

Draft Freedom Camping Bylaw 2017 Statement of Proposal



GREAT LAKE TAUPŌ
Taupō District Council

Have your say on our draft Freedom Camping Bylaw

Taupō District Council is working towards creating a Freedom Camping Bylaw to manage freedom camping in certain areas of the Taupō District. But before the bylaw has been finalised, we'd like to know your views.

This document outlines the purpose of our draft bylaw on freedom camping and contains further information including pros and cons on potential freedom camping sites around the district.

How to have your say

The easiest way to share your thoughts on the draft bylaw is to head online to our website at taupo.govt.nz/consultation. There are other ways you can send in your views, including:

By email:

freedomcamping@taupo.govt.nz

In person at our offices:

Taupo office, 72 Lake Terrace, Taupō.

Turangi office, Town Centre, Turangi.

Mangakino office, Civic Centre, Rangatira Drive, Mangakino.

By phone:

07 376 0899 or 0800 ASK TDC (0800 275 832)

By post:

Taupō District Council, Private Bag 2005, Taupō 3352.

Make sure your submission is with our team by 5pm on Tuesday, 18 April 2017.

All submissions will be considered. If you'd like to present your submission in person, you will be invited to a hearing to be held in May 2017. All submissions are made public and will be heard in a meeting which is open to the general public.

Caravan roadtrip

Look out for us around the district in our caravan! We'll be camped up in a few spots over the coming weeks where you can ask us more about freedom camping and how to have your say. Here's where we'll be and when, so make sure you come and say hello!

Date	Time	Location	Venue
23 March	4.30pm – 6pm	Kinloch	Lakefront near the Topsy Trout
27 March	3.30pm – 4.30pm	Turangi	Turangi Mall
	5pm – 6pm	Omori	Omori Store
	5pm – 7pm	Turangi	Tongariro Trout Centre
30 March	4pm – 5.30pm	Mangakino	Service Centre
8 April	9am – 1pm	Taupo	Taupo Market

Freedom camping in the Taupo District

Freedom camping has become a popular option for visitors around New Zealand and offers an affordable holiday for domestic and international travellers.

In the Taupō District there has been a noticeable increase in the presence of freedom campers in recent years. This has raised concerns about whether there is an appropriate management regime in place. Freedom camping has also received negative attention in national media following an increase in complaints.

The Ministry of Business, Innovation and Employment has forecast visitor numbers will continue to grow by an estimated 5.4 per cent to 4.5 million in 2022. Because of this, we would expect freedom camping numbers to also increase at a similar rate.

There are a number of issues associated with the increase in numbers, including:

- pressure on places where freedom camping is allowed, and the likelihood that those places are unlikely to cope with future increases
- an ever-increasing number of complaints.

To date we have relied on other bylaws and legislation to regulate freedom camping on council-controlled land. However, recently these tools have not fully been meeting council's requirements to adequately manage the issues associated with freedom camping.

Freedom camping is a complex issue and council has invited feedback from the community through a number of consultation opportunities ahead of drafting a freedom camping bylaw.

Freedom Camping Working Group

A freedom camping working group was established by council to discuss and consider the issues and potential solutions associated with freedom camping. This group was made up of councillors and council staff as well as representatives from Destination Great Lake Taupō, central government agencies, Police, interested parties and the wider community.

The freedom camping working group considered the responses of the initial pre-engagement consultation and agreed that freedom camping needs to be fair to locals, and off the Lake Taupō lakefront to ensure access is maintained. They also noted keeping freedom campers closer to town centres ensures that they have a good visitor experience and have access to local shops and restaurants.

The Reserves Act

The Reserves Act 1977 prohibits the use of reserves for accommodation purposes. This means camping isn't allowed on reserves, and you can't use a building, vehicle, boat, caravan, or other structure for personal accommodation.

Our officers can ask anyone found camping or staying on a reserve to move on. Further enforcement involves prosecution through the courts, which isn't ideal.

However, we are able, through reserve management plans, to identify areas within reserves where camping is permitted under certain conditions.

There are currently four reserves within the district where camping is allowed. These are Reid's Farm Recreation Reserve, Mangakino Recreation Reserve, Whakamaru Domain and Whakamaru Recreation Reserve. There is also off-street parking on Ferry Road in Taupō for the purpose of overnight stays, which is currently restricted to the use of self-contained vehicles and a maximum of two nights.



The Freedom Camping Act

The intent of the Freedom Camping Act 2011 (the Act) is to enable freedom camping on any land controlled or managed by council. The Act also allows local authorities to develop a freedom camping bylaw in order to address any issues.

It's important to remember that a freedom camping bylaw cannot ban freedom camping from a district or negate the purpose of the Act, but it can control where freedom camping takes place. A bylaw helps to ensure freedom camping takes place in areas that are suitable for this kind of temporary accommodation.

In order to develop a freedom camping bylaw, we need to be satisfied that a bylaw is necessary for one or more of the following purposes:

- to protect an area;
- to protect the health and safety of people who may visit the area; and
- to protect access to an area.

We are satisfied the proposed freedom camping bylaw is the most appropriate and proportionate way to address the issues associated with freedom camping and is likely to encourage improved behaviour by campers. It is also the most appropriate means to address the identified access issues to the lakefront by outlining the areas where freedom camping can take place.

Enforcement

The Act allows an enforcement or compliance officer to ask anyone who is committing an offence, or has committed an offence, to leave the area.

A freedom camping bylaw has the added advantage of having a related infringement regime so that when the bylaw is breached officers can issue infringement notices (\$200) to campers. This enables timely and cost-effective enforcement action to take place.

The Act also identifies a number of basic offences enabling councils to take enforcement action relating to:

- breaching any prohibitions or restrictions in a freedom camping bylaw, or makes preparations to freedom camp in breach of the freedom camping bylaw;
- interfering with or damaging any area, its flora or fauna, or any structure in the area;
- depositing waste in or on any area (other than into an appropriate waste receptacle), or depositing waste, generated while freedom camping, in an area other than into an appropriate waste receptacle; or
- failing or refusing to leave a local authority area when required to do so by an enforcement officer.

Reid's Farm

Reid's Farm is a popular open space recreation reserve located in an ecological corridor on the Waikato River north of Taupō.

The reserve, which is accessed from Huka Falls Road or from the river, has been a popular location for picnicking, sightseeing, kayaking and camping for many years.

Recently there has been growing concern in the community about an increase in anti-social behaviour at Reid's Farm. The reserve's location, combined with the behaviour of people camping at the reserve, particularly over the Christmas and New Year period, has resulted in increased abuse of the reserve and some conflicts between campers and those who visit the reserve during the day.

We are currently undertaking a review of the existing Reid's Farm Reserve Management Plan in conjunction with the proposed freedom camping bylaw development.

You can find more information on the review at taupo.govt.nz/reidsfarm.



Pre-engagement consultation

A pre-engagement survey was undertaken between 20 June and 1 July 2016 and 196 responses were received. About two-thirds of the responders recognised the contribution freedom campers make to the district. There was also overwhelming feedback that freedom campers should be close to town and away from residential areas.

Many of the responses showed respondents had issues with freedom camping being close to the lakefront, and with littering. An overwhelming response was to maintain the lakefront access for locals.

Facebook responses generally took an alternative view believing that freedom camping had a negative affect on the district, again showing the complexity of the issue.

Many of the responses and complaints are specifically related to the non-self contained vehicles, such as Wicked and Jucy vans, that are seen as not using the relevant facilities, including toilets.

Further pre-engagement with the Mangakino community generally highlighted that they are happy with freedom campers being close to their lakefront. This ensures that they are close to facilities such as public toilets.

An additional pre-consultation survey was undertaken between 14 November and 25 November 2016. It sought to test the proposed sites with the community, which are the sites now included in the proposed bylaw.

Local Government Act bylaws

The Local Government Act 2002 allows local authorities to protect the public generally from nuisance with bylaws.

We currently have bylaws relating to litter, traffic, reserves and public places. These bylaws can be used to address some of the effects related to freedom camping such as littering or where vehicles park and for how long.

However, breaches of these bylaws can only be addressed through a prosecution in a district court and raises practical issues around the costs and timing of enforcement.

New Zealand Bill of Rights Act

The right to camp on public land is not considered a 'right' under the New Zealand Bill of Rights Act 1990.

However, the limitations proposed by the freedom camping bylaw only seek to impose justifiable and reasonable limits on people to ensure the safety of the community and

minimise any incidences of public disturbance.

The freedom camping bylaw also seeks to protect access to areas within the district and is therefore not inconsistent with the New Zealand Bill of Rights Act.

What is a certified self-contained vehicle?



Certified self-contained vehicles are designed and built for the purpose of camping.

They have ablution and sanitation facilities that can be used for a minimum of three days without requiring any external services or discharging any waste.

To be self-contained they must comply with New Zealand Standard Self Containment of Motor Caravans and Caravans and must display a current self-containment warrant – a blue sticker with a campervan on it.

What does the draft freedom camping bylaw change?

Council recognises the issues associated with freedom camping need to be managed and responsible freedom camping needs to be promoted. We also need an easy and effective enforcement regime to manage any effects that come from freedom camping.

Council has recently been considering various areas around the district that could cater to increasing numbers of freedom campers. Sufficient areas need to be considered to ensure freedom campers continue to have a good visitor experience within our district. Not enough camping areas can lead to undesirable outcomes from overcrowding which is often exacerbated at peak times such as Christmas and New Year. It can also lead to campers incurring infringements, moving to less desirable areas within the district or moving onto another district where they are more welcoming.

Camping is currently permitted at Reid's Farm Recreation Reserve, Mangakino Recreation Reserve, Whakamaru Domain and Whakamaru Recreation Reserve, and we are proposing these to be maintained. Further areas are proposed for all camping, including those outlined in the draft freedom camping bylaw.

Since 2011, off-street parking on Ferry Road in Taupō has been permitted for the purpose of over-night stays. We are proposing to remove this to maintain lakefront access for day users.

As part of the proposed bylaw we are proposing campers can stay at each site for a maximum of two nights/three days for certified self-contained vehicles, unless otherwise specified.

Freedom camping bylaw timelines

Requirements	Outcomes	Timing
Council meeting	Adopt draft freedom camping bylaw and statement of proposal for consultation.	7 February 2017
Formal consultation	Special Consultation Procedure (two months).	17 February to 18 April 2017
Hearings	Hearings	8 to 10 May 2017
Deliberations	Deliberations	6 June 2017
Council Meeting	Adopt potential freedom camping bylaw.	1 August 2017.

Contact us

We would love to hear from you on the various areas proposed.

The easiest way to share your thoughts on the draft bylaw is to head online to **taupo.govt.nz/consultation**.

If you have any questions, feel free to contact our team on 0800 ASK TDC or e-mail freedomcamping@taupo.govt.nz.

**We would love to
hear your views on
freedom camping.
Having your say is
easy!**

Areas proposed for all freedom camping



Pros: Already recognised, clearly defined camping area, location makes enforcement/monitoring easy, public toilets, Mangakino community happy for lakefront camping.

Cons: User conflict, environmental concerns.

Working group proposal: Aligns with community position.

Officers' recommendation: Recommended.

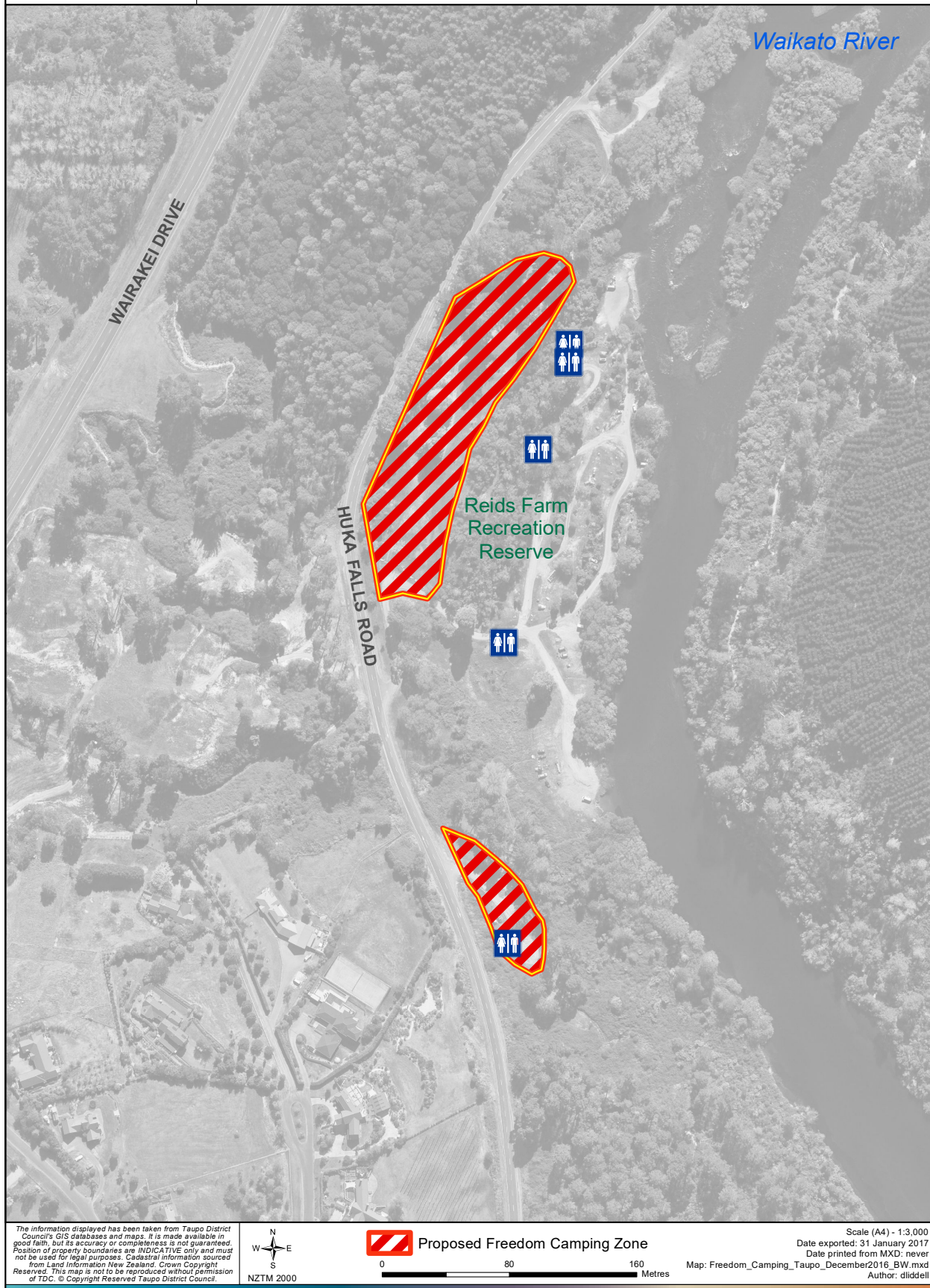


Pros: Sufficient open space, good use of the land, easy to monitor.

Cons: No public toilets, less desirable location.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.



Pros: Multiple toilets, already recognised, away from the lakefront, clearly defined camping areas.

Cons: Unlimited access to all of the reserve, health and safety issues, location makes monitoring/enforcement difficult, erosion issues with river, damage from vehicles, conflict between users, river dangers, environmental concerns for river, security concerns.

Working group proposal: Align with the Reid's Farm RMP review.

Officers' recommendation: Recommended.



Pros: Public toilets, large area.

Cons: Remote/less desirable location, location makes monitoring/enforcement difficult.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.



Pros: Public toilets, large area.

Cons: Remote/less desirable location, location makes monitoring/enforcement difficult.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.



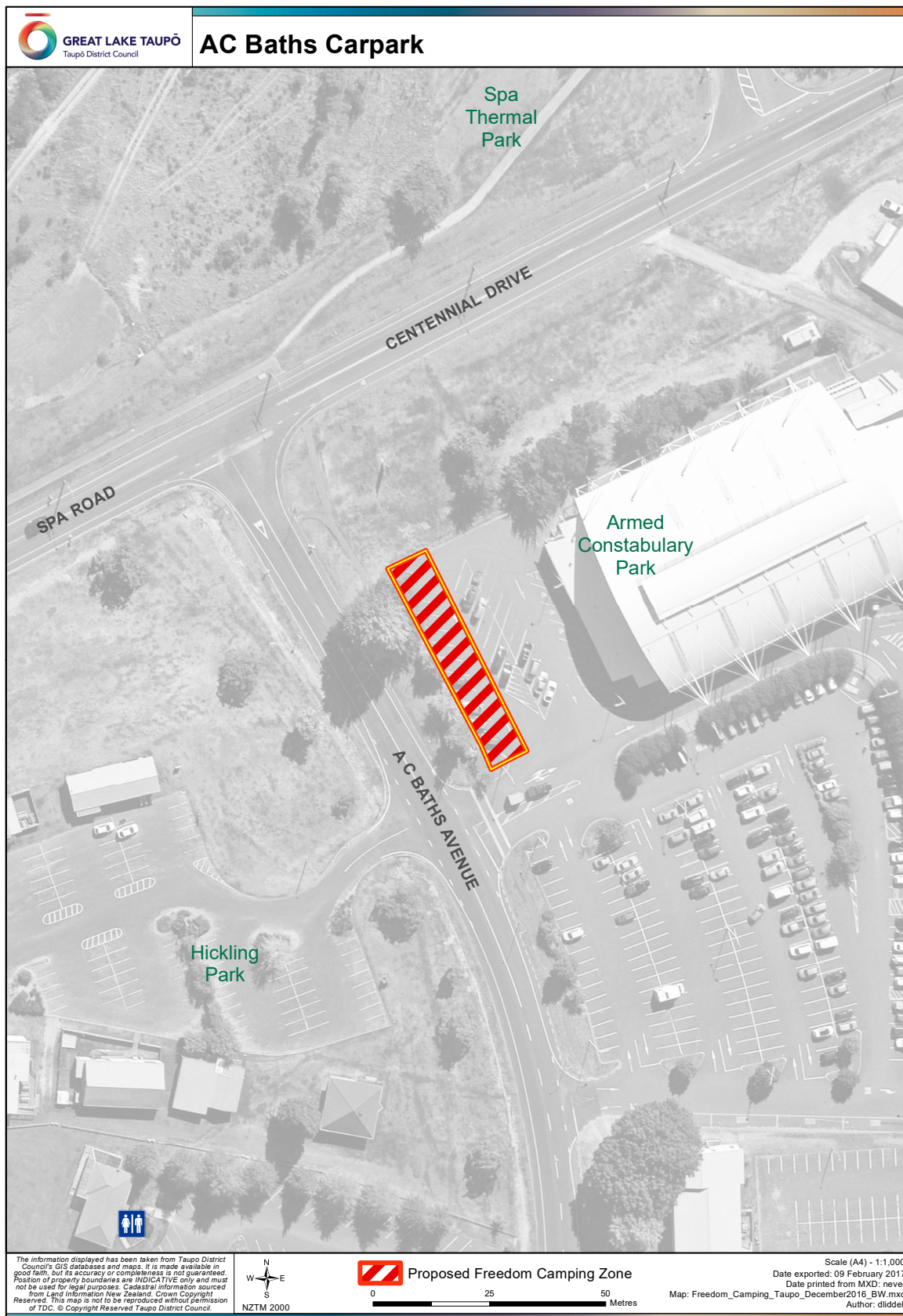
Pros: Public toilets, large area.

Cons: Remote/less desirable location, location makes monitoring/enforcement difficult. Needs to be closed over the Christmas and New Year period due to Ski Club members camping in this area.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.

Areas proposed for certified self-contained camping only



Pros: Public toilets, large/open area, away from lakefront, easy to monitor/enforce.

Cons: User conflict, less desirable location, distance from CBD.

Working group proposal: Yes, potential overflow.

Officers' recommendation: Recommended with limited spaces and time restrictions, in at 7pm and out at 7am.



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Proposed Freedom Camping Zone

0 60 120 Metres

Scale (A4) - 1:2,500

Date exported: 21 December 2016

Date printed from MXD: never

Map: Freedom_Camping_Taupo_December2016_BW.mxd
Author: dliddell

Pros: Close to Waikato river trail and SH1.

Cons: User conflict, infrastructure upgrade costs, environmental concerns.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.



Pros: CCTV, large area, good access.

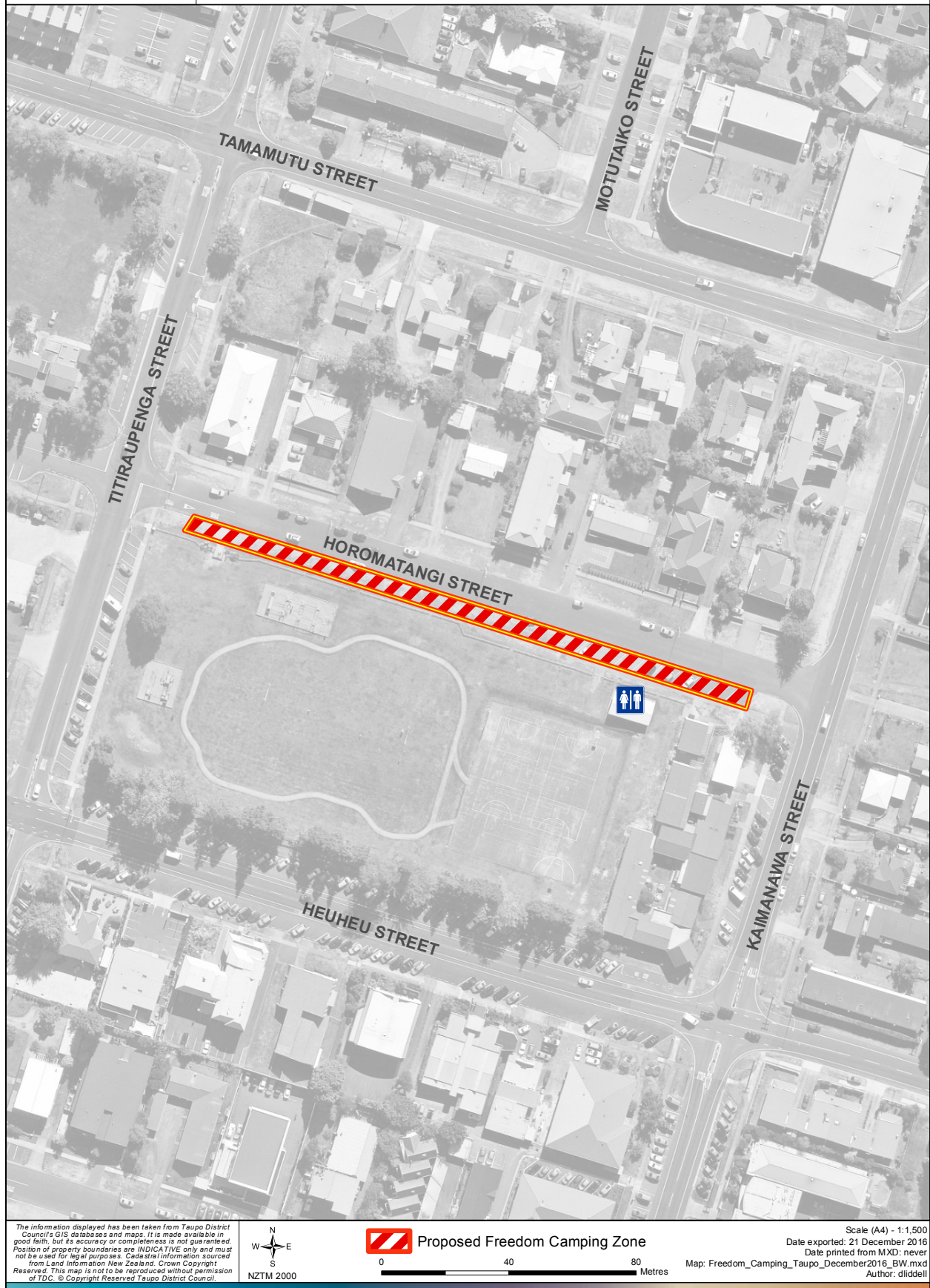
Cons: No public toilet, health and safety issues, police concerns with area, user conflict, distance from CBD.

Working group proposal: Yes, possibly improve for the future, security, potential for facilities in future, formed carpark.

Officers' recommendation: Recommended.



Horomatangi Street

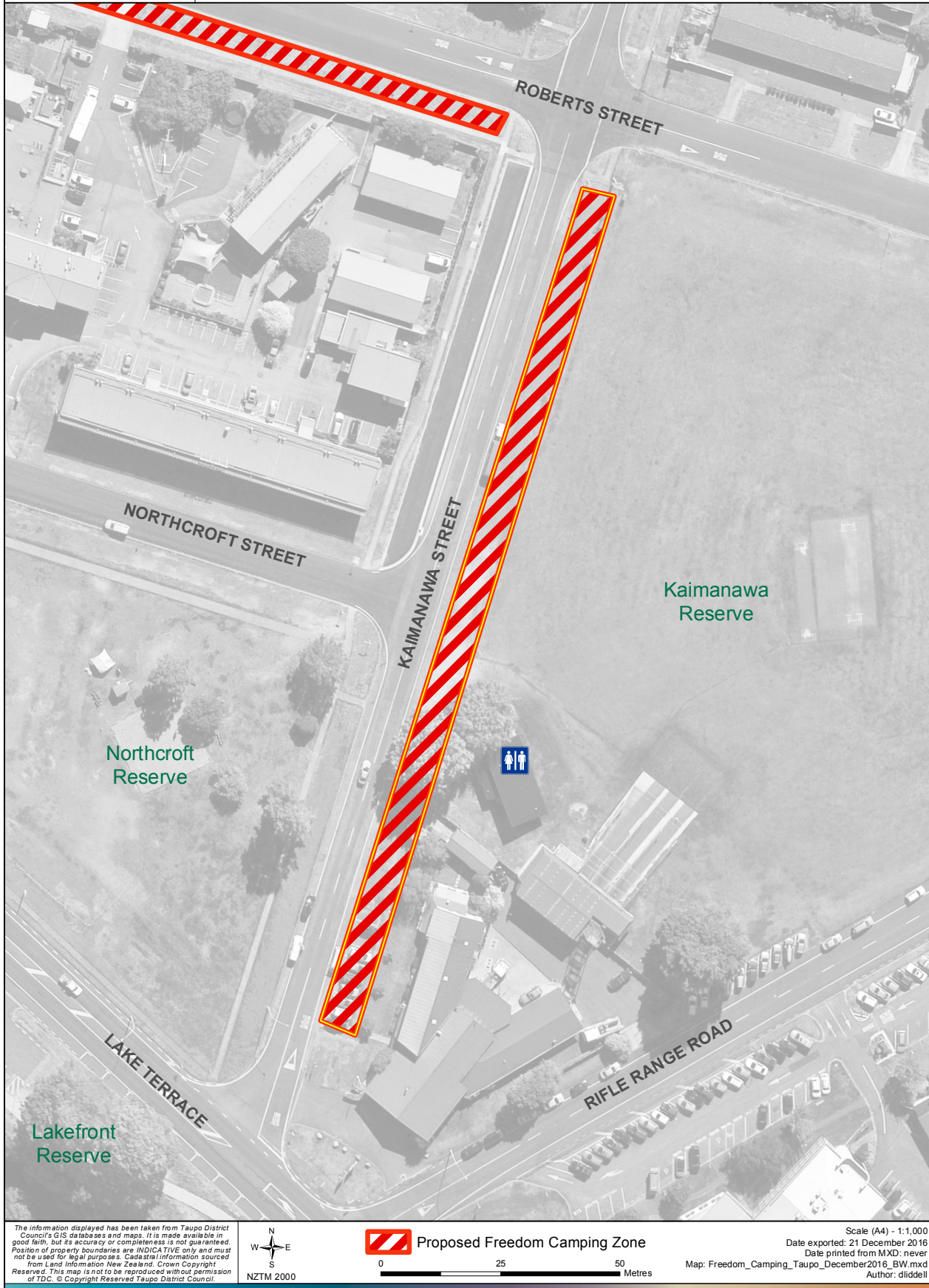


Pros: Public toilet (not council owned), close to CBD, away from lakefront, location makes enforcement/monitoring easy.

Cons: User conflict, proximity to residential/education facilities, infrastructure upgrade costs,

Working group proposal: Yes, potential future infrastructure.

Officers' recommendation: Recommended with time restrictions, in at 7pm and out at 7am.



Pros: Public toilet, close to CBD, away from lakefront, location makes enforcement/monitoring easy.

Cons: User conflict, infrastructure upgrade costs.

Working group proposal: Yes, proactively work with the bus companies, possible future infrastructure.

Officers' recommendation: Recommended.



Pros: Already recognised, clearly defined camping area, location makes enforcement/monitoring easy, public toilets, Mangakino community happy to have camping on the lakefront.

Cons: User conflict, environmental concerns.

Working group proposal: Align with community position.

Officers' recommendation: Recommended.

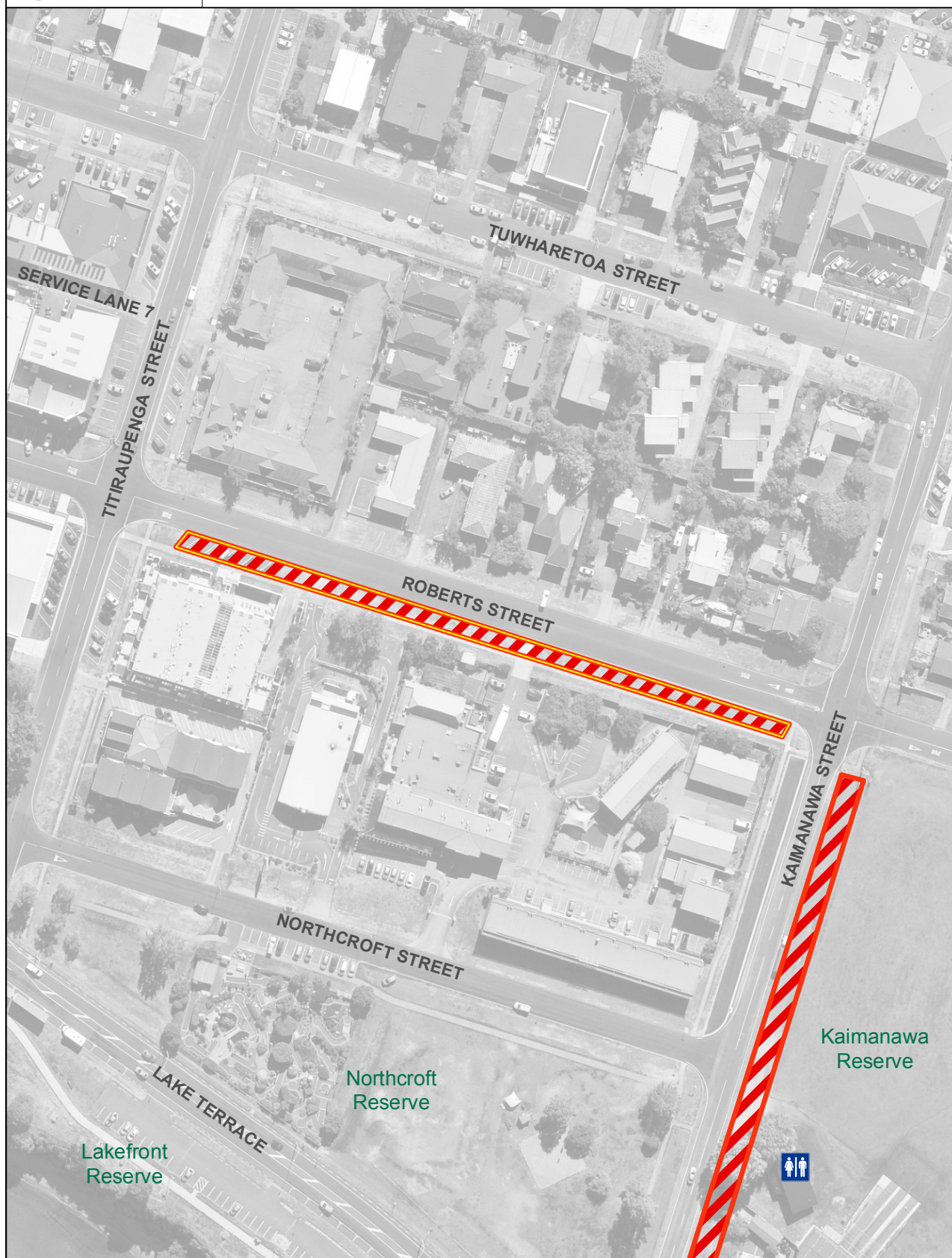


Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, large open area, good use of space.

Cons: No public toilet, infrastructure upgrade costs, river dangers, environmental concerns for river, proximity to education facilities, negative reaction from education facilities.

Working group proposal: Yes.

Officers' recommendation: Recommended.



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Proposed Freedom Camping Zone



Scale (A4) - 1:1,500
Date exported: 21 December 2016
Date printed from MXD: never
Map: Freedom_Camping_Taupo_December2016_BW.mxd
Author: dlidell

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy.
Cons: Infrastructure upgrade costs, proximity to residential, no public toilet.
Working group proposal: Yes.
Officers' recommendation: Recommended.

Turangi Town Centre Carpark



Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, large open area.

Cons: No public toilet, user conflict, proximity to businesses, undesirable location.

Working group proposal: Yes.

Officers' recommendation: Recommended.

Areas not proposed for freedom camping

Taupo

CHERRY ISLAND ROAD RESERVE CARPARK

Pros: Large area, away from lakefront.

Cons: No public toilet, remote location, health and safety issues, location makes monitoring/enforcement difficult, erosion issues with river, conflict between users, river dangers, environmental concerns for river.

Working group proposal: No, environmental concerns.

Officers' recommendation: Agree with working group proposal.

FERRY ROAD

Pros: Already recognised, clearly defined camping area, close to CBD, location makes enforcement/monitoring easy.

Cons: No public toilets, on the lakefront, confined space, user conflict.

Working group proposal: No, due to lake front, structure planning has aspirations for the area, user conflict, need parking during the day for camping vehicles.

Officers' recommendation: Agree with working group proposal.

LAKE TERRACE LAKEFRONT RESERVE CARPARK

Pros: Public toilet, location makes enforcement/monitoring easy.

Cons: On the lakefront, confined space, user conflict, reserve, requires Amendments to RMP, distance from CBD.

Working group proposal: No, environmental concerns, user conflict.

Officers' recommendation: Agree with working group proposal.

MCDONALDS CARPARK

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, large/open area.

Cons: User conflict, no public toilet, undesirable location (uneven surface), proximity to businesses, security concerns.

Working group proposal: No, user conflict, health and safety concerns.

Officers' recommendation: Agree with working group proposal.

RAUHOTO STREET CARPARK

Pros: Public toilet, large/open area, away from Lakefront.

Cons: User conflict, security concerns, reserve, distance from CBD.

Working group proposal: No, user conflict.

Officers' recommendation: Agree with working group proposal.

REDOUBT STREET CARPARK

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, multiple toilets.

Cons: User conflict, undesirable location (uneven surface, traffic movements, proximity to old campground), infrastructure upgrade costs.

Working group proposal: No, user conflict, traffic movement issues, health and safety concerns.

Officers' recommendation: Agree with working group proposal.

REDOUBT STREET LOOKOUT

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy.

Cons: User conflict, traffic movements, infrastructure upgrade costs, partly on reserve, requires amending the RMP.

Working group proposal: Yes.

Officers' recommendation: No. Cons outweigh the pros, user conflict, traffic movements, infrastructure upgrade costs, reserve, requires amending to reserve management plan, historically significant site, health and safety concerns.

RIVERSIDE PARK

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, multiple toilets.

Cons: User conflict, traffic movements, infrastructure upgrade costs, reserve, requires amending to RMP, historical challenges.

Working group proposal: Yes, potential for expansion, potential infrastructure, exemptions for events.

Officers' recommendation: No. Cons outweigh the pros, user conflict, traffic movements, infrastructure upgrade costs, reserve, requires amending to reserve management plan, environmental concerns for reserve surfaces.

STORY PLACE

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, multiple toilets.

Cons: User conflict, increase resourcing costs (Superloo needs to be 24/7).

Working group proposal: No, traffic movement issues, user conflict.

Officers' recommendation: Agree with working group proposal.

TANIWHA STREET CARPARK

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy.

Cons: User conflict, no public toilet, proximity to businesses, undesirable location.

Working group proposal: No overnight (possible day park for large vehicles etc) user conflict.

Officers' recommendation: Agree with working group proposal.

TAWHAA ROAD CARPARK (FIVE MILE BAY)

Pros: Already recognised, clearly defined camping area, location makes enforcement/monitoring easy, public toilet.

Cons: On the lakefront, user conflict.

Working group proposal: No, environmental concerns, lakefront, user conflict, advocacy to Department of Conservation for their land.

Officers' recommendation: Agree with working group proposal.

Turangi

STUMP BAY

Pros: Public toilet, already recognised.

Cons: Environmental concerns, user conflicts, on the lakefront, location makes monitoring/enforcement difficult, security concerns.

Working group proposal: No, lakefront, environmental concerns, user conflicts.

Officers' recommendation: Agree with working group proposal.

TURANGI TURTLE POOL CARPARK

Pros: Close to CBD, away from lakefront, location makes enforcement/monitoring easy, large open area, public toilet.

Cons: User conflict, proximity to businesses.

Working group proposal: No, user conflict.

Officers' recommendation: Agree with working group proposal.

