



**STATEMENT OF PROPOSAL
Proposed Amendments to the
Tasman District Council**

**Consolidated Bylaw Chapter 11:
FREEDOM CAMPING BYLAW 2017
Date: 16 October 2020**

INTRODUCTION

Tasman District Council is proposing amendments to its existing Freedom Camping Bylaw 2017 (amended 2018) and is seeking your views on the proposed amendments.

The proposed amendments to the Freedom Camping Bylaw prohibits use of two areas where we have experienced negative feedback about their use during last summer. It also propose an alternative area that those camping in non-self-contained vans can utilise, provided they use the facilities provided in that area.

If adopted these amendments will replace the associated elements of the 2017 bylaw. This Statement of Proposal has been prepared in accordance with the Freedom Camping Act 2011, Local Government Act 2002 and the Bylaws Act 1910, and includes:

- The reasons for the proposal, and
- The proposed draft Freedom Camping Bylaw 2017, and
- Information on how to make a submission and the associated forms.

WHAT ARE WE CONSULTING ON?

We are consulting on a proposal that has been put forward to make amendments to the Freedom Camping Bylaw. The existing Bylaw was last reviewed in 2017 and amended in 2018 - include a new freedom camping site. A complete review of the bylaw is not required until 2027, however, it is intended to conduct a full review before then.

In late April 2020 Council created a Responsible Camping Strategy (RCS). One aim of this strategy was to have a review of the existing bylaw completed before December 2020. This was one of four key areas of action:

1. Encourage responsible camping behaviours, a respect for the environment and our communities:

- Provide up to date, quality information to visitors through a variety of channels

2. Direct different types of campers to appropriate areas through effective regulation and enforcement:

- Locations where the environment and cultural values are protected, facilities are suitable for the type of camping (self-contained or non-self-contained), and the effects on the local community can be minimised

3. Work cooperatively with others to encourage a range of camping opportunities:

- Support other organisations and members of the community to provide suitable camping opportunities by developing Camping Ground

Regulations exemptions guidelines, managing regulations sympathetically and promoting commercial camping opportunities to freedom campers where practical.

4. Undertake a review of the existing Freedom Camping Bylaw:

- Through the Bylaw review, undertake an assessment of freedom camping sites and locations to protect the environment and encourage responsible camping behaviour.

Feedback on the strategy from some members of the public was very negative towards freedom camping and this led the Council to create these four action areas. Additionally, negative feedback on the sites at Waitapu Bridge and Taupata Point last summer focused Council's attention on the suitability of these sites.

WHAT HAS HAPPENED SO FAR?

Bylaw History

We have had Bylaws for freedom camping since 2011. In 2017 we introduced a bylaw which covered the whole district. This gave council better control over areas where we found issues with freedom camping. In some cases freedom camping was prohibited entirely i.e. all urban areas with a speed limit below 70kmh, all cemeteries, all sportsgrounds, river sides of stop banks, parks and nearly all reserves.

We also restrict camping in vehicles not meeting the requirements of NZS 5465:2001 Incorporating Amendment No 1 and 2 Self Containment of Motor Caravans and Caravans:

5.2.5 Persons not in a self-contained vehicle must not camp on any local authority area unless they are in a camping ground or in the areas indicated in Schedule 3 of the Bylaw. This is to protect the area.

This restriction recognises the potential detrimental effect of camping without adequate facilities on-board. It is also impractical to erect signage across all areas of the district showing no-camping.

This restriction does not extend to those meeting the NZS 5465:2001 standard.

6.2. For clarity, persons in self-contained vehicles may camp in all public areas of the district except for those areas where freedom camping is prohibited under Clause 5 and Schedule 1 of the Bylaw, and except where priority is given to specific areas for non-self-contained vehicles in Schedule 2. Provided that no prohibition under any other enactment is in force e.g. the Land Transport Act or Reserves Act.

Five areas were created where freedom camping is allowed in vehicles:

Location	Status	Remarks
Fittal Street Richmond	Car park	12 spaces
Alexander Bluff	Road Reserve	
Decks Reserve	Car park	15 spaces

Waitapu Bridge	NZTA Road Reserve +	Mixed ownership
Taupata Point	Road Reserve (Gravel)	Seasonal site

Our experience since the bylaw was introduced is that the issues with freedom camping have reduced. At an operational level we have monitored and enforced more but infringed less. We also employed an additional educational element last summer in the form of ambassadors who visit the sites and advise campers on where they can and cannot go.

Evidence indicates that the vast majority of problems are perceived and not tangible. It is appreciated that the presence of freedom campers offends some members of the community, however, we cannot put a blanket ban on freedom camp under the Freedom Camping Act. If no sites are provided we risk the same situation as pre 2017 where we had little control over where freedom campers stayed and this caused serious issues in some areas.

Workshop and Discussion

A workshop was held with full Council on 30 September, the proposed amendments reflect the feedback from the Council workshop. A meeting with some members of the Golden Bay Community Board (GBCB) was held on 6 October, the proposed new sites were visited and options discussed. Initial indications from the GBCB were that they support the closures and the use of part of the former Rototai tip site.

PROPOSED AMENDMENTS

These are as follows:

Part of existing Bylaw	Suggested change	Remarks
5.2.2 The river side of any embankment, except designated areas in the vicinity of the State Highway Bridge at Waitapu, Golden Bay. To protect the health and safety of people who may visit the area.	5.2.2 The river side of any embankment to protect the health and safety of people who may visit the area.	Council cannot include Waitapu Bridge in any new bylaw as NZTA are taking over control of the area.
SCHEDULE 1 - DEFINED AREAS OF PUBLIC LAND WHERE ANY FORM OF FREEDOM CAMPING IS PROHIBITED		
14. Area of Prohibition: Waikoropupu Springs Road Reserve	Remove from Bylaw as DoC now have	

Legal description: Pt Lot DP6769	control of whole area	
SCHEDULE 2 - DEFINED AREAS WHERE FREEDOM CAMPING IS RESTRICTED TO SPECIFIC TYPES OF VEHICLES		
1. Restricted Area: Decks Reserve Car Park Legal description: DPC 9 Lot 1 DP 11529 PT Lot 2 DP 5945 & Pt Secs 153 293 Motueka Dist	Need to redefine FC Areas	The new library construction will impinge on the current FC area. The intention is to retain spaces for freedom camping overnight in alternative parking spots.
SCHEDULE 3 - DEFINED AREAS WHERE FREEDOM CAMPING IS PERMITTED SUBJECT TO CERTAIN RESTRICTIONS		
1. Permitted Area: Waitapu Bridge, Takaka Legal Description: Pt sec C Takaka DIST and Road Reserve	Remove from Bylaw	The NZTA are taking control of the whole area and we therefore have no legal right to have it in our Bylaw.
2. Permitted Area: Taupata Gravel Reserve, Collingwood – SEASONAL Legal Description: Road Reserve	Remove from Bylaw	This area is a continual issue for complaints from bird watchers. It is difficult to police and the area to the front of the gravel reserve is NOT a DoC reserve as previously reported. An alternative site should be found if possible.
Part of the former Rototai Tip Site	Add to bylaw – A new map would be added to Schedule 3 of the Bylaw and Signage posted displaying the requirements at the site	This site was suggested in 2017 and met significant resistance from the local community. Given the lack of alternative Council land, it is felt that an area of this land is still the best option. Site surveys have been carried out to ensure safety of the sealing cap. Additional work would be required to improve the site for vehicles and to fence it where appropriate to prevent access to sensitive areas. It is intended to make spaces for a maximum of 60 vehicles. Initial

feedback from the Community Board is supportive.



The site would be serviced with temporary toilets and waste bins provided by the Government responsible camping fund.

Alexander Bluff Road Reserve

Amend permitted camping area to allow more control of camping activities

This area is classified as road reserve and is used for storage of gravel and roading materials. The freedom camping site would be identified using appropriate posts and markings. This would also allow free use of the reserve by others.



SCHEDULE 4 - SELF-CONTAINED VEHICLE WASTE DUMPING LOCATIONS

The schedule be updated to reflect current locations.

WHAT ARE THE EFFECTS OF THE PROPOSED AMENDMENTS

The vast majority of the existing bylaw would be carried over, however, these amendments would result in two contentious permitted camping areas being removed and one new area where it is less likely to have a negative effect on locals introduced. Alexander Bluff Reserve will have a better defined camping area making it safer for campers and the reserve more accessible for locals. Freedom camping for non-self-contained vehicles in Decks Reserve will continue as before but in a different place.

WHERE CAN YOU GET MORE INFORMATION?

Copies of the existing Bylaw are available here <https://www.tasman.govt.nz/bylaws> or at any of the Council offices listed below. Copies of this Statement of Proposal and the Summary of Information relating to this review are also available at these offices or on the website here: <https://www.tasman.govt.nz/my-council/public-consultation/>.

This consultation is an opportunity for the Council to consider your views before the decisions are made. There will be no right to appeal once the decisions have been made.

Submissions can be made online or by using the form below, if you do not wish to use this form we ask that you provide enough detail to allow us to understand the specific elements of the submission. All submissions will be made public and are available on the submissions database.

The submission period begins at **8.00 am on 16 October 2020**. Please note that written submissions are to be **received** by Tasman District Council by **4:30pm on 16 November 2020**.

Submissions can be:

Posted to:	Freedom Camping Bylaw Consultation Tasman District Council Private Bag 4 Richmond 7050
Faxed to:	03 543 9524 Attn: Freedom Camping Bylaw Consultation
Delivered to:	Tasman District Council Attn: Freedom Camping Bylaw Consultation 189 Queen Street, Richmond, or 92 Fairfax Street, Murchison, or 7 Hickmott Place, Motueka, or 78 Commercial Street, Takaka

Emailed to:	info@tasman.govt.nz
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Those wishing to be heard will be informed of dates and locations once the submission period has ended.

Submission on the Draft Proposed Amendments to Tasman District Council Consolidated Bylaw, Chapter 11 Freedom Camping Bylaw 2017

Closing date: **4:30pm on 16 November 2020**

To: Freedom Camping Bylaw Consultation
info@tasman.govt.nz

OR Post to: Freedom Camping Bylaw Consultation
Tasman District Council
Private Bag 4
Richmond 7050

Full name of submitter: _____

Organisation (if any): _____

Full postal address:

Email Address:

Telephone number(s): _____

Fax number:

Please delete one of the following:

I WISH TO PRESENT MY SUBMISSION IN PERSON TO A COUNCIL HEARING

I DO NOT WISH TO BE HEARD IN PERSON

This is page 1 of a total of _____ pages.

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Signature of person making submission (or person authorised to sign on behalf of submitter)

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Date

For office use:		
Received:	
Submission ID:	
Acknowledged:	
Hearing time required?:	
Hearing	time	allocated:
.....	
Hearing	time	advised:
.....	

Provision / Clause	Support / Oppose	Submission	Decision Sought
<i>Please refer to Area affected i.e. Waitapu, Rototai etc</i>	<i>Clearly indicate whether you support or oppose the specific provision</i>	<i>State in summary the nature of your submission and the reasons for it. If suggesting a change to a map, please append a copy marked up with your proposed changes</i>	<i>State clearly the decision and or suggested changes you want Council to make in respect of the provision</i>