

Napier Civic Building 231 Hastings Street *t* +64 6 835 7579 *e* info@napier.govt.nz www.napier.govt.nz

ORDINARY MEETING OF COUNCIL

Separate Attachment 1 Speakers - Freedom Camping Bylaw

Meeting Date:	Monday 3 February 2025
Time:	9.30am (Freedom Camping Bylaw Review)
Venue:	Large Exhibition Hall War Memorial Centre Marine Parade Napier

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Submitter ID number	21
Name	Jacques Gichard
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	No
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping	
site?	
Reasons:	It's a nice spot right in the beach front. Close to shops and
	walkable to restaurants
Do you support retaining part of the Te	No
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	It's more of a carpark hence why it's not that suitable
Do you support closing the Foreshore	No
Reserve site for freedom camping? Reasons:	It's a nice spot to comp in
Do you support closing the Westshore	It's a nice spot to camp in No
Beach Reserve site for freedom camping?	
Reasons:	It's not really in anyone's way, and it's a nice quiet spot to camp
Neasons.	in
Do you support the addition of a new site or	Yes
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	No
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	Keep that as aquarium parking because it's our only national
	aquarium
From the list of assessed sites, please	Foreshore Reserve South (SH51)
select any other site or sites you consider	Westshore Beach Reserve – southern end (Ferguson Ave)
should be included in the Freedom Camping	Westshore Beach Reserve – Surf Club (Ferguson Ave)
bylaw as a restricted site?	Westshore Beach Reserve – Playground (Ferguson Ave)
	Le Quesne Road 1 – southern end (Franklin Road/Le Quesne
	Rd, Bay View)
	Le Quesne Road 2 – northern end (Le Quesne Rd/Dorothy PI,
Which of these statements and to the second	Bay View)
Which of these statements apply to you?	I live in Napier
	I and/or my family are freedom campers (in New Zealand)
Do you have any other suggestions shout	I live close to one of the assessed freedom camping sites Maybe allow more freedom camping (tent sites) as so many
Do you have any other suggestions about how Napier City Council should manage	people here in the bay have rooftop tents now. And there isn't
now wapter city council should manage	people here in the bay have roottop terts now. And there isn't

freedom camping in Napier under the	really spots where they are allowed to go. It's more dedicated to
Freedom Camping Bylaw?	self contained campers
Do you have any other comments about the	N/A
draft Napier Freedom Camping Bylaw?	

Submitter ID number	117
Name	Ryan Hill
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping site?	
Reasons:	It far enough away from residential houses to not cause to much
	disturbance
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	Same as previous comment.
Do you support closing the Foreshore	No
Reserve site for freedom camping?	
Reasons:	Why close something that's tried and tested to cause a problem
De veu cumpert clesing the Westshere	somewhere else. Yes
Do you support closing the Westshore Beach Reserve site for freedom camping?	res
Reasons:	
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	I live in Napier
	I live close to one of the assessed freedom camping sites
Do you have any other suggestions about	Keep it to area that aren't close to Residential houses. It's going
how Napier City Council should manage	to cause more problems than what it's worth.
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the	Keep it to the current sites as it's not as much trouble as what it
draft Napier Freedom Camping Bylaw?	will cause adding the new sites.

Submitter ID number	129
Name	Esther Seymour
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping	
site?	
Reasons:	It is far enough from the city center not to be a nuisance. whether
	you like it or not this site often attracts vehicles that are not self
	contained, no noise disturbance for houses, as far enough away
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping? Reasons:	again this is a distance from housing, and has a limited number.
Reasons:	again this is a distance from housing, and has a limited number of sites
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	again this poses a disturbance to local rate payers. Not all
	freedom campers are tourists, perhaps if council staff went out
	more often they would see this
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	again close to housing
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	I live in Napier
	I live close to one of the assessed freedom camping sites
	I own or run a business close to one of the assessed freedom
	camping sites
Do you have any other suggestions about	It appears we have enough freedom camping sites, if you include
how Napier City Council should manage	the site further along the marine parade, that is used nightly by

freedom camping in Napier under the	dozens of vehcles, also there is a large site at Clive River that is
Freedom Camping Bylaw?	well utilised. It seems to me that if you want to designate a new site, if the one along by awatoto is not already designated, that would be ideal as toilets etc are already in place there and it is being used at present. To add a new site at the Aquarium would greatly impact our business. The noise and vehicle disruption would be horrible, as mentioned many of the freedom campers are not tourists, but itinerant people, or homeless. We run a very up market boutique accommodation business, paying high rates, and you wish to undermine this. It also seems very strange that council who are in the camping business with kennedy Park are keen to undermine their own business with more free site.
Do you have any other comments about the	-
draft Napier Freedom Camping Bylaw?	

Submitter ID number	164
Name	Simon James Power
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping	
site?	
Reasons:	
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	there should be no freedom camping for any non self contained
	camping at all
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	site to close to residential homes
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping bylaw as a restricted site?	
Which of these statements apply to you?	I live close to one of the assessed freedom camping sites
Do you have any other suggestions about	For proposed freedom camping sites 17 & 18 No freedom
how Napier City Council should manage	camping should be close to residential homes or close to unsaf
freedom camping in Napier under the	swimming beaches. The proposed Bayview sites 17 & 18 have
Freedom Camping in Napler under the	no; lighting, CCTV, proximity to police if antisocial behavior
	occurs. This is a poorly maintained carpark, and road! Freedom
	camping would reduce parking for the many recreational
	fishermen who regularly use both identified sites, the large
	number of local dog walkers who travel to Bayview to enjoy the
	beach and to and local children who, at present, walk through the

	pushbikes The NCC cannot be trusted to monitor, or act, when
	antisocial behavior occurs. In the past, they have failed to
	respond to requests for help. NCC also cannot be trusted to take
	into account residents concerns, expressed in meetings, held by
	NCC with residents, regarding the erection of a new toilet block
	and the proposed rates increase, with there clearly being a pre
	determined outcome prior to any consultation.
Do you have any other comments about the	Although sites 17 & 18 are currently ruled out for safety criteria, I
draft Napier Freedom Camping Bylaw?	have no faith that NCC will not either change the criteria or make
	changes to enable the sites to be available, without consultation,
	with all the affected residents, not just those living within a 200m
	radius of the proposed sites, and that any consultation will not be
	pre-determined for NCC own purpose.

Submitter ID number	166
Name	Kay Power
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping site?	
Reasons:	it appears to be well used by freedom campers. When we have
	visited it, it appeared to be well maintained, clean and tidy. its
	close to services that can respond if there is a problem
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	i know little about this site and can only assume it works well or
Do you support closing the Foreshere	the Napier Council would have closed it No
Do you support closing the Foreshore Reserve site for freedom camping?	
Reasons:	My understanding is that there is a lot of anti-social behaviour at
	this site, and it can be dangerous in the 'after dark' hours
	however I have not personally witnessed anything. The
	impression i have gained is from Napier social media comments
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	i have visited these sites and they are beautiful but they are
	located too close to residential properties. These ratepayers paid
	a premium for their properties, in part for the view of the sea.
	NCC benefits through rates from these properties and needs t
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	I live in Napier
	I live close to one of the assessed freedom camping sites

Do you have any other suggestions about	I fully support freedom camping in fully self contained vehicles, in
how Napier City Council should manage	fact, I intend to become a freedom camper in one of these
freedom camping in Napier under the	vehicles in the near future. I believe freedom camping sites
Freedom Camping Bylaw?	should not be any where near residential properties. There are
	wonderful stretches of beach along the Whirinaki /Tangoio stretch
	that could be utilised for these vehicles, with adequate signage
	about our incredibly dangerous beaches for swimming. There
	would be little impact on residential properties but all the
	advantages being by the sea brings.
Do you have any other comments about the	I am shocked and totally dismayed to see NCC is considering
draft Napier Freedom Camping Bylaw?	Bayview (sites17 & 18) in this proposal. We are a residential area
	with young, old people and lots of inbetweeners living here.
	Freedom campers could endanger the peaceful life we have built
	here and threaten our safety. I have no faith at all in NCC putting
	our interests first or in looking after us if things go wrong with
	freedom campers. My personal experience is that NCC will take a
	very long time to answer phones, or return 'begging for help'
	calls, over holiday periods and will send Armour Guard out to
	enforce bylaws. My experience is that Armour Guard is
	ineffectual and will not move on large gatherings of gang families
	that freedom camp for extended stays. My experience is that the
	Police are too far away to respond quickly, when drunken parties
	turn into screaming brawls. My experience is that NCC will not
	provide adequate rubbish bins, or empty them often enough, to
	cope with the amount of rubbish day trippers and freedom
	campers produce now. Our beach is not a safe beach for
	swimming . I have personal experience of a freak wave taking out
	two small dogs, who got too close to the waves, were swept out
	too far out to be able to get back in unaided. What could happen
	to a child/ unsuspecting poor swimmer? Freedom campers have
	no idea how dangerous our beaches are. The inadequate
	signage we have at the moment means there is going to another
	tragedy sooner rather than later. I fear this day. This risk will be
	magnified if the Bayview sites 17 &18 are turned into freedom
	camping sites. I am very concerned to learn not all residents of
	Le Quesne Road and cul de sacs have been consulted about this
	proposal. Our next door neighbour didn't receive a letter. We
	received ours several weeks after others. Why? What do you
	have to hide? These sites are very, very close to residential
	properties. The potential noise generated from freedom campers
	will go straight into many living rooms. The road down Le Quesne
	road is too narrow to have campers safely passing each other
	and many people, including children, walk along the walkway
	beside our VERY poorly maintained potholed road. There are a
	huge number of cyclists that use this road as part of a cycle
	circuit. They aren't safe if you add in numbers of campers driving
	on an unfamiliar, narrow, poorly maintained road. If you take out
	these two car parks for freedom campers, where do all the day

fishermen and day trippers park? Along the side of our already
narrow road. Again this is a hazard that is very avoidable. Our
roads are just too narrow for the kind of activity the NCC is
proposing. I am not prepared to feel so scared again, for my
personal safety, if this proposal goes ahead, No one can
guarantee anti social behaviour won't follow and we both NCC
can't/won't do anything about it, if the worst happens again.
Please, think very carefully before you now, or in the future, put
me, or my family, through the kind of trauma we have already
experienced and put our personal safety at risk. Think very very
carefully before you put unsuspecting holiday makers at risk.
Drownings are very avoidable. Make responsible decisions here

Submitter ID number	168
Name	Scott Edwards
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Agree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	No
Pump Track Carpark as a freedom camping	
site?	
Reasons:	
Do you support retaining part of the Te	No
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	It needs to be monitored and the green self containment sticker
	needs to be enforced, if not it just gets abused by people in vans
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	As per previous answer
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	As per previous
Do you support the addition of a new site or	Yes
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	Yes
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	Only if it's in support of the aquarium, can only be used if visiting
	the aquarium. So instead of a free camp make it a park over
	property
From the list of assessed sites, please	Foreshore Reserve South (SH51)
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	Llive in Nonier
Which of these statements apply to you?	I live in Napier
Do you have any other averaging chart	I and/or my family are freedom campers (in New Zealand)
Do you have any other suggestions about	-
how Napier City Council should manage	
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the draft Nanior Freedom Camping Bylaw?	-
draft Napier Freedom Camping Bylaw?	

Submitter ID number	205
Name	Patricia Beach
Organisation (if applicable)	Ngāti Kahungunu, Ngāti Matepū
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	No
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping	
site?	
Reasons:	Is this a survey or a submission against your laws
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	Give our land back
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	I think your govt. are up to no good and trying to do the land gral
Do you curport closing the Westshere	like they tried 100 yrs ago, give our land back
Do you support closing the Westshore	NO
Beach Reserve site for freedom camping?	1 ⁴ ° our bloody land not you this ying council
Reasons: Do you support the addition of a new site or	It's our bloody land not you thieving council Yes
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	No
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	It's an aquarium not a camp site go make your money in your
	courthouse and hospitals and leave our beaches alone leave ou
	people alone more so. We are the tangata whenua, tangata
	Moana, and we're not going anywhere.
From the list of assessed sites, please	None of these sites
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	
Do you have any other suggestions about	Put your camping bylaws in the trash.
how Napier City Council should manage	
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the	Is it legal to do submission and then be required to complete a
draft Napier Freedom Camping Bylaw?	selectively survey, who require selective information to

	manipulate their personal agenda. Give our land back, and our equity!
--	-----------------------------------------------------------------------

Submitter ID number	213
Name	John Bidois
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping site?	
Reasons:	It is a site that is away from residential homes. There should be
	no freedom camping sites on residential streets. NCC has not
	been able to protect the rights of residents and action against and
	social behaviour in a timely manner. If NCC were able to d
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	I dont really, as there is often more than four freedom camping
	vehicles there and NCC and the contracted enforcement
	agencies fail to keep this under control. The campers use the foo
	path as part of thier camping site forcing path users to off the
Do you support closing the Ecrophere	path No
Do you support closing the Foreshore Reserve site for freedom camping?	
Reasons:	It is a good site away from residents and thier families. Campers
	do not like to use it because of the medium barrier and they heve
	to drive towards Clive to turn around and go into town. There
	should be no camping vehicles that are not self contained. N
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	The site is to near residents and thier families. NCC and its
	contractors have failed in the past and there is nothing to sugges
	that they have changed anything thing to stop anti social behavoi
	in the future. This site has made head lines for the trou
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	

should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	I live in Napier
	I live close to one of the assessed freedom camping sites
Do you have any other suggestions about	Use fit for purpose sites. Use a contractor committed to doing
how Napier City Council should manage	the job properly. Use sites away from residents.
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the	Consultation at the beginning of the Bylaw changes were only
draft Napier Freedom Camping Bylaw?	given to some stakeholders and others left out. Some Resident
	Associations have been consulted and others not. Notice of the
	Draft has not been given to all affected stakeholders. The Site
	Assessment has given no bearing on the effects on near by
	residents. The poor condition of the roads that some of the
	proposed sites are on and the lack of maintenance on these
	roads. The Site Assessment has not considered pedestrian use
	with some of the new proposed sites. The Site Assessment has
	not considered the safety of traffic users of the roads. The

Submitter ID number	239
Name	Catherine Macdonald
Organisation (if applicable)	
Attachment	Yes - refer to document attached
Do you agree or disagree with the draft	Agree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	No
Pump Track Carpark as a freedom camping site?	
Reasons:	Infrastructure already in place, easy to monitor. Close to shops,
	supermarkets etc. campers can walk to these without having to
	take campervans into the CBD.I don't think freedom camping
	sites should be within or close to any residential areas. I also
	think this carpark should be available for use by visitors to the
	pump track.
Do you support retaining part of the Te	No
Karaka / Perfume Point Carpark for freedom	
camping? Reasons:	The designated sites are part of a commercial parking area and
	away from residential properties. Walking distance to shops and restaurants.I dont think freedom camping sites should be within or close to any residential areas. I also think having four dedicated spaces still leads to breaches of the bylaw. When campers turn up and the four sites are taken they just park close by, in the hope that someone will leave or that will be able to stay without getting a fine.
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	All freedom campers should be in self contained vehicles.
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	When this site was onen there were continued breaches of the
Reasons:	When this site was open there were continual breaches of the bylaw rules and poor monitoring of the site after hours by Armor Guard. when the site was originally opened the carpark was overwhelmed by campers, when it was full campers then parked all over
Do you support the addition of a new site or	Yes
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	Yes
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft bylaw?	

market and Napier attractions. Easy for monitoring. H parks should be behind the building so they are not w residents and the site should have CCTV to ensure to parks are used.From the list of assessed sites, please select any other site or sites you consider should be included in the Freedom Camping bylaw as a restricted site?Reef Garden Carpark (Marine Parade, near outdoor court)Ocean Spa Carpark (Marine Parade, behind Ocean Coote Road Carpark 1 – southern end (Marine Parade) behind Ocean Coote Road Carpark 2 – northern end (Breakwater F Centennial Gardens Carpark (Coote Road)Which of these statements apply to you?I live in Napier I and/or my family are freedom camping sites with cangeround. As a small business owner, I would fit head if the neuroid externel on the section on the parade of the section of the section on the parade of the section of the section camping sites with campround. As a small business owner, I would fit	However the
From the list of assessed sites, please select any other site or sites you consider should be included in the Freedom Camping bylaw as a restricted site?Reef Garden Carpark (Marine Parade, near outdoor court)Ocean Spa Carpark (Marine Parade, behind Ocean Coote Road Carpark 1 – southern end (Marine Parade Coote Road Carpark 2 – northern end (Breakwater F Centennial Gardens Carpark (Coote Road)Which of these statements apply to you?I live in Napier I and/or my family are freedom campers (in New Zea I live close to one of the assessed freedom campingDo you have any other suggestions about how Napier City Council should manageI think there should be no freedom camping sites wit campground. As a small business owner, I would fit	
From the list of assessed sites, please select any other site or sites you consider should be included in the Freedom Camping bylaw as a restricted site?Reef Garden Carpark (Marine Parade, near outdoor court)Ocean Spa Carpark (Marine Parade, behind Ocean Coote Road Carpark 1 – southern end (Marine Parade Coote Road Carpark 2 – northern end (Breakwater F Centennial Gardens Carpark (Coote Road)Which of these statements apply to you?I live in Napier I and/or my family are freedom campers (in New Zea I live close to one of the assessed freedom camping I think there should be no freedom camping sites wit campground. As a small business owner, I would fit	visible to
From the list of assessed sites, please select any other site or sites you consider should be included in the Freedom Camping bylaw as a restricted site?Reef Garden Carpark (Marine Parade, near outdoor court)Ocean Spa Carpark (Marine Parade, behind Ocean Coote Road Carpark 1 – southern end (Marine Parade Coote Road Carpark 2 – northern end (Breakwater F Centennial Gardens Carpark (Coote Road)Which of these statements apply to you?I live in Napier I and/or my family are freedom campers (in New Zea I live close to one of the assessed freedom camping I think there should be no freedom camping sites wit campground. As a small business owner, I would fit	that only 4
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Do you have any other suggestions about how Napier City Council should manageI think there should be no freedom camping sites wit campground. As a small business owner, I would find	aland)
how Napier City Council should manage campground. As a small business owner, I would fi	sites
	hin 3km of a
freedow complex in Nexion we don the	nd it very
freedom camping in Napier under the hard if the council set up the same services we offer	for free
Freedom Camping Bylaw? within proximity to our business. No freedom camp	oing sites in
residential areas. It is not the job of residents to prov	ide passive
surveillance of campers for the NCC. Nor should res	idents have
to be responsible for reporting breaches which requi	res
documentation of time, place, rego, photographic pro	oof etc before
enforcement officers can issue infringement notices.	Freedom
Camping sites within the CBD or waterfront should a	llso be non-
visible to residents. CCTV should be installed to prov	vide
monitoring.	
Do you have any other comments about thePlease see attached document.	
draft Napier Freedom Camping Bylaw?	

4 The Esplanade

Westshore

Napier

29/11/24

Re Napier City Council Freedom Camping Bylaw Review

I am writing in regard of the review of the current NCC Freedom Camping Bylaw, and in particular the review of making the temporary ban of freedom camping at Westshore reserve permanent.

As a resident on The Esplanade, I have witnessed the effect of freedom camping on the reserve, the beach, the locals and visitors to the reserve.

When freedom camping was first introduced at Westshore, the area was continually full of motorhomes and caravans, leaving little to no space for day visitors. The site was plagued by overcrowding, lack of adherence to the rules, poor behaviour and poor enforcement of the bylaw by Amourguard. Major issues with rubbish, dogs roaming unsupervised, unwanted behaviour and in some cases threatening behaviour, become the norm. Visitors stopped coming to the reserve as there was limited or no parking in the parking area, if there was, people often felt like they were intruding on the camper's area.

The NCC's record of infringement notices show that Westshore had a disproportionate number of infringements issued compared to any other site in Napier. Once the number of freedom camping sites was reduced to 4 parks the issues decreased, but did not go away. Statistics show that for a site with only 4 freedom camping parks there were from 2018 to 2021 56, 61, and 25 infringements issued respectively. Large numbers of campers still populated the parking area, waiting for a space to become available, and often stayed the night anyway, as the chance of Armourguard, who were tasked with enforcing the bylaw, often failed to act. It wasn't until the temporary closure was put in place in 2021 that the breaches dropped to 22 for the period 2021-2022, 24 in 2022-2023, and 6 in 2023-2024.

The impact of the temporary closure has been dramatic and positive. Now that there is no longer a freedom camp area within the reserve, day visitors are plentiful and there is a constant turnover of people. Day visitors on average park for 1-2 hours, compared to campers who stayed for days.

One of the most important things about Westshore reserve is that it not just used by the locals but is very well patronised by the wider Napier communities. There are often large groups BBQing, having picnics or having impromptu games. Children learning to skate or ride bikes, and space for the less mobile to park and enjoy the view. The new playground and the ability to launch a jet ski also add to Westshore Reserves appeal. Maintaining spaces for outdoor pursuits is vital, and they should not be compromised by providing free camping sites to a small number of people who could easily utilise the local campground that is within walking distance of the beach.

Given the overwhelming response at the last bylaw review to close the Westshore site, it was clear people didn't think the reserve was an appropriate place for campers. The NCC's later acknowledgement that ongoing issues with the site, including the difficulty and cost with monitoring, resulting in the temporary closure of the site was greatly appreciated by the community. It would be a terrible shame if this decision was reversed. The NCC should not be

putting freedom camping sites in areas that they cannot be monitored effectively and swiftly or where they cause undue stress to locals..

With regard to the overall review of the bylaw, I think the draft bylaw has been well thought out and many aspects considered. However, there are several issues I would like clarified.

I can't see that any sites were considered outside of Napier waterfront.

Why are there no sites in Taradale, Meeanee or Jervoistown?

I also note that sites have been classed as "having good views or no view"

Why is this aspect worthy of note?

Does NCC consider having a view an important determination for Freedom Camping site selection? If so, why?

During past discussions around freedom camping with NCC, Westshore residents who raised complaints about behaviour have been accused of only complaining because camper vans were ruining their view. This was grossly unfair as the residents most affected by poor behaviour of campers, were naturally those on the waterfront who had a front row view of what went on. Freedom Camper sites detracting from views was always dismissed as residents being NIMBYs and was not considered a mitigating factor.

Why then does the NCC used "good views" as an attribute for site selection.?

Why should freedom campers having a view be a consideration when the rate paying locals aren't given the same consideration?

I also note that the comment "passive surveillance from residents " has been included in the notes for site assessment. As the president of the Westshore Residents Association during the time that the original and amended Freedom Camping bylaw was being reviewed, many residents would call me with complaints about the lack of monitoring and adherence to the bylaw by campers and the NCC enforcement officers. Our complaints were often seen as petty , and even after reporting an issue, campers were frequently allowed to stay unless residents could produce photographs ie to prove campers were there overnight, or that dogs were allowed unsupervised access to the reserve. It seems unfair that the NCC have now deemed the "observations of nearby residents" as a plus for the selecting of freedom camping sites when in the past if complaints were made, we were often made to feel that we were smallminded whingers. From personal experience I can assure you that trying to take photos of campers vehicle registration, to prove to the NCC that they were in breach of the bylaw, was often met with verbal abuse and was very unpleasant.

There are excellent campgrounds in Napier, with easy access to city amenities and beaches. The NZMCA also has an excellent facility within a short distance to facilities. The NCC can still comply with the requirements of the Freedom Camping Act without putting freedom camping sites within residential areas and prime scenic locations. I realise the NZMCA has a long history of pushing for freedom camping sites that are in prime locations, which is interesting as many of their sites around the country are often in commercial areas or well away from the popular scenic spots that draw people to the area. I am a member of the NZMCA, and think they do an excellent job on behalf of the members. However, I don't feel that pushing for members rights to the detriment of local residents is fair. I would also like to mention that when it was necessary to provide photos of breaches, the most verbally abusive people I encountered were all members of the NZMCA not tourists in Jucy vans as is often portrayed. Our family are campers, who have freedom camped in both NZ and Australia. The sites we choose are those in out of the way places where there are no campgrounds. When in towns and cities we use the local campgrounds as we know our vehicle will be safe if we are away for the day, there are good facilities, and it helps support the local business.

I sincerely hope the NCC will put the rate payers of Napier ahead of the wants of freedom campers.

Regards

Cathy Macdonald

Submitter ID number	242
Name	Janis Abernethy
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping	
site?	
Reasons:	Keep things as they are, away from houses, proposing new sites
	is just shifting all the problems to disturb other peoples' lifestyles,
	with well documented problems, for which the Council have no
	real solutions
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	For each come from house
Reasons:	Far enough away from houses
Do you support closing the Foreshore	Yes
Reserve site for freedom camping?	
Reasons:	In a residential area in front of housing
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping? Reasons:	Residential area
Do you support the addition of a new site or	No
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you?	I live in Napier
	I live close to one of the assessed freedom camping sites
Do you have any other suggestions about	All camp sites should be in rural areas away from residential
how Napier City Council should manage	areas and should have an on site Manager to deal with any
freedom camping in Napier under the	problems
Freedom Camping Bylaw?	
Do you have any other comments about the	Why is NCC spending time and money, that have which no
draft Napier Freedom Camping Bylaw?	benefits to residents. Proposal, Site 18 terrible road condition;
	erosion at toilet block, to which waves came over last year;

Immediate closeness to houses; school bus pickup/stopping point; house entrances cluttered around bend for safety purposes; bad undertow on beach, no swimming; all the numerous signs about beach/reserve activity along Le Quesne Road, are not taken notice of by the public, or policed by the Council, especially taking motorbikes/trikes/cars onto the beach/reserve, causing erosion to the bank. All arguments for
the camping sites at Westshore, are applicable to Le Quesne Road as well. This is a residential area, not a camp ground.

Submitter ID number	243
Name	Derek Brownrigg
Organisation (if applicable)	
Attachment	No
Do you agree or disagree with the draft	Disagree
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	Yes
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	Yes
Pump Track Carpark as a freedom camping site?	
Reasons:	Motor homers want somewhere to park overnight to explore you
	lovely city and spend their money where they want and not on
	something they done need or want like camping. grounds
Do you support retaining part of the Te	Yes
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	The more places you can freedom camp the more Motorhomes
	you will have visiting your city. Now that there is a new modified
	CSC standard the problems that we have had in the past should be reduced.
Do you support closing the Foreshere	Yes
Do you support closing the Foreshore Reserve site for freedom camping?	Tes
Reasons:	If it is the site that I think it is. (Those two sites on the beach
Neasons.	south of the Pump Track) It is great for those who want to go
	fishing with long lines and rods and as you would know fishing is
	best at Dawn and dusk so FC overnight is ideal.
Do you support closing the Westshore	Yes
Beach Reserve site for freedom camping?	
Reasons:	As I have said before the more site you have the more visitors
	you will have in Napier spending money.
Do you support the addition of a new site or	Yes
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	Yes
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft bylaw?	
Reasons:	Same as before the more the better. Nothing worse then getting
1/6030113.	to Napier and all FC sites are full and you have to go to Clive
	River mouth for the night or Hastings.
From the list of assessed sites, please	Foreshore Reserve South (SH51)
select any other site or sites you consider	Hot Chick Carpark (Hardinge Road, Ahuriri)
should be included in the Freedom Camping	Le Quesne Road 1 – southern end (Franklin Road/Le Quesne
bylaw as a restricted site?	Rd, Bay View)

	Le Quesne Road 2 – northern end (Le Quesne Rd/Dorothy Pl,
	Bay View)
Which of these statements apply to you?	I and/or my family are freedom campers (in New Zealand)
	I live close to one of the assessed freedom camping sites
Do you have any other suggestions about	The Foreshore Reserve site that cater for Non CSC at present be
how Napier City Council should manage	retained for CSC vehicles as that is a good site and all ready
freedom camping in Napier under the	developed.
Freedom Camping Bylaw?	
Do you have any other comments about the	The NZMCA is the largest recreation organization in NZ with over
draft Napier Freedom Camping Bylaw?	120,000 members so you want them to visit Napier and spend
	their money and not be forced to Hastings. The NZMCA and
	including the CSC rental motorhomes that is a lot of people who
	would visit Napier if they are made welcome and somewhere to
	FC for a few nights.

Submitter ID number	247
Name	Phil Gravestock
Organisation (if applicable)	
Attachment	Yes - refer to document attached
Do you agree or disagree with the draft	
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	
Pump Track Carpark as a freedom camping	
site?	
Reasons:	
Do you support retaining part of the Te	
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	
Do you support closing the Foreshore	
Reserve site for freedom camping?	
Reasons:	
Do you support closing the Westshore	
Beach Reserve site for freedom camping?	
Reasons:	
Do you support the addition of a new site or	
sites for freedom camping in Napier, from	
the list of assessed sites?	
Do you support a new site in part of the	
National Aquarium of New Zealand Carpark	
for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
bylaw as a restricted site?	
Which of these statements apply to you? Do you have any other suggestions about	
how Napier City Council should manage	
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the	
draft Napier Freedom Camping Bylaw?	



Submission to the Napier City Council FREEDOM CAMPING BYLAW 2016

All submissions must be in writing. You may attach a more detailed submission if you wish.

Name:	Phil Gravestock	
Organisation:	Resident/ NZMCA member	
Title/Position:		
Postal address:		
		Postcode:4110
Daytime contact details:		
I wish to speak at the hearing (pl	ease tick): Yes 🔵	
If you wish to speak at the hearir	ng, we will contact you to arrange a time.	

Summary of Submission:

Please identify what your issue is. Indicate clearly whether you support or oppose the specific provision(s), or if you want to have them changed and state your reasons. Continue on a separate sheet if necessary.

I regularly travel NZ and other countries freedom camping [recently 8 months in Europe] by motorhome. I've seen the great, good and ugly side of freedom camping. Here is a summary of what I've seen work well... some I feel should be considered by NCC so it takes a supportive rather than punitive role. I was impressed by Nelson where volunteers said 'hello' provided suggestions and pointed out restrictions where signs had not done their job.

I thought Napier **was** ideal with multiple sites in a city that are close to toilet facilities that worked awesomely.. many of the smaller vehicles [in nz tourists and increasingly homeless] use these facilities ... this is preferable to them hiding away in other areas and leaving wastes there. Some cities also offer an area for day parking of motorhomes [which are getting larger] this also moves them away from overnight sites. It seems the current proposals are dealing to the problems that have arisen rather than looking to provide facilities and people that may negate the problems and create a napier that is a more desirable destination.

Areas where there is high daytime use.. several cities [and one great supermarket in nelson] have some parks that are available overnight but need to be vacated by a certain time in the morning... vans can pay for parking after this time.. this may be suitable for west shore and north of ocean spa.. but the parking size needs to be appropriate. They are best where there is an area to overhang the rear of the vehicles over grass or drains. Whangarei has one close to the CBD. Rotorua has one right opposite the Polynesian pools. Nelson has one in the CBD that is also used as a market 1 day a week.

Palmerston North has a **POP [Park Over Property**] it is a car park not far from the CBD and only for overnight parking. It is used by businesses during the day. Signage is key.. the safety for solo travellers is great.

Toilets are key. Rubbish Much waste will be avoided with toilets and good litter bins. Some smaller areas are providing no bins in the town or at reserves encouraging people to take all their stuff away...to where. Napir has an excellent bin cleaning system.. daily at most sites. NOTE: What do people do with their waste when there is nowhere convenient? It gets left in other places that make it unsightly and frequently not noticed.

Safety: This is a 2 way street. Campers can provide some safety to a facility and the right management of a site can make it safe for campers to spend the night..... less people stay in unsafe of unwelcoming cities. Many golf clubs and other organisations are now allowing overnight paring as they provide a mild security improvement against theft and vandalism. The same happens in many parking areas, however only 1 or 2 campers can become targets. I have even seen clowns acting up around 4 vehicles, but rarely 6 or more. Thames has a big shingle car park great for hoons. The more vehicles the less hoons.

Upsetting the neighbours: not all sites are away from residents. The best I have seen are near reserves, car park and beaches. I have noticed with interest the Westshore situation. What was built by the council should have been perfect if it were not for people who not want to look out and see others with perhaps a better view..i quote sentiments someone in their residents association when I was looking at property nearby.

We don't want homeless looking people over there.

They even have their washing out for all to see.

I noted that a councillor was mentioned as being involved in closing it via residents assn pressure It is amazing how many campers get asked to move their van when parking as someone's view is blocked. I live in a place with a fantastic view.. why would other people not be allowed to come and enjoy it also. I do note that the toilets near the Westshore site were pretty run down and vandalised last time I used them. There is a lot of 'not in my back yard' rhetoric there. Does NCC want motorhome visitors in their back yard?

Great solutions: Doc provide amazing **amenity blocks** at their sites. I notice people with minimum facilities in their vehicles were able to camp without leaving a mess. It had 2 toilets, 2 cold showers [where a solar bag could be hoisted], a sink for washing dishes and the bigger ones had a urinal as well. [Great for the smaller vans]

Rubbish dump stations and recycling: some dump stations and camping sites have recycling bins as well as rubbish. Most travellers are very green.. or want to be. Recycling at dump stations also stops stuff being put in rubbish bins.

Camping Ambassadors: where I have come across these, they are an excellent resource that solve many problems before they happen... and where there are inconsiderate campers, notify those who apply more punitive attention. Ambassadors could replace the current staff who leave notices/tickets.

Problems: increasingly larger vehicles are being used in NZ. DOC has noted this problem reducing the capacity of some of their sites. The Westshore site could handle bigger vehicles, but the longer stay of bigger vehicles upset people. **Parking larger vehicles**. Places not far from the CBD would be welcome.

Smaller vehicles [with substandard self containment?] A target of our napier ex MP. They will always be here. Currently there are many more now tourists and more homeless people are using them. They put extra ecological pressure on sites.. cooking, cooking waste and water waste being the main problems. Initially I loved the 2nd facility heading south out of napier to Awatoto. It seemed like the smaller vehicles preferred this area.. it is a great place to expand again and trial a DOC style facility that includes a dishwashing area as I some of these vehicles I've seen dumping food waste and cooking water on the ground. Provide for them and limit the waste elsewhere.

Homeless people. In a recent trip around the upper North Island I noticed an increased number of people sleeping in cars and smaller van. Some slack has been shown by some councils to their presence in freedom camping areas... they can often be less prepared for freedom camping styles that are environment friendly. Often other campers are included in the group that causes the mess. There is a safety issue for these people. A provision of safe places may decrease problems elsewhere.

Pathways and walkways. Leave a space behind parks by either not placing next to access ways or provide a space that vehicles can use... some sites in Europe had conditions that no awning or outside furniture could be used

My suggestions.

Make the Westshore an overnight only parking [say 5pm to 10am] for the larger vehicles it can cope with.

Do the same with the north of ocean spa area [leave by 8am.. not Saturday nights.. Nelson CBD style] [smaller self-contained vehicles only]

Provide more facilities at the 'freedom camping' site to cater for food and cooking waste Provide more bins and recycling at Dumping stations.

Look at monitoring staff as Ambassadors rather than ticketers.

Notify/reserve some areas for motorhome day parking that can cope with longer vehicles. I can think of Marine Parade on the beach side in both directions, Georges drive, or like the old Railway Station area in Monroe st.

• I would like to attend this meeting

• Your submission will be included in the agenda for the meeting which is available to the public.

Closing date for submissions is 12pm, Friday 28 October 2016

231 Hastings Street, Napier 4110*t* +64 **6 835 7579** Private Bag 6010,

- #freedomcampingbylaw
- •

Return to:

FREEPOST 172273 Napier City Council Bylaw Review Submissions Napier City Council Private Bag 6010 NAPIER 4142

Napier 4142f +64 6 835 7574 www.napier.govt.nze info@napier.govt.nz

Doc ID: 306801

Submitter ID number	250
Name	James Imlach
Organisation (if applicable)	NZMCA - NZ Motor Caravan Association Incorporated
Attachment	Yes - refer to document attached
Do you agree or disagree with the draft	
Napier Freedom Camping Bylaw?	
Do you support removal of non-self-	
contained freedom camping vehicles from	
the Napier Freedom Camping Bylaw?	
Do you support retaining the Ellison Street /	
Pump Track Carpark as a freedom camping	
site?	
Reasons:	
Do you support retaining part of the Te	
Karaka / Perfume Point Carpark for freedom	
camping?	
Reasons:	
Do you support closing the Foreshore	
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Reasons:	
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for freedom camping as included in the draft	
bylaw?	
Reasons:	
From the list of assessed sites, please	
select any other site or sites you consider	
should be included in the Freedom Camping	
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how Napier City Council should manage	
freedom camping in Napier under the	
Freedom Camping Bylaw?	
Do you have any other comments about the	
draft Napier Freedom Camping Bylaw?	



28 November 2024

Napier City Council Private Bag 6010 NAPIER 4142

Emailed to: info@napier.govt.nz

Napier City Council's Freedom Camping Bylaw Review 2024

Introduction

- 1 The New Zealand Motor Caravan Association Inc. (NZMCA) appreciates the opportunity to provide feedback on this review, required by section 13 of the Freedom Camping Act 2011 (FCA). Our feedback primarily focuses on the concerns we have with the review and proposed outcome. However, we support the Council's readiness to ensure freedom camping in Napier provides fair access for both campers and locals.
- 2 Importantly, since 2015, the NZMCA has promoted Napier as a <u>Motorhome Friendly Town</u>. Providing fair opportunities to freedom camp responsibly is an important part of this certification programme and Napier's commitment to being a motorhome friendly destination.
- 3 Formed in 1956, the NZMCA is a not-for-profit association representing the interests of over 120,000 individual New Zealanders who enjoy exploring our country at leisure in their certified self-contained motorhomes and caravans. Most NZMCA members are hybrid campers frequently alternating between commercial campgrounds, private campsites, and freedom camping areas. Over 2,400 members reside in Napier – many of them enjoy freedom camping locally and in other districts throughout New Zealand.
- 4 The NZMCA is a Napier City ratepayer and one New Zealand's foremost campground managers operating 62 motorhome parks (including one in Napier) and three public campgrounds. The Association is a founding member of the Responsible Camping Forum, and a longstanding member of Tourism Industry Aotearoa and the Holiday Parks Association.
- 5 Thirty years ago, we spearheaded the self-containment standard (NZS 5465). Recently our staff assisted the Minister of Tourism and MBIE on the new self-containment legislation and regulations. Our staff also worked with LGNZ and Simpson Grierson to develop new guidance material for council's making or reviewing bylaws under the FCA.

Driving towards a Sustainable Future

Freedom to Explore

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6 Since Covid-19, the Association has successfully challenged unlawful freedom camping bylaws made by the Marlborough and Queenstown-Lakes District Council's. The High Court decisions in both cases have provided further guidance on the importance of carrying out proper site assessments and only considering relevant matters under section 11 of the FCA.

Feedback on statement of proposal

- 7 Under the new legislation the Council can, at its discretion, set aside areas for non-selfcontained vehicles. It does not have to prohibit all non-self-contained vehicles to comply with the national laws. There are many responsible campers with vehicles that cannot meet the new self-containment regulations who would welcome the opportunity to continue freedom camping in Napier. The Council might give more thought to this before adopting the bylaw.
- B The SOP asserts the Council's CEO may temporarily close freedom camping sites to manage adverse effects on residents. However, Clause 10 of the bylaw does not empower the Council to modify site restrictions for this reason. To do so would be inconsistent with Clause 10 and potentially the High Court's decision in NZMCA vs QLDC [2024].
- 9 The NZMCA does not oppose temporary site closures per se. We acknowledge why these decisions may be necessary, provided they are consistent with section 11 of the FCA and the Bylaws Act 1910. However, Clause 10 of the bylaw is broadly written and does not define "temporary". If the Council exercises its authority under Clause 10 beyond "temporary" (i.e. the modified restriction is not timebound and/or offers no criteria to be met for it to be lifted), the decision could be challenged on the basis it is *ultra vires* because it is not truly temporary.
- 10 In September 2021, following complaints from Westshore residents, the Council relied on Clause 10 to prohibit freedom camping at Westshore Beach Reserve for 18 months. The "temporary" prohibition was further extended (without public notice) until the Council had time to undertake a review. This review was delayed due, in part, to the aftermath of Cyclone Gabrielle. In June 2023, the Council advised it was reviewing the prohibition as a priority in the immediate future. However, this ban continues to remain in place today (November 2024) and it appears it will continue to remain in force until July 2025 when the revised bylaw is expected to come into effect. The prohibition made under Clause 10 of the bylaw will have lasted almost 4-years, which is far from temporary.
- 11 Recommendation: Amend Clause 10 so that Council must
 - a) Confirm any decision made under Clause 10 is consistent with section 11 of the FCA, that it is the most appropriate and proportionate way of addressing the perceived problem in relation to that area, and that it is not inconsistent with the NZBORA.
 - b) Define the affected area either by a map or description of its locality.
 - c) Give appropriate notice to the public and key stakeholders, including a timeframe and criteria to be met for the temporary closure or restriction to be lifted.

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Site assessments

- 12 In 2021, the High Court quashed Marlborough's freedom camping bylaw because, amongst other things, it focused on confining freedom camping to a handful of sites and did not undertake the necessary analysis under section 11(2) of the FCA for all sites and areas affected by the bylaw's broad prohibition. Justice Grice agreed with the NZMCA that local authorities must only restrict or prohibit freedom camping where a genuine analysis/assessment has been undertaken for each affected area, which has satisfied the local authority that the requirements of section 11(2) of the FCA have been met.
- 13 The Napier City Council contracted out its site assessments, which is helpful particularly in places like Napier where in some location's freedom camping is a polarising issue. However, the Council's focus was on assessing and ranking sites that Councillors felt had the best potential for freedom camping, rather than assessing sites that need to be restricted or prohibited under section 11(2) of the FCA. Therefore, the scope of the Council's site assessment is limited to 18 individual areas whereas the bylaw prohibits freedom camping in many other areas across the city. It is unclear if the Council's approach and partial review of the bylaw is consistent with the High Court's decision in 2021 and section 13 of the FCA.
- 14 The Council has developed a different and slightly more complex site assessment methodology to those undertaken by other local authorities. We accept this is the Council's prerogative, however the methodology used makes it challenging to understand what the section 11(2) issues are relevant to each of the potential sites, and whether the decisions to restrict or prohibit areas are the most appropriate and proportionate responses to those problems.
- 15 The site selection and assessment criteria prohibit or exclude sites from being considered for freedom camping if they do not score well or if certain criteria are not relevant to a site. Is it appropriate and proportionate to dismiss (or rank low and therefore prohibit) a site simply because it doesn't have good views, a CCTV camera, or well-designed security features, and there are no real security concerns? Given the recent legislative changes and new selfcontainment regulations, is it necessary for a site that only accommodates self-contained vehicles to have services such as potable water, a dump station, nearby toilets and rubbish bins? Is it appropriate and proportionate to prohibit sites, e.g. Foreshore Reserve, because they just missed out on a satisfactory "safety" score but are available for use by other visitors?
- 16 There is a disconnect between some of the assessments and the proposed outcome. For example:
 - a) Site 8 Coote Road Carpark 2 was only 'flagged' because it scored a '0' for existing function and use. However, the notes say the carpark has moderate use for business and CBD parking and would only marginally impact on parking capacity. Whereas other sites that have scored '0' were because of high use and high impact on other users. If Site 8 scored a '2' for existing function it would have ranked higher and arguably should be opened to restricted camping.

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- b) Site 16 Westshore Beach Reserve ranked low but wasn't knocked out or flagged. Therefore, why should it become a prohibited area? A low-ranking score is not by itself a reason to prohibit freedom camping under the section 11 FCA analysis criteria. And arguably based on the Council's site assessment the CEO should immediately lift the temporary prohibition currently in place.
- 17 It seems the Council's consultant has done a decent job following the Council's instructions and assessing the sites agreed to by Councillors. However, in our view, the methodology developed by Council doesn't clearly align with the criteria under section 11(2) of the FCA (or perhaps we have just misunderstood the methodology). Furthermore, the site assessment does not include other prohibited areas listed under Schedule 2 of the bylaw.
- 18 We support the retention of Ellison Street and Perfume Point carparks, and the inclusion of the National Aquarium carpark. We do not support removing the Westshore Beach Reserve and Foreshore Reserve carparks from Schedules 1 and 2 of the bylaw.
- 19 Recommendation: Review section 11(2) of the FCA and reconsider whether Westshore Beach Reserve, Foreshore Reserve, and some of the other 18 sites assessed by Sage could be made available for freedom camping; and clarify whether the site assessments should include other areas prohibited in the bylaw.
- 20 If the bylaw is adopted without change, there will be fewer opportunities for responsible campers to freedom camp in Napier. This will disappoint many responsible campers who enjoy freedom camping in Napier, and who have supported local authorities by certifying their vehicles to the new self-containment regulations.
- 21 We wish to speak to this submission, remotely if possible.

End.