

Memo

27 February 2019

To: Councillor Linda Cooper – Chair, Regulatory Committee
All Regulatory Committee members

cc: All Devonport-Takapuna Local Board members

From: George Wood – Chair, Devonport-Takapuna Local Board
Grant Gillon – Deputy Chair, Devonport-Takapuna Local Board

Subject: Devonport-Takapuna Local Board feedback on draft Freedom Camping in Vehicles bylaw

1. The purpose of this memo is to outline the Devonport-Takapuna Local Board's (the local board) feedback on the draft Freedom Camping in Vehicles bylaw (the bylaw).
2. This feedback is currently draft and will be formally endorsed by the local board at their March 2019 business meeting.

General comments

3. The local board thank and appreciate the Regulatory Committee's (the Committee) support to date to prohibit freedom camping in the local board area.
4. The local board advocate that following the public consultation process, that the Committee continue to prohibit freedom camping from all 28 sites across the area.
5. In accordance with clause 7(1), the local board consider that all 28 sites across the local board area are unsuitable for freedom camping because:
 - parks and reserves across the local board area already are already experiencing high utilisation from both active and passive recreation users;
 - many parks and reserves in the local board area are for specialised activities (i.e. sports fields, or significant ecological areas) and therefore unsuitable as freedom camping sites;
 - there is extremely limited infrastructure (i.e. suitable carparks and toilets) to support freedom camping in parks and reserves;
 - other areas such as beaches and estuaries are environmentally sensitive areas which require a higher level of protection;
 - several parks, reserves and beaches across the local board area have popular assets such as boat ramps and boat trailer parking spaces. Allowing additional vehicles at both sites will restrict access for boat users and create further congestion and safety issues in the carpark areas, and surrounding streets; and
 - many parks and reserves across the local board areas are located in urbanised area and within close proximity to residential areas and permitting freedom camping in these areas may create noise and anti-social behaviour issues).

Response to bylaw provisions

6. The local board support the following bylaw provisions:
 - clause 8(1)(a) freedom camping must be in a certified self-contained vehicle;
 - clause 8(1)(c) the vehicle may spend no more than two nights in the area during a four-week period;
 - clause 10(1)(a-d) the council may temporarily restrict freedom camping using a vehicle in all or part of any local authority for one or more of the following purposes:
 - to protect flora, fauna, land, structures, infrastructure from damage; and/or
 - to protect public health and safety; and/or
 - to allow for maintenance; and/or
 - to allow exclusive use for any person or specified activity.
 - clause 13(1) every person commits an offence who freedom camps or makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area is liable to a fine of \$200, as outlined in the Freedom Camping Act 2011.
7. The local board do not support clause 9, as non-self-contained vehicles should be directed to camping grounds (both council-owned and privately operated).

Other comments

8. The local board notes significant concern that the bylaw contains no general rules that can apply to areas not specifically scheduled in the bylaw. In practice, the draft bylaw would permit freedom camping on local roads with no parking restrictions.
9. The local board consider this a risk to both the draft bylaw and roading network because:
 - local roads in the area are already increased significant pressure from people using them to park and walk to bus stops under the new public transport network;
 - they will contribute towards increased congestion issues in both town centres and residential areas;
 - there is no infrastructure to support freedom camping along road corridors; and
 - allowing freedom camping outside residential areas and outside individual properties is an encroachment on people's privacy and may create anti-social behaviour issues.
10. The local board strongly recommend that the Committee include general rules that will apply to areas not specifically scheduled in the bylaw. In addition, these areas should be restricted to certified self-vehicles and be limited to a two-night maximum stay.

Implementation and operational comments

11. The local board notes concern that council's compliance teams are already responsible for a range of regulatory matters (e.g. bylaws breaches, resource consent monitoring, unconsented building work and noise control) and this bylaw will further stretch their limited resources.
12. The local board recommend that a budget be considered so that additional resourcing can support the implementation and regulation of the bylaw.

13. The local board recommend that implementation of the bylaw be supported by an ongoing marketing and education campaign to inform where freedom campers are permitted to stay. This campaign should also encourage self-contained vehicles to use their on-board facilities rather than park infrastructure.
14. The local board suggest that an online booking / permitting system be developed to manage and control freedom camping at permitted areas.
15. The local board suggest that a user-pays system for infrastructure and facilities should be developed at permitted freedom camping areas