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**ORDINARY MEETING**

**OF**

**CITY STRATEGY COMMITTEE**

**MINUTE ITEM ATTACHMENTS**

**Time:** 9.30am  
**Date:** Thursday, 8 February 2018  
**Venue:** Committee Room 1  
Ground Floor, Council Offices  
101 Wakefield Street  
Wellington

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**Business**

**Page No.**

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**Confirmation of Minutes City Strategy Committee - 8/02/2018**

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Presentation to WCC  
re: Freedom Camping at Evans Bay Marina

Mike Woods J.P. & Dr. Marianna Churchward  
Residents 516 Evans Bay Parade



1. The WCC and the Government have dropped the football re Freedom camping.
2. Residents and ratepayers are the last to be consulted or considered.
3. Open Spaces A - Recreational and Health & Safety issues.
4. WCC concept for EB is “Permanent” or “temporary”. WCC solution only 1 recommendation.
5. Solutions and suggestions.



## A Nationwide issue

Far North, Gisborne, West Coast, Canterbury, Queenstown and Taranaki mayors are calling for better Governance and guidance over Freedom camping.

“Freedom camping was supposed to be a temporary accommodation measure to support 2011 Rugby World Cup” - Mayor Foon

And we Evans Bay residents thought so too.



## Users who cannot access the Evans Bay Marina

- ▶ Park n' ride Wellingtonians.
- ▶ Local residents - parking, access to beach, learn to ride and drive.
- ▶ Sporting codes - Saturday sport - rugby, harriers, cyclists, runners...
- ▶ Fulton Hogan - short term stay.
- ▶ Walkers accessing the Sculptured walkway.
- ▶ Boaties - national regattas.
- ▶ Local College re parking during the week.
- ▶ Parking for major events that have a long history with marina e.g. Round the Bays, Weetbix Challenge



▶ Questions:

Where is the access to the beach and to the sculptured walkway?

Is this an appropriate use of the Evans Bay Marina when it is stated by the WCC district plan



## Consultation of residents occurs after the fact

- ▶ District Plan has marked this reclaimed land “Open Space A - recreational” and was never intended for a permanent camp site for a few users. The wider community is entitled to use this space too.
- ▶ We are not informed of “pre consultation” after it occurred by WCC.
- ▶ We are informed this is a “permanent” camp site by WCC.
- ▶ WCC apologises to residents, but not all residents get their letter.
- ▶ Security Cameras and sensors installed during pre and current consultation process.
- ▶ One evening meeting held coincided with the Melbourne Cup. Here my wife and I were told this was a “temporary” location of the Camp site.
- ▶ Following day additional information confirms the “permanency” of camp site.



- ▶ The WCC has spent time and money developing the beaches along the Evans bay foreshore, but the marina cannot be accessed.



## Health and Safety Procedures

- ▶ The WCC invites Freedom Campers to Evans Bay Marina, but has no Site Specific Safety Plan (SSSP) under the Health and Safety at Work Act 2016.

I have requested a copy from WCC of their SSSP document for the following:

- ▶ Parking proximity and size of vehicles.
- ▶ Suitability of vehicles to use campsites.
- ▶ Evacuations for earthquake, high tides...
- ▶ Gas Bottles
- ▶ Fire
- ▶ Access into & around the Evans Bay Marina for public and campers.



Campers parking on Evans Bay Parade further reduce residents' parking options and block access in or out of the marina.

## Solutions & suggestions to host Freedom campers



- ▶ The WCC to provide set areas and services for Freedom Campers that create income or are fiscally neutral, which do not impact on the residents.
- ▶ There is no economic return on Freedom campers at Evans Bay - Why?

### Suggestions for a Wellington wide solution.

- ▶ Neil Harrap's concept - use reclaimed land by Ferry terminal.
- ▶ Mt Crawford Prison, Mapuia water tower, Westpac Stadium, Railway land.
- ▶ Limited, pay n park around bays on the peninsula and passed Lyall Bay.
- ▶ Open up Alexander Road, Mt Victoria, Hataitai Park and Veledrome areas.
- ▶ Incorporate space into Ruahine Street development and Mt Albert.

- ▶ Imagine this “free” campsite in the Embassy Circuit in Karori, dress circle in Khandallah, Redwood in Tawa or the inner city below expensive apartments.
- ▶ We in Evans Bay have tolerated the Campsite when others wouldn't, but enough is enough and the WCC need to either locate and fund another site or find a site they can charge fees on a user pays basis.
- ▶ This is a Wellington wide issue and we require leadership and a Wellington wide solution, not the one solution that works for WCC, but a solution that works for Campers, residents and the WCC.

Thank You for your time





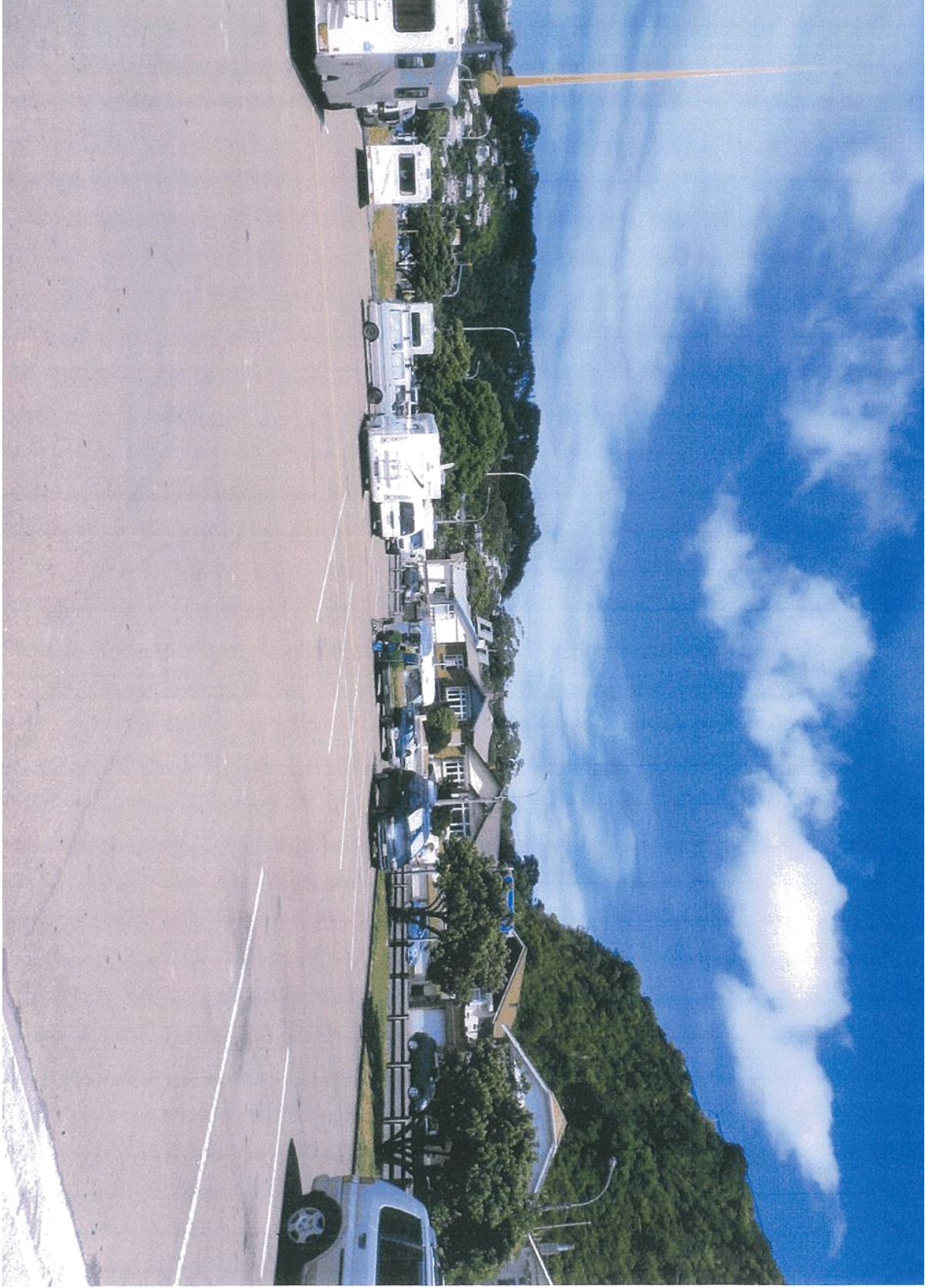








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Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 2







Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 2

**Public Spaces Bylaw Review 2017**

Oral Hearing in support of submission from:-

Paul & Aldona Yardley

526 Evans Bay Parade

Wellington 6021

This verbal submission is to be considered in conjunction with the attached documentation:-

1. Our email to the Mayor (copied to the Eastern Ward Councillors) dated 26 September 2017 responding to the WCC belated letter to residence advising proposed changes to freedom camping at the Evans Bay Marina.
2. Our written submission on The Public Places Bylaw Review 2017

**The Evans Bay Marina is a Recreation Reserve**

The land is owned by the Crown and is vested in the Council to manage and administer as a Recreation Reserve under the Reserves Act 1977.

Camping is specifically prohibited in the Reserves Management Plan 2015 and therefore the Council has failed in its custodial duty when allowing freedom camping in the marina.

**The Wellington City District Plan includes the Evans Bay Marina as zone open space A.**

We requested an explanation from your town planner of how Freedom Camping is considered a compliant activity in terms of the "Open Space A" site zoning. The reply received was "freedom Camping is considered to be a recreational activity".

However, the introduction to "Open Space" included in the City District Plan nominates:-

*"Council has an important role in administering open space on behalf of the public. People go to open spaces to escape the urban setting or their normal surroundings. The environmental qualities of open space such as openness, sunlight and tranquillity all contribute to its character and success. These should be as equitable and as easily enjoyable by older people and all others with mobility restrictions as by the rest of the public.*

*Open space is characterised by the fact that it has few buildings. It can be enjoyed and experienced from a distance as a visual distinction between built and unbuilt areas of the city. This enjoyment of open space from a distance also needs to be taken into account when activities in open space areas are being considered."*

Clearly Council has failed in its duty to consider the above when allowing Freedom Camping in the marina.

It is disappointing that once again the Council & its officers have not considered the City District Plan nor the requirements of the Reserves Management Plan in regard to activities within the marina.

There appears an attitude that these legislative requirements only relate to the activities of "others" with Council being exempt from any compliance requirements.

#### **Outcome Resulting from This Council Failure**

The Marina Carpark is being developed into a substandard motor camp.

The claimed policing of the activities on site is largely ineffectual. The claim that "the proposed changes would formalise what is already happening on the site" is particularly galling.

Every day campers extend into the "Camping prohibited area" and the Council failure to address the situation is now being used as a reason to extend the camping area.

It is common to have non certified vehicles staying overnight. The system devised to report these vehicles to the Park Ranger allows them to use the area and depart before the Ranger starts work. The Council has shown little appetite for dealing with any non compliance issues.

The restriction that only certified campers are allowed provides no protection to us as residence in the area.

What is certification?

#### **In theory**

The New Zealand Motor Caravan Association (NZMCA) nominate "a self containment vehicle is designed to completely meet ablution and sanitary needs of the occupants (including water for drinking and cooking) for a minimum of three days without requiring any external services or discharging any waste".

A reasonable expectation of this definition would be that if the occupants were confined in the vehicle they would be able to live, wash, cook, eat and sleep for at least three days.

#### **In Practice**

NZMCA inspectors are certifying Honda Odyssey and similar people movers are being certified as self contained (see photos attached).

When the bed is set up in these vehicles the lack space results in no option but for the occupants to wash, groom, dress, eat & cook outside of the vehicle, a view (see photos attached) that we and the other residence are subjected to daily.

The NZ Standard for Self Containment of Motor Caravans & Caravans (NZS 5465) defines a motor caravan as "a motor vehicle, which can be used as a place of abode and contains facilities for cooking, eating, sleeping and washing, and is not a passenger service vehicle".

Although nominated as a place of abode this standard does not require compliance with NZBC G1 Personal Hygiene, the objectives of which are to safeguard people from illness caused by infection or contamination. There is no requirement for a shower and it is acceptable for certified camper vans to use a sink as a hand basin. We also witness regularly the contents of this sink / basin being discharged on to the ground after use.

What has developed at the marina is a substandard, heavily congested camp site which is both a health and safety risk.

#### The Mythical Millions

Council Officers have been reported claiming freedom campers bring millions of dollars to the city.

The official figures from the Ministry of Business, Innovation & Employment (updated November 2017) are attached. These show freedom campers spend about \$100 per night. After deducting the hire and fuel cost for the camper there is very little left for spending in the city. The fact is Freedom campers occupy the bottom end of the tourist market and spend very little.

#### User Pays

The marina boat tenants have to pay mooring fees, part of which include the costs for maintaining the hardstand area now used by campers. If they take their boat to Picton they have to pay the Marlborough District Council mooring fees while the vessel is there.

Campers however believe they are exempt from the principle of user pays and they are entitled to free rate payer provided camp sites and further, if a Council spokesperson has been correctly quoted, these are to be close to the centre of the city.

There is a fully compliant motor camp offering full facilities at Hutt Park which, with the exception of the Lions Tour, has always had space available.

Why are we as rate payers providing for this selected group and in so doing undermining a legitimate business which provides employment and pays taxes?

The proposal is to spend, including Government funding, approximately \$200,000 dollars in addition to the ongoing security checks, rubbish removal and other operational costs. It appears the Council & its officers think that little of our city that they see the only way to attract visitors is to provide free camping.

Communities throughout the country have enough of the effects of freedom campers and are causing Councils to rethink their approaches. It is refreshing to see the Mayor of Queenstown claim back one of their reserves and acknowledge that he and his Council's primary responsibility is to their rate payers – something that the WCC Council and its officers seem to have forgotten.

Considering the Reserve status of the Marina carpark the Council has no option but to stop camping on the site immediately.

If Council considers it is their responsibility to replace this facility it has the opportunity to be "absolutely positive" and take the lead providing purpose built facilities **away from existing urban communities** and **not** in open spaces that have been provided for ratepayers and visitors.

**Email to the Mayor (copied to Eastern Ward Councillors)  
dated 26 September 2017 responding to the belated WCC  
letter to residence advising proposed changes to freedom  
camping at the Evans Bay Marina**

**From:** Aldona Yardley <[aldonayardley@yahoo.co.nz](mailto:aldonayardley@yahoo.co.nz)>  
**To:** [mayor@wcc.govt.nz](mailto:mayor@wcc.govt.nz) <[mayor@wcc.govt.nz](mailto:mayor@wcc.govt.nz)>  
**Cc:** [sarah.free@wcc.govt.nz](mailto:sarah.free@wcc.govt.nz) <[sarah.free@wcc.govt.nz](mailto:sarah.free@wcc.govt.nz)>; [chris.calvi-freeman@wcc.govt.nz](mailto:chris.calvi-freeman@wcc.govt.nz) <[chris.calvi-freeman@wcc.govt.nz](mailto:chris.calvi-freeman@wcc.govt.nz)>; [simon.marsh@wcc.govt.nz](mailto:simon.marsh@wcc.govt.nz) <[simon.marsh@wcc.govt.nz](mailto:simon.marsh@wcc.govt.nz)>  
**Sent:** Tuesday, 26 September 2017, 9:12:36 AM NZDT  
**Subject:** Proposed Changes To Freedom Camping At Evans Bay Marina

Dear Justin Lester

We have received a letter from the Council dated 2 September regarding proposed changes at the Evans Bay Marina. This letter confirms information previously provided by a neighbour.

Firstly, it must be stated that as a resident of Evans Bay Parade and also as a marina tenant that the lack of consultation with those directly affected is unacceptable and a continuation of the Council's history of pushing hidden agendas and misrepresentation of matters relating to the use of the marina carpark.

Council wrote to us as residence in July 2013 requesting our views about using the carpark for Freedom Camping. This letter advised that to protect the Evans Bay car park area it was proposed to:-

- Restrict camping to self-contained vehicles
- Restrict the time and duration that vehicles can stay to a maximum of four nights in a single calendar month and from 5pm to 9am the following day.
- There would be regular visits to the area by Council officers to promote compliance, people could be moved on if they were causing nuisance or issued with \$200 instant fines as a last resort.
- The Council would review camping prohibitions and restrictions annually so that any issues could be addressed.

However, what has transpired is the Council never adopted the 5pm to 9am restriction, did not institute procedures to police the area until December 2016 (after continual complaints) and the annual review was not instituted. Clearly the Council completely misrepresented their position in the July 2013 correspondence.

Our complaints to the Chief Executive regarding the blatant flouting of the rules supposedly applying to the area were met with assurances that area was being patrolled. It was not until we advised that we had photographic evidence to prove that this was not the case, that in November 2016 the Park Ranger instigated a meeting with us at our home where it was confirmed that the Council had not been policing the rules but systems were being established to allow this to happen. These systems came into operation late December 2016.

There are however major flaws in the system being used. Non certified vehicles regularly use the area but have departed before the Ranger becomes aware of their presence. There are options available to rectify the problems being experienced, but unfortunately the Council have shown little appetite for enforcing the rules nominated for campers.

It is stated that the proposed changes "would formalise what is already happening on site". This is acknowledgement that the existing "Camping Prohibited" area is not being policed. Given the Council's current attitude there will soon be no "camping prohibited" area as campers take over the whole marina and the Council retrospectively formalise this as it happens.

It must also be noted that the lack of policing also has the marina tenant parking close to Pier 3 regularly used by campers.

The proposed changes note the new layout includes screening between Evans Bay Parade and the camping area. What is being proposed? Is this to hide any flapping washing that has been hung out?

Why is an investigation proposed to install a toilet /shower facility when the site is restricted to certified self-contained vehicles?

There is a motor camp available at Seaview. This is a legitimate business employing staff, paying taxes and providing facilities in accordance with the Camping Ground Regulations. However, the people who are using the Freedom Camping areas are not prepared to pay to stay in a motor camp and it is difficult to understand the Council's enthusiasm to provide facilities for these bludgers.

The Council and its officers need to recognise that they are servants of the rate payers and it is their interests that should be protected. The residence and marina tenants are directly affected by the camping area in the carpark and should be the first to be consulted on both problems being experienced now and be provided with full details of any proposed changes. The Council's letter and attachment dated 2 September however is a belated advice to those directly affected, is full of generalisations and is masquerading as consultation.

As local residents, we request to be included in any review of the freedom camping at the marina, have full disclosure of any amendments proposed and be recognised as rate payers being directly adversely affected by this operation rather than a minority group whose interests can be ignored as has been the situation to date.

Kind regards

Aldona Yardley

**Written submission on The Public Places Bylaw Review 2017**



**SUBMISSION ON THE PUBLIC PLACES BYLAW REVIEW 2017**

**To:** Chief Executive Officer  
Wellington City Council  
PO Box 2199  
Wellington 6140

**Submission on:** The Public Places Bylaw Review 2017

**Name of Submitter:** Mr Paul & Aldona Yardley  
526 Evans Bay Parade  
Kilbirnie  
Wellington 6021

1. **We are making our submission as individual and long-time residents in Evans Bay Parade.**
2. **The specific provisions of the Public Places Bylaw Review 2017 that our submission relates to are:**  
Provisions related to the Evans Bay Freedom Camping site.
3. **Question 4: Do you support the proposed extension of the Evan's Bay freedom camping site? (Clause 12 and map of Evans Bay in Schedule 1):**  
NO – we oppose the proposed extension to the Evans Bay Marina freedom camping site, and the existing Evans Bay Marina freedom camping site, for the reasons outlined in our submission below. We seek the proposed extension to be declined and the existing site to be revoked.
4. **Question 4a: Do you think balance of providing for an additional 10 large vehicles sites, and 20 standard sites is appropriate?**  
NO – we oppose the proposed extension to the Evans Bay Marina freedom camping site, and the existing Evans Bay Marina freedom camping site, for the reasons outlined in our submission below.
5. **We wish to be heard in support of this submission.**  
We would be prepared to present a joint case with others that have made similar submissions at a hearing.



.....  
pp. Paul & Aldona Yardley  
Residents of 526 Evans Bay Parade  
5 December 2017

## SUBMISSION ON PUBLIC PLACES BYLAW REVIEW 2017 PROPOSED

### Introduction

Our names are Paul & Aldona Yardley and we reside at 526 Evans Bay Parade. Our house is directly west of the Evans Bay Marina and we look directly across at the site of the existing freedom camping area, and the extension proposed in the Public Places Bylaw Review 2017.

As we understand it, there are three relevant pieces of legislation that apply to the Evans Bay Marina area and the use of that area for freedom camping:

- Firstly, we understand that the Evans Bay Marina area land is owned by the Crown and is vested in the Council for it to manage and administer the area as a Recreation Reserve under the Reserves Act 1977;
- Secondly, we understand that the Evans Bay Marina site is zone Open Space A (Recreational facilities) in the Wellington City District Plan which is subject to the Resource Management Act 1991;
- Thirdly, we understand the Council is able to prepare bylaws under the Local Government Act 2002 to "*set controls on public places and on activities in them that may cause a nuisance*" (emphasis added - quote from introduction to Bylaw).

### Key Submission Points

We oppose the proposed extension to the Evans Bay Marina freedom camping area, and the existing Evans Bay Marina freedom camping area, for the following reasons:

1. Freedom camping creates nuisance aspects and effects that are inappropriate in an urban residential setting;
2. The Public Spaces Bylaw is not properly enforced and therefore is not effective as a bylaw to set controls on activities that may cause a nuisance;
3. The reasons for introducing the amendment to the Public Spaces Bylaw to provide for the extension of the Evans Bay Marina freedom camping area are flawed - the need for more freedom camping parking has been caused by Council actively reducing the number of parks in other areas and allowing development on the Wharfs that has removed more sites creating a '*perceived problem*' - the Evans Bay Marina site is now seen as the 'ideal' location to provide more freedom camping parks to meet a lack of parks that has been caused by Council's actions;
4. The Open Space Zone in the District Plan has specific objectives and policies (with the primary focus on the need for recreation activities to be able to access open space areas) that are not consistent with freedom camping as an activity, and the proposed (and existing

activity) is likely to require a discretionary activity resource consent under the rules of the District Plan;

5. The proposed freedom camping activity is specifically prohibited in the Suburban Reserves Management Plan 2015 and is contrary to the outcomes sought in the objectives and policies in that management plan.

We will elaborate on each of these points at the hearing.

Overall, we consider the Evans Bay Marina site is not appropriate for freedom camping as this activity has adverse effects on the amenity and wellbeing of the residents of Evans Bay Parade and users of the Evans Bay Marina recreational facility.

#### **Relief Sought**

We seek the Council to reject the proposed amendment to the Public Spaces Bylaw that provides for an extension to the existing freedom camping area at the Evans Bay Marina, and we seek Council to revoke the existing freedom camping area at the Evans Bay Marina that is inappropriate and should never have been established in the first place.

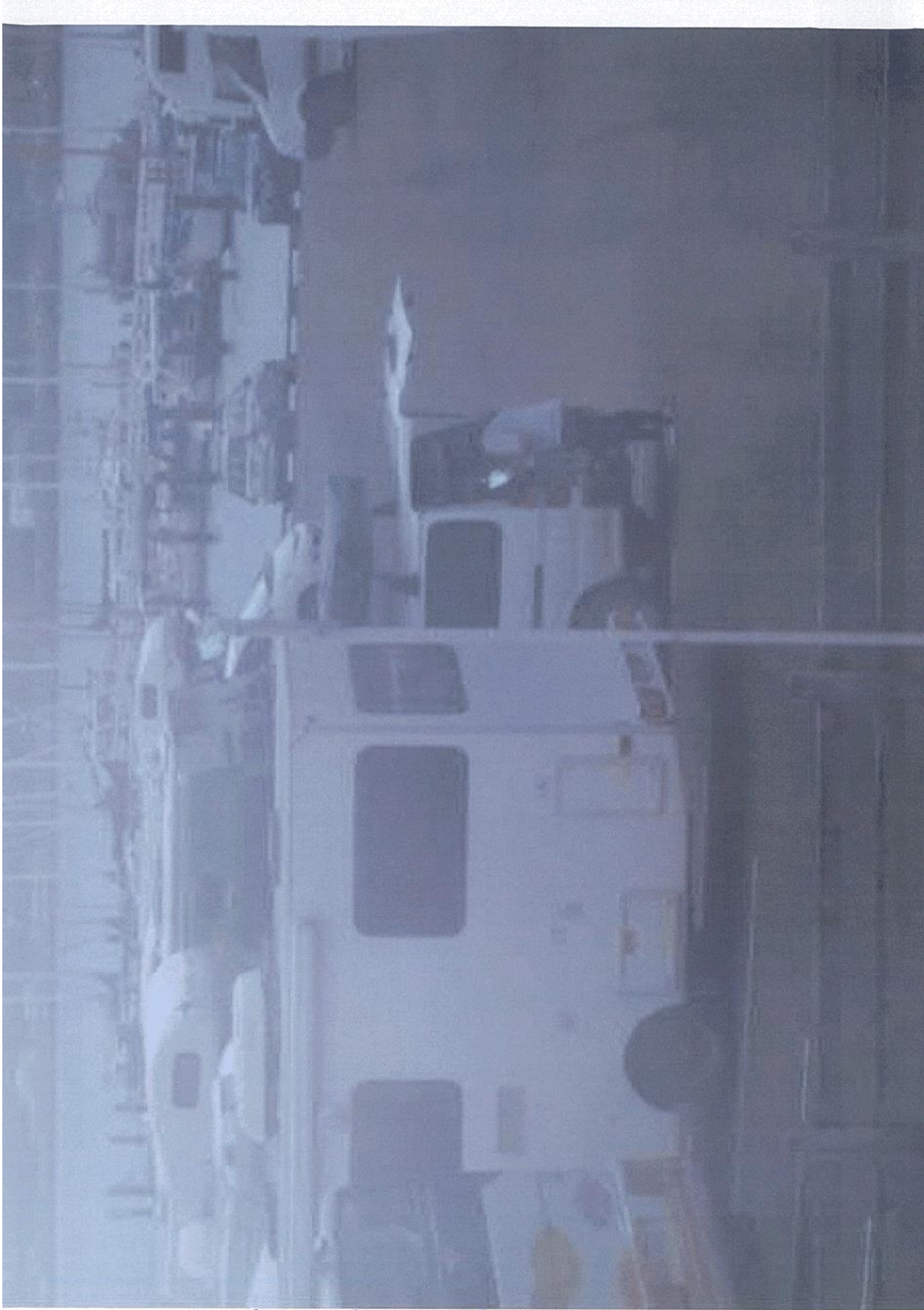
**Our View**

**These photos show our typical daily view of the camping  
area**



**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3**

Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3



*Dressing & Grooming*



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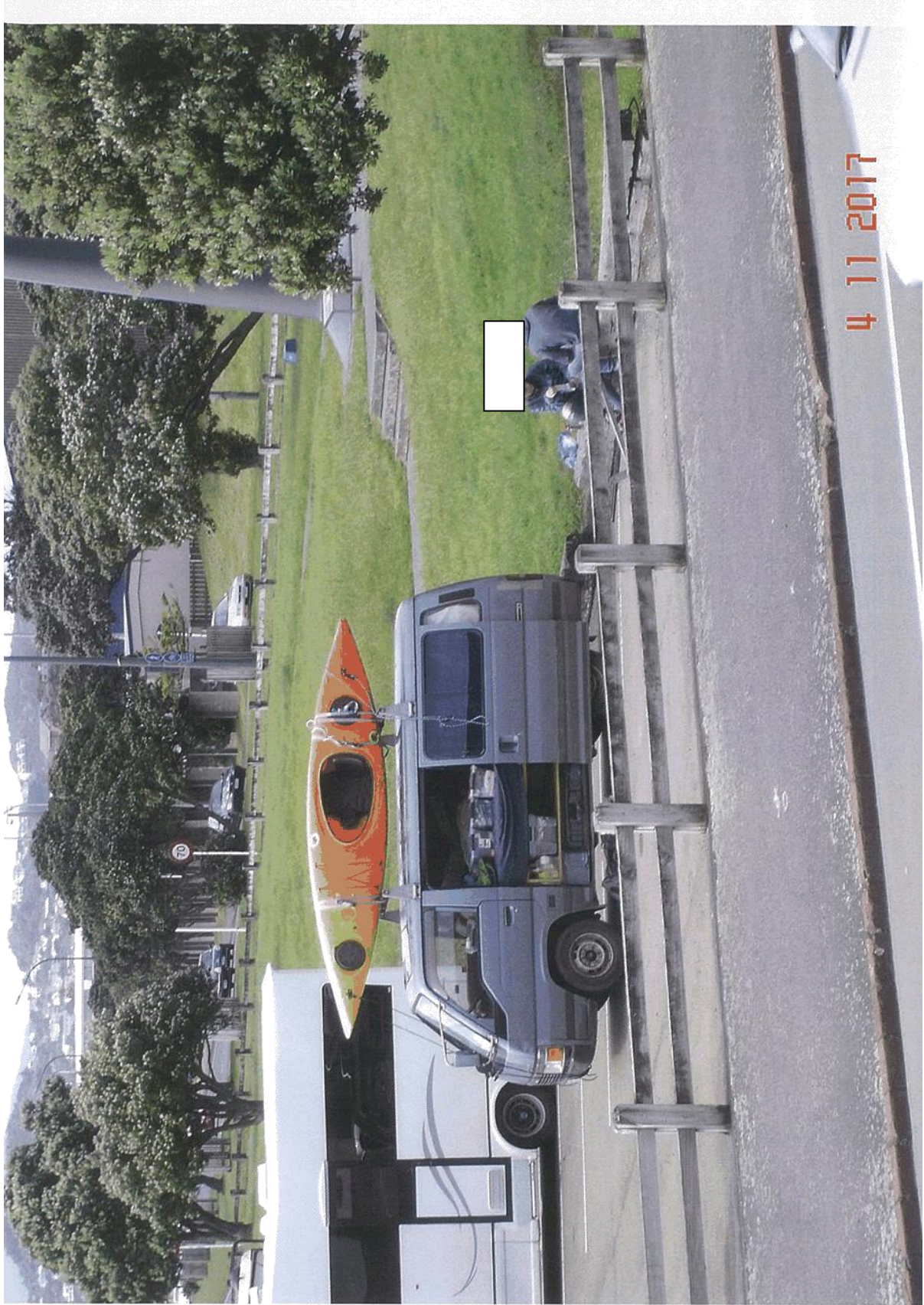




**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3**

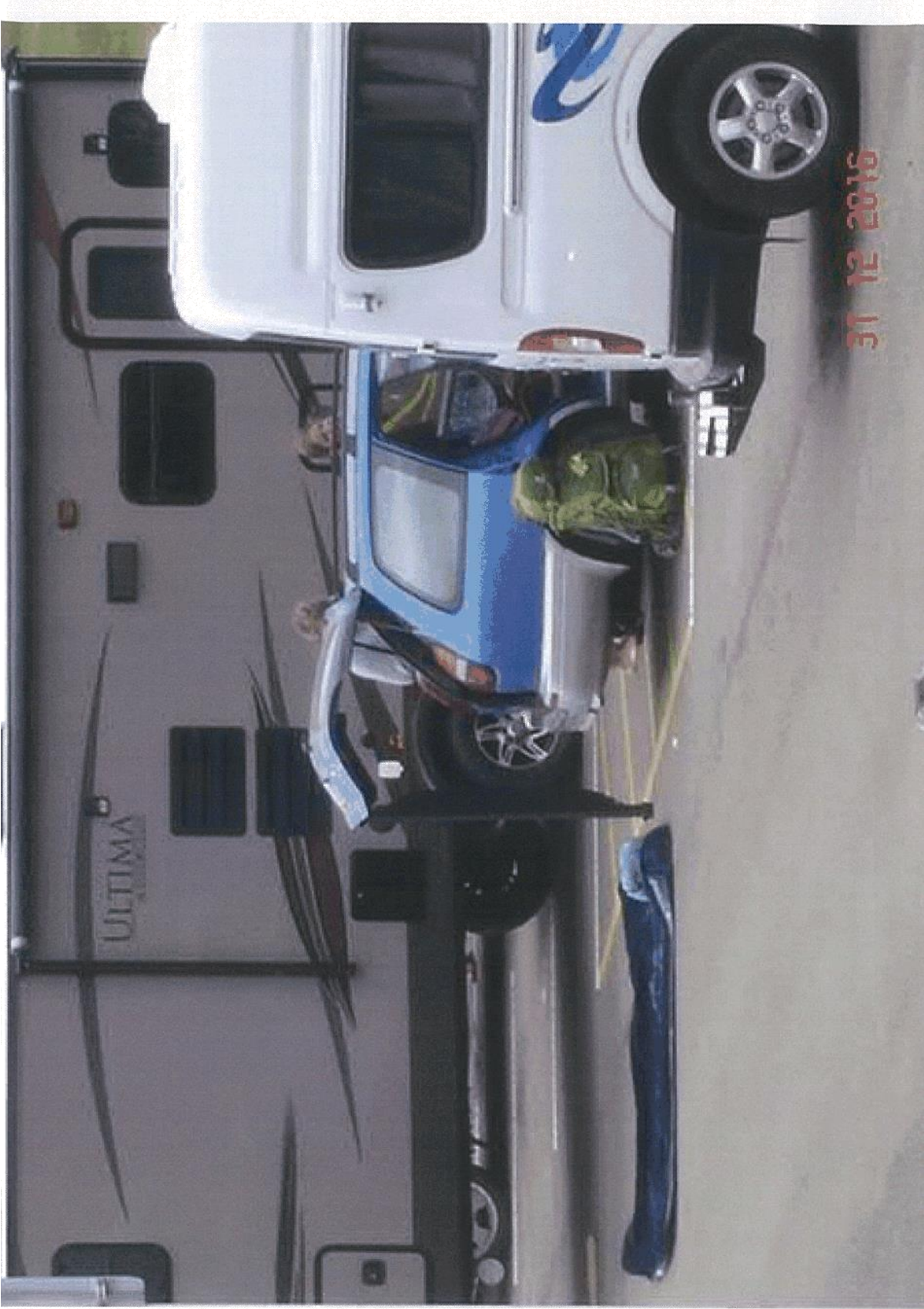
**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3**





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*Self Contained.*





*Getting Dressed*

Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3

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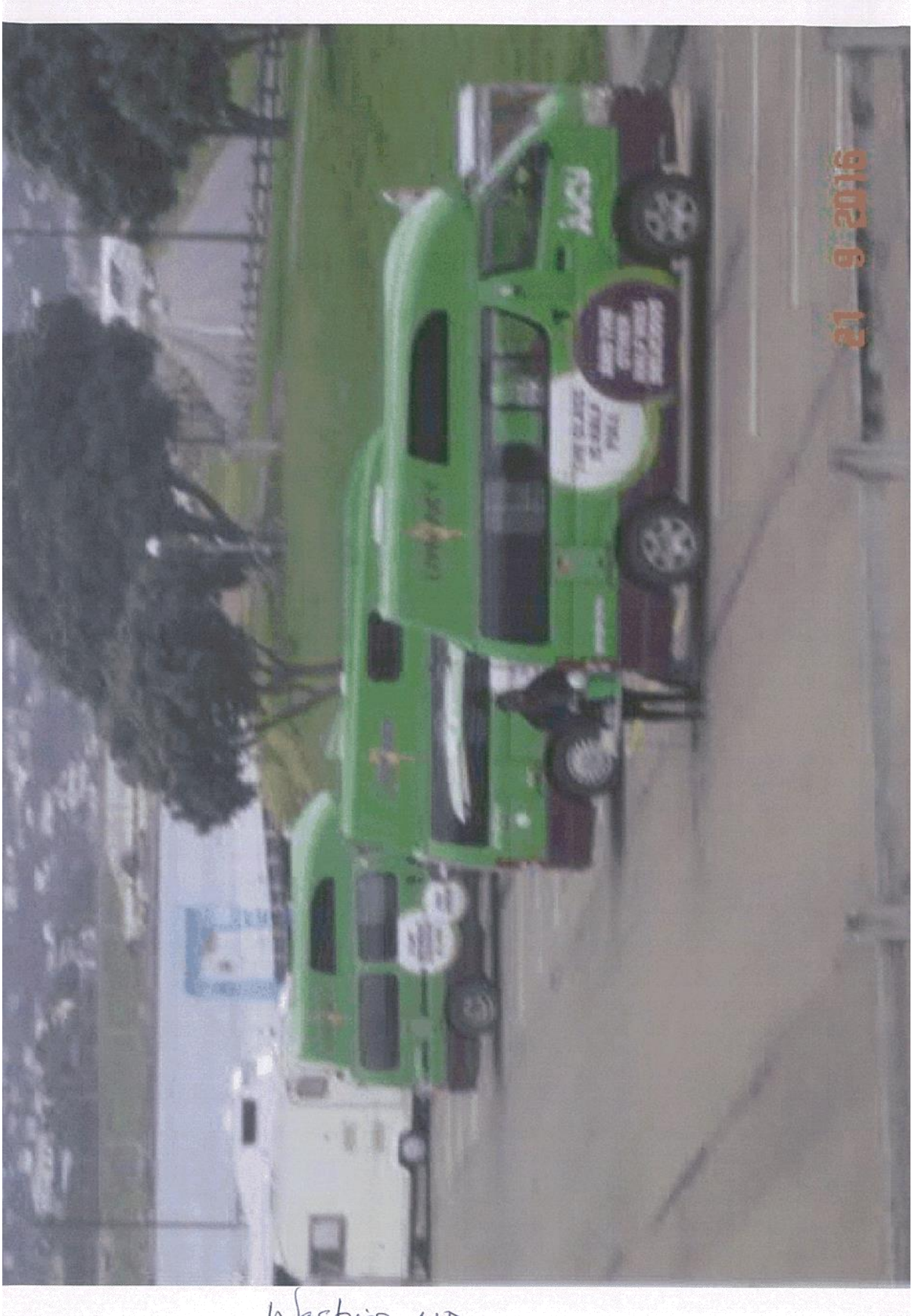


**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3**

Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3



*Cleaning teeth*



Washing up

Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 3



what water does it do around



*Cottis Drossard*



Getting Dressed





*Cleaner teeth*



Cleaning Teeth



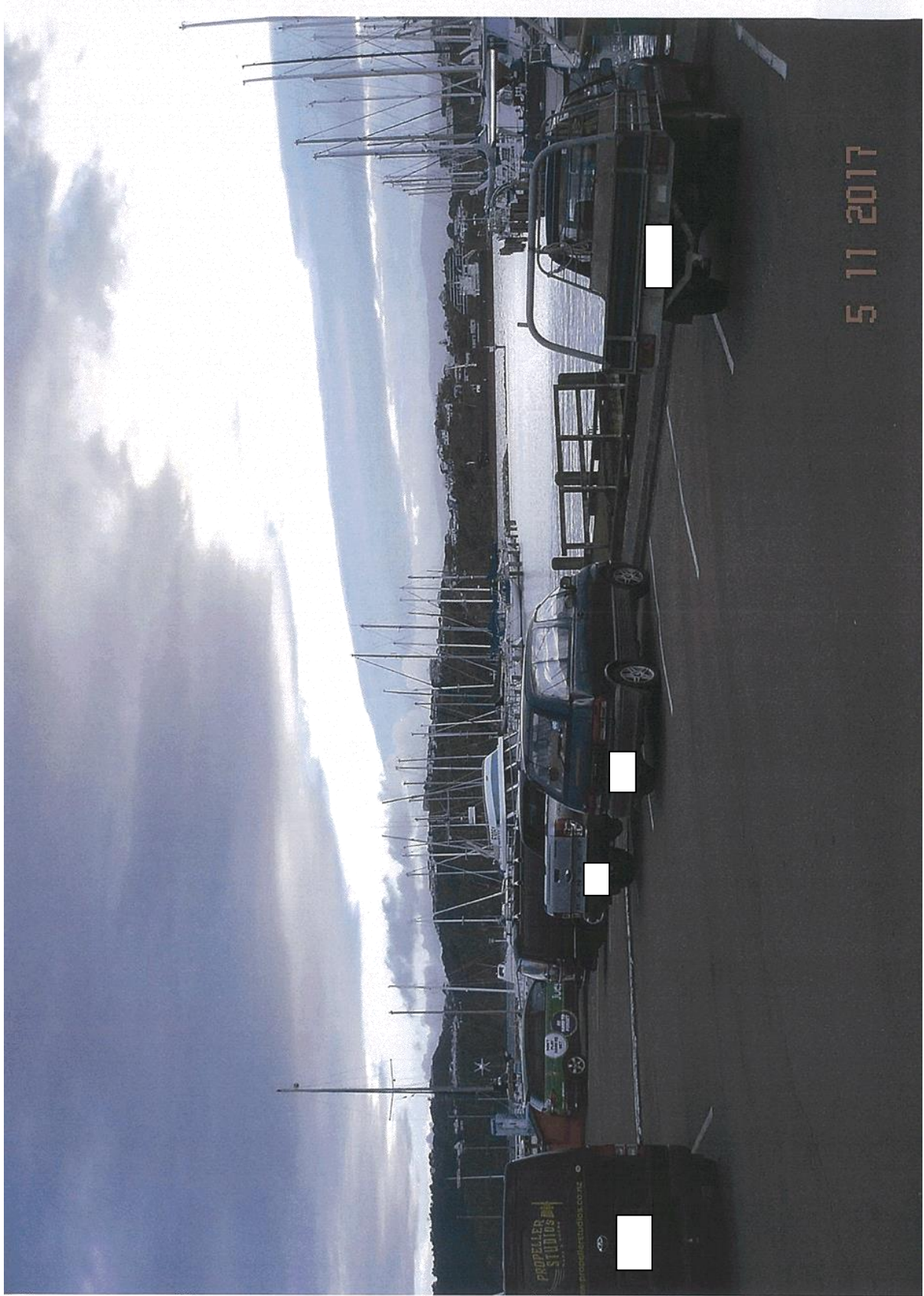
Cleaning Teeth



**Everyday there are campers in “Camping Prohibited Areas”**

**Some examples**





Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 4



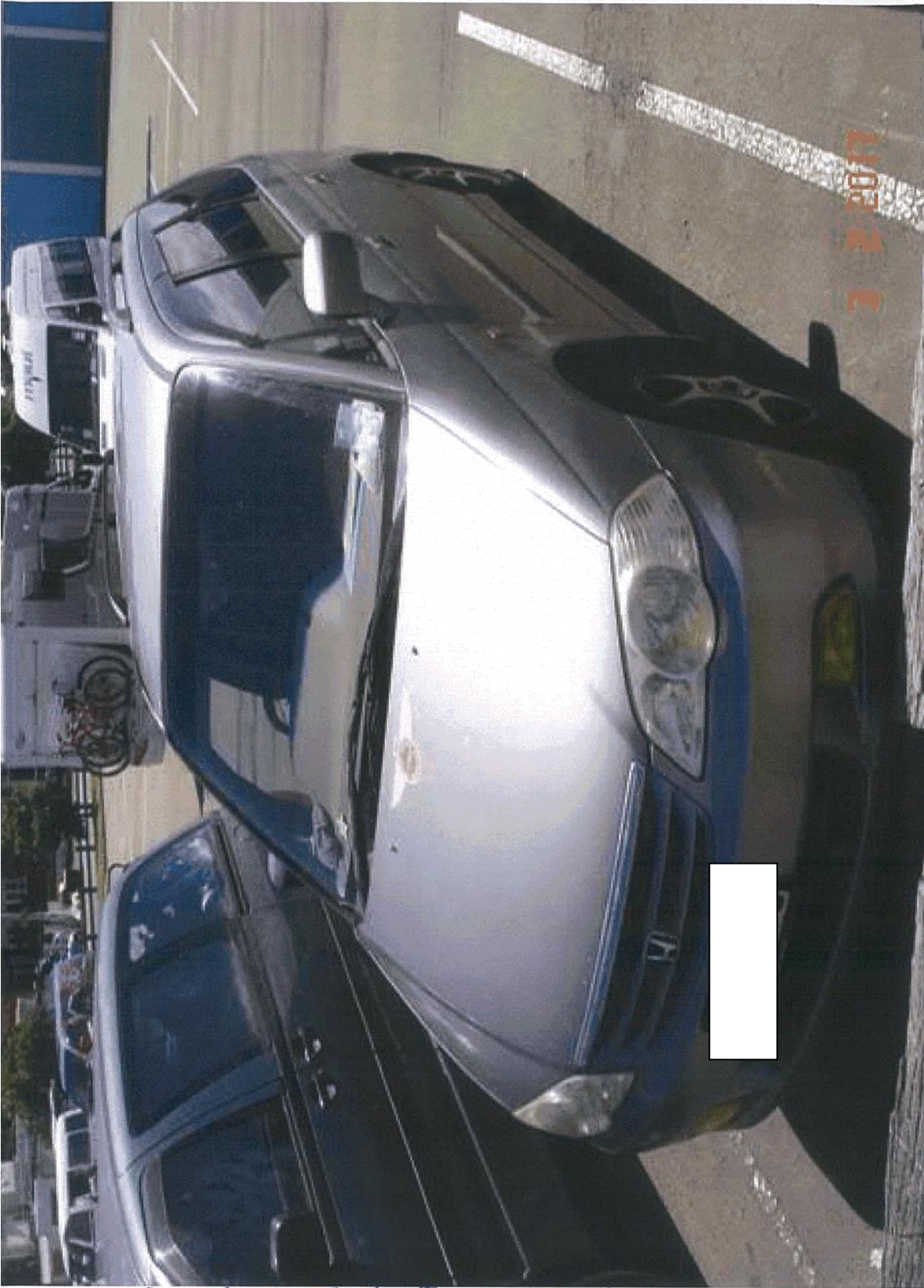




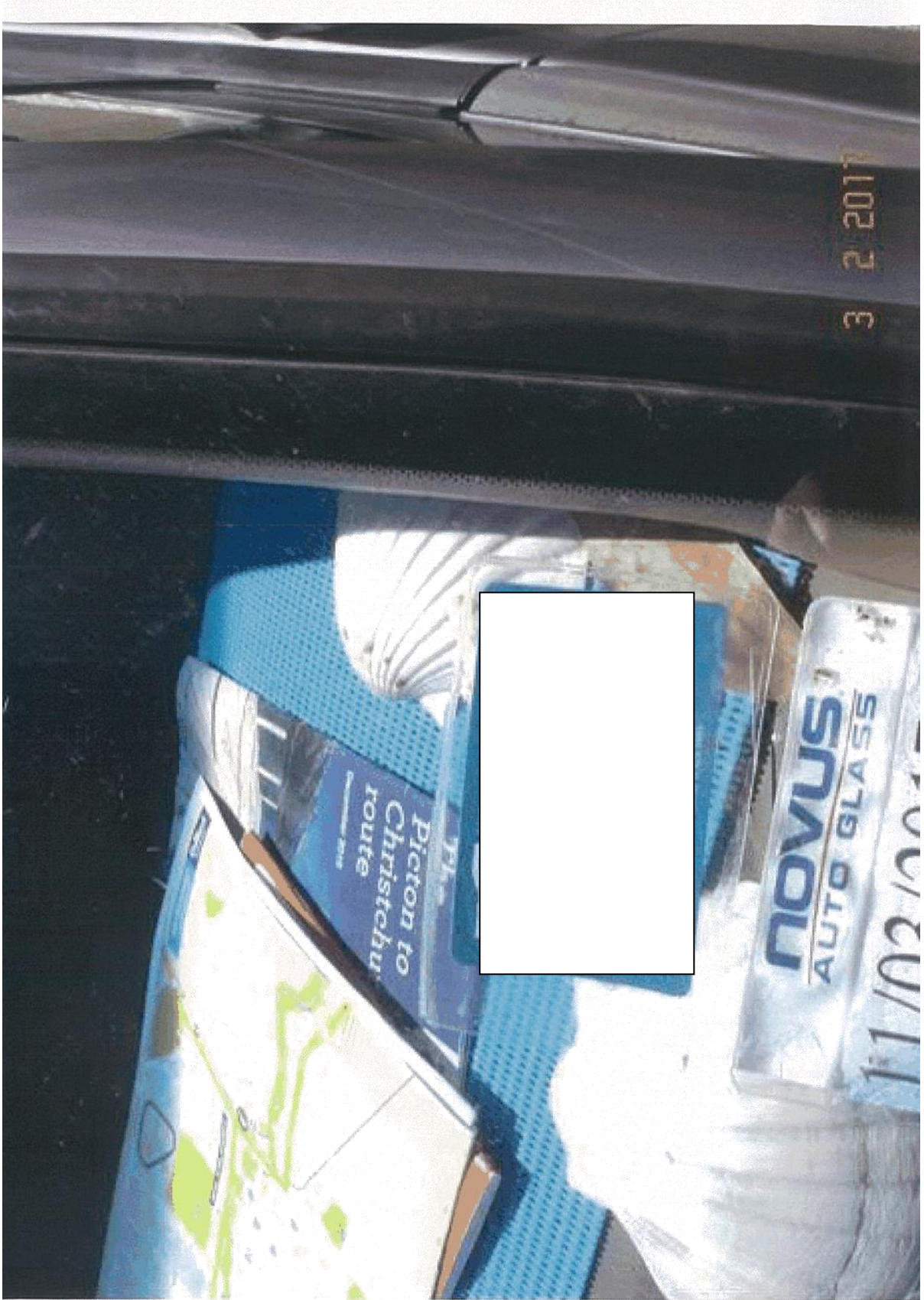
Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 4



**Certified Self Contained Vehicles**



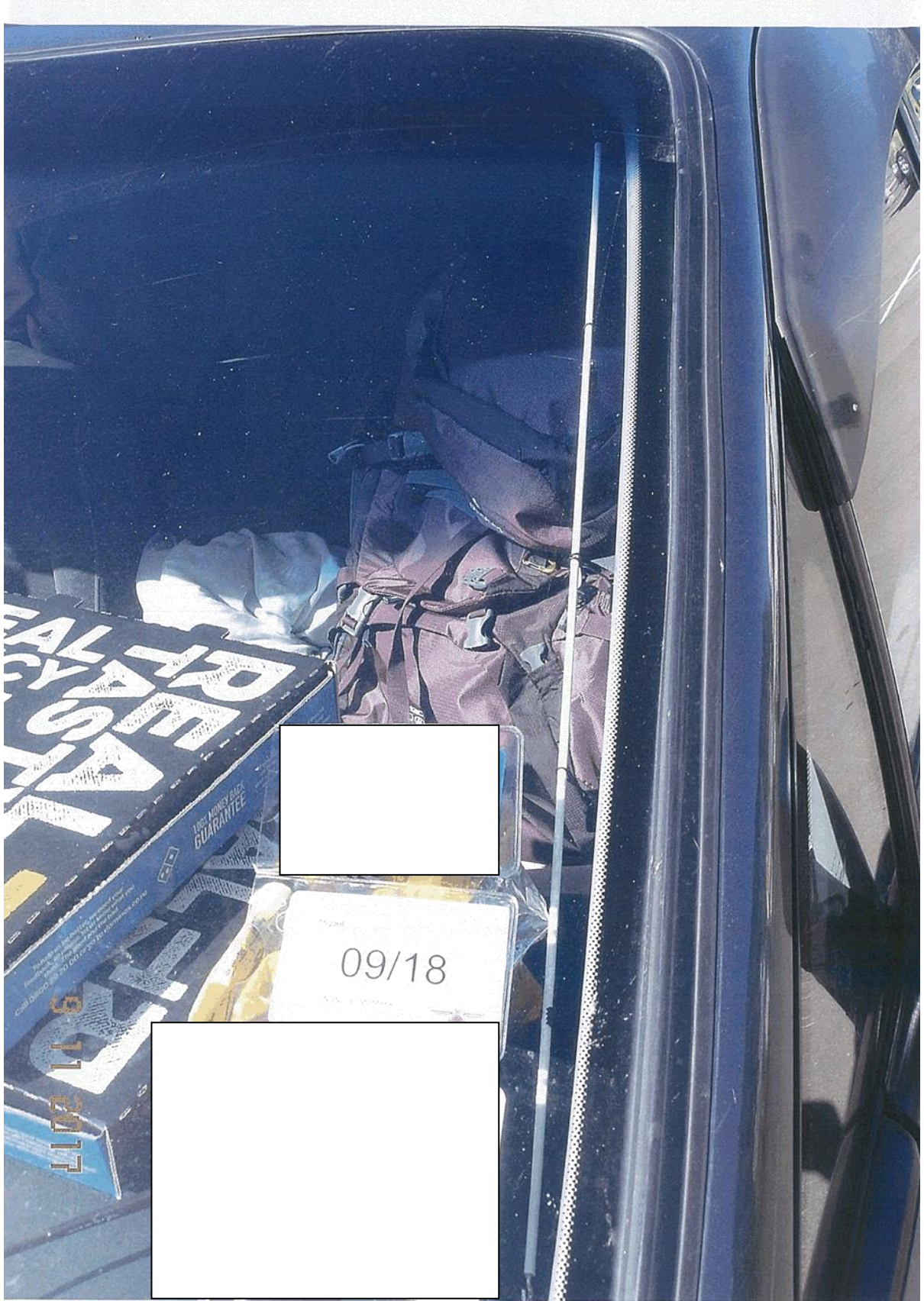
*Certified Self Contained Vehicle*



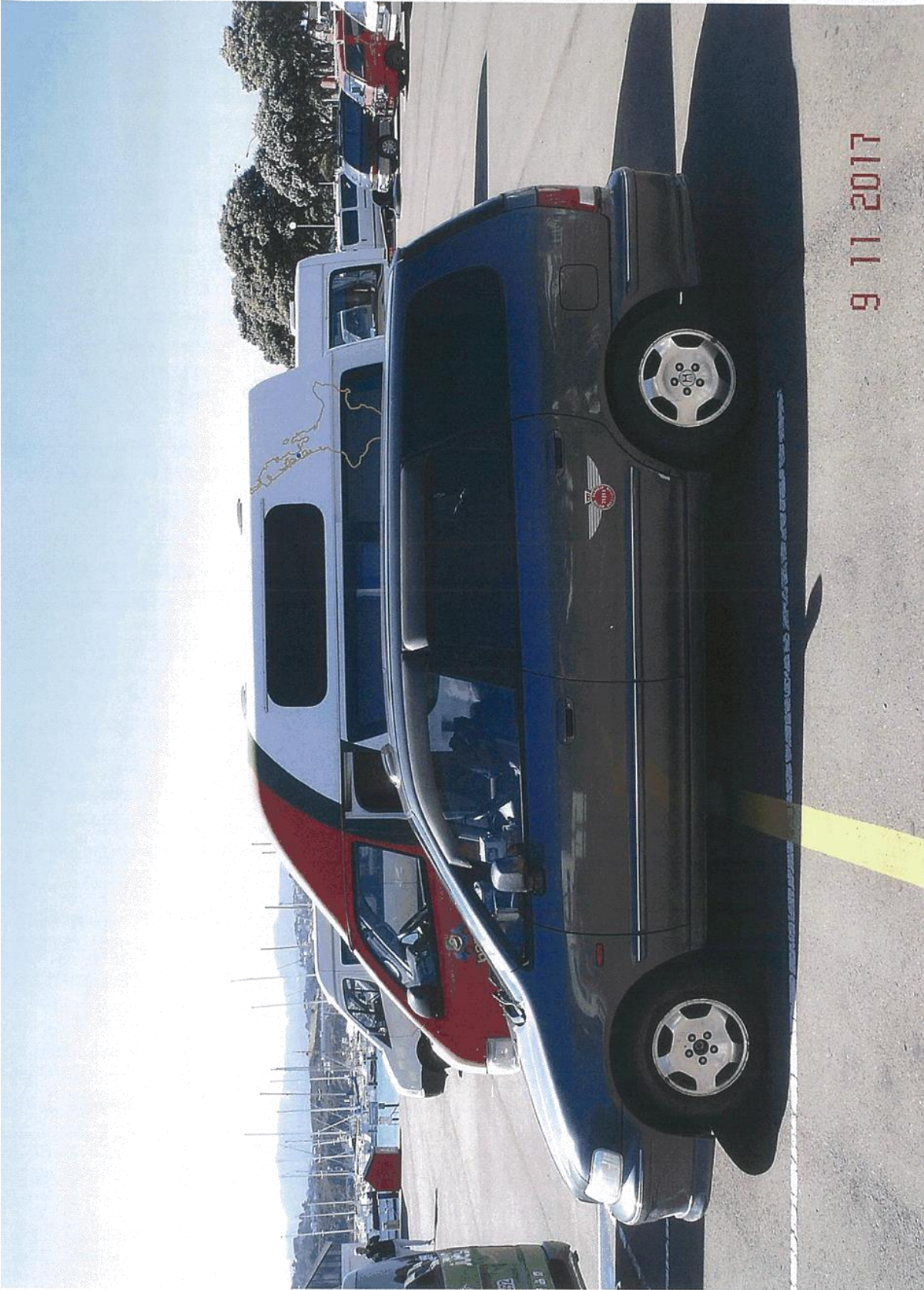
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*Certified Self Contained Vehicle*



Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 5







Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 5

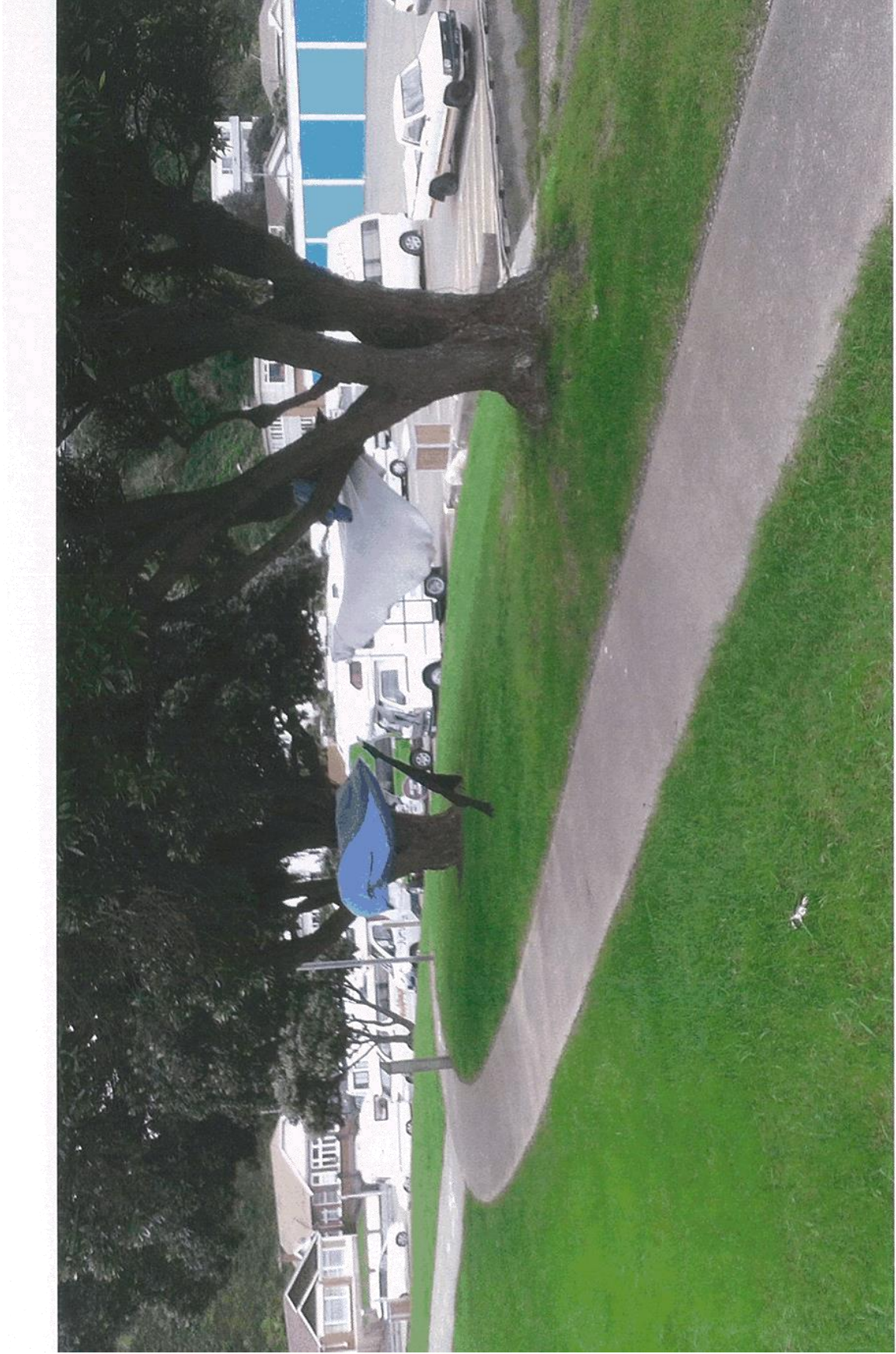
**Welcome to Wellington**  
**The Gypsy Capital of New Zealand**

**This the “absolutely positive” image Council has created to greet tourists, visiting dignitaries and the general public as they enter the city from the airport.**



**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 5**





**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 5**

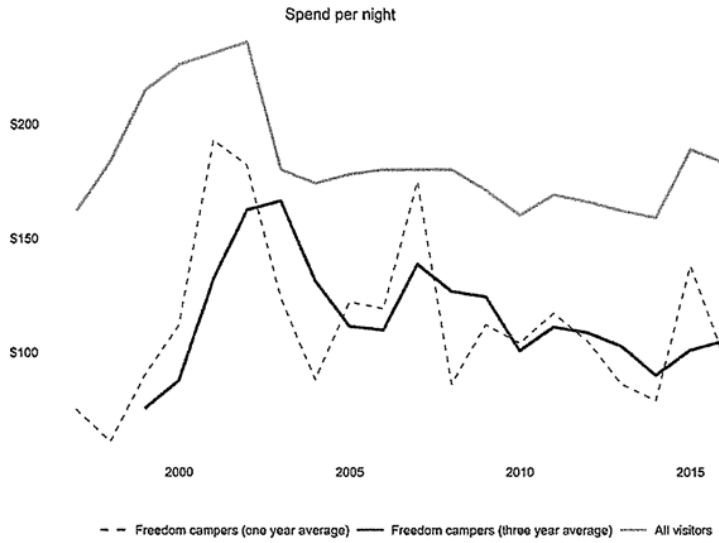




**Item Confirmation of Minutes City Strategy Committee - 8/02/2018 Attachment 5**

**Ministry of Business, Innovation and Employment**  
**Visitor “Spend per Night” Information**





Click on the image to view a larger version

[Data tables \[XLSX 6KB\]](#)

Last updated: 03 April 2017  
Find this helpful? Give us your feedback