

# Freedom Camping BYLAW



South  
Waikato  
District  
Council

# BYLAW

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# Freedom Camping Bylaw 2021



Responsibility:	Group Manager Assets
First Adopted:	Resolution 11/123 30 May 2011
Historic Revision Date:	13 December 2017 (17/317), 21 October 2021 (21/286)
Next Review Date:	October 2026
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
Consultation required:	Special Consultative Procedure (LGA sec 156)
ECM Number:	Doc Set ID Number: 419079
Associated documents:	

South 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.

## 1. Title

The title of this Bylaw is the South Waikato District Council Freedom Camping Bylaw 2021.

## 2. Commencement

This Bylaw shall come into force after passing of a resolution confirming the adoption of the Bylaw and that date shall be fixed in the resolution.

## 3. Purpose

The purpose of this Bylaw is to control freedom camping in the South Waikato District in order to:

- (a) Protect local authority areas;
- (b) Protect the health and safety of people who may visit local authority areas; or
- (c) Protect access to local authority areas.

## 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 Bylaws Administration Bylaw 2017. 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 -

**Act** means the Freedom Camping Act 2011.

**Camp ground** means:

- (a) a camping ground that is the subject of a current certificate of registration under the Camping Grounds Regulations 1985; or
- (b) any site at which a fee is payable for camping at the site.

**Camping** 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.

**Camping Permit** means written permission granted by Council to a person to freedom camp within the District, subject to the person complying with all conditions imposed.

**Council** means the South Waikato District Council.

**District** means the district of the Council.

**Enforcement Officer** means any person appointed by Council under the provisions of section 32 of the Freedom Camping Act 2011 for the purposes of carrying out duties and exercising powers under this Bylaw.

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

- (a) a tent or 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

**Local Authority Area** has the meaning in section 6 of the Freedom Camping Act 2011.

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

**Open Air Fire** means fires within an incinerator, solid fuel barbeques, traditional cooking fires, outdoor fireplaces, braziers, camp-fires, controlled burns, bonfires and rubbish fires.

**Prohibited Area** means an area identified in Schedule One: Prohibited Areas for Freedom Camping in the District in which freedom camping is prohibited.

**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).

**Residential Purposes** means the use or occupation, or intended use or occupation, of a freedom camping reserve by a person as their usual place of residence.

**Restricted Area A** means an area identified in Schedule Two: Restricted Freedom Camping Areas A in the District in which freedom camping is permitted subject to restrictions.

**Restricted Area B** means an area identified in Schedule Three: Restricted Freedom Camping Areas B in the District in which freedom camping is permitted subject to restrictions.

**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. 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.

## 5. Camping Grounds

5.1 This Bylaw does not apply if the person is camping at a registered campground.

## 6. Freedom Camping Permitted in Local Authority Areas

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

- (a) in accordance with this Bylaw; or
- (b) under any other enactment.

## 7. Prohibited Areas as Identified in Schedule One

7.1 A person must not freedom camp in any Prohibited Area that is a Local Authority Area identified in Schedule One: Prohibited Areas for Freedom Camping in the District.

## 8. Restricted Area A as Identified in Schedule Two

8.1 A person may freedom camp without obtaining a Camping Permit in any Local Authority Area identified as Restricted Area A in Schedule Two, subject to complying with the following restrictions:

- (a) The freedom camping is restricted to Self-Contained Vehicles only;
- (b) The freedom camping is restricted to a maximum of two consecutive nights in any calendar month;
- (c) The freedom camping is restricted to formed car parks within a particular area only;
- (d) A person must arrive after 6.00pm and leave by 8.00am the following morning if staying one night, or 8.00am on the second morning if staying two nights;
- (e) A person must leave the site clean and tidy; and
- (f) No open fires shall be lit in any designated freedom camping sites.

8.2 Despite clause 8.1, a person may freedom camp in any area identified as Restricted Area A in Schedule Two if he or she has obtained a Camping Permit from the Council, granted under clause 8.3, and complies with any conditions imposed on the Camping Permit.

8.3 The Council may grant a Camping Permit to a person to freedom camp in any Restricted Area A with or without conditions.

## 9. Restricted Area B as Identified in Schedule Three

9.1 A person may freedom camp without obtaining a Camping Permit for up to two consecutive nights in any Local Authority Area identified as Restricted Area B in Schedule Three.

9.2 A person must obtain a Camping Permit from Council to freedom camp for more than two consecutive nights in any Local Authority Area identified as Restricted Area B in Schedule Three, and must comply with the following restrictions:

- (a) The Freedom Camping Reserve must not be used for Residential Purposes;
- (b) A Camping Permit will be issued to one vehicle at a camping site, valid for a maximum of six persons only;

- (c) A Camping Permit will be valid for a maximum period of one week (7 consecutive nights) in any calendar month during the period March to November in any calendar year;
  - (d) A maximum of four consecutive Camping Permits per vehicle (four consecutive weeks) may be issued for a one-month period during the three month period from December to February only;
  - (e) Campers who have stayed for four consecutive weeks in any one month during the three month period from December to February cannot apply for a further Camping Permit to stay for more than two consecutive nights in Restricted Area B until a period of two months has elapsed since the end of their four week stay;
  - (f) The following rules apply to help conserve shower water for shared communal use:
    - i. No use of shower water for washing of dishes, laundry or domestic animals;
    - ii. Showering time for each individual must not exceed two minutes;
  - (g) No fires shall be lit in any designated freedom camping site
  - (h) Vehicles must not exceed a speed limit of 20 km when travelling within freedom camping reserves; and
  - (i) Camp sites must be left in a clean and tidy state when the camper departs.
- 9.3 Despite clause 9.2, a person may apply to Council for written consent to waive or modify any of the freedom camping restrictions listed in clause 9.2 and Council may grant a waiver or modification to the Camping Permit, with or without conditions.

## 10. Enforcement Officers or a Sworn Officer of the NZ Police May Require Persons to Leave Local Authority Areas

- 10.1 Pursuant to section 36 of the Freedom Camping Act 2011, an Enforcement Officer or a Sworn Officer of the NZ Police may require a person who he or she believes on reasonable grounds is committing or has committed an offence against this Bylaw, to leave the Local Authority Area concerned, including if a person is:
- (a) Acting in a manner likely to offend or annoy other people; or
  - (b) Damaging or is likely to cause damage to the site or any surrounding sites; or
  - (c) Using a freedom camping reserve for Residential Purposes.
- 10.2 An Enforcement Officer or a Sworn Officer of the NZ Police may issue a Trespass Notice if a person fails to leave the site he or she has been directed to leave. Council will issue a warning in the first instance prior to issuing a Trespass Notice.

## 11. Offences and Penalties

- 11.1 Pursuant to section 20(1)(a) and (c) of the Act, every person commits an offence who:
- (a) Freedom camps in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the area; or
  - (b) Makes preparations to freedom camp in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the area.
- 11.2 As specified in section 23(1) of the Act, every person commits an offence set out in clause 11.1 is liable for the amount prescribed by regulations made under section 43 of the Act, or \$200 if no fee is prescribed.
- 11.3 Except as provided for in clauses 11.1 and 11.2, every person who breaches this Bylaw commits an offence under section 239 of the Local Government Act 2002, and is liable on summary conviction to the penalty set out in Sections 21 & 25 of the Summary Proceedings Act and Court proceedings under Section 25 of the Freedom Camping Act.

Note: Please refer to the Bylaws Administration Bylaw 2017, Clause 9 Serving of Orders and Notices and Clause 18 Right of Appeal.

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

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.

## 13. 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 86 of the Local Government Act 2002.

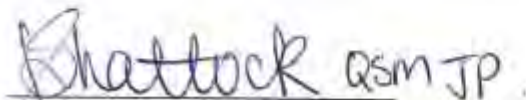
I, Ben Smit, Chief Executive of South Waikato District Council, CERTIFY that this bylaw was made by Resolution No 21/286 on the 21st day of October 2021, to come into effect on the 1st day of November 2021.

Dated this 27th day of October 2021.

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

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



  
JR Shattock – Mayor

  
B Smit – Chief Executive

## Annotations

<b>Res No</b>	<b>Date</b>	<b>Subject/description</b>
11/123	25/05/11	Adopted by Council
17/317	13/12/17	Adopted by Council
21/286	21/10/21	Adopted by Council



## Schedules

### Schedule One – Prohibited Freedom Camping areas in the District

#### Leith Place, Tokoroa



#### Strathmore Park, Benalder Crescent, Tokoroa



Tokoroa Cemetery, Dumfries Road, Tokoroa



Ireland Reserve, Baird Road, Tokoroa



Clyde Street Reserve, 111 Clyde Street, Tokoroa



Colson's Hill, Lion Drive, Tokoroa



Maureen Seipolt Reserve, 2 Pentland Terrace, Tokoroa



Glenkill Park, Glenkill Street, Tokoroa



Lake Moananui roadside parking, Arawa Crescent, Tokoroa



Lichfield Domain, Kells Lane, Lichfield



Constance Tulloch Reserve and Bent Street Reserve, Overdale Road, Putaruru



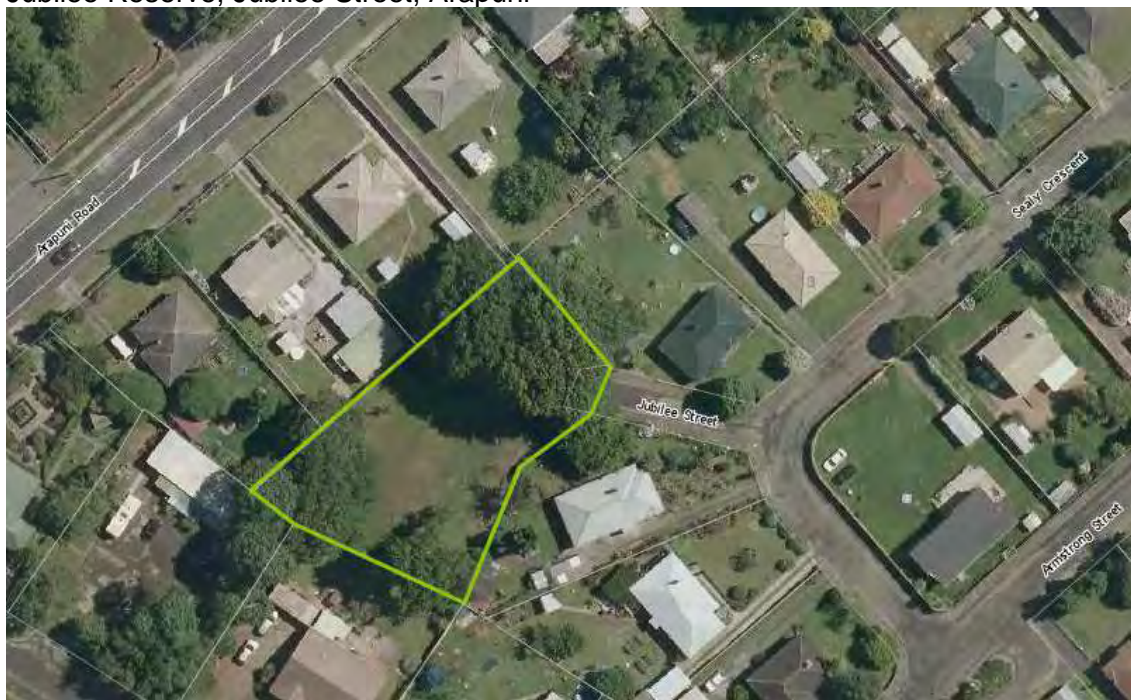
Totara Park, Nola Street, Putaruru



Tirau Street Cemetery, Tirau Street, Putāruru



Jubilee Reserve, Jubilee Street, Arapuni



Pioneer Reserve, Pioneer Crescent, Arapuni



Okoroire- Prospect Reserve, Corner of Okoroire Street and Prospect Avenue, Tirau





Tirau Domain, State Highway 1, Tirau



**Schedule Two - Restricted Freedom Camping Areas A in the District  
Glenshea Park, Park Avenue, Putaruru**



**Putaruru**



Duxfield Reserve, Arapuni Road, Waotu



Lichfield Hall Reserve Car park



Arapuni Hall, 49 Arapuni Rd, Arapuni



Lake Moananui car park, Maraetai Road (SH32), Tokoroa



Dunham Park Corner of State Highway 1 and Sloss Road, Tokoroa



Tokoroa CBD





Memorial Sports Ground car parks (2), Mossop Road, Tokoroa



# Tirau



**Schedule Three - Restricted Freedom Camping Areas B in the District**  
Dunham Point Reserve, Ongaroto Rd- State Highway 30, Whakamaru

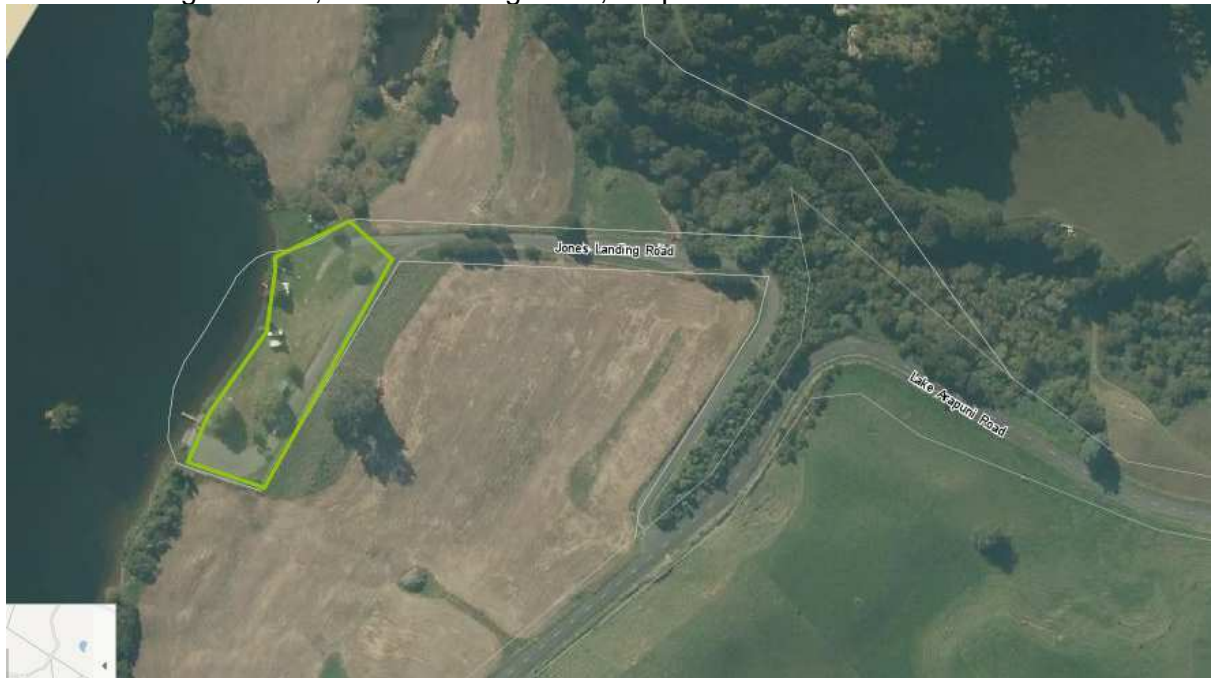


Lake Whakamaru Reserve, Ongaroto Road- State Highway 30, Whakamaru





Jones Landing Reserve, Jones Landing Road, Arapuni



Little Waipa Reserve, Horahora Road, Arapuni

