



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

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MEETING AGENDA

EXTRAORDINARY

COUNCIL

Tuesday 30 January 2018
at the conclusion of the Council
meeting

COUNCIL CHAMBER
LIARDET STREET
NEW PLYMOUTH

Chairperson:	Mayor	Neil	Holdom
Members:	Cr	Richard	Jordan (Deputy)
	Cr	Shaun	Biesiek
	Cr	Gordon	Brown
	Cr	Murray	Chong
	Cr	Harry	Duynhoven
	Cr	Richard	Handley
	Cr	Stacey	Hitchcock
	Cr	Colin	Johnston
	Cr	John	McLeod
	Cr	Alan	Melody
	Cr	Mike	Merrick
	Cr	Marie	Pearce
	Cr	Roy	Weaver
	Cr	John	Williams

Purpose of Local Government

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

END



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Health and Safety Message

In the event of an emergency, please follow the instructions of Council staff.

Please exit through the main entrance.

Once you reach the footpath please turn right and walk towards Pukekura Park, congregating outside the Spark building. Please do not block the footpath for other users.

Staff will guide you to an alternative route if necessary.

If there is an earthquake – drop, cover and hold where possible. Please be mindful of the glass overhead.

Please remain where you are until further instruction is given.

REPORTS

- 1 Temporary Restrictions Proposed for Freedom Camping

END

TEMPORARY RESTRICTIONS PROPOSED FOR FREEDOM CAMPING

MATTER

The matter for consideration by the Council is temporary closure of Waiwhakaiho River Mouth area to freedom camping, and the temporary restriction of freedom camping at East End Beach carpark, the Wind Wand carpark and Kawaroa carpark (until 30 April 2018).

MAYORAL RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report, the Council:

- a) **Determine, in accordance with clause 8.1 of the Freedom Camping Bylaw 2017, to close the Waiwhakaiho River Mouth area to freedom camping, and temporarily restrict freedom camping at East End Beach carpark (to six parking spaces only), the Wind Wand carpark (to two parking spaces only) and Kawaroa car park (fifteen parking spaces) until 30 April 2018 – as described in the maps in appendix one.**
- b) **Notes that public notification of the above restrictions will happen on the Saturday following this resolution.**

COMPLIANCE	
Significance	This matter is assessed as being some importance.
Options	This report identifies and assesses the following reasonably practicable options for addressing the matter: <ol style="list-style-type: none">1. Temporarily close Waiwhakaiho River Mouth area to freedom camping until 30 April 2018.2. Temporarily close Waiwhakaiho River Mouth area to freedom camping, and temporarily restrict freedom camping at East End Beach carpark, the Wind Wand carpark and Kawaroa carpark until 30 April 2018.3. Do nothing at present time.
Affected persons	The persons who are affected by or interested in this matter are freedom campers, users of the stated areas and the wider local community.
Recommendation	The Mayor recommends option two for addressing the matter.

COMPLIANCE	
Long-Term Plan / Annual Plan Implications	No.
Significant Policy and Plan Inconsistencies	No.

BACKGROUND

The New Plymouth District Council Freedom Camping Bylaw 2017 (the Bylaw) was adopted by the Council and became operative on 23 December 2017. The Bylaw permits freedom camping on any local authority area with the exception of three sites (Back Beach bottom carpark – year round, and Oakura Beach Front and Fitzroy Beach carpark between 1 November and 30 April).

Since the adoption of the Bylaw there has been a large concentration of freedom campers at Waiwhakaiho River Mouth. This influx of people and vehicles to the area is putting infrastructure under strain, limiting community access to infrastructure in the area, as well as limiting community access to the area.

These issues have been highlighted through staff observation, Armourguard monitoring data and community feedback.

The Council employs Armourguard to monitor 13 coastal sites across the district on Thursday, Friday and Saturday nights. Armourguard record the number of freedom campers at each site, as well as any other issues such as rubbish, fires etc.

- The total number of freedom campers at Waiwhakaiho / Lake Rotomanu for Thursday, Friday and Saturday nights between 14 December 2017 and 20 January 2018 is **516** (the next highest number of campers at a single site for this time period is Tongaporutu with 162 campers, then Kawarua with 101 campers).
- On average there are 32 freedom campers per night at Waiwhakaiho / Lake Rotomanu area (note, this data is based on monitoring three nights per week).

From 1 December 2017 to 25 January 2018 the council has received 42 complaints, two compliments and six queries relating to freedom camping. Issues identified in the complaints include:

- Food waste at water taps
- Overcrowding / loss of access to the area for the local community

- Vehicles parking over parking spaces
- Environmental concerns with rubbish, plastic
- Inability for locals to use public amenities (water tap, toilet)
- Nudity when showering in public place
- Human waste

In response to the large number of freedom campers, and to alleviate the strain on infrastructure, the Council has installed two porta-loos in the area, increased rubbish collection to three times a day, and increased Armourguard monitoring to daily (rather than three nights per week). However, the area is still overcrowded and local community access to the area is therefore limited.

Action proposed to resolve the issues

Clause 8 of the Bylaw allows Council, by resolution, to temporarily close or restrict freedom camping in any area or part of an area where the closure or restriction is considered necessary to:

- a) prevent damage to the local authority area or facilities in the area; or
- b) allow maintenance to the local authority area or facilities; or
- c) provide for better public access, including in circumstances where events are planned for that area.

Therefore, in accordance with Clause 8.1 (a) and 8.1 (c), the Mayor proposes that a section of Waiwhakaiho River Mouth be temporarily closed to freedom camping – this would ensure that approximately 35 carparks would be more accessible for public use, see appendix one for a map of the proposed closure. The closure will allow local communities to access the very end of the Waiwhakaiho River Mouth area, while still providing for freedom campers in the nearby area.

In addition to the closure at Waiwhakaiho River Mouth, the Mayor also proposes to temporarily restrict freedom camping at East End Beach carpark to six parking spaces, the Wind Wand carpark to two parking spaces and the Kawaroa carpark to 15 parking spaces until 30 April 2018 – see appendix one for map of proposed closure / restrictions. This would assist with the impacts of any displacement of the freedom campers at Waiwhakaiho into other popular coastal areas.

It is recommended that the proposed closure / restrictions remain in place until 30 April 2018.

In addition to the above restrictions, Council officers are working with a popular freedom camping app to provide information to the app as to alternative sites that freedom campers could use.

It is noted that the temporary closure / restrictions will not prevent freedom campers from using these areas during the day – they will only be prevented from overnight camping. It has been observed the conflict occurs as a result of overnight campers, where the car spaces are occupied by freedom campers in the early morning and late afternoon / early evening. Therefore officers are confident that the measures the Mayor is proposing will help address the public access issues.

It is also noted that there are no time restrictions at the East End carpark and Waiwhakaiho car parks, however parking wardens who observe 'inconsiderate parking' can ticket the vehicle accordingly.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance, as it is a temporary restriction to freedom camping and will have only small financial impact through the need for temporary signage. The proposed temporary restrictions are aimed to prevent damage to the local authority area or facilities in the areas, and to provide for better public access to the areas. Therefore, they aim to protect the environment and to protect local access to the areas.

OPTIONS

Option 1 Temporarily close Waiwhakaiho River Mouth area to freedom camping until 30 April 2018

- a) Financial and Resourcing Implications
There would be small financial cost of public notice and signage for the freedom camping closure. Additionally, depending on the flow-on effects of closing Waiwhakaiho River Mouth to freedom campers, the Council may need to provide additional porta-loos / rubbish collection at an alternative site.
- b) Risk Analysis
The risk of closing Waiwhakaiho River Mouth to freedom campers is that they will disperse to a different area and the same issues that are occurring at Waiwhakaiho River Mouth will occur there.
- c) Promotion or Achievement of Community Outcomes
This option promotes the Community Outcomes of People and Place. People is supported through the protection of the Waiwhakaiho area to enable community access – putting the

community first. Place is supported through protecting the environment from impacts of an excess number of freedom campers and associated issues such as rubbish, food scraps etc.

- d) **Statutory Responsibilities**
The Bylaw states that Council may temporarily close or restrict an area to freedom camping. Therefore, no consultation is required for the proposed temporary closure.
 - e) **Consistency with Policies and Plans**
This option is consistent with Policies and Plans.
 - f) **Participation by Māori**
Ngāti Tawhirikura hapū, of Te Atiawa iwi, have mana whenua over the Waiwhakaiho area which is located within their hapū rohe. The Council and the Ngāti Tawhirikura signed the Te Rewa Agreement relating to the Te Rewa Reserve in 2007 which, amongst other things recognises the mana of the hapū in this area. The hapū strongly support the restriction of freedom camping at the Waiwhakaiho River mouth and are very concerned that the large number of freedom campers has reduced public access to the area, as well as the ability of the local community to use the space for their enjoyment. Retaining public access to the river and sea as well as the reserve were key components behind entering into the Te Rewa Agreement originally.

Ngati Te Whiti support restricting freedom camping at East End Beach, the Wind Wand and Kawaroa, they are concerned with the cleanliness of the toilet facilities, and rubbish, as well as the kaimoana being taken without inspection. Ngati Te Whiti also support increased monitoring of freedom campers to ensure compliance with the bylaw.
 - g) **Community Views and Preferences**
Consultation is not required for a temporary closure / restriction to freedom camping. However, a number of community members have expressed their views on the matter through feedback to the Council – through phone calls, emails, Facebook and contact with staff / Councillors. Consultation on the Bylaw took place in 2017 and at this time 33 percent of submitters agreed that freedom camping should be restricted to self-contained vehicles only at Waiwhakaiho. There was varied feedback regarding designated parking spaces – some wanting more parking spaces and others wanting freedom camping completely banned from the area.
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h) Advantages and Disadvantages

The advantage of this option is that the Council will be responsive to the issues arising at Waiwhakaiho, and the temporary closure may alleviate some of the strain on the infrastructure and also provide for more access to the area for the local community.

The disadvantage of this option is that the consequences of closing the Waiwhakaiho area to freedom camping are unknown – Council cannot predict where the overflow of campers will go – however, this may be mitigated by the partial closure as per appendix one.

In addition to this, Council has provided two porta-loos and additional rubbish collection to Waiwhakaiho River Mouth, so if this area was to close and another area became the popular spot for campers, additional resource may be required at another site.

Another disadvantage is that the Council will not gain a full summer's data of tourism trends for freedom camping in the district under the Bylaw.

Option 2 Temporarily close Waiwhakaiho River Mouth area to freedom camping, and temporarily restrict freedom camping at East End Beach carpark, the Wind Wand carpark and Kawaroa carpark until 30 April 2018.

a) Financial and Resourcing Implications

There would be small financial cost of public notice and signage for the freedom camping closure / restriction.

b) Risk Analysis

The risk of restricting freedom camping at East End Beach carpark, the Wind Wand carpark and Kawaroa carpark is that it is inconsistent with clause 8 of the Bylaw. There is no evidence from the 2017 / 2018 summer to date that closing / restricting freedom camping at these areas would meet one of the three criteria in clause 8 of the Bylaw. However, evidence from the 2016/17 summer showed that Kawaroa was a popular spot, and is the most likely flow-on spot for freedom campers. There is also concern that East End Beach carpark and the Wind Wand carpark are popular coastal sites, and therefore need protecting for local access.

c) Promotion or Achievement of Community Outcomes

This option promotes the Community Outcomes of People and Place. People is supported through the protection of the Waiwhakaiho and Kawaroa areas to enable community access –

putting the community first. Place is supported through protecting the environment from impacts of an excess number of freedom campers and associated issues such as rubbish, food scraps etc.

- d) **Statutory Responsibilities**
The Bylaw states that Council may temporarily close or restrict an area to freedom camping. Therefore, no consultation is required for the proposed temporary closure.
- e) **Consistency with Policies and Plans**
This option is consistent with Policies and Plans.
- f) **Participation by Māori**
As for option one above.
- g) **Community Views and Preferences**
Consultation is not required for a temporary closure / restriction to freedom camping. However, a number of community members have expressed their views on the matter through feedback to the Council – through phone calls, emails, Facebook and contact with staff / Councillors. Additionally, consultation on the Bylaw highlighted that East End Beach would be suited to self-contained and non-self-contained camping and other restrictions may be suitable. The Wind Wand carpark was highlighted as an area that may require restrictions.
- h) **Advantages and Disadvantages**
The advantage of this option is that Council will be responsive to the issues arising at Waiwhakaiho, and the temporary closure may alleviate some of the strain on the infrastructure and also provide for more access to the area for the local community. Additionally, the temporary restriction may prevent flow on effects of freedom camping from Waiwhakaiho.

The disadvantage of this option is that the consequences of closing the Waiwhakaiho area to freedom camping are unknown. Although restricting camping at Kawaroa may prevent any flow on effects.

Another disadvantage is that the Council will not gain a full summer's data of tourism trends for freedom camping in the district under the Bylaw.

Option 3 Do nothing at present time

- a) **Financial and Resourcing Implications**
No financial and resourcing implications. The ongoing cost of the increased rubbish collection (\$784), the porta-loos (\$3,200) and increased Armourguard Monitoring (\$1,100) at Waiwhakaiho. These figures are for the period to 10th March 2018 when Armourguard monitoring ends.
- b) **Risk Analysis**
The main risk of this option is that the problems will continue at Waiwhakaiho River Mouth until the Freedom Camping Bylaw is reported back on at the end of the summer period with any proposed amendments.
- c) **Promotion or Achievement of Community Outcomes**
This option does not promote any Community Outcomes.
- d) **Statutory Responsibilities**
Not applicable.
- e) **Consistency with Policies and Plans**
This option is consistent with Policies and Plans.
- f) **Participation by Māori**
As for option one above.
- g) **Community Views and Preferences**
Complaints from the community have been received, however no consultation has been carried out.
- h) **Advantages and Disadvantages**
The advantage of this option is that in doing nothing Council will have a full summer's data on the Bylaw's performance. For example, does freedom camping reduce in February when school begins? In addition, the Council is gathering data and reporting back to Council following the summer period on options for non-self-contained freedom camping and the Bylaw's performance.

The main disadvantage of this option is that the issues at Waiwhakaiho River Mouth will continue. The community may not be satisfied with the Council's response to the issue.

Recommended Option

The Mayor recommends option two: temporarily close Waiwhakaiho River Mouth area to freedom camping, and temporarily restrict freedom camping at East End Beach carpark, the Wind Wand carpark, and Kawaroa carpark until 30 April 2018, for addressing the matter.

APPENDICES

Appendix one: Maps of proposed temporary closure and restrictions

Report Details

Prepared By:	Jo Eagar (Policy Adviser)
Team:	Policy Development Team
Approved By:	Liam Hodgetts (Group Manager Strategy)
Ward/Community:	City Ward
Date:	29 January 2018
File Reference:	ECM

-----*End of Report*-----

APPENDIX ONE – MAPS OF PROPOSED TEMPORARY CLOSURES AND RESTRICTIONS

Waiwhakaiho River Mouth temporary closure

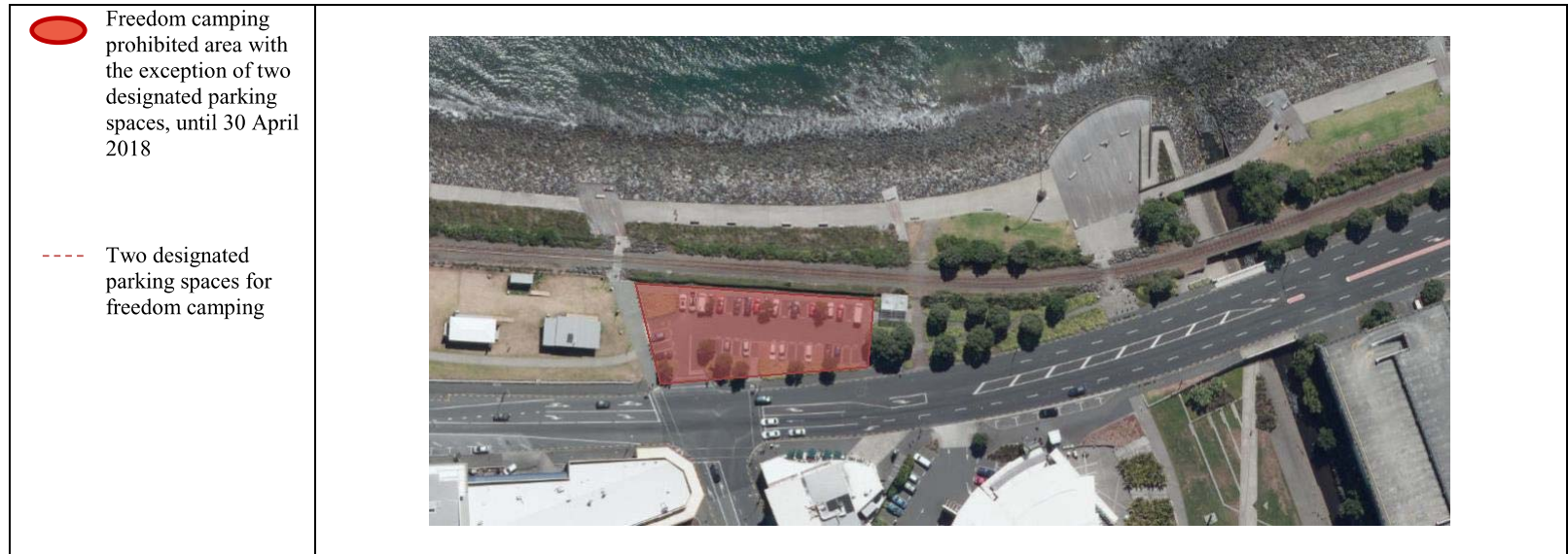


East End Beach carpark temporary restriction





Wind Wand carpark temporary restriction





Kawaroa carpark temporary restriction



