



**omaha beach community inc.**

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**Notice of Special Meeting  
OMAHA BEACH COMMUNITY INC (“OBC”)  
to be held at  
Omaha Beach Community Centre  
Northwest Anchorage, Omaha Beach  
10.30am Sunday 23 June 2019**

**BACKGROUND**

The OBC Committee, through its Freedom Camping Sub-Committee, has been fully engaged in the Auckland Council process relating to the proposed Freedom Camping in Vehicles Bylaw. This followed the comprehensive submission the OBC made as part of the Council’s consultation process, earlier this year.

The last step, before the Council Governing Body makes the decision on whether to accept, amend, or reject, the proposed freedom camping bylaw, has now been completed. This was the public deliberation by the Hearing Panel, appointed by the Council’s Regulatory Committee, of the submissions made in relation to the proposed bylaw.

The key results from the Hearing Panel, despite one Panel member (Tau Henare) declaring that he did not support any enlargement of freedom camping in Auckland City and walking out of the deliberations hearing, were two-fold.

Firstly, ALL Omaha (and other Auckland City) roadside and culdesac car parking areas will be OPENED to unrestricted living in any vehicle for an indefinite time period. This is due to NO ‘general rule’ being applied to roadside camping outside of designated sites in the proposed freedom camping bylaw. Essentially, wherever you are legally able to park a car in the daytime, under the proposed bylaw you will now be able to park and live in a vehicle at night indefinitely.

Secondly, all 3 Reserves designated for freedom camping in Omaha were voted to be opened up to freedom camping (albeit with restrictions) by the Hearing Panel. This ruling was against the views of 85-90% of all submissions from people that submitted on the Omaha sites.

Camping is currently prohibited in the 3 designated Reserves due to the protections in the Reserves Act 1977 from camping. However, Council will now be proceeding to strip those 3 Reserves of their camping prohibitions and open them up to freedom camping. The Reserves will have a restricted number of carpark spaces allocated to freedom camping, and which will rely on Council enforcement officers to enforce and manage the restrictions.

Reserves to be opened to freedom camping in Omaha are: William Fraser Reserve (Surf Club / children's playground); 160 Omaha Drive Rita Way, Lagoon Way, Excelsior (boat trailer overflow carpark); and Pukemateko Reserve, 177 Mangatawhiri Rd.

No extra resources have been allocated by Council to manage the increase from 14 sites to 107 freedom camping sites across Auckland.

The Council's Governing Body votes on the proposed bylaw at the end of this month and, if passed, it will become law.

The OBC Freedom Camping Sub-Committee has taken legal advice as to our options, on the basis that the Council's Governing Body does vote in favour of the proposed bylaw. In the context that legal advice is 'privileged', the overarching advice received from Bob Hollyman, Q.C. is to the effect that OBC's go forward position should be:

- Write to Auckland Council pointing out the unreasonableness of such a decision in relation to Omaha;
- Seek an undertaking from Auckland Council not to revoke the existing Rodney legacy bylaws as it effects freedom camping;
- Failing receiving such an undertaking; to seek injunctive relief preventing the Rodney legacy bylaws on freedom camping being revoked;
- Issue substantive proceedings against Auckland Council in support of the above.

The Special Meeting has been called by the OBC Committee, to more fully brief its members around the proposed bylaw; the proposed action and its implications; and to give you an opportunity to express your views.

For more information relating to the proposed Freedom Camping in Vehicles Bylaw, and Omaha Beach, please refer to our website: <https://omahabeach.co.nz/>.

At the OBC AGM held 20<sup>th</sup> January earlier this year, Graham Painter recommended that legal counsel needed to be retained; and if we wanted to win (i.e. prohibit freedom camping in Omaha) we all must be prepared to go all the way to challenge the existing proposals by Auckland Council.

Motion: That this meeting approve a mandate to do whatever can be done to prohibit freedom camping in Omaha.

Moved by Graham and Erin Sullivan. Mark Douglas spoke against the motion.

The motion was carried.

Any apologies should be emailed to [us@omahabeach.co.nz](mailto:us@omahabeach.co.nz).

## **AGENDA**

- Update on freedom camping developments
- Address by Councillor Greg Sayers (to be confirmed)
- Budgetary matters
- Other business – relating to freedom camping

## **ACTIONS**

OBC to proceed in accordance with Legal counsel's advice and the AGM decision.

