

First adopted:	Date to be inserted
Next review date:	Date to be inserted
Document number:	A2029848?
Sponsor/Group:	Group Manager: Finance & Strategy



Draft Freedom Camping Bylaw (date to be inserted)

Purpose and Scope

- The purpose of this Bylaw is to manage **freedom camping** in parts of Taupō district to ensure that, where necessary:
 - the local authority areas are protected
 - the health and safety of people visiting the local authority areas are protected, and
 - access to the local authority areas is protected.
- The Bylaw is made under the authority of section 11 of the Freedom Camping Act 2011. In addition freedom camping is also regulated and controlled by other Acts, regulations, standards, rules, bylaws, Taupō District Plan, policies, and reserve management plans, which should be referred to in conjunction with this Bylaw (refer to www.taupo.govt.nz for information).

Commencement

- The Bylaw will come into force throughout the district on (date to be inserted)

Definitions

- Any words, phrases or expressions used in this Bylaw have meanings assigned to them by the Freedom Camping Act 2011, unless inconsistent with the context in which such words occur.
- In this Bylaw, if not inconsistent with the context:

Act	The Freedom Camping Act 2011
Chief Executive	The chief executive of the Council and any person delegated to perform any duties of the chief executive
Council	Taupō District Council
Enforcement officer	A person appointed under section 32 of the Act for the purposes of the Act
Freedom camp	The same meaning as the Act
Local authority area	The same meaning as the Act
Self-contained vehicle	Is a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and is certified that it complies with New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001 (NZS 5462:2001). This is as evidenced by the display of a current self-containment warrant issued under NZS 5465:2001.

Permitted Freedom Camping Areas

- Freedom camping** is permitted within the **local authority area** unless it is restricted or prohibited in an area in accordance with:
 - this Bylaw; or
 - any other act.

Restricted Freedom Camping Areas

7. A person may **freedom camp** in any **local authority area** in a **self-contained vehicle**. All other freedom camping is restricted to the areas outlined in Schedule 1: Open Freedom Camping Areas.
8. A person may **freedom camp** for a maximum of two nights/three days, unless different restrictions are outlined in the relevant reserve management plan. If asked by an **enforcement officer** to move on from a site a person must move at least 500m from the original site.

Exemptions/Defences

9. The Bylaw does not include the following activities:
 - a. temporary and short-term parking of motor vehicles;
 - b. day trip recreational activities; and
 - c. parking on the roadside to avoid driver fatigue.
10. A person is not in breach of this Bylaw if that person proves the act was conducted reasonably to:
 - a. save or protect life and health;
 - b. prevent injury;
 - c. prevent serious damage to property; or
 - d. avoid actual or likely damage to the environment.
11. Any person may apply in writing to the **Chief Executive** for permission for any freedom camping that would be in breach of any prohibition or restriction under this Bylaw.
12. Fees may be prescribed for processing these permissions. This fee may be refunded, remitted, or waived at the **Chief Executive's** discretion.

Offences/Penalties/Powers

13. A person commits an offence under this Bylaw, or section 20(1) of the **Act**, if that person **freedom camps**, or makes preparations to **freedom camp**, contrary to the prohibitions and restrictions of this Bylaw.

Penalties

14. A person who commits an infringement offence is liable to the following fee:
 - a. the amount prescribed by regulations made under section 43 of the **Act** as the infringement fee for the offence; or
 - b. \$200, if no fee is prescribed.

Powers

15. **Council** may require any permitted or restricted areas for **freedom camping** to be closed because of events occurring in an area. Notice of **Council's** intention to close an area will be made publically.

Public Availability

16. This Bylaw, and any supporting documentation, is available for public inspection.

THIS BYLAW WAS MADE BY RESOLUTION (date to be inserted) OF COUNCIL AT AN ORDINARY MEETING OF THE TAUPŌ DISTRICT COUNCIL HELD ON (date to be inserted).

The Common Seal of Taupo District Council
was hereto affixed in the presence of:

Mayor

Chief Executive

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Schedule 1: Open Freedom Camping Areas

Hipapatua/Reid's Farm Recreation Reserve

Mangakino Recreation Reserve

Whakamaru Domain

Whakamaru Recreation Reserve

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