park.
- The campers would virtually be on the doorstep of the owners of the nearest house. This is not fair to nearby property owners.

J & A Fryer (#18) - Consider the area of Gallagher Park in Pauanui as suitable for freedom camping.

Reason:

- There are several areas that could accommodate one or two vans off Gallagher Park Lane.

B Bentley (#33) - Restrict completely (prohibit) freedom camping in Gallagher Park Lane.

Reasons:

- The residents of Gallagher Park Lane use the parking area to ease congestion in the lane when family and visitors are hosted.
- Many properties have boats, trailers, large and small vehicles and the congestion, particularly in the narrow cul de sac at the end of Gallagher Park Lane, poses a safety problem for the growing number of young children and grandchildren present.
- The walkway adjacent to properties is very busy over the summer, particularly with children on cycles and on foot.
- As well as residents' use of the parking area, parking needs to be available for other residents and visitors to access the park. A balance has been maintained over the years and freedom campers will compromise this.
- There is a lack of toilet facilities in the park.

**Staff comment**

The applicable area is referenced as proposed area 086 - Formed car park area adjacent to 1A Gallagher Park Lane.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping at this area are still considered valid justification, being to protect access.

However, a number of submitters raise further reasonable concerns that relate largely to access and health and safety. The small area is a key access way to Gallagher Park, which is popular for various activities particularly during summer. The area has limited parking and no public facilities, therefore freedom camping of any form would impede access further and there is a need to protect the area generally.

It is considered appropriate to amend restriction to prohibition of freedom camping at this area.

**Staff recommendation**

Amend restriction to prohibition at Gallagher Park Lane, Pauanui.

**Reason for recommendation**

- Reasons set out in Section 11 Analysis documentation are still valid justification for controlling freedom camping at this area.
- In response to submissions, on balance issues associated with this area justify a prohibition rather than the proposed restriction.
- To protect the area, the health and safety of visitors, and access to the area.

**WHANGAMATA COMMUNITY BOARD AREA**

Whangamata Community Board (#26) - Support for all restricted sites in the Whangamata Community Board area, on the basis that there will be enforcement to ensure the number of parks allocated will be enforced for all sites.

**45. Amend restriction at Beach Road Reserves, Whangamata****Summary of submission comments**

Tessa Calder (#11) & Tim Calder (#53) - Do not allow freedom camping at the proposed restricted areas along Beach Road Reserves in Whangamata, specifically opposite 409 and 405 Beach Road.

Reasons:

- The submitter's family home of over 15 years is at 405 Beach Road. The family has observed the activity on the reserve and behaviour of freedom campers, and does not consider that the reserve was 'meant for this'. The submitter notes that it is quite unsettling having 'strangers every night camping within meters of your place.'
- The reserve is close to the children's playground and is used all year by a variety of people. The submitter notes that the picnic table has high use but is now in the middle of the freedom camper's sites.
- The freedom camping sites take the use of the park away from the public. During summer the submitter has often counted more than double the number of campervans to allocated sites - up to 10 campers ranging in size of an articulated truck to non-conforming combie-type vans.
- The freedom campers park as early as mid-day and a number are still there after 10:30 the next day.

- There are no facilities for camping at the area. Upkeep of the reserve and the public rubbish bins, picnic tables and a BBQ area are maintained by the ratepayers and Council, and are used by various picnickers throughout the day now with restricted access.
- The submitter has observed 'non-conforming' freedom campers hanging washing on the picnic table and in the trees, and has provided several photos - see full submission.
- There are local businesses that could cater for these people in the correct way, and the submitter notes that 'we have a lovely camp ground' and that if camper vans want to enjoy the area they too have to contribute to keeping it that way.
- The submitter suggests that the Campervan Association could purchase an area for their members, and notes such an example in Taupo.

G Webb (#48) - That the formed car parks opposite 409 Beach Road be reclassified as a Schedule One (prohibited) area.

Reasons:

- This area is now the only high tide roost area for several shorebird species that rely on Whangamata Harbour and the Otahu Estuary systems (the bird species being NZ Dotterel, Banded Dotterel, Bar Tail Godwits, Variable Oyster Catchers – see full submission for further information).
- Many freedom campers take their dogs with them on holiday. The submitter has observed that once parked, the campers let their dogs out to exercise and they chase the birds.
- Despite the vehicle restriction on overnight camping, the submitter has noted up to 12 camper vans in the area and comments to the matter of policing.

#### **Staff comment**

The applicable area is referenced as proposed area 089 - Beach Road Reserves, Whangamata. The coastal reserve that runs along Beach Road including Hetherington Road Marina site (known as 601 and 621 Beach Road).

Reasons as set out in Section 11 Analysis documentation for proposing restricting freedom camping in this area are still valid, being to protect the area, the health and safety of visitors, and access to the area.

While reasons set out in Section 11 Analysis documentation for restricting the area are still valid, submissions from the community support amending restriction to prohibition due to access concerns and the need to protect the area for several species of shorebirds. Graham Webb (#48) explains that this area is now the only high tide roost for the birds, including the endangered dotterel.

Submitters suggest using the marina car park for freedom camping as an alternative area. As a result of discussion with the Whangamata Area Manager resource consent has been granted to enable the Society to allow freedom camping in the car park area.

The area includes a boat ramp and therefore the consistent approach proposed for prohibition of these areas is relevant.

#### **Staff recommendation**

Amend restriction to prohibition, and amend the area to be described as follows:

- Beach Road Reserves, Whangamata.

#### **Reason for recommendation**

- Reasons as set out in Section 11 Analysis documentation are valid to protect the area, the health and safety of visitors and access to the area.
- Submissions give reason to amend restriction to prohibition.

- For consistency in approach to boat ramp and launching areas where it is considered necessary to protect the area, the health and safety of visitors, and/or access to the area.

## **Schedule Two - Restrictions**

### **46. Reference to 'vehicles to freedom camp'**

#### **Summary of submission comments**

K Vernon (#2) - Amend the reference to 'vehicles to freedom camp...' throughout Schedule 2 of the bylaw to a more general reference to the definition of freedom camping in the Act.

Reasons:

- To ensure that all forms of freedom camping are prohibited or restricted.

#### **Staff comment**

The submitter's reference to 'vehicles to freedom camp' occurs in the restricted areas schedule of the proposed draft bylaw regarding vehicles to freedom camp in designated areas only.

With a district-wide restriction to certified self-contained vehicles only, reference to 'vehicles to freedom camp' in the restrictions at specific area levels is appropriate.

#### **Staff recommendation**

No changes from proposed draft.

#### **Reason for recommendation**

- With a district-wide restriction to certified self-contained vehicles only means reference to 'vehicles' in the restrictions at specific area levels is appropriate.

### **47. Summer prohibition**

#### **Summary of submission comments**

Submitters **opposed** to the summer prohibition:

Twelve submitters noted that summer prohibition should be removed from the bylaw because of the economic benefits to the local community from freedom campers and because we promote the Coromandel as a destination all year round and spend ratepayers' funds on that promotion [G Sturgeon, #9; B Douglas, #13; L Pritchard, #32; C King, #35; LM Taylor, #49; TA Ashby, #51; C Rokela, #52; P Pritchard, #16; A Walter, #111; J Hares, #114].

Three submitters noted that freedom campers in and around the peninsula over the summer period provided an added element of security for some areas [L Pritchard, #32; C Rokela, #52; P Pritchard, #16].

Other reasons noted for opposing the summer prohibition included:

- Restricts people who are forced to holiday during this summer period or want to take advantage of this timeframe [J & A Fryer, #18; I Simpson, #109]
- Holiday weekends are not well known among overseas tourists and the province's anniversaries around the country are all different which creates confusion [NZMCA, #24]
- Motorcamps were generally full over this period therefore prohibition of freedom campers was not necessary to protect their income [Hawley and Wright, #16; L Pritchard, #32; P Pritchard, #106]
- Motorcamps could not always accommodate large campervans because campgrounds too restrictive [A Walters, #111]
- Town carparks during the summer period were not busy at night therefore there were no parking problems [C Rokela, #52; L Pritchard, #32; P Pritchard, #106]

- Total prohibition was never the intent of the bylaw [Coromandel-Colville Community Board, #68; J Hares, #114]
- Restrictive areas will be enforced so total prohibition is not necessary [Tairua-Pauanui Community Board, #27; TA Ashby, #51]
- The total ban over the summer was considered totally unnecessary and unreasonable [R&G Wilson, #5; NZMCA, #24]
- The following submitters oppose the summer prohibition but did not provide any reasons : J Autumn, #93; A&J Kerley, #99]

Submitters supportive of **reducing** the timeframe for prohibition:

Two submitters supported reducing the timeframe to the end of the school holidays and include holiday weekends as most people had returned to work by end of January and the pressure on the peninsular had reduced [T Conway, #101; C Muter, #71]

Submitters **supportive** of the draft bylaw summer prohibition:

Two submitters were supportive of the proposed summer prohibition; one noted that this is the period when the peninsular swells [D Wight, #43; M Marks, #72].

### **Staff comment**

The proposed draft includes a restriction for a number of restricted areas of:

- Total prohibition from 20 December through to end of February and holiday weekends.

General feedback from submitters considers the proposed draft to be too restrictive on certified self-contained freedom campers, and reference is often given to the summer prohibition. Of the submitters who have commented directly to the proposed restriction of total prohibition over summer and holiday weekends, most are in favour of removing it altogether and several comment to specific areas, most in Coromandel.

Submitter reasons for removing the restriction are considered reasonable.

Summer is the busy period on the peninsula and camp grounds are often full. If freedom campers are not able to stay in identified designated areas they may need to use less preferred areas which are not included in the bylaw.

Further, having freedom campers stay overnight can deter anti-social behaviour in the area, and this is noted by several submitters.

The Council has determined to be more permissive and removing the total prohibition over summer and holiday weekends would be in-line with this approach.

Note that a decision matter earlier recommended prohibiting all identified boat ramp and launching areas, therefore these areas would not be available for freedom camping at any time..

### **Staff recommendation**

Remove the restriction that prohibits freedom camping from 20 December through to end of February and holiday weekends for all restricted areas where it applies.

### **Reason for recommendation**

- This is in-line with Council's more permissive approach.
- To allow certified self-contained freedom campers to stay in all designated areas all year round and particularly during the busiest summer period.
- Freedom campers can help deter anti-social behaviour in the area overnight.

## **48. Arrival time**

### Summary of submission comments

Eight submitters requested that arrival and departure times be defined and be consistent across the district [K Vernon, #2; A&S Morgan, #30; Mercury Bay Community Board, #46; HAPNZ, #110; S Holehouse, #119; A Macassey-Pickard, #89; H&C Stratford, #102]

One submitter requested that arrival and departure times be removed [Hawley and Wright, #16] and another submitter noted that the times of 5pm and 8am were totally unreasonable [P&L Christie, #40].

There were mixed views on appropriate arrival times. One submitter supported a 7pm arrival time [K Vernon, #2] and another submitter supported 5pm [R Costello, #7].

### Staff comment

Arrival time has not been proposed for the majority of restricted areas as it is difficult to enforce. The necessity for stipulating an arrival time has rather been considered on a case by case basis and applied to high use areas where there are other user needs during the day and freedom camping of any kind would impede access or cause health and safety concerns. This is set out in Section 11 Analysis documentation. Where arrival time has been proposed as an area restriction, this is consistently 5pm.

It is not considered necessary to change this approach. Where there are not conflicting user needs freedom campers should be able to arrive unrestricted and enjoy the area during the day, as day trippers are able. Other restrictions such as freedom camping only within designated areas should help avoid access issues.

### Staff recommendation

No change from proposed draft.

### Reason for recommendation

- The necessity for restricting arrival time has been considered on a case by case basis as set out in Section 11 Analysis documentation, and reasons are still valid justification.
- Arrival time is difficult to enforce.
- Other area restrictions are applied to help avoid access issues.

## 49. Departure time

### Summary of submission comments

Eight submitters requested that arrival and departure times be defined and be consistent across the district [K Vernon, #2; A&S Morgan, #30; Mercury Bay Community Board, #46; HAPNZ, #110; S Holehouse, #119; A Macassey-Pickard, #89; H&C Stratford, #102]

One submitter requested that arrival and departure times be removed [Hawley and Wright, #16]; another submitter suggested we not limit the time to vacate except for Council car parks [L Martin, #41]. A submitter noted that the times of 5pm and 8am were totally unreasonable [P&L Christie, #40] and another noted that 8am was too early for people to be moving on [I Simpson, #109].

There were mixed views on appropriate departure times:

- Six submitters supported a 10am (or later) departure time as being more reasonable, in line with campgrounds and motels and allowed campers time to buy the paper, grab a coffee, walk on the beach before departing the area [NZMCA, #24; D Wight, #43; L Barraclough, #76; C Holmes, #54; A Bridge, #122; S Fisher, #123].
- Five submitters supported an 8am departure time [K Vernon, #2; M Marks, #72; Whangamata Community Board, #26; Mercury Bay Community Board, #46; Tairua-Pauanui Community Board, #27]. The Mercury Bay Community Board noted 8am

was appropriate for staff car parks, boat launch areas and in town centres. The Whangamata and Tairua-Pauanui Community Boards requested the 8am departure time for all restricted areas within their areas.

- Three submitters supported a 9am departure time [J&A Fryer, #48; R Costello, #7; R&G Wilson, #5].
- Three submitters noted that 8am was totally unreasonable [P&L Christie, #40; L Martin, #41; Hawley and Wright, #16]. Reasons noted by submitters for the later time of 9am or the removal of times altogether included:
  - Areas are not busy at 8am; therefore no competition for the space.
  - Early departures deterred campers from staying in the towns and spending money.
- Two submitters supported a 12 noon departure time [H Dryden, #91; A Walters, #111] to avoid the road at peak times, around schools and work routes.
- One submitter suggested that departure times should reflect the localities' needs rather than a blanket departure time noting that some areas would not be impacted by a later time such as 10am [M Benton, #103]

### **Staff comment**

A number of submitters have commented to the restriction for departure time, with most considering 8am too early. Common reasons for a later departure time mainly regard recognising that self-contained freedom campers tend to be older people who may need a later start, and allowing time to explore the area and make morning purchases before departing.

Several submitters suggest 10am as this is consistent with required departure time of commercial accommodation providers.

A small number of submitters have commented that departure time should be on an area case by case basis dependent on the nature of the area. Others prefer no required departure time at all.

Staff consider that a later departure time is appropriate and would respond to general submitter feedback that the proposed bylaw is still too restrictive for self-contained freedom campers. Submitter reasons for 10am being that this is consistent with commercial accommodation providers, is not considered an appropriate comparison as parking areas at these locations are generally not sought after by other users in the morning.

A departure time of 9am is considered more appropriate as this would help ensure fair access to the number of popular areas around the district that have been identified for restricted freedom camping.

It is acknowledged that some restricted areas are remote and likely won't have high demand for parking space. This could be considered in discussion with community boards regarding local enforcement levels - discussed as a subsequent decision matter further below.

If departure time is to be determined on a case by case basis then several submitter comments regarding proposed departure times at specific restricted areas would need further consideration.

### **Staff recommendation**

Amend departure time for all restricted areas to 9am.

### **Reason for recommendation**

- To be consistent with a more permissive approach to certified self-contained freedom campers.
- To protect access to restricted areas.

## 50. Maximum night stay

### Summary of submission comments

Two submitters requested we reduce the restrictions currently in the draft bylaw for the duration of their stay, one noted the longer campers stayed the more they would spend and everyone benefits [A&J Kerley, #99; S Fisher, #123].

Three submitters supported a maximum stay of three nights and a fifth submitter supported at least three nights to allow people to explore the town and the sights [NZMCA, #24; D Wight, #43; P Smale, #42; D Wight, #43; A Walters, #111]. The NZMCA noted the following reasons for supporting three nights:

- The majority of restricted areas are limited to one (1) night's stay and this is considered overly restrictive and designed simply to discourage freedom camping rather than address actual problems.
- The Council supports the purpose of the Self Contained Standard NZS 5465:2001, which requires vehicles to be self-contained for a minimum of three consecutive days. Therefore any time limitations should reflect this standard requirement.
- Time limitations could cause conflict between enforcement officers and freedom campers to determine just when freedom camping finishes and parking commences. Unless there are other bylaws regulating parking, freedom campers have a right to leave their vehicles on site to become day visitors and explore the area.
- The draft bylaw should recognise the needs of the baby boomer demographic that travel by motor caravans, as the Council does with its Positive Ageing Strategy. Many members, due to their age, prefer traveling at a leisurely pace and restricting them to one night's stay in an area is unreasonable and severely limits their ability to enjoy freedom camping across the Coromandel.

Three submitters supported a maximum stay of two nights, one submitter noting this option only for lower density areas [E Windsor, #17; O Alloway, #47; A Maccassey-Pickard, #89]. One submitter suggested the bylaw allow for two or more nights [R Costello, #7].

Two submitters supported one night only but did not give any reasons [M Marks, #72; M Lander, #59]. Two submitters supported 1-2 nights (A Bridge, #122; J Fleming, #108).

Four submitters suggested restricting freedom campers to a maximum number of nights but did not suggest a limit [J&A Fryer, #18; J Hayes, #57; C Muter, #71; H&C Stratford, #102].

### Staff comment

Submitters provide a range of responses regarding the restriction on maximum night stay.

General feedback is supportive of lessening restrictions on certified self-contained freedom campers, and this would be in-line with Council's direction for a more permissive approach.

Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in areas and a restriction regarding maximum night stay is still considered valid justification.

A maximum of one night stay ensures freedom campers move on and therefore fair access for others. The nature of preferred freedom camping in the district is generally moving from place to place with the intention of exploring the area.

Applying a restriction for maximum night stay helps to ensure that long term temporary accommodations are not established in the areas.

Common submitter reasons for allowing a longer stay in an area is to enable time to explore and spend money locally.

A range of one to three nights is generally suggested. An appropriate concession could be a maximum of two consecutive nights, and that this apply to all restricted areas.

### **Staff recommendation**

Amend restriction for maximum night stay to two consecutive nights, and apply for all restricted areas.

### **Reason for recommendation**

- Reasons set out in Section 11 Analysis documentation for proposing restricting freedom camping in areas is still considered valid justification.
- Amending the restriction for maximum night stay to two consecutive nights is in-line with a more permissive approach to certified self-contained vehicles.

## **51. Designated areas and maximum number of vehicles**

### **Summary of submission comments**

J Hayes, #57, suggested that freedom camping parking areas within restricted areas be designated with arrival and departure times to ensure the parking areas can be used by other car park users.

Maximum number of vehicles suggested:

- Minimum of two freedom campers per site for safety [R Costello, #7; L Barraclough, #76; Richard and Gail Wilson, #5]. The one vehicle restriction at Brophys Park is referenced as unreasonable and unsafe.
- Maximum of four vehicles at designated sites [Karen McMillan, #23].

Suggestions for maximum number of vehicles at specific sites:

- Jane Beck(#84) requested a maximum of 3-6 at Kuranui Bay reserve.
- Mercury Bay Community Board suggested a maximum of five freedom camping car parks in the Council office car park [#45].
- The Tairua-Pauanui Community Board (#27) asks that the maximum number of vehicles at the area of Pauanui Waterways Parade Car Parks be amended from four to two as allowing four vehicles would restrict access to the public jetty and overnight parking for others.
- J Fryer (#18) suggested Beaumont Green in Pauanui be restricted to three vehicles as there is no immediate hard area.
- P Hishon (#127) - asks to stipulate the maximum number of vehicles on sites such as Purangi Reserve.

### **Staff comment**

For most restricted areas the proposed draft bylaw restricts freedom camping to designated areas only, and sets a maximum number of vehicles.

A number of submitters have commented that for safety reasons, designated areas should allow for a minimum of two vehicles. Although this is reasonable, if a minimum two vehicle capacity 'rule' be applied consistently for all restricted areas then this would reduce the number of areas available. Many areas around the peninsula do not have sufficient capacity for several vehicles, particularly when considering the reasons for restricting the areas such as to protect access.

Council could choose not to stipulate maximum number of vehicles and rather use the designated area size to manage this. The vehicle size and how freedom campers choose to park within the designated area would further determine how many can fit in the space.

This approach is considered appropriate and if used, it is suggested that staff then work with community boards to determine designated areas on a case by case basis, the

designated area size being informed by discussion on maximum number of vehicles already considered. Related matters such as signage, provision of information and enforcement are discussed in subsequent decision matters further below.

Where feasible and particularly where freedom camping is encouraged, there should be sufficient space for a minimum of two vehicles.

Note that if maximum number of vehicles is to be a stipulated restriction and determined on an area case by case basis, submissions regarding amendment to proposed maximum number of vehicles at various specific restricted areas would be relevant and need decision, except in instances where the area is to be amended to prohibited.

#### **Staff recommendation**

For all restricted areas, restrict freedom camping to designated area only and remove restrictions for maximum number of vehicles. Staff to work with community boards to determine designated areas, and where feasible allow for a minimum of two vehicles.

#### **Reason for recommendation**

- Restricting freedom camping to designated areas only can be used as a means to manage the maximum number of vehicles in an area.
- Reasons set out in Section 11 Analysis documentation are still valid justification for designated freedom camping only in restricted areas.

## **52. Maximum number of people**

#### **Summary of submission comments**

K Vernon (#2) - Include a restriction to limit the number of persons in any one group. The submitter suggests no more than six persons.

#### **Staff comment**

A restriction on maximum number of people per freedom camping group or by area is not considered necessary.

Maximum number of people is able to be approximately determined and managed by restricting the type of freedom camping vehicles (to certified self-contained) and for restricted areas, to only allow freedom camping in designated areas and thereby manage the number of vehicles.

A district-wide restriction to only allow certified self-contained freedom campers minimises the potential impact on the environment.

Further, a restriction on number of people would be very difficult to monitor and enforce.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- A restriction on maximum number people is not necessary with the application of other bylaw restrictions.
- It would be difficult to monitor and enforce.
- Restricting freedom camping to certified self-contained vehicles only minimises the potential impact on the environment.

## **53. Distance between parked vehicles / temporary living places**

### Summary of submission comments

J & A Fryer (#18) - Include minimum distance between vehicles. NZMCA recommend 3 meters. Consider whether parking spaces are wide enough to take vehicles of any description.

Reasons:

- To lessen fire risk.
- The New Zealand law provides for width of 2.5 meters and length of around 12 meters, noting that this is simplified.

HAPNZ (#110) - That a minimum distance between any vehicles of 3 metres be imposed and enforced. Add a restriction as follows:

'No temporary living-space shall be erected or placed on any camp site within 3 metres of any other temporary living-place, or within 0.5 metres of any camp site boundary, as the case may be.'

Reasons:

- This is a fire safety issue.
- This reflects the regulations in the Camping Ground Regulations 1985 Item 6.2.
- This [fire] issue has been identified in the Council's 'Reasons for the proposal and determinations'.

H & C Stratford (#102) - Require that there must be 3 metres between temporary living spaces.

Reasons:

- This reflects the regulations in the Camping Ground Regulations 1985 Item 6.2.
- This is a fire safety issue.

A Walters (#111) - Allow enough space for 3 metres between motorhomes.

Reasons:

- So the NZMCA 3 metre space for safety between motorhomes can apply.

### Staff comment

A restriction on distance between parked vehicles or temporary living places is not considered necessary.

A restriction to only allow certified self-contained vehicles controls the type of temporary living spaces permitted in restricted areas, and means camping structures such as tents would not be erected unless as extensions of certified self-contained vehicles.

As discussed regarding designated areas and maximum number of vehicles, it is recommended not to stipulate maximum number of vehicles and rather use the designated area size to determine this.

How freedom campers choose to park their vehicles within the designated area would further determine how many can fit in the space. Groups travelling together may choose to park closer than those travelling independently, and it is not considered necessary to regulate this.

Several submitters refer to the three metre rule in Camping Ground Regulations and this also being an NZMCA recommendation for members. Submitters advocate that certified self-contained freedom campers are responsible. Therefore with a district-wide restriction to only allow certified self-contained freedom campers many of whom are NZMCA members, and general feedback to be less restrictive towards these freedom campers, it is considered appropriate that Council leave the matter of distance between parked vehicles to common sense and not duplicate rules in other legislation and organisation guidelines.

### Staff recommendation

No change from proposed draft.

**Reason for recommendation**

- A restriction on distance between parked vehicles or temporary living places is not necessary in conjunction with other restrictions.
- It is not necessary to duplicate regulations in other legislation and NZMCA guidelines.

**54. Required distance off the roadway****Summary of submission comments**

J & A Fryer (#18) - Freedom camping vehicles should be at least 2.5 meters off the roadway. On gravel road this would need to be where the gravel peters out, then 2.5 meters.

Reason:

- For safety.

**Staff comment**

This is a general road safety matter controlled under the Road Safety Act and Land Transport Act, and enforced by the police. It is not appropriate as a restriction in the bylaw.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- This is a road safety matter controlled under the Road Safety Act and Land Transport Act, and enforced by the police.
- Required distance off the roadway it is not appropriate as a restriction in the bylaw.

**55. Removal of litter****Summary of submission comments**

D Wight (#43) - In designated freedom camping areas, apply the restriction that campers take their litter away with them.

**Staff comment**

The Explanatory Notes of the bylaw includes reference that 'behaviour of people including freedom campers may be further regulated.' This refers to controls under other legislation such as Council Bylaws and corresponding Acts that still apply. Behaviour such as littering in public places is regulated under the Council's Public Places Bylaw and it is not considered necessary or advisable to have duplication.

Other mechanisms such as provision of information can be used to assist in further minimising issues associated with freedom camping, such as littering. Such issues are applicable to the general public and therefore appropriate for wider coverage.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- Other legislation applies that regulates behaviour of people, such as littering in public places, and reference is given in the bylaw. Duplication of regulation is not necessary or advisable.
- Other mechanisms can be used to influence behaviour, such as provision of information.

## 56. Staying with pets

### Summary of submission comments

A & S Morgan (# 30) and the Holiday Accommodation Parks Association of New Zealand (# 110) provide similar submission comments - Council consider the appropriateness and rules allowing freedom campers to stay with pets. Reasons provided are as follows:

- It is particularly important to have rules in place for pets where freedom camping is permitted or restricted in areas close to conservation, private farm land and areas designated kiwi zones.
- Many holiday parks have restrictions on pets and specific clauses in their resource consents limiting pets to only those have been kiwi aversion trained.
- Many holiday parks are pet friendly, and these parks will enforce their own park rules and in some cases will not allow pets over the busy January period.

Refer to submission #110 for a statement from DOC that supports the need to protect endangered species, and controls that would also protect and respect other people's right to use and enjoy public conservation land.

### Staff comment

Issues related to people travelling with their pets, such as dogs chasing wildlife, are not associated with freedom campers alone. Restrictions in the Conservation Act are relevant regarding all domestic animals being prohibited from public conservation land.

The Council has a Dog Control Policy and Bylaw that puts in place controls to protect sensitive areas, among other things. The Council is currently reviewing its Dog Control Policy and Bylaw and these submissions could be considered in that process.

Although other pets can cause issues also, it is not considered practical to have further animal bylaws due to the extent of issues evidenced, and enforcement difficulties.

### Staff recommendation

No change from proposed draft. Consider submission points in deliberations on the draft Dog Control Policy and Bylaw 2014.

### Reason for recommendation

- Issues related to people travelling with their pets are not associated with freedom campers alone.
- In relation to dog control, the Council is currently reviewing its Dog Control Policy and Bylaw and timeframes enable this submission to be considered.

## Other

## 57. Amend clause 4 regarding review of the bylaw

### Summary of submission comments

P Hishon (#127) - Amend the bylaw review date to no later than 5 years.

Reason:

- Communities change and people are entitled to a closer review date if they feel the issue warrants it.

HAPNZ (#110) - After the first year of the bylaw's operation, review the areas and add additional areas. Make changes if appropriate after feedback from the community.

Reason:

- The Council has done an excellent job of identifying areas where freedom camping is prohibited and restricted, and these are supported.

A Macassey-Pickard (#89) - Amend clause 4 (review) to review the bylaw after a period of 2 years.

- Given the controversial nature of freedom camping within the district, coupled with the potential impacts on residents' abilities and entitlements to enjoy their properties, and negative effects for the environment.

H & C Stratford (#102) - Amend review date to review the identified restricted areas within a 12 month period with the community.

Reasons:

- To ascertain if restricted areas are still appropriately identified or require any changes to prohibited.

#### **Staff comment**

Clause 4 of the proposed draft bylaw states that the bylaw will be reviewed in accordance with the Freedom Camping Act, being no later than 10 years after the last review.

Council may choose to review the bylaw earlier than the 10 years maximum timeframe, and it would be appropriate to do so. It is not considered necessary to determine a specific review date at this time, and the proposed wording of clause 4 is appropriate to allow flexibility while reflecting legislative compliance.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- Council may choose to review the bylaw earlier than required, and the proposed draft wording of clause 4 adequately reflects this.

### **58. Amend clause 6 regarding bylaw purpose**

#### **Summary of submission comments**

A Macassey-Pickard (#89) - Amend clause 6 (purpose) to include reference along the lines of 'to protect the integrity of the environment.'

- There are some who abuse the privilege such as by littering, lighting fires, defecating.

#### **Staff comment**

Clause 6 of the proposed draft bylaw sets out the purpose of the bylaw according with the Freedom Camping Act, and this is considered most appropriate.

Protection of the environment is within the scope of (a) protect local authority areas.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- The proposed draft wording of clause 6 appropriately reflects the purpose of the bylaw in accordance with the Freedom Camping Act.

### **59. Amend clause 7 of the draft bylaw regarding permitted areas**

#### **Summary of submission comments**

Whangamata Community Board (#26) - Amend Clause 7 to read: Freedom camping is permitted in any local authority area within the district unless it is restricted or prohibited in an area in accordance with the Freedom Camping Act, or under any other enactment."

Reason:

- So the community is aware that this is legislation passed by Central Government.
- So that the Board understands that freedom camping is permitted in any local authority area within the district unless it is restricted or prohibited in an area in accordance with the Freedom Camping Act, or under any other enactment.

Tairua-Pauanui Community Board (#27) - Amend Clause 7 to read: Freedom camping is permitted in any local authority area within the district unless it is restricted or prohibited in an area in accordance with the Freedom Camping Act, or under any other enactment."

Reason:

- The Tairua-Pauanui Community Board is aware that legislation passed by Central Government has forced local authorities to provide freedom camping sites against the wishes of the majority of ratepayers.

### **Staff comment**

Clause 7 of the proposed draft bylaw regarding where freedom camping is permitted states that:

*Freedom camping is permitted in any local authority area within the District unless it is restricted or prohibited in an area:*

- a) in accordance with this Bylaw;*
- b) under any other enactment.*

The submissions consider that wording of (a) should be amended to reference the Freedom Camping Act as opposed to the bylaw. Staff do not consider this appropriate, as the bylaw is the regulatory document that sets out prohibited and restricted local authority areas in the district.

The Freedom Camping Act falls under (b) of any other enactment. The explanatory notes of the bylaw explain the relationship between the documents and advise that the bylaw should be read in conjunction with the Freedom Camping Act. Bylaw review documentation provides further explanation, which is not appropriate for the purposes of the bylaw.

### **Staff recommendation**

No change from proposed draft.

### **Reason for recommendation**

- The proposed draft wording of clause 7 accurately sets out how to determine local authority areas where freedom camping is permitted.
- Explanatory notes of the bylaw set out the relationship with the Freedom Camping Act.
- Other bylaw review documentation provides further explanation not appropriate for the purposes of the bylaw.

## **60. Amend clause 10 regarding prior consent**

### **Summary of submission comments**

P Hishon (#127) - Amend clause 10 – prior consent from Council, so that no consent be allowed unless it is publically notified as a minimum requirement and each application should be for a once only short period.

Reason:

- There should not be a way of quietly extending the scheduled parameters.

**Staff comment**

Clause 10 of the proposed draft bylaw set out that prior consent can be sought from the Council to allow freedom camping in a prohibited or restricted area, and that this must be applied for to the Chief Executive.

There are instances when it may be appropriate for freedom camping to occur in an area not in accordance with the bylaw, such as for events. This clause allows the Council to issue such consent on a case by case basis.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- There are instances when it may be appropriate to allow freedom camping in an area not in accordance with the bylaw.

**61. Amend bylaw explanatory note****Summary of submission comments**

NZMCA (#24) - Clarify (in Explanatory Notes of the bylaw) the relationship with other planning documents such as the Council's District Plan and Reserve Management Plans, to confirm freedom campers can access local authority areas as they are entitled to under other enactments. Also ensure consistency with the District Plan.

Reason:

- Sections 42(1) and 42(3) of the Act address the relationship of the Act with other enactments. NZMCA's legal advice suggests that if, for example, a district plan or reserve management plan permits freedom camping in a local authority area, however the activity is otherwise prohibited in a bylaw made under section 11 of the Act, the prohibition in the bylaw will not apply to that area due to the provisions under ss 42(1) and 42(3) of the Act.

K Vernon (#2) - Include a clause regarding freedom camping behaviour covering issues such as tidiness, hygiene, cooking, noise, fires, etc. Even if covered by other bylaws or regulation still include a clause to this effect.

Reason:

- For the avoidance of doubt.

A Macassey-Pickard (#89) - Make reference in the bylaw to information available.

Reason:

- To inform people.

**Staff comment**

The bylaw explanatory note (clause 2) provides contextual information. It is brief for the purposes of the bylaw. Bylaw review documentation provides further background information, and other information can be provided as considered appropriate from time to time - discussed in subsequent decision matter regarding provision of information.

To avoid discrepancy the bylaw should not set out details of provisions in other documents for the sake of providing information and particularly where those provisions may change, and reference to these documents is considered sufficient and appropriate for the purposes of the bylaw. Information regarding the relationship with other planning documents such as the district plan and reserve management plans are such examples.

The Council is currently reviewing its district plan and its reserve management plans. For legislative consistency the approach for the Provisional District Plan has been to remove

any provisions relating to freedom camping in local authority area, as the Council has decided to have a freedom camping bylaw to address this.

Council's reserve management plans are under rolling review, and consistency in approach to freedom camping is being considered. Under the reserve management plans freedom camping in a number of Council reserves is not permitted. However, in considering these areas on a case by case basis regarding the necessity to prohibit or restrict freedom camping, under the proposed draft bylaw some of these areas would be open for freedom camping. In review of the reserve management plans these inconsistencies should be considered, with a mind to the Council's more permissive approach to freedom camping.

The bylaw explanatory notes include a paragraph regarding local authority area affected by treaty settlements (clause 2, last paragraph). The NZMCA make comment to Waikawau Reserve being proposed in the draft bylaw for prohibition and the management of this area.

Staff have had discussion with the Office of Treaty Settlements regarding how the matter of land affected by treaty settlements should be dealt with in the bylaw. It is agreed that the relating paragraph in the explanatory note (clause 2, last paragraph) should be completely removed. This would mean leaving it to the 'mechanics' of the Hauraki Treaty Settlement, which is considered most appropriate to avoid potential discrepancies.

### **Staff recommendation**

Amend bylaw explanatory note to remove the proposed draft paragraph regarding local authority area affected by the Hauraki Treaty Settlement (clause 2, last paragraph).

### **Reason for recommendation**

- To ensure legislative compliance.

## **62. Area references**

### **Summary of submission comments**

NZCMA (#24) - Redraw maps and demarcate designated sites within restricted areas.

Reason:

- To provide greater clarity and avoid misleading freedom campers.

NZCMA (#24) - Combine (where practicable) maps for prohibited and restricted areas.

Reasons:

- Some localities include both prohibited and restricted areas, for example the Te Puru boat ramp, at Buffalo Beach, and along the Kuaotunu Beach front.
- It would be useful for freedom campers to refer to one map of each locality where provisions apply.
- This is a more sustainable approach, which should significantly reduce the volume of print material and resources needed to download large volumes of high resolution images.
- NZMCA consider that this approach would 'enhance' the maps.

NZCMA (#24) - Remove mapped areas covering land outside Council's jurisdiction, such as along state highways, private property and on Crown land, and clarify the Council's boundary within the descriptions (unless the Council has formal management agreements with private property owners, the New Zealand Transport Agency, Department of Conservation and Land Information New Zealand).

Reason:

- This will improve compliance with the Act and avoid the prospect of more invalid infringement notices.

**Staff comment**

The NZMCA considers that there are instances of mapped areas including land that it outside of Council's jurisdiction.

Staff acknowledge that there are some such instances, but this does not mean the bylaw is non-compliant with the Freedom Camping Act. The bylaw states that the purpose of the bylaw is in relation to local authority area and this is defined with reference back to the Act. Further clarification could be given by way of minor amendments to proposed draft bylaw clauses 8 and 9 to specifically state that prohibitions and restrictions apply to local authority area only.

The Act clarifies that where areas are defined with both description and map, the description prevails. This provides some leniency as it is a challenging exercise to map areas precisely as they are intended and described.

Defining areas by both description and map is intended to assist clarification and several submitters comment in support of this approach, including the NZMCA. One submitter (John and Avalon Fryer, submitter # 18) comment that legal description should be used to describe areas. In response, it is not necessary or possible for all areas to use legal description as a number of areas do not have this detail easily available, ownership can change, and areas can be described sufficiently otherwise.

In regards to submitter comments of some areas and corresponding maps being difficult to interpret, there are instances where amendments to areas can be made for clarification, and these are raised in this report as decision matters. Regarding approach to mapping for ease of reference purposes for freedom campers (such as combining areas, clearly showing designated areas and at settlement scale), the general approach for the bylaw should not change, however amendments could be made on a case by case basis as raised for discussion and further 'user friendly' maps could be developed -this is discussed in relation to provision of information (a subsequent decision matter).

**Staff recommendation**

No change from proposed draft in approach to area referencing. Amend bylaw clauses 8 and 9 regarding schedule one and two areas to clarify that prohibitions and restrictions apply to local authority area only.

**Reason for recommendation**

- Style of area referencing as proposed is for the purposes of the bylaw.
- Amendments to bylaw clauses for clarification.

**63. Regulation of behaviour****Summary of submission comments**

K Vernon (#2) - Include a clause regarding freedom camping behaviour, covering issues such as tidiness, hygiene, cooking, noise, fires, etc. Even if covered by other bylaws or regulation still include a clause to this effect.

Reason:

- For the avoidance of doubt.

**Staff comment**

Identifying areas where freedom camping is prohibited and restricted is a control on freedom camping behaviour, and restrictions applied further regulates related behaviour of freedom campers staying in the restricted areas.

Also, the Explanatory Notes in the bylaw includes reference that 'behaviour of people including freedom campers may be further regulated.' This refers to controls under other

legislation such as Council Bylaws (Public Places Bylaw, Transport Bylaw) and corresponding Acts that still apply. It is not necessary or advisable to have duplication.

This is considered sufficient for the Freedom Camping Bylaw. Other mechanisms such as provision of information can be used to assist in further minimising issues associated with freedom camping. Not all such issues are applicable to freedom campers only and therefore are appropriate for wider coverage.

#### **Staff recommendation**

No change to proposed draft.

#### **Reason for recommendation**

- The bylaw regulates freedom camping behaviour as possible under legislation and considered appropriate in the district.
- Other legislation applies that regulates behaviour of people and reference is given in the bylaw. Duplication of regulation is not necessary or advisable.
- Other mechanisms can be used to influence behaviour, such as provision of information.

## **64. Provision of facilities and maintenance of areas**

### **Summary of submission comments**

#### *Public Toilets and Facilities*

Waikato Caravan Club (#20) - More chemical toilets would be a big help.

S Holehouse (#119) - Any locations where freedom camping is permitted must have 24 hour access public toilets within walking distance.

Reason:

- The belief that fully self-contained vans do not create waste and spoil areas is naive. Regular waste disposal is needed.

M Alloway (#4) - Build more public toilets.

Reason:

- To cater for tourists which is our biggest industry for the Coromandel.

C Wilkie (#125) - Do not close public toilets at night Provide more public amenities with gold coin slots such as for showers and toilets.

Reason:

- This would provide more employment to cleaners long term and builders short term.

G Buchanan (#73) - Provide more toiletry facilities around the district.

Reasons:

- To cater for those who do not have facilities on board including day trippers.

L Barraclough (#76) Provide more public toilets in Matarangi so there is one toilet at the bluff end and another towards the pines.

Reasons:

- In summer there are hundreds of people at the beach and only one toilet in the middle.
- Freedom campers get blamed for a lot of human waste at our beaches.
- There is now a well-used walkway around the golf course.

#### *Dump Stations*

P Hishon (#127) - Provide more user pays Council owned dump stations on the Coromandel Peninsula.

Reasons:

- The lack of dump stations is environmentally unsafe.
- It is inappropriate that rate payers should fund free holidays from their rates in a user pays society.

Waikato Caravan Club (#20) - Dump stations are few and far between, and the outside walls are too high to drain grey water because caravan outlets are too low.

#### **Staff comment**

Decisions relating to provision of public facilities are service level matters dealt with in Council's annual plan and long term plan process.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- Decisions relating to provision of public facilities are service level matters dealt with in Council's annual plan and long term plan process.

## **65. Provide campervan campgrounds**

#### **Summary of submission comments**

S Holehouse (#119) - Create proper campgrounds for the ever increasing numbers of campervan tourists.

Reasons:

- Allowing them to use public areas intended for other purposes is not right.
- The rental van businesses creating the demand for areas to park overnight should get together and buy land where these often large vehicles can congregate over night with proper facilities for waste disposal.
- Reference is given to the Submitter's recent campervan experience in Europe where most towns and cities provided unused areas of land for campervans to stay with coin operated waste disposal systems, electricity and water supplies. These areas were well removed from the main tourist attractions.

#### **Staff comment**

It is not the Council's role to provide campgrounds. The Council does provide public facilities including those for campervans such as dump stations - discussed in decision matter above regarding provision of facilities.

Campervanning freedom campers are members of the public and are able to access public land, within legislative provisions that may apply. Conversely, other members of the general public are able to access local authority areas within legislative provisions and should not be denied or discouraged from access because they are freedom camping areas.

The NZMCA may choose to purchase land in the district for the purpose of the area being used for their members to freedom camp - discussed in below decision matter.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- It is not the Council's role to provide campgrounds.

## 66. Restrict NZMCA members to use sites owned by the NZMCA

### Summary of submission comments

Tessa Calder (#11), Tim Calder (#52) - the Campervan Association could purchase an area for their members, such as in Taupo.

Cheryl Cassidy (#70) - Self-contained NZMCA campers can utilise their own sites during peak times, or pay some sort of donation.

Reason:

- The NZMCA is a multi-million dollar business not wanting to contribute to the local economy, and has its own numerous sites but still expects to camp for free in towns that are already congested over busy periods.

### Staff comment

The NZMCA may purchase land in the district for the purpose of use by their members, and while they have done this in other parts of New Zealand the NZMCA does not currently own any such area in our district. Further, if this were to occur staff do not consider it appropriate or necessary to restrict NZMCA members to only these areas, and it would be difficult to enforce.

Other restrictions as proposed and particularly regarding restricting to only certified self-contained vehicles, can be used to minimise issues associated with freedom camping.

### Staff recommendation

No change from proposed draft.

### Reason for recommendation

- NZMCA does not currently own any area in the district for use by their members.
- Other restrictions can be used to minimise issues associated with freedom camping in the district.

## 67. Enforcement

### Summary of submission comments

A & S Morgan (#30) - That the Council make every effort to enforce the bylaw and issue appropriate fines for non-compliance. See full submission for a list of matters that are considered should be enforced.

Reason:

- To reduce the cost to ratepayers.

E Windsor (#17) - Target all vehicles being used for sleeping that have no toilet facilities with heavy fines - suggest \$500, and remove them from the area.

HAPNZ (#110) - That the Council makes every effort to enforce the bylaw and issue appropriate fines for non-compliance. See full submission for a list of matters that are considered should be enforced.

Reasons:

- To reduce the cost to ratepayers.
- The Queensland Lakes District Council has found this to be very successful financially with additional costs being met by fines.
- Education and enforcement are key to addressing the issues.

M Alloway (#4) - Do away with the fine system. Reason: Fined people do not come back and they tell other people to stay away from the Coromandel.

P Smale (#42) - Council officers enforcing freedom camping restrictions could also be used

to enforce dog control regulations.

P Smale (#42) - Enforcement - Freedom camping restrictions should be enforced by council officers in official vehicles.

V Ackland (#44) - Have checks every evening that vehicles freedom camping are certified self-contained units.

P O'Brien (#63) - If the proposal goes ahead, issue telephone numbers of people who will come and enforce the rules when they are broken.

Reason:

- So local residents will be able to call upon Council officers during the evening to police restrictions, antisocial behaviour and possible intimidation when residents try and move people on who are overstaying or causing damage.

P Read (#21) - The submitter objects to the cost to ratepayers for increased employment of bylaw officers to enforce the conditions of camping. The submitter notes that it is quite common to see non-compliant vans (tourist vans with no facilities) parked in the TCDC car park designated for self-contained vans, and that this will increase.

L Hawley & B Wright (#16) - Adequately control vans not self-contained so that there is benefit to the whole community.

Reasons:

- Non self-contained vans spoil it for those who are self-contained and care about the environment.
- Many such as the submitter belong to NZMCA and abide by the rules and do have certified self-contained motor homes, often at great expense to themselves.
- Fully self-contained is very important to protect the area and to protect the health and safety of people.

G Sturgeon (#9) - Leave people alone

Reason:

- It became so bad a year ago that you could not even stop for a fish without being hassled by camping Nazis.

W Doel (#55) - Control the people who litter and deposit human waste in public places.

Reason:

- These people are often not freedom campers.

J Hayes (#57) Regularly patrol restricted designated areas.

Reason:

- To check on toilet facilities, rubbish management, behaviour, etc.

H & C Stratford (#102) - Enforcement of the bylaw should be performed daily and any breaches should be rectified immediately.

Reason:

- The submitter would be happy to assist the Council with enforcement.

M Benton (#103) - Freedom campers that break environmental rules should be educated and fined.

Reasons:

- So they realise their behaviour is totally unacceptable.
- To get the message eventually passed on to others.

A McCartney (#113) - Accordingly regulate the specific areas set aside for freedom camping.

Reason:

- So there is not unsavoury behaviour and others can enjoy the areas.

### **Staff comment**

Enforcement is an operational matter and not appropriate to detail in the bylaw. The draft proposed bylaw does reference offences and penalties and that the bylaw and Freedom Camping Act allow for legal action with consequent fines.

Local enforcement of bylaws, including regarding freedom camping, is discussed with community boards annually and set by way of local service level agreements. The next review is due to occur later this year.

### **Staff recommendation**

No change from proposed draft.

### **Reason for recommendation**

- Enforcement is an operational matter and not appropriate to detail in the bylaw.
- Enforcement of the bylaw is sub sequential, and local bylaw enforcement levels are reviewed with community boards annually and set by way of local service level agreements.

## **68. Signage and provision of information**

### **Summary of submission comments**

Six submitters requested the Council provide appropriate signage in popular areas and at locations designated for freedom camping to ensure campers are aware of where they are welcome and to avoid unnecessary infringement notices [NZMCA, #24; A&S Morgan, #30; HAPNZ, #110; A Maccassey-Pickard, #89; A&S Taylor, #94; H&C Stratford, #102].

Three submitters requested the Council publish suitable brochures about the restricted/prohibited areas and widely circulate the information, one submitter also requested the information be available on-line [R&G Wilson, #5; S Harrington, #25; A Maccassey-Pickard, #89].

### **Staff comment**

Matters of signage and provision of information, including any promotion of areas and times for freedom camping, are operational matters and not appropriate to detail in the bylaw.

These matters should be delegated to the Council's Chief Executive to progress and elected members will be informed as considered appropriate.

Consideration will be given to submission comments, such as for signs to display standardised symbols for self-containment or 'no camping' as applicable, and provision of information regarding areas, restrictions and appropriate behaviour.

NZMCA have requested provision of supplementary information on relevant controls in other documents, such as reserve management plans. Also, submitter comments indicate that although the general approach to clarify areas by description and aerial maps is supported, that maps could be more user friendly by, for example, having one map of each locality where provisions apply.

In response, the area maps in the bylaw schedules have been developed for the purpose of the bylaw and this approach should not change significantly although some changes are appropriate related to amendments to areas (these are discussed as decision matters in the report). However, the suggestion for wider locality maps or similar could be considered for the purposes of communicating to freedom campers and the general public. This could assist in guiding freedom campers to preferred areas and therefore compliance. This is still

considered an operational matter within the scope of provision of information.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- Matters of signage and provision of information are operational matters and not appropriate to detail in the bylaw.

### **69. Advocate to Central Government**

#### **Summary of submission comments**

G Hawthorn (#28) - Use all means to get Government to change the Freedom Camping Act to give back the control councils need.

Reasons:

- It is a travesty that an organisation with \$5million annual membership can walk over the wishes of ratepayers throughout New Zealand.
- There are economic costs of freedom camping that should be considered.

P & G McEntyre (#37) - Go back to Central Government and question the Freedom Camping Act. Reason:

- Rules can be changed.

#### **Staff comment**

The Council advocates to Central Government from time to time on issues as considered appropriate, and may choose to do so in this instance.

It is not a matter for the bylaw.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- Council may choose to advocate to Central Government, however this is not a matter for the bylaw.

### **70. Operate a freedom camping ticket system**

#### **Summary of submission comments**

E Windsor (#17) and G Buchanan (#73) - Consider a 'freedom camping permit' for designated areas, as Gisborne Council has in place - see full submission for more detail.

Reason:

- The Gisborne Council freedom camping permits work well, and everyone knows the rules. Council rubbish bags are supplied in the fee - a very simple and effective idea.

D Innes (#34) - There should be legislation that requires hirers of non-self-contained campervans such as wicked and juicy vans, to purchase a permit, plus place a good behaviour bond of at least \$100 before being allowed to enter the Coromandel Peninsula.

Reason:

- It is these vans that cause the human waste pollution problems.

Nina Hammond (#22) - Refers to experience in Gisbourne where 'they were so welcoming'. For a small fee you are supplied with information and rubbish bags.

**Staff comment**

Several submitters have suggested developing a freedom camping permit or ticket system and refer to experiences in such places as Taupo and Gisborne as examples.

Council determined its approach to freedom camping as set out in the bylaw review determination report. Council may review this approach again, if it chooses to do so.

It could be argued that if a payment is required for a freedom camping permit or ticket, it is no longer freedom camping.

**Staff recommendation**

No change from proposed draft.

**Reason for recommendation**

- A freedom camping permit or ticket system is inconsistent with Council's determined approach to freedom camping, as set out in the bylaw review determination report.

**71. Adopt the Scandinavian system of Allemand Retten ('freedom to roam')****Summary of submission comments**

C Day (#128) - Adopt the Scandinavian system of 'Allemands Retten" defined by Wikipedia as {emphasis as per submission]:

*"The freedom to roam, or everyman's right is the general public's right to access certain public or privately owned land for recreation and exercise. The right is sometimes called the right of public access to the wilderness or the right to roam."*

Refer to full submission for provided examples of the law in Sweden and Norway.

Reason:

- The submitter does not agree with the current bylaw system which designates specific areas for camping and prohibits other areas from camping.
- There is a proliferation of fines in New Zealand, and imposing fines is a particularly onerous way of enforcing law and one that ought to be used as a last resort.
- Many New Zealanders enjoy the outdoors and many of those like to be able to park their caravan, house bus or campervan at a visually attractive and aesthetically pleasing, quiet location when they go on holiday. Others like to be able to camp more-or-less anywhere. Those same people are also most likely to respect nature and look after it.
- The submitter notes that he has a campervan and when he has been camping he has taken great care not to damage plants and to leave the place at least how he found it, and often collecting litter left by others.

**Staff comment**

The suggested system of the general public having the right to access certain public or privately owned land for recreation and exercise is inconsistent with New Zealand private property rights and provisions of the Freedom Camping Act.

Council determined its approach to freedom camping in the district as set out in the bylaw review determination report, which involved having a bylaw under the Freedom Camping Act and prohibiting and restricting areas as considered necessary and able to do so. Area analysis is set out in Section 11 Analysis documentation.

**Staff recommendation**

No change to proposed draft.

**Reason for recommendation**

- The suggested Scandinavian system of Allemmand Retten (freedom to roam) is inconsistent with New Zealand private property rights, provisions of the Freedom Camping Act, and Council's determined approach to freedom camping in the district as set out in the bylaw review determination report.
- Reasons set out in Section 11 Analysis documentation re still valid justification for prohibition and restriction of freedom camping in areas of the district.

## **Outside Scope**

### **72. Remove election signage in Whitianga**

#### **Summary of submission comments**

N Giri (#15) - Stop all election signage in Whitianga.

#### **Staff comment**

This is outside scope of the freedom camping bylaw review.

The Council regulates advertising and signage via its Control of Advertising Bylaw. If election signage is compliant with the bylaw and any other regulation that may apply, the Council cannot require its removal.

The Council is currently reviewing its Control of Advertising Bylaw and this submission could be considered in that process.

#### **Staff recommendation**

No change from proposed draft

Consider submission point in deliberations on the draft Control of Advertising Bylaw 2014.

#### **Reason for recommendation**

- This matter is outside scope of the freedom camping bylaw review.
- The Council is currently reviewing its Control of Advertising Bylaw and timeframes enable this submission to be considered.

### **73. Erect more historic signage**

#### **Summary of submission comments**

N Giri (#15) - Erect more historical signage for visitors in Coroglen, Kuaotunu, Coromandel Town, Colville.

#### **Staff comment**

This is outside scope of the freedom camping bylaw review.

The Council is not the only provider of signs in the district, and display of advertising and signage is regulated via the Council's Control of Advertising Bylaw.

Erecting historic signage is considered in relation to promotion of the district, and as applicable to projects from time to time.

#### **Staff recommendation**

No change from proposed draft.

#### **Reason for recommendation**

- This matter is outside scope of the freedom camping bylaw review.

- Erecting historic signage is considered in relation to promotion of the district, and as applicable to projects from time to time.

## **74. Leases for building or land**

### **Summary of submission comments**

J & A Fryer (#18) - On renewal of leases for Council land, add provisions to clarify if the lease is for building or land and building, and just what can be classified for the tenant's exclusive use, and consider more transparency around such leases.

Reasons:

- For clarity.
- The submitter would not like to see the Freedom Camping Act over-ride correctly documented leases that exist.

### **Staff comment**

This is outside scope of the freedom camping bylaw review.

Lease provisions are reviewed as applicable and considered appropriate.

### **Staff recommendation**

No change from proposed draft.

### **Reason for recommendation**

- This matter is outside scope of the freedom camping bylaw review.
- Lease provisions are reviewed as applicable and considered appropriate.

## **75. Reduce rates at campgrounds**

### **Summary of submission comments**

P & L Christie (#40) - Reduce rates on camps.

Reasons:

- To help the problem of camp charges climbing out of reach.

### **Staff comment**

This is outside scope of the freedom camping bylaw review.

It is not the Council's role to provide campgrounds, or to set fees charged by campgrounds.

### **Staff recommendation**

No change from proposed draft.

### **Reason for recommendation**

- This matter is outside scope of the freedom camping bylaw review.
- It is not the Council's role to provide campgrounds, or to set fees charged by campgrounds.

## **76. Enforce dog restrictions at Pepe Park, Tairua**

### **Summary of submission comments**

R Costello (#7) - Enforce dog restrictions at Pepe Park in Tairua.

Reasons:

- The dogs in Pepe Park at holiday time 'is a joke' and the submitter has even seen dogs tied up to the sign.

- The submitter has never seen a fine written out in 14 years.

### **Staff comment**

The Council is currently reviewing its Dog Control Policy and Bylaw with submissions recently being received on a revised draft policy and bylaw. This submission comment should be considered in deliberations for that process.

Staff determine local service level agreements for enforcement of bylaws with each community board. Service levels are reviewed annually, the next is planned to occur next month (October 2014).

### **Staff recommendation**

No change from proposed draft. Consider submission point in deliberations on the draft Dog Control Policy and Bylaw 2014.

### **Reason for recommendation**

- This matter is outside scope of the freedom camping bylaw review.
- The Council is currently reviewing its Dog Control Policy and Bylaw and timeframes enable this submission to be considered.

## **Appendix 1 - Summarised submission comments for the general approach**

- Self-contained vehicles should be able to camp.  
Reason -
  - Freedom camping they call it, that does not mean being carralled into certain areas.  
[Julie Sturgeon, #10]
- Remove all exclusions and restrictions for camping.  
Reasons -
  - The restrictions are not at all beneficial to the towns or regions.
  - There is no difference from overnight campers to day trippers who stop for picnics etc. during the day. [Julie Anne Douglas, #12]
- Encourage as many people to the area as we can.  
Reasons -
  - People spend money and help to keep the local businesses going.
  - In the number of people than come to the area to camp it is a really small percentage that do the wrong thing.
  - The law as it stands now is very unfriendly towards campers and very discouraging.  
It is hard for campers because there are less camping grounds now to go to.
  - The submitter refers to experience in Gisbourne where 'they were so welcoming'. For a small fee you are supplied with information and rubbish bags. [Nina Hammond, #22]
- Supports the bylaw and approach in having a generally restrictive attitude to freedom camping on the Peninsula.  
Reason -
  - It mirrors current community attitudes. [David Innes, #43]
- Have a more open approach on the matter of freedom camping.  
Reasons -
  - Waikato Caravan Club members are mostly retired, are ratepayers, and love our countryside.
  - Waikato Caravan Club members do not pollute streams and rivers, and rather than leave rubbish they clean up mess usually left by 'day trippers'.
  - Waikato Caravan Club members have self-contained vans and most are certified.
  - Campground prices have climbed dramatically.
  - In Thames, retailers are missing out on a fortune in returns on sales.  
[Waikato Caravan Club, #39]

- Agrees that the bylaw should be more permissive.  
Reason -
  - We are fortunate enough to live in one of the most picturesque areas of New Zealand and we should be willing to share it with freedom campers whether they are New Zealanders or overseas visitors. [Peter Smale, #42]
- Allow more self-contained freedom camping in the Mercury Bay area.  
Reasons -
  - This is a beautiful area - let motor home owners come and stay and explore the whole area.
  - It is good for the local businesses and tourist activities.
  - There are responsible motor home owners who have taken the expense to be self-contained.
  - Motorhome owners won't use camping grounds as they are too noisy. [Valerie Ackland, #44]
- Agree with freedom camping as proposed.  
Reasons -
  - Encouraging certified self-contained people to the area will bring them back again, to spend money and publicise the area.
  - It is good to see people having a good time.
  - Campgrounds like other businesses do not need to be protected, but compete with better facilities, sites and pricing. [Owen Alloway, #47]
- Does not support prohibition of freedom camping in the Coromandel-Colville area.  
Reasons -
  - Freedom camping brings people into the area and encourages them to stay, spend money and enjoy our paradise. [Leasa Marie Taylor, #49]
- Against total prohibition.  
Reasons -
  - Most campers are self-contained.
  - Assigned areas have good signage with times and rules which ratepayers have paid for.
  - Campers bring money to our small communities. [Te Arahuta Ashby, #51]
- Do not allow freedom camping at all.  
Reasons -
  - It runs contrary to the 'pure NZ' slogan.
  - Visitors that spoil the environment are not the sort of visitor wanted here.
  - It takes away from the local economy that could benefit. [Trevor Hayes, #56]
- Allow restricted freedom camping in the off season, and stricter rules in the high season.  
Reasons -
  - Freedom camping would be beneficial to the area in the off season.
  - It would enhance our image as a tourist destination and help the local business in slower times. [Rick Crandall, #67]
- Sites in our towns should be restricted to genuine travellers such as those driving the self-contained Maui and suchlike vans. Self-contained NZMCA campers can utilise their own sites during peak times, or pay some sort of donation.  
Reasons -
  - Non self-contained campers unlawfully enter premises and steal facilities, break alcohol bans, park in residential streets then leave rubbish, drive unsafe in crowded vans and cars endangering and breaking road rules, increase the danger of diseases and pollute the environment due to the amount of human body waste left in parks and waterways.
  - The NZMCA is a multi-million dollar business not wanting to contribute to the local economy, and has its own numerous sites but still expects to camp for free in towns that are already congested over busy periods.
  - Proper tourists such as those driving Maui and suchlike vans are happy to spend and enjoy what the region has to offer, and spread word of mouth to others who may be thinking of travelling. They have already for hireage fees and holiday

parks and shouldn't miss out on our towns because of greedy kiwis. [Cheryl Cassidy, #70]

- Increase and encourage freedom camping throughout the TCDC area. Support self-contained campervans staying anywhere around the district, as long as they cause no nuisance to anyone else.

Reasons -

- The problem of defecating is only part of a much bigger problem that has been created by the council itself by not providing enough toilet facilities.
- There is a very large and obvious lack of toilet facilities around the district and defecating is a problem. [Gavin Buchanan, #73]
- The draft is too draconian. [Glen Austin, #74]
- Increase freedom camping in our area.  
Reason -
  - Most people need to stay in a camping ground after a few days anyway for a decent shower and to do washing. [Lee Barraclough, #76]
- The new proposal remains overly restrictive. [Jane Beck, #84]
- The current bylaw is contrary to Destination Coromandel's vision and KPI, indicating that the Council doesn't welcome freedom campers to the region or their spend. The Coromandel needs to welcome visitors regardless of their travel preference - self-contained vehicles should be encouraged to utilise clearly designated areas. Work together with motorhome associations and vehicle rental companies.

Reasons -

- Destination Coromandel's vision is for The Coromandel to be rated by our key markets as New Zealand's must-visit destination, and has a key measure to deliver to our region annual visitor spend equal to or greater than the equivalent national measure.
- As of March 2013 the district's annual domestic visitor-spend was trending below the national measure.
- Responsible freedom campers present an opportunity not a problem, and should be addressed as such.
- So the Coromandel can establish itself as New Zealand's premier road trip destination and benefit from the average \$195 daily spend of every motorhome traveller. This would make a significant impact to The Coromandel's economy and help address the issue of TCDC's growth in domestic visitor spend.
- Destination Coromandel would appreciate the opportunity to further demonstrate how The Coromandel can be a leader in responsible freedom camping and recognised as such in the travel population. [Hadley Dryden, Destination Coromandel, #91]
- TCDC need to be more welcoming to tourists using campervans.

Reason -

- These tourists are spending money in our communities.[Charleen Thorner, #98]
- Support a bylaw that is more in-line with requirements of the Freedom Camping Act. The bylaw is still too restrictive with various conditions.

Reasons -

- As ratepayers, the submitter is very happy with self-contained motorhomes to travel and park overnight anywhere in designated areas.
- The submitter is encouraged by the extended overnighing areas allowed.
- It is ridiculous that the draft bylaw does not allow self-contained motorhomes to stay and enjoy the local areas. [Allen & Janet Kerley, #99]
- Support freedom camping within the whole district.  
Reason -
  - The current draft is too stringent. [Trudi Conway, #101]
- Support identified prohibited and restricted areas. [Helena & Craig Stratford, #102]
- The draft is overly restrictive.

Reason -

- The purpose of the Freedom Camping Act is to provide access to areas for freedom camping.

- If the Council is serious about encouraging motorhomes to the region look at the freedom camping provided by neighbouring Western Bay of Plenty District Council and Tauranga City Council. [Ian Simpson, #109]
- Provide far more access to areas for self-contained freedom camping only.  
Reasons -
  - The submitter is a ratepayer and employer of 6 staff, and uses outings such as caravanning to de-stress.
  - Motorhomers enjoy local hospitality where available, and this must benefit local business. [Dave Artz, #112]
- Strongly encourage non self-contained vehicles to stay at camping grounds and other facilities set up for them. Keep the specified areas set aside for freedom camping and regulate them accordingly.  
Reasons-
  - The submitter references instances, specifically at the reserve bordering their property at 1017 Tararu Road, Thames (Northern Tararu Reserve), of people sleeping in tents, cars and other vehicles that do not have toilet facilities, and defecating in bushes on the reserve and grounds of the Sunset Motel. This is unsavoury.
  - Even vehicles that are self-contained should not be parked overnight on the reserve or for longer periods as this takes away the enjoyment for others wishing to use the reserve. [Andrea McCartney, #113]
- The intent of being less restrictive is not achieved in the case of the Whangamata Community Board area.  
Reason -
  - The proposed changes will only allow the same number of night stays as the old bylaw due to the summer ban. [John Hares, #114]
- Lessen restrictions for self-contained freedom campers.  
Reason -
  - As a ratepayer, resident, local business owner and self-contained freedom camper the submitter would like the luxury of being able to enjoy the Coromandel and why they have chosen to live here, without restrictions of current bylaws.
  - Self-contained freedom campers often do more to preserve the environment rather than spoil it, such as picking up litter left by day travellers.
  - Self-contained freedom campers do not do a dis-service to campgrounds as occasionally they do stay in them. Without a caravan they wouldn't use them at all.
  - Self-contained freedom campers do more for the local economy than the moaners given credit for. [Susie Artz, #115]
- Have less areas available to freedom campers.  
Reasons -
  - Support campgrounds being used by all visitors.
  - New areas proposed would be hard to monitor with the few enforcement officers available and such a wide area to cover. [Joan DeLellis, #116]
- Against all types of freedom camping.  
Reasons -
  - Certain types of campervans don't have toilet and grey water waste holding receptacles.
  - They use the surrounding area as a toilet and can't even bury their waste. [Phil Clow, #121]
- Allow freedom camping in the area.  
Reasons -
  - There are many suitable sites.
  - As motor homers they follow strict NZMCA criteria at all times: access is suitable and not a safety hazard to the public or them, the campervan will not cause damage, pack in and pack out with rubbish, grey water and toilet waste, cause no obstructions for nearby residents and do not park too close to motor camps.

- In the submitters experience people have been happy to share their little piece of paradise for a short time.
- Motorhomers are not the ones littering our beautiful country. [Andrew Bridge, #122]
- Allow freedom camping and provide adequate areas.  
Reasons -
  - Let people do as they choose.
  - It is the kiwi way - don't ruin it.
  - Council should cater for the influx of baby boomers who like to travel and have money to spend, and those who don't have excess money to spend.
  - The submitter has paid rates and still is, so deserves freedom of choice.
  - If you don't give the motorhomers what they want you will lose the custom.
  - Most motorhomers go to camping grounds every 3-4 nights to have a decent shower, wash clothes, etc. [Sharron Fisher, #123]
- Ease restrictions on freedom camping.
  - The baby boomers are here, they have campervans are going freedom camping - make it happen.
  - Any visitor spending is better than none and the Coromandel is missing out - it is the worst area in New Zealand for freedom camping and lots of people won't come here for that reason.
  - The Freedom Camping Act allows for reasonable access to freedom camp - it does not mean beachfront in peoples' faces, just somewhere to park up.
  - The excuse that defecating in public places will increase is unproven and already has adequate laws to prevent this happening, or to take legal action when it does.
  - The submitter notes that they recently had a campervan trip in the South Island and spent \$7,500 and if it weren't for the purchase of the van that money would have been spent in Australia. The South Island had easy access to freedom camping sites and enabled them to spend their dollars on other tourist attractions while still using camping grounds every 3rd or 4th night. [Richard Fisher, #124]
- Permit freedom camping in all areas.
  - More visitors equals more jobs, which equals more residents, which equals more rates. Win win. [Carlene Wilkie, #125]
- Increase the number of freedom camping locations, but maintain stricter rules on the type of vehicles using the camping areas. Allow only self-contained vehicles. All others must use campgrounds where there are toilet facilities. [Roberta Preston, #126]
- Have another look at the many opportunities for making our area a great place for campervanners, such as making an effort to see that the Coromandel is recognised as a campervan friendly place where vanners are welcome to come and enjoy the area.  
Reasons -
  - The proposed restrictions are still huge.
  - Campervanners help provide the District with economic benefits.
  - For too long this area has had an unfortunate reputation with campervanners, which contrasts markedly with the friendliness of some councils such as Whangarei. It is time for a change.
  - Council is always saying the Coromandel must attract more visitors, but the proposed bylaw would still seem to make life miserable for some. [Richard & Gail Wilson, #5]
- Consider a more permissive regime that accommodates responsible freedom campers - see full submission for all comments.  
Reasons summary -
  - The NZMCA refers to the Council's mission, vision and relevant outcomes to freedom camping and considers that if the Council has a genuine desire to achieve its mission and be recognised as the most desirable area of New Zealand to visit, it must willingly try to accommodate responsible freedom campers. The NZMCA outlines issues with the Coromandel's holiday park

network for freedom campers and the economic benefit of freedom camping to the wider economy.

- Adopting another prohibitive bylaw will create more adverse spin-off effects for local businesses that are reliant on tourism as a source of income, and leaves the bylaw open for another judicial review. [The NZMCA, #24]
- Note and support the aims of the draft Freedom Camping Bylaw proposals with some reservations.
 

Reasons -

  - Outdoor public recreational opportunities are available to anyone, regardless of where they live.
  - All areas of Council should be available for freedom camping unless particularly excluded for special reasons as outlined in the Act.
  - Recreation contributes directly and indirectly to local economy, especially tourism and retail activity. See full submission for further information provided regarding economic benefit.
  - Issues associated with freedom camping (specifically referring to those mentioned in the 2013/14 Summer Survey) are not necessarily only done by freedom campers. [John & Avalon Fryer, #18]
- The proposed changes are still overly prohibitive, restrictive and inconsistent with legislation and bylaws.
 

Reasons -

  - As residents and ratepayers we want to enjoy what the Thames-Coromandel has to offer. [Lynne Hawley & Brian Wright, #16]
- Allow freedom camping in appropriate areas of the district. We need to share our beautiful Peninsula.
 

Reasons -

  - It brings income for businesses on the Peninsula and if done properly, can generate more business.
  - Freedom camper presence does deter vandalism.
  - Freedom campers can tidy up areas to a better standard than before they arrived.
  - Council's current approach has not been effective.
  - Prohibited areas are far too restrictive.
  - Some motorhomers and caravans do travel in groups for various reasons, and there seems to be nowhere these people can group to be catered for.
  - There are areas on the peninsula where motorhomes and/or caravans can go to enjoy the walks, bike tracks, fishing, relaxing and taking photos, that do not affect existing campgrounds as most are old and can't cater for larger motorhomes, caravans and 5th wheelers. [David Wight, #43]
- Have more areas to camp at in the Coromandel.
 

Reasons -

  - TCDC is known all over New Zealand as a negative council.
  - Not all New Zealanders own beach properties so freedom camping is the other option.
  - Thames is a retirement town so get used to the fact that there will always be freedom campers. [Raewyn Costello, #7]

A small number of submitters directly comment in relation to not continuing the bylaw review process, such as in favour of the status quo, no freedom camping bylaw or undertaking further analysis before any changes are made. Such submitter points are summarised below.

- Decline the bylaw or move areas to more desirable designated locations away from residents and their homes.
 

Reasons -

  - Even when a freedom camping spot is patrolled campers will flout the local bylaws and still defecate, litter, light illegal fires, etc. everywhere they go - this is evidenced in media.

- Part of the attraction of this area is the pristine surroundings, quiet and privacy - all of which will change if this bylaw is going to be implemented. [Stephen Waite, #81]
- Have no change to the current bylaw.
  - Reasons -
    - Retaining the status quo won't deter visitors from visiting and enjoying the beautiful Coromandel as some have suggested.
    - Over the last 11 years as a ratepayer at Te Mata there have been many locals having to clean up after overnight campers, especially during the summer months.
    - Many campers have no toilet facilities.
    - Many campers have a dog and most don't clean up after them.
    - If freedom campers are permitted along the Thames Coast then Council will have considerable extra cost cleaning up after them.
    - Ratepayers have to pay dearly to enjoy the beautiful Thames Coast and look after it, and it does not seem fair that others can enjoy the same coast and contribute nothing when there are sites available with appropriate sanitation facilities.
    - If freedom camping is made completely legal then Council costs overall will increase and it will be the ratepayers that will end up paying. [Conrad Schou, #105]
- Revoke the Freedom Camping Bylaw in favour of enforcement to prevent damage to the natural environment, by for example, making the laws on litter stronger.
  - Reasons -
    - The current laws are too weak, evidences by the sheer amount of litter along most highways and in towns.
    - Not everyone is careful [of the environment] and therefore it may be necessary to have a law which protects the countryside from wanton damage or simply ignorant behaviour such as defecating or littering. [Colin Day, #128]
- The current bylaw should remain in force, including clause 203.5.
  - Reasons - see above. [Kelly Walker, #38]