



**Draft  
Freedom Camping Bylaw**

**SUBMISSIONS  
BOOKLET**

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**From:** James Imlach <James@nzmca.org.nz>  
**Sent:** Friday, 2 November 2018 2:54 PM  
**To:** Consultation  
**Cc:** moonlightlady@xtra.co.nz  
**Subject:** NZMCA submission - Waitomo DC proposed freedom camping bylaw 2018 etc.  
**Attachments:** Waitomo DC - Proposed freedom camping bylaw 2018.pdf; Lane Neave - temporary prohibition provision in bylaws.PDF

Kia Ora

Please find **attached** a submission (including legal opinion) from the New Zealand Motor Caravan Association Inc. on the Waitomo District Council 摠 draft Freedom Camping Bylaw 2018 etc.

Ng 摠 mihi

**James Imlach** MRP

National Policy and Planning Manager

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# New Zealand Motor Caravan Association Inc.

02 November 2018

Waitomo District Council  
PO Box 404  
Te Kuiti 3941

Emailed to: [consultation@waitomo.govt.nz](mailto:consultation@waitomo.govt.nz)

## **SUBMISSION ON:**

- **THE DRAFT FREEDOM CAMPING BYLAW 2018;**
- **DRAFT AMENDMENTS TO THE PUBLIC PLACES BYLAW 2009; AND**
- **DRAFT AMENDMENTS TO THE PUBLIC AMENITIES BYLAW 2010**

## **Introduction**

1. The New Zealand Motor Caravan Association (**NZMCA**) appreciates the opportunity to submit on the Waitomo District Council's draft Freedom Camping Bylaw 2018; the draft amendments to the Public Places Bylaw 2009; and the draft amendments to the Public Amenities Bylaw 2010. For the purposes of this submission we refer to all three bylaws collectively as 'the proposal'.
2. The NZMCA represents some 83,000 individual New Zealanders who share a passion for exploring our country at leisure in their certified self-contained motorhomes and caravans. NZMCA members are hybrid campers alternating between commercial campgrounds, Department of Conservation campsites, NZMCA Parks and freedom camping areas.
3. The majority of NZMCA members are retirees and baby-boomers who value and respect the places they visit. The Waikato (including Waitomo District) is a very popular holiday destination for our members and their families. Many enjoy experiencing local events and attractions while camping in areas like Waitomo.
4. Over 5,400 individual members reside throughout the Waikato region alone. Many of them enjoy a range of camping opportunities with their families in their own backyard. Therefore, the proposal will have a significant impact on the ability for thousands of New Zealanders and Waitomo residents who enjoy responsible camping in their self-contained vehicles.
5. The NZMCA is a strong advocate for responsible camping in genuine self-contained motorhomes and caravans. We support local bylaws and policies that uphold the permissive premise of the Freedom Camping Act 2011 (**the FCA**) and, if necessary, restrict freedom camping to self-contained vehicles only.

**Summary and key recommendations**

6. The NZMCA supports:
  - a. The main thrust and intent of the proposal;
  - b. The proposed amendment to the Public Places Bylaw 2009, i.e. revoking clause 4.3(b); and
  - c. The proposed amendments to the Public Amenities Bylaw 2010, i.e. deleting the definition of 'caravan', deleting clause 3.3.2(a), and amending clause 5.1.3.
7. The NZMCA recommends:
  - a. Amending the definition of 'night' in the draft Freedom Camping Bylaw; and
  - b. Reviewing clause 9 of the Freedom Camping Bylaw.

**General comments on the proposal**

8. The proposal appears to strike a fair balance between responsible camping opportunities, protection of the environment, and the protection of access to local authority areas for all recreational users. We support the council's endeavor and note maintaining a permissive approach towards self-contained vehicles will help support any future application for motorhome friendly town status.
9. The proposal also promotes consistency across the council's suite of relevant bylaws. We support this integrated approach as it minimises confusion among campers as to the rules that apply, which ultimately improves compliance and the general perceptions of Waitomo as a motorhome friendly destination.
10. The definition of 'night' suggests the bylaws default period for all types of camping is between 10pm and 7am. Therefore, unless otherwise stated a camper is required to leave an area by 7am the morning after they have stayed the maximum permitted time. However, general restriction (d) under Schedule 2 of the bylaw also specifies a default departure time of 9am for all vehicles.
11. This discrepancy is confusing. We suggest the council either deletes the definition of 'night' from the bylaw or amends the definition to refer to 9am as being the default departure time.
12. Schedule 2 General Restriction (e) confines all camping gear and other paraphernalia to within 1m of a vehicle being used for freedom camping. We support this restriction when it involves freedom camping in urban areas, however we feel the bylaw should be more flexible in more remote areas where it is usually acceptable for campers to "spread out".

13. As an alternative, the council might consider confining this rule to places with defined car parks spaces as they are generally located in urban environments or other areas where congestion is likely to be problematic.

*Clause 9 – Temporarily prohibiting freedom camping*

14. The NZMCA supports temporarily closing an area to freedom camping for justifiable reasons. In the past, we have sought legal advice following concerns with how other local authorities have relied on similar bylaw provisions to unilaterally close freedom camping sites without proper consideration of the FCA's requirements. In these examples there appeared to be a severe lack of proportionality in their decisions.
15. For example, self-contained vehicles were being prohibited due to issues created by non-self-contained vehicles, and little or no consideration was given to temporarily reducing the scale of a restricted area when public access became an issue. Furthermore, in some cases local authorities were using these provisions to effectively prohibit freedom camping for long periods until they were ready to formally amend their bylaws. In our view, this is not an appropriate use of a 'temporary closure' provision and circumvents the FCA's requirements.
16. To be clear, the NZMCA is not opposed to local authorities temporarily prohibiting freedom camping for reasons that are consistent with the FCA. We have attached legal advice that suggests local authorities need to take care with how they write their bylaws and enact temporary prohibitions to avoid being challenged. We provide this advice to council in good faith so that clause 9 is consistent with the legislation and is applied fairly.
17. The NZMCA would appreciate the opportunity to speak to this submission.

Yours faithfully,  
New Zealand Motor Caravan Association Inc.



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7

Lane neave.  
Submission No. 001

16 February 2018

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New Zealand Motor Caravan Association Incorporated  
P O Box 72147  
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Dear James and Bruce

### Temporary Prohibitions on Freedom Camping

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1. The New Zealand Motor Caravan Association Incorporated (**NZMCA**) has asked for our advice in relation to the lawfulness of a provision in a bylaw under the Freedom Camping Act 2011 (**Act**) which allows a Council to temporarily prohibit or restrict freedom camping on short notice.
2. NZMCA has requested our view of the relevant provision in the New Plymouth District Council Freedom Camping Bylaw 2017 (the **New Plymouth Bylaw**). In addition, we understand that there are a number of other local authorities who have included similar provisions in their freedom camping bylaws (or propose to do so) and as such the NZMCA has requested advice as to whether local authorities generally have the power to issue temporary prohibitions or restrictions and, if so, whether the existence or otherwise of a bylaw provision makes a difference.

#### Summary

3. The Freedom Camping Act does not contain any specific bylaw-making power in relation to temporary prohibitions or restrictions.
4. However, by virtue of section 13 of the Bylaws Act 1910 we consider the Council is permitted to delegate to itself, by bylaw, the power to temporarily close or restrict camping in "particular cases". Such a bylaw must not delegate to the Council a discretion which is so great as to be unreasonable.
5. In the absence of a bylaw provision expressly delegating power to make temporary prohibitions or restrictions to the Council, the Council may not temporarily prohibit or restrict camping by a resolution pursuant to the Act.
6. We do not consider that the New Plymouth Bylaw is valid in its present form as it does not comply with section 13 of the Bylaws Act 1910. A challenge to the Bylaw may succeed in the High Court, particularly if the Council seeks to rely on the Bylaw to support an unreasonable resolution. However, if the relevant clause is amended so as to clarify the circumstances where the Council may take temporary action, it will likely be a valid bylaw provision, subject to our more detailed discussion below.<sup>1</sup>

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<sup>1</sup> In addition, we note for completeness that in making any such amendment, the Council is bound to follow the special consultative procedure set out in section 83 of the Local Government Act 2002.

## Background

7. On 23 December 2017 the New Plymouth Bylaw came into force. Following this, there have been media reports that the reserve at the Waiwhakaiho river mouth has been “overrun by campers” in a mixture of self-contained campervans, converted vans, cars and tents.
8. Mayor Neil Holdom has provided a written statement describing the issues with current freedom camping as “overcrowding, littering, wasting water and the visual pollution that comes with having a large number of vehicles in our most beautiful places.”
9. Complaints have reportedly been received in relation to “food waste at water taps, human waste, nudity while showering in public, concerns about rubbish, vehicles parking across multiple spaces and the inability of locals to use public amenities.”
10. The Council has already installed portable toilets at the site, arranged extra rubbish collections and increased security patrols.
11. The mayor’s statement concluded “I am recommending to my fellow councillors we take some immediate steps to reduce the concentration of campers at Waiwhakaiho, protect our environment and ensure ongoing local access to our favourite coastal spots within the urban area of New Plymouth.”
12. The Council is holding an extraordinary meeting to consider restrictions. The three options under consideration are:
  - (a) Temporarily closing the Waiwhakaiho river mouth to freedom campers;
  - (b) Temporarily closing the Waiwhakaiho river mouth to freedom camping as well as temporarily restricting the number of campers that can stay at the East End, Wind Wand and Kawaroa car parks;
  - (c) Do nothing.
13. The mayor’s preferred option is the second.
14. It does not appear there is evidence of any current issues at the East End, Wind Wand and Kawaroa car parks. The concern may be that these areas become overcrowded once Waiwhakaiho is closed to campers.
15. The relevant clause the Council will rely on is clause 9 of the New Plymouth Bylaw, which provides the following:
 

**“9. Council may temporarily close an area to freedom camping**

  - 9.1 *The Council may, by resolution in accordance with section 151(2) of the Local Government Act 2002, temporarily close or restrict freedom camping in any area or part of any 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.*
  - 9.2 *Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Where possible, not less than 24 hours’ notice of any temporary closure or restriction will be given.*

*The following note is explanatory and is not part of the Bylaw: Notice given by the Council may include any of the following: a sign erected in the area; and/or advertising on the Council's website or on the radio; and/or a public notice in the paper"*

### Temporary Prohibitions and Restrictions

16. The wider question is whether the Freedom Camping Act authorises a local authority to impose a temporary prohibition on freedom camping in a particular area by resolution.
17. Section 11 of the Act clearly sets out bylaw-making powers in relation to prohibitions and restrictions generally. In summary, these are as follows:
  - (a) A local authority may make bylaws defining areas where camping is restricted, and the restrictions that apply, or where camping is prohibited.
  - (b) A local authority may make a bylaw **only** if it is satisfied the bylaw is necessary to protect the area; to protect the health and safety of people who may visit the area; and/or to protect access to the area.
18. When making or amending a bylaw, the Council is required to use the special consultative procedure under the Local Government Act 2002. Parliament has therefore underlined the importance of proper consultation with freedom campers and others before prohibitions and restrictions are put in place.
19. However, the Bylaws Act 1910 also applies. Where a bylaw delegates to a local authority a legislative power that is intended to be exercised by bylaw, the delegation will not invalidate the bylaw if it complies with section 13 of the Bylaws Act 1910.
20. Section 13 of the Bylaws Act provides:
 

***"13 Bylaw not invalid because of discretionary power left to local authority, etc***

*(1) No bylaw shall be invalid because it requires anything to be done within a time or in a manner to be directed or approved in any particular case by the local authority making the bylaw, or by any officer or servant of the local authority, or by any other person, or because the bylaw leaves any matter or thing to be determined, applied, dispensed with, ordered, or prohibited from time to time in any particular case by the local authority making the bylaw, or by any officer or servant of the local authority, or by any other person.*

*(2) This section shall not apply to any case in which the discretion so left by the bylaw to the local authority, or to any officer, servant, or other person, is so great as to be unreasonable."*
21. The meaning of this section has been given detailed consideration by the Courts and the Courts have upheld a temporary restriction made in reliance on the section. In relation to a bylaw which delegates to the Council the power to impose temporary restrictions on camping (by resolution), the delegation provision will need to satisfy the following requirements:
  - (a) The power delegated to the local authority will need to clearly fall within the empowering enactment (i.e., it must satisfy the conditions of section 11(2) of the Act).
  - (b) The provision must specify the "particular case" or cases where power is delegated to the Council.
  - (c) The discretion left to the Council must be reasonable (i.e., it cannot be "so great as to be unreasonable").
22. The Courts are likely to require strict compliance with these requirements given the default position is that consultation must occur prior to any restrictions or prohibitions coming into place under the Act.
23. Section 13 of the Bylaws Act is directed towards instances where the Council may need to take immediate or temporary action in a "particular case".

24. The Supreme Court considered section 13 in *Bremner v Ruddenklau*<sup>2</sup> an older case concerning a local authority bylaw under the Public Works Act 1908. The bylaw included a provision that “The Council may from time to time determine that owing to weather conditions any road or part of a road within the county shall be unfit for heavy traffic...during the months of May, June, August and September in any year, and may order that transportation...shall cease on such road or part of road as aforesaid, and notify such order by notice affixed to any conspicuous place on the road...”
25. The Council passed a resolution pursuant to this provision closing certain roads to heavy traffic from 4 July 1918 to 4 September 1918. This resolution was challenged together with the bylaw provision authorising it.
26. The Supreme Court found that the bylaw provision and resolution were lawful as a result of section 13 of the Bylaws Act 1910. The reasons were as follows:
- (a) Firstly, the Public Works Act provided that any local authority could make bylaws “providing that heavy traffic of all or any kinds shall cease during the whole or any part of the months of May, June, August and September.” As a result, the bylaw provision did not go beyond the legislative power in the Public Works Act.
  - (b) Secondly, the Court placed a strong emphasis on the fact the bylaw provision only applied in “a particular case”, namely, a case of bad weather.
  - (c) Finally, the Court found that the discretion left to the Council was reasonable. The Court noted that the usual bylaw-making process would take a number of weeks and, in the case of bad weather, the Council must act without delay as “to wait four or five weeks might lead to disaster.” The Court noted that the discretion left to the Council must be reasonable, having reference to the nature of the bylaw and the character of the delegation. The greatest measure of discretionary authority will be that allowed to the Council itself (to be exercised by resolution) as opposed to that allowed to its individual agents.
  - (d) The Courts also noted that, in practice, “if the by-law came into operation so suddenly as to affect any person en-route...that person would not be liable to a penalty”. This indicates the Council must enforce its discretionary powers reasonably in each case.
27. By contrast, if the Council merely delegates to itself the exact legislative power that is intended to be exercised by bylaw, without specifying “the particular case” in which the power may be exercised, the bylaw will be invalid.
28. An example of a case where a bylaw was invalid is *Auckland Harbour Board v Meredith*<sup>3</sup>, where a bylaw gave the traffic manager of a harbour board complete authority to close any wharf or land under the control of the board to traffic generally. The Court held the bylaw in that case delegated a discretion that was too wide.
29. Bylaws have also been held to be invalid where the discretion left to the Council is too uncertain.<sup>4</sup>

### Specific Consideration of the New Plymouth Bylaw

30. The issue is whether the discretion left to the Council in clause 9 of the New Plymouth Bylaw complies with section 13 of the Bylaws Act.<sup>5</sup>
31. In our view, clause 9 of the bylaw may be challenged on the following grounds:

<sup>2</sup> [1919] NZLR 444.

<sup>3</sup> (1967) 12 MCD 97.

<sup>4</sup> *Carter Holt Harvey Ltd v North Shore CC* [2006] 2 NZLR 787 – relating to fees for waste cartage.

<sup>5</sup> We note for completeness that, while clause 9 refers to section 151(2) of the Local Government Act 2002, that provision does not apply to a bylaw under the Freedom Camping Act.

- (a) The power is not sufficiently limited to “particular cases” and may be so great as to be unreasonable. We consider the following are likely to amount to particular cases justifying a delegation of power to the Council:
- (i) Where routine maintenance requires temporary restrictions to be put in place this is likely to be a “particular case” which can be delegated to the Council. Wherever practicable, this should be attended to by closing only part of an area at a time and allowing camping to continue in the other part of the area, given this is the most appropriate and proportionate way of addressing the problem of routine maintenance. We do not anticipate routine maintenance would ever seriously impact the rights of freedom campers and any lengthy closure of an area on the ground of “routine maintenance” would be susceptible to a legal challenge.
  - (ii) Where damage has occurred, or damage is threatened by activity occurring in an area, and immediate steps are required to repair the damage or protect the area, this is likely to be a “particular case” where power can be delegated to the Council. We consider this may be the type of case where the Council could exercise the power intended to be exercised by bylaw.
  - (iii) However, we consider clause 9(a) as presently drafted is too broad and delegates an unreasonable level of discretion to the Council. It states a temporary closure may occur by special resolution where necessary to “prevent damage to the local authority area...”. The bylaw should clarify that this power is to be exercised where damaged has occurred or there is an immediate threat of damage due to activity on the site. There should be an evidential basis for this. Without stating the “particular case” where the Council is able to exercise its power, clause 9(a) may be challenged as an unlawful delegation of bylaw-making power. Further, the type of damage which can be addressed by Council resolution must be a type of damage regulated by the Act itself. In our view, the Act regulates physical damage to the local authority area (such as damage to flora and fauna; or to any structure; or from the depositing of waste).<sup>6</sup>
  - (iv) We consider the delegation of power to provide access to an area for a public event is likely to be valid on the basis an event is a “particular case”. However, the bylaw clause 9(c) covering public events is arguably drafted too broadly. The bylaw states the Council may presently close a site where it is considered necessary to “provide for better public access, including in circumstances where events are planned for the area.” We consider that if the Council sought to rely on this clause for anything other than providing access to an event, the clause could be challenged as an unlawful delegation of the power under section 11(2)(a)(iii) to make bylaws to “protect access to the area”. That is because the only “particular case” specified by clause 9.1(c) is the case of events planned for an area. Protecting access to an area generally is not a “particular case”.
- (b) The power delegated under clause 9 is not clearly circumscribed so as to fit within the empowering enactment. Clause 9 should clearly provide that the requirements under section 11 for bylaws must be met in relation to any Council resolutions, such requirements being as follows:
- (i) That the resolution is the most appropriate and proportionate way of addressing the perceived problem in relation to that area;<sup>7</sup>
  - (ii) That the resolution is not inconsistent with the New Zealand Bill of Rights Act 1990;<sup>8</sup>

<sup>6</sup> This can be inferred from the offence provisions at section 20 of the Act which regulate these types of issues but do not regulate matters such as noise or visual impacts of camping.

<sup>7</sup> Section 11(2)(b).

<sup>8</sup> Section 11(2)(c).  
NEW102713 6406761.1

- (iii) The resolution must define the restricted or prohibited area either by a map or by a description of its locality (other than just its legal description);<sup>9</sup>
- (iv) Notice should be given in accordance with the requirements of the definition of public notice in section 5(1) of the Local Government Act 2002, being a notice published in one or more daily newspapers or 1 or more other newspapers which have at least an equivalent circulation in that district; and any other public notice that the local authority thinks desirable in the circumstances.<sup>10</sup>

32. In addition, if the Council made a resolution pursuant to clause 9 of the New Plymouth Bylaw which extended beyond a "temporary" prohibition (i.e., the resolution did not give any timeframe for the prohibition or any criteria to be met for it to be lifted), the resolution could be challenged on the basis it is ultra vires because it is not truly "temporary".

### No Bylaw Provision

33. You have additionally asked for our comment as to whether the Council may issue temporary restrictions or prohibitions under the Freedom Camping Act if there is no relevant bylaw provision.
34. We do not consider such a power exists under the Act. The power to impose restrictions and prohibitions on camping is a power to be exercised by way of bylaw under the Act (or by way of powers delegated by bylaw).
35. However, where there is no relevant bylaw provision the Council may rely on its powers under other legislation and bylaws to regulate concerns where possible.<sup>11</sup> It may also rely on the enforcement provisions of the Freedom Camping Act which include a provision for an enforcement officer to require a person who has committed an offence to leave local authority land.<sup>12</sup>

### Conclusion

36. The Freedom Camping Act is clear that bylaws under that Act are to expressly and clearly define restrictions and prohibitions on camping and consultation over these restrictions and prohibitions is mandatory. A bylaw which delegates broad discretion to the Council to add further restrictions and prohibitions is not consistent with the provisions of the Act and we consider the Courts are likely to strictly enforce the requirement for any delegated power to be confined to "particular cases" which will need to be specified in the bylaw.

Yours faithfully  
Lane Neave



**Rebecca Hopkins / Bethany Frowein**  
Partner / Senior Associate

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<sup>9</sup> Section 11(3).

<sup>10</sup> By inference from the requirement in section 11(6) and (7) for the Council to meet these requirements for any "minor changes" to a bylaw where full consultation is not required.

<sup>11</sup> We have not carried out a detailed assessment of the extent to which other enactments could be relied upon at this point.

<sup>12</sup> Section 36.

**From:** Fergus Brown <fergus@holidayparks.co.nz>  
**Sent:** Friday, 2 November 2018 3:41 PM  
**To:** Consultation  
**Subject:** Freedom Camping Bylaw Submission  
**Attachments:** Submission 2018.pdf

Submission attached

Best regards  
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**Key facts:**

The holiday park sector provides 36% of New Zealand's commercial accommodation capacity and 20% of commercial guest nights

In the year ended August 2018 holiday parks hosted 8,235,165 guest nights up 6.2% over the previous year

Guest nights to holiday parks are made up of 34% international visitors and 66% domestic visitors

While staying at holiday parks guests contribute over \$1 billion in direct expenditure to local communities

Approximately \$612 million (60%) of the expenditure is from domestic travellers with the balance of \$405 million (40%) spent by international travellers.

Expenditure by international visitors contributes directly to New Zealand's export earnings.

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2 November 2018

**Waitomo District Council  
Queen Street  
Te Kuiti**

### **Submission on Proposed Freedom Camping Bylaw 2018**

We do not wish to speak to the submission

#### **Submission**

We fully support freedom camping in the right vehicles and most importantly in appropriate locations. We believe that freedom camping is an activity which is undertaken in the many beautiful remote areas of New Zealand.

We recommend that freedom camping is prohibited in all urban areas of the Waitomo District.

Roadside camping is not appropriate in any urban area.

A good example of a bylaw which prohibits freedom camping in urban areas and restricts it to self-contained vehicles only outside of these areas is the Queenstown Lakes District Council's bylaw.

Outside of urban areas freedom camping should be restricted to self-contained vehicles only.

#### **Enforcement**

It is essential that no matter what decisions as are made regarding the Freedom Camping Bylaw that Council provides sufficient resources to enforce them. As has been seen in other Districts, the enforcement can provide sufficient funds to cover enforcement costs even if some fines are unpaid.

**Holiday Accommodation Parks Association of NZ Inc. (HAPNZ)**

Established in 1955 as the Camp and Cabin Association, HAPNZ is the industry association that represents the commercial holiday park sector in New Zealand.

There are 420 commercial holiday parks in New Zealand that annually provide in excess of 8.2 million guest nights 35% of which are international visitors.

HAPNZ has 300 member parks and over 90 trade members. HAPNZ is a full member of the Tourism Industry Association (TIANZ) and all HAPNZ members are affiliate members of TIANZ. HAPNZ is a national partner of the New Zealand Cycle Trail, a full member of the Backpacker, Youth and Adventure Tourism Association (BYATA) and an allied member of the Tourism Export Council of New Zealand.

While staying at Holiday Parks, visitors contribute over \$1 billion in direct expenditure to New Zealand's economy each year. Approximately \$594 million, or 59% of this expenditure, is contributed by domestic visitors and the remaining \$405 million, or 41%, by international visitors. Expenditure by international visitors also contributes directly to New Zealand's export earnings.

An average of just 23% of daily expenditure by Holiday Park visitors goes toward holiday park accommodation costs. The balance, which totals approximately \$769 million annually, is typically spent outside of Holiday Parks in areas such as hospitality (cafes, restaurants, bars), activities and attractions, transport (rental vehicles, fuel, buses, taxis), retail goods and services, and entertainment.

**Holiday Parks Association Position of Freedom Camping**

As an Association we support freedom camping in New Zealand in appropriate locations. We believe that Councils where necessary should develop bylaws that state:

Freedom camping is prohibited in urban areas.

Outside of urban areas freedom camping is restricted to self-contained vehicles which meet NZS5465.

There is no such thing as free camping – there is a cost whether it is to local ratepayers, DOC or tax payers. We fully support the principle that the user should pay.

As part of local communities our members take an active part in the development of policies and bylaws which apply to freedom camping. Our members provide feedback on suggested freedom camping areas. In some cases we will support freedom camping areas and in others we will oppose them; these decisions will be linked to the appropriateness of the location and the mood of the community. We do not consider urban locations as being appropriate for free camping.

While we do not seek special protection for our members from the bylaws it is sensible that some buffer around commercial Holiday Parks be put in place. This can assist in discouraging the unlawful use of facilities e.g. showers toilets and dump stations, which occur at many parks, but also remove the inevitable tension that will arise from campers overnighiting for free in close proximity to commercial holiday parks.

HAPNZ has been an active participant in the NZ Responsible Camping Forum and fully supports the key messages and information that has been agreed and promoted by group members.

We believe that strong, consistent national messages, backed by comprehensive regional information will help remove much of the tension that has existed over vehicle-based camping and result in better experiences for campervan holiday-makers and communities.

A handwritten signature in black ink, appearing to read 'Fergus G Brown', with a long horizontal line extending to the right.

Fergus G Brown

Chief Executive

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**From:** Dawn Anselmi <dawnanselmi@yahoo.co.nz>  
**Sent:** Wednesday, 31 October 2018 2:31 PM  
**To:** Consultation  
**Subject:** re Freedom Camping By Law.

I have read the draft Freedom camping bylaw proposal and wish to say that I am delighted that the council is putting this in place.

The Mangaokewa Reserve is a "go to place" for the local community and at at peak tourist times over last summer I counted between 70 - 80 vehicles parked in this small area, often 2 minute noodles clogging the sink and the toilet left really dirty.

There is no mention of the Mangapohue Natural Bridge parking area in this report, what will the status of that be?/ Thank you to the council staff who have listened to the locals and have put obviously many hours into putting this report together.

Te Kuiti urgently needs a large camping ground!!!

Dawn Anselmi

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