



Proposed
Freedom Camping BYLAW 2012



Responsibility: Planning

COUNCIL **B** **Y** **L** **A** **W**

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SOUTH WAIKATO DISTRICT COUNCIL FREEDOM CAMPING BYLAW



Responsibility:	Group Manager Assets
Distribution List:	All Council offices, Tirau Information Centre and Submitters
First Adopted:	New Bylaw
Review Date:	Five Years from Date of Adoption
Historic Revision Date:	None
Review Frequency:	Not less than once every five to ten years as required by Section 158 of the Local Government Act 2002
Approved Authority:	Council and Resolution No:
Electronic Doc Number:	DocSet ID Number: 241136

1. Title

This bylaw is the South Waikato District Council Freedom Camping Bylaw 2012.

2. Commencement

This bylaw shall come into force on the ... day of ... 2012.

3. Purpose

The purpose of this bylaw is to

- (a) Protect, promote, and maintain public health and safety by regulating freedom camping within the district
- (b) Restrict freedom camping in certain public places within the district

4. Interpretation

Definitions and, matters of interpretation, and administration (including the provisions relating to the penalties for any breach of this and any other bylaw) not included in this bylaw may be found in the Administration of Bylaws Bylaw 2011.

For the purposes of this bylaw the word "shall" refers to practices that are mandatory for compliance with this bylaw, while the word "should" refers to practices which are advised or recommended.

In this bylaw, unless the context requires another meaning -

Camp means to stay overnight or more than one night, at any public place -

- (a) In a building, tent, or other structure
- (b) In a boat, or a car, campervan, caravan, or other vehicle

Council means the South Waikato District Council.

Freedom Camp means to camp (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:

- (a) a tent or other temporary structure:
- (b) a caravan:
- (c) a car, campervan, house truck, or other motor vehicle.

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.

Great Walks Track means

- (a) a track specified in Schedule 1 of the Freedom Camping Act 2011; and
- (b) any other track specified by Order in Council made under section 44 as a Great Walks Track

Licensed camping ground means a camping ground that is the subject of a current certificate of registration under the Camping Ground Regulations 1985.

Non Self-Contained Freedom Campers means freedom campers who require access to public toilet and waste disposal facilities.

Public Place means a place that is under the control of the Council and that is open to, or being used by, the public (whether or not there is a charge for admission) and includes -

- (a) any part of a public place; and
- (b) a road (whether under the control of the Council or otherwise).

Self-Contained Campervan means a motor caravan with the ability to meet the ablutionary and sanitary needs of the occupants of the motor caravan or caravan for a minimum of 72 hours without requiring any external services or discharging any waste, and complies with New Zealand Standard 5465:2001.

5. Restrictions on camping

- 5.1 A person must not camp in any public place other than those designated camping areas specified in Schedule One of this bylaw.
- 5.2 A person wishing to camp in a designated camping area must first obtain and display a camping permit issued by Council.
- 5.3 Council may, at any time by publicly notified resolution, change the list of designated camping areas in Schedule One of this bylaw.
- 5.4 Subclause 5.2 does not apply if the person is camping –
 - (a) at a licensed camping ground; or
 - (b) in a vehicle displaying a NZS5465:2001 Self-Containment Certificate and the duration of camping is no longer than 48 hours.

6. Permitted camping must comply with certain requirements

- 6.1 Every person freedom camping in accordance with a permit granted under clause 5 –
 - (a) must comply with any conditions included in the camping permit; and

- (b) must leave the site clean and tidy when he or she departs; and
 - (c) must not light any fire at the site.
- 6.2 No fires shall be lit in any designated camping reserve as defined in Schedule One of this bylaw, without the prior written permission of an Authorised Officer.

7. Council may revoke permitted camping

- 7.1 An officer of the Council authorised for the purpose may direct a person camping in accordance with a permit granted under clause 5 to leave the site at which he or she is camping if the officer believes on reasonable grounds that the person –
- (a) has acted in a manner likely to offend or annoy other people
 - (b) has damaged or is likely to cause damage to the site or any surrounding sites
- 7.2 If a person is given a direction under sub-clause 7.1, his or her permit is thereby revoked as from the date and time that the direction is given.

8. Offences and penalties

- 8.1 Every person who breaches this bylaw commits an offence under section 20 of the Freedom Camping Act 2011, and is liable on summary conviction to the penalty set out in section 23 of that Act
- 8.2 Every person who commits an offence against any provision in the Freedom Camping Act 2011 or against any provision in this bylaw is liable to pay an infringement fee of \$200.00 if served with an Infringement Notice.

9. Relationship of bylaw with the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010

- 9.1 This bylaw does not limit or affect the rights in relation to entitlements under the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.

10. Adoption of bylaw

The foregoing bylaw was duly made by the South Waikato District Council following its adoption under the Special Consultative Procedure prescribed by Section 83 of the Local Government Act 2002.

I, David Robert Hall, Chief Executive of South Waikato District Council, CERTIFY that this bylaw was made by Resolution No on ...th day of 2012, to come into effect onth day of 2012.

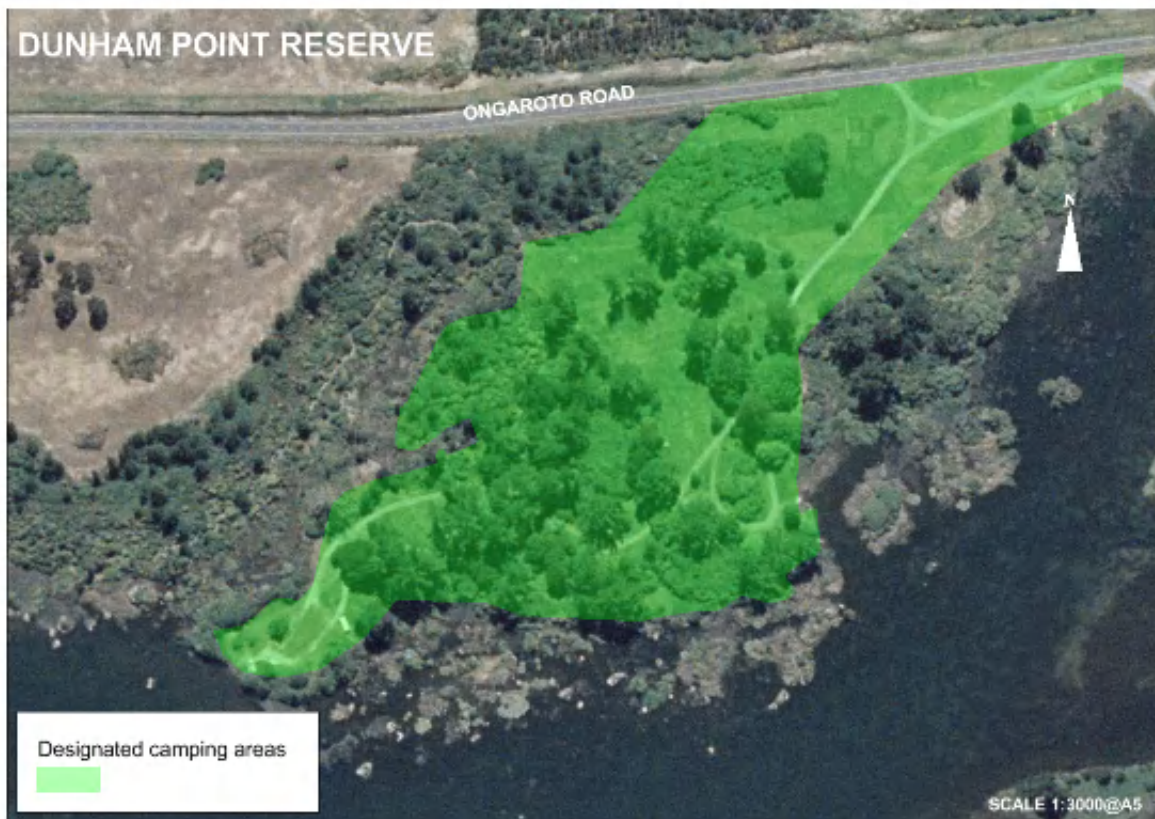
Dated thisth day of 2012.

DAVID ROBERT HALL

Annotations

Res No	Date	Subject/description
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Schedule One – Camping Areas in the South Waikato District





JONES LANDING



WHAKAMARU RESERVE





