

MINUTES ORAL SUBMISSIONS DRAFT FREEDOM CAMPING BYLAW 2012	MEETING HELD ON THURSDAY 2 AUGUST 2012	TIME 10.00AM
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MINUTES of a Hearing of Oral Submissions to the Draft Freedom Camping Bylaw 2012, held in the Meadows Church, 1 Realm Drive, Paraparaumu, on Thursday 2 August 2012 commencing at 10:00am.

PRESENT:

Cr	P	Ellis	(Chair)
Mayor	J	Rowan	
Cr	R	Church	
Cr	K	Gurunathan	
Cr	H	Wooding	
Cr	P	Gaylor	
Cr	T	Lloyd	
Cr	M	Cardiff	
Cr	R	Booth	

IN ATTENDANCE:

Mrs	L	Jensen	(Chair, Paraparaumu/Raumati Community Board)
Mr	S	Dray	(Principal Rural Fire Officer & Emergency Management Advisor)
Ms	T	Evans	(Group Manager, Community Services)
Ms	P	Richardson	(Strategic Projects Manager)
Ms	H	Dorne	(Executive Secretary)
Ms	D	Geerling	(Democratic Services Team)

The Chair welcomed the Elected Members, Members of the Public and Council Officers to the Hearing of Oral Submissions for the Draft Freedom Camping Bylaw 2012.

APOLOGIES

MOVED (Lloyd/Church)

That apologies from Cr Ammundsen, Cr Lester, Janet Holbrow and Colin Pearce be received.

CARRIED

PUBLIC SPEAKING

That public speaking be set a three minutes per person.

Dale Wills, a member of the NZ Motor Caravan Association spoke in support of their submission. As a local he is disappointed with the bylaw as it doesn't comply with the Freedom Camping Act. Other areas around the country have embraced freedom camping with a lot of commercial benefit and suggests Kapiti should embrace these opportunities. Mr Wills suggested the Council should read the legal opinion written by Chen Palmer regarding the Thames-Coromandel bylaw. He asked the Council to very seriously consider the submission from the NZ Motor Caravan Association.

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Allan Young spoke regarding the banning of freedom camping in Taupo and the effect it had on business owners until the bypass was created which allowed them back. Murchison has grown from the business created from freedom campers and Mr Young would like to see similar growth in Paraparaumu. People will bypass Paraparaumu if there is nowhere for freedom campers to stop. He asked the Council to take his comments on board.

MEMBER'S BUSINESS

(a) Public Speaking Time Responses

There were none.

(b) Leave of Absence

MOVED (Gaylor/Church)

Cr Lloyd requested a leave of absence from 14-26 September.

CARRIED

(c) Matters of an Urgent Nature

There were no matters of an urgent nature.

(d) Declarations of Interest

There were no declarations of interest.

HEARING OF SUBMITTERS TO THE DRAFT FREEDOM CAMPING BYLAW 2012

1. Tony Gavin, spoke to the meeting and made the following points:
 - Access onto camping grounds for his 11.5 mtr self-contained motor home is problematic.
 - It has been proposed that Tasman Road will be removed as an approved site for freedom campers. The site is well used by Mr Gavin and his wife.
 - There is a misrepresentation of behaviour of the majority of responsible freedom campers.
 - Supports the prohibition of non-certified self-contained vehicles without adequate toilets.
 - Local economy benefits from expenditure by freedom campers
 - Section 11 does not meet the requirements of the Act and this could be legally challenged. The allowance of only 31 vehicles across the whole area could also be challenged under Section 12 of the Act.
 - Would like to see the Ōtaki Beach site maintained as part of a freedom camping site.
 - In his view the Council's current bylaw is flawed in law and needs to be re-examined.

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2. Richard Laurenson on behalf of Ian Cassels & Caitlin Taylor, spoke to the meeting and made the following points:
 - Mr Cassels and Ms Taylor own land at the end of Sims Road, Te Horo.
 - As a result of the new policy the number of large vehicles using the area has increased remarkably, with accelerated degradation of the beach and damage to dune areas. Camp site numbers are frequently exceeded with noise and partying all night, invasion of private property and fires in the driftwood zone being some of the problems.
 - Random checks by the Council, in response to complaints, have not been done.
 - The Council undertook to provide rubbish bins and servicing of them – this has not been done.
 - Signage of illegal sites and information regarding nearest dump sites have not been provided by Council.
 - Mr Cassels and Ms Taylor request this area is removed from the Council's freedom camping list unless more effective monitoring of this remote site is undertaken.

3. Michelle Day from Byron's Resort Ltd, spoke to the meeting and made the following points:
 - Freedom camping should take place in remote areas and thinks the Ōtaki River mouth and Ōtaki Forks are great sites for this.
 - Would like to see the removal of the Tasman Road car park as a freedom camping site and freedom camping should not occur on Marine Parade at Ōtaki Beach.
 - The Ōtaki Beach area will be detrimentally affected by freedom campers with damage to the sand dunes and access to the beach. Car parking is regularly blocked by large campervans.
 - Freedom campers are regularly caught coming into the resort to use facilities, dump station and showers.
 - Asks why the Kapiti Coast has 35 sites while other areas such as the Thames Coromandel only have six sites across the whole district?
 - There is no monitoring of the freedom campers by the Council unless a complaint is made.

4. Chris Ineson, spoke to the meeting and made the following points:
 - Mr Ineson is a local in Sims Road and can't escape the campervans 24/7 in summer and most weekends in winter.
 - Campervans park in the car park area so cars can't use it – this needs to be addressed.
 - Sometimes campervans are accompanied by smaller vehicles which use their facilities – this is illegal and not being enforced rigorously enough by Council.
 - The environment is being degraded by heavy vehicles, on a track that was never designed for heavy vehicles.
 - Proposed that the two campervan sites be moved further north. There should be a permit requirement that is properly enforced.

5. Denise Church, on behalf of Rob Crozier and Joan Allin, spoke to the meeting and made the following points:
 - Beach residents are adversely effected by the poorly managed campsite in front of their properties.


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- Effective enforcement is non-existent.
 - There are people camping in tents and non self-contained vehicles which are not permitted, as well as too many vehicles being parked by the toilets.
 - The vehicles are damaging the environment and sand dune areas.
 - Rubbish is left behind on the sites.
 - After the policy was introduced the number of vehicles increased.
 - Ask that freedom camping not be allowed anywhere on Te Horo beach near the toilets or on Sims Road.
6. Denise Church, spoke to the meeting and made the following points:
- Asks that all freedom camping be removed from the Te Horo beach area, including Sims Road.
 - The Council's analysis supporting the proposed bylaw inadequately describes the direct community and physical impacts in the Te Horo area of this escalated campervan activity.
 - There are profound impacts on the well being and enjoyment of local residents and the most disturbing long term effects are on the sensitive coastal eco systems.
 - There are many instances of non self-contained vehicles or excessive numbers of vehicles illegally parked. There are also multiple and undesirable access points to the grounds which are illegal.
 - Failure of regulation to contain freedom camping imposes emotional stresses which no rate payer should be expected to bear.
7. Barry Thomson, spoke to the meeting and made the following points:
- Resident of Waikanae and has been freedom camping with his wife for 35 years.
 - It is clear that Council is converting the existing freedom camping policy into a bylaw without regard to the Freedom Camping Act 2011 and Bill of Rights Act 1990.
 - The grounds for deleting Tasman Road are inconsistent with the requirements of Section 11 (2) and other relevant legislation.
 - Supports the prohibition of non-certified self-contained vehicles from freedom camping within the district and the level of restriction proposed is overly harsh.
 - Council could offer an area of the recently acquired Howarth land for freedom camping.
8. Peter Jenkins, NZ Motor Caravan Association spoke to the meeting and made the following points:
- Large and responsible organisation with over 45,000 members.
 - Concerned that the bylaw seeks to restrict where and when members can stay in public places.
 - Any bylaw that is introduced must be reasonable and proportional to the actual problem and must be able to be substantiated and defended.
 - Any issues are of a minor nature.
 - Freedom camping is a permissive activity under the Freedom Camping Act
 - Reject the comments in the proposal referring to sufficient amount of camp grounds available in the district.
 - Would like input into the process of the new policy so it will be fair and reasonable.

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Cr Ellis thanked everyone for attending and told the meeting that all views and written submissions will be considered before a final decision on the policy is made. All submitters will be kept up to date by Council on when the policy is likely to come out.

The meeting closed at 11.56 am


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Chairperson

27-9-12
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Date