
Agenda for a hearing by the Policy & Regulatory Committee (to hear and consider submissions and make recommendations on the Freedom Camping Bylaw) to be held in Council Chambers, District Office, 15 Galileo Street, Ngaaruaawahia on **MONDAY, 16 OCTOBER 2023** commencing at **9.30am**.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. REPORTS

4.1 Freedom Camping Bylaw Deliberations Report

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5. EXCLUSION OF THE PUBLIC

It is intended to discuss this matter in the open section of the meeting, however, should in depth legal advice be requested from the Committee a resolution may be passed to exclude the public to hold these discussions.

GJ Ion
CHIEF EXECUTIVE

Policy & Regulatory Committee

Reports to:	Council
Chairperson:	Deputy Mayor Carolyn Eyre
Deputy Chairperson:	Cr Crystal Beavis
Membership:	The Mayor and all Councillors
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Policy & Regulatory Committee is responsible for the Council's governance policies and bylaws and reviewing the District Plan.

In addition to the common delegations on page 10, the Policy & Regulatory Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To establish, implement and review the governance policy framework that will assist in achieving the Council's strategic priorities and outcomes.
2. To develop, review and approve Council bylaws for consultation.
3. To consider and determine changes to the schedules and parking restrictions in the Public Places Bylaw 2016, including hearing any submissions relating to those proposed changes.
4. To hear and determine matters arising under current bylaws, including applications for dispensation from compliance with the requirements of bylaws, unless such matters are otherwise delegated by Council.
5. To administer the Council's District Plan in accordance with the Resource Management Act 1991.
6. To monitor the performance of regulatory decision-making by the District Licensing Committee¹, Regulatory Subcommittee and officers under their respective delegations.

¹ For clarity, the District Licensing Committee is a committee of Council under the Sale and Supply of Alcohol Act 2012.

The Committee is delegated the following powers to act:

Governance Policies

- Develop and agree governance policies for the purpose of consultation/engagement.
- Recommend to Council policy for adoption, amendment, or revocation.
- Monitor and review policy, including recommending amendments to any policy as and when required.

Bylaws

- Determine all preliminary matters in relation to bylaws, except where expressly reserved for Council under legislation or the bylaw itself. For clarity, this delegation includes those matters to be determined under section 155 Local Government Act 2002.
- Develop and approve the statement of proposal and associated documentation for new or amended bylaws for consultation.
- Make any resolution where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution.
- Recommend to Council new or amended bylaws for adoption.

District Plan

- Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991)
- Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of plan changes, variations, designation and heritage order processes:
 - a. To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by the Council and authorise the resolution of any such appeal, provided such decisions are consistent with professional advice.
 - b. To consider and approve Council submissions on a proposed plan, plan changes, and variations, unless expressly delegated to another decision-making body.
 - c. To monitor the private plan change process.
 - d. To accept, adopt or reject private plan change applications under clause 25, Schedule 1, Resource Management Act 1991.

Other Resource Management Issues

- Pursuant to Section 34(1) of the Resource Management Act 1991, to exercise all of the Council's functions, powers, and duties under that Act, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Monitor and approve submissions in relation to National Policy Statements and National Environmental Standards.

Other Delegations

- Exercise all the Council's functions, powers and duties under the Building Act 2004, the Health Act 1956, the Dog Control Act 1996, and the Food Act 2014, and the respective regulations made under these Acts, except the functions, powers, and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Approval of attendance of elected members at conferences, seminars, training, or events, in accordance with Council policy.

To	Policy and Regulatory Committee
Report title	Deliberations on the proposed Freedom Camping Bylaw 2023
Date:	16 October 2023
Report Author:	Mary Rinaldi, Corporate Planner
Authorised by:	Roger MacCulloch, General Manager Customer Support

1. Purpose of the report

Te Take moo te puurongo

To assist the Policy and Regulatory Committee (the Committee) with their deliberations on the proposed Freedom Camping Bylaw 2023 (the Bylaw).

2. Executive summary

Whakaraapopotanga matua

The Bylaw identifies where Freedom Camping can occur within the Waikato District. This includes Prohibited Areas (where a person must not Freedom Camp) and Restricted Areas (where a person can camp, with restrictions, including a requirement for vehicle to be self-contained and certified). The Bylaw also includes Designated Areas where people in non-self-contained vehicles can camp.

Public consultation on the proposed Bylaw occurred from 13 July to 14 August 2023 and hearings were held on 12 September 2023. A total of 67 submissions were received and five people spoke at the hearings.

Views and feedback shared by submitters was varied and covered the district-wide provisions as well as the various areas of the district where freedom camping occurs. There was also some feedback that was out of scope of this bylaw and this has been noted and passed on as needed.

A number of changes are being recommended by staff as a result of submissions and other information that has come to light since consultation.

Table 1: District-wide provisions

Section of Bylaw	Key change proposed	Staff recommendation	Rec no.
<i>1: Purpose</i>	Amending the purpose of the Bylaw to align it with the Freedom Camping Act 2011.	Adopt as per proposal.	1.
<i>2: Short title, commencement, and application</i>	NA.	Sub-clause 2.4 is amended, to refer to both Section 11 and 11A of the Act.	2.
<i>3. Related information</i>	NA.	Adopt as per proposal.	3.
<i>4: Definitions</i>	Changing definitions for "freedom camp", "self-contained", "local authority area" to align with the Act.	Adopt as per proposal.	4.
<i>5: Prohibited areas</i>	NA.	Adopt as per proposal.	5.
<i>6. Restricted areas – 6.2</i>	NA.	To amend Clauses 6.2 (a), (b) and (c) to refer to a 'person' instead of a 'vehicle', for readability and clarity. Also changing the word 'area' to 'location' to differentiate between 'local authority area' and a parking spot as a camping location.	6.
<i>6. Restricted areas – sub-clause 6.2(a)</i>	NA.	Adopt changes as per recommendation 6 above.	7.
<i>6. Restricted areas – sub-clause 6.2(b)</i>	Changing the limit for the maximum number of nights a person can engage in freedom camping from three nights to five nights.	To amend clause 6.2 (b) and (c) to revert back to three nights as the maximum a person can freedom camp in one location, rather than five nights as per the proposal.	8.
<i>6. Restricted areas – sub-clause 6.2(c)</i>	Proposed that a person must move away from their camping spot at least 500 metre once a person has stayed in an area the maximum number of nights.	Adopt 500 metre rule as per proposal, but incorporating the changes from recommendation 6 and recommendation 8.	9.
<i>7. Prior consent from Council</i>	Clarified the process and requirements for people to apply for a written consent from Council to receive an exemption for a prohibition or restriction.	To amend clauses 7.1. and 7.2, to provide greater clarity regarding the specific processes for requesting written consent from Council.	10.

Section of Bylaw	Key change proposed	Staff recommendation	Rec no.
8. <i>Temporary closure of an area to Freedom Camp</i>	Provides information on communication is expected from Council when a freedom camping area is closed.	Adopt as per proposal.	11.
9. <i>Offences</i>	NA.	Adopt as per proposal.	12.

Table 2: Prohibited and Restricted Areas (Schedules One and Two)

Proposal	Staff recommendation	Rec. no.
<i>CEMETERIES</i>		
Proposed that freedom camping is prohibited in cemeteries and their carparks.	Prohibition on cemeteries is retained with no changes.	13.
<i>RAGLAN/WHAAINGAROA</i>		
New prohibited area, at Wainui Reserve Bush Park.	Adopt prohibition of freedom camping at Wainui Reserve Bush Park, but extending the prohibited area up to and including the roadside.	14.
New prohibited area, at water treatment ponds on Wainui Road.	Adopt as per proposal.	15.
Changing part of Stewart Street from prohibited to restricted.	To not to proceed with proposal and, instead, the entire Stewart Street area is prohibited from freedom camping as per the 2016 Bylaw.	16.
Schedule One lists all other prohibited areas in Raglan. No other restricted areas were proposed.	Schedule One of the Bylaw is updated to amend the description of the prohibited area at Papahua Domain to include the carpark outside the campground.	17.
	No other changes are made to the remaining prohibited areas in Raglan.	18.
	Include a new prohibited area at Aroaro Bay Reserve, John Street, Raglan, as suggested by submitters.	19.
General feedback sought.	No additional changes are made to Bylaw because of general feedback received.	20.
<i>NGAARUAWAAHIA</i>		
Extend the current prohibited area at Te Huinga o Ngaa Wai (The Point).	Map amended to change the location of the restricted area on Te Huinga o Ngaa Wai (The Point) to reflect the sign posted part of the carpark.	21.
Proposed extension to the prohibited area on Te Huinga o Ngaa Wai (the Point) to include the squash club.	Adopt as per proposal.	22.

Proposal	Staff recommendation	Rec. no.
Schedule One lists all other prohibited areas in Ngaaruawaahia. No other restricted areas were proposed. A submission was received suggesting Croall Crescent as a new prohibited area.	Adopt as per proposal – no other changes made to prohibited or restricted areas, and do not add Croall Crescent to the schedule.	23.
Patterson Park is listed as a prohibited area in Schedule One.	No change to the prohibited area but amend typographical error – ‘Patterson’ to ‘Paterson’.	24.
<i>PORT WAIKATO</i>		
Extend the current prohibited area at Sunset Beach, Port Waikato to include the entire carpark area.	Adopt as per proposal.	25.
Maraetai Bay Reserve is listed as a prohibited area in Schedule One.	Adopt as per proposal.	26.
<i>TUAKAU</i>		
No proposed changes to restricted or prohibited areas in Tuakau.	Adopt as per proposal.	27.
<i>NEW PROHIBITED OR RESTRICTED AREAS SUGGESTED BY SUBMITTERS</i>		
Some submitters requested new prohibited or restricted areas in other parts of the District.	No further additional prohibited or restricted areas are added to the Bylaw.	28.

Table 3: Designated areas for Freedom Camping for vehicles that are not self-contained (Schedule Three)

Proposal	Staff recommendation	Rec. no.
<i>TE KAUWHATA</i>		
Te Kauwhata Domain designated area to be reduced.	No change to schedule, but an additional note to Schedule Three is recommended to clarify that certified self-contained vehicles can also be used to freedom camp in these areas.	29.
<i>ONEWHERE</i>		
No proposed changes to freedom camping areas in Onewhero.	Reduce freedom camping area at Onewhero Domain so that designated area is away from septic tanks and playground.	30.

Proposal	Staff recommendation	Rec. no.
<i>NEW PROHIBITED OR RESTRICTED AREAS SUGGESTED BY SUBMITTERS</i>		
No proposed changes to freedom camping areas in Onewhero.	Reduce freedom camping area at Onewhero Domain so that designated area is away from septic tanks and playground.	31.

Table 4: Other feedback

Proposal	Staff recommendation	Rec. no.
<i>OTHER</i>		
General feedback sought.	No further changes to Bylaw.	32.
<i>OUT OF SCOPE</i>		
General feedback sought.	No further changes to Bylaw.	33.

Following deliberations on the proposed bylaw, staff will make directed changes to the Bylaw. It is planned that the Bylaw will be adopted at the Council meeting on 20 November 2023.

This report has been assessed as having moderate significance.

3. Staff recommendations Tuutohu-aa-kaimahi

That the Policy and Regulatory Committee:

- a. **considers all submissions and the contents of this report in their deliberations on the proposed Freedom Camping Bylaw 2023.**
- b. **makes the decisions identified in this report with regards to changes to the proposed Freedom Camping Bylaw 2023.**
- c. **requests the Chief Executive to direct staff to make changes arising from decisions made relating to the proposed Freedom Camping Bylaw 2023 and present the revised draft Bylaw to the Policy and Regulatory Committee on 14 November 2023 for recommendation to Council for adoption.**
- d. **determines that Council has followed the requirements for consultation under the Freedom Camping Act 2011 Section 11B(3) and the Local Government Act 2002 Section 83.**

4. Background

Koorero whaimaarama

4.1 Freedom camping legislation

The Freedom Camping Act 2011 (the Act) allows freedom camping on all public land unless it is prohibited under a bylaw or another enactment, such as the Reserves Act 1977 (Reserves Act). The Act does recognise that some areas may not be suitable for freedom camping so enables local authorities to make freedom camping bylaws through which they can manage how and where freedom camping can occur by prohibiting or restricting freedom camping in identified areas.

The Self-contained Motor Vehicles Legislation Act 2023 came into force in June 2023, amending the Freedom Camping Act 2011. The changes include:

- Changes to where you can freedom camp. In general, you can only freedom camp on local authority land if your vehicle is certified self-contained.
- Changes around certifying self-contained vehicles. Vehicles with a portable toilet are no longer able to be certified self-contained, with a two-year transition period.
- Changes to infringement fees and fines. The original infringement fee of \$200 has been increased to \$400 and will be replaced by new tiered penalties which will come into force from 13 July 2023.

The Ministry of Business, Innovation and Employment (MBIE) keeps their freedom camping website up to date with the most recent developments: <https://www.mbie.govt.nz/freedomcamping>.

Waikato District Council previously had the Freedom Camping Bylaw 2016 in place, which was due for review by 12 September 2021, in accordance with section 158 of the Local Government Act 2002 (LGA). It was not reviewed by this date, however it continued to have legal effect under section 160A of the LGA until it was automatically revoked on 12 September 2023.

Staff began reviewing the 2016 Bylaw in 2022, with the intent to make a new freedom camping bylaw. A workshop was held with Council in September 2022, followed by early engagement with the public between 14 September 2022 and 19 February 2023, to obtain general feedback on the current operation of the 2016 Bylaw.

Following this, more specific feedback was sought from Community Boards and Committees, mana whenua, and other key stakeholders, from 1 May to 29 May 2023. This feedback, along with the site assessments of the existing prohibited and restricted sites in the 2016 Bylaw, was presented to a Council workshop on 7 June 2023.

Staff then drafted the Proposed Freedom Camping Bylaw 2023 for consultation, with consideration of the amendments to the Act as well as the feedback received through early engagement and Council workshops. The Proposed Bylaw was approved for consultation at the Policy and Regulatory Committee meeting on [11 July 2023](#).

4.2 Consultation process

A Special Consultative Procedure was undertaken between 13 July and 14 August 2023. Consultation was advertised on Council's Facebook page, a public notice was published in local newspapers, and a media release was issued. Emails were also sent out to Community Boards and Committees, mana whenua contacts and other key stakeholders that had provided feedback in pre-engagement.

Shape Waikato is Council's main portal for engagement with the community. The Freedom Camping Bylaw page on Shape Waikato received 1,184 views and 1,063 individual visitors. In total, Council received 67 formal submissions on the proposed bylaw. Hearings were held on 12 September and five submitters spoke to their submissions either online or in person.

For the full pack of submissions, please refer to the [hearings report](#).

5. Discussion and analysis

Taataritanga me ngaa tohutohu

This section provides an overview of submissions received, with accompanying staff analysis and recommendations of changes/no change to each clause of the Bylaw. To assist with decision-making, information about the bylaw scope, as per the Act, is also included.

5.1 Bylaw scope

When considering a bylaw to address freedom camping, the Act requires the Council:

- Not to ban (or effectively ban) freedom camping on all the land we manage through our bylaw (known as blanket bans).
- To determine whether prohibiting or restricting freedom camping in certain areas is necessary for one or more of these reasons:
 - to protect the area;
 - to protect the health and safety of people who may visit the area;
 - to protect access to the area.
- To be satisfied that any prohibitions or restrictions are the most appropriate and proportionate response to freedom camping demand in the area, and the problems it would cause if allowed.
- To have considered other ways to manage the problem, other than through a bylaw.
- To make a bylaw that is consistent with the New Zealand Bill of Rights Act 1990.
- To map or clearly describe each area covered by prohibitions or restrictions, so freedom campers have certainty about what rules apply.

Staff have taken this scope into account when making comments on submissions and making recommendations.

5.2 Proposals consulted on

The main proposals that were consulted on were:

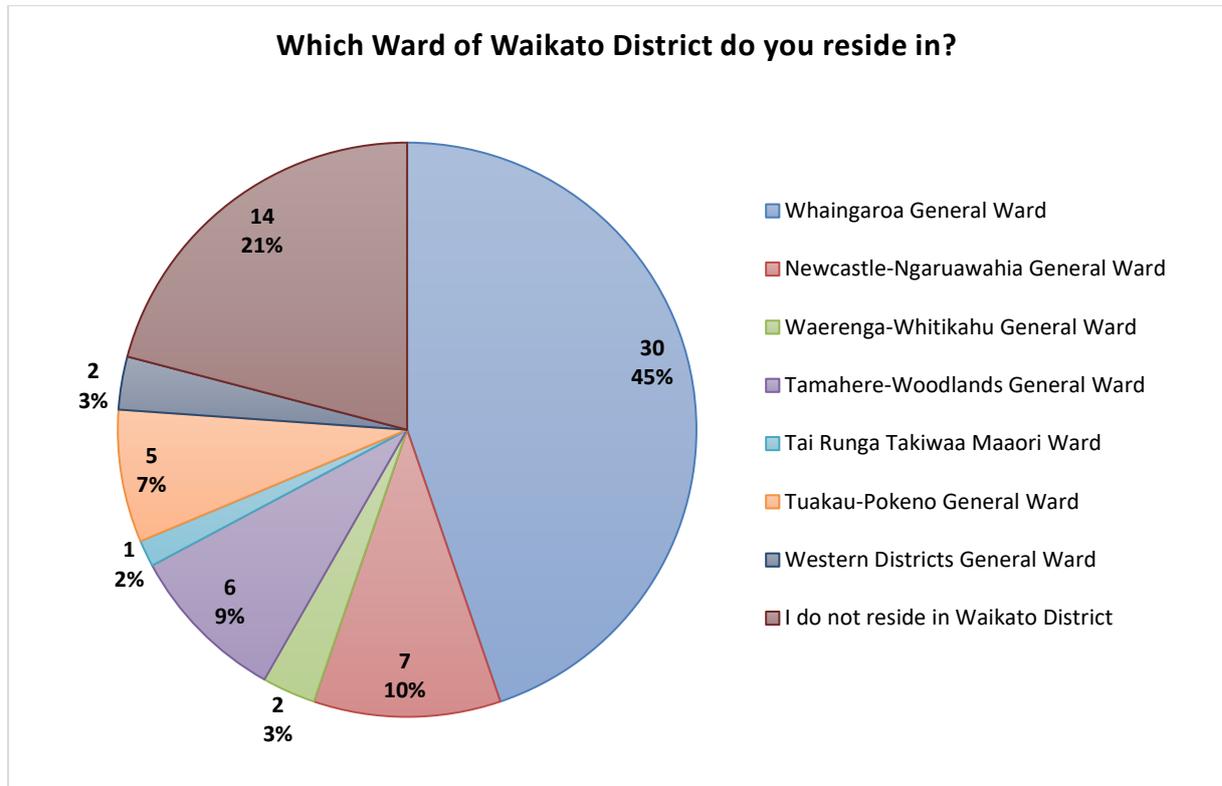
- Amendment of the **purpose** of the Bylaw to align it with the Act.
- Incorporation of **key definitions** found within the Act by reference to ensure the most up-to-date interpretation of key terms are able to be used by the bylaw (such as *freedom camp*, *self-contained*, and *local authority area*), and to allow for Council to respond to the two-year transition period from one certification regime to another.
- Incorporating a reference to the NZ Standard 5465:2001 to support and provide further information to the **definition of self-contained**.
- Clarification and amendment of the **district-wide restriction** to apply a **maximum number of nights** a person can freedom camp in a particular area (previously, three, increased to five), and setting a requirement that they **move at least 500 metres away** once they have stayed in an area up to that maximum.
- Clarifying the process and requirements for people who may wish to **apply for an exception** to a prohibition or restriction.
- Providing more information on what **communications and publicity the public can expect** from Council when it exercises its power to temporarily close an area to freedom camp.
- **Changes to specific areas** which are prohibited or restricted as summarised below:
 - Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia – extension of current prohibited area to include the squash club.
 - Sunset Beach, Port Waikato – extension of current prohibited area to include entire carpark.
 - Raglan CBD – exclusion of Stewart Street from the current prohibited area and redesignation of Stewart Street as a restricted area.
 - Wainui Road, Raglan (near water treatment ponds) – new prohibited area.
 - Wainui Road, Raglan (near Wainui Reserve bush park) – new prohibited area.
 - Te Kauwhata Domain, Mahi Road, Te Kauwhata – reduction of current area where vehicles that are not self-contained can freedom camp, to limit freedom camping to one end of the carpark.

Through the online submission form, we also asked submitters to share any thoughts they had on:

- **Retaining all other prohibitions, restrictions and designated areas** contained in the 2016 Bylaw.
- **Suggestions for additional** prohibited, restricted, or designated areas.
- The statement of proposal, including the proposed bylaw that was consulted on, can be found in **Attachment 1**.

5.3 Who we heard from

The chart below indicates the number of submitters by Ward (or outside of the district).



We asked submitters whether they were freedom campers, with the following responses:

Are you a freedom camper?	Count	Percentage
Yes	15	22%
No	43	64%
Other	9	13%
Total	67	100%

5.4 Feedback received, analysis and recommendations

Feedback summaries, staff comments/analysis and recommendations have been sorted into the following categories for consideration by Council.

- District-wide provisions
- Prohibited and Restricted areas (Schedules One and Two):
 - Cemeteries
 - Raglan
 - Ngaruawaahia
 - Port Waikato
 - Tuakau
 - New areas suggested by submitters

- Designated areas for non-self-contained vehicles (Schedule 3)
 - Te Kauwhata
 - Onewhero
- Other
- Out of scope

The statement of proposal, including the proposed bylaw that was consulted on, can be found in **Attachment 1**.

5.4.1 District-wide provisions

CLAUSE 1: PURPOSE

The Proposed Bylaw amended the purpose of the Bylaw to align it with the Freedom Camping Act 2011 (the Act). The submission form asked if submitters supported this, combined with other changes to align the Bylaw with the Act (Question 1). The overall responses were:

Do you support the changes to the Bylaw to ensure alignment with the Act, clarifying the process for exemptions and information regarding temporary closures? (Key changes 1, 2, 5, 6)	Count	Percentage of Y/N/O
Yes	29	55%
No	19	36%
Other	5	9%
I do not have a response for the question	14	
Total	67	100%

Staff comments:

No submission comments were directly related to this clause. Overall, the majority (55 per cent) of submitters were supportive of the changes to the Bylaw to align it with the Act, including the amended purpose. It seems, based on many of the general comments received, that for those who do not support this change this is likely due to not supporting the changes to the Act. Council is bound by the legislation, however, so the Bylaw cannot have a purpose that is at odds with the requirements of the Act.

Staff recommendation 1:

Staff recommend that this clause is adopted with no changes.

CLAUSE 2: SHORT TITLE, COMMENCEMENT AND APPLICATION

No submissions were received in relation to this clause. The clause will be updated as to reflect the date the bylaw will come into force, which will be the same as the date of adoption due to the 2016 Bylaw having lapsed. At the time of writing, the intended adoption date is 20 November 2023.

The Related Information box within this clause will also be updated with the relevant date that a review of the Bylaw will be due, being five years from the date of adoption.

Sub-clause 2.4 states that the Bylaw is made under Section 11 of the Freedom Camping Act 2011. During the course of consultation on the Proposed Bylaw, staff realised that the Bylaw should also be made under Section 11A of the Act. Section 11 allows local authorities to make a bylaw in order to prohibit or restrict freedom camping in certain areas. Section 11A allows local authorities to make a bylaw for permitting freedom camping in motor vehicles that are not self-contained.

The Proposed Bylaw covers both of these purposes and as such should state that it is made under both Section 11 and Section 11A of the Act. While this is a change from the Proposed Bylaw as consulted on, it is not a material change as the contents of the Proposed Bylaw clearly covered prohibited and restricted areas, and permitted areas for non-self-contained vehicles to freedom camp. This change would simply correct the clause as it was intended.

Staff recommendation 2:

Staff recommend that sub-clause 2.4 is amended as follows:

2.4 The bylaw is made under the authority of section 11 **and 11A** of the Freedom Camping Act 2011. In addition, other legislation and regulatory tools that regulate and control freedom camping include the Reserves Act 1977, reserve management plans, the Waikato District Plan and other Council bylaws. These should be referred to in conjunction with this Bylaw.

CLAUSE 3: RELATED INFORMATION

No submissions were received in relation to this clause and staff recommend that this clause is adopted with no changes.

Staff recommendation 3:

Staff recommend that this clause is adopted with no changes.

CLAUSE 4: DEFINITIONS

The Proposed Bylaw included several changes to definitions to align it to the Freedom Camping Act 2011 (the Act), including the definitions for “freedom camp”, “self-contained” and “local authority area”.

The submission form asked whether submitters supported this, combined with other changes that would bring the bylaw in line with the Act (Question 1). The overall results are **shown above under Clause 1: Purpose**. As noted above, the majority (55 per cent) of submitters who responded to this question supported the change.

In addition, the Proposed Bylaw incorporated a reference to the NZ Standard 5465:2001 to support and provide further information to the definition of self-contained. The submission form asked if submitters supported this change, with the following results:

Do you support the NZ Standard being incorporated by reference into the self-contained definition? (Key change 3)	Count	Percentage of Y/N/O
Yes	37	71%
No	12	23%
Other	3	6%
I do not have a response for the question	15	
Total	67	100%

Summary of feedback:

This proposal was responded to by 52 out of 67 submitters. Of those, 71% supported the proposed change to the definitions for “self-contained”, “freedom camping”, and “local authority area”. A total of 27 comments were made by submitters regarding this proposed change.

The proposed “self-contained” definition received the majority of comments, with 26 out of the 27 comments specifically addressing this aspect. The proposal mandates that all motor vehicles must be “self-contained” to Freedom Camp, which means the vehicle must be equipped with a toilet that is permanently fixed to the vehicle and be certified. The Bylaw designates two areas, Onewhero Domain and Te Kauwhata Domain, for Freedom Camping for non-self-contained vehicles.

The majority of submitter comments expressed support for motor vehicles to be self-contained. This was due to several reasons: noting that a use of a porta potty in vehicles should not qualify the vehicle as self-contained (submission numbers 6795, 6892, 6589), belief that it is beneficial for vehicles to have a minimum standard (6675, Ngaaruawaahia Community Board), it may stop people toileting outdoors (6593, 6565, 6784/Whaingaroa Raglan Destination Management Organisation), and noting the change made sense and provided clarity (6881, 6548, 6588, 6948).

Some submitter comments showed they did not support the “self-contained” definition. This was because they believed people were the problem (6564, 6793, 6549), that the NZ standard 5465:2001 was only ever a voluntary standard set up by a commercial entity to benefit themselves (6722), querying how a fixed toilet could be used for a tent (6562), opposing the certification process (6722) and requesting that a portable toilet should be sufficient for a vehicle to qualify as self-contained (6562, 6560)

Regarding the definition of “freedom camping”, one submitter (6949) stated the definitions of camping and freedom in the Black Laws Dictionary 1891 and Collins Concise English Dictionary 1986 state different definitions.

No comments were received regarding the proposed changes to the definition of “local authority area”.

Several other general comments were received. Two submitters (6547, 6941) call for stricter laws and enforcement of self-contained vehicles. Another submitter (6568) supported the change and requested it should require purpose-built motorhomes. One submitter (6561) requested more waste stations and fresh water to be available to freedom campers.

Staff comments:

The definitions of “self-contained”, “freedom camping” and “local authority area” definitions are directly sourced from the Freedom Camping Act 2011. This approach ensures alignment and consistency between the proposed Bylaw and legal framework established by the legislation, enabling Council to create the Bylaw. Amendments to these definitions is outside of scope of Council’s authority and cannot be amended for the District.

Increased enforcement of the Bylaw and additional facilities, as requested by three submitters, would require Council to make new operational and capital expenditure available. This decision is outside the scope of the Freedom Camping Bylaw.

Staff recommendation 4:

Staff recommend that this clause, including the updated definitions of “self-contained”, “freedom camping” and “local authority area” is adopted with no changes.

CLAUSE 5: PROHIBITED AREAS

This clause states that a person must not Freedom Camp in any prohibited area within the district, and then refers to Schedule One of the Bylaw, which identifies all the prohibited areas. Submissions related to these areas will be summarised in the section later in this report on Prohibited and Restricted Areas (Schedules One and Two).

Staff recommendation 5:

Staff recommend that this clause is adopted with no changes.

CLAUSE 6: RESTRICTED AREAS

The Proposed Bylaw states that Freedom Camping is restricted in all Local Authority Areas and sets out the proposed restrictions that will apply to Freedom Camping in all those areas. There are several parts to this clause that represent a change from the 2016 Bylaw.

Staff have identified that there was an error in the drafting of sub-clause 6.2 (a), (b) and (c) in the Proposed Bylaw, which meant the wording did not reflect the intent of the clause and could have resulted in a lack of clarity for both Council and the public. It is also noted that the use of the word 'area', when referencing a parking spot where people may freedom camp within a local authority area, and in relation to the requirement to move 500 meters away from an area, may be confusing, as a parking spot used for freedom camping is not the same as a local authority area as defined in the Bylaw and the Act.

To specifically describe a parking spot used for freedom camping within a local authority area, it is proposed to refer to this parking spot as a 'location' instead of an 'area'. This has the effect of making it clear that a freedom camper may park within a local authority area at a specific location for up to the maximum number of nights, and then must move to a different location, which could be 500 metres up the road.

Staff are therefore proposing amendments to the drafting of sub-clause 6.2 to provide further clarification in the interpretation and application of the Proposed Bylaw, including ensuring clarity around the relationship and hierarchy of 'local authority area' and 'location'.

Original proposed wording	New proposed wording	Rationale
<p>6.2 Freedom Camping is restricted in all Local Authority Areas. The restrictions that apply to Freedom Camping in all those areas are:</p> <p>a) A vehicle must be certified Self-contained vehicle to Freedom Camp.</p> <p>b) A vehicle must not stay in any one area for more than five consecutive nights in any one month period.</p> <p>c) A vehicle must not Freedom Camp within 500 metres of an area in which</p>	<p>6.2 Freedom Camping is restricted in all Local Authority Areas. The restrictions that apply to Freedom Camping in all those areas are:</p> <p>a) A person may not Freedom Camp unless they are Freedom Camping in a vehicle must be that is Certified Self-contained vehicle to Freedom Camp.</p> <p>b) A person vehicle must not Freedom Camp stay in any one area location for more than five¹ consecutive</p>	<p>This change is supported by the wording in the online submission form and Statement of Proposal under Key Change Four, which used the word 'person' instead of 'vehicle' when explaining the proposed new rules.</p> <p>The definition of Freedom Camping now being used, in alignment with the Freedom Camping Act, includes camping in a tent or other temporary structure, or a motor vehicle, and as such this clause needs to be clear</p>

¹ Further down in this report there is a recommendation to revert this to three nights.

it has already been freedom camping for up to five consecutive nights in any one month period.	nights in any one month period. c) A person vehicle must not Freedom Camp within 500 metres of an area location in which they have it has already been freedom camping for up to five ¹ consecutive nights in any one month period.	about the manner in which a person may freedom camp, not just say what vehicles can do.
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Staff recommendation 6:

To update sub-clause 6.2 with the amended wording suggested in the table above.

Sub-clause 6.2 a) – A vehicle must be certified self-contained to freedom camp

Sub-clause 6.2 a) of the bylaw imposes a district-wide restriction which requires all freedom camping to be undertaken in a vehicle that is certified self-contained.

Summary of feedback:

Council received eight submissions related to this district-wide restriction.

Those submitters who did not support the district-wide restriction were concerned that there were **too many restrictions** in the bylaw (6892) and that the restrictions would marginalise New Zealanders and criminalise homeless people (6549). One submitter suggested that rules for New Zealanders should be different than the rules for international tourists (6563).

The submitters who **supported** the restriction noted that self-contained freedom campers are **responsible campers** (6568) and that freedom camping should have as **little impact** as possible on the area and not impact residents by leaving anything behind (The NZ Dairy Workers Union). One submitter (6547) in addition to expressing support suggested that the bylaw should **implement the national changes** to the certification requirements.

Two submitters supported the restrictions with caveats – submitter 6562 suggested the definition of self-contained should be **amended** to include those who camp in tents while using a toilet tent; and submitter 6564 didn't believe a freedom camper should need to be self-contained if they were parked next to a **public toilet**.

Staff comments:

This district-wide restriction was present in the 2016 Bylaw and the Proposed Bylaw maintained this regulatory position. The 2023 amendments to the Act changed the national default requirements for vehicles freedom camping on local authority land, requiring all vehicles to be self-contained (while still allowing for non-self-contained tenting) and instead provided councils with a mechanism to identify specific areas for vehicles that are not self-contained to freedom camp in [section 11A](#) of the Act.

These areas are discussed within this report in the *Schedule Three* section, at paragraph 5.4.3, below.

The Proposed Bylaw took this nation-wide regulatory position further by also prohibiting freedom camping in tents or other structures on local authority land within the district. This is an approach commonly taken within freedom camping bylaws and is intended to manage the negative effects of freedom campers who do not have access to toilet facilities.

Amendments suggested to the definitions of freedom camping and self-contained within the context of this district-wide restriction as raised by submitters are not appropriate. As noted in the definition section within above, the bylaw uses definitions directly sourced from the Freedom Camping Act 2011. This approach ensures alignment and consistency between the proposed Bylaw and legal framework established by the legislation, enabling Council to create the Bylaw. Amendments to these definitions is outside of scope of Council's authority and cannot be amended for the District.

The definition of freedom camping in the Act explicitly excludes those experiencing homelessness, so this bylaw does not apply to those who are living in a vehicle or tent as a result of not having access to a home. Council will work to ensure other mechanisms and appropriate referral pathways are used to address issues of homelessness in the district.

Council is not able to discriminate between international and domestic freedom campers within the Bylaw. The Bylaw applies to all people who are freedom camping as defined in the Bylaw.

The new requirements for certified self-containment is subject to a transitional period, and Council will enforce these changes throughout the transition. Vehicle owners have until 2025 to meet the new requirements and transition to the new green warrant card.

If a current blue sticker certification expires before this time, the vehicle will need to meet the new self-containment requirements to renew their certification. A timeline of how the changes will be rolled out can be viewed on MBIE's website:

<https://www.mbie.govt.nz/freedomcamping>

Staff recommendation 7:

Staff recommend no change to the bylaw in response to these submissions, except for the proposed wording changes to sub-clause 6.2a noted above.

Sub-clause 6.2b – Maximum number of nights in a particular area

The Statement of Proposal outlined Key Change Four as the clarification to, and amendment of, the district-wide restriction to apply a maximum number of nights a person can freedom camp in a particular area, with a proposed increase from three nights to five nights in one place in any one month.

The submission form asked whether submitters supported this change, with the following results:

Do you support the increase in the maximum number of nights a person can freedom camp from 3 to 5? (Key change 4)	Count	Percentage of Y/N/O
Yes	20	34%
No	37	64%
Other	1	2%
I do not have a response for the question	9	
Total	67	100%

Summary of feedback:

This proposal was responded to by 58 out of 67 submitters, and 64 per cent of these did not support the proposed change from three nights to five night maximum stay in a particular area.

Most of the comments received were from those who did not support the change, and the reasons for this were mostly around the feeling that **three nights is enough** and does not need to be increased, generally due to **limiting parking availability** and **low turnover** of campers (6795, 6784, 6652, 6600, 6589, 6566, 6945, 6941, 6937, 6930, 6924, 6893). Other comments opposing the change included that it **wasn't fair to residents/ratepayers** (6954, 6553, 6909) and several submitters commented that **campers should be using campsites** as much as possible instead of freedom camping for long periods of time (6593, 6567, 6550, 6545, 6942). There were also concerns about **how/whether it would be monitored** (6567, 6922), suggestions of only **1 or 2 nights maximum** (6948, 6550, 6545) and concerns about **rubbish and mess being left** (6545, 6565) and opposing the increase as many **vehicles clearly can't be fully self-contained** (6548).

Submitter 6881 (Ngaaruawaahia Community Board) had surveyed people on the NZ Motor Home Friends Facebook page and the majority of respondents felt three nights was enough so that other freedom campers could enjoy popular areas. Some felt that the five nights was better, especially over the quieter months.

There were two submitters (6675, 6568) who did not support the change and noted that one of the **requirements for self-contained vehicles** was the ability to hold water, grey and black water and rubbish for three days. Most do not have capacity for five days therefore three nights in one location is more reasonable.

The comments from those who supported the change to five nights' maximum stay were mostly around that **length of time seeming reasonable** and giving people a **good chance to explore** the area (6793, 6588, 6564, 6561, 6560, 6558, 6547, 6552, 6892). One submitter (6563) supported the change but felt this should be for **New Zealand citizens only**. A couple of submitters felt people should be able to **stay even longer**, for example for a whole month or simply unlimited time (6558, 6549).

There was one submitter (6557) who did support the change in general but felt there should be a **restriction of three nights for popular destinations**.

One submitter (6781) neither supported or opposed the change as they felt there needed to be a **clear definition of what was meant by "area"**.

There were some comments received around **homelessness** and the impact of this rule. One submitter (6554) stated that for those living in their cars, having to move every three days is stressful. Another submitter (6939) supported responsible camping but stated it is not for people to live in their cars or take up residence. Another submitter (6936) felt that increasing the maximum stay to five nights was too long and would encourage those living in their vehicles to stay longer.

Staff comments:

This change was proposed based on feedback received through early engagement. Staff support retaining the three-night maximum stay rather than increasing to five nights. One of the key reasons for this is due to the point raised by submitters that self-contained vehicles only usually have capacity to be self-contained for three days before needing to go to a dump station.

Staff note that some of those that supported the change to five days may not have realised that moving to another 'area' after the maximum number of nights does not mean completely leaving the town or the district. They can simply move to another location at least 500 meters away as per sub-clause 6.2c of the Proposed Bylaw, therefore will be able to continue to explore the area.

Staff recommendation 8:

Amend sub-clauses 6.2b and 6.2c as follows:

- b) A **person vehicle*** must not **Freedom Camp stay*** in any one **area location** for more than **five-three** consecutive nights in any one month period.
- c) A **person vehicle*** must not Freedom Camp within 500 metres of an **area location** in which **they have it has*** already been freedom camping for up to **five-three** consecutive nights in any one month period.

*Note: this recommendation includes the updated wording proposed in staff recommendation 6.

Sub-clause 6.2c – Distance to move after staying the maximum number of nights

Key Change Four also clarified the distance a person must move away from their freedom camping spot by proposing a requirement that they must move at least 500 metres away once they have stayed in an area the maximum number of nights.

The submission form asked whether submitters supported this change, with the following results:

Do you support requiring freedom campers to move 500m away after they have stayed up to the maximum number of nights? (Key change 4)	Count	Percentage of Y/N/O
Yes	31	55%
No	22	39%
Other	3	5%
I do not have a response for the question	11	
Total	67	100%

Summary of feedback:

Over half (55 per cent) of submitters who responded to this question supported the proposal.

For those who supported it, general comments received were that it would be **easier to police** (6589), it would **give more people a chance** to enjoy the area (6568), it would **stop people from permanently staying** in one spot (6560), and a comment that it is important for people to **keep their distance** at camping sites to allow for more people (6596).

Several submitters felt that the distance to move should be **more than 500 metres**, with some suggesting at least 1 kilometre (6795, 6600, 6954, 6566, 6565, 6547, 6909, 6893, 6922, 6919).

The comments from those who did not support the change included that it would be **hard to monitor** (6795, 6675, 6652, 6881), that 500 metres away was **not worth it**/means they would still be in the same area (6793, 6781, 6652, 6564, 6550, 6545, 6945), and one who felt it allowed freedom campers to stay in an area for much longer and **take advantage** of facilities paid for by ratepayers (6553).

Other comments included that this change would **restrict other short-term visitors** (6675), that freedom campers should **only have five nights** in one town then move on (6563), and that freedom campers should **pay for their rubbish** and a place to stay (6555).

A couple of submitters did not support change as they felt the **distance should be shorter** as you often wouldn't get the same spot when you come back after being out for the day (6561), and that there are limited places to camp, so the rule should be to only move 50 metres away (6556).

A couple of submitters made comments specifically about the impact of this rule on homeless people living in their vehicles. One (6549) did not support the change as the stated those who are homeless can't always afford to find another spot. Another submitter (6936) did not support the change due to feeling it would encourage those living in their vehicle to stay longer because they would just move between spots every few days.

Staff comments:

The 2016 Bylaw required people to move to a different area after the maximum stay was reached, but it was identified by staff and through early engagement that this needed better clarification in terms of what was meant by 'area'. The 500-metre rule was proposed based on the fact that 500 metres would move people several blocks away, meaning they could still continue to enjoy the same town/locality, but ensuring they do actually move after no more than three days. Staff consider that 500 metres is a sufficient distance, as opposed to 1 kilometre or more, as it would generally result in people moving to a different street or carpark. It would also be relatively easy to monitor.

Staff note that those who are homeless and forced to live in their vehicles are specifically excluded from the requirements of the Act, so this rule would not affect them.

Staff recommendation 9:

Staff recommend that Council adopt the requirement that a person must move at least 500 metres away once they have been freedom camping in a particular area for the maximum number of nights.

Clauses 6.3, 6.4 and 6.5 refer to additional restrictions and rules proposed to be in place for Schedules Two and Three which identify the specific areas where restrictions or permissions are proposed. Submissions related to these areas will be summarised in the sections later in this report on Prohibited and Restricted Areas (Schedules One and Two) and Designated Areas for Freedom Camping for vehicles that are not Self-contained (Schedule Three).

CLAUSE 7: PRIOR CONSENT FROM COUNCIL

The Proposed Bylaw clarified the process and requirements for people who may wish to apply for an exemption to a prohibition or restriction. The proposed changes to this clause give more certainty to people wishing to apply for an exemption under the Bylaw around what information Council requires in the application, and what kind of matters Council expects would qualify for an exemption, such as an event in a particular area.

The submission form asked whether submitters supported this, combined with the other changes that would bring the bylaw in line with the Act (Question 1). The overall results have been shown earlier in this report under **Clause 1: Purpose** but are repeated here for easy reference.

Do you support the changes to the Bylaw to ensure alignment with the Act, clarifying the process for exemptions and information regarding temporary closures? (Key changes 1, 2, 5, 6)	Count	Percentage of Y/N/O
Yes	29	55%
No	19	36%
Other	5	9%
I do not have a response for the question	14	
Total	67	100%

Summary of feedback:

There was overall majority support for the key changes (including this one) to align the Bylaw with the Act. Only two comments were received specifically relating to people getting prior consent from Council for an exemption to a freedom camping prohibition or restriction.

One comment was from the Tamahere Community Committee (6946) requesting specific changes to the wording of this clause as they believe the requirements proposed are not convenient for the applicant (only for Council). The changes proposed included clarifying the manner in which people need to apply and reducing the period for Council to respond from 30 days to five working days.

One submitter (6596) stated that people should need to ask Council where they can camp and get a camping permit.

Staff comments:

The intent of this clause is not to have every person who wishes to camp in a restricted area (or any area) need to apply for a permit. It is not feasible to require all campers to have a permit, nor is it necessary as the Act is permissive by default, so those in certified self-contained vehicles can camp on any local authority land unless it is prohibited either by the Bylaw or under the Reserves Act.

Staff appreciate the suggestions from the Tamahere Community Committee about changes to the wording of clause 7. However, it appears that the intention of the clause has been misinterpreted as requiring anyone wanting to freedom camp in a restricted area to apply for consent. This is not the case, as the restricted areas are there to allow freedom camping in certified self-contained vehicles, but with certain restrictions over and above the districtwide restrictions. Again, it is not necessary or feasible for Council to require consents or permits for everyone wanting to camp in a restricted area.

Staff have, however, reviewed the wording of the clause to ensure it is as clear as possible, and have also identified that the clause inadvertently did not mention permits for those wishing to apply to camp in a prohibited area. New proposed wording is below:

Original proposed wording	New proposed wording	Rationale
<p>7.1 A person may only Freedom Camp in contravention of clause 6 if that person obtains prior written consent of the Council and complies with any conditions of the consent.</p> <p>7.2 A person applying for consent under clause 7.1</p>	<p>7.1 A person may only Freedom Camp in contravention of clause 5 or clause 6 if that person obtains prior written consent of the Council and complies with any conditions of the consent.</p> <p>7.2 A person applying for consent under clause 7.1 must apply to the Council in writing. The application must:</p>	<p>This clause sets out the requirements for people to apply for consent to freedom camp either in a prohibited area, or in contravention of the rules of a restricted area.</p>

Original proposed wording	New proposed wording	Rationale
<p>must apply to the Council. The application must:</p> <p>a) Be made at least 30 days prior to the date on which Freedom Camping is planned to occur; and</p> <p>b) Include information about the person applying for the consent and their contact details; and</p> <p>c) Describe the area or give an address where the Freedom Camping is intended to occur; and</p> <p>d) Describe the reason the consent is sought.</p> <p>7.3 Applications which fulfil the requirements of clause 7.2 of this bylaw will be considered by Council and may be granted at the Council's discretion. The Council may attach conditions to any consent that is granted.</p>	<p>a) be made at least 30 days prior to the date on which Freedom Camping is planned <u>intended</u> to occur; and</p> <p>b) include information about the person applying for the consent and their contact details; and</p> <p>c) Describe<u>identify</u> the <u>location or address of the prohibited or restricted area</u> or give an address where the Freedom Camping is intended to occur; and</p> <p>d) describe the reason the consent is sought. ; <u>and</u></p> <p><u>e) be accompanied by any applicable fee set in the Council's schedule of fees and charges.</u></p> <p>7.3 Applications which fulfil the requirements of clause 7.2 of this bylaw will be considered by Council and may be granted at the Council's discretion. The Council may attach conditions to any consent that is granted.</p>	<p>Ensuring the wording is clear about what is actually required when applying for consent is important to avoid confusion or creating unnecessary work for applicants or staff.</p>

Staff recommendation 10:

Staff recommend that clause 7 is updated with the amended wording suggested in the table above.

CLAUSE 8: TEMPORARY CLOSURE OF AN AREA TO FREEDOM CAMPING

The Proposed Bylaw included a new clause, 8.2, to provide more information on what communications and publicity the public can expect from Council when it exercises its power to temporarily close an area to Freedom Camping.

The submission form asked whether submitters supported this, combined with the other changes that would bring the bylaw in line with the Act (Question 1). The overall results are shown above under **Clause 7: Prior Consent from Council**, and also under **Clause 1: Purpose**.

Summary of feedback:

No submitter comments were received in relation to this clause.

Staff recommendation 11:

Staff recommend that this clause is adopted with no changes.

CLAUSE 9: OFFENCES**Summary of feedback:**

No submitter comments were received in relation to this clause.

Staff recommendation 12:

Staff recommend that this clause is adopted with no changes.

5.4.2 Prohibited and Restricted areas (Schedules One and Two)

The Proposed Bylaw included schedules and maps for all areas in the district where Freedom Camping was proposed to be prohibited or restricted. Many of these areas were carried over from the previous bylaw with no changes, but there were several changes proposed including some new prohibited areas, changes from prohibited to restricted, and increasing or decreasing an area of prohibition or restriction.

All proposed changes are outlined by locality below, and discussion and analysis of both prohibited and restricted areas in each locality is included rather than separating out these two types of area. Council-managed cemeteries are included in their own category.

CEMETERIES

The Proposed Bylaw retains the current prohibitions for Freedom Camping on all Council-managed cemeteries and their associated carparks. Schedule One, Section A provides the list of cemeteries this prohibition relates to.

The submission form asked if submitters supported retaining these current prohibitions on Council-managed cemeteries, with the following results:

Do you support prohibiting freedom camping in all cemeteries and their car parks?	Count	Percentage of Y/N/O
Yes	54	89%
No	5	8%
Other	2	3%
I do not have a response for this question	6	
Total	67	100%

Summary of feedback:

Sixty-one submitters responded to this question, with 89 per cent in support of these prohibitions. Five of these submitters (6593, 6565, 6892, 6881, 6941) provided additional comments, which all supported the prohibition of freedom camping in cemeteries of whom three (6593, 6565, 6941) made a comment about it being inappropriate.

Staff comments:

Staff support prohibition in cemeteries and their carparks, and with no specific comments from submitters who opposed this, staff do not recommend removing this prohibition.

Staff recommendation 13:

Staff recommend that the prohibition on freedom camping in all Council-managed cemeteries and their car parks, as listed in Schedule One, is adopted with no changes.

RAGLAN/WHAAINGAROA

The majority of submissions received were related to Raglan/Whaaingaroa, with mixed support for freedom camping in general, and a lot of comments directly on the two main proposals put up for consultation – the proposed new prohibited areas on Wainui Road (by Wainui Reserve Bush Park and near the water treatment ponds) and the proposed Stewart Street restricted area.

The general themes coming through included comments that Council should allow freedom camping in as many places as possible (6722, 6556) and the suggestion that permits should be required for all freedom camping sites, at all times (6596). There are those who think there are too many prohibited areas (6939, 6551, 6554, 6556, 6564, 6568), while others supported all existing prohibitions (6944) or expressed that freedom camping causes problems and more restrictions and/or prohibitions are necessary (6949, 6940, 6881, 6550). There were also comments around the need for monitoring and that campgrounds should be used (6594).

Proposals***New prohibited areas – Wainui Road***

The Proposed Bylaw contained two proposed new prohibited areas in Raglan, both on Wainui Road. One was at the Wainui Reserve Bush Park (Map number: WDC_2023_01) and the other was at the Water Treatment Ponds – Wainui Road (Map number: WDC_2023_02).

The submission form asked whether submitters supported these two new prohibited areas, with the following results:

Raglan - Do you support prohibiting freedom camping in the two areas defined as Wainui Reserve and Wainui Road?	Count	Percentage of Y/N/O
Yes	34	68%
No	15	30%
Other	1	2%
I do not have a response for this question	17	
Total	67	100%

Summary of feedback:

Thirty-four submitters supported the proposed new prohibited areas, while 15 submitters did not support the change to prohibit freedom camping in the area.

For those that **did NOT support** the proposed changes relating to the prohibition of Freedom Camping on these two new areas on Wainui Road, this was generally due to feeling that these would actually be **good areas for freedom camping**, away from the CBD and residential areas.

Some submitters (6938, 6930, 6568, 6722) stated they did not feel there was enough **justification for the prohibition**, including a request for the results of the site assessments to be shared (6938 – NZMCA).

There was an acknowledgement from some submitters (6944, 6930) that in order to allow for freedom camping at Wainui Reserve, an **amendment to the Reserve Management Plan** would be needed, and they felt this should happen.

Some submitters (6560, 6558) felt freedom camping should be allowed in these areas but suggested a **time limit or one night maximum**.

Submitter 6551 queried why the prohibited area at Wainui Reserve Bush Park was not already **prohibited under the Reserves Act**, and also questioned why the prohibition did not **extend to the roadside** to include the grassed area between the road and the carpark.

There were also clear themes from those who **did support** the proposed prohibitions on these two new areas. Several submitters specifically noted that camping next to the water treatment ponds was **not appropriate** and could pose **health and safety or contamination issues**, and there were comments around needing to ensure the areas were **available for day users and locals**.

Other specific points raised included that the **road is dangerous** and camping there would be hazardous (6593) and that campers stay for extended times and **leave rubbish** (6942). One submitter supported the change as there are commercial **campgrounds available** in Raglan (6548).

Staff comments:

The need to expressly prohibit freedom camping in the Wainui Reserve Bush Park carpark was raised through early engagement about the freedom camping bylaw.

Wainui Reserve Bush Park is part of the wider Wainui Reserve, which is a 140-hectare reserve just south of Raglan township, starting at Ngarunui Beach and incorporates sand dunes, a steep coastal escarpment, an elevated plateau which is dissected by several small gullies, and also incorporates farming and forestry operations. Freedom camping is already prohibited in this location under the Reserves Act, and there is a Reserve Management Plan in place, which does not provide for freedom camping in this location.

A site assessment was undertaken based on the requirements of the Act. The results are shown below, indicating an overall score of 9. Under the assessment matrix, if the total score of all three purposes is 9 or more, prohibiting freedom camping on the area may be necessary.

Assessment	Score	Explanation
Protect the area	3	This carpark is situated adjacent to and provides access to an environmentally sensitive area.
Protect the health and safety of people	4	This stretch of road is not lit and there is no lighting in car park. Access is off a busy road which experiences significant traffic over the summer months. Access during peak times can pose significant risk for campers and other users of the car park.
Protect access to the area	2	Car park access is well formed, however, high use by freedom campers over peak times, especially in summer could impede access for other users accessing the walking tracks.
Total Score	9	Introduce new prohibition in this area in the proposed 2023 Bylaw

The full assessment can be found in **Attachment 2**. Based on the feedback received, staff confirm that the site assessment was accurate and that the main concern is related to protecting the health and safety of people (both campers and other users). Due to the issues raised in pre-engagement and through the submissions, inclusion of this site within the bylaw would enable Council's regulatory staff to apply additional enforcement mechanisms for non-compliance under the Act, such as the recently updated fine structure.

Staff acknowledge the submissions suggesting that the Reserve Management Plan (RMP) for Wainui Reserve could be reviewed and updated to allow for freedom camping, however the Raglan Coastal RMP was last updated and adopted in August 2021. A comprehensive review and assessment of this RMP to identify whether this part or any other parts of Wainui Reserve may be suitable for freedom camping is something that could be considered by Council in future but is not currently in the work programme.

Regarding the submission about why the prohibited area did not extend to the roadside, staff note that this was simply related to the boundary of the land parcels and agree that it was not intended to permit freedom camping just at and near the entrance to the carpark. An updated map (map number WDC_2023_01) to include the entrance to the carpark and the adjacent roadside has been included below and it is proposed that this amendment to the prohibited area is adopted by Council.



Staff recommendation 14:

Staff recommend that Council adopt the prohibition on freedom camping at the Wainui Reserve Bush Park (Map number: WDC_2023_01) with a change being made to the Wainui Reserve Bush Park description and area map in Schedule One to:

Wainui Reserve Bush Park **carpark (up to and including the roadside)**, Wainui Road, Raglan.

The proposed restriction to the area on Wainui Road near the water treatment ponds was also raised through pre-engagement on the bylaw. This area is not part of the Wainui Reserve, however the site assessment undertaken prior to consultation indicated a total score of 11, with the highest score being 5 for protecting the area (see the assessment table below, with the full assessment in **Attachment 2**).

Assessment	Score	Explanation
Protect the area	5	There is water infrastructure which needs to be protected in this area. Te Rua o te Ataiorongo is a waahi tapu area.
Protect the health and safety of people	3	The treatment ponds pose a potential safety risk to freedom campers in this area.
Protect access to the area	3	Clear access to the water treatment plants needs to be maintained.
Total Score	11	Introduce new prohibition in this area in the proposed 2023 Bylaw

In line with the assessment and the submissions received, staff confirm that the proposed prohibition on freedom camping in this area is reasonable and necessary.

Staff recommendation 15:

Staff recommend that Council adopt the prohibition on freedom camping near the water treatment ponds on Wainui Road (Map number: WDC_2023_02) with no changes.

New restricted area – Stewart Street

The Proposed Bylaw also consulted on a change to the current prohibited area in the Raglan CBD by proposing to exclude a section of Stewart Street (outside 1 Stewart Street and 3 Stewart Street) from the prohibited area, and instead making that section a restricted area, where people could use the area for freedom camping at night between the hours of 5pm and 8am.

This proposed change is shown on the following map:



For further context, the whole of the Raglan CBD prohibited area, with the proposed restricted area on Stewart Street, is shown on Map number: WDC_2016_28 on page 27 of the Proposed Bylaw.

The submission form asked whether submitters supported the proposed change to create a restricted freedom camping area on Stewart Street, with the following results:

Raglan - Do you support the creation of a restricted area on Stewart Street?	Count	Percentage of Y/N/O
Yes	27	49%
No	26	47%
Other	2	4%
I do not have a response for this question	12	
Total	67	100%

Summary of feedback:

A total of 27 submitters supported the proposal to create the restricted camping area, while 26 did not support the proposal.

The themes amongst those that **did NOT support** the proposed restricted area on Stewart Street included concern about antisocial behaviour and campers leaving rubbish and other waste, particularly around the church. Other themes were around the impact on general parking availability, lack of toilet facilities and the small size of the carparks.

Seven submitters were concerned that freedom camping **conflicts with residential uses** in the area (6866, 6566, 6801, 6855, 6945, 6949, 6948).

Seven submitters (6866, 6865, 6855, 6801, 6600, 6945, 6883/Raglan Congregational Church) were concerned that freedom camping was **inappropriate in relation to other land uses** in the location, namely the market, the kindergarten, youth group, church, church functions, heavy use of the area by children.

Several submitters were concerned about **nuisance** created by the campers on both residents and other users of Stewart Street. Three raised **noise concerns** (6945, 6784, 6883, and two were worried about **rubbish and traffic congestion** (6883, 6945).

Seven submitters (6866, 6855, 6594, 6559, 6593, 6589, 6945) were concerned about the **impact on car parking** for the town centre and residents. Two submitters (6589, 6559) noted the car parking spaces are necessary for a variety of community/church events which often are held in the evening/night. One of these submitters noted that illegal parking will occur, once area is full (6866). One submitter (6855) stated that Stewart Street is **not wide enough** to accommodate freedom camping vehicles and they will protrude into the road.

Three submitters (6866, 6865, 6945) were concerned about the **lack of toilet facilities** for campers, with one noting the museum toilets get used (6866). Another (6865) commented that campers won't use Joyce Petchell Park as intended. Submitter 6866 also noted a **lack of rubbish bins and recycling** facilities.

One submitter (6865) is concerned that the area is **not safe for camping** as there has been crime in the area.

The Raglan Congregational Church (6883) provided the submissions made in 2016 to the proposed bylaw at that time, when it was proposed to add Stewart Street as a location for freedom camping. The submitter considers these points are still relevant and the decision (at that time) to not include the Stewart Street area should stand. The opposition related to traffic, noise, rubbish, access to the area.

Those who **did support** the proposed restricted area on Stewart Street generally commented that it would be a **suitable location** and the **time restrictions are appropriate**. Some specific comments were that it is a nice, **safe area** (6568), it is good for others (6596), it has **suitable facilities** (6561) and it may provide **greater security** against crime and car break-ins that currently occur (6944). Two submitters supported the proposal provided there would be **good signage and monitoring** (6795, 6922).

Staff comments:

A site assessment was undertaken on the whole of Raglan CBD based on the requirements of the Act, which informed the prohibition applied in 2016 and carried over in the Proposed Bylaw. The high-level results for the CBD prohibited area are shown below (the full assessment can be found in **Attachment 2**).

Assessment	Score	Explanation
Protect the area	2	Low concerns about areas that need protecting. NZAA site R14/171 on beach adjacent to Joyce Petchell Park.
Protect the health and safety of people	4	Busy Raglan business zone, used by locals and many visitors in Summer. Boats also use this area adjacent to the water. Health and safety risk to other users of the area including many children.
Protect access to the area	4	Busy traffic especially in summer and peak periods, used by locals and visitors.
Total Score	10	Retain prohibition, however, change to the area to reduce the prohibited area to exclude Stewart Street from the prohibited area and replace this with a restricted area, limiting freedom camping between 5pm – 8am.

This particular site on Stewart Street had previously been proposed when the 2016 Bylaw was developed, and submissions received at the time resulted in a decision to prohibit rather than restrict. Through the pre-engagement with the public and key stakeholders, and direction from elected members in workshops on this new proposed bylaw, feedback was received that there was a desire for more areas close to town that were appropriate for freedom camping. Stewart Street was again identified as a potential location for restricted freedom camping due to it being flat, and its proximity to the CBD. It was therefore decided to seek public feedback again on this proposal.

Staff acknowledge the concerns raised by key stakeholders in Stewart Street, including the Raglan Congregational Church, however Council does not currently have any evidence of freedom campers causing security issues in this area. Many of the concerns raised by the Church and other submitters are outside the scope of a freedom camping bylaw, being police matters, not necessarily directly related to freedom camping by people in appropriately self-contained vehicles or related to other regulations such as litter and noise control.

The recent changes to the Freedom Camping Act mean that the types of vehicles that would be allowed to park in this area would be certified self-contained with stricter requirements for attaining this certification than previously needed, such as having a fixed toilet.

Staff also note that the proposed time period restrictions to only allow freedom camping from 5pm to 8am aimed to mitigate the concerns raised around the impact on parking and conflicts with community and residential use of the area.

However, with regards to the concerns raised about the size of the parking spaces and the road not being wide enough to accommodate the length of the self-contained vehicles, staff have investigated this further and can confirm that the proposed restricted area contains standard size parking spaces, which are generally no more than five meters long.

Most vehicles that would meet the new self-contained certification requirements are likely to be too long for these spaces to safely park without protruding out into the road. Therefore, although there is support for this area to be changed to a restricted freedom camping area, staff are of the opinion that this site still requires prohibition, primarily due to the size limitations of the parking spaces.

Staff recommendation 16:

Staff recommend that the proposed restricted area on Stewart Street area remains prohibited along with the rest of the Raglan CBD prohibited area. This would need to be removed from Schedule Two of the Bylaw and map number WDC_2023_03 removed. Map number WDC_2016_28 (Raglan CBD prohibited area) would need to be amended to remove the restricted area.

Other areas in Raglan/Whaingaroa

There were no other proposed changes to the remaining prohibited areas in Raglan, and no other restricted areas either existing or proposed. The submission form asked whether submitters had any comments in relation to any of the other prohibited areas in Raglan, which were listed out in the submission form as follows:

- Manu Bay reserve and surrounding area, 696 Wainui Road, Raglan and that section of Wainui Road adjacent to the Manu Bay reserve (see Map number: WDC_2016_01).
- Tohora Close, Calvert Road, Whale Bay (see Map number: WDC_2016_02)
- Ngarunui Beach Reserve, Wainui Reserve, 330 Wainui Road, Raglan (see Map number: WDC_2016_03)
- Papahua Domain, 61 Marine Parade, Raglan (see Map number: WDC_2016_04)
- Cliff Street, Puriri Street, from 2 Cliff Street to 1 Puriri Street, Raglan (see Map number: WDC_2016_05)
- Riria Kereopa Drive, Wainamu Road (see Map number: WDC_2016_06)
- Wainui Road (note this related to two separate areas on Wainui Road – the turning bay across from 765A Wainui Road and the Wainui Road road reserve, see Map number: WDC_2016_07)
- Papanui Point Carpark (see Map number: WDC_2016_08)
- Swann Access Road, Ruapuke Beach (see Map number: WDC_2016_09)
- Ruapuke Beach Road (see Map number: WDC_2016_10)
- Bridal Veil Falls Carpark, Kawhia Road, Te Mata (see Map number: WDC_2016_11)
- Greenslade Road (see Map number: WDC_2016_26)
- Earles Place (see Map number: WDC_2016_27)
- Raglan Wharf (see Map number: WDC_2016_29)
- Lorenzen Bay Road, Sunshine Rise (see Map number: WDC_2016_30)

Summary of feedback:

Submissions relating to the remaining prohibited areas in Raglan in the Proposed Bylaw were generally supportive and some (6795, 6564, 6545) named specific areas where they believed freedom camping should be prohibited, such as Cliff Street, Riria Kereopa Memorial Drive, the wharf, and Papahua Domain carpark.

Other submissions questioned why some areas are prohibited including Manu Bay (6930, 6949), Ngarunui Beach (6949), Ruapuke (6949), areas along Wainui Road (6949), as they are away from towns, have access to facilities including toilets and water.

One submitter (6594) stated that daily monitoring of the prohibited areas is required and that there are other inexpensive options for camping that should be used.

One submitter (6936/Raglan Holiday Park) noted that the carparking area off Marine Parade between the Raglan Holiday Park and the Airfield needs to be included in the Papahua Domain prohibited area. Campervans regularly stay overnight in this area outside the campgrounds and use the camp facilities.

Staff comments:

Staff note that the specific areas mentioned by submitters 6795, 6564 and 6545 are already prohibited areas and support their continued prohibition.

With regards to the questions about why some areas are prohibited when they might be good for freedom camping, many of these are reserves and all have had site assessments done. Staff confirm that all these prohibited areas are in line with the requirements of the Act to protect the area, protect the health and safety of people, and/or protect access to the area.

Monitoring is undertaken throughout Raglan as resourcing allows. Staff note this is currently not resourced to be done seven days a week all year round, and also cannot be done 24 hours a day.

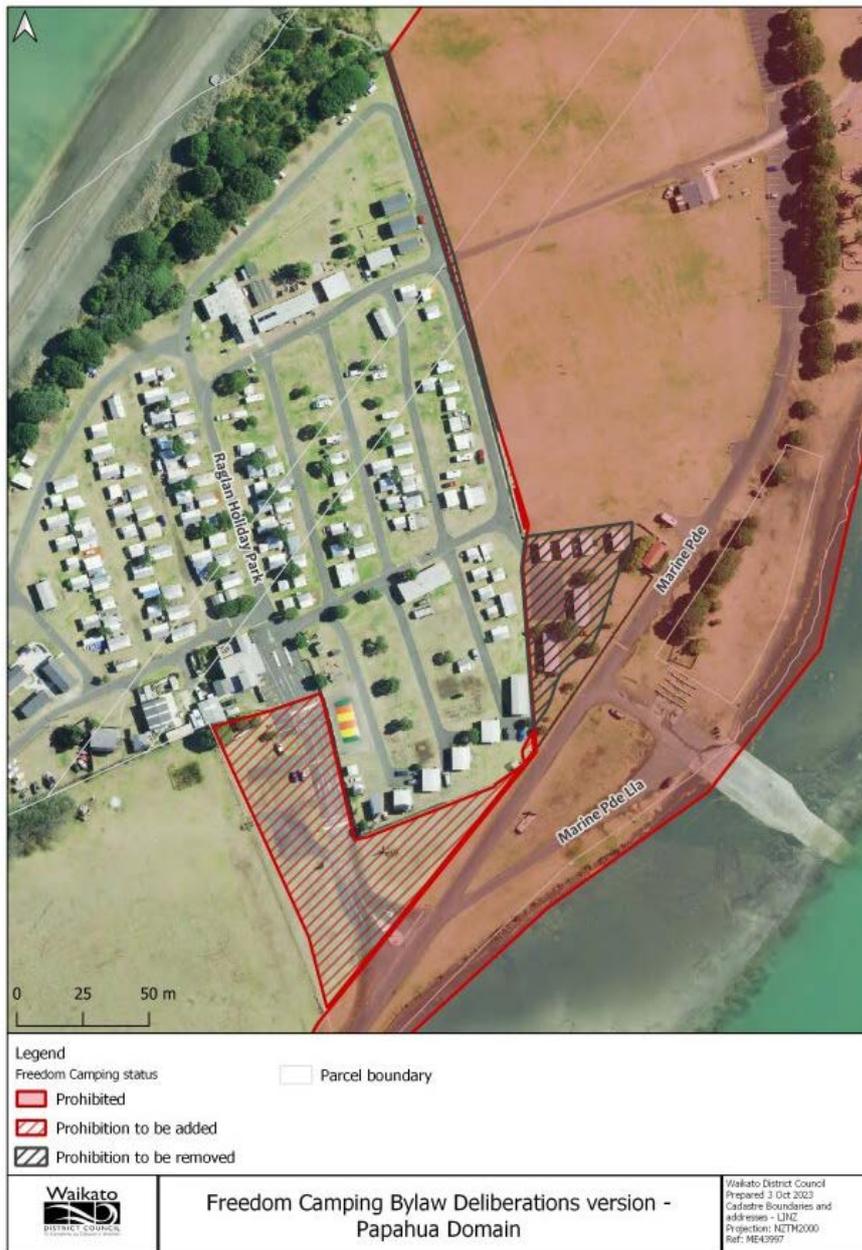
Regarding extending the prohibited area at Papahua Domain to include the carparking area between the Raglan Holiday Park and the Airfield, staff have investigated this and note that this is all reserve land and is therefore already prohibited under the Reserves Act.

Given the site assessment of the Papahua Domain (summary shown below, with the full assessment in **Attachment 2**), staff agree that this additional section would benefit from explicit prohibition in the Bylaw to enable enforcement actions under the Freedom Camping Act. It is unclear why this was not included in the 2016 Bylaw and appears to have been an oversight.

Assessment	Score	Explanation
Protect the area	3	NZAA site R14/265
Protect the health and safety of people	3	Reserve area. Very popular spot with a large playground, family beach area, camping grounds, skate park and shop.
Protect access to the area	3	Busy access and parking area.
Total Score	9	Retain current prohibition

Staff also note that part of the existing prohibited area at Papahua Domain is actually within the fence line of the Raglan Holiday Park, and as such cannot be included in the prohibited area. Commercial campgrounds are outside the scope of the Bylaw as they charge a fee.

A map with the proposed change is below (map number WDC_2016_04).



Staff recommendation 17:

Staff recommend that Schedule One of the Bylaw is updated to amend the prohibited area at Papahua Domain with the following change to the description:

Papahua Domain (including the carpark area between Raglan Holiday Park and the Airfield), 61 Marine Parade, Raglan.

Staff recommendation 18:

Staff recommend that no other changes are made to the remaining prohibited areas in Raglan.

New areas suggested – Raglan

A number of new areas in Raglan where Freedom Camping should either be prohibited, restricted or expressly permitted were suggested by submitters.

Suggested areas: Prohibit freedom camping	Staff comments
Te Toto Gorge carpark (6942)	Te Toto Gorge carpark is Department of Conservation land and freedom camping in this location is prohibited by DoC.
Rau o te Huia Rise (6942)	<p>This site was investigated by staff however the street and surrounding land at Rau o te Huia Rise is Maaori land and as such, it cannot be prohibited by Council in a bylaw. If freedom campers park up here, this would be considered trespassing and should be reported to the police.</p> <p>The below map shows land ownership as follows:</p> <ul style="list-style-type: none"> - The purple areas are Maaori land. - The blue area is owned by Waikato District Council (and is a prohibited freedom camping area). - The uncoloured areas are road parcels (and are also part of a prohibited freedom camping area). 
Whaanga Road between Te Toto and Tohora Close (6942)	This is quite a long stretch of road with no safe pull over areas. Staff are not aware of freedom camping issues along this road, and note that freedom camping is already prohibited at Te Toto Gorge carpark (see above – DoC land), and at Tohora Close and Calvert Road (see Map WDC_2016_02).

Suggested areas: Prohibit freedom camping	Staff comments
John Street and Puriri Park (6940, 6922)	<p>Staff acknowledge this has been a problem area in the past. This is mostly reserve area (the green hatched area in the map below) so is prohibited under the Reserves Act, however staff are supportive of inclusion of this area in the Bylaw to ensure the prohibition is well understood and to enable additional enforcement mechanisms to be used. See further below for full details of this area.</p> 
James Street (6953, 6559, 6930)	<p>This area was raised through pre-engagement. There was concern with freedom campers using this area, especially in relation to campers blocking access to the Bowling Club. An elected member also raised that the area of James Street between Wallis Street and Cliff Street should be assessed.</p> <p>Based on Council staff's assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site. (See Attachment 2 for the full assessment).</p> <p>Staff recommend that the Council do not prohibit or restrict freedom camping on this site. This site will be subject to the proposed district-wide restrictions applied to all local authority land, including roads.</p>
Rugby Club (6795)	<p>Staff note that the rugby club is in a reserve so freedom camping is already prohibited here under the Reserves Act. At this stage Council is not aware of major issues that would require explicit prohibition at this location within the bylaw.</p>
Wallis Street (6948) – comment was that there is not enough space for freedom camping as it is used for boat parking.	<p>The middle portion of Wallis Street is flat with safe parking available on the side of the road, and it is also away from the residential area. It is not designated only for boat trailer parking in Council's Traffic Bylaw 2023 so may be used by anyone.</p>

Suggested areas: Allow or restrict freedom camping	Staff comments
Provide freedom camping on all reserves, for example by the museum, Kopua, Wainui Reserve (6866) as these areas have bins and toilets.	Making changes to Reserve Management Plans is outside the remit of this bylaw review, but it is something that Council may wish to consider in future.
Joyce Petchell Memorial Park (6944, 6930) – restricted. Comments that there are toilets here and camping in this location would have less impact on residential areas.	This is a reserve and as above it is outside the remit of the bylaw review to make changes to Reserve Management Plans.
Cliff Street two-way portion of the street by the toilets (6944, 6930) – restricted.	This whole area (from 2 Cliff Street to 1 Puriri Street – Map no. WDC_2016_05) has been assessed using the site assessment matrix (see Attachment 2) and had an overall score of 9. Staff recommend that this area remains prohibited in the 2023 Bylaw. It is a busy street especially during the summer period. This area was also raised by elected members through early engagement, supporting some restricted parking here.
Areas some 10km out of Raglan along State Highway 23, Waingarō, Te Mata, Ruapuke, Te Akau (6949) – areas of scenic beauty	Freedom camping is permitted in these areas under the Act, except any reserves or the prohibited areas in the bylaw (e.g. Swann Access Road, Ruapuke and Bridal Veil Falls carpark, Te Mata).
A number of suggestions from submitter 6948: - the rugby/netball carpark restricted to 10 vehicles with a max of 2 nights; - 2 carparks at the fire station, - 2 parks at the museum; - 6 parks on Marine Parade by the toilet facilities.	All of these locations are within reserves. As noted above, reviewing and amending any reserve management plan is outside the remit of this bylaw review, however this could be considered by Council in future.
One submitter (6940) suggests that another camping area like that near the marae, with a \$10 fee would be good but does not specify the location.	Without a specific location suggestion, staff are unable to complete an assessment. The Bylaw does not enable Council to collect fees other than infringement fees for freedom camping. Having people pay to camp in a particular area would make it a campground, which the Bylaw does not cover.

Aroaro Reserve, John Street – proposed new prohibited area**Summary of feedback:**

Two submitters (6940, 6922) outlined that John Street is not an appropriate location for freedom camping, both citing issues and conflicts that have happened there in the past including rubbish, public urination due to lack of toilets, roaming dogs, a car accident.

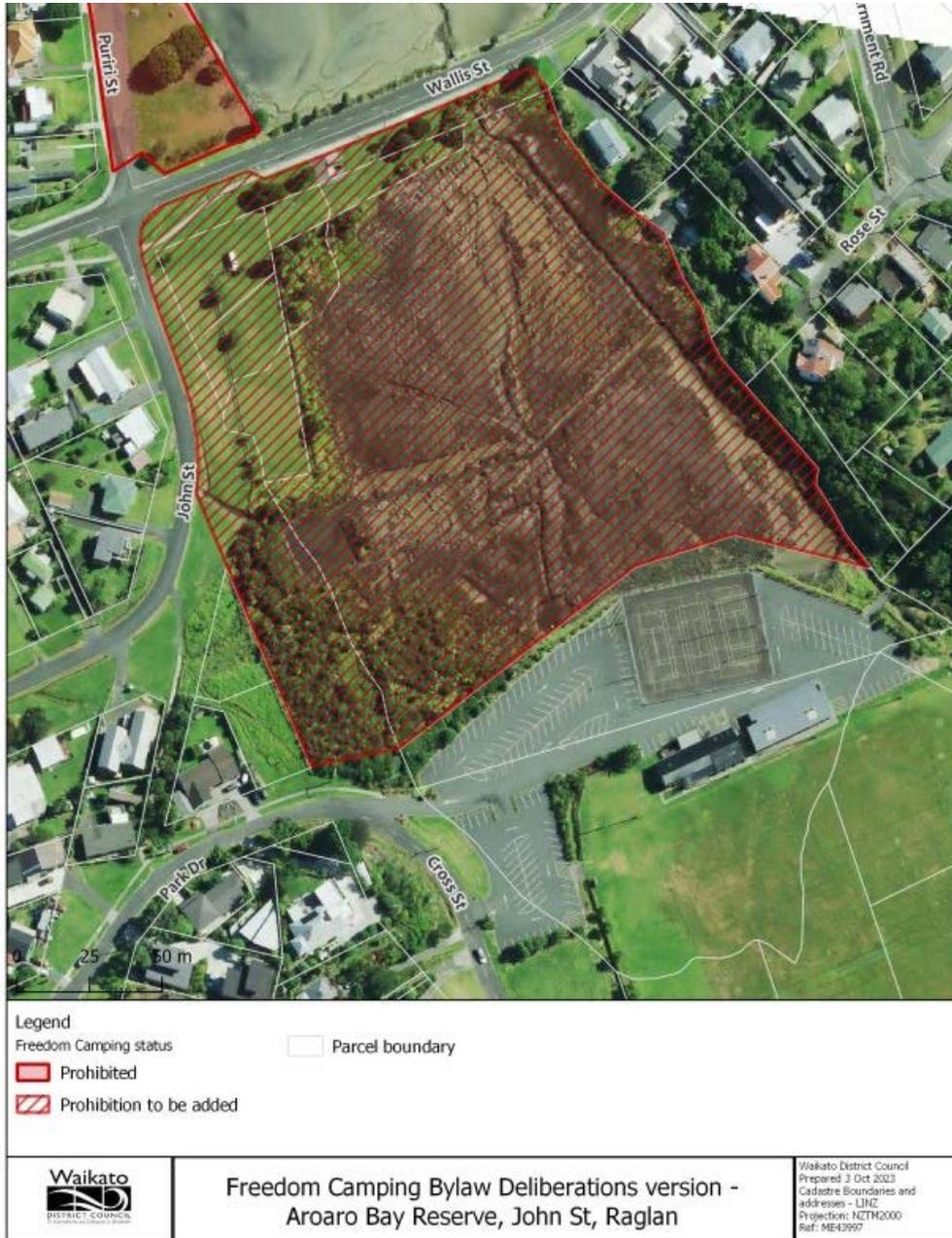
Staff comments:

Staff acknowledge the issues that have occurred in the past in this area. Aroaro Bay Reserve, the dog exercise area and the salt marsh behind it are all reserve land, so freedom camping is prohibited under the Reserves Act. There is some land between the reserve and John Street which is road reserve, as well as the road verge between the reserve and Wallis Street. To assess whether or not the reserve and the adjacent grassed areas should be included in the bylaw, staff have evaluated this area against the criteria in the Act as follows:

Assessment	Score	Explanation
Protect the area	5	Aroaro Bay Reserve is a high value ecological site. According to the Reserve Management Plan , Aroaro Bay is a saltwater marsh which offers important habitat as it is dominated by native species and is a natural filter for stormwater entering the marine environment. The site is managed to improve ecological values through a native species planting and weed control programme. Regular inundation of tidal saltwater is important to keep the ecosystem functioning. An open stormwater drain runs through the site. Vehicles and camping on the site have caused damage to this natural environment in the past including public defecation, littering and vehicles damaging the grassed area.
Protect the health and safety of people	3	There is evidence of previous significant issues with anti-social behaviour relating to freedom camping on the site, including the adjacent grassed areas between the reserve and the neighbouring streets. The area is used by pedestrians including elderly people and children. There is a well-used dog exercise area on the reserve.
Protect access to the area	2	Vehicles used for freedom camping on the area in the past have caused access issues for users of the dog exercise area.
Total Score	10	This is a significant natural area. It has a dog exercise park and is within a residential area, so it is well used by pedestrians. There is a history of problems relating to freedom camping on this reserve and the surrounding area, especially related to how freedom camping has negatively impacted on the health and safety of users of the area, as well as their ability to access the area.

Based on this assessment, staff suggest that this area would benefit from a more explicit prohibition under the Bylaw, to include the whole area of Aroaro Bay Reserve, the dog exercise park and the salt marsh, and the grass verge right up to the roadside of John Street and Wallis Street.

A map of the proposed new prohibited area is shown below.



Staff recommendation 19:

Staff recommend that a new prohibited area at Aroaro Bay Reserve, John Street, Raglan is included in Schedule One of the Bylaw, with the description of the area as follows:

[Aroaro Bay Reserve, John Street, Raglan](#)

[Aroaro Bay Reserve and the adjacent footpath and grassed areas along Wallis Street and John Street.](#)

General feedback – Raglan

Other comments not related to any specific site in Raglan were received from several submitters.

Summary of general feedback:

The general feedback around freedom camping in Raglan was broadly under two themes: those who support freedom camping and encouraged either a more permissive approach or special restrictions in Raglan, and those who feel freedom camping should be discouraged with more prohibited areas, or at least only have freedom camping areas away from Raglan township.

Two submitters (6722, 6795) requests that Council allow for freedom camping in places with access to bins and toilets.

Submitter (6551) queries why the changes proposed all reduce the areas for freedom camping, when Raglan has the highest requests about freedom camping. The submitter is disappointed that the consultation document does not address the issue of request figures and any analysis of permitting widespread freedom camping.

One submitter (Ngaaruawaahia Community Board) thinks some areas should be restricted to overnight only.

One submitter (6550) states Raglan and Ruapuke should have special restrictions due to high demand and increased use by freedom campers, day users and holiday makers cumulative impact on the environment and community.

One submitter (6948) states 5 nights is too long in Raglan as there are very few places to stay, suggests a 2-night maximum.

One submitter (6564) asks why there are no freedom camping spots in Raglan. One submitter (6568) questions why areas should be prohibited at all and suggests Council consider Whangarei's policies.

Submitter (6556) thinks freedom camping should be permitted to bring more tourism and benefits to the community. One submitter (6940) believes an expectation of rules and behaviour for freedom camping should be created.

One submitter (6548) is in favour of more prohibited areas, while another (6948) noted the roadsides are too narrow for freedom camping.

Submitter (6949) states that many roadsides are unsuitable for freedom camping and campers causes problems involving rubbish, fires, and risk to traffic and stock from blocking access and visibility especially on Whaanga Road (Raglan). This submitter would prefer people wanting to stay in their vehicle to do it out of town, near the bush, in areas of scenic beauty and preferably with toilets and water available.

One submitter (6595) requests all sites should have permits at all times.

Staff comments on general feedback:

Raglan/Whaaingaroa is a popular destination for freedom campers and other visitors, both for overnight stays/longer holidays and day trips. While staff understand that there are those who do not believe freedom camping should be allowed at all, the Freedom Camping Act 2011 is permissive by default and ensures that freedom camping remains an option for travellers. Local authorities are unable to create 'blanket bans' and must ensure any prohibitions and restrictions are only in place to protect the area, protect the health and safety of people and protect access to the area. Council must be able to demonstrate how any prohibited or restricted area meets a certain level of criticality within these criteria.

During early engagement, staff received feedback that there was a desire for more areas to be made available in Raglan for freedom camping, particularly areas close to the CBD that would be attractive and convenient for campers while not negatively impacting the community.

The proposal for a restricted area on Stewart Street has received a lot of feedback both for and against, and ultimately cannot be recommended by staff to go ahead with the proposed restricted area due to size limitations of the parking spaces. Time and resourcing constraints mean that staff are not able to provide any alternative potential locations for restricted freedom camping in or near the CBD prohibited area. It is also outside the scope of this bylaw review to work with the reserves team to review and amend any of the Reserve Management Plans.

It is acknowledged that a more comprehensive and strategic review of freedom camping in Raglan would be beneficial. Taking more of a 'destination management' approach to freedom camping in Raglan would be a larger piece of work that would need to align with a review of reserves and open spaces in that area, and feed into the next review of the Bylaw (within the next five years as required by the LGA).

In regard to other general comments received about freedom camping in Raglan, staff note that the provision of toilets and bins sit outside the remit of the Bylaw, and any change to levels of service for the provision of these amenities would need to be considered as part of any strategic destination management planning and budgeting through future long term plans.

There was concern raised by some submitters about the need for compliance monitoring and enforcement. Staff note that regular monitoring of freedom camping is currently undertaken throughout Raglan as best as resourcing allows. Current resourcing does not allow for 24/7 surveillance, however all complaints and service requests lodged with Council are looked into.

It is important that if residents or others in any given area are experiencing particular issues, that service requests are lodged with Council as this will help staff to understand where any problem areas are.

Staff also note that with regards to unsafe or illegal parking, including by freedom campers, this is addressed by compliance officers who undertake routine parking patrols.

Staff have looked into the suggestion that Council consider Whangarei's approach to freedom camping, and acknowledge that their [website](#) is very user-friendly and it not only lists out the prohibited and restricted freedom camping areas, but also directs freedom campers to areas specifically identified as being suitable for freedom camping.

Due to the permissive nature of the Act in allowing freedom camping in any local authority area, unless it is specifically prohibited or restricted in the Bylaw or other regulatory mechanism, Council's approach so far has been to only communicate which areas are prohibited or restricted. An interactive map was developed for the District for this very purpose and will be available again on Council's website once the final Bylaw is adopted. This map enables the public to see where they cannot freedom camp, with the message that they can camp anywhere else on local authority land.

There is a desire from the public for more of a directive approach to where they CAN freedom camp, rather than simply being told they can camp anywhere that's not prohibited, so revising our approach to this would be worth considering, especially if a strategic destination management piece of work was undertaken in future for Raglan.

Finally, staff note that Council is not looking to incorporate permits in this bylaw. Campers outside of Schedule Three designated areas are required to display a self-contained certification in their front windscreen.

Staff recommendation 20:

Staff recommend that no additional changes are made to the Bylaw as a result of the general feedback received.

NGAARUAWAAHIA

Submissions about Freedom Camping in Ngaaruawaahia were mixed, with some submitters supporting more prohibitions in Ngaaruawaahia and some requesting more areas where freedom camping could be permitted. The majority of submissions received were regarding Te Huinga o Ngaa Wai (The Point).

Te Huinga o Ngaa Wai (The Point)

The Proposed Bylaw contained a proposal to extend the current prohibited area at Te Huinga o Ngaa Wai (The Point) (Map number: WDC_2016_19). There is also a restricted area at Te Huinga o Ngaa Wai, which was not proposed to change.

The submission form asked whether submitters supported this proposal, with the following results:

Ngaaruawaahia - Do you support extending the existing prohibited area at Te Huinga o Ngaa Wai?	Count	Percentage of Y/N/O
Yes	25	69%
No	10	28%
Other	1	3%
I do not have a response for this question	31	
Total	67	100%

Summary of feedback:

Fifteen submitters made comments regarding extending the prohibited area at Te Huinga o Ngaa Wai. Those who **did not** support the prohibited area, or the extension of the prohibited area, suggested there **was no clear reason** for the prohibition as it was a great place to stay (6675, 6793) and was **close to active recreational opportunities** (6675) and the rules were too restrictive (6883, 6554, 6939). Two submitters (6558 and the Ngaaruawaahia Community Board) submitted that the prohibited area was **too large**. Two submitters (6722, 6568) did not understand the reason for the change.

Those submitters who **did** support the proposed prohibited area at Te Huinga o Ngaa Wai said that freedom campers in this area would have a **negative effect** on the beautiful area (6596, 6593), and one submitter noted the prohibition would ensure access to parking at the squash club would be maintained (6652). **Tuurangawaewae Marae** supported the prohibition due to its **cultural significance** and said that while they would prefer freedom camping to be **prohibited from the area in its entirety**, if there is still to be a restricted area that it should be moved further away from the Waikato Awa.

Staff comments:*Prohibited area*

Te Huinga o Ngaa Wai is a significant site for mana whenua as identified in the Waikato District Council Point Reserve and Kiingitanga Management Plan. Te Huinga o Ngaa Wai is an area of high historic importance, particularly to tangata whenua as a paa site. There are three Heritage New Zealand listed sites, including the Band Rotunda, Pioneer Gun Turret and World War I & II Memorial, plus a further four listed archaeological sites located either on or adjacent to reserve. These elements mean there is a strong case for protection from the effects of freedom camping under the Act, especially in the 'protect the area' criterion. The submission from Tuurangawaewae Marae supports the continued prohibition of the area on these grounds.

The squash club car park had been overlooked on maps within the 2016 Bylaw and its absence gave the impression that this area was available for freedom camping, despite being within the significant area. The extension of the prohibited area to capture the car park by the squash club reflects this significance, while also protecting access for users of the squash club. There was high support from submitters (69 per cent) to extend this prohibition and this extension is recommended by staff.

Restricted area

Retaining a restricted area on the reserve reflects the need for protection of the area while also providing for some limited freedom camping in a scenic area, as noted by submitters who support freedom camping in this area including the Ngaaruawaahia Community Board. The presence of freedom campers provides passive surveillance to the area and directs those who wish to freedom camp within Ngaaruawaahia to an attractive location. However, the carpark spaces used and marked by signs on the reserve are different to the area shown in the 2016 Bylaw, and this inaccuracy was carried over into the Proposed Bylaw.

The car park spaces which are sign posted and used in practice have good manoeuvrability for larger vehicles, are well off the access roads on the reserve, and are adjacent to the dump station, so are in a better location to those spaces marked on the maps. It would be appropriate to update the restricted area as marked on the maps within the bylaw to reflect how the area is used.

This change does not address the point raised in the Tuurangawaewae Marae submission, which requested the restricted area either be removed all together or moved away from the awa. Staff visited the reserve for the purpose of evaluating other potential locations for freedom camping and none were found. The other car park spaces on the reserve are either closer to the river with narrower areas for manoeuvring, creating potential access issues; are close to the playground and used to access the reserve for maintenance, which would create access issues for reserve maintenance and users of the playground.

There is a clear preference from submitters to carefully manage freedom camping on this site, but to allow for some freedom camping. Therefore, staff recommend that Council retain some freedom camping on this site, restricted to the car park spaces adjacent to the dump station, in the area currently sign posted.

This would mean a change to the restricted area on the maps within the bylaw to reflect the current sign posted area, while maintaining status quo. The draft maps below indicate the current area (the red hatched area) with the current sign posted area (the yellow hatched area).



Staff recommendation 21:

Staff recommend that Map WDC_2016_19 in the Schedules of the Proposed Bylaw be updated to change the location of the restricted area on Te Huinga o Ngaa Wai (The Point) to reflect the sign posted car park spaces adjacent to the dump station.

Staff recommendation 22:

Staff recommend that the proposed extension to the prohibited area on Te Huinga o Ngaa Wai (The Point) to include the squash club car park be retained.

Other comments related to Ngaaruawaahia

There were no other proposed changes to the remaining prohibited and restricted areas in Ngaaruawaahia. The submission form asked whether submitters had any comments in relation to any of the other prohibited or restricted areas in Ngaaruawaahia, which were listed out in the submission form as follows:

Prohibited:

- Waikato Esplanade, 1-52 Waikato Esplanade (see Map number: WDC_2016_12).
- Paterson Park (see Map number: WDC_2016_13)
- Horotiu Bridge carpark area (see Map number: WDC_2016_14)
- Waingaro Road, section at end of Hakarimata track (see Map number: WDC_2016_15)
- Hakarimata Track carpark area, Brownlee Ave (see Map number: WDC_2016_16)
- 451-477 Old Taupiri Road, Hopuhopu (see Map number: WDC_2016_17)

Restricted:

- Te Huinga o Ngaa Wai (The Point), Lower Waikato Esplanade – location is restricted to a designated area and the designated area cannot be used if it is required for events. (See Map number: WDC_2016_19).

Summary of feedback:

No submission points specific to these areas were raised, other than the comments related to Te Huinga o Ngaa Wai as the restricted area falls within a prohibited area, and these comments are addressed in the previous section of this report. However, in general terms, one submitter (6553) was in favour of **more prohibitions** within Ngaaruawaahia in general, and one submitter (6556) was in favour of a **more permissive approach** to freedom camping in Ngaaruawaahia.

One submitter (6675) suggested a new area for prohibition of freedom camping, on the grassed area of Croall Crescent, due to **safety concerns** as road is too narrow and there is no footpath.

Staff comments:

Prohibitions and restrictions on freedom camping within Ngaaruawaahia have been included in the Proposed Bylaw to protect specific areas, protect the health and safety of people using the areas, and protect access to specific areas. These protections on the specific areas listed above interplay with the district-wide restriction which allows for certified self-contained vehicles to be used on local authority areas for freedom camping up to the maximum number of nights, as well as prohibitions on gazetted reserves as per the Reserves Act.

The result is that there are local authority areas available for certified self-contained freedom campers to use within Ngaaruawaahia such as on roadsides, while the areas requiring protection are included within the prohibited and restricted areas in the bylaw. The feedback received on the Bylaw's general application within Ngaaruawaahia reflect this balance between protecting areas and allowing for freedom camping.

One submitter suggested a new prohibited area be included within Ngaaruawaahia, along Croall Crescent. This area is a narrow, riverside, residential road with no foot path. The general area is shown in the map below. The red shaded area is gazetted recreational reserve. The photograph shows the roadside and is taken facing south, with the river on the right.



In order to assess whether or not this area should be included in the Bylaw, staff have evaluated this area against the criteria in the Act as follows:

Assessment	Score	Explanation
Protect the area	3	<p>The grassed verge along the river side of Croall Crescent is not curbed or channelled, and there are no formed parking areas. Freedom campers parking on the grass may damage the area.</p> <p>The area is adjacent to the Waikato Awa, which is culturally significant. There is a recreational reserve alongside the road which contains the Te Awa River Ride walk and cycleway.</p>
Protect the health and safety of people	2	<p>If this area was used heavily for freedom camping, it could cause a health and safety issue for residents accessing their properties, especially for children. There is an access way to the Te Awa River Ride walk and cycleway from Croall Crescent used by pedestrians and cyclists, so freedom campers parked adjacent to this area may cause a health and safety issue for people using this access.</p>

Assessment	Score	Explanation
Protect access to the area	2	If there were many vehicles parked along this road, they would obstruct traffic due to it being narrow. Freedom campers may also block the access way down to the Te Awa River Ride walk and cycleway which could compromise access for pedestrians and cyclists.
Total Score	7	Staff do not have any record of any current or previous issue with freedom camping in the area. Freedom camping on the recreation reserve is already prohibited under the Reserves Act, which provides protection to the Awa and the Te Awa River Ride walk and cycleway. Staff consider that based on this assessment, there is not adequate reason for prohibition or restriction on freedom camping along Croall Crescent. If this was to become a freedom camping hot spot in future, this assessment should be revisited to ensure there are no new issues arising.

In addition, staff have noted a small typographical error in the spelling of Paterson Park (misspelt as Patterson Park) within Schedule One of the Proposed Bylaw. Staff recommend that this error be corrected.

Staff recommendation 23:

Staff recommend that no change is made in response to other comments related to Ngaaruawaahia, and that Croall Crescent is not added to the prohibited or restricted areas within the schedules in the Bylaw.

Staff recommendation 24:

Staff recommend the following change made to the description of the Paterson Park prohibited area description in Schedule One:

Patterson Park

PORT WAIKATO

The Proposed Bylaw contained a proposal to extend the current prohibited area at Sunset Beach, Port Waikato to include the entire carpark area (Map number: WDC_2016_25).

The submission form asked whether submitters supported this proposal, with the following results:

Port Waikato - Do you support the change to prohibited area at Sunset Beach?	Count	Percentage of Y/N/O
Yes	26	72%
No	9	25%
Other	1	3%
I do not have a response for this question	31	
Total	67	100%

Summary of feedback:

Twenty-six submitters supported the proposed change to the prohibited area at Sunset Beach. Nine submitters did not support this proposed change.

Two submitters who supported extending the prohibited area (6596, 6893) commented that parking should be left available for other visitors, not campers.

One submitter (6893) commented on the pressure summer visitors place on the coastline and infrastructure.

Two submitters who did not support extending the prohibited area (6892, 6558) felt that the current area is already restricted enough and there is enough room there to allow some freedom camping. Two submitters (6560, 6562) suggested considering time period and/or seasonal restrictions.

Staff comments:

Staff agree that summer visitors place pressure on the coastline and infrastructure in Port Waikato and note that the site assessment that was undertaken for continuing and extending the freedom camping prohibition in the Sunset Beach carpark considered issues such as coastal erosion and public safety. The assessment against the criteria in the Act is shown below (full assessment can be found in **Attachment 2**):

Assessment	Score	Explanation
Protect the area	4	NZAA registered site R13/110. High erosion area.
Protect the health and safety of people	4	Prone to high winds and experiencing significant coastal erosion. Public carpark and surf club adjacent. Used for recreational activities.
Protect access to the area	2	Access has at times been limited due to weather.
Total Score	10	Retain current prohibition and extend the area to capture the entire car park area.

Staff also note that the 2016 assessment found that this area was very exposed and not safe for freedom camping. There has been increased coastal erosion in this area since 2016 and there is a building showing on the 2016 maps that has been removed due to this erosion. This is part of the proposed extension.

Staff recommendation 25:

Staff recommend that the proposed extension to the prohibited area at Sunset Beach is retained in the final bylaw as per map number WDC_2016_25.

There were no other proposed changes to the prohibited areas in Port Waikato, and no restricted areas proposed. The only other prohibited area in Port Waikato is currently Maraetai Bay Reserve, Maunsell Road (Map number: WDC_2016_18).

The submission form asked whether submitters had any comments in relation to any of the areas in Port Waikato.

Summary of feedback:

One submitter (6565) stated that areas in Port Waikato should be protected. One submitter (6596) requested more rubbish bins be provided. Two submitters (6892, 6557) suggested that freedom camping should be permitted at Maraetai Bay, with one (6892) stating that it would be good for campervans as facilities are available, and the other (6596) requesting a new area be provided as an alternative to Sunset Beach.

Staff comments:

Maraetai Bay was raised through pre-engagement as potentially being a site to consider for permitting freedom camping due to it being a high value recreation area. A site assessment for was undertaken to check that the area still warranted prohibition and the assessment resulted in an overall score of 9, the high-level results are shown below:

Assessment	Score	Explanation
Protect the area	4	NZAA registered site R13/111. The bay has high amenity and the coastal environment warrants protection.
Protect the health and safety of people	3	Busy area used for various recreational activities by families.
Protect access to the area	2	Bollards are installed to restrict vehicles driving around and causing damage.
Total Score	9	Retain current prohibition

In addition, this area is also classified as a reserve. The Reserve Management Plan for the Maraetai Bay Reserve does not provide for camping; therefore, freedom camping is prohibited on this site under the Reserves Act regardless of its status under a freedom camping bylaw. Making changes to Reserve Management Plans is outside the remit of this bylaw review, but it is something that Council may wish to consider in future. Staff note that the provision of rubbish bins and other facilities is also outside the remit of the Bylaw, however this information will be shared with relevant teams.

Staff recommendation 26:

Staff recommend that the prohibited area at Maraetai Bay Reserve (Map number WDC_2016_18) is adopted with no changes.

TUAKAU

The Proposed Bylaw did not contain any proposed changes to the areas in Tuakau. Currently, Freedom Camping at the St. Stephens carpark at 8 St. Stephens Avenue is restricted to the signposted part of the carpark only, between 6pm and 10am with a maximum stay of two nights (Map number: WDC_2016_20). There are no prohibited areas proposed in Tuakau.

The submission form asked whether submitters supported the proposal to retain the current restrictions in this area, with the following results:

Tuakau - Do you support retaining the current restrictions in Tuakau?	Count	Percentage of Y/N/O
Yes	22	92%
No	1	4%
Other	1	4%
I do not have a response for this question	43	
Total	67	100%

Summary of feedback:

A total of 22 submitters supported the proposal to retain the current restrictions in Tuakau while one submitter did not support this proposal.

Comments relating to the restricted area in Tuakau were quite general in nature, for example the suggestion that campers should require a permit (6596), a comment that it is reasonable for campers to be held accountable by working with restrictions (6565) and that there should be more freedom camping spots, not fewer (6556).

Staff comments:

Staff agree that the restrictions set out in this area in Tuakau are helpful and reasonable. It is not feasible to require all campers to have a permit, nor is it necessary as the Act is permissive by default, so those in certified self-contained vehicles can camp in line with any restrictions set out in the Bylaw, on any local authority land, unless it is prohibited either by the Bylaw or under the Reserves Act. As there are no prohibited areas in Tuakau (except for reserves), people can camp on any other Council land in Tuakau in a certified self-contained vehicle for up to the maximum number of nights allowed by the Bylaw.

Staff acknowledge that the signs at the St. Stephens carpark need to be looked at to ensure the area designated for freedom camping is clear. This will be resolved through implementation and is outside of the scope of the content of the Bylaw.

Staff recommendation 27:

Staff recommend that the restricted area at the St. Stephens carpark in Tuakau (Map ref. WDC_2016_20) is adopted with no changes.

NEW PROHIBITED OR RESTRICTED AREAS SUGGESTED BY SUBMITTERS

The submission form asked whether submitters had any comments relating to any other areas in the district that are not covered, or proposed to be covered, in the Proposed Bylaw. Two comments were received.

Summary of feedback:

Submitter (6909) stated restrictions are needed at Pokeno Waterfall due to noise, litter and insufficient facilities.

Submitter (6565) suggested Tamahere Reserve should remain prohibited.

Staff comments:

The Pokeno Waterfall site was assessed during the development of the Bylaw as it was raised through pre-consultation. It is also noted that this area is classified as a reserve. The high-level results of the site assessment are shown below, with the full assessment in **Attachment 2**.

Assessment	Score	Explanation
Protect the area	4	This a classified recreational reserve. There is a significant natural ecosystem in this area, as well as being a popular area for tourists, so the area requires protection. NZAA site S12/360 is on the reserve.
Protect the health and safety of people	2	The area has a small car park with no lighting or facilities No significant health and safety concerns.

Assessment	Score	Explanation
Protect access to the area	2	There is a small, partially formed car park accessed from a reasonably quiet road.
Total Score	8	No change (remain prohibited under the Reserves Act 1977)

Based on the assessment against the criteria in the Act, there is not enough grounds for explicitly prohibiting freedom camping on this site within the bylaw. The site will remain prohibited under the Reserves Act.

With regards to the submission about Tamahere Reserve, staff note that this is already prohibited under the Reserves Act and will remain prohibited.

Staff recommendation 28:

Staff recommend that no further additional prohibited or restricted areas are added to the final Bylaw.

5.4.3 Designated areas for freedom camping for vehicles that are not self-contained (Schedule Three)

The Proposed Bylaw contains two designated areas where Freedom Camping is allowed for vehicles that are not self-contained.

TE KAUWHATA

For one of these areas, at Te Kauwhata Domain on Mahi Road, the designated area was proposed to be reduced from the current designated area, to limit freedom camping to one end of the carpark. This area cannot be used for freedom camping if it is required for events.

The submission form asked if submitters supported this proposal, with the following results:

Te Kauwhata - Do you support the change to reduce the designated area for non-self-contained vehicles at Te Kauwhata Domain?	Count	Percentage of Y/N/O
Yes	24	80%
No	4	13%
Other	2	7%
I do not have a response for this question	37	
Total	67	100%

Summary of feedback:

Nine submitters made comments in relation to the Te Kauwhata Domain. The two submitters who **did not** support the proposal to reduce the current designated area suggested the proposed area was **too small** (6554) and that it was **not clear** what Council was hoping to achieve with the reduction (6883).

Four submitters provided comments in **support** of the proposal to reduce the current designated area, as the reduction still **left enough room** for freedom campers (6722), that the change would enable **other users to access parking** (6652) and that the change would **manage any damage** to the grass (6558). One submitter (6547) supported the change because Te Kauwhata is not a camping destination, and the change would **encourage people to move on**.

One submitter (6938/NZMCA) sought clarity regarding whether **self-contained vehicles** could use this area to freedom camp as well as vehicles which are not self-contained and supported the area to be available to both.

One submitter (6652) identified that the presence of freedom campers **has reduced crime** in the area but there have been issues of campers staying for extended periods and **more toilet facilities** are needed for vehicles that are not self-contained.

One submitter (6568) was opposed to the area altogether, and suggested the area should be limited to **self-contained vehicles only**.

Staff comments:

The proposed reduction in the area for freedom camping on Te Kauwhata Domain was driven through feedback received during early engagement. The existing freedom camping area as defined in the 2016 bylaw covered the entire car park and the sports field, and users of the sports and recreation facilities were experiencing access issues when trying to access and use the rugby and sports club facilities. A reduction of the freedom camping area on the Domain addresses these concerns while providing an area for freedom camping for vehicles both self-contained and not self-contained. The proposed area excludes the sports grounds from the restricted area and leaves the parking area directly in front of the rugby and squash club free for patron parking.

The reduced area still allows for approximately 50 vehicles to be parked. The size of this area, coupled with the requirements for campers to move on after a maximum of two nights, will ensure there is enough turnover to allow for visitors to the area to enjoy the space for the purposes of freedom camping in vehicles.

Under the amendments to the Act, Council has explicitly been given the mandate to consider areas which can provide for freedom camping in vehicles that are not self-contained (section 11A of the Act). The existing use of this area as a non-self-contained freedom camping location as established under the 2016 bylaw is generally supported, and the negative impacts from freedom campers on other users of this space can be managed through reducing the area available as proposed in this consultation process. This, coupled with the presence of public toilets, means it is appropriate for this area to continue to be set aside to provide for freedom camping in vehicles that are not self-contained.

In their submission, NZMCA sought clarification regarding whether self-contained vehicles can also be used to freedom camp within this area. It was intended that this restriction would be inclusive of self-contained vehicles as well as vehicles that are not self-contained, and staff acknowledge that the current wording of Schedule Three is ambiguous. Therefore, it is recommended that additional description be added to Schedule Three to ensure clarity.

Staff recommendation 29:

Staff recommend that the following text be added immediately prior to Schedule Three:

Vehicles that are not Self-contained may only Freedom Camp for a maximum of two nights in the areas that are specified in the table below. Certified Self-contained vehicles may also be used to Freedom Camp in these areas.

ONEWHEREO

The Proposed Bylaw did not propose changes to the freedom camping area in Onewhero. Currently, vehicles that are not self-contained can Freedom Camp at Onewhero Domain at 14 Hall Road, in a designated area, when the area is not required for events. (Map number WDC_2016_21).

The submission form asked whether submitters supported the proposal to retain the current prohibitions in this area, with the following results:

Onewhero - Do you support retaining the current prohibitions in Onewhero?	Count	Percentage of Y/N/O
Yes	23	85%
No	2	7%
Other	2	7%
I do not have a response for this question	40	
Total	67	100%

Summary of feedback:

Three submitters made additional comments relating to the freedom camping area in Onewhero.

One submitter (6565) **supported** the area being retained in Schedule Three, noting the convenience of the nearby **public toilets** for freedom campers.

One submitter (6937/Rural Port Waikato Community Board and Onewhero Rugby Club) raised concerns about the **negative impact** some campers have on the area. While on the whole freedom camping at this area is supported by the submitter, the submitter noted that Council should be more proactive in addressing the issues caused by rubbish, rugby club break-ins, public urination and defecation, public nudity, the cost to the rugby club of clean up and repair, and the need to improve monitoring, compliance and facilities. The submitter also noted the mapped area in the bylaw is incorrect and shows camping permitted in a fenced off septic tank area.

One submitter (6938/NZMCA) sought clarity regarding whether or not **self-contained vehicles** could use this area to freedom camp as well as vehicles which are not-self-contained; and supported the area to be available to both.

Staff comments:

While submitters noted concern regarding the negative impacts associated with freedom camping in this restricted area, on the whole there is support for freedom camping to continue on this site. Many of the issues raised by submitters are outside the scope of the bylaw, and are either police matters (such as break-ins at the rugby club and public nudity and defecation) or managed through other Council regulatory mechanisms (such as littering).

Council staff note that there have been no service requests or complaints raised through Council's system in a search conducted to capture everything since the 2016 Bylaw established this area as a freedom camping area for vehicles that are not self-contained. It is important that issues are raised through this channel so Council can respond in a timely way and address the matter. Raising issues or concerns in this way also enables Council to collect data to support future changes to the relevant bylaws, policies, and regulations.

In their submission, the Rural Port Waikato Community Board and Onewhero Rugby Club suggested a change to the defined area to better reflect the area used by freedom campers and to protect the septic tank infrastructure. Staff support this change. In addition, as a way to manage the negative behaviour noted by the submitters while still allowing for freedom camping in vehicles that are not self-contained to occur on the site, staff consider it appropriate to refine the mapped area to be further away from the playground to protect the health and safety of children accessing the playground.

These two changes to the mapped area will reduce the total parking spaces available to freedom campers; but balances providing this area for freedom camping this with the need to protect the area (the septic tank infrastructure), protect the health and safety of people (children near the playground) and protect access to the area (pedestrians including children accessing the playground).

Staff recommend the map for this area within Schedule Three of the Bylaw (map reference WDC_2016_21) be changed. This proposed change to the designated area is indicated in the map below, with the red hatched area being the recommended reductions on the blue freedom camping area.

As with the area in Te Kauwhata, discussed immediately above, the NZMCA also sought clarification regarding whether self-contained vehicles can also be used to freedom camp within this area. The change made to Schedule Three in the recommendation above addresses this concern and makes it clear that certified self-contained vehicles may also be used to freedom camp in this area.



Staff recommendation 30:

Staff recommend that changes be made to map reference WDC_2016_21 – Onewhero Domain, to reduce the area available for freedom camping in vehicles that are not self-contained, so the designated area is away from the septic tanks and the playground.

NEW DESIGNATED AREAS FOR NON-SELF-CONTAINED VEHICLES SUGGESTED BY SUBMITTERS

Summary of feedback:

One submitter (6557) suggested that more freedom camping options near cycle tracks would encourage tourism.

Staff comments:

Without any specific location suggestions, staff are unable to undertake site assessments at this time. Due to time and resource constraints, staff are not able to do a comprehensive review of all areas in the District that might be suitable for freedom camping, and have relied on pre-engagement and specific site suggestions given through formal consultation.

As with Raglan, for any other areas in the District where Council may look into introducing specific areas where freedom campers are directed to stay, this would require a more strategic and comprehensive approach which is outside the scope of this bylaw review.

Staff recommendation 31:

Staff recommend that no additional designated areas for non-self-contained vehicles are added to the Bylaw.

5.4.4 Other

There were some other comments received that were not pertaining to any specific areas within the Proposed Bylaw.

Summary of feedback:

Submitter points	Staff Comment
Five submitters (6942, 6596, 6652, 6559, 6554) stated concerns about enforcement. Of these one (6942) wanted nightly enforcement by council staff, one (6652) was concerned about fraudulent self-contained stickers and one (6554) stated need for empathy towards those using vehicles as temporary housing.	Council staff are constrained by resources allocated to the Compliance team, which does not have the capacity for night-time monitoring. The Act contains regulations related to those using vehicles as temporary housing.
Two submitters (6567, 6949) were concerned about the environmental impact of freedom camping on waterways and ecosystems from human waste and rubbish. Submitter (6949) also expressed a hope that a bylaw would reduce biosecurity threats to farms.	The proposed Bylaw uses Prohibited and Restricted designations to identify areas which are unsuitable for Freedom Camping, partially due to environmental concerns. The Bylaw only addresses Freedom Camping on public property.

Submitter points	Staff Comment
One submitter (6947) stated more restrictions on freedom camping will benefit the local economy by incentivizing more locals to provide accommodation.	Restrictions on FC can only be implemented in line with the Act, and further restrictions are not recommended.
One submitter (6565) stated a shared responsibility and approach is needed from council, iwi and residents.	Noted, and staff agree a shared approach is required.
One submitter (6567) stated they are insulted by the absence of reference to Tangata whenua or Te Tiriti in the bylaw.	This disagreement is noted by staff. No further changes are proposed to Bylaw.
Two submitters (6563, 6564) mentioned the right of New Zealanders to enjoy the country they love. One submitter (6564) stated only those who break the rules should be punished and not New Zealand residents and taxpayers who follow the rules.	The support for New Zealand residents is noted, however staff are unable to differentiate between residents and international visitors who are freedom camping.
Two submitters (6567, 6548) stated campers should use campgrounds.	The Act allows for freedom camping. This is not limited to campgrounds only.
One submitter (6553) stated the more prohibited areas the better.	The proposed Bylaw allows for both prohibited and restricted areas.
Submitter (Ngaaruawaahia Community Board) stated that freedom camping brings economic benefits to the locality and the cost of supporting freedom camping is minimal.	The support for freedom camping due to economic benefits is noted.
Submitter (6596) suggested only permitting a few freedom campers during school holidays.	Staff are uncertain how the number of permitted freedom campers would be calculated, and how this might be enforced or monitored.

Staff recommendation 32:

Staff recommend that no additional changes are made to the Bylaw as a result of the other general feedback received.

5.4.5 Out of scope

There were some comments and suggestions received that are out of the scope of this bylaw. These are captured below, with staff comments regarding where these issues sit.

Theme/Submitter points	Staff Comment
Submitter (6555) suggested Council should first fix roads to improve road safety for children, stop sewage overflow being pumped into the ocean and make tiny homes affordable.	This suggestion is outside the remit of the Bylaw.
One submitter (6555) stated the land should be returned to Maaori.	This submission is outside the remit of the Bylaw.
Submitter (6567) wanted all freedom camping banned and to only allow camping in licensed campgrounds to support locals.	Council is not able to ban FC as the Act permits FC.
Submitter (6555) stated those who support freedom camping should have them stay on their land and provide laundry, toilet and rubbish facilities for free.	New facilities, such as toilets, is outside the remit of this Bylaw, and will require further Council resource.
Submitter (6561) stated in some locations it is hard to find a space to park as they are already full.	New parking is outside the remit of this Bylaw. This comment will be passed to Council's facilities team.
Two submitters (6557, 6652) made suggestions to increase infrastructure, specifically for non-self-contained camping (6652) and that NZMCA could assist with funding to offer more locations with dump stations (6557).	This is outside the remit of this Bylaw. This comment will be passed on to relevant teams.

Staff recommendation 33:

Staff recommend that no additional changes are made to the Bylaw as a result of the out of scope feedback received.

5.5 Options

Ngaa koowhiringa

Staff have assessed that there are three reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (see paragraph 6.1). The options are set out below.

Option 1: Approve all staff recommendations within this report. Direct staff to make changes to the final Bylaw for adoption.

Option 2: Approve some or all of the staff recommendations within this report, but make other changes based on submitter feedback received through consultation. Direct staff to make these changes to the final Bylaw for adoption.

Option 3: Do not approve staff recommendations and direct staff to undertake further analysis and consultation about additional changes to the proposed Bylaw. This option would delay adoption of the Bylaw.

Staff recommend **Option 1** because the recommendations provided by staff have taken all submission feedback and relevant legislation into account. This option would also ensure that the new Bylaw is adopted by 20 November 2023, before the busy summer season begins.

5.6 Financial considerations

Whaiwhakaaro puutea

Compliance monitoring and enforcement will be undertaken from within existing budgets.

Updated signage will need to be created and installed for new and changed prohibited, restricted and designated areas. This will be paid for out of existing budgets.

5.7 Legal considerations

Whaiwhakaaro-aa-ture

Freedom Camping Act 2011

Section 11(1)(a) of the Act gives Council the power to make a bylaw where it is necessary for one or more of the following purposes:

- i. to protect the area:
- ii. to protect the health and safety of people who may visit the area:
- iii. to protect access to the area.

The proposed prohibited and restricted areas in the Bylaw, including changes proposed following feedback received through consultation, have been assessed against these purposes and comply with section 11(1)(a).

Section 11(c) of the Act requires Council to determine that any bylaw made under the Act is not inconsistent with the New Zealand Bill of Rights Act 1990.

Part 2 of the New Zealand Bill of Rights Act 1990 (NZBORA) sets out rights that are affirmed and protected, that may only be subject to reasonable limits that can be demonstrably justified in a free and democratic society. The proposed Freedom Camping Bylaw may give rise to implications for the following rights under the NZBORA:

- Right to freedom of peaceful assembly (section 16 of the NZBORA)
- Right to freedom of movement (section 18 of the NZBORA)

A preliminary assessment on the Proposed Bylaw that was consulted on determined that its provisions are justified because they only limit the rights of individuals to the extent it is reasonable to do so to for other people's rights and freedoms to be maintained. The recommendations contained in this deliberations report are believed to be in line with this assessment, however a full assessment against the NZBORA will be completed by Legal Counsel before Council adopts a final bylaw.

Section 11(5) of the Act requires councils to use the special consultative procedure in section 86 of the Local Government Act 2002 when making freedom camping bylaws. Consultation undertaken on the Proposed Bylaw has complied with the legislative requirements.

Legislation Act 2019

The definition of 'certified self-contained vehicle' in the Proposed Bylaw incorporates by reference the New Zealand Standard 5465:2001 ('the NZ Standard'). This is done under the authority of section 64 of the Legislation Act 2019. Section 65 and Schedule 24 of the Legislation Act 2019 require any proposed reference to a Standard in this manner must be publicly notified and people given the opportunity to comment about the proposed reference. The Statement of Proposal in **Attachment 1** of this report complies with this requirement.

Staff confirm that the recommendations set out in this report comply with the Council's legal and policy requirements.

5.8 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with Council's previous approach of having a Bylaw to address problems related to freedom camping.

It is recommended that, after adopting the final Bylaw, Council make amendments to the Te Kauwhata Domain Individual Reserve Management Plan and the Onewhero Domain Individual Reserve Management Plan to ensure the RMPs and the Bylaw are consistent with the final decision made for these areas in relation to freedom camping. This is an existing inconsistency where the RMPs for these areas provide for self-contained freedom camping on designated areas within the reserves, whereas the 2016 Bylaw and the Proposed Bylaw provide for vehicles that are not self-contained to freedom camp.

5.9 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

Mana whenua stakeholders were directly contacted as part of early engagement, and their feedback informed the drafting of the Proposed Bylaw. Direct contact was made again with mana whenua to alert them of the formal consultation process and seek their feedback on the Proposed Bylaw.

5.10 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The decisions sought by, and matters covered in, this report are consistent with the Council's [Climate Response and Resilience Policy](#) and [Climate Action Plan](#). The Bylaw works to protect sensitive areas from damage, in particular some coastal areas prone to erosion. It also takes into consideration the potential health and safety risks for freedom campers who may use areas which are prone to coastal inundation and other climate hazards, as provided for in the Climate Response and Resilience Policy section 9.6 where the risk of hazards must be recognised and reduced.

5.11 Risks

Tuuraru

Having a Freedom Camping Bylaw helps manage environmental risk to sensitive areas which require protection. It also responds to health and safety concerns in certain areas, whether it be protecting the health and safety of other users of an area, or the health and safety of freedom campers. It also gives Council a tool to work with Iwi to protect areas of cultural significance.

Having a bylaw to respond to issues relating to freedom camping reduces the risk of reputational damage as it gives Council an effective tool to respond to problems promptly and appropriately.

Recently, other Freedom Camping Bylaws have been legally challenged (Marlborough District Council was successfully challenged in 2021 and Queenstown Lakes District Council is currently undergoing litigation). Broadly, these challenges were based on the bylaws being outside the scope of the Act and being overly restrictive. This risk has been mitigated by conducting early consultation with key stakeholders and maintaining a clear line of sight between the criteria in section 11(2) of the Act and any prohibition or restriction, to ensure the bylaw is within the scope of the Act.

6. Significance and engagement assessment

Aromatawai paahekoheko

6.1 Significance

Te Hiranga

The decisions and matters of this report are assessed as of moderate significance, in accordance with the Council's [Significance and Engagement Policy](#).

The following criteria are particularly relevant in determining the level of significance for this matter:

- There is a legal requirement to engage with the community.
 - The proposal or decision will affect a large portion of the community.
 - The likely impact on present and future interests of the community, recognising Maaori Tikanga (cultural values) and their relationship to land and water.
 - The community interest is likely to be high.
-

6.2 Engagement

Te Whakatuutakitaki

Highest level of engagement	Inform <input type="checkbox"/>	Consult ✓	Involve <input type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<ul style="list-style-type: none"> • Direct contact with mana whenua; • Direct contact with Community Boards/Committees; • Special Consultative Procedure undertaken under the Local Government Act 2002; • Public notices in local papers; • An update on the Council Website; • Promotional media release; • Social media posts on the Council Facebook page. 				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	✓	Internal
<input type="checkbox"/>	<input type="checkbox"/>	✓	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	✓	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	✓	Affected Businesses/Organisations
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Please Specify)

7. Next steps

Ahu whakamua

If the Committee approves the recommendations about changes to the Proposed Bylaw, staff will make the changes and bring the final Bylaw to the Policy and Regulatory Committee meeting on 14 November 2023 for recommendation to Council to adopt. The final adoption would then occur at the Council meeting on 20 November 2023, with the Bylaw coming into force that same day.

Following adoption, any implementation actions required would be undertaken, including updating signage at new and amended prohibited and restricted areas, and communications would go out to the public. The interactive map that shows all areas where people cannot freedom camp in the District would also be updated and made available again on Council's website.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.5</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Moderate
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.9</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.8</i>).	No – refer to section 5.8. Amendments required to some Reserve Management Plans.
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.7</i>).	Confirmed Final legal review of bylaw yet will be completed prior to adoption.

9. Attachments

Ngaa taapirihanga

Attachment 1 – Statement of Proposal and Proposed Bylaw (consultation version)

Attachment 2 – Site assessments informing the development of the Draft Proposed New Freedom Camping Bylaw 2023

Attachment 3 – Track changed version of Proposed Freedom Camping Bylaw 2023 for deliberations



HAVE YOUR SAY ON THE PROPOSED FREEDOM CAMPING BYLAW

STATEMENT OF PROPOSAL

PROPOSED FREEDOM CAMPING BYLAW 2023

waikatodistrict.govt.nz
0800 492 452



This Statement of Proposal is made for the purposes of Sections 83 and 86 of the Local Government Act 2002 and Section 11B of the Freedom Camping Act 2011.

It includes:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed changes
 - The Proposed Bylaw
 - 'Have your say' details

BACKGROUND

Council made a Freedom Camping Bylaw on 12 September 2016. The Bylaw was made under the Freedom Camping Act 2011 (the Act). Council is proposing to make a new bylaw, under section 11 of the Freedom Camping Act 2011, to restrict or prohibit freedom camping in some areas in the Waikato District. This Statement of Proposal outlines the key changes and includes the full Proposed Bylaw.

There have been recent changes to the Act which we have reflected in our Proposed Bylaw. The Self-contained Motor Vehicles Legislation Act 2023 is now law, and this means there are some nation-wide changes to where you can freedom camp, the meaning of self-contained vehicle, and changes to infringement fees and fines.

The Proposed Bylaw ensures alignment with the new legislation and enables Council to uphold the right to freedom camp in our district, while also protecting the environmental, social, cultural and economic values of our communities.

We are seeking your feedback on the Proposed Bylaw. Consultation allows the community to have a say on the content of, and changes to, the bylaw. Council welcomes your feedback on the Proposed Freedom Camping Bylaw with consultation open from 13 July to 14 August 2023.



A comprehensive explanation of the legislative changes is available on the Ministry of Business, Innovation and Employment's website at [this link](#).

REASONS FOR THE PROPOSAL

Council considered two options when deciding to make a new bylaw to regulate freedom camping, these options are summarised below:

The options are summarised below.

Option 1: Status Quo

Council allows the 2016 Bylaw to lapse and relies on the default provisions in legislation that apply to the regulation of freedom camping in the District, namely the Freedom Camping Act 2011, the Reserves Act 1977 and the Resource Management Act 1991.

This option has the effect of:

- Permitting freedom camping on all Council land except reserves, where it is prohibited unless explicitly provided for within an individual reserve management plan.
- Enabling Council to access limited enforcement powers under the Freedom Camping Act 2011 as they apply nation-wide, such as requiring all freedom campers to be self-contained.

This option was not chosen by Council.

Option 2: Make a bylaw under the Freedom Camping Act 2011

Council makes a bylaw under section 11 of the Act to prohibit or restrict freedom camping.

This option has the effect of:

- Freedom camping is permitted on all Council land except:
 - o reserves, where it is prohibited unless explicitly provided for within an individual reserve management plan; and
 - o areas that are restricted or prohibited in the bylaw.
- Council has a bespoke regulation applied to its local context with a range of enforcement options to respond to freedom camping issues within the district as per the bylaw.

Council chose Option 2: Make a bylaw under the Freedom Camping Act 2011 because it is the most reasonably practicable option for addressing the problems

The full report detailing these options can be found in the [Policy and Regulatory Committee agenda](#) for their 11 July 2023 meeting.

KEY CHANGES WE'RE PROPOSING TO MAKE



Council believes that, on the whole, the 2016 Bylaw has been working well. However, following a review of how it has been operating, and the recent amendments to the Act, some improvements have been identified. The key changes between the proposed new bylaw and the 2016 Bylaw are summarised below. The Proposed Freedom Camping Bylaw attached to this Statement of Proposal reflects these changes.

The major change from the Self-contained Motor Vehicles Legislation Act 2023 means that you can only camp on local authority land in a certified self-contained vehicle, except for designated areas. A self-contained vehicle must have a fixed toilet. There is a transition period to allow people with current 'blue sticker' certifications time to move to the new 'green sticker' certification.



KEY CHANGE 1

Amendment of the purpose of the Bylaw to align it with the Act.

The new purpose of the Proposed Bylaw is "To protect Waikato District's unique environment and community from issues associated with freedom camping by regulating freedom camping in areas where it is necessary for the following purposes:

- o To protect the area; and
 - o To protect the health and safety of people who may visit the area; and
 - o To protect access to the area."
-



KEY CHANGE 2

Incorporation of key definitions found within the Act by reference.

Referencing the Act directly ensures the Bylaw can use the most up-to-date interpretation of key terms such as “freedom camp”, “self-contained”, and “local authority area”, and allows for Council to respond to the two-year transition period from one certification to another.

KEY CHANGE 3



Incorporation of a reference to the NZ Standard 5465:2001 to support and provide further information to the definition of self-contained.

As required by clause 1 of Schedule 2 of the Legislation Act 2019, this statement of proposal is public notice of the proposal to incorporate the NZ Standard in the Freedom Camping Bylaw. The NZ Standard is incorporated by reference because it is impracticable to include its content in the bylaw. The NZ Standard is publicly available [here](#) where it can be viewed or printed once for free. We are seeking feedback on the incorporation of the NZ Standard in the bylaw, particularly comments about whether:

- o the Bylaw clearly identifies the material incorporated; and
- o the means of making the NZ Standard publicly available is sufficient to enable people to find and obtain copies of it with reasonable ease; and
- o it is otherwise appropriate.



KEY CHANGE 4

Clarification to, and amendment of, the district-wide restriction to apply a maximum number of nights a person can freedom camp in a particular area.

The maximum number of nights in the 2016 Bylaw is three nights in a month, and we propose to increase this to five nights in one place in any month. We have clarified the distance a person must move away from their freedom camping spot by setting a requirement that they move at least 500 metres away once they have stayed in an area up to that maximum.



KEY CHANGE 5

Clarifying the process and requirements for people who may wish to apply for an exemption to a prohibition or restriction.

This gives more certainty to people wishing to apply for an exemption under the Bylaw around what information Council requires in the application, and what kind of matters Council expects would qualify for an exemption, such as an event on a particular area.

KEY CHANGE 6



New clause on information requirements for temporary closures.

This clause provides more information on what communications and publicity the public can expect from Council when it exercises its power to temporarily close an area to freedom camp.



KEY CHANGE 7

Changes to the current areas, or new areas to be prohibited or restricted by the bylaw, as summarised below:

- o Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia – extension of current prohibited area to include the squash club; and
- o Te Kauwhata Domain, Mahi Road, Te Kauwhata – reduction of current area where vehicles that are not self-contained can freedom camp, to limit freedom camping to one end of the car park; and
- o Sunset Beach, Port Waikato – extension of current prohibited area to include entire car park area; and
- o Raglan CBD – exclude Stewart Street from the current prohibited area, and create a restricted area on Stewart Street where people can use the area for freedom camping at night between 5pm – 8am; and
- o Wainui Road, Raglan (near water treatment ponds) – new prohibited area; and
- o Wainui Road, Raglan (near Wainui Reserve bush park) – new prohibited area.

FEEDBACK



You can let us know what you think about any of the following proposed changes, or anything else that is covered by the Proposed Freedom Camping Bylaw.

You can do this by completing the submission form online, or by printing out the submission form and sending it in to us, by the submission due date of 14 August 2023.

SUBMISSIONS

Anyone can make a submission to the review of the Proposed Freedom Camping Bylaw, and we encourage you to let us know your views.

This feedback will be considered during the decision-making process and will inform the final bylaw.

PRIVACY ACT INFORMATION

The Local Government Act 2022 requires submissions to be made available to the public.

Your details are collected:

- o so that the Council can write and inform you of the decision(s) on your submission(s)
- o to arrange a hearing date and time for you to speak (if you choose to).

Your name will be publicly available. If you would like your name kept confidential you need to inform us when you send in your submission.

You have the right to correct any errors in personal details contained in your submission. If you do not supply your name and address the Council will formally receive your submission but will not be able to inform you of the outcome.

DETERMINATIONS

In reviewing this bylaw Council determined that having a bylaw made under the Freedom Camping Act 2011 in place is still the most appropriate way to manage issues relating to freedom camping.

We consider the Proposed Freedom Camping Bylaw to be the most appropriate form of bylaw.

We have assessed that the Proposed Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990. Any implications for rights under the New Zealand Bill of Rights Act 1990 will be reassessed before a final bylaw is made.

WHAT HAPPENS NEXT?

Council will acknowledge each submission received in writing, either by letter or email.

Following the closing of submissions on 14 August 2023, all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a meeting of Council's Policy and Regulatory Committee on 12-13 September 2023.

This meeting is open to both submitters and members of public to attend.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – Thursday, 13 July 2023

SUBMISSIONS CLOSE – Monday, 14 August 2023

HEARING OF SUBMISSIONS/DELIBERATIONS – 12-13 September 2023

ADOPTION OF FINAL BYLAW – 9 October 2023

If you have any further queries or would like further copies of the Proposed Bylaw, please contact us via email at consult@waidc.govt.nz or call us on 0800 492 452.

SUBMISSIONS CAN BE:

ONLINE:

www.wakatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaaruawaahia 3742

DELIVERED:

Waikato District Council
Attn: Corporate Planner



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
"Freedom Camping Bylaw
Submission"

15 Galileo Street, Ngaaruawaahia
3742

Huntly Office
142 Main Street, Huntly 3700

Raglan Office
7 Bow Street, Raglan 3225

Tuakau Office
2 Dominion Rd, Tuakau 2121

Te Kauwhata Office
1 Main Road, Te Kauwhata 3710



Waikato District Council

Proposed Freedom Camping Bylaw 2023

Waikato District Council, in exercise of its powers under 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 the Waikato District's unique environment and community from issues associated with freedom camping by regulating freedom camping in areas where it is necessary for the following purposes:
- a) To protect the area
 - b) To protect the health and safety of people who may visit the area
 - c) To protect access to the area.

2.0 Short title, commencement and application

- 2.1 The bylaw shall be known as the 'Waikato District Council Freedom Camping Bylaw 2023'.
- 2.2 The bylaw shall apply to the Waikato District.
- 2.3 The bylaw shall come into force on **XX October 2023**.

Related information

The bylaw is due for review by **XX** October 2028.

- 2.4 The bylaw is made under the authority of section 11 of the Freedom Camping Act 2011. In addition, other legislation and regulatory tools that regulate and control freedom camping include the Reserves Act 1977, reserve management plans, the Waikato District Plan and other Council bylaws. These should be referred to in conjunction with this Bylaw.

3.0 Related information

- 3.1 There are comment boxes headed 'related information' within the bylaw. This related information does not form part of the bylaw and may be inserted, changed or removed without any formality.

4.0 Definitions

- 4.1 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 has the meaning given by section 5(3) of the Act.

Related information

As at 7 June 2023, section 5(3) of the Act defines camping ground as:

- (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.

Council means the Waikato District Council

District means the Waikato District.

Freedom Camp has the meaning given by section 5(1), 5(2) and 5(2A) of the Act.

Related information

As at 7 June 2023, sections 5(1), 5(2) and 5(2A) of the Act, where freedom camping is defined, are as follows:

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of an area accessible by motor vehicle or within 200 m of 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 either or both of the following:
 - (a) a tent or other temporary structure;
 - (b) a motor vehicle.
- (2) In this Act, 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 motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person—
 - (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
 - (b) is unable to live in appropriate residential accommodation; and
 - (c) as a consequence of that inability, is living in either or both of the following:
 - (i) a tent or other temporary structure;
 - (ii) a motor vehicle.

Local Authority Area has the meaning given in section 6 of the Act.

Related information

As at 7 June 2023, section 6(1) of the Act, where local authority area is defined, is as follows:

- (1) In this Act, local authority area—
- a) means an area of land—
 - (i) that is within the district or region of a local authority; and
 - (ii) that is—
 - (A) controlled or managed by or on behalf of the local authority under any enactment; or
 - (B) an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A; and
 - (b) includes any part of an area of land referred to in paragraph (a); but
 - (c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

Self-contained

has the meaning given in section 4 of the Act.

Related information

As at 7 June 2023, section 4 of the Act, where self-contained is defined, is as follows:

- (4) In relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period.)

Related information

To be certified self-contained, the vehicle must achieve compliance with NZ Standard 5465:2001. The standard can be viewed or printed once for free at this link:
<https://www.standards.govt.nz/shop/nzs-54652001>.

For the avoidance of doubt, the standard requires that a self-contained vehicle be equipped with a toilet that is permanently fixed to the vehicle.

4.2 The Legislation Act 2019 applies to this bylaw.

5.0 Prohibited areas

A person must not Freedom Camp in any prohibited area within the District, as identified in Schedule One of this bylaw.

Related information

The Reserves Act 1977 prohibits camping on all reserves unless it is specifically provided for in an operative reserve management plan.

6.0 Restricted areas

- 6.1 A person may not Freedom Camp in contravention of this clause.
- 6.2 Freedom Camping is restricted in all Local Authority Areas. The restrictions that apply to Freedom Camping in all those areas are:
- a) A vehicle must be certified Self-contained vehicle to Freedom Camp.
 - b) A vehicle must not stay in any one area for more than five consecutive nights in any one month period.
 - c) A vehicle must not Freedom Camp within 500 metres of an area in which it has already been freedom camping for up to five consecutive nights in any one month period.
- 6.3 Freedom Camping is further restricted in the areas identified in Schedule Two of this bylaw.
- 6.4 Notwithstanding 6.2(a), a person may only Freedom Camp in a vehicle that is not Self-contained in the Local Authority Areas identified in Schedule Three.
- 6.5 The restrictions that apply in the areas in Schedule Two and Three are:
- a) If Schedule Two or Three specify a designated place in the Local Authority Area, a person must not Freedom Camp in another place in the area.
 - b) If Schedule Two or Three specify a maximum number of consecutive nights, that number prevails over clause 6.2(b) of the bylaw.
 - c) If Schedule Two or Three specify a time of day where Freedom Camping is permitted, a person must not Freedom Camp outside of those times.
 - d) If Schedule Two or Three specify a maximum number of vehicles, a person must not Freedom Camp in the area if that number of vehicles are already present when they arrive at the area.

7.0 Prior consent from Council

- 7.1 A person may only Freedom Camp in contravention of clause 6 if that person obtains prior written consent of the Council and complies with any conditions of the consent.
- 7.2 A person applying for consent under clause 7.1 must apply to the Council. The application must:
- a) Be made at least 30 days prior to the date on which Freedom Camping is planned to occur; and
 - b) Include information about the person applying for the consent and their contact details; and

- c) Describe the area or give an address where the Freedom Camping is intended to occur; and
- d) Describe the reason the consent is sought.

Related information

Council anticipates the following reasons could be grounds for an application:

- Where Freedom Camping is associated with a special event or occasion occurring in an area, and an exemption is required for the duration of the event or occasion
- Where there is a good reason for Freedom Camping in an area that cannot be reasonably met in another area.
- Complying with a restriction or prohibition within the bylaw is not reasonable in the circumstances.

Council's fees and charges can be reviewed on the website at:

<https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/plans/fees-and-charges>

- 7.3 Applications which fulfil the requirements of clause 7.2 of this bylaw will be considered by Council and may be granted at the Council's discretion. The Council may attach conditions to any consent that is granted.

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.

- 8.2 The Council will publicise a closure or restriction under clause 8.1 of this bylaw in any manner it considers is appropriate to the reason for the closure or restriction. The publicity may occur before the closure or restriction, but only if that is reasonably practicable.

Related information

The Council may publicise a closure or restriction using a sign erected in the area, and/or advertising on the Council's digital channels or on the radio, and/or a public notice in the newspaper.

9.0 Offences

- 9.1 Every person who Freedom Camps or makes preparation to Freedom Camp in a Local

Authority Area in breach of any prohibition or restriction in this bylaw commits an offence under section 20(1) of the Act.

9.2 Every person who Freedom Camps, or makes preparations to Freedom Camp, in a Local Authority Area in breach of the conditions of any consent given in accordance with clause 7 of this bylaw is in breach of a prohibition or restriction in this bylaw and commits an offence under section 20(1) of the Act.

This bylaw was made pursuant to a resolution passed by the Waikato District Council on XX
October 2023.

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. This includes the following:

- Alexandra Redoubt Cemetery, Alexandra Redoubt Rd, Tuakau
- Gordonton Cemetery, Gordonton Rd, Gordonton
- Huntly Kimihia Cemetery, Great South Rd, Huntly
- Jackson Street Cemetery, 46/44 Jackson St, Ngaaruawaahia
- Maramarua Cemetery, State Hwy, Maramarua
- Mercer Cemetery, 15 Glass Rd, Mercer
- Ngaaruawaahia Old Cemetery, Great South Rd, Ngaaruawaahia
- Okete Cemetery, Raglan
- Onewhero Cemetery, Kaipō Flats Rd, Onewhero
- Orini Cemetery, Orini Rd, Orini
- Pookeno Cemetery, 60/38 Fraser Rd, Pookeno
- Pookeno Old Soldiers Cemetery, Helenslee Rd, Pookeno
- Raglan Cemetery, East St, Raglan
- Rangiriri Cemetery, Te Wheoro Rd, Rangiriri
- Rangiriri Historic War Cemetery, 7 Rangiriri Rd, Rangiriri
- Taupiri Cemetery, Gordonton Rd, Taupiri
- Te Mata Cemetery, Te Papatapu Rd, Raglan
- Tuakau Cemetery, Alexandra Redoubt Rd, Tuakau
- Waerenga Cemetery, Keith Rd, Waerenga
- Waiterimu / Matahuru Cemetery, Waiterimu Rd, Waiterimu
- Whatawhata Cemetery, Cemetery Rd, Whatawhata

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
Papahua 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 - Turning bay across from 765A Wainui Road; and - Wainui Road road reserve	WDC_2016_07
Wainui Reserve Bush Park, Wainui Road, Raglan	WDC_2023_01
Water treatment ponds, Wainui Road, Raglan	WDC_2023_02
Papanui Point Carpark	WDC_2016_08
Swann Access Road, Ruapuke Beach	WDC_2016_09
Ruapuke Beach Road	WDC_2016_10
Bridal Veil Falls Carpark 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

Ngaaruawaahia	
Area Name / Description	Map Reference No.
Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia	WDC_2016_19
Waikato Esplanade I-52 Waikato Esplanade.	WDC_2016_12
Patterson Park	WDC_2016_13
Horotiu Bridge carpark area	WDC_2016_14
Waingaro Road Section at end of Hakarimata track	WDC_2016_15
Brownlee Ave Hakarimata Track carpark 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

The following areas have specific restrictions for Freedom Camping.

Area Name / Description	Restriction	Map Reference No.
Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia 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 carpark, Tuakau 8 St Stephens Avenue.	Sign posted part of car park only. Permitted camping hours between 6pm and 10am. Maximum stay of two nights.	WDC_2016_20
Stewart Street, Raglan Parking area on the street outside 1 Stewart Street and 3 Stewart Street	Location is restricted to a designated area. Permitted camping hours between 5pm and 8am.	WDC_2023_03

Schedule Three: Designated areas for Freedom Camping for vehicles that are not Self-contained

Vehicles that are not Self-contained 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

Schedule I Maps of Prohibited Areas Raglan





Legend

Freedom Camping status:

 Prohibited



Tohora Close, Calvert Road, Whale Bay

Map number: WDC_2016_02

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited

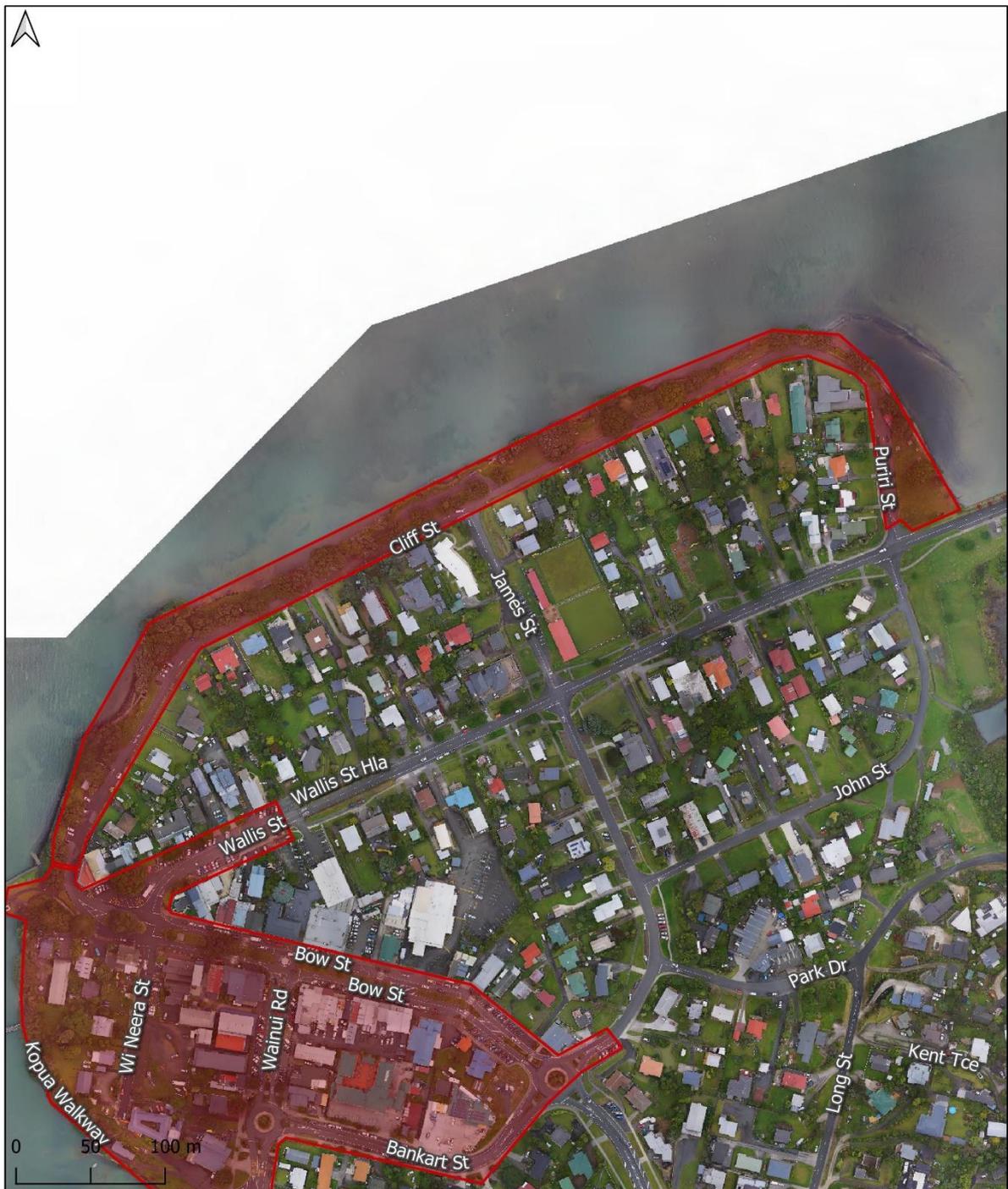


Ngarunui Beach Reserve

Map number: WDC_2016_03

Waikato District Council
 Prepared 4 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997





Legend

Freedom Camping status:

 Prohibited



Cliff Street, Puriri Street

Map number: WDC_2016_05

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Riria Kereopa Drive, Wainamu Road

Map number: WDC_2016_06

Waikato District Council
 Prepared 5 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status: Parcel boundary
 Prohibited



Wainui Road
 Map number: WDC_2016_07

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

- Freedom Camping status:
- Parcel boundary
 - Prohibited



Wainui Reserve Bush Park, Raglan

Map number: WDC_2023_01

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Water treatment ponds - Wainui Road - Raglan

Map number: WDC_2023_02

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Papanui Point Carpark

Map number: WDC_2016_08

Waikato District Council
Prepared 5 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status: Parcel boundary
 Prohibited



Swann Access Road, Ruapuke Beach

Map number: WDC_2016_09

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Ruapuke Beach Road

Map number: WDC_2016_10

Waikato District Council
 Prepared 5 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Bridal Veil Falls

Map number: WDC_2016_11

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Greenslade Road

Map number: WDC_2016_26

Waikato District Council
Prepared 5 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997





Legend

Freedom Camping status:

- Prohibited
- Restricted



Raglan CBD

Map number: WDC_2016_28

Waikato District Council
 Prepared 4 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Raglan Wharf

Map number: WDC_2016_29

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Lorezen Bay Road, Sunshine Rise

Map number: WDC_2016_30

Waikato District Council
 Prepared 4 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997

Ngaaruawaahia





Legend

Freedom Camping status:

Prohibited



Waikato Esplanade

Map number: WDC_2016_12

Waikato District Council
 Prepared 5 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Patterson Park

Map number: WDC_2016_13

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Horotiu Bridge Carpark

Map number: WDC_2016_14

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Waingaro Road - Hakarimata Track

Map number: WDC_2016_15

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

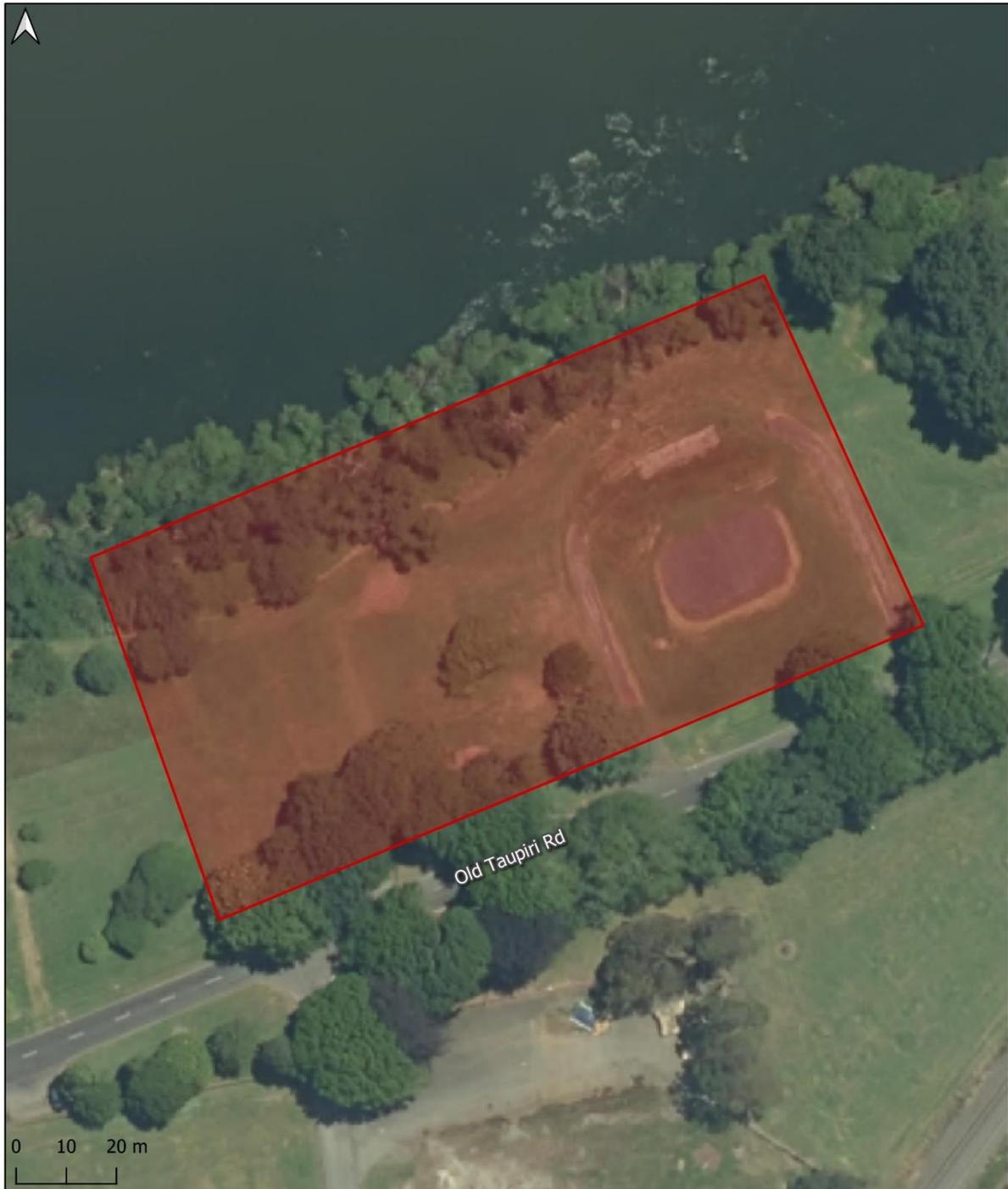
Prohibited



Brownlee Avenue

Map number: WDC_2016_16

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Hopuhopu Reserve

Map number: WDC_2016_17

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

Port Waikato



Legend

- Freedom Camping status:
- Parcel boundary
 - Prohibited



Maraetai Bay Reserve

Map number: WDC_2016_18

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status: Parcel boundary
 Prohibited



Sunset Beach, Port Waikato

Map number: WDC_2016_25

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997

Schedule 2 Restricted Maps
Ngaaruawaahia



Raglan



Tuakau



Legend

Freedom Camping status:

 Restricted



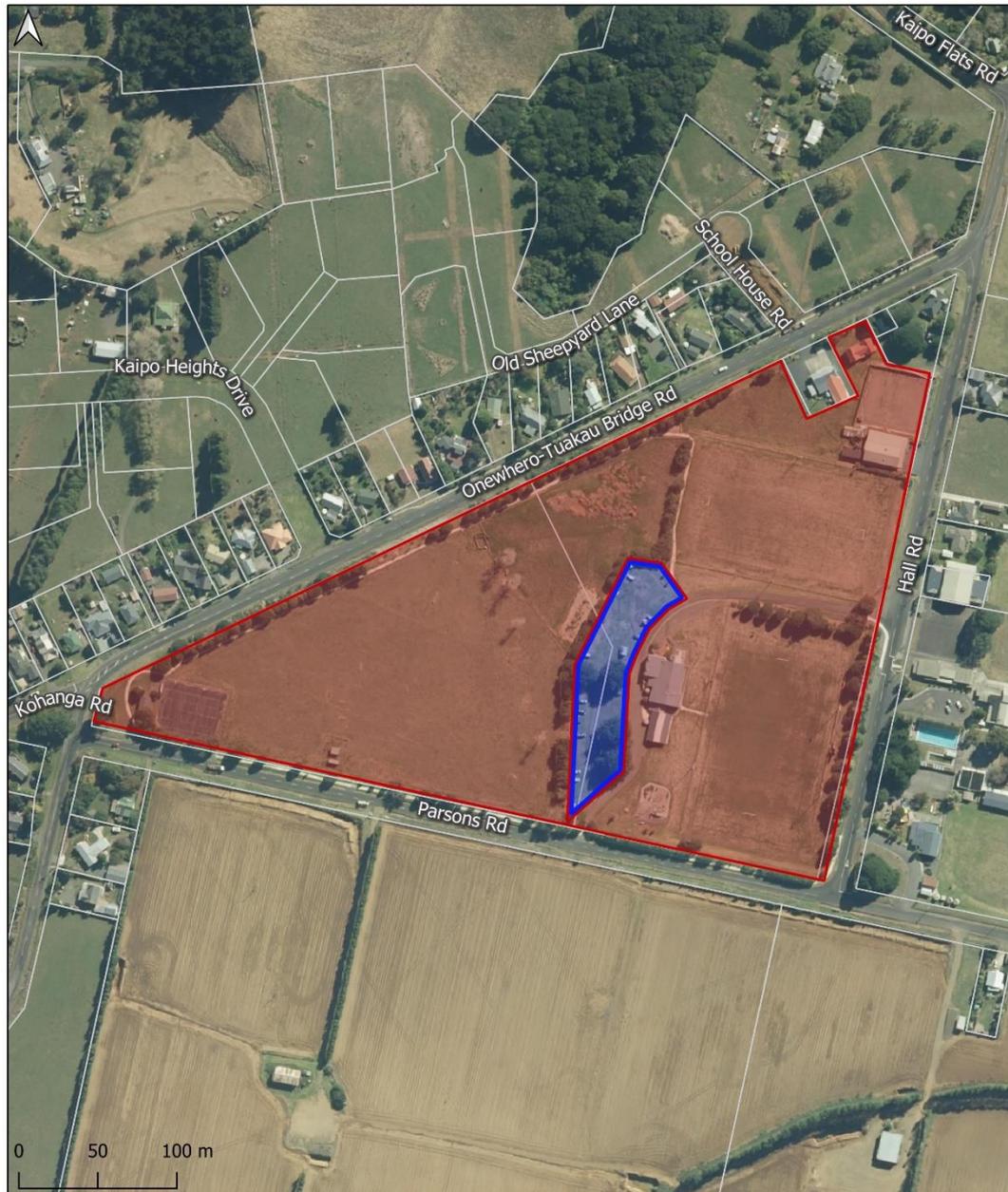
St Stephens Avenue, Tuakau

Map number: WDC_2016_20

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

Schedule 3 Maps of areas for Freedom Camping for vehicles that are not Self-contained

Onewhero



Legend

- Freedom Camping status:
- Parcel boundary
 - Non Self Contained
 - Prohibited



Onewhero Domain

Map number: WDC_2016_21

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: M/E43997

Te Kauwhata



Legend

- Freedom Camping status:
- Parcel boundary
 - Non Self Contained
 - Prohibited



Te Kauwhata Domain

Map number: WDC_2016_22

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997

Area Assessments: Informing the development of the Proposed New Waikato District Freedom Camping Bylaw 2023

Freedom camping bylaws identify areas where freedom camping is prohibited and restricted to manage how and where freedom camping can occur, and what additional conditions may be needed in some areas.

The Freedom Camping Act 2011 (“the Act”) is permissive by default, which means its starting point is to allow freedom camping on all local authority land, however, the Act does recognise that some areas may not be suitable for freedom camping. Any potential areas for prohibition or restriction must be first assessed against the criteria in section 11(2) of the Act. This section states that councils can only prohibit or restrict freedom camping in an area if this is necessary to:

- a) protect the area - to protect areas that are environmentally or culturally sensitive
- b) protect health and safety - to keep freedom campers and other visitors to an area safe
- c) protect access to the area - where the presence of freedom campers could block access or damage infrastructure

An assessment matrix tool is used by many New Zealand councils and is considered best practice by the sector. This assessment applies the criteria outlined above to determine whether prohibiting or restricting freedom camping is necessary on the site.

The assessment matrix provides a standardised way of applying the Act and demonstrates a clear line of sight between the criteria in the Act, and the bylaw.

This document summarises the assessments of:

1. The prohibited, restricted and permitted sites in the Schedules of the Waikato District Council Freedom Camping Bylaw 2016 (the 2016 Bylaw)
2. New sites for consideration raised through public early engagement
3. New sites for consideration raised through targeted engagement with community boards and mana whenua
4. New sites for consideration raised through Council workshop on 7 June 2023

Summary of assessment outcome

2016 Bylaw areas

Area description	Score	Recommendation	
Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia	10	Retain current prohibition, however, extend prohibited area to include the squash club.	<i>Change proposed</i>
Lower and Upper Waikato Esplanade, Ngaaruawaahia	9	Retain current prohibition	
Patterson Park, Ngaaruawaahia	9	Retain current prohibition	
Horotiu Bridge carpark area, Ngaaruawaahia	9	Retain current prohibition	
Waingaro Road section at end of the Hakarimata track, Ngaaruawaahia	9	Retain current prohibition	
Brownlee Avenue, Ngaaruawaahia	9	Retain current prohibition	
Hopu Hopu 451-477 Old Taupiri Road, Ngaaruawaahia	9	Retain current prohibition	
Maraetai Bay Road, Port Waikato	9	Retain current prohibition	
Sunset Beach, Port Waikato	10	Retain current prohibition, however, extend prohibited area to include the entire car park	<i>Change proposed</i>
Manu Bay reserve and surrounding area 696 Wainui Road, Raglan and that section of Wainui Road adjacent to the Manu Bay reserve, Raglan	9	Retain current prohibition	
Tohora Close, Calvert Road, Whale Bay, Raglan	9	Retain current prohibition	
Ngarunui Beach Reserve, Wainui Reserve 330 Wainui Road, Raglan	9	Retain current prohibition	
Kopua Domain/Papahua reserve, Marine Parade, Raglan	9	Retain current prohibition	
Cliff Street, Puriri Street From 2 Cliff Street to 1 Puriri Street, Raglan	9	Retain current prohibition	
Riria Kereopa Drive, Wainamu Road, Raglan	10	Retain current prohibition	
Wainui Road turning bay across from 765A, Raglan	9	Retain current prohibition	
Wainui Road road reserve, Raglan	9	Retain current prohibition	
Waireinga/Bridal Veil falls carpark – Kawhia Road, Raglan	9	Retain current prohibition	
Papanui Point carpark, Raglan	9	Retain current prohibition	
Swan access Road Ruapuke Beach, Raglan	9	Retain current prohibition	
Ruapuke Beach Road, Raglan	9	Retain current prohibition	
Greenslade Road, Raglan	9	Retain current prohibition	
Earles Place, Raglan	9	Retain current prohibition	
Raglan CBD, Raglan	10	Retain prohibition, however, change to the area to reduce the prohibited area to exclude Stewart Street from the prohibited area, and replace Stewart Street with a new restricted area.	<i>Change proposed</i>
Raglan Wharf, Raglan	9	Retain current prohibition	

Area description	Score	Recommendation	
Lorenzen Bay Road, Sunshine Rise, Raglan	9	Retain current prohibition	
All local authority cemetery areas and their associated car parks	10	Retain current prohibition	
Te Huinga o nga wai, Ngaaruawaahia	8	Retain current restrictions (change made to prohibited area)	
St Stephens car park, Tuakau	9	Retain current restrictions	
Te Kauwhata Domain, Mahi Road, Te Kauwhata	5	Retain current restrictions (designated area permitted for non-self-contained vehicles), however, change to further define the permitted area to one end of the carpark.	<i>Change proposed</i>
Onewhero, Domain Hall Road, Onewhero	5	Retain current restrictions (designated area permitted for non-self-contained vehicles)	

Additional area assessments

These areas were raised during the review during public pre-engagement and by elected members and have been assessed against the criteria in the Act.

Area description	Score	Recommendation	
James Street, Raglan	6	No change (area remains permitted for self-contained vehicles as the default under the Act)	
Park Drive, Raglan (corner of Park Drive and Cross Street, near tennis courts)	5	No change (the reserve remains prohibited under the Reserves Act 1977, road side remains permitted for self-contained vehicles as the default under the Act)	
Wainui Road, Raglan (near water treatment ponds)	11	Introduce new prohibition in this area in the proposed 2023 Bylaw	<i>Change proposed</i>
Wainui Road, Raglan (near Wainui Reserve bush park)	9	Introduce new prohibition in this area in the proposed 2023 Bylaw (the reserve is currently also prohibited under the Reserves Act 1977)	<i>Change proposed</i>
Puketirini, Huntly	6	No change (the reserve remains prohibited under the Reserves Act 1977)	
Pokeno Tennis and Community Hub, Avon Reserve, Avon Road, Pokeno	6	No change (the reserve remains prohibited under the Reserves Act 1977)	
Tuakau CBD	5	No change (the area remains permitted for self-contained vehicles as the default under the Act)	
Warihi Park Carpark, Wallis Street, Raglan	5	No change (the reserve remains prohibited under the Reserves Act 1977)	
Les Batkin Reserve, River Road, Tuakau	6	No change (the reserve remains prohibited under the Reserves Act 1977)	
Whangarata, Tuakau	8	No change (the reserve remains prohibited under the Reserves Act 1977)	
Pokeno Waterfalls, Pokeno	8	No change (the reserve remains prohibited under the Reserves Act 1977)	
Harker Reserve, Vivian Falls, Onewhero	5	No change (the reserve remains prohibited under the Reserves Act 1977)	

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FREEDOM CAMPING AREA ASSESSMENT MATRIX

PROTECT THE AREA – Considers cultural or historical significance and the natural environment		PROTECT THE HEALTH AND SAFETY OF PEOPLE WHO MAY VISIT THE AREA - Considers levels of vehicular traffic (car parks and lookout points), use for other activities (like sports grounds), and issues of persistent vandalism and vagrancy		PROTECT ACCESS TO THE AREA - Considers damage caused by vehicular access to flora and fauna and the impact that people accessing the site will have on other users of the area	
Has historical, cultural or environmental significance and requires full protection	5	Risk to health and safety is too great to allow access to the site, including no vehicle access to, or car parking on, the site.	5	No access to the site, and any vehicle access would cause significant damage.	5
Contains some significant historical, cultural or environmental areas.	4	Significant health and safety concerns.	4	Restricted access to the site, and any vehicle access would cause damage.	4
Contains some areas that should be protected	3	Minimal health and safety concerns (risk for the elderly or children)	3	Moderate access to the site, and any vehicle access would cause minimal damage.	3
Low concerns about areas that need protecting	2	Low concerns regarding health and safety	2	Good access to the site, which would not cause damage.	2
No significant area concerns	1	No health and safety concerns	1	Fully formed access to the site	1

- If the score for any one of the three purposes is 5, the score will satisfy a need to protect the area for that purpose by prohibiting or restricting freedom camping.
- If the total score of all three purposes is 9 or more, prohibiting freedom camping on the area may be necessary.
- If the total score of all three purposes is 8 or less and the area is a reserve*, freedom camping may be permitted on the reserve.
- For other areas that have a total score of 8 or less, freedom camping will remain permitted**.

*[*NB, freedom camping on reserves is otherwise prohibited under the Reserves Act 1977*

*** NB, we have some District-wide restrictions that apply in all 'permitted' areas]*

2016 BYLAW AREA ASSESSMENTS

2016 Bylaw – current prohibited sites

The following areas were assessed as prohibited areas from all freedom camping in the 2016 Bylaw.

Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia

(This does not include the orange area, which is a restricted area and has been separately assessed.)

Map Area	Assessment	Score	Explanation
	Protect the area	5	Te Huinga o Ngaa Wai is a historic site, culturally sensitive.
	Protect the health and safety of people	3	Lots of recreational users, skatepark, playground, green space, heritage sites, squash club and rowing club. End/beginning of the Te Awa Cycleway. Reasonably close to a waterway. Borders on to a residential area. Occasional concerns regarding transitory visitors.
	Protect access to the area	2	Sealed access, no general concerns, however access to the squash club has been blocked at times by campers.
	Total Score	10	Retain current prohibition, and extend to include the carpark of the squash club
	<p>Staff Comment</p> <p>Te Huinga o nga wai (The Point) is a significant site for mana whenua. This area scores 5 in the ‘protect the area’ criterion as it is a significant site as identified in the Waikato District Council Point Reserve and kiingitanga management plan. This means that there is a case for restricting freedom camping in this area. The Point and Kiingitanga are areas of high historic importance, particularly to tangata whenua as a paa site and being the location of what has become Ngaaruawaahia township. The band rotunda, gun turret, cenotaph and historic wharf remnants on the Waipa River bank, are reminders of Paakeha events which also add significance to The Point. There are three listed Heritage New Zealand listed sites, including the Band Rotunda, Pioneer Gun Turret and World War I & II Memorial, plus a further 4 listed archaeological sites located either on or adjacent to The Point Reserve</p> <p>It is a mixed use reserve, and in the 2016 Bylaw most areas were prohibited from freedom camping, however there is a restricted area where freedom camping is allowed (in orange). A separate assessment has been undertaken for this restricted area.</p> <p>Staff recommend that the Council continue with the prohibited and restricted areas at Te huinga o ngaa wai, however suggest an amendment to the extent of the area to ensure the carpark of the Squash club is included in the prohibited area to protect access for user of the squash club, as proposed by the previous Ngaaruawaahia Community Board. It is not suitable for freedom camping here, and these two parks were previously omitted from the prohibited area in error. It is recommended that Council and public feedback on this change during consultation on the proposed 2023 Bylaw.</p>		

Lower and Upper Waikato Esplanade, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	2	Riverside planting and trees along the esplanade, plenty of grass areas
	Protect the health and safety of people	4	Busy walking spot for recreational users, cyclists, dog walkers and school children. Camping is likely to be a safety risk.
	Protect access to the area	3	A concrete berm runs along the grass area by the road and access onto the grass would mean driving over it potentially causing damage
	Total Score	9	Retain current prohibition
<p>Staff Comment</p> <p>The Te Awa cycleway begins at Te huinga o ngaa wai and goes along the length of the esplanade. It is used by walkers, runners, cyclists and more. It abuts residential housing areas.</p> <p>This area was included as prohibited in the 2016 with the following comments for consideration: <i>Feedback from the community board as significant esplanade land with concern about noise/disturbance for residents and safety issues for walkway users and campers.</i></p> <p>Staff recommend that the Council continue prohibiting the esplanade from freedom campers as is in the current bylaw.</p>			

Patterson Park, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	3	Sports grounds need to be protected from vehicles.
	Protect the health and safety of people	3	A popular and frequently used spot by many. A busy playground with lots of children in and around the vicinity
	Protect access to the area	3	Although there is ample parking it is well utilised by a range of users and it is often at full capacity.
	Total Score	9	Retain current prohibition
<p>Staff Comment</p> <p>Patterson Park is a busy playground and sports ground and the only green space for the residents on the north side of Ngaaruawaahia. It is across the road from Tuurangawaewae Marae where large events and tangi are often held. A minimum of four sports clubs use the reserve for Rugby league, Rugby, Softball and Netball. The local high school is adjoining, and pedestrians use the reserve to access the school daily.</p> <p>The assessment of this area which informed the 2016 Bylaw was: <i>Active sports park which needs to be available for the enjoyment of the public.</i></p> <p>Staff recommend that the Council include Patterson Park as a prohibited area in the 2023 Bylaw.</p>			

Horotiu Bridge carpark area, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	2	No significant area concerns
	Protect the health and safety of people	3	Minimal health and safety concerns, a popular spot for walkers and cyclists using the Te Awa walkway.
	Protect access to the area	4	Limited parking and access to the site. It is a highly used spot often at parking capacity.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>This site is a well-used parking area for Te Awa cycleway track users. A new residential area is nearby as is Horotiu school.</p> <p>The 2016 assessment for this area was: <i>The public land adjacent to Horotiu Bridge is isolated and used as a carpark area for cycleway/walkway users.</i></p> <p>Staff recommend that the Council include the Horotiu bridge carpark area in the 2023 Bylaw.</p>			

Waingaro Road section at end of the Hakarimata track, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	3	Contains some natural areas that should be protected, including native vegetation
	Protect the health and safety of people	3	Secluded area with no lighting, carpark is used for walkers of the Hakarimata trail, issues with littering
	Protect access to the area	3	Rural road, decent access to a small portion of the carpark that doesn't disturb the flora and fauna. The carpark is utilised by people accessing the walking.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>This area is isolated and used as an entry/exit area for Hakarimata track users. Gates are locked leaving a small carparking area.</p> <p>The 2016 assessment for this area was: <i>Isolation with safety concerns, issues - rubbish and toilet waste left behind.</i></p> <p>Staff recommend that the Council retain this area as a prohibited area in the 2023 Bylaw.</p>			

Brownlee Avenue, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	1	Light industrial and residential zone, no cultural sites or native vegetation where vehicles access.
	Protect the health and safety of people	4	Very busy area as it is mixed use, residential, business, storage yard, dogpound and day care all present. It is also the main area for the very popular Hakarimata summit track. This is a high use track used by many, daily. Toilets and carparking were installed because of its popularity.
	Protect access to the area	4	Onsite camping in this area would be very problematic to the high number of users.
	Total Score	9	Retain current prohibition
Staff Comment This area has a high use track which is used by residents, businesses, and visitors. The 2016 assessment stated: <i>High public usage, day care centre adjacent.</i> Staff recommend that Council retain this area as prohibited in the 2023 Bylaw.			

Hopu Hopu 451-477 Old Taupiri Road, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	4	Contains significant cultural areas in the surrounding lands of Potatau Te Wherowhero administered by Waikato Tainui.
	Protect the health and safety of people	2	Low concerns for health and safety
	Protect access to the area	3	Grassy area prone to flooding.
	Total Score	9	Retain current prohibition
Staff Comment There is redundant wastewater treatment infrastructure in this area. The 2016 assessment stated: <i>Sensitive site, area needs to be protected, isolated with no services.</i> Staff recommend that Council continue to prohibit this area in the 2016 Bylaw.			

Maraetai Bay Road, Port Waikato

Map Area	Assessment	Score	Explanation
	Protect the area	4	NZAA registered site R13/111. The bay has high amenity and the coastal environment warrants protection.
	Protect the health and safety of people	3	Busy area used for various recreational activities by families.
	Protect access to the area	2	Bollards are installed to restrict vehicles driving around and causing damage.
	Total Score	9	Retain current prohibition
	Staff Comment		

Sunset Beach, Port Waikato

Map Area	Assessment	Score	Explanation
	Protect the area	4	NZAA registered site R13/110. High erosion area.
	Protect the health and safety of people	4	Prone to high winds and experiencing significant coastal erosion. Public carpark and surf club adjacent. Used for recreational activities.
	Protect access to the area	2	Access has at times been limited due to weather.
	Total Score	10	Retain current prohibition and extend the area to capture the entire car park area.
<p>Staff Comment The 2016 assessment noted: <i>High use exposed area, exposed to coast, not safe for freedom camping.</i></p> <p>There has been increased coastal erosion activity in this area. The maps from 2016 show a building which has been removed, due to this erosion, immediately north of the prohibited area. The area where the building was now is an extension of the prohibited car park area. This car park area is on Waikato District Council owned land.</p> <p>Staff recommend that this area remain prohibited in the 2023 Bylaw, with an amendment to increase the prohibited site to include the entire car park area.</p>			

Manu Bay reserve and surrounding area, Raglan

696 Wainui Road, Raglan and that section of Wainui Road adjacent to the Manu Bay reserve

Map Area	Assessment	Score	Explanation
	Protect the area	4	Culturally historic area, significant natural area in the proposed district plan
	Protect the health and safety of people	3	Multi use area, popular with surfers and other visitors. Surf club onsite.
	Protect access to the area	2	Reasonable access on the road with sealed carpark.
	Total Score	9	Retain current prohibition
<p>Staff Comment The 2016 assessment noted: <i>High use area - need to protect access, community sensitive site, rubbish being left by freedom campers, left overs from the preparation of food being discarded in the area.</i></p> <p>Staff recommend that this area remain prohibited in the 2023 Bylaw.</p>			

Tohora Close, Calvert Road, Whale Bay, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	1	No significant concerns
	Protect the health and safety of people	4	Large numbers of vehicles can cause safety risks, blocking emergency access in this busy residential area. Car parking is limited, and streets are often one way only as a result.
	Protect access to the area	4	Limited roadside parking with narrow roads.
	Total Score	9	Retain current prohibition
	Staff Comment These streets are in a busy residential area, and a popular spot due to its beach proximity. Pedestrian access to whale bay reserve is from here, it is a no vehicle access reserve. The 2016 assessment noted: <i>High use area need to preserve access and car parking, complaints regarding freedom campers obstructing residential entrances when people are exiting in the morning.</i> Staff recommend that this area remain prohibited in the 2023 Bylaw.		

Ngarunui Beach Reserve, Wainui Reserve 330 Wainui Road, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	4	Erosion area where plantings need to be preserved. NZAA sites R14/62, R14/220, R14/352
	Protect the health and safety of people	3	Popular beach spot frequented by locals and visitors
	Protect access to the area	2	Limited vehicle access mostly used for maintenance.
	Total Score	9	Retain current prohibition
	Staff Comment This reserve is a popular beach spot with limited vehicle access down to the beach (used for maintenance only). There is a carpark area before you walk down to the beach. The 2016 assessment noted: <i>High use area - need to preserve access, concerns about rubbish being left behind by freedom campers in areas that have been used in the past.</i> Staff recommend that this area remain prohibited in the 2023 Bylaw.		

Kopua Domain/Papahua reserve, Marine Parade, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	3	NZAA site R14/265
	Protect the health and safety of people	3	Reserve area. Very popular spot with a large playground, family beach area, camping grounds, skate park and shop.
	Protect access to the area	3	Busy access and parking area.
	Total Score	9	Retain current prohibition
	<p>Staff Comments</p> <p>High use area by many. Reserve is adjacent to the Raglan Kopua campgrounds where accommodation is available.</p> <p>The 2016 assessment noted: <i>Small high use area, need to protect the area as the environment not suitable for freedom camping, accessed over private property.</i></p> <p>Staff recommend that this area remain prohibited in the 2023 Bylaw.</p> <p>In addition, this area is also classified as a reserve. The Reserve Management Plan for the reserve does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977 regardless of its status under a freedom camping bylaw. Inclusion of this site within the bylaw enables Council's regulatory staff to apply additional enforcement mechanisms available to for non-compliance under the Freedom Camping Act such as the recently updated fine structure.</p>		

Cliff Street, Puriri Street From 2 Cliff Street to 1 Puriri Street, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Low concerns about areas that need protecting
	Protect the health and safety of people	4	Busy residential street used by locals and many visitors in Summer. Boats also use this area.
	Protect access to the area	3	Busy traffic especially in summer, used by locals and visitors. Freedom camping vehicles left for longer period for the purposes of camping (all day/overnight) would impede the access of other users to the area, especially in peak times, due to the road being narrow and one-way.
	Total Score	9	Retain current prohibition
	<p>Staff Comment</p> <p>Busy street especially during the summer period. This area was also raised by elected members through early engagement, supporting some restricted parking here.</p> <p>The 2016 assessment noted: <i>High use area, complaints received from residents regarding noise and other issues associated with freedom camping.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>		

Riria Kereopa Drive, Wainamu Road, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	4	R14/449. This site is culturally significant with a wai tapu site at Te Kopua. There is significant erosion in this area with community planting to help retain. Prohibiting freedom camping will assist with protecting this area.
	Protect the health and safety of people	3	Residential area with a kohanga reo and other facilities. Te Kopua whanau camp grounds available for a tariff.
	Protect access to the area	3	Popular spot used by residents, horses and dog walkers.
	Total Score	10	Retain current prohibition
<p>Staff Comment Sand dune restoration and protection work is ongoing in the area. There is also a fire risk with the plantings in the dunes over the hot summer months. There are paid campsites available for visitors in Te Kopua whanau camp grounds.</p> <p>The 2016 assessment noted: <i>Rubbish being left, noise and other issues associated with freedom camping have been reported.</i></p> <p>Staff recommend that this area remain prohibited in the 2023 Bylaw.</p>			

Wainui Road turning bay across from 765A, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	The area has reasonable access from the narrow road, but high use would damage this pull-over area.
	Protect the health and safety of people	4	Significant health and safety concerns, road is narrow and not suitable for camping. There is no lighting in this isolated area which raises health and safety concerns also.
	Protect access to the area	3	The narrow road limits access along this road.
	Total Score	9	Retain current prohibition
<p>Staff Comment Access to this area for larger vehicles such as campervans is compromised due to the narrow road. This area has no lighting or facilities and is secluded.</p> <p>The 2016 assessment noted: <i>Unsafe area due to narrowness of road.</i></p> <p>Staff recommend that this area remain prohibited in the 2023 Bylaw.</p>			

Wainui Road road reserve, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	The area has reasonable access from the narrow road, but high use would damage this pull-over area.
	Protect the health and safety of people	4	Significant health and safety concerns, road is narrow and not suitable for camping. There is no lighting in this isolated area which raises health and safety concerns also.
	Protect access to the area	3	The narrow road limits access along this road.
	Total Score	9	Retain current prohibition
	Staff Comment Access to this area for larger vehicles such as campervans is compromised due to the narrow road. This area has no lighting or facilities and is secluded. The 2016 assessment noted: <i>Unsafe area due to narrowness of road.</i> Staff recommend that this area remain prohibited in the 2023 Bylaw.		

Waireinga/Bridal Veil falls carpark – Kawhia Road, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Carpark present for access to Waireinga
	Protect the health and safety of people	4	High user traffic area, popular tourist spot. Limited parking
	Protect access to the area	3	Good access but narrow roads. Freedom camping in this area would have an impact on the ability of other users to access this area.
	Total Score	9	Retain current prohibition
	Staff Comment This area is a popular tourist spot for people accessing the Waireinga/Bridal Veil falls, with limited parking. The 2016 assessment noted: <i>Small high use area, rubbish has been left on roadside.</i> Staff recommend that this area remains prohibited in the 2023 Bylaw		

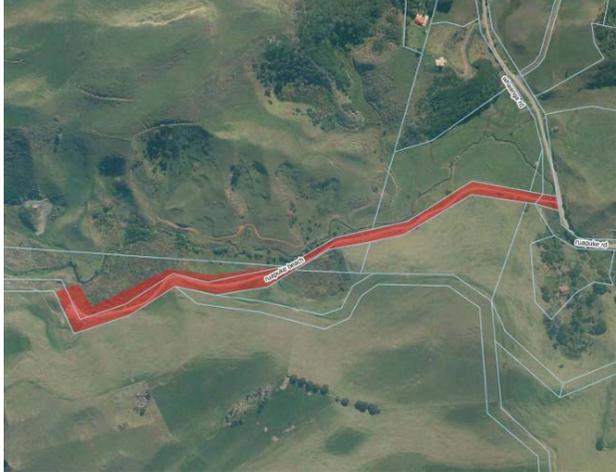
Papanui Point carpark, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	NZAA site R15/59, significant natural area with outstanding natural features in the proposed district plan.
	Protect the health and safety of people	4	Reserve is used well. Dangerous surf conditions and fishing is not recommended.
	Protect access to the area	3	Access is through private land.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>The 2016 assessment noted: <i>Small high use area, need to protect the area as the environment not suitable for freedom camping, accessed over private property.</i></p> <p>The access track to this area is currently closed due to slippages (DOC website, May 2023).</p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw</p>			

Swan access Road Ruapuke Beach, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	SNA area (significant natural area, significant coastal erosion)
	Protect the health and safety of people	4	This area is subject to significant coastal erosion with half the carpark getting washed in the 2023 cyclone, creating a significant health and safety concern.
	Protect access to the area	3	Moderate access to the site, however narrow road limits the access to this area.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>This area has recently been significantly impacted by cyclones, increasing the health and safety risk in the area and requiring further protection of the coastal environment.</p> <p>The 2016 assessment noted: <i>Evidence of rubbish being left and toileting in sand dunes, Fire concerns.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>			

Ruapuke Beach Road, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	SNA area (significant natural area).
	Protect the health and safety of people	4	The narrow road prevents safe freedom camping from occurring, there is no safe place to camp away from traffic.
	Protect access to the area	3	Moderate access to the site, however narrow road limits the access to this area.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>This narrow road accesses the beach and does not provide any refuge areas away from the road, posing a health and safety risk for both freedom campers and other uses of the road.</p> <p>The 2016 assessment noted: <i>Evidence of rubbish being left and toileting in sand dunes, Fire concerns.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>			

Greenslade Road, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Low concerns, SNA area (significant natural area).
	Protect the health and safety of people	3	There are health and safety concerns for freedom campers and other users of the road. The road is narrow and there is minimal parking out of the flow of traffic.
	Protect access to the area	4	Freedom camping in this area would have an impact on the ability of other users to access this area.
	Total Score	9	Retain current prohibition
	Staff Comment		
<p>This area is within a residential zone. It is a narrow road with minimal available parking on road shoulder, making it unsafe for freedom camping. Freedom camping in this area restricts access for other users.</p> <p>The 2016 assessment noted: <i>Freedom campers have used road and restricted access to the area.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>			

Earles Place, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Low concerns, SNA area (significant natural area).
	Protect the health and safety of people	3	There are health and safety concerns for freedom campers and other users of the road. The road is narrow and there is minimal parking out of the flow of traffic.
	Protect access to the area	4	Good access but narrow. Freedom camping in this area would have an impact on the ability of other users to access this area
	Total Score	9	Retain current prohibition
	Staff Comment		

Raglan CBD, Raglan

	Assessment	Score	Explanation
	Protect the area	2	Low concerns about areas that need protecting. NZAA site R14/171 on beach adjacent to Joyce Petchell Park.
	Protect the health and safety of people	4	Busy Raglan business zone, used by locals and many visitors in Summer. Boats also use this area adjacent to the water. Health and safety risk to other users of the area including many children.
	Protect access to the area	4	Busy traffic especially in summer and peak periods, used by locals and visitors.
	Total Score	10	Retain prohibition, however, change to the area to reduce the prohibited area to exclude Stewart Street from the prohibited area and replace this with a restricted area, limiting freedom camping between 5pm – 8am..
<p>Staff Comment</p> <p>This area is Raglan’s CBD. It is a busy area with many different users and high levels of traffic movements, so it is not suitable for freedom camping. Parking spaces are scarce during peak summer and holiday weekend times. Any grassy surrounds are also used by a range of different users, making them not suitable for camping. There are alternatives for freedom camping, namely campground and backpackers, nearby.</p> <p>This area was raised through early engagement. Joyce Petchell Park carpark, which is captured by this prohibited area, was raised as being a potential area where freedom camping could be restricted rather than prohibited. However, the car park area is on a Council Reserve. The Reserve Management Plan (RMP) for the Joyce Petchell Park car park (local purpose reserve – community) does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977. Inclusion of this site within the bylaw enables Council’s regulatory staff to apply additional enforcement mechanisms available to for non-compliance under the Freedom Camping Act such as the recently updated fine structure.</p> <p>Feedback was also received through early engagement supporting some restricted freedom camping on Stewart Street, from Wainui Road to the Old Arts School. Staff recommend that Council seek public feedback on removing the prohibition from Stewart Street and applying a restriction there instead, where campers must move on from the area by 8am and only park in the area for the purposes of freedom camping from 5pm.</p> <p>The 2016 assessment noted: <i>concern that freedom campers will use this area were emergency services are located and will reduce access to the area’.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw, however, this area could be reduced to allow some restricted freedom camping in Stewart Street, with time limits to ensure other uses of the area such as attendees of the church and people accessing the Raglan CBD can access the parking spaces. It is recommended that Council seek public feedback on this change during consultation on the proposed 2023 Bylaw.</p>			

Raglan Wharf, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Low concerns about areas that need protecting
	Protect the health and safety of people	3	Busy Raglan business zone, used by locals and many visitors in Summer. Boats also use this area.
	Protect access to the area	4	Busy traffic especially in summer and peak periods, used by locals and visitors.
	Total Score	9	Retain current prohibition
<p>Staff Comment This area has limited parking with parking time limits. This is a busy area not suitable for freedom camping.</p> <p>The 2016 assessment noted: <i>Concern that freedom campers will use this area which has an identified shortage in parking availability.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>			

Lorenzen Bay Road, Sunshine Rise, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	2	Low concerns
	Protect the health and safety of people	3	Minimal health and safety concerns (risk for the elderly or children).
	Protect access to the area	4	Good access but narrow. Busy residential area with multiple users. Freedom camping in this area would have an impact on the ability of other users to access this area.
	Total Score	9	Retain current prohibition
<p>Staff Comment This is a residential area where the streets are narrow. The area is very popular during summer as it used as access to safe swimming for small children. The sailing club also operates from this bay and parking is at a premium around this area. This area is not suitable for freedom camping.</p> <p>The 2016 assessment noted: <i>Freedom campers have used road and restricted access to the area.</i></p> <p>Staff recommend that this area remains prohibited in the 2023 Bylaw.</p>			

All local authority cemetery areas and their associated car parks

Area description	Assessment	Score	Explanation
<ul style="list-style-type: none"> • Alexandra Redoubt Cemetery, Alexandra Redoubt Rd, Tuakau • Gordonton Cemetery, Gordonton Rd, Gordonton • Huntly Kimihia Cemetery, Great S Rd, Huntly • Jackson Street Cemetery, 46/44 Jackson St, Ngaaruawaahia • Maramarua Cemetery, State Hwy, Maramarua • Mercer Cemetery, 15 Glass Rd, Mercer • Ngaaruawaahia Old Cemetery, Great S Rd, Ngaaruawaahia • Okete Cemetery, Raglan • Onewhero Cemetery, Kaipo Flats Rd, Onewhero • Orini Cemetery, Orini Rd, Orini • Pokeno Cemetery, 60/38 Fraser Rd, Pokeno • Pokeno Old Soldiers Cemetery, Helenslee Rd, Pokeno • Raglan Cemetery, East St, Raglan • Rangiriri Cemetery, Te Wheoro Rd, Rangiriri • Rangiriri Historic War Cemetery, 7 Rangiriri Rd, Rangiriri • Taupiri Cemetery, Gordonton Rd, Taupiri • Te Mata Cemetery, Te Papatapu Rd, Raglan • Tuakau Cemetery, Alexandra Redoubt Rd, Tuakau • Waerenga Cemetery, Keith Rd, Waerenga • Waiterimu / Matahuru Cemetery, Waiterimu Rd, Waiterimu • Whatawhata Cemetery, Cemetery Rd, Whatawhata 	Protect the area	5	Cemeteries are sensitive sites for a wide range of cultures and religions.
	Protect the health and safety of people	3	Cemeteries are used frequently by pedestrians including elderly people and children. Freedom camping does pose a health and safety risk to cemetery visitors.
	Protect access to the area	2	Cemeteries car parks are largely very accessible for vehicles, however there are some where the presence of freedom camping vehicles would impede on the access of other users
	Total Score	10	Retain current prohibition
<p>Staff Comment</p> <p>Cemeteries are sensitive places which support our sense of community and reflect the history of local people and cultures that founded and influenced the District, as well as providing a place where family and friends can care for and mourn the loss of loved ones consistent with their culture and beliefs and reflect on the life shared with them.</p> <p>Staff recommend that all cemeteries on local authority land, and their associated car parks, remain prohibited in the 2023 Bylaw.</p>			

2016 Bylaw – current restricted sites

The orange areas on the following maps were assessed as allowing self-contained camping for a limited duration in the 2016 Bylaw.

Te Huinga o nga wai, Ngaaruawaahia

Map Area	Assessment	Score	Explanation
	Protect the area	5	Te Huinga o nga wai has significant cultural value
	Protect the health and safety of people	3	Lots of recreational users, skatepark, playground, green space, heritage sites, squash club and rowing club. End/beginning of the Te Awa Cycleway. Reasonably close to a waterway. Borders on to a residential area. Occasional concerns regarding transitory visitors.
	Protect access to the area	2	Good access with speed calming measures installed.
	Total Score	10	Retain current restrictions (change made to prohibited area)
<p>Staff Comment:</p> <p>This is a popular recreational area with mixed use. There are toilets, BBQ and a dump station in the vicinity. The area has proven to be a popular spot for freedom campers allowed to camp for one night as per the camping restrictions in the 2016 Bylaw. Speed bumps to slow traffic, there are various parking areas, with street lights and good visibility.</p> <p>This area scores 5 in the ‘protect the area’ criterion as it is a significant site as identified in the Waikato District Council Point Reserve and kiingitanga management plan. This means that there is a case for restricting freedom camping in this area. The Point and Kiingitanga are areas of high historic importance, particularly to tangata whenua as a paa site and being the location of what has become Ngaaruawaahia township. The band rotunda, gun turret, cenotaph and historic wharf remnants on the Waipa River bank, are reminders of Paakeha events which also add significance to The Point. There are three listed Heritage New Zealand listed sites, including the Band Rotunda, Pioneer Gun Turret and World War I & II Memorial, plus a further 4 listed archaeological sites located either on or adjacent to The Point Reserve</p> <p><i>Comments from the 2016 Bylaw assessment: Location is restricted to a designated area. The designated area cannot be used if it is required for events.</i></p> <p>Through early engagement, elected members suggested staff investigate increasing the available parking spaces in the restricted area to allow for more vehicles to fit within the designated space. After this investigation as per the assessment above, staff recommend that the designated carpark area remains as is in the current Bylaw. This current area allows for other car parks to be available for other users of the area while providing some opportunities for freedom camping.</p> <p>A minor amendment to the prohibited section is suggested, to ensure the carparks around the squash club are prohibited to allow access by the squash club areas. A separate assessment has been undertaken for the prohibited area and this change is noted in that assessment.</p>			

St Stephens carpark, Tuakau

Map Area	Assessment	Score	Explanation	
	Protect the area	3	The carpark is adjacent to the St Stephens Church.	
	Protect the health and safety of people	3	There is a health and safety issue at this site as the carpark is used by elderly and children	
	Protect access to the area	3	While there is easy unobstructed access to the site, the carparks utilised by a range of different users including attendees to the adjacent church.	
	Total Score	9	Retain current restrictions	
	<p>Staff Comment</p> <p><i>Comments from the 2016 Bylaw assessment: Sign posted part of car park only. Permitted camping hours between 6pm at night and 10am the next morning. Maximum stay of two nights.</i></p> <p>This is Council owned land located in Tuakau’s business zone. Unrestricted freedom camping in this area would impact the other users of the site, so restriction of time and duration is appropriate.</p> <p>The site was included in the Auckland City Council Freedom Camping Bylaw, so was carried over in the 2016 Bylaw.</p> <p>Staff recommend that Council continue with the same designated area and length of stay restrictions as is in the current Bylaw.</p>			

2016 Bylaw – current permitted sites

The blue areas on the following maps were assessed as allowing all freedom camping in the 2016 Bylaw.

Te Kauwhata Domain, Mahi Road, Te Kauwhata

Map Area	Assessment	Score	Explanation
	Protect the area	1	Low concerns about areas that need protecting
	Protect the health and safety of people	3	In a residential area but away from housing. Minimal health and safety concerns, however some present due to the rugby club and scout hall onsite.
	Protect access to the area	1	Sealed easy access. There are multiple users of this carpark.
	Total Score	5	Retain current restrictions (permitted for non-self-contained vehicles), however, change to further define the permitted area to one end of the carpark
	<p>Staff Comments</p> <p>This freedom camping area is supported by the previous and current community boards. There is a lock box for donations by freedom campers.</p> <p>This site also received some feedback in the early engagement process of the 2023 bylaw development, generally in support of further defining the permitted area of this carpark to just one end of the carpark to balance the access needs of both freedom campers and the sports club users.</p> <p><i>Comments from the 2016 bylaw assessment: To ensure access by other users.</i></p> <p>Staff recommend that the Council continue to allow non self-contained freedom camping at this defined area, with an amendment to further define the permitted area, reducing it to one end of the carpark (rather than the entire carpark and field as is currently indicated in the Bylaw). The previous and current community boards support this change as it better reflects the original intention regarding access , and it leaves the parking areas directly in front of the rugby club and squash club free for patron parking. This change was also supported through responses received during early engagement.</p> <p>The car park area is on a Council Reserve. The Te Kauwhata Domain Reserve Management Plan does provide for camping, through the following policy statement: <i>Permit freedom camping in self-contained vehicles only for a maximum of three nights in a designated area subject to the area not being required for events.</i> Areas of the reserve which are outside the designated area are prohibited.</p> <p>It is recommended that after consulting on this non self-contained area, that Council make an amendment to the Te Kauwhata Domain Reserve Management Plan to ensure the plan and the bylaw are consistent with the final decision made for this area.</p>		

Onewhero Domain, Hall Road, Onewhero

Map Area	Assessment	Score	Explanation
	Protect the area	1	No areas identified where cultural or environmental protection is needed.
	Protect the health and safety of people	3	Recreation reserve with mixed use. Minimal risk to people.
	Protect access to the area	1	Sealed area, no concerns
	Total Score	5	Retain current restrictions (permitted area for non-self-contained vehicles)
	Staff comments: <i>Comments from the 2016 bylaw assessment: To ensure access by other users.</i> Staff recommend that the Council continue to allow non self-contained freedom camping at this defined area. The car park area is on a Council Reserve. The Onewhero Domain Reserve Management Plan does provide for camping, through the following policy statement: <i>Permit freedom camping in self-contained vehicles only for a maximum of three nights in a designated area subject to the area not being required for events.</i> Areas of the reserve which are outside the designated area are prohibited. It is recommended that after consulting on this non self-contained area, that Council make an amendment to the Onewhero Domain Reserve Management Plan to ensure the plan and the bylaw are consistent with the final decision made for this area.		

ASSESSMENT OF POTENTIAL NEW SITES FOR INCLUSION IN A DRAFT PROPOSED BYLAW

New sites raised through early engagement

James Street, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	1	This is a residential street. Staff are not aware of any significant cultural or environmental protections required.
	Protect the health and safety of people	2	Parked freedom campers pose minimal health and safety concerns for other users in this area.
	Protect access to the area	3	Parking is on the shoulder of the road or in parking spaces as not to obstruct passing vehicles. The road is flat. There are some issues with larger vehicles and tents blocking access to the Bowling Club in summer.
	Total Score	6	No change (remain permitted for self-contained vehicles as the default under the Act)
<p>Staff comments: This area was raised through pre-engagement. Responses noted concern with freedom campers using this area, especially in relation to campers blocking access to the Bowling Club. One respondent noted this would be an appropriate place for self-contained vehicles. In addition, during the development of the 2023 Bylaw, an elected member also raised that the area of James Street between Wallis Street and Cliff Street should be assessed.</p> <p>Based on Council staff’s assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site.</p> <p>Staff recommend that the Council do not prohibit or restrict freedom camping on this site. This site will be subject to the proposed district-wide restrictions applied to all local authority land, including roads.</p>			

Park Drive, Raglan (corner of Park Drive and Cross Street, near tennis courts)

Map Area	Assessment	Score	Explanation
	Protect the area	1	The area is a sealed carpark and designed for vehicle use. It is adjacent to Aroaro Bay Reserve which is identified as a high value ecological site.
	Protect the health and safety of people	3	There are other users of the car park including children.
	Protect access to the area	1	There are no access concerns. The area is flat and sealed and easily accessible to vehicles.
	Total Score	5	No change (remains prohibited under the Reserves Act 1977)
	Staff comments: This area was raised through pre-engagement. Responses noted concern with freedom campers using this area, especially in relation to littering, noise, and antisocial behaviour. One respondent noted this area was often empty and would be a good place to allow for freedom camping. Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site. In addition, the car park area is on a Council Reserve. The Reserve Management Plan for the Raglan Recreation Centre does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.		

Wainui Road, Raglan (near water treatment ponds)

Map Area	Assessment	Score	Explanation
	Protect the area	5	There is water infrastructure which needs to be protected in this area. Te Rua o te Ataiongo is a waahi tapu area
	Protect the health and safety of people	3	The treatment ponds pose a potential safety risk to freedom campers in this area.
	Protect access to the area	3	Clear access to the water treatment plants needs to be maintained.
	Total Score	11	Introduce new prohibition in this area in the proposed 2023 Bylaw
	Staff comments: This area was raised through pre-engagement. Responses noted concern with freedom campers using this area due to the waahi tapu site and the location of the water treatment ponds. Based on the assessment against the criteria in the Act, staff recommend that the Council prohibit this site and seek public feedback during consultation on the proposed 2023 Bylaw.		

Wainui Road, Raglan (near Wainui reserve bush park)

Map Area	Assessment	Score	Explanation
	Protect the area	3	This carpark is situated adjacent to and provides access to an environmentally sensitive area.
	Protect the health and safety of people	4	This stretch of road is not lit and there is no lighting in car park. Access is off a busy road which experiences significant traffic over the summer months. Access during peak times can pose significant risk for campers and other users of the car park.
	Protect access to the area	2	Car park access is well formed, however, high use by freedom campers over peak times, especially in summer could impede access for other users accessing the walking tracks.
	Total Score	9	Introduce new prohibition in this area in the proposed 2023 Bylaw
<p>Staff comments: This area was raised through pre-engagement. Responses noted concern with freedom campers using this area due to the area being environmentally sensitive, and that the area should remain accessible for all people.</p> <p>Based on the assessment against the criteria in the Act, there is grounds that this site be prohibited in a freedom camping bylaw.</p> <p>However, the car park area is on a Council Reserve. The Reserve Management Plan (RMP) for the Wainui Reserve does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977. In addition, the RMP explicitly prohibits camping on the reserve, regardless of its status under a freedom camping bylaw. Inclusion of this site within the bylaw enables Council’s regulatory staff to apply additional enforcement mechanisms available to for non-compliance under the Freedom Camping Act such as the recently updated fine structure.</p> <p>Council staff recommend that this area is included as prohibited within the proposed Freedom Camping Bylaw 2023 and released for public consultation.</p>			

New sites raised through targeted early engagement

Puketirini, Huntly

Map Area	Assessment	Score	Explanation
	Protect the area	3	NZAA S13/186 on south eastern side of lake
	Protect the health and safety of people	3	No known issues with this site within the scope of Council's enforcement, however there is anecdotal evidence of behavioural incidents which fall to the NZ Police to manage and enforce which may pose health and safety issues for users of the area.
	Protect access to the area	1	There is a well-formed carpark at this site with good roading infrastructure.
	Total Score	6	No change (the reserve remains prohibited under the Reserves Act 1977)
	Staff comments:		

Pokeno Tennis and Community Hub, Avon Reserve, Avon Road, Pokeno

Map Area	Assessment	Score	Explanation
	Protect the area	1	There are no known issues regarding protection of the area.
	Protect the health and safety of people	2	The area is accessed by a road which is not busy, however the area is not well lit. Lifestyle blocks surround the site, so it is not a heavily urbanised locality.
	Protect access to the area	3	The sports ground may need some protection considerations to ensure access for other users.
	Total Score	6	No change (the reserve remains prohibited under the Reserves Act 1977)
<p>Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition. Another suggestion was received that this could be a permitted site for freedom camping.</p> <p>Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site.</p> <p>However, the car park and reserve area are on a Council Reserve. The Reserve Management Plan (RMP) for the Pokeno Domain does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.</p>			

Tuakau CBD

Map Area	Assessment	Score	Explanation
	Protect the area	1	There are no known issues regarding protection of the area.
	Protect the health and safety of people	2	There is parking areas available in this area, along with street lights, and amenities. Council staff are not aware of any current negative impact from freedom camping related to health and safety.
	Protect access to the area	2	Car parks are available but are required during business hours, not so much after hours when campers will make use of freedom camping areas. Some protection of access consideration required to ensure access to business and retail sites by retailers and retail customers.
	Total Score	5	No change (remain permitted for self-contained vehicles as the default under the Act)
<p>Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition.</p> <p>Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site.</p> <p>Staff recommend that the Council do not prohibit or restrict freedom camping on this site.</p>			

New sites raised at Council workshop 7 June 2023

Warihi Park Carpark, Wallis Street, Raglan

Map Area	Assessment	Score	Explanation
	Protect the area	1	No known concerns with this area which require protection.
	Protect the health and safety of people	3	There is a playground adjacent to car parks, so use of the car park poses a health and safety risk for children using the playground and the nearby park.
	Protect access to the area	1	The area is a fully formed car park with access from formed road, therefore there are no damage concerns.
	Total Score	5	No change (remain permitted for self-contained vehicles as the default under the Act)
	Staff comments:		
<p>This area was raised through pre-engagement as being a potential candidate for prohibition.</p> <p>Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site.</p> <p>However, the car park area is on a Council Reserve. The Reserve Management Plan (RMP) for the Warihi Park car park does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.</p>			

Les Batkin Reserve, River Road, Tuakau

Map Area	Assessment	Score	Explanation
	Protect the area	3	No known concerns with this area which require protection. NZAA site R12/1093 adjacent to south-western part of the site.
	Protect the health and safety of people	2	There are toilet facilities available, not much lighting but the car park is well-formed. No significant health and safety concerns.
	Protect access to the area	1	The area is a sealed carpark accessed from sealed road, therefore there are no damage concerns.
	Total Score	6	No change (the reserve remains prohibited under the Reserves Act 1977)
<p>Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition.</p> <p>Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site.</p> <p>However, the car park area is on a Council Reserve. The Reserve Management Plan (RMP) for the Les Batkin Reserve does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.</p>			

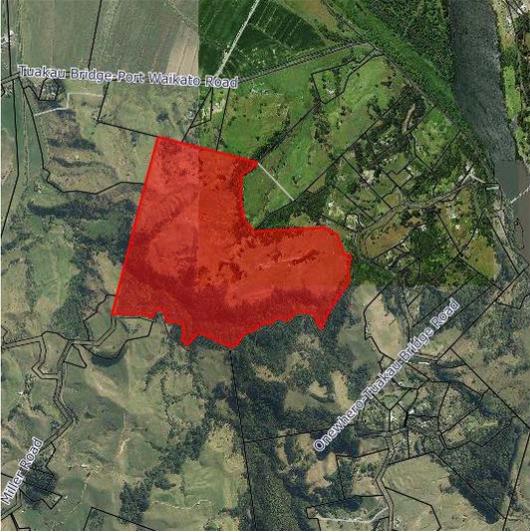
Whangarata Domain, Tuakau

Map Area	Assessment	Score	Explanation
	Protect the area	4	This reserve is intended to be a Cemetery. It is currently a temporary dog park.
	Protect the health and safety of people	1	No significant health and safety concerns
	Protect access to the area	3	The area is gated off to vehicles.
	Total Score	8	No change (the reserve remains prohibited under the Reserves Act 1977)
<p>Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition.</p> <p>Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site, however there is no vehicle access to the site currently.</p> <p>However, the area is on a Council Reserve. The Reserve Management Plan (RMP) for the reserve does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.</p>			

Pokeno Waterfalls, Pokeno

Map Area	Assessment	Score	Explanation
	Protect the area	4	This a classified recreational reserve. There is a significant natural ecosystem in this area, as well as being a popular area for tourists, so the area requires protection. NZAA site S12/360 is on the reserve.
	Protect the health and safety of people	2	The area has a small car park with no lighting or facilities No significant health and safety concerns.
	Protect access to the area	2	There is a small, partially formed car park accessed from a reasonably quiet road.
	Total Score	8	No change (remain prohibited under the Reserves Act 1977)
	Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition. Based on the assessment against the criteria in the Act, there is not enough grounds for prohibiting or restricting freedom camping on this site within the bylaw. However, the car park and reserve area are on a Council Reserve. The Reserve Management Plan (RMP) for the reserve does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.		

Harker Reserve, Vivian Falls, Onewhero

Map Area	Assessment	Score	Explanation
	Protect the area	1	No known concerns with this area which require protection.
	Protect the health and safety of people	2	The area does not have lighting. There are no facilities, but no known issues related to health and safety.
	Protect access to the area	2	There is a small, partially formed car park accessed from a reasonably quiet road
	Total Score	5	No change (the reserve remains prohibited under the Reserves Act 1977)
	Staff comments: This area was raised through pre-engagement as being a potential candidate for prohibition. Based on the assessment against the criteria in the Act, there is no grounds for prohibiting or restricting freedom camping on this site. However, the car park and reserve area are on a Council Reserve. The Reserve Management Plan (RMP) for the Pokeno Domain does not provide for camping; therefore, freedom camping is prohibited on this site under section 44(1) of the Reserves Act 1977.		

Waikato District Council

Proposed Freedom Camping Bylaw 2023

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

Introduction

1.0 Purpose

- 1.1 To protect the Waikato District's unique environment and community from issues associated with freedom camping by regulating freedom camping in areas where it is necessary for the following purposes:
- a) To protect the area
 - b) To protect the health and safety of people who may visit the area
 - c) To protect access to the area.

2.0 Short title, commencement and application

- 2.1 The bylaw shall be known as the 'Waikato District Council Freedom Camping Bylaw 2023'.
- 2.2 The bylaw shall apply to the Waikato District.
- 2.3 The bylaw shall come into force on ~~XX October~~ 20 November 2023.

Related information

The bylaw is due for review by ~~XX October~~ 20 November 2028.

- 2.4 The bylaw is made under the authority of section 11 and 11A of the Freedom Camping Act 2011. In addition, other legislation and regulatory tools that regulate and control freedom camping include the Reserves Act 1977, reserve management plans, the Waikato District Plan and other Council bylaws. These should be referred to in conjunction with this Bylaw.

3.0 Related information

- 3.1 There are comment boxes headed 'related information' within the bylaw. This related information does not form part of the bylaw and may be inserted, changed or removed without any formality.

4.0 Definitions

- 4.1 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 has the meaning given by section 5(3) of the Act.

Related information

As at 7 June 2023, section 5(3) of the Act defines camping ground as:

- (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.

Council means the Waikato District Council

District means the Waikato District.

Freedom Camp has the meaning given by section 5(1), 5(2) and 5(2A) of the Act.

Related information

As at 7 June 2023, sections 5(1), 5(2) and 5(2A) of the Act, where freedom camping is defined, are as follows:

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of an area accessible by motor vehicle or within 200 m of 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 either or both of the following:
 - (a) a tent or other temporary structure;
 - (b) a motor vehicle.
- (2) In this Act, 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 motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person—
 - (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
 - (b) is unable to live in appropriate residential accommodation; and
 - (c) as a consequence of that inability, is living in either or both of the following:
 - (i) a tent or other temporary structure;
 - (ii) a motor vehicle.

Local Authority Area has the meaning given in section 6 of the Act.

Related information

As at 7 June 2023, section 6(1) of the Act, where local authority area is defined, is as follows:

- (1) In this Act, local authority area—
- a) means an area of land—
 - (i) that is within the district or region of a local authority; and
 - (ii) that is—
 - (A) controlled or managed by or on behalf of the local authority under any enactment; or
 - (B) an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A; and
 - (b) includes any part of an area of land referred to in paragraph (a); but
 - (c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

Self-contained

has the meaning given in section 4 of the Act.

Related information

As at 7 June 2023, section 4 of the Act, where self-contained is defined, is as follows:

- (4) In relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period.)

Related information

To be certified self-contained, the vehicle must achieve compliance with NZ Standard 5465:2001. The standard can be viewed or printed once for free at this link:
<https://www.standards.govt.nz/shop/nzs-54652001>.

For the avoidance of doubt, the standard requires that a self-contained vehicle be equipped with a toilet that is permanently fixed to the vehicle.

4.2 The Legislation Act 2019 applies to this bylaw.

5.0 Prohibited areas

A person must not Freedom Camp in any prohibited area within the District, as identified in Schedule One of this bylaw.

Related information

The Reserves Act 1977 prohibits camping on all reserves unless it is specifically provided for in an operative reserve management plan.

6.0 Restricted areas

- 6.1 A person may not Freedom Camp in contravention of this clause.
- 6.2 Freedom Camping is restricted in all Local Authority Areas. The restrictions that apply to Freedom Camping in all those areas are:
- a) A ~~person may not Freedom Camp unless they are Freedom Camping in a~~ vehicle ~~must be that is e~~Certified Self-contained ~~vehicle to Freedom Camp~~.
 - b) A ~~vehicle-person~~ must not ~~stay Freedom Camp~~ in any one ~~area-location~~ for more than ~~five~~ three consecutive nights in any one month period.
 - c) A vehicle must not Freedom Camp within 500 metres of an ~~area location~~ in which ~~it has~~they have already been freedom camping for up to ~~five-three~~ consecutive nights in any one month period.
- 6.3 Freedom Camping is further restricted in the areas identified in Schedule Two of this bylaw.
- 6.4 Notwithstanding 6.2(a), a person may only Freedom Camp in a vehicle that is not Self-contained in the Local Authority Areas identified in Schedule Three.
- 6.5 The restrictions that apply in the areas in Schedules Two and Three are:
- a) If Schedule Two or Three specify a designated place in the Local Authority Area, a person must not Freedom Camp in another place in the area.
 - b) If Schedule Two or Three specify a maximum number of consecutive nights, that number prevails over clause 6.2(b) of the bylaw.
 - c) If Schedule Two or Three specify a time of day where Freedom Camping is permitted, a person must not Freedom Camp outside of those times.
 - d) If Schedule Two or Three specify a maximum number of vehicles, a person must not Freedom Camp in the area if that number of vehicles are already present when they arrive at the area.

7.0 Prior consent from Council

- 7.1 A person may only Freedom Camp in contravention of clause 5 or clause 6 if that person obtains prior written consent of the Council and complies with any conditions of the consent.
- 7.2 A person applying for consent under clause 7.1 must apply to the Council in writing. The application must:
- a) be made at least 30 days prior to the date on which Freedom Camping is planned intended to occur; and

- b) include information about the person applying for the consent and their contact details; and
- c) ~~Describe~~ identify the location or address of the prohibited or restricted area ~~or give an address~~ where the Freedom Camping is intended to occur; and
- d) describe the reason the consent is sought; and
- ~~d)e) be accompanied by any applicable fee set in the Council's schedule of fees and charges.~~

Related information

Council anticipates the following reasons could be grounds for an application:

- Where Freedom Camping is associated with a special event or occasion occurring in an area, and an exemption is required for the duration of the event or occasion
- Where there is a good reason for Freedom Camping in an area that cannot be reasonably met in another area.
- Complying with a restriction or prohibition within the bylaw is not reasonable in the circumstances.

Council's fees and charges can be reviewed on the website at:

<https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/plans/fees-and-charges>

- 7.3 Applications which fulfil the requirements of clause 7.2 of this bylaw will be considered by Council and may be granted at the Council's discretion. The Council may attach conditions to any consent that is granted.

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.

- 8.2 The Council will publicise a closure or restriction under clause 8.1 of this bylaw in any manner it considers is appropriate to the reason for the closure or restriction. The publicity may occur before the closure or restriction, but only if that is reasonably practicable.

Related information

The Council may publicise a closure or restriction using a sign erected in the area, and/or advertising on the Council's digital channels or on the radio, and/or a public notice in the newspaper.

9.0 Offences

- 9.1 Every person who Freedom Camps or makes preparation to Freedom Camp in a Local Authority Area in breach of any prohibition or restriction in this bylaw commits an offence under section 20(1) of the Act.
- 9.2 Every person who Freedom Camps, or makes preparations to Freedom Camp, in a Local Authority Area in breach of the conditions of any consent given in accordance with clause 7 of this bylaw is in breach of a prohibition or restriction in this bylaw and commits an offence under section 20(1) of the Act.

This bylaw was made pursuant to a resolution passed by the Waikato District Council on ~~October 20~~ **November 2023**.

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. This includes the following:

- Alexandra Redoubt Cemetery, Alexandra Redoubt Rd, Tuakau
- Gordonton Cemetery, Gordonton Rd, Gordonton
- Huntly Kimihia Cemetery, Great South Rd, Huntly
- Jackson Street Cemetery, 46/44 Jackson St, Ngaaruawaahia
- Maramarua Cemetery, State Hwy, Maramarua
- Mercer Cemetery, 15 Glass Rd, Mercer
- Ngaaruawaahia Old Cemetery, Great South Rd, Ngaaruawaahia
- Okete Cemetery, Raglan
- Onewhero Cemetery, Kaipo Flats Rd, Onewhero
- Orini Cemetery, Orini Rd, Orini
- Pookeno Cemetery, 60/38 Fraser Rd, Pookeno
- Pookeno Old Soldiers Cemetery, Helenslee Rd, Pookeno
- Raglan Cemetery, East St, Raglan
- Rangiriri Cemetery, Te Wheoro Rd, Rangiriri
- Rangiriri Historic War Cemetery, 7 Rangiriri Rd, Rangiriri
- Taupiri Cemetery, Gordonton Rd, Taupiri
- Te Mata Cemetery, Te Papatapu Rd, Raglan
- Tuakau Cemetery, Alexandra Redoubt Rd, Tuakau
- Waerenga Cemetery, Keith Rd, Waerenga
- Waiterimu / Matahuru Cemetery, Waiterimu Rd, Waiterimu
- Whatawhata Cemetery, Cemetery Rd, Whatawhata

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
Papahua Domain <u>(including the carpark area between Raglan Holiday Park and the Airfield)</u> 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 <ul style="list-style-type: none"> - Turning bay across from 765A Wainui Road; and - Wainui Road road reserve 	WDC_2016_07
Wainui Reserve Bush Park <u>carpark (up to and including the roadside)</u> , Wainui Road, Raglan	WDC_2023_01
Water treatment ponds, Wainui Road, Raglan	WDC_2023_02
Papanui Point Carpark	WDC_2016_08
Swann Access Road, Ruapuke Beach	WDC_2016_09
Ruapuke Beach Road	WDC_2016_10
Bridal Veil Falls Carpark 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
<u>Aroaro Bay Reserve, John Street, Raglan</u> <u>Aroaro Bay Reserve and the adjacent footpath and grassed areas along Wallis Street and John Street.</u>	WDC_2023_XX
Ngaaruawaahia	
Area Name / Description	Map Reference No.
Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia	WDC_2016_19
Waikato Esplanade 1-52 Waikato Esplanade.	WDC_2016_12
Patterson Park	WDC_2016_13
Horotiu Bridge carpark area	WDC_2016_14
Waingaro Road Section at end of Hakarimata track	WDC_2016_15
Brownlee Ave Hakarimata Track carpark 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

The following areas have specific restrictions for Freedom Camping.

Area Name / Description	Restriction	Map Reference No.
Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia 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 carpark, Tuakau 8 St Stephens Avenue.	Sign posted part of car park only. Permitted camping hours between 6pm and 10am. Maximum stay of two nights.	WDC_2016_20
Stewart Street, Raglan Parking area on the street outside 1 Stewart Street and 3 Stewart Street	Location is restricted to a designated area. Permitted camping hours between 5pm and 8am.	WDC_2023_03

Schedule Three: Designated areas for Freedom Camping for vehicles that are not Self-contained

Vehicles that are not Self-contained may only Freedom Camp for a maximum of two nights in the areas that are specified in the table below: [Certified Self-contained vehicles may also be used to Freedom Camp in these areas.](#)

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

Schedule I Maps of Prohibited Areas Raglan





Legend

Freedom Camping status:

 Prohibited



Tohora Close, Calvert Road, Whale Bay

Map number: WDC_2016_02

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Ngarunui Beach Reserve

Map number: WDC_2016_03

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

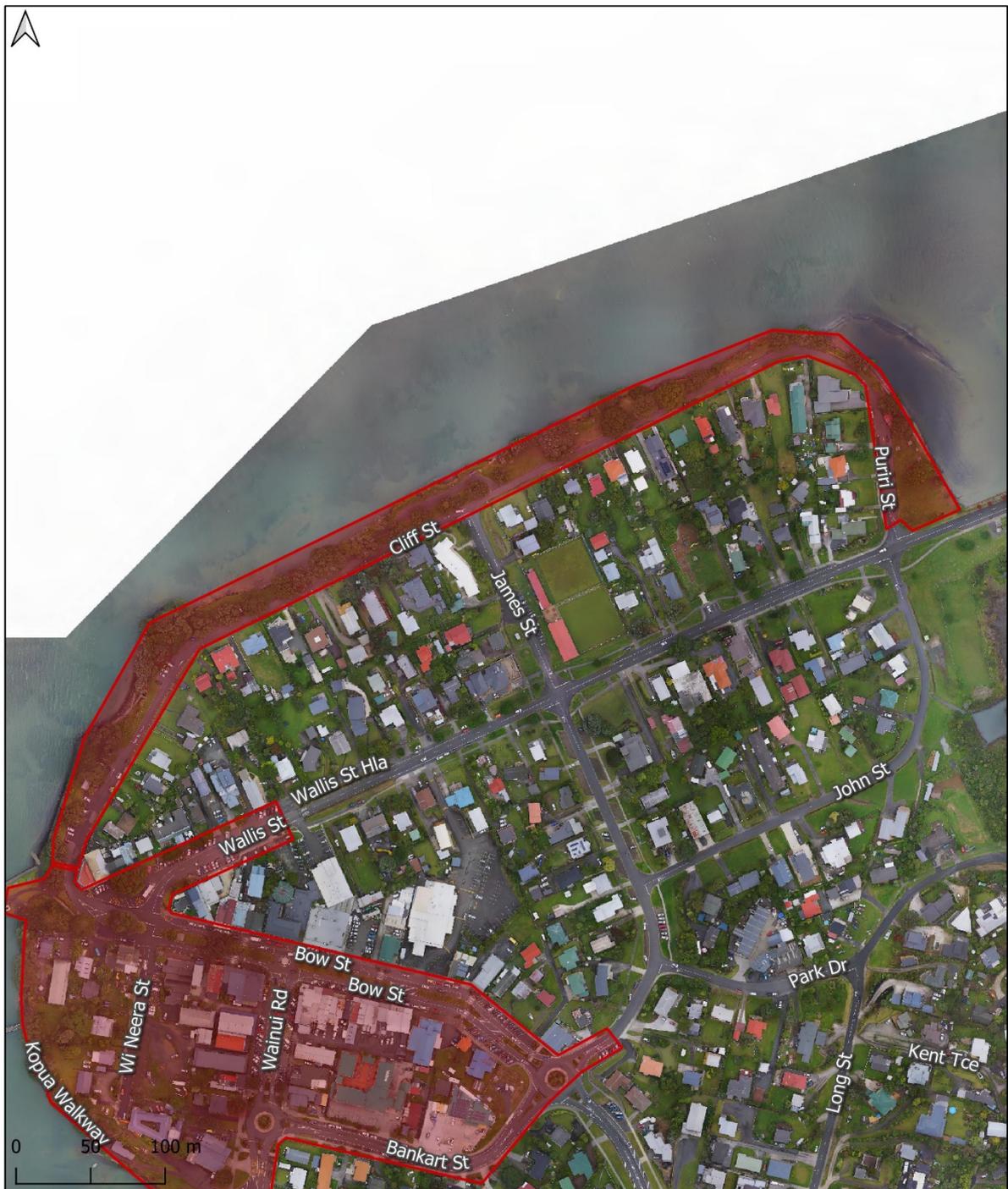
Consultation version



Deliberations version



 <p>Waikato DISTRICT COUNCIL <small>Te Kaitiaki Take Kōwhiri</small></p>	<h2>Papahua Domain</h2>	<p>Waikato District Council Prepared 1 Oct 2023 Cadastre boundaries and addresses - UNZ Projection: NZTM2000 Ref: ME43957</p>
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Legend

Freedom Camping status:

Prohibited



Cliff Street, Puriri Street

Map number: WDC_2016_05

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Riria Kereopa Drive, Wainamū Road

Map number: WDC_2016_06

Waikato District Council
 Prepared 5 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

Freedom Camping status: Parcel boundary
 Prohibited



Wainui Road
 Map number: WDC_2016_07

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997

Consultation version



Deliberations version



 <p>Waikato DISTRICT COUNCIL Te Raukiri ki Te Taiao ki Whakato</p>	<h2>Wainui Reserve Bush Park, Raglan</h2>	<p>Waikato District Council Prepared 9 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: M643997</p>
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Legend

Freedom Camping status:

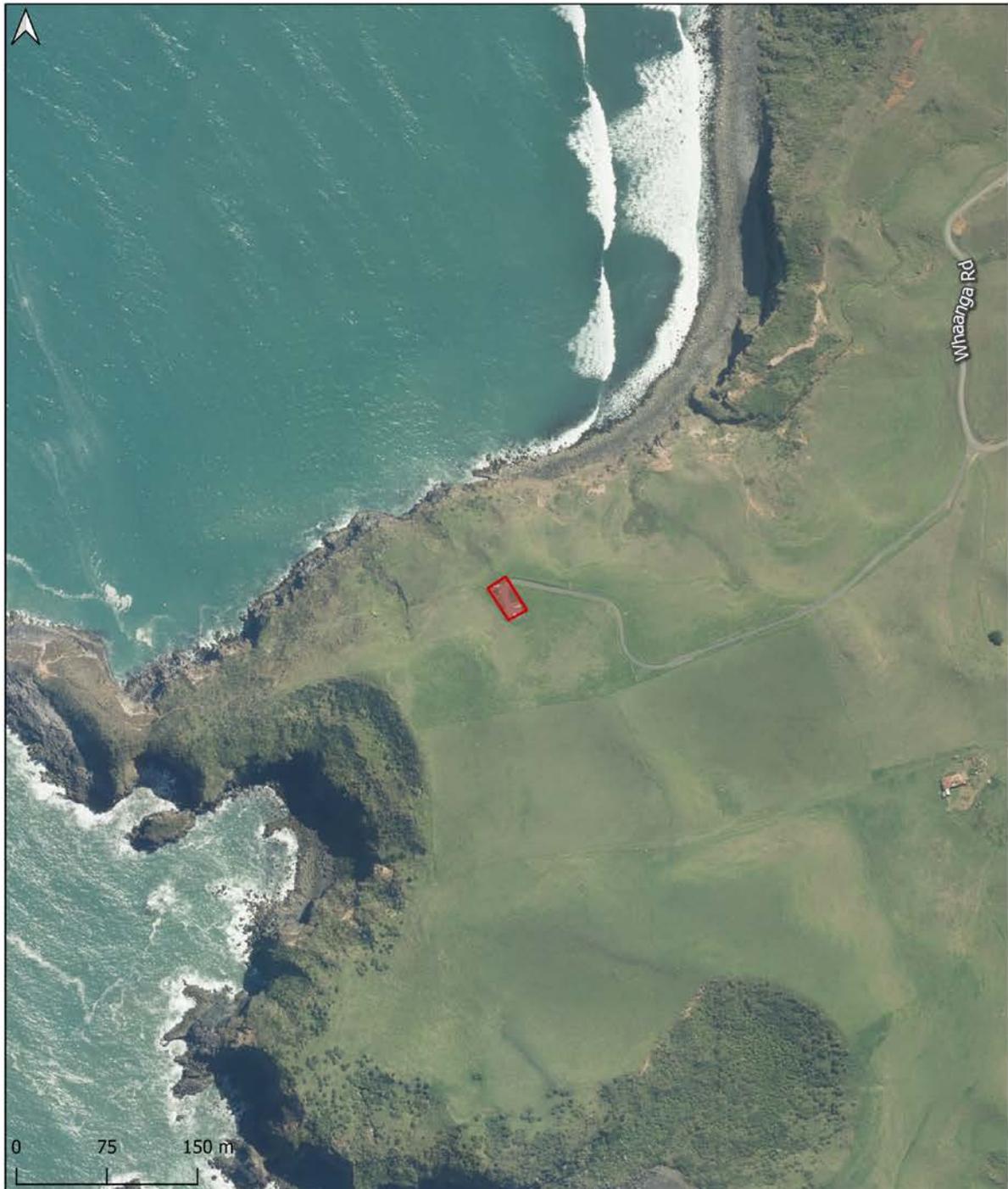
Prohibited



Water treatment ponds - Wainui Road - Raglan

Map number: WDC_2023_02

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Papanui Point Carpark

Map number: WDC_2016_08

Waikato District Council
Prepared 5 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status: Parcel boundary
 Prohibited



Swann Access Road, Ruapuke Beach

Map number: WDC_2016_09

Waikato District Council
Prepared 11 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Ruapuke Beach Road

Map number: WDC_2016_10

Waikato District Council
Prepared 5 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Bridal Veil Falls

Map number: WDC_2016_11

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Greenslade Road

Map number: WDC_2016_26

Waikato District Council
Prepared 5 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Consultation version



Deliberations version



 <p>Waikato DISTRICT COUNCIL Te Kaitiaki Take Kōwhiri</p>	<h2>Raglan CBD</h2>	<p>Waikato District Council Prepared 3 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: M643997</p>
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Legend

Freedom Camping status:

 Prohibited



Raglan Wharf

Map number: WDC_2016_29

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Lorenzen Bay Road, Sunshine Rise

Map number: WDC_2016_30

Waikato District Council
Prepared 4 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

Consultation version



Deliberations version



 <p>Waikato DISTRICT COUNCIL <small>Te Kaitiaki Take Kōwhiri</small></p>	<p>Aroaro Bay Reserve, John St, Raglan</p>	<p>Waikato District Council Prepared 3 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: ME43997</p>
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Ngaaruawaahia

Consultation version



Deliberations version



<p>Waikato DISTRICT COUNCIL Te Kaitiaki Take Kōwhiri</p>	<p>Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia</p>	<p>Waikato District Council Prepared 3 Oct 2023 Cadastre Boundaries and addresses - LINZ Projection: NZTM2000 Ref: ME43997</p>
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Legend

Freedom Camping status:

Prohibited



Waikato Esplanade

Map number: WDC_2016_12

Waikato District Council
 Prepared 5 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997

Consultation version



Deliberations version



	<h2>Paterson Park</h2>	<p>Waikato District Council Prepared 3 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: ME43997</p>
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Legend

Freedom Camping status:

 Prohibited



Horotiu Bridge Carpark

Map number: WDC_2016_14

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

Prohibited



Waingaro Road - Hakarimata Track

Map number: WDC_2016_15

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

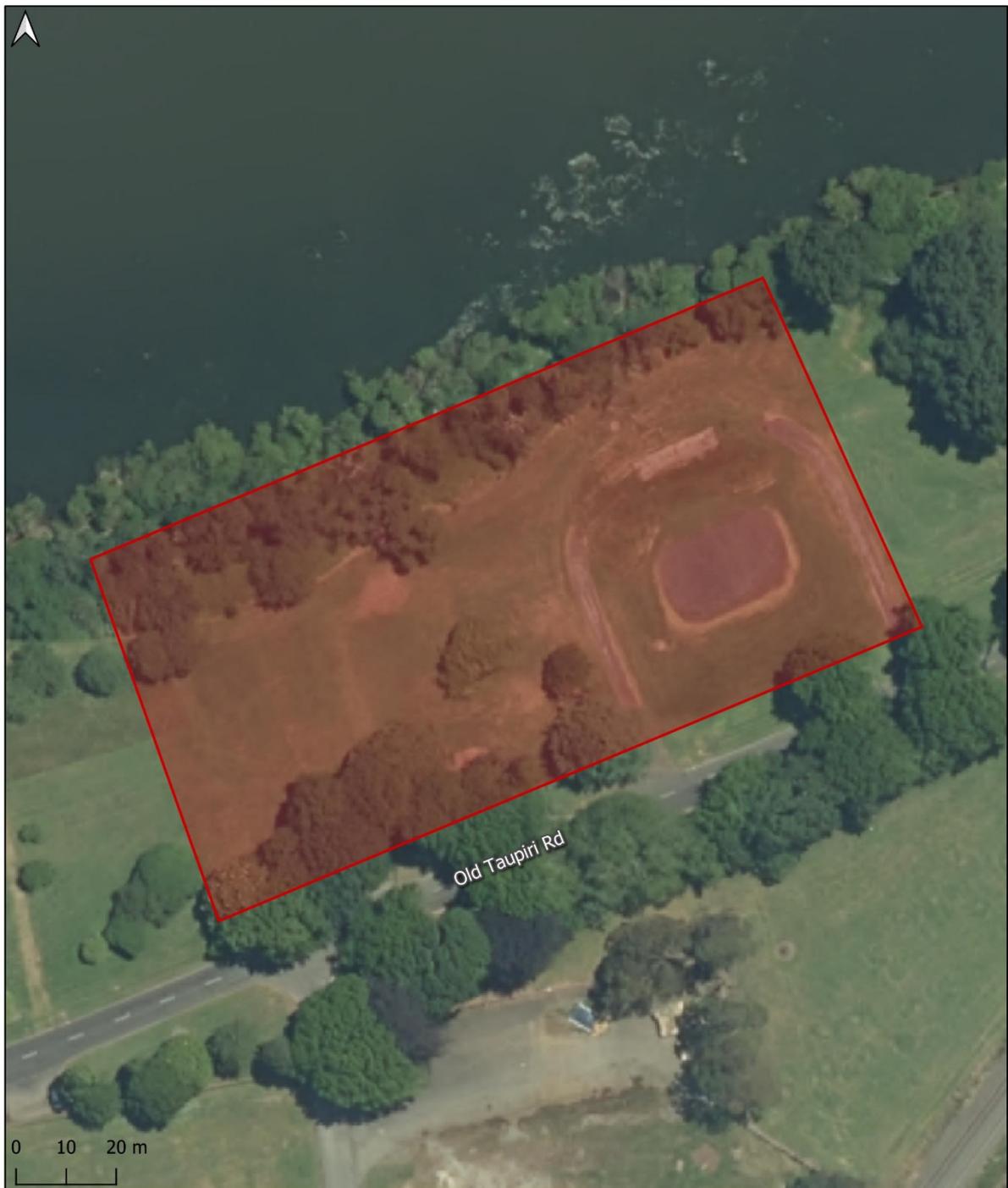
Prohibited



Brownlee Avenue

Map number: WDC_2016_16

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997



Legend

Freedom Camping status:

 Prohibited



Hopuhopu Reserve

Map number: WDC_2016_17

Waikato District Council
Prepared 4 Jul 2023
Cadastre Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

Port Waikato



Legend

- Freedom Camping status:
- Parcel boundary
 - Prohibited



Maraetai Bay Reserve

Map number: WDC_2016_18

Waikato District Council
 Prepared 11 Jul 2023
 Cadastre Boundaries and
 addresses - LINZ
 Projection: NZTM2000
 Ref: ME43997



Legend

- Freedom Camping status:
- Parcel boundary
 - Prohibited



Sunset Beach, Port Waikato

Map number: WDC_2016_25

Waikato District Council
Prepared 11 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997

Schedule 2 Restricted Maps Ngaaruawaahia

Consultation version



Deliberations version



<p>Waikato DISTRICT COUNCIL Te Kaitiaki Take Kōwhiri</p>	<p>Te Huinga o Ngaa Wai (The Point), Ngaaruawaahia</p>	<p>Waikato District Council Prepared 3 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: ME43997</p>
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Raglan



Tuakau



Schedule 3 Maps of areas for Freedom Camping for vehicles that are not Self-contained

Onewhero

Consultation version



Deliberations version



	<p>Onewhero Domain</p>	<p>Waikato District Council Prepared 9 Oct 2023 Cadastral Boundaries and addresses - LINZ Projection: NZTM2000 Ref: M643997</p>
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Te Kauwhata



Legend

- Freedom Camping status:
-  Parcel boundary
 -  Non Self Contained
 -  Prohibited



Te Kauwhata Domain

Map number: WDC_2016_22

Waikato District Council
Prepared 11 Jul 2023
Cadastral Boundaries and
addresses - LINZ
Projection: NZTM2000
Ref: ME43997