

# ***Camping in Public Places Bylaw review***

# *Purpose of this briefing*

- Bring forward the review of the Camping in Public Places Bylaw:
  - Unable to address pressing problems by resolution
  - Community perception
  - Complexity of issues
  - Proactively distribute the workload as seven bylaws and policies are due for review by 2022
  - Covid-19 - time to pause and reassess the bylaw
- Propose timeline for review
- Input from elected members to set direction for the review

# *Bylaw review programme of work*

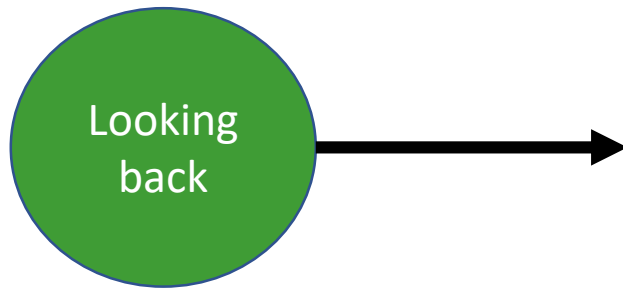
- Memorandum to SLT 09 March 2020.
- Seven documents coming up for review in 2022, and a further three due for review in 2023.

	Bylaw	Review deadline	Planned review date
1	Camping in Public Places Bylaw 2017	28/09/2022	2020
2	Water Supply Bylaw 2012	30/05/2022	2021
3	Trade Waste Bylaw 2012	27/06/2022	2021
4	Animals Bylaw 2017	14/12/2022	2021
5	Board Venue Policy 2019	20/03/2022	2022
6	Class 4 Gambling Policy 2019	25/07/2022	2022
7	Parking and Traffic Bylaw 2017	14/12/2022	2022
8	Dog Management Bylaw 2013	14/05/2023	2023
9	Dog Management Policy	01/03/2023	2023
10	Alcohol Control Bylaw 2018	13/12/2023	2023
11	Solid Waste Management Bylaw 2013	20/08/2023	2023

# Constraints

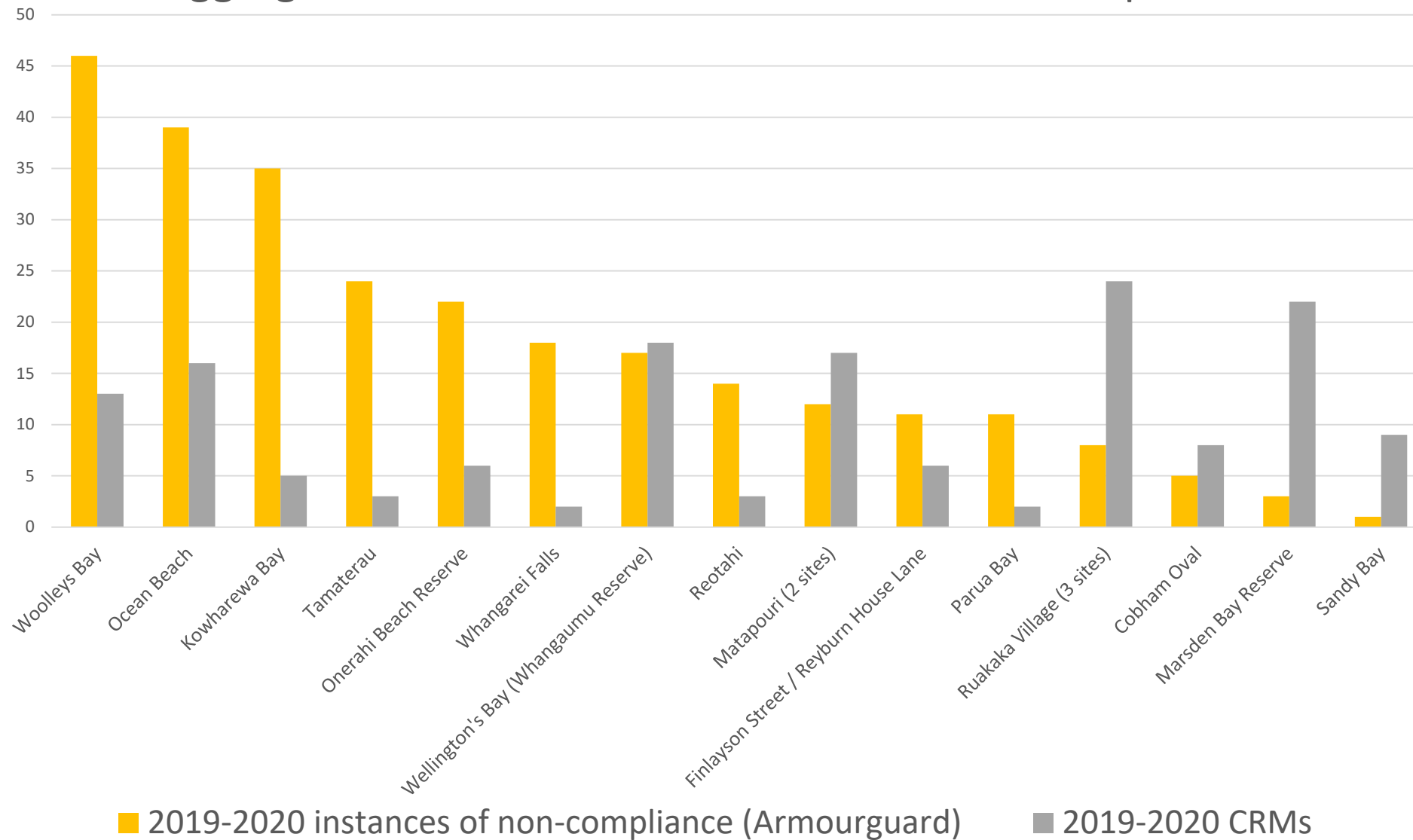
- Freedom Camping Act 2011 - cannot ban freedom camping
- Council can prohibit or restrict camping only for the following purposes (criteria) per s11(2)(a) of the FCA
  - to protect the area
  - to protect the health and safety of people who may visit the area
  - to protect access to the area.
- Current bylaw
  - Non-self contained camping is already allowed – legal implications
  - Adding or removing prohibited and restricted areas triggers consultation

# *Issues analysis*



- Perceived issues
  - Social license for freedom camping
  - Nuisance concerns outside the scope of bylaw
  - Is the bylaw over prescriptive?
- Demonstrated issues
  - Increased pressure on our key destinations
  - Te Araroa Trail – provision for tents
  - Persistent problem areas – cannot be remedied by resolution
    - Kowharewa Bay, Woolleys Bay, Ocean Beach, Ruakaka, Wellington's Bay, Tamaterau

## Aggregated enforcement instances and CRM complaints



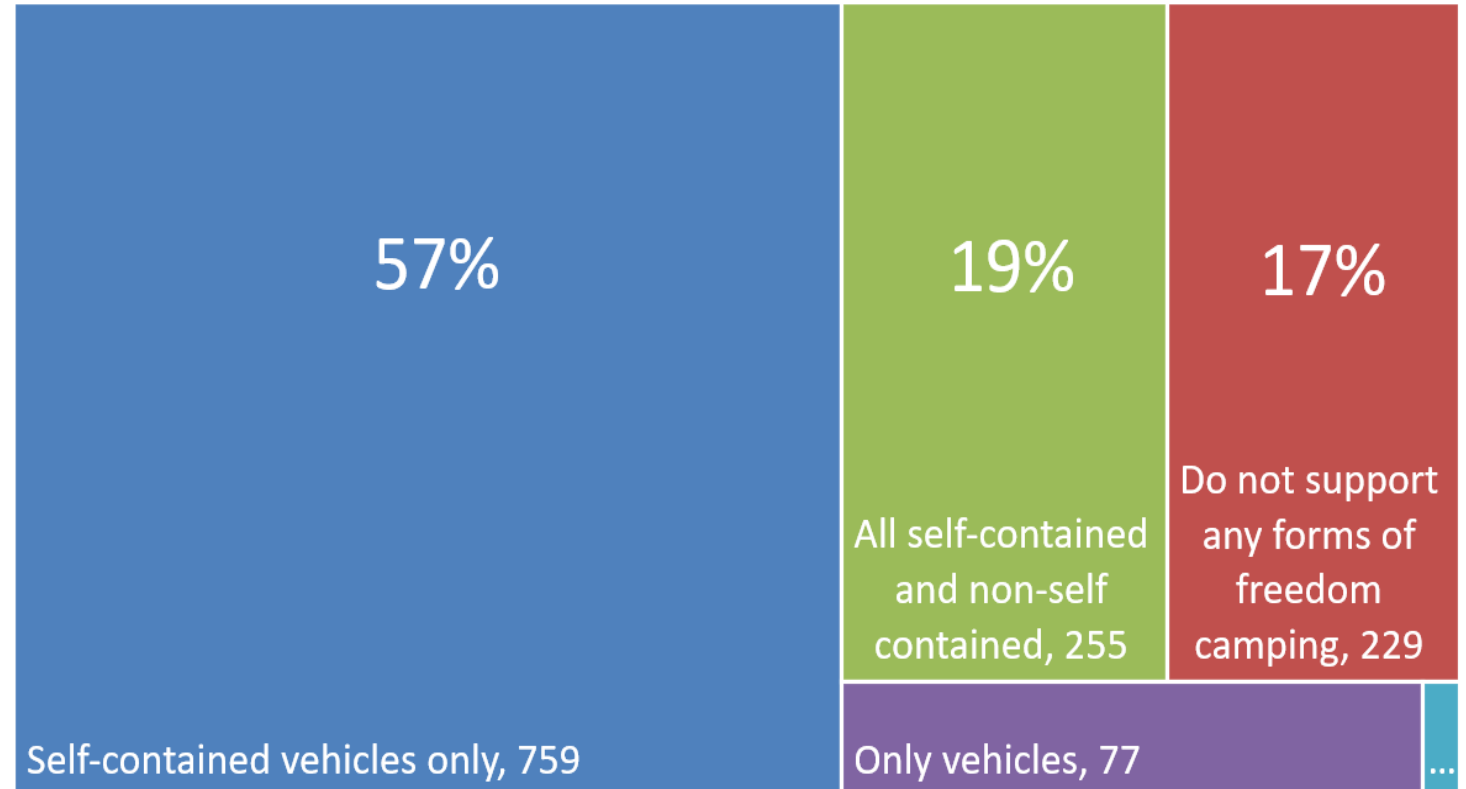
# Freedom camping survey

- Facebook campaign  
02 – 22 June 2020
- 1,329 survey responses

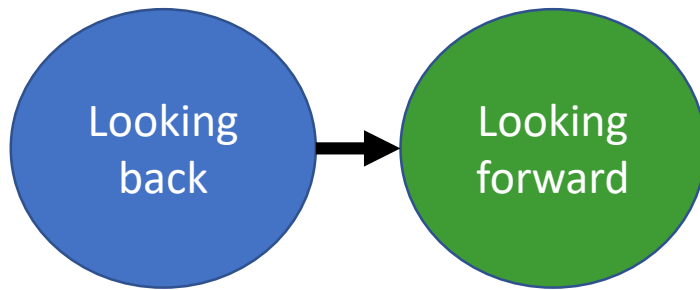
## Themes:

- self-containment
- support local campgrounds
- cost to ratepayers

What forms of freedom camping do you support?



# Issues analysis

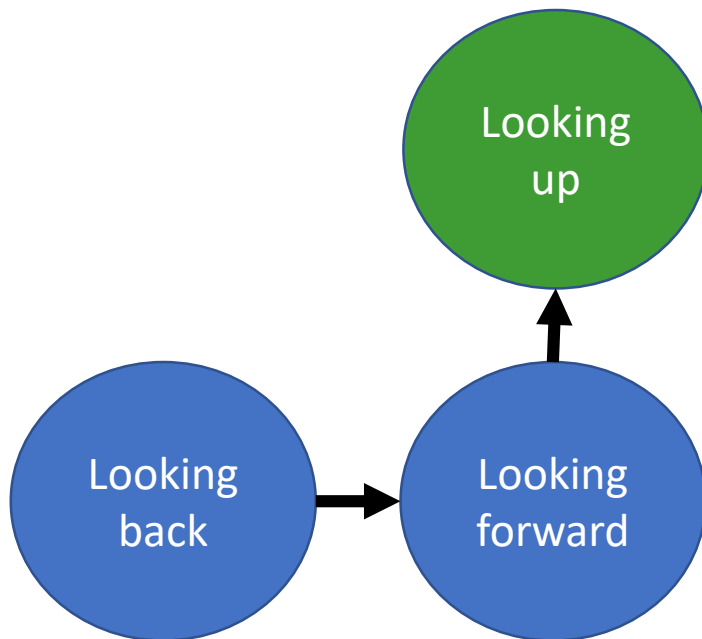


- Impact of Covid-19
  - Domestic tourism
  - Is the bylaw adequate for protecting public health and safety?
  - Chance to reassess tourism industry
- Local economy
  - Economic benefits of freedom camping not fully captured
    - 73% of freedom campers did not spend any nights in Whangarei District and left the same day they arrived.
  - Impact on commercial campgrounds



# Issues analysis

- National level developments
  - Responsible Camping Working Group
  - Permissive approach in the Freedom Camping Act 2011 likely to remain
  - MBIE to become a national authority to set and enforce requirements for self-contained vehicles



## Other councils:

- Grey District Council starting bylaw review
- Manawatu finalizing bylaw review
- Kaikoura adopted a new bylaw in 2019

# Issues analysis

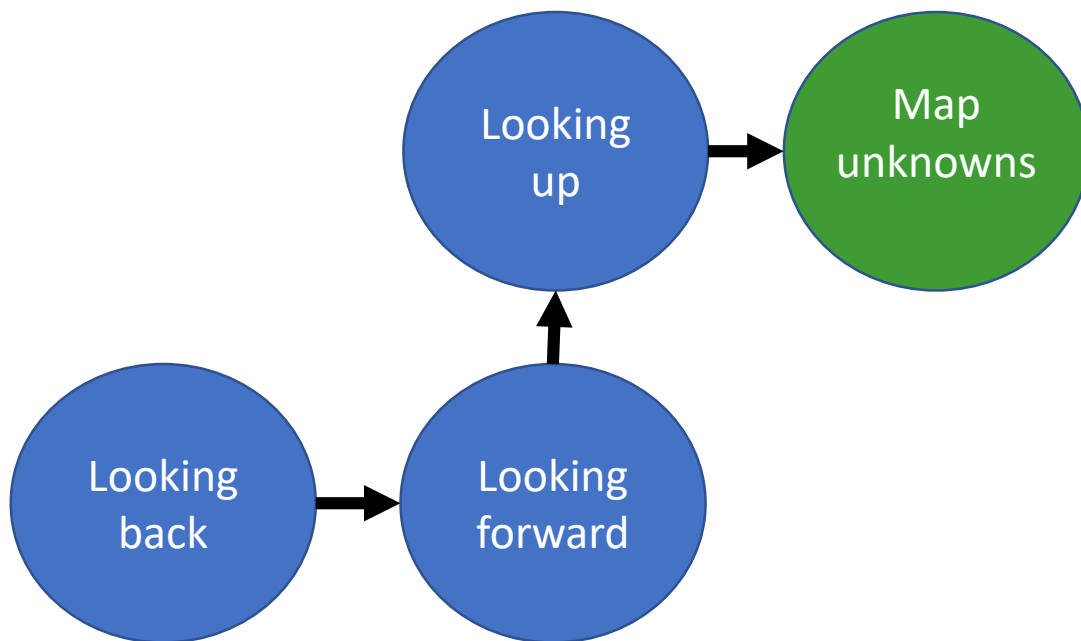
Uncertainty creates opportunities as well as challenges

- Challenges

- MBIE funding uncertain post Covid-19
- Covid-19 restrictions on tourism
- Issue of vehicle dwellers and homelessness out of scope of bylaw.

- Opportunities

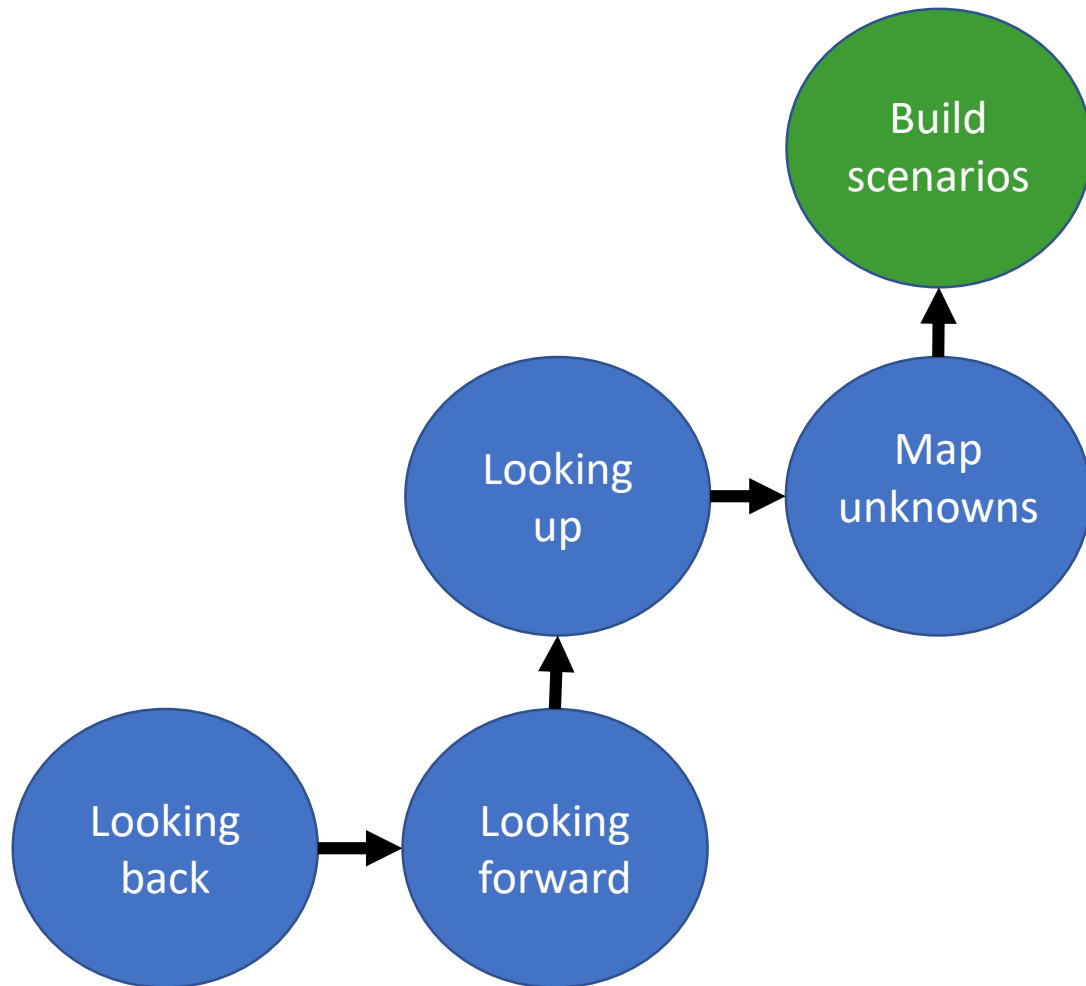
- Future-proofing the bylaw – next review in 10 years
- Enabling spending by freedom campers
- Non-regulatory methods



# *Permanently living in a vehicle*

- Permanently living in a vehicle is not “camping” for the purposes of the Bylaw
- Out of scope of bylaw review
  - LGNZ guidance is to not use a bylaw to move on people who are genuinely homeless
- Joined-up agency approach to homelessness:
  - Council (in a facilitating role to bring the parties together)
  - Ministry for Social Development
  - Housing New Zealand
  - Salvation Army (or equivalent entity)
  - Iwi social providers

# Issues analysis



- Growth scenario

- Demand bounces back due to domestic tourism or increases as borders open up
- Changes to bylaw needed to manage demand

- Reduction scenario

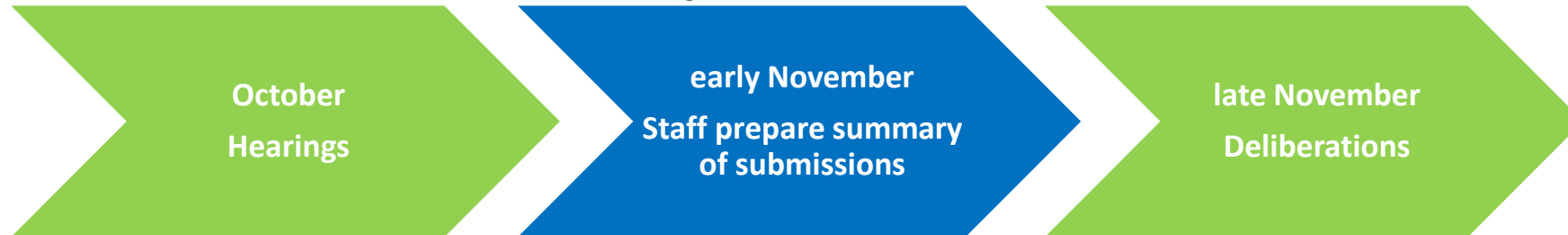
- Covid-19 restrictions in place
- Lack of MBIE funding for enforcement

# *Bylaw review timeline*

## Consultation



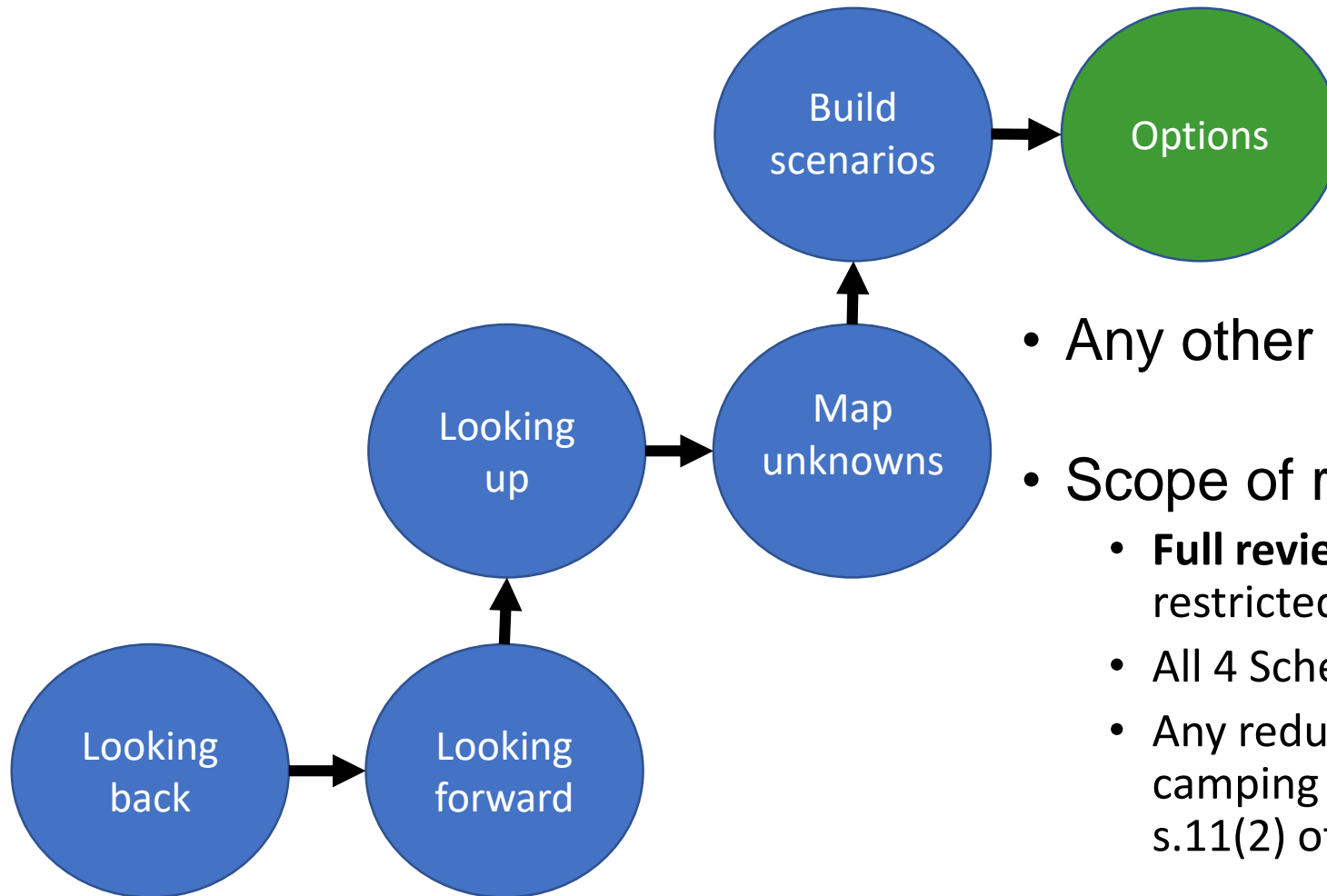
## Hearings and Deliberations



## Adoption



# Issues analysis



- Any other issues? Locations?

- Scope of review

- **Full review:** changes to prohibited and restricted areas
- All 4 Schedules
- Any reduction of supply of freedom camping sites must fit the criteria of s.11(2) of the FCA.

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