

Statement of Proposal for

Review of Marlborough District Council Freedom Camping Bylaw 2012

This statement of proposal has been prepared as provided for in the Freedom Camping Act 2011 and the Local Government Act 2002.

Introduction

1. Council wants to hear your views on proposed changes to the Freedom Camping Bylaw 2012 and the areas in Marlborough where freedom camping is prohibited or restricted.
2. The nature of the way people travel around New Zealand on holiday is changing. More and more people are self-travelling and many are using non-self-contained vehicles (vehicles that do not provide toilets or other sanitary facilities).
3. Council can't stop people travelling this way. They are visitors to our region, from New Zealand and overseas. They have money to spend on tourist activities, food and drink. Council wants to manage freedom campers in a way that makes them feel welcome in Marlborough but that does not harm or interfere with others living or visiting here and does not damage the environment.
4. Council considers that the Freedom Camping Bylaw 2012 has been effective in achieving these aims and proposes to continue with a bylaw. It is time, though, to review the particular areas covered by the bylaw and decide whether the areas and the restrictions continue to be appropriate.

The Proposal

5. Council held a trial over summer to introduce some new areas where people could freedom camp, with some restrictions. As a result of the trial and a review of the other areas prohibited and restricted under the bylaw, Council proposes to amend the bylaw—
 - a) to prohibit freedom camping at—
 - Collins Memorial Reserve and along the whole of Freeths Road in Koromiko:
 - Seddon Domain:
 - Bluegum Reserve in Rarangi:
 - Penzance jetty car park and on Kamahi Road:
 - Tunnickliff Reserve, The Parade Esplanade Reserve and Okiwi Bay Reserve, in Okiwi Bay:
 - b) to permit freedom camping, with restrictions, at—
 - Waitohi Domain in Picton:
 - The middle car park in Victoria Domain:
 - Seddon (except for Seddon Domain):
 - Renwick Domain carpark:
 - French Pass Road:
 - A & P Park in Blenheim:

- Wynen Street Car Park:
 - Blenheim Railway Station:
- c) remove “(unless toilet facilities are provided at the site)” from bylaw 6.2(b):
- d) expand the Blenheim urban area to include the area from Middle Renwick Road, Rose Street and Banksia Place to the Westwood Shopping Centre roundabout:
- e) permit camping in tents in Blairich Reserve, Brown River Reserve, Alfred Stream Reserve:
- f) limit the number of vehicles able to freedom camp on any one night at:
- Double Bay Reserve to six:
 - Ohingaroa Bay Reserve to four:
 - Taylor Dam to 10:
- g) limit freedom camping at Double Bay to self-contained vehicles only:
- h) limit freedom camping at the Taylor Dam to the area above the gate:
- i) give Council the power to close any area where freedom camping is allowed where there is a high or imminent fire or flooding risk for the time until the risk has passed:
- j) replace the existing schedules to the bylaw with reordered schedules and new maps incorporating the changes proposed.

Further details on the changes proposed can be seen in the draft of the proposed amendments to the bylaw attached.

6. **Reasons for the proposed changes to the bylaw**

The Schedule attached explains Council reasons for proposing the changes to the bylaw.

7. **Determination whether bylaw is appropriate**

A bylaw prohibiting or restricting freedom camping may only be made if Council is satisfied that:

- a) the bylaw is necessary to protect the area or to protect the health and safety of people who may visit the area or to protect access to the area;
- b) the bylaw is the most appropriate and proportionate way of addressing the perceived problem in relation to that area; and
- c) the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

Freedom camping has been an issue for Marlborough for a number of years during the summer months and it is expected to continue to be a problem into the future.

Freedom camping brings with it issues such as waste (primarily human waste and toilet paper), fire risk, rubbish, and annoyance to nearby residents. People wanting to use an area during the day can have their access impeded by freedom campers.

The areas that have been proposed as prohibited and restricted freedom camping areas have been identified by the level of reported and observed incidents and the trial undertaken over summer. There are a mix of reserves and townships where freedom camping in public spaces

can conflict with other users; some areas are in close proximity to residences and some areas need protecting from damage.

Council considers that the proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

8. Submissions

Any interested person or body is welcome to make a submission or comments on the proposed bylaw.

Copies of the Statement of Proposal (including the draft bylaw) are available from the Marlborough District Council offices in Seymour Street, Blenheim, from the libraries in Blenheim and Picton and the Council website www.marlborough.govt.nz "Have Your Say" page.

Council will take account of all submissions made when making decisions on the proposed policy. There will be a Council hearing for those submitters who indicate they wish to speak in support of their submission.

How you can make a submission

- Email your submission to freedomcampingsubmission@marlborough.govt.nz
- Drop your submission into the Council office at 15 Seymour Street, Blenheim:
- Post your submission to:
Freedom Camping Bylaw Review
Marlborough District Council
P O Box 443
Blenheim 7240

Submissions must be received by Council no later than **5.00pm on Friday, 15 May 2015**.

Please make sure you include your contact details (name, phone, email and postal addresses) and whether or not you wish to speak to Council at a hearing on the bylaw.

Please note that all submissions, including name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details are kept private.

All enquiries should be directed to Marlborough District Council on 520 7400 or email freedomcampingsubmission@marlborough.govt.nz

Attachments

1. Summary of proposed changes to Freedom Camping Bylaw 2012
2. Draft of amended Marlborough District Council Freedom Camping Bylaw 2012

Reasons for proposed changes to Freedom Camping Bylaw 2012

Collins Memorial Reserve & Waitohi Domain

Freedom camping in Picton and its surrounds poses a particular problem. Many people, catching the ferry or coming off the ferry, need a place to stay for the night before continuing their journeys.

Large numbers of freedom campers were using Collins Memorial Reserve in Koromiko creating difficulties for those who use the Reserve during the day and for adjoining properties. The adjacent Reserve has been extensively planted with rare native species and recontoured to recapture an ecosystem conducive to those plantings. There is a risk that this area could be compromised with continued use or overuse by freedom campers.

During the trial, Council restricted the numbers to 12 vehicles each night. This required intensive monitoring, with at least three visits from enforcement officers each night in line with ferry arrivals. Most campers are either waiting to go onto a ferry or have come off a ferry. Council allowed, during the trial, campers to go to Waitohi Domain in Picton.

It is proposed, in the future, and subject to Council gaining an appropriate resource consent, to allow freedom camping on the grassed area of Waitohi Domain (the old playing fields). Council would undertake some upgrade work such as planting and fencing. The area is a local purpose reserve needed for a flood retention zone and flooding occurs on a 1 in 10 return. There is a 12 hour warning in place so there would be time for campers to leave and signs to be put in place closing the area during the flood.

Waitohi Domain is considered a suitable place to cater for the expected continued growth in freedom camping into the future.

If the resource consent for Waitohi Domain is granted, Council proposes to prohibit freedom camping at Collins Memorial Reserve.

Picton Foreshore

Freedom camping was trialled at Picton Foreshore over the summer. It is proposed not to continue allowing freedom camping in the future. It is inconsistent with the values of the Foreshore to allow freedom camping and there may be conflict with day users. If the Waitohi Domain area is opened up, there would be no need for camping at the Foreshore.

Victoria Domain

It is proposed to permit freedom camping at the middle carpark in Victoria Domain. The proposed area is detailed on the map attached to the draft amendments to the bylaws. This area would be away from residential and retail areas and has great views for Picton's visitors.

French Pass Road

Council has not received any complaints about freedom camping along the French Pass Road. It is proposed to allow freedom camping along the Road, subject to restrictions. Camping will be prohibited in Tunnick Reserve, the Parade Road Reserve and Esplanade and the Okiwi Bay Reserve.

Double Bay Reserve

The number of vehicles using Double Bay Reserve for freedom camping has been high. To protect access to the Reserve and those who use the Reserve, it is proposed to restrict the number of campers to six on any one night.

Ohingaroa Bay Reserve

Freedom camping in self-contained vehicles in Ohingaroa Bay reserve is currently permitted. Large numbers have been interfering with others ability to access and enjoy the reserve. It is proposed to limit the number of vehicles each night to no more than four.

Penzance jetty car park and Kamahi Road

There have been issues with freedom campers blocking access to the jetty and car park area for other users in the past.

Tunnickliff Reserve, the Parade Esplanade Reserve and Okiwi Bay Reserve

There have been issues with freedom campers blocking access to these reserves for other users in the past.

Blenheim urban area

The Blenheim urban area is continually expanding and it is inappropriate to allow freedom camping on the streets urban areas which could cause conflict with residents.

Blenheim Railway Station Carpark & Wynen Street Carpark

During the summer trial, freedom camping was allowed in these carparks. It is proposed that they continue.

A&P Park

A & P Park in Blenheim was opened to freedom camping over the summer. It is proposed to continue to allow camping in the Park.

Taylor Dam

Over summer, Council encouraged campers at Taylor Dam to stay in the parking area before the gate above the Dam. Council has concerns about the safety of campers should the dam flood. It is proposed to limit freedom camping at the Taylor Dam to the area above the gate. The carpark area can accommodate around 10 vehicles. It is proposed to limit the number of vehicles permitted to camp at the Dam each night to ten.

Bluegum Reserve in Rarangi

Freedom camping is prohibited at the DOC Reserve at Rarangi. Council's Bluegum Reserve is road reserve, adjacent to the DOC reserve. The Reserve needs to be protected due to its nearness to adjacent residents and its fragile ecosystem.

Seddon urban area

Council has not received any complaints about freedom camping in Seddon so proposes to allow freedom camping in Seddon (except for at the Seddon Domain), with restrictions.

Renwick Domain

Council introduced freedom camping in the Renwick Domain carpark over the summer. The trial has been successful and it is proposed to continue to allow freedom camping, with restrictions such as limiting the number of vehicles to 10 at the domain carpark.

Blairich Reserve

Blairich Reserve is remote and used by cyclists. It has a toilet. Freedom camping is permitted under the existing bylaw but is restricted to use by campers in vehicles. It is proposed to allow people to camp using tents in Blairich Reserve.

Brown River Reserve & Alfred Stream Reserve

Freedom camping at these reserves is currently restricted to vehicles only. It is proposed to open the areas to tents. The areas are relatively remote and unlikely to cause difficulties for residents or other users.

Other restrictions

There are areas in Marlborough, such as Ward Beach, that have toilets but where it is necessary to restrict camping to self-contained vehicles only. Ward Beach is well used and a fragile area. It is proposed that Council be able to close any area to freedom camping where the risk of fire or flood is high.