



# Minutes

of the

## Judicial Committee

# Hearing

Date 12 November 2015  
Venue Council Chamber  
515 Mackay Street  
Thames

### **Present**

MK McLean JP (Chairperson) PA Brljevich  
LA Fox  
D Connors

### **In attendance**

Scott Summerfield, Christine Tye, Erin Berry, Barry Smedts, Steve Hart,  
Sandra Goudie, Rebekah Duffin

**Meeting commenced** 09:00

# 1 Meeting conduct

## 1.1 Apologies

All members were present.

## 1.2 Conflict of interest

No conflicts of interest were declared.

# 2 Hearings

## 2.1 Hearing of Submissions to the Freedom Camping Bylaw 2014 Proposed Amendments

To present the submissions received to the proposed Freedom Camping Bylaw 2014 amendments for the hearing of submitters. The purpose of the hearing is to give submitters an opportunity to present their submission verbally and answer any questions from elected members.

Submitter	Key Points	Questions/Committee and staff response
<b>Don Cresswell</b>	<ul style="list-style-type: none"> <li>Overall in favour of bylaw provisions.</li> <li>Spoke to written submission (tabled item).</li> <li>Discussed the importance of being able to easily identify Designated Freedom Camping sites.</li> </ul>	<ul style="list-style-type: none"> <li>The Committee advised Mr Cresswell that Council was restricted to Council land in relation to designated freedom camping sites.</li> </ul>
<b>Amy Hyde</b>	<ul style="list-style-type: none"> <li>Supported provisions, however suggested improvements were still needed in Opito Bay.</li> <li>Tabled wording from previous Bylaw, along with a map displaying suggested changes.</li> <li>Raised concern that freedom campers were limiting access to areas for 'paying tourists', children and other members of the public.</li> <li>Considered that the increase in dogs travelling with freedom campers to the peninsula has increased the risk to dotterel in the area.</li> </ul>	<ul style="list-style-type: none"> <li>The Committee queried whether Ms Hyde was aware of any Council land that would be suitable for a designated freedom camping site. <ul style="list-style-type: none"> <li>Ms Hyde noted that such a site did not exist in Opito Bay.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Associated freedom camping to dune and reserve damage.</li> <li>• Raised concerns regarding the dumping of waste and grey water in public areas</li> <li>• Noted that the behaviour of some campers was unacceptable for a public area ie. excessive alcohol consumption</li> <li>• Support complete prohibition of Opito Bay.</li> <li>• Advised that the messages displayed on some Wicked Camper rentals was offensive</li> <li>• Suggested that designated Freedom Camping sites should be allocated away from residential areas to limit impact on ratepayers</li> </ul>	
<b>Alison Mackrell</b>	<ul style="list-style-type: none"> <li>• Advised agreement with freedom camping provisions except during Christmas, school holidays, and long weekends.</li> <li>• Believes that there was a lack of consultation and correspondence from Council.</li> <li>• Noted that the wording for designated freedom camping areas and the map that displayed these areas did not align.</li> <li>• Ms Mackrell identified two areas which could be potential designated freedom camping sites which have been prohibited by Council previously: Mountain Drive and Pleasant Point Reserve.</li> </ul>	<ul style="list-style-type: none"> <li>• The Committee advised that they were unable to restrict freedom camping in the Pauanui Waterways area, and any timing restrictions could only be managed under a parking bylaw.</li> <li>• The Committee also advised that they were bound by the legislation set by Central Government.</li> </ul>
<b>Brian Cameron</b>	<ul style="list-style-type: none"> <li>• Noted that New Zealand did not have infrastructure to cope with freedom camping.</li> <li>• Advised that some wording within the new Bylaw was ambiguous.</li> <li>• Noted that maps should clearly identify restricted/prohibited areas</li> <li>• Raised concern regarding traffic from Kuaotunu.</li> <li>• Recommended that signage advising restrictions be clearly displayed.</li> </ul>	<ul style="list-style-type: none"> <li>• Staff noted that Council had limited control over freedom camping in this area.</li> <li>• The Committee advised that Council had already entered into a management agreement with DOC regarding freedom camping on non-Council land.</li> </ul>

Submitter	Key Points	Questions/Committee and staff response
<b>Roger and Sally Wells</b>	<ul style="list-style-type: none"> <li>• Opposed freedom camping in Te Puru Reserve.</li> <li>• Considered freedom camping in Te Puru to be hazardous to pedestrians, as foot traffic might be forced to walk on road to avoid large vehicles.</li> <li>• Raised concern regarding danger to Dotterel; grey water being dumped on the beach; and limiting beach accessibility for other users.</li> <li>• Noted a decrease in enjoyment of own property.</li> <li>• Raised concern with the number of freedom campers and their animals coming onto private property.</li> <li>• Also noted the issue of freedom campers arriving late at night and shining headlights on property</li> <li>• Recommends that freedom camping in Te Puru should be reconsidered.</li> </ul>	<ul style="list-style-type: none"> <li>• The Committee queried whether the stress and sleeplessness experienced in relation to freedom camping should be considered as health issues.</li> <li>• The submitter considered that the effects from freedom camping adjacent to their property were detrimental to their health and wellbeing.</li> </ul>
<b>Fergus Brown</b> <i>(Holiday Parks Association of New Zealand)</i>	<ul style="list-style-type: none"> <li>• Wished to congratulate Council on their work to date.</li> <li>• Noted that prohibiting non-self-contained units was a positive step forward.</li> <li>• Noted that there is a significant amount of information on areas where freedom camping is permitted.</li> <li>• Advised that health and safety were important considerations in relation to freedom camping.</li> <li>• Recommended investigating the wider approach that Queenstown Lakes District Council had taken toward freedom camping.</li> </ul>	<ul style="list-style-type: none"> <li>• The Committee queried the number of members of the Holiday Parks Association of New Zealand within the Coromandel Region. Mr Brown noted that there were 113 commercial operators in the region.</li> </ul>
<b>Kerry Brew</b>	<ul style="list-style-type: none"> <li>• Not completely opposed to freedom camping</li> <li>• Noted that the proposed amendments would bring balance, however some fine tuning was still required</li> <li>• Noted that Pleasant Point would be a good place for a designated freedom camping</li> </ul>	<ul style="list-style-type: none"> <li>• Mr Brew suggested that once one of the three reasons for prohibition under the Act had been established, Council could consider any other factors in deciding whether to prohibit a site in the bylaw. The Committee advised this was not consistent with their</li> </ul>

	<p>site</p> <ul style="list-style-type: none"> <li>• Requested that Pauanui Waterways be prohibited for freedom camping</li> <li>• Noted that Pauanui Waterways and Te Puru Reserve have significant freedom camping issues</li> <li>• Noted that Council should have regard for ratepayers when developing the bylaw</li> </ul>	<p>understanding of the Act and advice given to them and that they would look into this further.</p>
<p><b>James Imlach</b> (<i>New Zealand Motor Caravan Association</i>)</p>	<ul style="list-style-type: none"> <li>• Noted that Council had made a concerted effort to address local concerns and had also looked into alternative sites.</li> <li>• Identified 3 main areas of concern: Brown Street in Thames; Carey Road Esplanade; and Waterways Parade.</li> <li>• Noted that property views could not dictate prohibited areas.</li> <li>• Advised that the NZMCA had made a concerted effort to work with Council.</li> </ul>	<ul style="list-style-type: none"> <li>• The Committee raised the issue of false certification of self-contained units and queried how this matter could be remedied. Mr Imlach noted that the vehicles warrant should be checked if there is any doubt that a vehicle is not certified.</li> </ul>
<p><b>Theodora Ward</b></p>	<ul style="list-style-type: none"> <li>• Appreciated Council's efforts toward monitoring and controlling freedom camping.</li> <li>• Concerned that compliance officers may not be in the vicinity at the time of an offence; the availability of officers was also identified as a major concern.</li> <li>• Noted that freedom camping offences were increasing</li> <li>• Raised concern regarding freedom camping vehicles blocking views</li> <li>• Questioned the contribution freedom campers made to Thames businesses in terms of tourism.</li> </ul>	<ul style="list-style-type: none"> <li>• The Committee advised that an increase in staff may require an increase in rates. Volunteer compliance officers were suggested as an alternative.</li> <li>• Ms Ward noted that she currently volunteered as an honorary bylaw warden.</li> </ul>

### Resolved

That the Thames-Coromandel District Council:

1. Receives the 'Hearing of submissions to proposed Freedom Camping Bylaw 2014 Amendments' report, dated 22 October 2015.
2. Receives the submissions made to the proposed Freedom Camping Bylaw 2014 amendments including the late submissions from Daniel Karehana (FC15\_135) and Gary and Carol Mundy (FC15\_132).

**Moved/seconded by:** Fox/Brljevich

## 2.2 Hearing of Submissions to the Proposed Standards of Camping Bylaw

To present the submissions received to the draft Control of Camping Bylaw for the hearing of submitters. The purpose of the hearing is to give submitters an opportunity to present their submission verbally and answer any questions from elected members.

	Key Points	Questions/Committee Response
<b>Fergus Brown</b> ( <i>Holiday Parks Association of New Zealand</i> )	<ul style="list-style-type: none"> <li>• Advised that the main concerns related to health and safety, and sanitation.</li> <li>• Queried the definition/wording around land used for camping (temporary living spaces).</li> <li>• Noted the importance of the 3m gap between tents to reduce the risk of a potential fire hazard.</li> </ul>	No questions were raised.
<b>James Imlach</b> ( <i>New Zealand Motor Caravan Association</i> )	<ul style="list-style-type: none"> <li>• Supportive of scope and purpose of bylaw.</li> <li>• Advised that the bylaw should balance Council preference.</li> <li>• Suggested that the Chief Executive have the authority to waive infringements in certain circumstances.</li> <li>• Did not consider that the 3m gap between temporary living spaces was a necessary clause for the bylaw.</li> </ul>	No questions were raised.

### Resolved

That the Thames-Coromandel District Council:

1. Receives the 'Hearing of submissions to the draft Standards of Camping Bylaw' report, dated 2 November 2015.
2. Receives the submissions made to the draft Standards of Camping Bylaw including the late submissions from Trevor and Francie Collings (STCA15\_52) and Craig Waugh (STCA15\_49).

**Moved/seconded by:** Fox/Brljevich

**Meeting closed at 11:00**

The foregoing minutes were certified as being a true and correct record of the meeting of the Judicial Committee Hearing held on 12 November 2015.

Chairperson \_\_\_\_\_ Date \_\_\_\_\_