

Statement of Proposal: Draft Freedom Camping Bylaw 2024

Purpose

This document outlines the proposed changes to the Napier City Freedom Camping Bylaw 2024 prepared under section 13 of the Freedom Camping Act 2011 and section 83 of the Local Government Act 2002. It explains the reasons for these changes and presents the option Napier City Council is considering. These changes aim to protect public spaces and ensure that freedom camping remains safe and well-managed for both visitors and residents.

Background

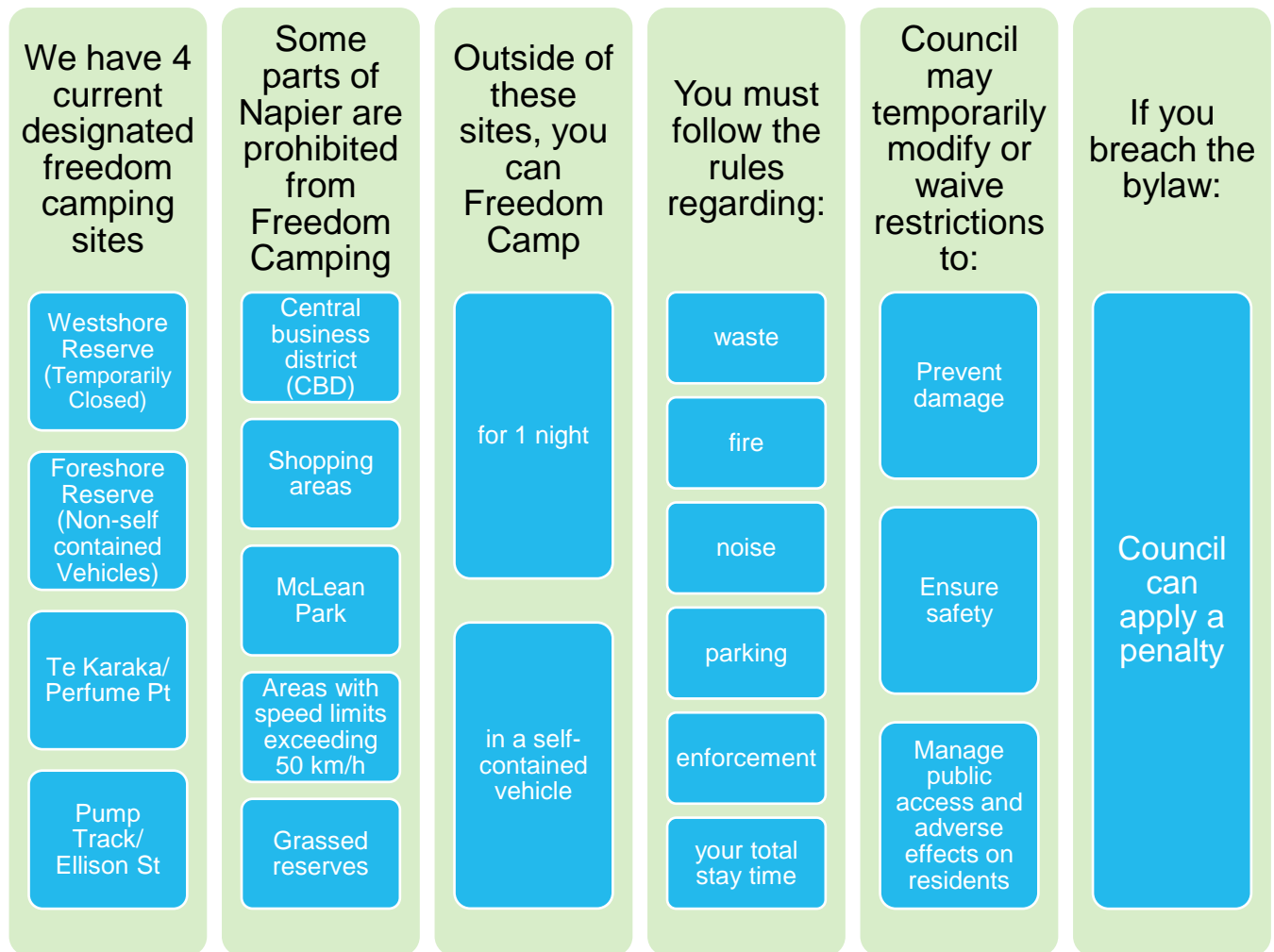
The Napier City Freedom Camping Bylaw was created to ensure that freedom camping in our city is safe, protects public spaces, and provides fair access for both campers and locals. Over time, camping behaviors have changed, and national laws have also been updated. As a result, we need to review the bylaw to make sure it continues to meet the needs of our community and the environment.

Overview of the bylaw

The Napier City Freedom Camping Bylaw regulates where freedom camping is allowed in Napier and the rules that must be followed. Its main objectives are to:

1. Protect public spaces and natural resources: Ensure freedom camping doesn't harm the environment or public areas.
2. Protect health and safety: Ensure campers follow guidelines that keep everyone safe.
3. Protect access to camping areas: Make sure campers and residents can all use public spaces fairly.

Our current bylaw



Homelessness

We recognise that, in the current climate, homelessness is an issue on many people's minds. Homelessness is a complex and deeply personal challenge faced by many individuals in our community. While we are committed to supporting those experiencing homelessness and are actively developing a holistic approach to address the issue, the changes in the Freedom Camping Act and the Self-contained Motor Vehicles Legislation Act mean that the Freedom Camping Bylaw is not designed to address issues related to homelessness. This bylaw specifically governs recreational camping and the use of public spaces for temporary accommodation.

Homelessness requires a compassionate, multi-faceted approach, which falls outside the scope of this legislation. We are working closely with social services and community organisations to ensure those experiencing homelessness are directed to the appropriate resources and support networks that can offer more sustainable solutions.

For this review, our primary focus remains on ensuring that Napier provides the best possible freedom camping provisions for our visitors, while balancing the needs of our community and protecting public spaces.

What we know about freedom camping

As part of this review, we analysed how well the current Napier sites are used, gathered feedback from key stakeholders, and compared Napier's approach to freedom camping with other councils.

Occupancy and Demand:

- The Pump Track is the busiest site, with peak demand during the summer months, returning to pre-COVID levels in 2023-2024.
- Te Karaka/Perfume Point and Foreshore Reserve show fluctuating trends, with Foreshore seeing a rise in homeless occupants (24% in 2023-2024).
- Westshore, previously popular, has seen reduced occupancy due since its temporary closure in September 2021.

Infringements and Enforcement:

- Infringements peaked in 2019 and 2020, particularly at Foreshore and Pump Track, due to increased enforcement.
- Infringements dropped during 2020-2021 due to COVID-19, and stabilised from 2022 onwards. An increase in the level of fines for infringements in 2023 may have contributed to the reduction.
- Perfume Point saw the most infringements, largely from campers parking outside designated areas.

Patrol and Complaint Costs:

- Patrol costs have been steady, ranging between \$60,000 and \$70,000 annually, reflecting the Council's commitment to enforcement and education.

Comparative Analysis:

- Other cities, such as Tauranga and Gisborne, have prohibited non-self-contained vehicles and imposed seasonal restrictions to manage peak periods. While every city's approach is unique, they all emphasise environmental protection and responsible camping.

Site Assessment:

An assessment was conducted across 18 sites in Napier, focusing on key factors such as safety and accessibility. The top three sites identified for freedom camping were Pump Track, National Aquarium Carpark, and Te Karaka/Perfume Point. In contrast, Westshore and Foreshore were deemed less suitable due to safety concerns and low overall scores. The assessment noted that significant safety improvements would be necessary to make these sites more viable for freedom camping.

Summary of the Options and Proposal

We considered three options and have developed option 3 as part of the draft Bylaw for your feedback for how freedom camping will be managed in the future:

Option 1: Retain All Current Sites

- Continue with the current sites, removing the Temporary Closure at Westshore, converting Foreshore to self-contained camping, and keeping the other sites as they are.

Option 2: Remove Westshore and Foreshore

- Close Westshore and Foreshore, based on the site assessment.

Option 3: Remove Westshore and Foreshore and Add a New Site (Preferred)

- Close low-ranking sites, Westshore and Foreshore, and open a new, high-ranking site at the National Aquarium Carpark to continue to provide freedom camping options.

Our considerations

Options	Advantages	Disadvantages
Option 1: Retain Pump Track, Te Karaka/Perfume Point, Westshore, and convert Foreshore to self-contained	<ul style="list-style-type: none"> • Continues to meet freedom camping demand. • No additional installation costs. • Established sites and familiarity. • Lower impact on other areas. • May improve behaviours at Foreshore site. 	<ul style="list-style-type: none"> • Continued inappropriate site behaviour. • Cumulative effects of negative behaviour. • Overcrowding at existing sites. • Limited flexibility to adapt to future changes. • Potential long-term environmental costs. • Potential increased management costs for monitoring and enforcement.
Option 2: Retain Pump Track and Te Karaka/Perfume Point, and close lowest ranking of current sites (Foreshore and Westshore)	<ul style="list-style-type: none"> • Improved quality of remaining sites. • Easier control and enforcement of fewer sites. • Reduced environmental impact by closing low-performing sites. • Improved relations with communities near problematic sites. • Potential to focus investment on improving high-ranking sites. 	<ul style="list-style-type: none"> • Overcrowding at remaining high-ranking sites. • Reduced access for freedom campers, potentially leading to illegal camping. • Potential economic impact from reduced visitor numbers in areas where sites are removed. • Community dissatisfaction from losing sites. • Difficulty reinstating closed sites in the future if needed.
Option 3: Retain Pump Track and Te Karaka/Perfume Point, close lowest ranking of current sites (Foreshore and Westshore) and add new site (Aquarium)	<ul style="list-style-type: none"> • Enhanced quality of remaining sites and improved visitor experience with the new high-ranking site. • Better distribution of camping pressure across more suitable locations. • Improved visitor satisfaction due to better facilities and infrastructure at the new site. • Stronger environmental protection by closing low-ranking, environmentally sensitive sites. • Increased flexibility for future planning and demand management. 	<ul style="list-style-type: none"> • Potential for overcrowding at both the new and remaining sites during peak seasons. • Initial setup costs and resource allocation for developing the new site. • Reduced access for campers in areas where low-ranking sites are removed, potentially leading to illegal camping. • Unforeseen environmental impacts at the new site. • Possible community resistance to the addition of a new site near residential areas.

Option 3: The Proposal

While the current bylaw has helped manage freedom camping, some challenges remain. Sites like Westshore and Foreshore are either misused or present issues due to safety and environmental concerns. On the other hand, better suited sites are not fully utilised. Pre-engagement feedback has raised concerns about overcrowding, environmental impact, and safety at certain sites.

An amended bylaw provides Napier City Council with the legal tools to effectively manage freedom camping. It sets clear rules that protect public spaces, reduce risks, and ensure fair access for campers and residents. The proposed changes are based on data and feedback, ensuring the bylaw remains relevant and responsive to the community's needs.

Draft Bylaw (Summary of Changes)

Proposed Changes:

1. Remove low-ranking sites like Westshore and Foreshore due to environmental and safety concerns.
2. Add a new high-ranking site at the National Aquarium Carpark to better meet demand.
3. Remove non-self-contained vehicles from all freedom camping sites to comply with national laws.

Why?

1. Closing low-ranking sites protects the environment and public health by ensuring only sustainable sites are used.
2. Adding a high-ranking site improves the camping experience and helps spread demand across better-equipped locations.
3. Removing non-self-contained vehicles aligns with the new national direction.

Have your say

The public consultation period for the Napier City Freedom Camping Bylaw 2024 will be open from 4 November 2024 to 29 November 2024. During this time, we invite you to share your thoughts on the proposed changes.

How to Make a Submission

You can submit your feedback in the following ways:

Online: Visit www.sayitnapier.nz

Email: Send your feedback to info@napier.govt.nz

In Writing: Mail your submission to Napier City Council, Private Bag 6010, Napier 4142

In Person: Drop off your submission to Napier City Council Customer Service Centre, 215 Hastings Street, or the Napier or Taradale libraries.

Hearings

If you would like to present your views in person at a public hearing (in February 2025), please indicate this when submitting your feedback.

Where to find out more

Supporting Documents:

- The Draft Napier City Freedom Camping Bylaw 2024.
- Site assessments for each camping area.

These documents are available on the Napier City Council website and at Napier City Council's Customer Service Centre, 215 Hastings Street and Napier's public libraries.

Legislative framework

The Napier City Freedom Camping Bylaw 2024 is being proposed under the Freedom Camping Act 2011 and the Local Government Act 2002. It complies with all relevant laws, including the New Zealand Bill of Rights Act.

What next?

After the public consultation period, a hearing will be held, feedback analysed, and a final report will be prepared for the Council to consider. Based on the feedback, the Council will decide whether to adopt, amend, or revoke the proposed bylaw.

We encourage all residents and visitors to share their views on the proposed changes. Your feedback will help ensure that the bylaw meets the needs of both the community and freedom campers.