Waikato District Council

Freedom Camping Bylaw 2016

Waikato District Council, in exercise of its powers under the Local Government Act 2002 and the Freedom Camping Act 2011 and their respective amendments, and all other relevant powers, hereby makes the following bylaw.

Introduction

1.0 Purpose

1.1 To protect our unique environment and our residents from issues associated with freedom camping.

1.2 To provide information on areas within the District that are appropriate for freedom camping.

2.0 Short title, commencement and application

2.1 The bylaw shall be known as the 'Waikato District Council Freedom Camping Bylaw 2016'.

2.2 The bylaw shall apply to the Waikato District.

2.3 The bylaw shall come into force on 17 October 2016.

2.4 Other legislation and regulatory tools that are relevant to freedom camping include the Reserves Act 1977, the Waikato District Plan and other Council bylaws. Whilst the Council endeavours to ensure consistency in its approach to freedom camping, reserves in the Waikato District are managed through reserve management plans. The Waikato District Council General Reserve Management Plan prohibits camping on all reserves unless it is specifically provided for in any other operative reserve management plan. Only the reserve management plans for Onewhero and Te Kauwhata domains allow for freedom camping and these are identified in this bylaw.

3.1 Definitions

For the purposes of this Bylaw, the following definitions shall apply, unless inconsistent with the context:

Act	means the Freedom Camping Act 2011.
Camping ground	(a) a camping ground that has a current certificate of registration under the Camping-Grounds Regulations 1985; and (b) any site at which a fee is payable for camping at the site.
Council	means the Waikato District Council

District	means the Waikato District.
Freedom camp	means to camp (other than at a camping ground) within 200m of a motor vehicle accessible area using 1 or more of the following: (a) a tent or other temporary structure: (b) a caravan: (c) a car, campervan, housetruck, or other motor vehicle. In this Bylaw, freedom camping does not include the following activities: (a) temporary and short-term parking of a motor vehicle: (b) recreational activities commonly known as day-trip excursions: (c) resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.
Local authority area	(a) means an area of land— (i) that is within the district of a local authority; and (ii) that is controlled or managed by the local authority.
Self-contained vehicle	means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001 , and any subsequent amendments. For the avoidance of doubt, a self-contained vehicle must be equipped with a toilet that is secured when travelling. The toilet must be readily usable within the vehicle.
Non self-contained vehicle	A vehicle that is being used for the purpose of camping is not displaying a current self-containment warrant.

4.0 Controls for Freedom Camping

4.1 Freedom camping is permitted in any local authority area within the District unless it is prohibited or restricted in an area:

a) in accordance with this Bylaw; or

b) under any other enactment.

5.0 Prohibited areas

5.1 A person must not freedom camp in any prohibited area within the District, as identified in Schedule One: Prohibited Areas for Freedom Camping, without the prior written consent of the Council.

6.0 Restricted areas

6.1 A person may freedom camp in a self-contained vehicle throughout the District for a maximum of 3 nights in any one month, in any one area, except in the areas identified in Schedule 1. Self-contained vehicles are subject to additional controls for those areas listed in Schedule Two "Restricted Areas for Freedom Camping" Table A.

6.2 If a person is not in a self-contained vehicle freedom camping can only occur for a maximum of 2 nights in any one month, in any area identified in Schedule Two: "Restricted Areas for Freedom Camping" Table B, subject to the specific restrictions listed for that area.

7.0 Prior consent from Council

7.1 A person may seek permission from the Council to allow freedom camping outside the parameters of Schedule One and Schedule Two. This may be granted at the Councils discretion. The Council may attach conditions to any consent that is granted.

7.2 Consent must be applied for in writing to the Chief Executive of the Council at least 30 days in prior to the date on which freedom camping is planned in the prohibited or restricted area.

8.0 Temporary closure of an area to freedom camping

8.1 The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of any area where the closure or restriction is considered necessary to:

a) prevent damage to the local authority area or facilities in the area; or
b) allow maintenance to the local authority area or facilities; or
c) protect the safety of persons or property; or
d) provide for better public access, including in circumstances where events are planned for that area.

9.0 Offences

9.1 Every person commits an offence against this bylaw who freedom camps in a local authority area in breach of any prohibition or restriction in this Bylaw.

10.0 General

10.1 Any notice, order or other document which is required by this bylaw to be served or given or sent to any person shall be deemed to have been duly served given or sent if delivered to such person or left at his or her residence or workplace or posted to such person at his or her last known address.

This bylaw was made pursuant to a resolution passed by the Waikato District Council on 12 September 2016.

THE COMMON SEAL of WAIKATO DISTRICT
COUNCIL was hereto affixed in the presence of:

_____
Mayor

_____
Chief Executive

Schedule One: Prohibited areas for freedom camping

A. Freedom Camping is prohibited on all local authority cemetery areas and their associated carparks.

B. Freedom Camping is prohibited on the local authority areas identified below:

Raglan	
Area Name / Description	**Map Reference No.**
Manu Bay reserve and surrounding area 696 Wainui Road, Raglan and that section of Wainui Road adjacent to the Manu Bay reserve.	WDC_2016_01
Tohora Close, Calvert Road, Whale Bay	WDC_2016_02
Ngarunui Beach Reserve, Wainui Reserve 330 Wainui Road, Raglan	WDC_2016_03
Kopua Domain 61 Marine Parade, Raglan	WDC_2016_04
Cliff Street, Puriri Street From 2 Cliff Street to 1 Puriri Street, Raglan	WDC_2016_05
Riria Kereopa Drive, Wainamu Road	WDC_2016_06
Wainui Road	WDC_2016_07
Papanui Point Carpark	WDC_2016_08
Swann Access Road, Ruapkue Beach	WDC_2016_09
Ruapuke Beach Road	WDC_2016_10
Bridal Falls Car park Kawhia Road, Te Mata	WDC_2016_11
Greenslade Road	WDC_2016_26
Earles Place	WDC_2016_27
Raglan CBD	WDC_2016_28
Raglan Wharf	WDC_2016_29
Lorenzen Bay Road, Sunshine Rise	WDC_2016_30

Ngaruawahia	
Area Name / Description	**Map Reference No.**
Waikato Esplanade 1-52 Waikato Esplanade.	WDC_2016_12
Patterson Park	WDC_2016_13
Horotiu Bridge carpark area	WDC_2016_14
Wainago Road Section at end of Hakarimata track	WDC_2016_15
Brownlee Ave Hakarimata Track Car park area	WDC_2016_16
Hopuhopu 451-477 Old Taupiri Road HOPUHOPU	WDC_2016_17

Port Waikato	
Area Name / Description	**Map Reference No.**
Maraetai Bay Reserve Maunsell Road.	WDC_2016_18
Sunset Beach carpark Maunsell Rd	WDC_2016_25

Schedule Two: Restricted areas for freedom camping

Table A: Areas where freedom camping for self-contained vehicles have specific restrictions:

Area Name / Description	**Restriction**	**Map Reference No.**
The Point, Ngaruawahia Lower Waikato Esplanade	Location is restricted to a designated area. The designated area cannot be used if it is required for events.	WDC_2016_19
St. Stephens car park, Tuakau 8 St Stephens Avenue.	Sign posted part of car park only. Permitted camping hours between 6pm at night and 10am the next morning. Maximum stay of two nights	WDC_2016_20

Table B: Non self-contained vehicles may only freedom camp for a maximum of two nights in the areas that are specified in the table below:

Area Name / Description	**Restriction**	**Map Reference No.**
Onewhero Domain 14 Hall Road	Location is restricted to a designated area. The designated area cannot be used if it is required for events.	WDC_2016_21
Te Kauwhata Domain Mahi Road	Location is restricted to a designated area. The designated area cannot be used if it is required for events.	WDC_2016_22



Waikato DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Manu Bay Reserve

Map Reference:
Wdc_2016_01

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Freedom Camping

Description:
Tohora Close, Calvert Road, Whale Bay

Map Reference:
Wdc_2016_02

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Freedom Camping

Description:
Ngarunui Beach Reserve

Map Reference:
Wdc_2016_03

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Freedom Camping

Description:
Kopua Domain

Map Reference:
Wdc_2016_04

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Freedom Camping

Description:
Cliff Street, Puriri Street

Map Reference:
Wdc_2016_05

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Freedom Camping

Description:
Riria Kereopa Drive, Wainamu Road

Map Reference:
Wdc_2016_06

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Freedom Camping

Description:
Wainui Road

Map Reference:
Wdc_2016_07

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Freedom Camping

Description:
Wainui Road

Map Reference:
Wdc_2016_07

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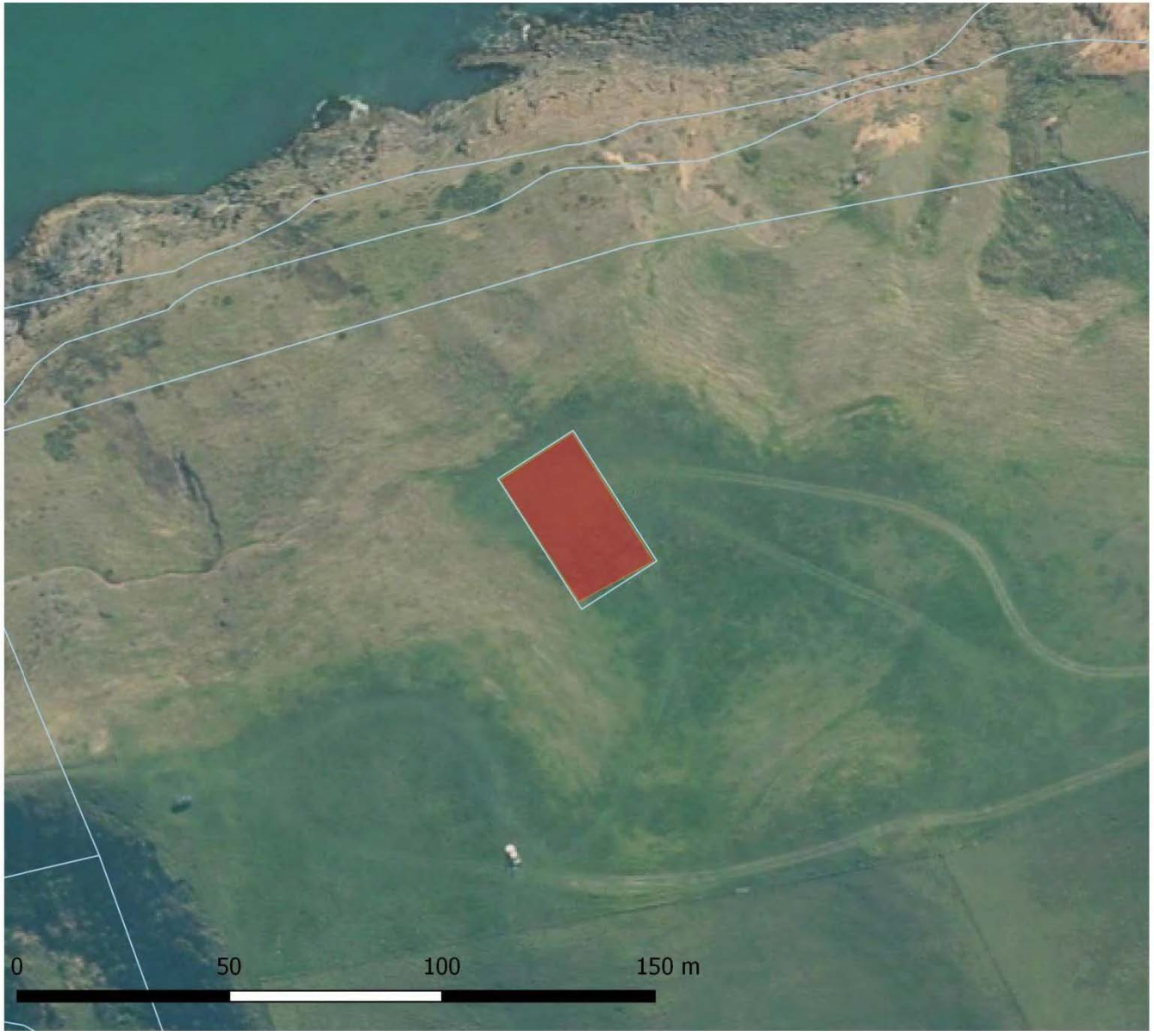

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Freedom Camping

Description:
Papanui Point Carpark

Map Reference:
Wdc_2016_08

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Freedom Camping

Description:
Swann Access Road, Ruapkue Beach

Map Reference:
Wdc_2016_09

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Freedom Camping

Description:
Ruapuke Beach Road

Map Reference:
Wdc_2016_10

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Freedom Camping

Description:
Bridal Falls

Map Reference:
Wdc_2016_11

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Waikato Esplanade

Map Reference:
Wdc_2016_12

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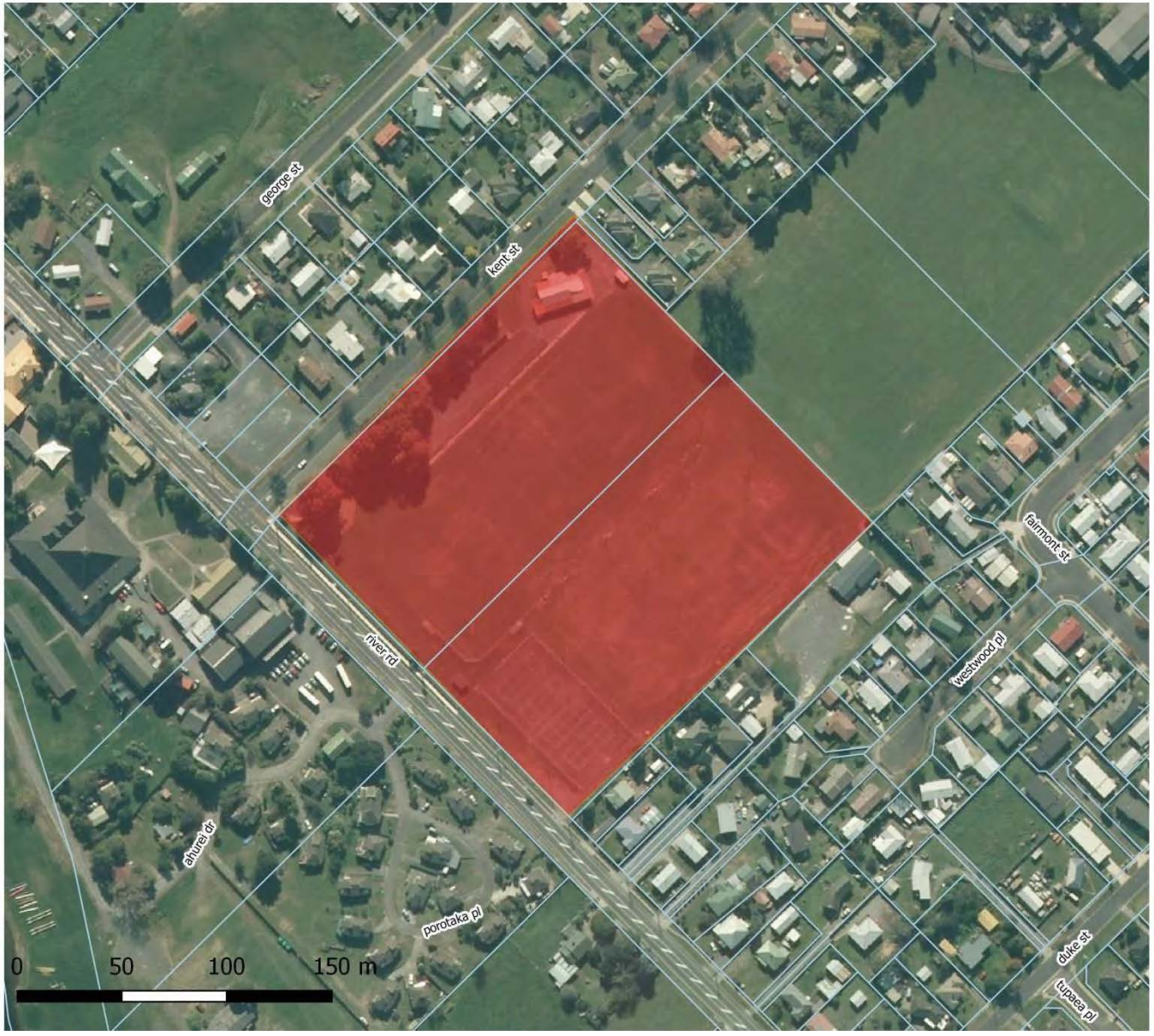

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Freedom Camping

Description:
Patterson Park

Map Reference:
Wdc_2016_13

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Freedom Camping

Description:
Horotiu Bridge Carpark

Map Reference:
Wdc_2016_14

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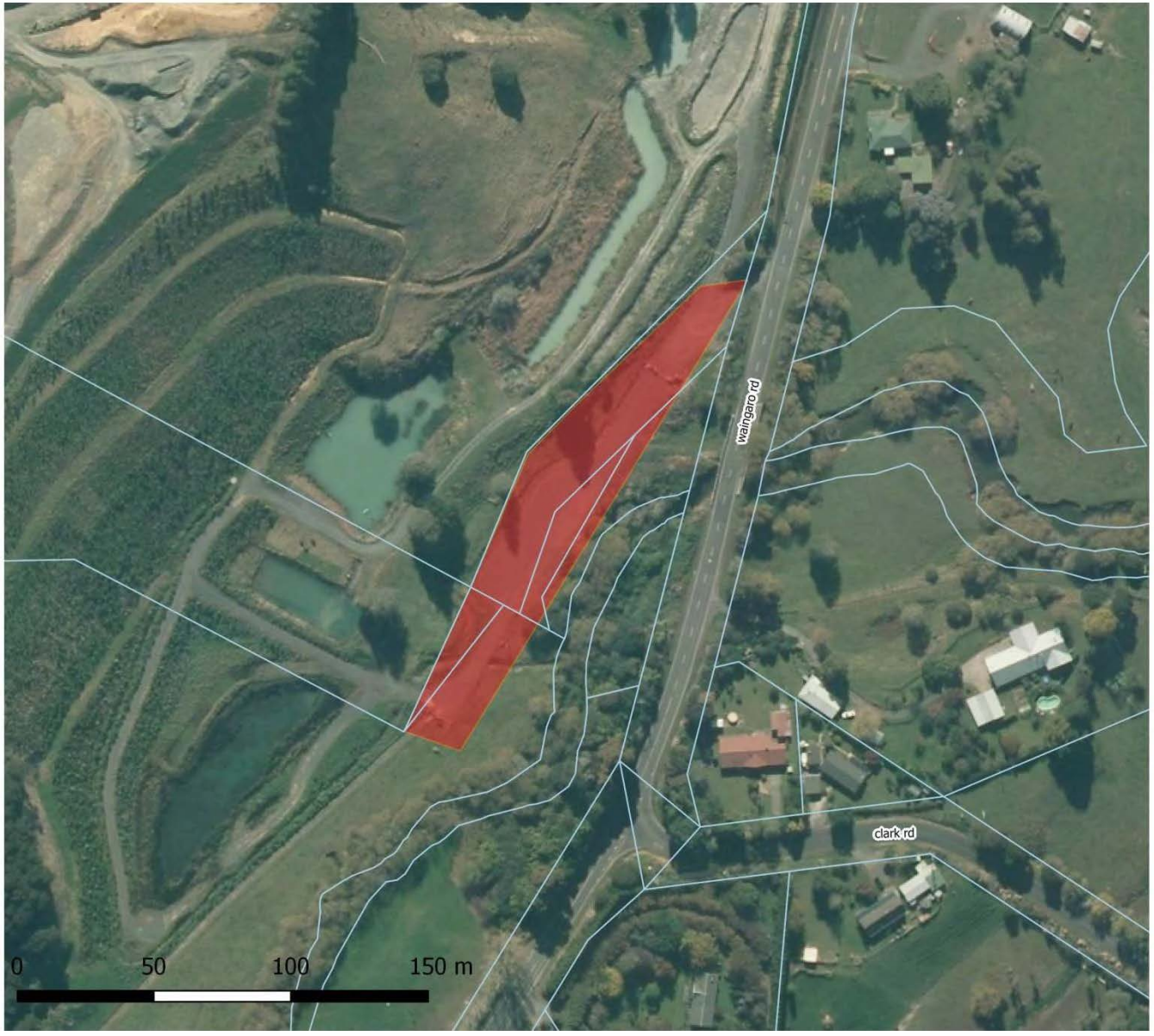

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Waingaro Road - Hakarimata Track

Map Reference:
Wdc_2016_15

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Freedom Camping

Description:
Brownlee Avenue

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Freedom Camping

Description:
Hopuhopu Reserve

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Freedom Camping

Description:
Maraetai Bay Road

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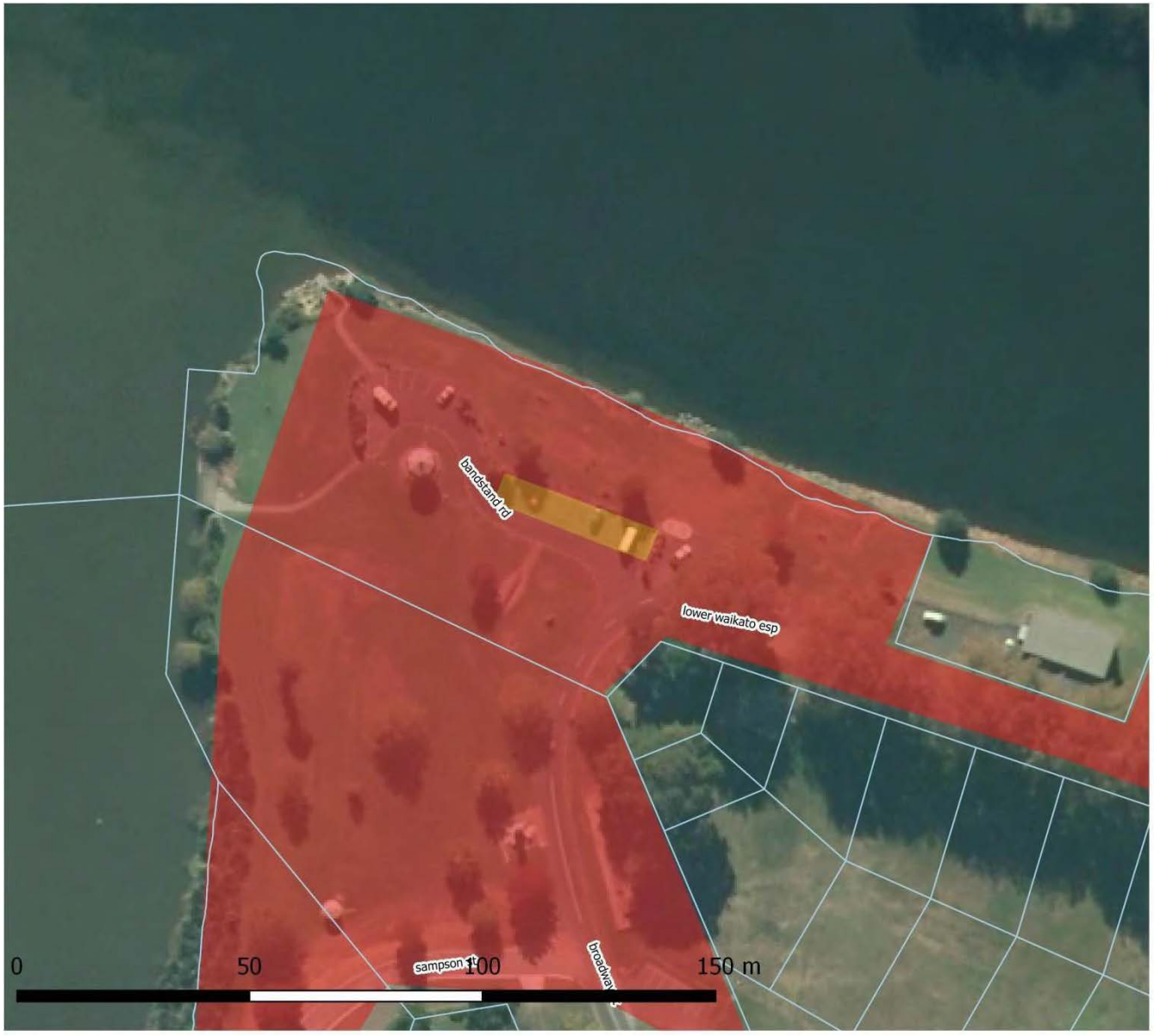

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Ngaruwahia The Point

Map Reference:
Wdc_2016_19

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Restricted

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
St Stephens Avenue- Tuakau

Map Reference:
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Restricted

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Te Kaunihera o Takiwaa o Waikato

Freedom Camping

Description:
Onewhero Domain

Map Reference:
Wdc_2016_21

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Non Self Contained

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Te Kauwhata Domain

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Non Self Contained

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Sunset Beach, Port Waikato

Map Reference:
Wdc_2016_25

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Greenslade Road

Map Reference:
Wdc_2016_26

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Waikato DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Earles Place

Map Reference:
Wdc_2016_27

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Waikato DISTRICT COUNCIL

Freedom Camping

Description:
Raglan Cbd

Map Reference:
Wdc_2016_ 28

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Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Raglan Wharf

Map Reference:
Wdc_2016_29

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Waikato DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato

Freedom Camping

Description:
Lorensen Bay Road, Sunshine Rise

Map Reference:
Wdc_2016_30

Legend

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