

QLDC Council
12 December 2019

Report for Agenda Item | Rīpoata moto e Rāraki take: 3

Department: Finance, Legal & Regulatory

Title | Taitara QLDC Freedom Camping Control Bylaw

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to consider the Queenstown Lakes District Council Freedom Camping Control Bylaw 2019 (**proposed bylaw**) for adoption.

EXECUTIVE SUMMARY | WHAKARĀPOPOTOTANGA MATUA

- 2 The Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 (**current bylaw**) will be revoked by operation of law in December 2019. There is an identified need for Council to continue to regulate freedom camping in the District. Following Council approval, Council staff commenced a special consultative procedure on the proposed bylaw. The proposed bylaw establishes where freedom camping is permitted, restricted or prohibited within the District. The proposed bylaw expands the areas in which freedom camping is currently prohibited.
- 3 A total of 81 submissions were received with the majority of submitters supporting (33) or partly supporting (38) the proposed bylaw. The submissions that only partly supported the proposed bylaw, in general, were seeking further restrictions. Eight submitters opposed the proposed bylaw because they wanted a total banning of freedom camping in the District. Eight submissions sought restrictions on freedom camping to be lessened. Two submitters had no opinion.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report;
2. **Note** that all submissions and feedback received through this consultation will be fed into the responsible camping strategy work that is currently underway;
3. **Approve** the Hearings Panel recommendation to amend the Queenstown Lakes District Council Freedom Camping Control Bylaw 2019 [as recorded in the deliberations report in Attachment "F" of this report]
4. **Determine** that the Queenstown Lakes District Council Freedom Camping Control Bylaw 2019 is:

- a. Necessary to protect the areas for which freedom camping is prohibited or restricted, to protect the health and safety of people who may visit the areas, or to protect access to the areas.
 - b. The most appropriate and proportionate way of addressing the perceived problem in relation to the areas.
 - c. Not inconsistent with the New Zealand Bill of Rights Act 1990.
5. **Approve** the revocation of the Queenstown Lakes District Council Freedom Camping Control Bylaw 2012 effective from 13 December 2019.
6. **Adopt** the Queenstown Lakes District Council Freedom Camping Control Bylaw 2019 [in Attachment "F" of this report] with the Bylaw coming into effect on 13 December 2019.

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26/11/2019

Reviewed and Authorised by:



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29/11/2019

CONTEXT | HOROPAKI

- 1 The Freedom Camping Act 2011 (FCA) allows freedom camping anywhere in a local authority area that a local authority has control over, except at those sites where it is specifically prohibited or restricted by that local authority. Local authority areas are, in general terms, accessible public places controlled or managed by the Council, such as reserves, roads and laybys, other than camping grounds.
- 2 The District is a significant tourist destination and home to approximately 37,000 residents. There has been significant growth in our community and in the number of visitors to the District over the last decade, which includes an increase in the number of freedom campers.
- 3 The Council made the current bylaw under s 11 of the FCA in December 2012 (current bylaw). A copy of the current bylaw is included as **Attachment A** with this report. The current bylaw defines the areas where freedom camping is permitted, restricted or prohibited within the District, and any relevant restrictions within the restricted areas.
- 4 The FCA provides that councils must review any bylaws made under the FCA no later than five years after the date on which the bylaw was made. If not reviewed within this time period, the bylaw is automatically revoked two years after it should have been reviewed.
- 5 The Council did not undertake a full review of the current bylaw by December 2017. A minor amendment of the 2012 bylaw was undertaken in 2018 to address two problematic camping areas in the Wakatipu, using the special consultative procedure. A full review was not carried out as the Responsible Camping Strategy was in progress and a full review would pre-empt the Strategy's recommendations. A work programme has been adopted which indicates a further comprehensive review of the areas freedom camping zones and should be undertaken in approximately 2022 once other actions are implemented.
- 6 Therefore, the current bylaw will be automatically revoked on 19 December 2019.
- 7 Section 11(2) of the FCA provides that the Council may make a bylaw under the FCA only if it is satisfied that:
 - a. the bylaw is necessary for 1 or more of the following purposes:
 - i. to protect the relevant areas;
 - ii. to protect the health and safety of people who may visit the relevant areas;
 - iii. to protect access to the relevant areas; and
 - b. the bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the relevant area; and
 - c. the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).

- 8 Council could also use the Reserves Act 1977 (Reserves Act) to regulate (prohibit or restrict) freedom camping rather than a bylaw or the FCA. Section 44(1) of the Reserves Act provides that no person can use a reserve, or any vehicle, caravan, tent, or other structure situated on the reserve, for the purposes of permanent or temporary accommodation. Therefore, freedom camping on reserves is prohibited unless provided for in a Reserve Management Plan or Council exercises its delegated ministerial consent. While this mechanism could be used to part-regulate freedom camping, it would not remove the need for a bylaw altogether because it would not address roadside camping or land managed by the Council under another enactment. Regulating under the Reserves Act is also a complex and lengthy procedure.
- 9 In addition to the current bylaw the Council has a number of initiatives in relation to freedom camping:
 - a. Implementation of The Responsible Camping Strategy 2018, which is a joint strategy prepared by QLDC, the Department of Conservation (**DOC**), Ministry of Business Innovation and Employment (**MBIE**); Land Information New Zealand (**LINZ**) and New Zealand Transport Agency (**NZTA**);
 - b. Installing new public toilets at key sites including Glenorchy Domain, Kingston, Hāwea, Albert Town and Lake Hayes. These projects have been funded by the MBIE Tourism Infrastructure Fund;
 - c. The establishment of seasonal responsible camping hubs. Two day-hubs are located at Ballantyne Road (Wānaka) and Hawthorne Drive (Frankton) for showering, toileting and waste disposal purposes (including grey and black water);
 - d. Doubling of enforcement officers; and
 - e. Employing up to 16 camping ambassadors for management of camping hubs and education purposes across the district including on DOC, LINZ and NZTA land.
- 10 On 10 October 2019 the Council resolved to continue to control freedom camping through a bylaw and that there was a need to make a new bylaw, namely the proposed bylaw, rather than continuing the current bylaw in force. The proposed bylaw is attached as **Attachment C**.
- 11 The proposed bylaw establishes where freedom camping is permitted, restricted or prohibited within the District. The key changes in the proposed bylaw (compared to the current bylaw) are as follows:
 - a. Prohibited areas to include residential areas that have expanded since 2012, including Lake Hāwea, Wānaka, Albert Town, Luggate, Cardrona, Arthurs Point, Jacks Point to Wye Creek, Lake Hayes Estate, Quail Rise, Tuckers Beach, Kingston and Gibbston Valley;
 - b. Prohibited areas to include new residential areas under construction in Hanley's Farm, Bridesdale Farm, Shotover Country, Coneburn, Hāwea and Frankton Flats;

- c. Prohibited areas to include the road between Queenstown and Glenorchy, and the road between Wānaka Township and Glendhu Bay; and
 - d. More simplified and streamlined drafting.
- 12 The Council resolved to undertake public consultation regarding the proposed bylaw at its meeting of 10 October 2019. This was done as a special consultative procedure under the Local Government Act 2002 (LGA).
- 13 Public consultation on the proposed bylaw opened on 11 October 2019 and closed on 11 November 2019.
- 14 A total of 81 public submissions were received within the advertised submission period. Of those eight submissions were in opposition and 33 submissions supported the proposed bylaw in full. Thirty-eight submissions were partly in support and partly in opposition; the majority of these submitted that proposed bylaw did not go far enough to prohibit freedom camping. Two submissions had no opinion on the changes.
- 15 Nineteen submitters indicated that they wish to be heard in support of their submission.
- 16 A hearing in Wānaka was held on 21 November 2019 and in Queenstown on 22 November 2019. A total of 13 submitters were heard in support of their submissions.
- 17 The hearings panel comprising Councillors Calum MacLeod (Chair), Penny Clark, Heath Copland and Niamh Shaw gave full consideration to the submissions received and determined the extent to which the submissions are accepted or disallowed. Of the submitters who were heard only one submitter (New Zealand Motor Caravan Association (NZMCA)) wanted freedom camping increased in the district, provided vehicles had fixed toilets. The remaining submitters that were heard were not in favour of freedom camping and generally supported an increase in prohibited areas because of problems such as fires, rubbish, toileting issues and access.
- 18 Submissions received generally fell into three categories:
 - a. The first category is those submissions that fully supported the proposed bylaw. These submissions focussed on the protection of the environment and protecting public access to reserves for recreation and day use. Further reasons submitters supported the proposed bylaw included reducing the visual pollution of campervans, and reducing rubbish and pressure on infrastructure such as public toilets.
 - b. The second category is those submissions that supported the proposed bylaw but stated that the proposed bylaw did not go far enough to prohibit freedom camping in the District. These submissions proposed that more areas should be prohibited areas, such as a complete prohibition of freedom camping across the District.
 - c. The third and by far the smallest category is those submitters who opposed the changes included in the proposed bylaw. These submitters sought freedom camping be more permitted across the District, and should be strictly controlled, or only

available to the NZMCA or vehicles that are subject to stricter self-containment standards, such as fixed toilets.

- 19 It is clear that a large portion of submitters were not aware that under the FCA the Council:
- a. Is unable to prohibit freedom camping across its district; and
 - b. Can only control freedom camping on council owned/controlled land.
- 20 The hearings panel recommend the adoption by Council of the proposed bylaw with amendments following the submissions and the hearings process. The final version of the proposed bylaw is attached as **Attachment F**. The hearings minutes and deliberations report are included as **Attachments D and E**. The main changes to the proposed bylaw and the reasons for those changes are as follows:
- a. Maps and Schedule A Bylaw Wording

Submitters:

Several submitters stated that the proposed bylaw wording is confusing as it states in Schedule A that Prohibited, Restricted and Permitted areas to freedom camp and shown on the maps. The draft maps notified show only the Prohibited Areas. The intention behind this was that there were no permitted areas, but that if sought in future, only changes to maps, rather than the wording of the bylaw, would be required.

The NZMCA submission also noted that Council's online information for camping showed geomaps that showed additional prohibited areas to the existing bylaw. It also noted that the Statement of Proposal wording refers to extended or new prohibited areas such as Luggate, Kingston and Jacks Point/Wye Creek.

Several submitters noted Makarora township and Makarora West are prohibited areas in the current Bylaw but do not appear on the proposed bylaw Maps.

Gibbston Back Road was included in the 2012 bylaw and Gibbston as an expanded residential area was described in the statement of proposal. The proposed bylaw maps erroneously showed the state highway through Gibbston to be prohibited. This should be amended to the Gibbston Back Road and Coal Pit Road.

Hearings panel:

The final maps are to be updated to show the restricted areas. All other areas that are not shown as prohibited are restricted (there are no permitted areas). The Statement of Proposal wording is correct for the additional proposed and existing areas such as Luggate, Gibbston, Kingston and Makarora. This was an error in the draft maps that has been corrected.

The geomaps were changed online in error. This has since been corrected and all public information including signage is in accordance with the proposed bylaw.

Part 2 of the FCB19 should be amended as follows:

- Clause 6.1 – Any local authority area not marked as prohibited in Schedule A is a restricted local authority area.
- Clause 7.1 – There are no permitted freedom camping areas.

b. Purpose (clause 3)

Changes sought by submitters to clause 3 which sets out the purpose, included the following:

- Section 3.1(a) should be altered to read "discourage freedom camping";
- section 3.1(b) should be deleted; and the first word of section 3.1(c) should be replaced with "eliminate" (if that is not acceptable then "control" should have added to it "and reduce");
- The purpose of needs to be focusing on point (c) first and foremost and to remove the focus on promoting it as a 'valued tourist experience'
- Revert to the purpose outlined in the current bylaw that focused more on protection of our environment and the people that live and use the area for recreation.

Hearings panel:

The FCA does not require Councils to encourage or recognise freedom camping. It would not be in the spirit of the FCA to discourage freedom camping. The purpose of the FCA is to provide a mechanism for Councils to protect certain areas from freedom camping (s 11(2)(a)). The purpose of the FCA is best reflected in clause 3.1(c) of the proposed bylaw. Clause 3.1 should be amended as follows:

The purpose of this bylaw is to control freedom camping in local authority areas in order to protect the environment, including the District's lakes and rivers, from harm.

c. Two night maximum

Some submitters noted that the two night maximum stay under the current bylaw is not in the proposed bylaw.

Hearings panel:

The hearings panel consider that continued provision of a two night maximum as contained in the current bylaw will protect the area, the health and safety of visitors and protect access to the area in question. It will also assist with overcrowding of any particular area.

d. Suggested extension of restrictions

Attachment F identifies the specific areas that submitters want restrictions to be extended to.

Hearings panel:

Most of the areas suggested by submitters were areas that were owned by DoC, LINZ or NZTA. Council can only control freedom camping under the FCA which it owns. It cannot control freedom camping on land owned by other government agencies, except for DoC land where it has been given delegated authority (eg Luggate Red Bridge). In order to clarify this issue the words “in local authority areas” has been added to the purpose of the bylaw.

The proposed bylaw should be amended to include John Creek to the end of Timaru Creek Road as a prohibited area because there is evidence that the lake side edge is being impacted and there have been regular reports of issues with freedom campers and fires.

e. Luggate Red Bridge

A number of submitters raised freedom camping at the Luggate Red Bridge reserve.

Hearing panel:

The Luggate Red Bridge reserve is addressed in a separate report.

f. Out of scope suggestions

A significant number of submissions comments about matters that were out of scope of the proposed changes, eg because they were about Council business (such as enforcement and provision of freedom camping facilities) rather than the matters in the bylaw. These included:

- Many submitters want to ban freedom camping in the district entirely (which is prohibited by s 12 of the FCA).
- Some submitters want the FCA repealed entirely and urged the Council to lobby central government in this respect. These submitters submitted that this was the only long term solution for the district because freedom camping was no longer sustainable.
- Several submitters want freedom campers to pay a fee to stay at Council freedom camping sites, which is contrary to the meaning of freedom camping (ie, if campers have to pay then it is no longer within the definition of “freedom camping”).
- Submitters wanted more Council presence on the ground educating, monitoring and dealing with compliance; encouraging campers to stay in campgrounds if not self-contained; and collecting fines on the spot with portable EFTPOS machines, or collecting fines on the spot otherwise vehicles will be automatically clamped.
- Submitters wanted more signage, or different signage, including signs saying “self-contained vehicles only” or encouraging campers to stay at local campgrounds.

- Submitters sought the introduction of user-pays showering, washing and waste disposal facilities installed at strategic points about the district; and camping hubs for all freedom campers rather than only self-contained vehicles, so officers can educate them and check if vehicles are actually self-contained or not.
- The bylaw should specify where freedom campers can stay, rather than where they cannot stay (which is contrary to s 11(1) of the FCA).

Hearing panel:

Although the submissions which were out of scope could not be actioned under the FCA, the panel is aware that the Council has doubled the number of enforcement officers over the peak period so that there is more Council presence on the ground undertaking education, monitoring and dealing with freedom camping. The Council has also employed responsible camping ambassadors, established freedom camping hubs and additional toilet projects (discussed above). The Responsible Camping Strategy 2018 provides short term, medium term and long term actions.

In terms of a wider strategy Council is engaging with the other agencies so that a more holistic approach can be taken, working together to gain better compliance.

All these measures will go some way to addressing submitter concerns.

f. Other policy/legal comments

Submitters made the following comments:

- Taking away possible areas for freedom campers may put pressure on the remaining areas that are available to freedom campers. Encouraging self-contained vehicles as well as access to facilities (particularly a water supply, public toilets, wastewater disposal facilities and solid waste receptacles) at remote/freedom camp sites is important to manage potential public health risks.
- Banning freedom camping in some areas of the district will simply move, and exacerbate the problem in other areas of the district.

Hearings panel:

The panel noted these comments and believe that those issues should be considered and potentially form part of the basis for the next fundamental review of the bylaw in the next 18-24 months.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

21 Option 1 Adopt the proposed bylaw without changes.

Advantages:

- 22 The Council will be able to enforce under the FCA in prohibited and restricted areas in the District, and will be able to issue freedom camping infringement notices in prohibited and restricted areas.
- 23 Continued enforcement will reduce the risk of environmental damage, and also protect public recreation accessibility to these areas.
- 24 Council will be acting consistently with its own Responsible Camping Strategy.
- 25 The bylaw will be more user friendly than the current bylaw and consistent with the FCA.
- 26 The Council will be acting more consistently with feedback received from stakeholders to simplify the bylaw and make it easier for users to understand.
- 27 Adopting the FCB19 will provide clarity in relation to where freedom camping is prohibited and restricted.
- 28 It will ensure that there is a consistent regime in place to control and enforce freedom camping in the District in areas where issues have been identified.
- 29 Public access to the reserves and public enjoyment of the reserves will be protected.

Disadvantages:

- 30 Some submitters may perceive that issues raised through consultation are not addressed, both those in support and those opposed.
- 31 Specific issues raised by submitters, both individuals and organisation will not be addressed.
- 32 The Council's financial and resource costs with enforcing freedom camping will continue to increase with forecasted tourist numbers in the District.
- 33 Freedom Camping will no longer be available at a greater number of places in the District and displacement of campers may occur

Option 2: Adopt the proposed bylaw with changes

Advantages:

- 34 Option 2 will have the same advantages as Option 1, as well as:
- 35 Some submitters will perceive that the issues they have raised through submissions have been addressed by Council.

Disadvantages:

- 36 The Council's financial and resource costs with enforcing freedom camping will continue to increase with forecasted tourist numbers in the District.

37 The amended proposed bylaw expands areas in which freedom camping is prohibited. This is considered a disadvantage because, while it may be necessary to protect the amenity and health and safety of residents of newly expanded or developed residential areas, it will have the effect of conversely reducing the area in which freedom camping is allowed in self-contained vehicles.

38 Option 3 Do not adopt the proposed bylaw.

Advantages:

39 There will be no financial or resource costs to enforcing a new bylaw.

Disadvantages:

40 The issues associated with freedom camping at these reserves will not be addressed and will continue to degrade the environment and will negatively impact the public's access to and enjoyment of these areas.

41 The Council can continue to use non-regulatory approaches to manage freedom camping. It is hoped that these measures will reduce the problem, but that may be more difficult if the number of non-self-contained freedom campers has increased Council will have a bylaw that is not fit for purpose.

42 The Council would be acting inconsistently with its own Responsible Camping Strategy, which promotes responsible self-contained vehicle usage. While the Council may decide to adopt a new bylaw at a later time after the current bylaw is revoked, this option means that there will be no bylaw in force for the 2019-2020 peak freedom camping season, which is generally between November and March.

43 This report recommends **Option 2** for addressing the matter because the Council will have an improved Bylaw that is consistent with the FCA and Council will be able to enforce under the FCA to reduce the risk of environmental damage and to protect public access to these areas. Council will be acting consistently with its own Responsible Camping Strategy and there will be a consistent regime in place to control and enforce freedom camping in the District in areas where issues have been identified.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

44 This matter is of high significance, as determined by reference to the [Council's Significance and Engagement Policy](#) because the issue of freedom camping is a matter of:

- a. high importance to the District, with freedom camping being an ongoing issue and likely to increase with the District's forecast of tourist numbers;
- b. of high community interest for residents and locals who are affected by freedom camping.

45 The persons who are affected by or interested in this matter are:

- a. the New Zealand Motor Caravan Association Inc;
 - b. Department of Conservation; and
 - c. local campground or holiday park owners.
 - d. freedom campers
 - e. QLDC residents/ratepayers
- 46 The level of significance determines the level of compliance necessary with the decision-making requirements in sections 76-78 of the LGA. A higher level of compliance must be achieved for a significant decision. However, not only is this matter one of high significance which may ordinarily trigger a special consultative procedure under s 83 of the LGA, but s 11(5)(a) of the FCA also requires that the Council undertake a special consultative procedure for any bylaw made under the FCA.

> MĀORI CONSULTATION | IWI RŪNANGA

- 47 Council officers have engaged with Ngāi Tahu in addition to using the special consultative procedure through the Responsible Camping Strategy. Regular communications are had through Aukaha, and the Project Control Group minutes and agendas and a monthly newsletter are circulated. The current bylaw provides that nothing in that current bylaw limited or affected the rights in relation to nohoanga entitlements under the Ngāi Tahu Claims Settlement Act 1998. This clause has been carried over to the proposed bylaw. However, it is important that the Council also takes active steps to gather and consider the views of Ngāi Tahu, because the proposed bylaw concerns matters of the District's natural resources and resource management, which is of interest to iwi as kaitiaki of the land.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

- 48 This matter relates to the following risk categories and risks:
- a. Environmental risk category. It is associated with:
 - i. RISK00017 relating to damage to the environment – discharge of contaminants within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.
 - b. Community & Wellbeing risk category. It is associated with:
 - i. RISK00006 relating to ineffective management of social nuisance issues within the QLDC Risk Register. This risk has been assessed as having a low inherent risk rating.
 - ii. RISK00056 relating to ineffective provision for the future planning and development needs of the district within the QLDC Risk Register. This risk has been assessed as having a low inherent risk rating.

- 49 The approval of the recommended option will support the Council by allowing us to retain the risk at its current level. This shall be achieved by the continuation of a Council bylaw to regulate, monitor and enforce restrictions and prohibitions against freedom camping in the District, for example against people who are creating damage to the environment or a social nuisance by freedom camping in restricted or prohibited areas. The recommended option will also allow Council to effectively provide for the future planning and development needs of the district, for example by anticipating increased tourist and freedom camping numbers, and providing for the increase of residential development areas in the District for which freedom camping should be prohibited.
- 50 The cost of not adopting the recommended option, ie to maintain the status quo and allow the current bylaw to expire in December 2019, is for these risks to increase.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

- 51 There are no operational and capital expenditure requirements additional to existing approved budgets or Annual/Ten Year Plans, associated with the adoption of the recommended option. Enforcement of any freedom camping bylaw has already been anticipated in Council's annual expenditure. Enforcement of the proposed bylaw is anticipated to be cost neutral. These costs will be met through current operational and Capex budgets.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

- 52 The following Council policies, strategies and bylaws were considered:
- Vision Beyond 2050: <https://www.qldc.govt.nz/vision-beyond-2050/>
 - Responsible Camping Strategy: <https://www.qldc.govt.nz/events-and-recreation/responsible-camping/responsible-camping-strategy/>
- 53 The recommended option is consistent with the principles set out in the named policy/policies.
- 54 This matter is not required to be included in the Ten Year Plan/Annual Plan. The Ten Year Plan provides for year-on-year operational expenditure relating to enforcement of a freedom camping bylaw

LEGAL CONSIDERATIONS AND STATUTORY RESPONSIBILITIES | KA TURE WHAIWHAKAARO, ME KĀ TAKOHAKA WAETURE

- 55 The FCA provides for local councils to prepare bylaws. As mentioned above, section 11(2) of the FCA contains a number of decision-making requirements when making a bylaw. The Council must be satisfied that:
- a. The bylaw is necessary to protect the areas for which freedom camping is prohibited or restricted, to protect the health and safety of people who may visit the areas, or to protect access to the areas.

- b. The bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to the areas.
 - c. the bylaw is not inconsistent with the NZBOR.
- 56 Council staff have asked Meredith Connell to consider the proposed bylaw against the NZBORA. Meredith Connell advises that the proposed bylaw will potentially engage the right to freedom of movement under s 18 of the NZBORA.
- 57 Because it is proposed to expand the areas in which freedom camping is prohibited, the Council will have to be satisfied that the additional limits on freedom of movement are proportionate and justified having regard to the purpose of the bylaw, namely to control and manage the adverse effects of freedom camping.
- 58 The High Court has found in a previous case (*New Zealand Motor Caravan Inc v Thames-Coromandel District Council* [2014] NZHC 2016) that a bylaw that restricted freedom camping through a list of urban areas where it was prohibited, and by requiring use of self-contained vehicles in restricted areas, was not inconsistent with NZBORA.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

- 59 The recommended option:
- 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 by controlling an activity that, if uncontrolled, will have adverse effects, by protecting specific areas which are prone to freedom camping, the health and safety of people who visit such areas, and protecting access to such areas;
 - Can be implemented through current funding under the Ten Year Plan and Annual Plan;
 - Is consistent with the Council's plans and policies; and
 - 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.

ATTACHMENTS | NGĀ TĀPIRIHANGA (Circulated separately)

A	Freedom Camping Control Bylaw 2012
B	Legal advice from Meredith Connell on drafting improvements
C	Proposed Freedom Camping Bylaw 2019
D	Hearings deliberations minutes
E	Deliberations report
F	Amended Freedom Camping Bylaw 2019