

MINUTES OF COUNCIL MEETING

File Reference: ECM 7597135
Meeting Date: Wednesday 6 December 2017 at 4.13pm
Venue: Civic Centre, Liardet Street, New Plymouth.
Members Present: Mayor Neil Holdom, Councillors Shaun Biesiek, Gordon Brown, Murray Chong, Harry Duynhoven, Richard Handley, Stacey Hitchcock, Colin Johnston, John McLeod, Alan Melody, Mike Merrick, Marie Pearce, Roy Weaver and John Williams

Non Members Present:

Community Board Chairpersons Doug Hislop (Kaitake), Andrew Larsen (Waitara), Ken Bedford (Clifton), Kevin Rowan (Inglewood)

Staff in Attendance:

Craig Stevenson, Liam Hodgetts, Kelvin Wright, Alan Bird, Julie Straka, Jan Holdt, Mitchell Dyer, Jo Eager, Delwyn Masters, Cheryl McGrath, Katrina Brunton

Apologies

Council Resolution:

Cr McLeod)

Cr Johnston)

That the apologies for absence from Cr Richard Jordan be received.

Carried

Proposed Freedom Camping Bylaw Deliberation and Adoption

ECM7583951

The matter for consideration by the Council is the submissions on the draft Freedom Camping Bylaw, and whether or not to approve the Freedom Camping Bylaw for adoption.

A motion was moved at the Council meeting:

Cr Chong)

Cr Brown)

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

- a) Notes that it has considered all submissions to the proposed Freedom Camping Bylaw.
- b) Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002
- c) Determines that the Freedom Camping Bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the New Plymouth District
- d) Determines that the Freedom Camping Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- e) Determines the following site specific restrictions to freedom camping
 1. Tongaporutu: No additional restrictions proposed for self-contained freedom camping from the existing reserve management plan

2. Urenui Domain and Recreation Reserve: No restrictions to self-contained freedom camping other than the requirements of the existing reserve management plan in relation to the Urenui camp ground.
3. Onaero: No restrictions to self-contained freedom camping other than the requirements of the existing reserve management plan in relation to the Onaero camp ground.
4. Restrict self-contained freedom camping to overnight stays only between the hours of 6pm – 8am for the following locations during daylight saving hours:
 - a) Battiscombe Terrace
 - b) Waiwhakaiho Beach
 - c) Fitzroy Beach carpark
 - d) Back Beach Top carpark
 - e) Back Beach Middle carpark
 - f) Corbett Park
 - g) Oakura Beach front
 - h) Kawaroa Park
 - i) Back Beach Bottom carpark
 - j) Mangorei Road/Pouakai Hut walk entrance
 - k) East End Beach
5. Buller Street carpark: No additional restrictions proposed for self-contained freedom camping from the existing reserve management plan noting that the car park gate is locked overnight from 8.30pm to 6.00am.
6. No restrictions to self-contained freedom camping in the following locations:
 - a) Belt Road
 - b) Ahu Ahu Road
 - c) Weld Road
 - d) Lake Rotomanu
 - e) Fort St. George/Tataraimaka Reserve
7. Lake Mangamahoe: No additional restrictions proposed for self-contained freedom camping from the existing reserve management plan noting that the car park gate is locked overnight from 8.30pm to 6.00am.

- f) Adopts the Freedom Camping Bylaw 2017 subject to the decisions contained in item e above as included as Appendix One of this report to be operative from a date advised by public notice;
- g) Revokes Clause 22 of the New Plymouth District Council Bylaw 2008 Public Places as per Appendix Two to be revoked on a date advised by public notice.

- h) Delegates to the Manager Customer and Regulatory Solutions and the Compliance Lead, the power to grant dispensation by way of a permit as contained in clause 6 of the Freedom Camping Bylaw.
- i) Notes that all other required delegations under the Freedom Camping Act are already in place within the Council delegations register.
- j) Notes the proposed 2017/18 summer regulation of the new Freedom camping Bylaw through an educating and informing approach to all freedom campers with infringements fines being an enforcement tool of last resort.
- k) Non-self-contained units be asked to move on immediately to one of the current designated campgrounds in our district, offering an incentive of a discount of up to 50% for the first night, capped at \$25,000 per year.
- l) Notes that continuing investigations into the provision of site specific non-self-contained freedom camping will be reported back to the Council in early 2018 and may require consultation on an amendment to the Freedom Camping Bylaw and the approval of funding through the LTP2018.

The motion was lost

A Division was called:

Those voting for the motion were Crs Brown, Chong and Williams.

Those voting against the motion were Mayor Holdom, Crs Biesiek, Duynhoven, Handley, Hitchcock, Johnston, McLeod, Melody, Merrick, Pearce and Weaver.

Council resolution:

Cr Biesiek)

Cr McLeod)

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

- a) Notes that it has considered all submissions to the proposed Freedom Camping Bylaw.
- b) Determines that it has followed the required special consultative procedure as set out in the Local Government Act 2002
- c) Determines that the Freedom Camping Bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the New Plymouth District
- d) Determines that the Freedom Camping Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- e) Determines the following site specific restrictions to freedom camping
 - 1) Fitzroy Beach Carpark: Prohibit Freedom camping from 1 November to 30th April. No restrictions to freedom camping from 1 May to 31st October

- 2) Oakura Beach Front: Prohibit freedom camping from 1 November to 30th April.
No restrictions to freedom camping from 1 May to 31st October
- 3) Back Beach Bottom Carpark: Prohibit freedom camping
- f) Restrict contained and non-self-contained freedom camping in an area for no more than three periods of 24 hours in a 30 day period;
- g) Adopts the Freedom Camping Bylaw 2017 in Appendix One subject to the decisions contained in items (e) and (f) above, the amendments to the Freedom Camping Bylaw in the attached pdf to provide for both self-contained and non-self-contained freedom camping, to be operative from a date advised by Public Notice
- h) Revokes Clause 22 of the New Plymouth District Council Bylaw 2008 Public Places as per Appendix Two to be revoked on a date advised by public notice.
- i) Delegates to the Manager Customer and Regulatory Solutions and the Compliance Lead, the power to grant dispensation by way of a permit as contained in clause 6 of the Freedom Camping Bylaw.
- j) Notes that all other required delegations under the Freedom Camping Act are already in place within the Council delegations register.
- k) Notes the proposed 2017/18 summer regulation of the new Freedom camping Bylaw through an educating and informing approach to all freedom campers with infringements fines being an enforcement tool of last resort.
- l) Notes that continuing investigations into the provision of site specific non-self-contained freedom camping will be reported back to the Council in early 2018 and may require consultation on an amendment to the Freedom Camping Bylaw and the approval of funding through the LTP2018.
- m) Initiate reviews of the Onaero Beach Reserve Management Plan and Urenui Reserve Management Plan to ensure the management of freedom camping is effectively integrated between the reserve management plans and the Freedom Camping Bylaw

An amendment was moved at the Council meeting:

Cr Brown)

Cr Chong)

That clause n) be added

- n) Kawaroa Park: Freedom camping be restricted to five specified car parks.

The amendment was lost

The original motion was put and carried.

Cr Chong requested that his vote against the motion be recorded.

Mayor Holdom closed the hearing at 5.50pm.

The Council rose

Read and confirmed

MAYOR