



omaha beach community inc.

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Omaha Beach Community and Freedom Camping

Update and advice to the community for response to the Council's "Have Your Say" Freedom Camping proposal and consultation document.

You will have read the OBC's previous update to the community which advised of the Council's decision to proceed with opening up all of Auckland's streets to Freedom Campers.

This means Freedom Campers can park on any street in Omaha for one or two nights and then move around the corner.

We have received feedback from a large number of you as residents and bach owners that you are highly opposed to freedom camping in Omaha (as well as Auckland).

OBC has a two pronged strategy in protecting our community.

1. A strong public response rejecting the proposed bylaw.
2. A continuing legal challenge on the basis that the Council's position is unlawful

You may recall that in 2019 we successfully challenged the Council when they proposed to open public reserves to Freedom Campers and that proposal was reversed for all of Auckland.

The Council have now created a very lengthy consultation document explaining their reasons and providing for responses from the public. We would strongly encourage each of you to have your say by the closing date for submissions of **December 5th 2021**. However, please consider our guidelines below before submitting your response.

The Council's document clearly implies that the Freedom Camping Act **requires** them to provide for more freedom camping in Auckland given that they have decided not to allow freedom camping on public reserves. **The Act does no such thing.** Rather, the Act provides for Councils to **manage** freedom camping and allows Councils to prohibit it in residential areas, as proven in a recent decision by the High Court for the Thames Coromandel District Council (TCDC). This was an action brought by the NZ Motor Caravan Association (NZMCA) which challenged the TCDC bylaw that significantly restricted freedom camping. Having taken legal advice, OBC's position is that the Council's current proposed bylaw is unreasonable, unenforceable, and unlawful.

The Council document outlining the proposed bylaw and the reasons for it is misleading and inaccurate.

We would strongly encourage you to respond to the Council's document. Our concern is that the questions asked in their document are about their proposed rules for freedom camping in residential streets as opposed to asking the key question whether the residents and ratepayers of Auckland support opening up freedom camping at all in residential areas. **Therefore, if you are against the idea of freedom camping in our residential streets, we invite you to respond following our guidelines below before Dec 5th 2021:**

By clicking on the Council's document in the link below you will arrive at their questions inviting response on page 22.

<https://akhaveyoursay.aucklandcouncil.govt.nz/freedom-camping-bylaw>

There are three questions:

Question 1

Do you support the use of general rules for freedom camping in all areas not otherwise prohibited or restricted?

- I support having general rules
- I do not support having general rules
- I don't know

We recommend that you tick the second point.

Question 2

Do you want to provide feedback on any of the proposed general rules?

(select all that apply)

- Self-containment rule
- Maximum stay rule
- Set departure time rule
- No-return period rule

We recommend you do not select any of the above response

Question 3

Do you have any other comments on the general rules?

We ask that you respond as follows –

“I object to the Council’s proposal in its entirety in regard to opening up the streets of Auckland to Freedom Campers, especially at Omaha Beach. Freedom Camping on residential streets is not appropriate. The Council’s General Rules” will be ineffectual and also unenforceable and in practice will not protect residential streets and roads

Further on in the Councils’ document under the heading “Your Details” you are asked for your name and it is important to provide this in order for your response to be recognised. Again, please follow our guidelines below:

Also under “Your Details” is the following question:

We’d like to find out a bit more about what has led you to give us your views today

	Yes	No	Unsure
I freedom camp, or have freedom camped in the past			
I might want to freedom camp in the future			
I live in, use or visit places in Auckland where other people freedom camp			
I have general concerns about the impacts of freedom camping in Auckland			
I support people having a right to freedom camp, on principle			

We recommend you at a minimum select “Yes” to the option “I have general concerns about the impacts of freedom camping in Auckland”

Lastly, please complete your name details and Rodney Local Board. If you have another Auckland place of residence we suggest that you highlight that also.

Please note, you need to respond to the proposed bylaw by no later than December 5th 2021.