

Freedom Camping Policy 2012 Review

Briefing – 15 October 2024

Issues and options and need for a Bylaw

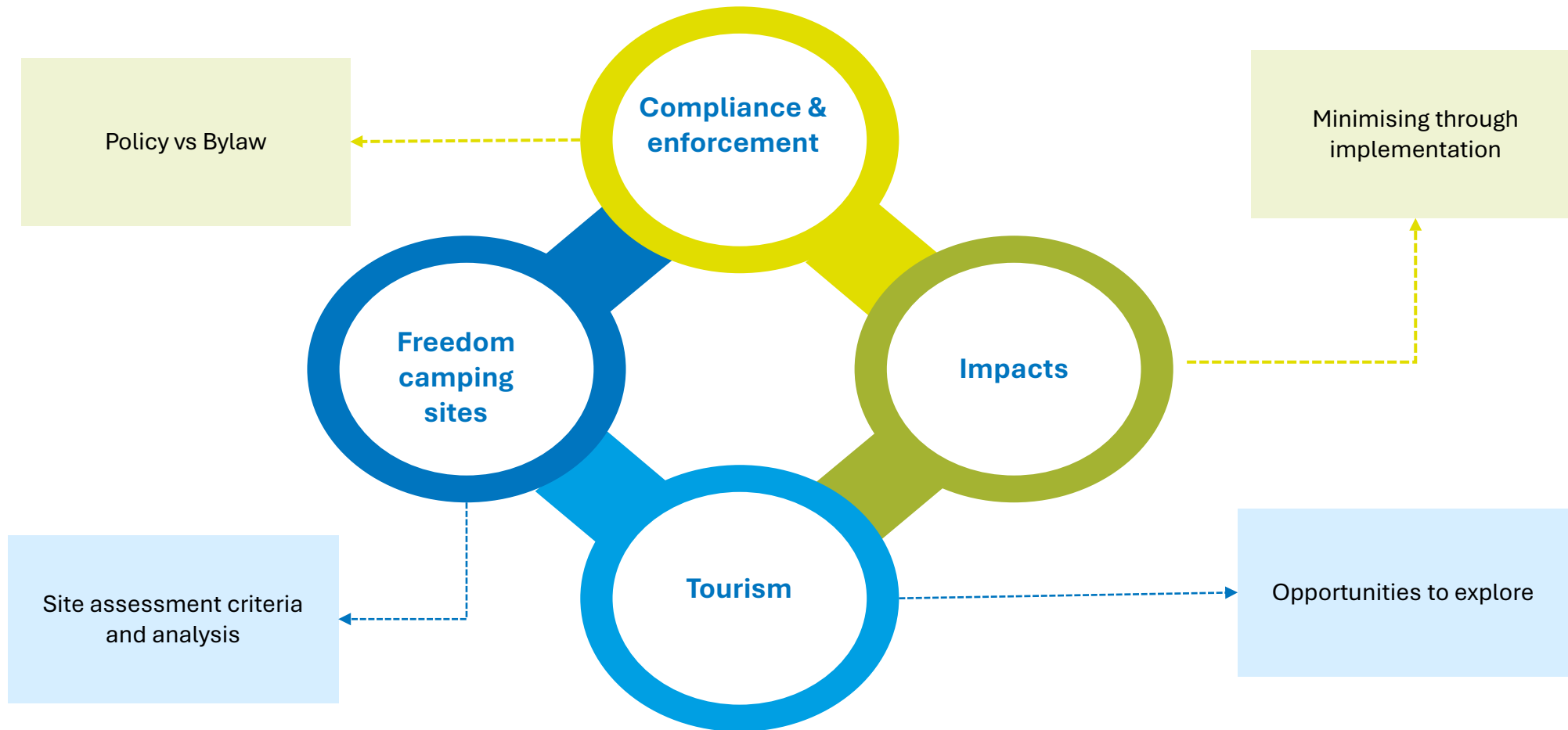
**Strategy
and Growth**


Kāpiti Coast
DISTRICT COUNCIL
Me Huri Whakamuri, Ka Titiro Whakamua

Previous workshop – issues and opportunities



Today's briefing – issues and opportunities

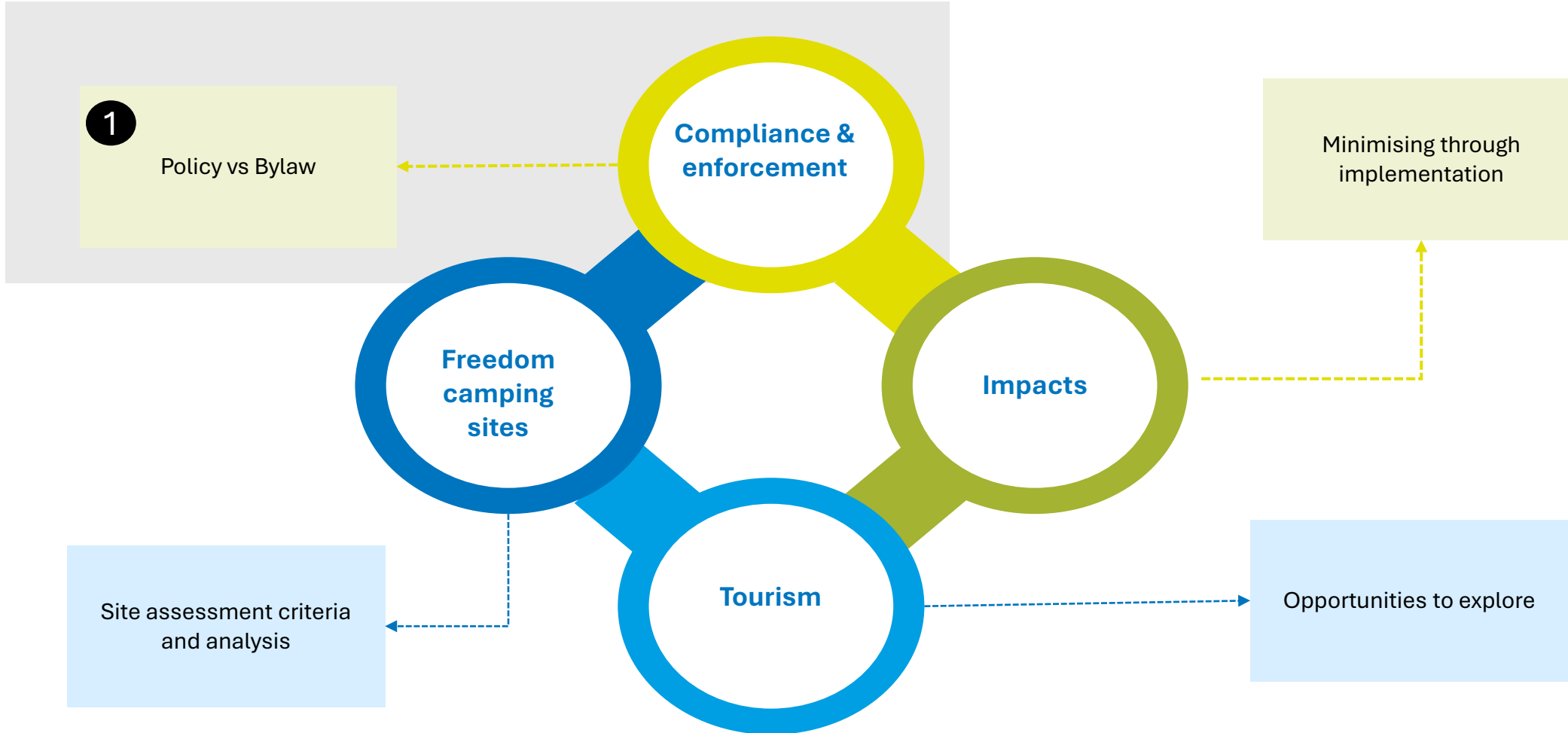


Questions for discussion

Not seeking decision today, but any concerns or additional information you may wish to receive:

- Do you agree with our proposed approach to progress with a bylaw only?
- What would you like a bylaw to be called? Other examples:
 - Freedom Camping Bylaw
 - Responsible Freedom Camping Bylaw
 - Camping in Public Places Bylaw
 - Sustainable Camping Bylaw

Session 1: Policy vs Bylaw



The current Policy

Issues:

- Takes a different approach to the Freedom Camping Act 2011 (FCA) legislation.
- Designates 9 sites but activity can occur anywhere under the FCA.
- Takes an educational approach – acts as a less regulatory information tool.
- Focuses on monitoring.
- Has limited powers of enforcement - relies on some default provisions under the FCA or use of the Public Places Bylaw.

Impacts:

- Does not maximise the effectiveness of managing freedom camping in the district.
- Community unhappy with lack of managing compliance.
- No ability to issue infringements for breach of Policy.
- Difficult to control freedom camping activity i.e. sites over-subscribed and campers staying longer than conditions specify.
- Environmental impacts result.

Freedom Camping Bylaw

Issues:

- Can be made under the FCA but must meet tests:
 - restrict or prohibit freedom camping at sites based on **protection**;
 - must be most appropriate/proportionate way of addressing problem; and
 - not inconsistent with the NZ Bill of Rights.
- Must be reviewed initially after five years (then every 10 years) or in response to any Government changes to the FCA.
- Council must have the capacity to resource compliance with the bylaw.

Impacts:

- Can **restrict** or **prohibit** where freedom camping may occur in certified self-contained vehicles and **permit** not self-contained freedom camping.
- Can specify the restrictions/conditions that relate to restricted, prohibited or permitted areas.
- Opens up a wide range of offences to enforce.
 - Infringement offences specific to breach of bylaw.
- Results in safe and practical sites that are not over-subscribed with minimal impact to local environment as compliance officers are empowered to manage.

PROPOSED APPROACH: PROCEED WITH BYLAW ONLY

Focusing questions

- *Do we need to protect parts of the District where freedom camping may or may not currently occur?*
 - Our research indicates “yes” because our community are telling us about their concerns and our compliance officers monitor the activity and see the impacts too.
- *Is a freedom camping bylaw the most appropriate and proportionate way of addressing the problem?*
 - We believe “yes” because it enables us to restrict, prohibit, or permit different forms of freedom camping and provides enforcement powers that enable us to best manage it.
- *Would a freedom camping bylaw for the District be inconsistent with the New Zealand Bill of Rights Act 1990?*
 - “No”, it wouldn’t because it would be enabling freedom camping under the FCA provisions.

A welcoming approach that fits with legislation

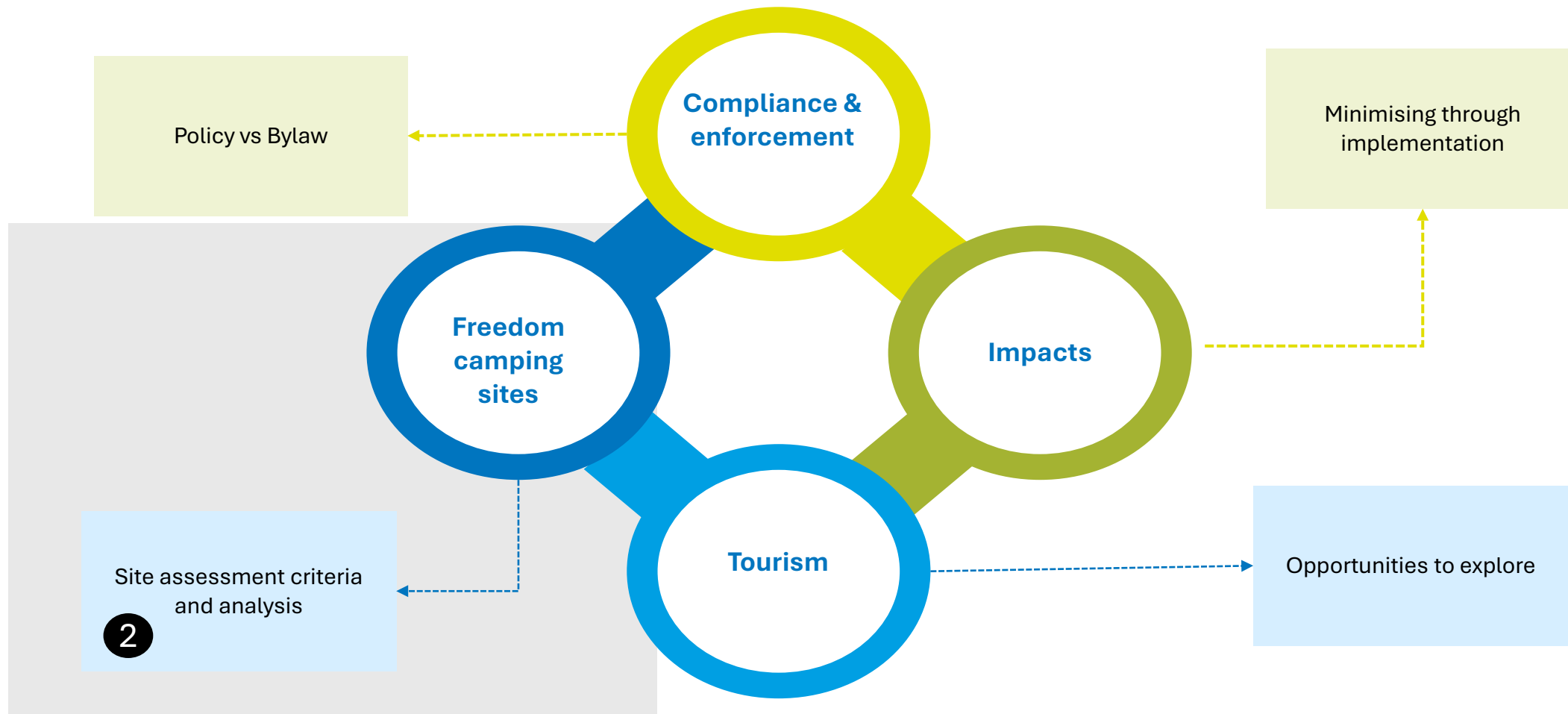
Good regulatory practice is not to use a *general* bylaw-making power

Current Policy is ineffective at managing freedom camping

Current Policy is ineffective at managing freedom camping

Most councils have a freedom camping bylaw only

Session 2: site assessment



Site assessment criteria & analysis

- Consultants have assessed appropriateness of Council land for freedom camping.
- Includes council reserves to also inform reserve management planning process.
- Internal project team has also undertaken additional assessment of sites.
- Iwi will provide additional cultural considerations.

NEXT BRIEFING: SITE SPECIFIC
DETAILS INCLUDING MAPS

1) FCA “criteria” to restrict or prohibit:

- **Protect the area** (e.g. cultural significance, ecology, proximity to built environment)
- **Protect access to the area** (e.g. manoeuvrability issues)
- **Protect health & safety of people visiting the area** (e.g. fire/flooding risk, safety issues, isolation from services)

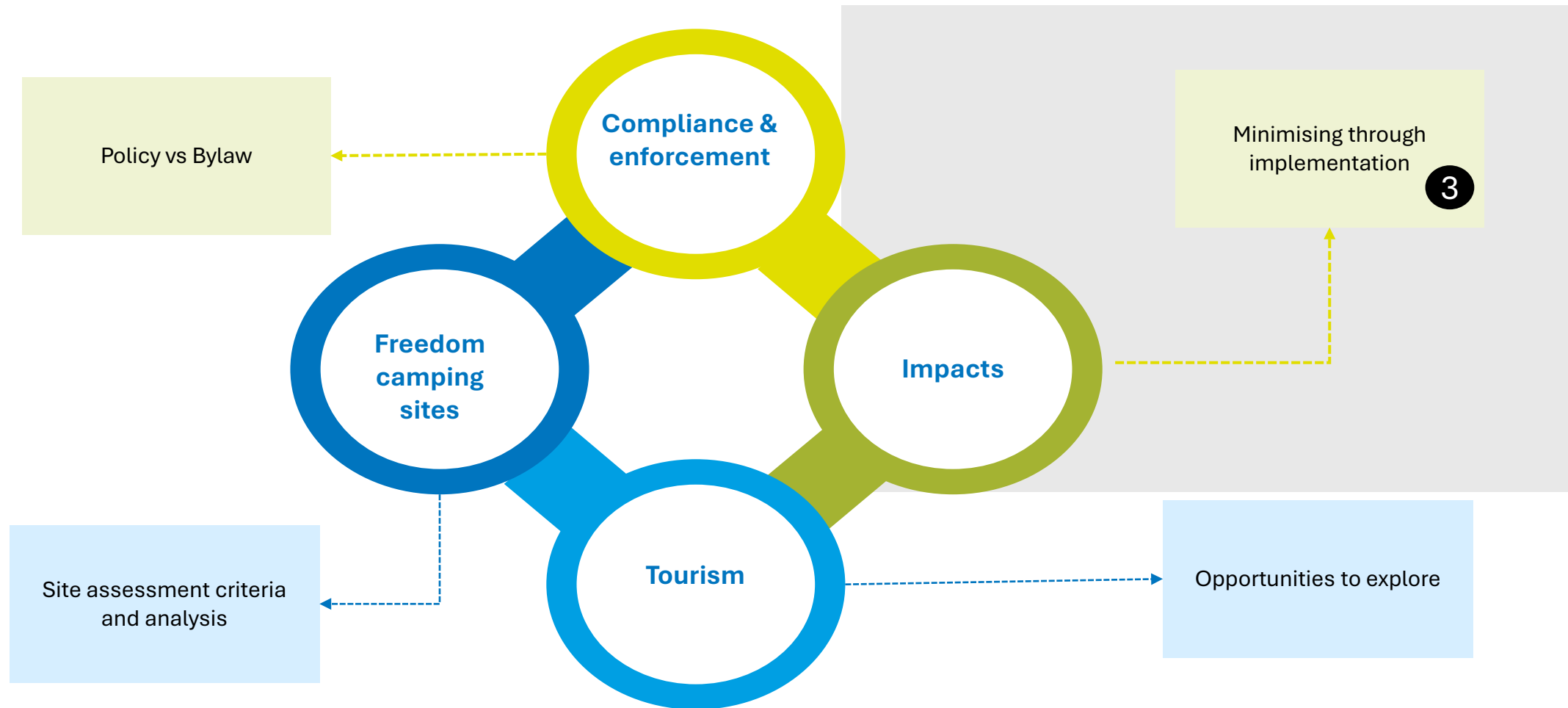
2) Amenity value; proximity to recreational opportunities (CWB), tourist attractions and eateries etc.; visual appeal; natural surroundings/ interplay of flora & fauna etc.

3) Iwi values

1 + 2 + 3 =

- ❖ restricted and prohibited sites (self-contained)
- ❖ tent prohibitions
- ❖ prohibited and restricted road areas
- ❖ permitted areas for not self-contained camping

Session 3: impacts



Minimising through implementation

Improve amenities:

- Upgrade and/or add dump stations, toilets and waste minimisation options.

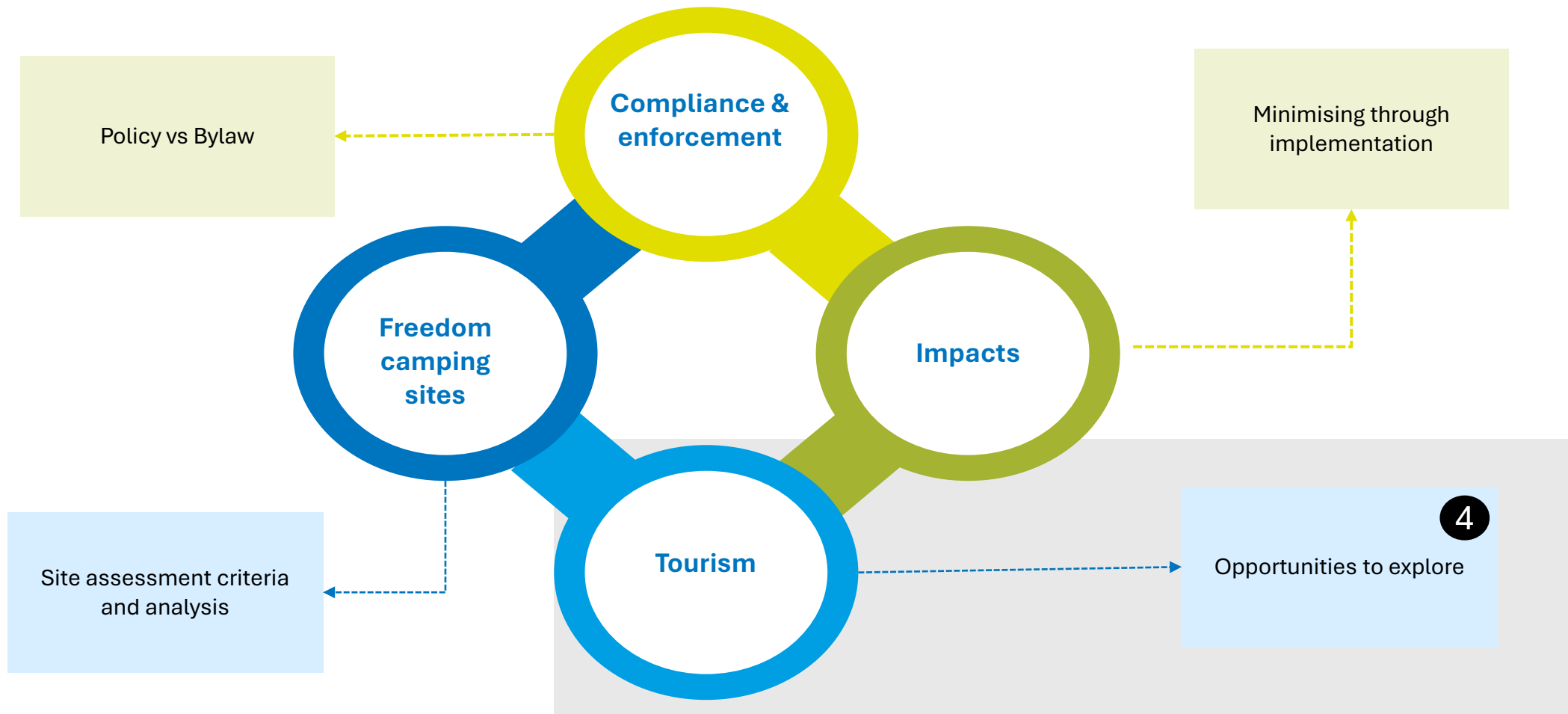
Safe and practical sites:

- Delineation and/or line marking (including for different sized vehicles).
- Good turning circles.
- Good signage in appropriate location.
- Potential for in-house booking system (free).



APPROACH: THROUGH SITE ANALYSIS IDENTIFY REQUIREMENTS SITE BY SITE AND DEVELOP IMPLEMENTATION PLAN

Session 4: tourism



Opportunities to explore

Priorities:

- Highlight sites located nearby CWB, tourist attractions, eateries etc. to attract longer stays.
- Enable longer stays at sites i.e. >24 hours.
- Good supporting amenities and infrastructure.
- Available information around tourism opportunities through signage and/or apps.
- Become a “Motor Home Friendly Town” – an NZMCA initiative.

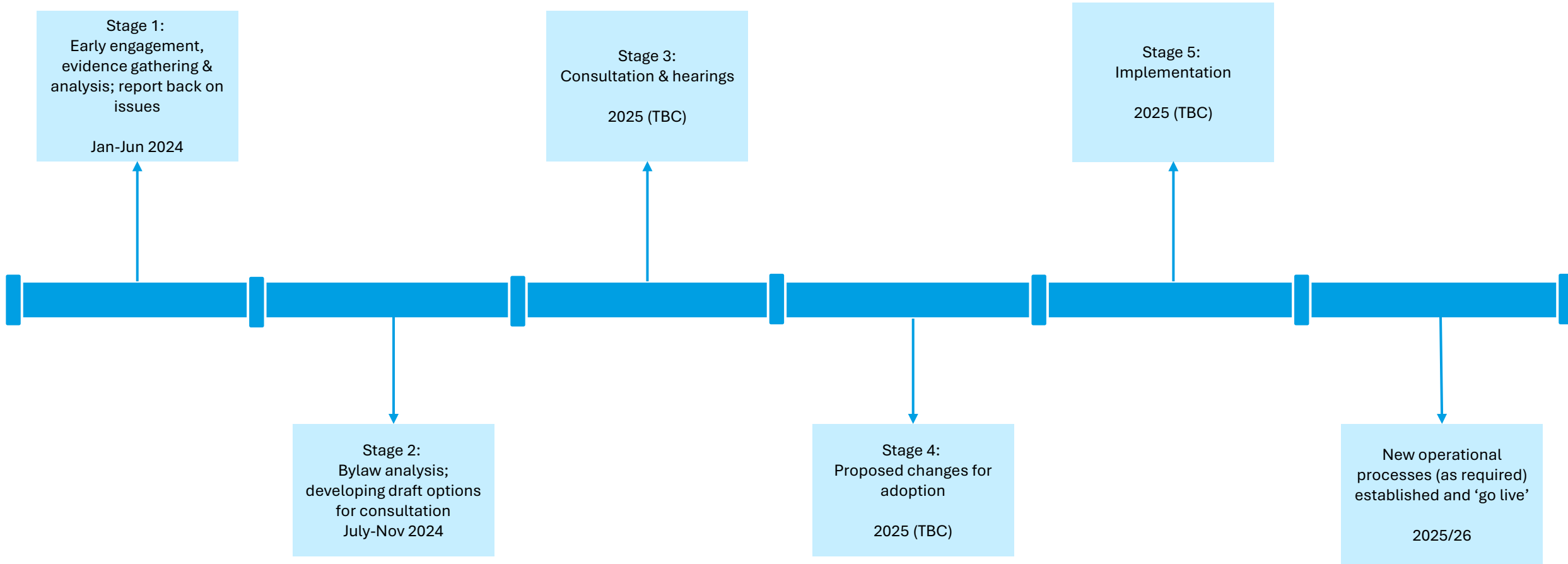
APPROACH: FOCUS ON PRIORITIES,
INVESTIGATE OTHER CONSIDERATIONS
FURTHER

Further consideration:

- Align with Kāpiti Destination Management Plan to increase visitor numbers
- User pays amenities by third party provider.
- NZMCA campground (for members only).
- Other campground development opportunities.



Next steps and timeline



Other information

Proposed change to self-contained transitional period:

- MBIE is currently consulting on a change to the date self-contained motorhomes must be certified by under the new regulatory system.
- They are proposing it is extended by 1 or 2 years (from 7 June 2025).



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