

# Extra-ordinary Whangarei District Council

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## Notice of Meeting

A extra-ordinary meeting of the Whangarei District Council will be held in the Council Chamber, Forum North, Whangarei on:

**Tuesday  
24 May 2016  
9.00am**

## Committee

Her Worship the Mayor (Chairperson)  
Cr S J Bell  
Cr S J Bretherton  
Cr C B Christie  
Cr P A Cutforth  
Cr S J Deeming  
Cr S M Glen  
Cr P R Halse  
Cr C M Hermon  
Cr G C Innes  
Cr G M Martin  
Cr B L McLachlan  
Cr S L Morgan  
Cr J D T Williamson

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# 1 Hearings report – proposed Freedom Camping Bylaw

**Reporting officer:** Shireen Munday (Policy & Bylaws Analyst)  
**Date of meeting:** 24 May 2016

## 1 Purpose

To receive the submissions to the proposed Freedom Camping Bylaw and to hear submitters who wish to be heard.

## 2 Recommendation

That Council:

- a) receives the submissions attached in Attachment 1;
- b) hears the submitters who wish to be heard in support of their submission.

## 3 Background

Whangarei District Council at its meeting on 23 March 2016 adopted a Statement of Proposal on a proposed Freedom Camping Bylaw for public consultation. The Statement of Proposal also incorporated proposed amendments to the Public Places Bylaw 2014 and the Parking and Traffic Bylaw 2009 that are required to ensure consistency between these bylaws and the proposed bylaw.

The submission period opened on 4 April and closed on 6 May 2016. The proposed changes were notified in the Whangarei Leader as well on Council's website. All coastal resident and ratepayers associations or similar organisations were notified by email of the consultation process, as were Maori and Iwi stakeholders and organisations in the Whangarei District.

All relevant documents were made available on Council's website as well as through the service centres and libraries.

A total of 42 submissions were received during the submissions period and 11 submitters advised that they wished to speak to their submission. Copies of the submissions received are in Attachment 1.

## 4 Discussion

This section provides a summary overview on the key matters raised in submissions.

### 4.1 Overview

Ten submissions received were from various organisations or businesses, with the remaining 32 submission made by private individuals.

Submitters were asked to indicate whether they generally support or oppose the bylaw. Seven submitters did not provide an indication, 23 submitters expressed their support while 12 expressed their opposition.

Submitters were also asked to indicate whether they were commenting on only the proposed Freedom Camping Bylaw or also on the proposed amendments to the Public Places and Parking and Traffic Bylaws. While some submitters did tick the boxes on the form for the two existing bylaws, the analysis of issues raised shows no actual commentary on the proposed amendments to those bylaws. One submitter raised a general issue with the Parking and Traffic Bylaw that does not relate to the proposed amendment or to freedom camping.

Submitters were asked what their key concerns were regarding freedom camping (FC). Where this information was supplied, the majority of submitters concerns relate to all forms of freedom camping. Six submitters commented specifically on the length of the proposed summer prohibition. Nearly 2/3rds of submitters commented on 29 specific areas across the district with the remaining 16 submitters making general comments on the proposal.

Two submissions were received that contained no further comments. One submitter has requested to be heard, the other submitter has only indicated their general opposition to the bylaw.

### 4.2 Summary of submission points

The 42 submitters made a total of 137 submission points. The main issues raised have been summarised into the following tables, together with staff comments where appropriate.

#### Area specific issues

Area	#	Summary of comments made/outcome sought	Staff comment
<b>Tutukaka Coast</b>			
Whangaumu Bay (Wellingtons Bay)	2	Remove proposed restrictions / supports proposed restrictions	Submitters provided opposing views
Tutukaka Marina Reserve	2	Allow FC overnight only / provide FC sites	
Sandy Bay – McAuslin Road carpark	1	All FC prohibited	Reserve under the control of DOC, bylaw cannot be applied to this area
Woolleys Bay - western carpark	2	Increase number of FC sites/ No FC restrictions	No specific site area identified to date
Woolleys Bay - eastern carpark	3	2: All FC prohibited / 1:No FC restrictions	
Whale Bay	1	Provide identified sites 4.30pm-9am	
Sandy Bay - toilet block carpark	1	Provide identified sites	Included in proposal
Sandy Bay - road reserve carpark	1	All FC prohibited	Summer prohibition in proposal

Area	#	Summary of comments made/outcome sought	Staff comment
Te Maika Road, Ngunguru	1	Provide restrictions/identified sites.	
Kowharewa Bay	1	Provide restrictions/identified sites.	
Scow Landing	1	Self-contained FC only.	Included in proposal.
<b>Whananaki</b>			
Whananaki North – Estuary Reserve area	1	FC to be restricted.	Unclear what type of restrictions requested.
Mangaiti Reserve (Brookers Beach, Mangawhiti Bay) – Whananaki North	2	All FC prohibited.	
Moureeses Bay - road reserve carpark area opposite 455 Rockell Road	1	All FC prohibited.	
<b>Bream Bay</b>			
Ruakaka Beach Reserve	8	1: Opposed to summer prohibition/1:FC should be prohibited on grass area of reserve/6: All FC prohibited.	
Prince Street Reserve, Ruakaka	2	Remove proposed prohibition/supports proposed prohibition.	Submitters provided opposing views.
Mair Road carpark	3	All FC prohibited.	Reserve under the control of DOC, bylaw cannot be applied to this area.
Waipu Caves carpark	1	All FC prohibited.	
Hamon Road – Waipu	1	All FC prohibited.	Private land.
Johnson Point Road – Waipu		All FC prohibited.	
Marsden Bay Reserve	3	Concerned in particular with all FC on grass area of reserve adjacent to marina entrance.	
Marsden Village	1	Provide identified sites.	
<b>Other</b>			
Oakura – beach reserve	1	Supports self-contained FC on Oakura foreshore reserve area.	
Oakura – Oakura Hall carpark	1	Issues with rubbish and number of FC vehicles.	
Oakura - Te Kapua Street	1	FC vehicles blocking driveways.	
Pataua South	2	FC vehicles restricted to circular tarsealed area adjacent to bridge.	
Bascule carpark	3	Retain FC access at carpark.	FC not prohibited in proposal, error in media reporting.
Tamaterau Domain	1	All FC prohibited.	
Sports parks	1	remove lesser used sports parks from prohibited list.	

## Other topics

Topic	#	Summary of comments made/outcome sought	Staff comment
<b>Self-containment</b>			
Support for self-containment FC only	3	Submitters support the proposed restriction.	
Support for non self-contained FC	6	Non self-contained FC is acceptable if in the vicinity of public facilities.	
Definition of self-containment	2	Need good definition of self-containment.	
<b>Summer prohibition</b>			
Opposed	2	Too restrictive/too difficult to enforce.	
Too long	4	Various shorter periods suggested.	
<b>Maximum nights</b>			
Too long	3	Shorten to 2 nights.	
Appropriate	3	Support the proposal.	
<b>Other</b>			
Monitoring & enforcement	8	Bylaw needs to be strictly enforced and monitored.	
Signage	5	Bylaw needs accurate and clear signage.	
General support for FC	6	Council should take pro-active steps to welcome freedom campers to the district. Many benefits of FC activities.	
Obstruction of views	3	Residents do not like having their views obstructed by freedom campers.	Restrictions to protect views not available under the Freedom Camping Act 2011
Impact on nearby commercial accommodation providers	5	Opposed to FC in the vicinity of commercial operators.	Restrictions to protect commercial interests not available under the Freedom Camping Act 2012
Litter and waste	14	Submitters concerned with litter and human waste issues as well as the impact on existing public facilities.	Most issues raised by submitters would be addressed through the proposed restriction to self-contained vehicles only.
Public safety	2	Concerns regarding potential safety issues, especially around children.	
Bylaw clauses	5	Some bylaw clauses should be amended.	These are technical in nature.

## 5 Significance and Engagement

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy as the purpose of the meeting is to hear submitters only, no decisions of Council are sought. The public will be informed via agenda publication on Council's website.

## Attachments

(under separate cover – available on request: contact Senior Meeting Co-ordinator)

Submissions received

Extra ordinary Council meeting

## RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i)}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

## Resolution to allow members of the public to remain

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

### Move/Second

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item \_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_.

Note:

*Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*