

# **ATTACHMENTS**

**Ad Hoc Committee - Bylaws Meeting**

**14 September 2023**

## Table of Contents

---

5.2	Hearings and Deliberations on the Bylaw Review Package 2023 (Freedom Camping, Alcohol Control, Cemetery Bylaws)	
Attachment 1	Submissions Statistics Report .....	3
Attachment 3	Officer responses to written submissions .....	10
Attachment 4	Summary of legal assessments for issues raised by submitters.....	23
Attachment 5	Draft Alcohol Control Bylaw 2023.....	25
Attachment 6	Draft Freedom Camping Bylaw 2023 .....	37
Attachment 7	Draft Cemetery Bylaw 2023.....	42
Attachment 8	Draft Taupō District Council Cemeteries Handbook 2023 .....	47

**Consultation Document**

**Freedom Camping, Alcohol Control and Cemeteries Bylaw Review**

---

**Summary of submissions**

**Statistics Report**

21/08/2023

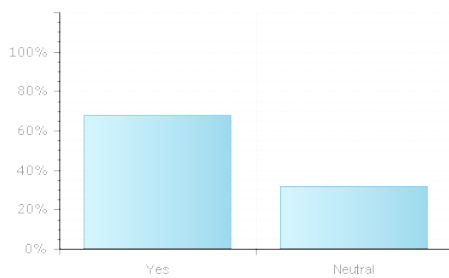


**Report: Freedom Camping, Alcohol Control and Cemeteries Bylaw Review Statistics report**

<b>Category Name:</b> Alcohol Control
<b>Overview of Category:</b>
<b>Total number of submitters:</b> 31
<b>Total number of points:</b> 31

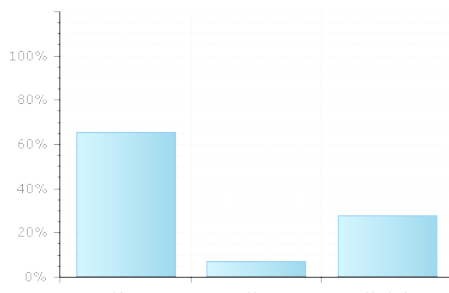
<b>Response field Number and Name:</b> 1.1-Support for extending the liquor ban area		
<b>Question:</b> Do you support expanding the Taupo Town Centre liquor ban area to Titirapunga Street?		
<b>Total number of responses:</b> 28		
<b>Decision Sought</b>	<b>Number of submitters who selected this option</b>	<b>%</b>
Yes	19	67.86%
Neutral	9	32.14%

**Support for extending the liquor ban area**



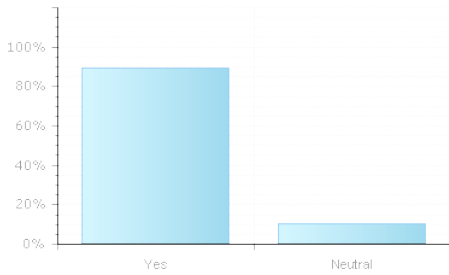
<b>Submitters for this question</b>		
<b>Response field Number and Name:</b> 1.2-Kinloch Alcohol Ban Area		
<b>Question:</b> Do you support the proposed Kinloch New Year Alcohol ban area expansion?		
<b>Total number of responses:</b> 29		
<b>Decision Sought</b>	<b>Number of submitters who selected this option</b>	<b>%</b>
Yes	19	65.52%
No	2	6.90%
Neutral	8	27.59%

**Kinloch Alcohol Ban Area**



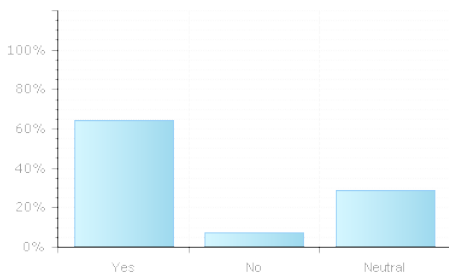
Yes No Neutral		
<b>Submitters for this question</b>		
Response field Number and Name: 1.3-Paetiki Shopping Center Alcohol Ban Area		
Question: Do you support the proposed Paetiki Shopping Centre alcohol ban area?		
Total number of responses:29		
Decision Sought	Number of submitters who selected this option	%
Yes	26	89.66%
Neutral	3	10.34%

**Paetiki Shopping Center Alcohol Ban Area**



<b>Submitters for this question</b>		
Response field Number and Name: 1.4-Two Mile Bay Lakefront Alcohol Ban Area		
Question: Do you support the proposed Two Mile Bay Lakefront alcohol ban area linkage?		
Total number of responses:28		
Decision Sought	Number of submitters who selected this option	%
Yes	18	64.29%
No	2	7.14%
Neutral	8	28.57%

**Two Mile Bay Lakefront Alcohol Ban Area**



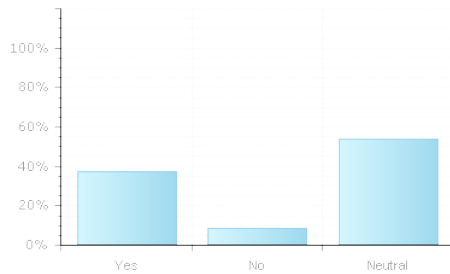
<b>Submitters for this question</b>
-------------------------------------

Category Name: Cemeteries
---------------------------

<b>Overview of Category:</b>
<b>Total number of submitters:</b> 25
<b>Total number of points:</b> 25

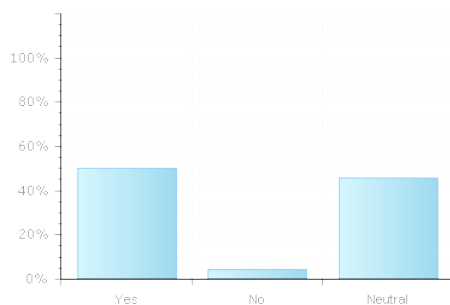
<b>Response field Number and Name:</b> 2.1-Support for the new cemeteries bylaw and handbook		
<b>Question:</b> Do you support the new cemeteries bylaw proposal and supporting handbook?		
<b>Total number of responses:</b> 24		
Decision Sought	Number of submitters who selected this option	%
Yes	9	37.50%
No	2	8.33%
Neutral	13	54.17%

Support for the new cemeteries bylaw and handbook



<b>Submitters for this question</b>		
<b>Response field Number and Name:</b> 2.2-Burial Depth Standardisation		
<b>Question:</b> Do you support the proposed standardisation of burial depth?		
<b>Total number of responses:</b> 24		
Decision Sought	Number of submitters who selected this option	%
Yes	12	50.00%
No	1	4.17%
Neutral	11	45.83%

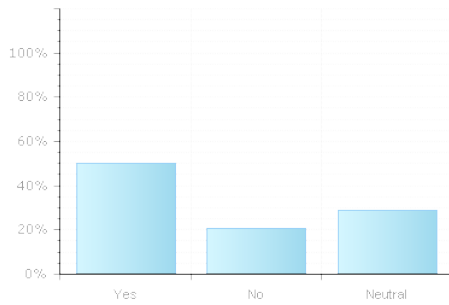
Burial Depth Standardisation



<b>Submitters for this question</b>
<b>Response field Number and Name:</b>

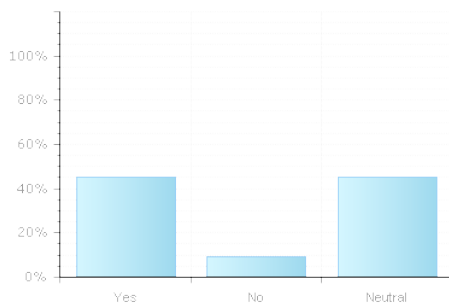
<b>2.3-Limits on Items Inside Grave</b>		
<b>Question:</b> Do you support the proposed limits on items in grave sites outside of coffins?		
Total number of responses:24		
Decision Sought	Number of submitters who selected this option	%
Yes	12	50.00%
No	5	20.83%
Neutral	7	29.17%

Limits on Items Inside Grave



<b>Submitters for this question</b>		
<b>Response field Number and Name:</b> 2.4-Offensive Monuments Section		
<b>Question:</b> Do you support the proposed offensive monuments section in the cemeteries handbook?		
Total number of responses:22		
Decision Sought	Number of submitters who selected this option	%
Yes	10	45.45%
No	2	9.09%
Neutral	10	45.45%

Offensive Monuments Section



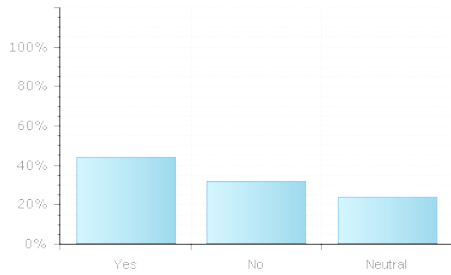
<b>Submitters for this question</b>

<b>Category Name:</b> Freedom Camping
<b>Overview of Category:</b>
<b>Total number of submitters:</b> 25
<b>Total number of points:</b> 25



<b>Response field Number and Name:</b> 3.1-Remove Whakamaru Domain as camping site		
<b>Question:</b> Do you support the removal of Whakamaru Domain as an Open Freedom Camping Site?		
Total number of responses:25		
Decision Sought	Number of submitters who selected this option	%
Yes	11	44.00%
No	8	32.00%
Neutral	6	24.00%

**Remove Whakamaru Domain as camping site**



<b>Submitters for this question</b>

**Alcohol Control Bylaw**

Submitter number	Submitter name	Support	Submission	Response
<b>Town Centre Expansion</b>				
9	Derek Smith	yes	This is good for the community	General thank you for submitting letter
10	Brian Coddington	yes	I think liquor should only be consumed on licenced premises	General thank you for submitting letter including:  Taupō district council acknowledges the harm alcohol can cause in communities but is also limited under the law on when it can restrict the consumption of alcohol in public places. These limitations mean that Council can only put restrictions in place when there is a justifiable reason to avoid alcohol related nuisance or offending.
15	Jacquie Kahu	yes	Agree with concerns of police	General thank you for submitting letter
16	John Cridge	yes	Alcohol is now listed as the top drug causing harm in New Zealand	General thank you for submitting letter including:  Taupō district council acknowledges the harm alcohol can cause in communities but is also limited under the law on when it can restrict the consumption of alcohol in public places. These limitations mean that Council can only put restrictions in place when there is a justifiable reason to avoid alcohol related nuisance or offending.

18	Sheree Putt	yes	Because alcohol shouldn't be allowed where our loved ones are we need more plots for those that pass on over the coming years. Alcohol should be banned at all parks in Taupō including the South Waikato	Our cemeteries team is aware of the demand for plots in Council operated cemeteries and has plans in place to help ensure there is capacity for the future.  Regarding banning Alcohol, the standards for making a ban are strict and bans can't be put in place without evidence of criminal or nuisance behaviour that is related to alcohol consumption. Taupō district Council also does not have control over the South Waikato Parks those are the responsibility of South Waikato District Council
34	Zac Taylor for Taupō Primary School	yes	This extension would be inclusive of the main part of the school grounds into the liquor ban area. Hopefully this will eliminate glass and cans being left around or just inside the perimeter fencing of the school. We suspect these bottles are being thrown or dropped as people walk into town drinking.	Taupō District Council is committed to improving community safety especially that of local children. We thank you for your support and also hope that the extension of the ban area will help reduce the littering related to alcohol consumption.
<b>Kinloch New Year Ban Expansion</b>				
4	Rachael Mitchell:	yes	Locals are doing their bit to keep a lid on New Year partying, but the problem is growing annually as more young people come to Kinloch. There is no entertainment for them out at the village, so they range the streets looking for other revellers and places to party.	Kinloch Specific Response:  Thank you very much for your feedback, in conjunction with the community meeting held as part of consultation on the Kinloch alcohol control area we were able to gather a significant amount of evidence to support the expansion of the new year ban area.  Additionally, our partners at Taupō Police are also looking into options to help support positive outcomes

				for Kinloch over the new year period.
7	Richard Hall	yes	we have seen the behaviour past two years and see how necessary a strong police presence had been. An alcohol ban will help empower authorities to deal with the situation	Kinloch Specific Response as above
8	Gareth Morgan	yes	There has been too much mess and damage caused in Kinloch in past years, this may help	Kinloch Specific Response as above
9	Derek Smith	yes	this is good for the community and has my support	Kinloch Specific Response as above
19	Kim Fraser	yes	I live close to the Kenrigg Rd / Marina Tce corner and have witnessed large gatherings each evening several days before NY up to NY. They start at about 6. pm, where large gatherings start on the front lawn or corner. I have had bottles and broken glass on my drive which have to be picked up by myself and the neighbours in the morning. Firecrackers let off in my letterbox, my letterbox removed, and with the large street parties cannot leave home or return home through the crowd. Last year you would not have been able to drive a car through the crowd. The volume of people is quite confronting.  More than happy to submit in person if required.	Kinloch Specific Response as above
29	Brin Hingston	yes	As a Kinloch resident I must strongly suggest the increase in alcohol control zone for the New Year period must cover all of Kinloch right up to Whangamata Road, SevenOaks, the stream trail areas, etc. The youth will just drink outside your currently proposed area. We must ask the question why public drinking should be allowed uncontrolled at any time in any land owned by TDC(e.g. road reserves, parks and reserves.) Really this should not take place on non-private land at any time of the year. Plenty of private land in Kinloch if people feel like drinking and partying.	Kinloch Specific Response as above  We also understand the concerns of community members such as yourself that people may just move to other areas. Council is limited in the way it can create liquor ban areas due to the requirements of the Local Government Act. When Council looks to put a ban in place it needs to be sure that the ban doesn't infringe unduly on peoples' rights under the Bill of Rights Act

				and that where a ban is put in place, we ensure there is evidence of alcohol related nuisance and/or crime. Council did not have evidence to suggest a ban from Whangamata road covering all of Kinloch was necessary or justifiable against the Bill of Rights Act.
15	Jacquie Kahu	Neutral	Don't live in that area so don't know enough to make a decision for those who do reside/stay there.	General thank you for submitting letter
<b>Paetiki Shopping Centre</b>				
15	Jacquie Kahu:	yes	Alcohol is obviously causing some problems there.	General thank you for submitting letter
20	Suzanne Hawken:	yes	<p>Because we are trying to make a living and create a safe environment for our community, but there is drinking going on all the time during the day and then drunks are sleeping on the paths and in the Laundry etc.</p> <p>Also Paetiki shops has no toilets and these people are urinating and defacating around the back of the building, or across the road in plain view in people's gardens. We have also had incidents of drunks exposing themselves. Its not right that these people are scaring families just going about their normal business. There should be a permanent liquor ban to stop this unsocial behavior, sometimes we feel the gangs do a better job of getting rid of them.</p> <p>We are starting to feel that the Council doesnt care about Paetiki like it does the CBD, But we care about our community and are fed up with the abuse and disgusting behavior we have to put up with.</p>	<p>Paetiki Specific Response:</p> <p>Thank you for your submission on the Paetiki Shopping centre ban area your submission and others helped your councillors make an informed decision about the new ban area at Paetiki. (Final details to be included after adoption)</p>
22	Ashleigh Nixon	yes	Hi there	Paetiki Specific Response

			<p>There have been numerous incidents at the Paetiki Shopping Centre involving alcohol related incidents eg drinking on the footpath all day long exposing himself as he goes toilet in public Infront if the shops in front of customers, children families. Myself I own Hair Noir hair salon in the Shopping centre, and it has affected my business as my clients do not feel safe coming in. All the shop owners have had to put trespass orders in place to stop the drunks coming into our businesses causing trouble. We have many young children walking to and from school having to walk pass the drunks sitting on the footpath passed out or drinking and going toilet in front of them.</p> <p>This is not a good look for our town and community. There should be a liquor ban in place 365 days a year.</p> <p>Thank you</p>	
24	Kay Brake	yes	<p>As landlords of the Paetiki Shopping Centre we have witnessed instances of anti social and threatening behaviour at the shopping centre caused by the consumption of alcohol. This behaviour has been upsetting and frightening for workers and people nearby.</p> <p>The shopping centre is a local community hub and needs to provide an environment where everybody - the community, the business owners and workers, and visitors feels welcomed and safe. No one should feel threatened or distressed by anti-social behaviour.</p> <p>In line with this we would like to request the ban be extended beyond the proposed timeframe of 4pm Thursday to 7am Monday to a permanent ban. This is because we have witnessed anti social and threatening behaviour at the shopping centre at varying times during the day and night throughout the week, not just at weekends.</p>	Paetiki Specific Response

			We would also like to request the ban be extended to the property at 220 Taharepa Road, the white house adjacent to the shopping centre. We are also landlords of this property which has the same zoning as the shopping centre and is currently tenanted by C3 Church and used by them as a community facility. As landlords we consider this to form part of the shopping centre and the community hub.	
25	Ravi Sappidi for Paetiki lotto Magazines and Post	yes	lot of nuisance to shoppers and school and laundry users	Paetiki Specific Response
27	Saranjeet Singh for jsg uppals pvt limited	yes	<p>We are running a pizza shop at paetiki shopping center and everyday we facing a lot of problem in regards with the drunk homeless people specially one who always around here asking money from our customers and irritate a lot during busy time of work. Drink and smoke in front of our shop.</p> <p>Issue him tress pass and liquor ban for him for future.</p> <p>Thanks</p> <p>Paetiki Pizza House Management</p>	Paetiki Specific Response
32	Sarah Mossop	yes	<p>Yes I support it.</p> <p>It is a community hub and it doesn't feel safe with adults regularly drinking at all hours of the day out front. It doesn't set a good example for the kids and it can make going to the Paetiki shops uncomfortable. Have also been approached to buy alcohol from those who are banned from the shops.</p> <p>There is also a community house there and lots of kids are always around. On occasion there has been the odd drunk person approach that space which is the last thing we want.</p>	Paetiki Specific Response

## Freedom Camping Bylaw

Submitter number	Submitter name	Support	Submission	Response
16	John Cridge		<p>Whilst I agree with the removal of the Open Freedom Camping area at the Whakamaru Domain, I have grave concerns with the information provided in the Bylaw as a whole.</p> <p>I believe the title of the Bylaw is misleading as it concentrates more on where you cannot freedom camp rather than on where you can freedom camp.</p> <p>The Bylaw is written more around the restrictions on non self- contained vehicles rather than recognizing those vehicles that are certified self-contained and where they are able to spend the night.</p> <p>The only reference to certified self-contained vehicles is in clause 8, which refers to those vehicles being permitted on any local authority area, but nowhere are those areas identified in the Bylaw.</p> <p>The Bylaw appears to be a negative Bylaw rather than a positive Bylaw.</p> <p>The brochure produced by Council entitled "Where to camp in the Taupo District" is totally misleading to those visitors in certified self-contained vehicles.</p> <p>The legend shows areas where "Open Freedom Camping" is permitted but does not give those areas where certified self-contained vehicles may stay overnight.</p> <p>The wording advises that certified self-contained vehicles may park overnight on any local council owned or council managed land. Again, there is no indication as to where those areas are.</p> <p>The New Zealand Motor Caravan Association lists Taupo as a "Motorhome Friendly Town" but I feel that this Bylaw does not warrant that description.</p>	<p>Where the map shows Open Freedom Camping areas these are places where both self-contained vehicles and non-self-contained vehicles/tents may stay overnight.</p> <p>Self-contained vehicles can stay anywhere that isn't limited according to the map found here <a href="https://www.taupodc.govt.nz/freedom-camping">Freedom camping - Taupō District Council (taupodc.govt.nz)</a>. This map outlines the areas where camping is prohibited under both the Freedom Camping Bylaw and the Reserves Act 1977. We understand the confusion about these different restrictions and as such have included an advisory note that informs campers of the Reserves Act restrictions.</p>



			<p>The Bylaw should recognize that the facilities provided in a certified self-contained vehicle are similar to those provided in the average house.</p> <p>I believe a complete re-write of the Bylaw is warranted rather than just a few minor changes. The Bylaw should not be used as a method of entrapment by not giving sufficient information to visitors to Taupo and the surrounding areas.</p> <p>I wish to have my submission heard.</p>	
28	James Imlach for New Zealand Motor Caravan Association Inc.		<ol style="list-style-type: none"> <li>1. The New Zealand Motor Caravan Association Inc. (NZMCA) welcomes the opportunity to submit on the Taupō District Council's Draft Freedom Camping Bylaw 2023 (the draft bylaw).</li> <li>2. Formed in 1956, the NZMCA represents the interests of over 116,000 New Zealanders who enjoy exploring our country at leisure in their self-contained motorhomes and caravans. Over 1,800 members reside in Taupō. Most NZMCA members are hybrid campers frequently alternating between commercial/private campgrounds and freedom camping sites. The Association operates two consented campgrounds (NZMCA Parks) in the district – one at the Taupō Racecourse and the other in Tūrangi.</li> <li>3. It is our understanding the draft bylaw follows a review of the Council's existing freedom camping bylaw as required under section 13(1) of the Freedom Camping Act 2011 (the FCA).</li> <li>4. The NZMCA supports the track changes that differentiate the draft bylaw from the existing bylaw, in particular the non-enforceable explanatory statement regarding the Reserves Act 1977. Including a blanket prohibition on all reserves across the district under Schedule 1 of the draft bylaw would be inconsistent with section 11 of the FCA.</li> <li>5. We understand from the Council's Issues Paper 2023 that Whakamaru Domain will no longer accommodate non-self-contained campers due to the current use of the site and potential health and safety concerns, however the site will remain open to self-contained vehicles. We support the Council's decision not to prohibit all campers from staying on site. Other comments</li> <li>6. It might be prudent to postpone final deliberations on the draft bylaw until after Local Government New Zealand releases new</li> </ol>	<p>We thank the NZMCA for its submission and appreciate the feedback that was provided through both pre-consultation discussions and your formal submission.</p> <p>Council will look out for opportunities for alternative freedom camping locations, where there is demand for new sites.</p> <p>The Infringement fee mismatch has been addressed to ensure consistency with the Act.</p>

			<p>guidance material to help local authorities adopt bylaws consistent with the Self-contained Motor Vehicles Legislation Act 2023 (the SC Act). For example, clause 15(b) of the draft bylaw continues to refer to a \$200 infringement fee whereas section 20(E)(b) of the SC Act refers to a \$400 infringement fee.</p> <p>7. We are pleased the Council wants to retain open freedom camping sites for non-self contained vehicles. Most non-self-contained campers are responsible travellers and would appreciate the ability to continue freedom camping in the district. As an aside, the NZMCA is working on a parallel certification system for its members with portable toilets that comply with NZS 5465 but will not comply with the new definition of a self-contained vehicle. The purpose of this system is to ensure our members with portable toilets can continue to stay at our parks and attend events that require some form of certification.</p> <p>8. Despite the default provisions under section 44(1) of the Reserves Act, we encourage the Council to maintain an open mind and look for opportunities to permit (under delegated authority) some form of freedom camping on reserve land where there is demand.</p>	
3	Leanne Karauna		<p>Remove Matekuri as a freedom camping area and i am sure people can be encouraged to camp there. it is a lovely spot to camp and there are ablutions there for tents. no ideas why tents can't stay there as ablutions are available are they glamping?</p> <p>Remove matekuri and mangakino lakefront from freedom camping please</p>	<p>Matekuri Island was not consulted on due to ongoing work regarding the future of freedom camping in Mangakino town. Additionally, the status of Matekuri island is under the control of LINZ/Mercury energy as it sits within their operating easement.</p> <p>Taupō district council does some maintenance work on Matekuri island but is not ultimately able to decide if the Island can be camped on or not.</p>
5	Jo-Anne Robertson		<p>We need to remove the freedom camping from Mangakino Lake front &amp; Mate kuri island &amp; keep it at the domain until such time the council come up with a better alternative. Koina!</p>	<p>Matekuri Island was not consulted on due to ongoing work regarding the future of freedom camping in Mangakino town. Additionally, the status of Matekuri island is under the control of</p>

				<p>LINZ/Mercury energy as it sits within their operating easement.</p> <p>Taupō district council does some maintenance work on Matekuri island but is not ultimately able to decide if the Island can be camped on or not.</p>
6	Atariti Jopson		<p>Why would you shut down such a big space?</p> <p>Im hearing that the new freedom camping space is going to Matekuri, he wahi tāpu tēnā!</p> <p>The whakamaru domain should be the only open space for freedom campers, FINALLY LET THE PEOPLE OF MANGAKINO enjoy our awa. The mess, the rubbish, no room for us to bring our whānau and babies down to enjoy it.</p> <p>This has been a big problem with the locals and council for years, the fact that our representatives of our rohe aint speaking up for us.</p> <p>That road going through to the jetty is the most dangerous road in our town, one of these day theres gonna be a scary accident and its gonna fall back on the council for not listening.</p>	<p>We proposed the removal of the Whakamaru camping area as a freedom camping site as the current primary use is for grazing, cropping, and motocross. This is not a particularly suitable camping site, especially for non-self-contained campers.</p> <p>Matekuri Island was not consulted on due to ongoing work regarding the future of freedom camping in Mangakino town and the lakefront redevelopment. Additionally, the status of Matekuri island is under the control of LINZ/Mercury energy as it sits within their operating easement.</p> <p>Taupō district council does some maintenance work on Matekuri island but is not ultimately able to decide if the Island can be camped on or not.</p>
10	Brian Coddington		<p>I think freedom campers that have no on board toilet facilities should not overnight anywhere in our district.</p>	<p>We provide a range of locations for camping, our local open freedom camping sites have the amenities to support campers in non-self-contained vehicles. If campers wish to go to places outside of these then they must be in a certified self-contained vehicle.</p>
12	Marion Mallard		<p>Generally for freedom camping provided it is either controlled that the campers are self sufficient or toilet(s) and rubbish bins are provided.</p>	<p>We provide a range of locations for camping, our local open freedom camping sites have the amenities to support campers in non-self-contained</p>

				vehicles. If campers wish to go to places outside of these then they must be in a certified self-contained vehicle.
14	Allan Webb		There are so few sites left already. Need more sites not less.	<p>We proposed the removal of the Whakamaru camping area as a freedom camping site as the current primary use is for grazing, cropping, and motocross.</p> <p>This is not a particularly suitable camping site, especially for non-self-contained campers.</p> <p>We will investigate areas that have more demand and may be more suitable for freedom camping.</p>

## Cemetery Bylaw Submission Response Summary

Submitter number	Submitter	Support	Submission	Submission response
<b>Cemetery Handbook</b>				
31	Betty Rosanoski		<p>I was intending to contact the Council and now I see you are looking at doing work at the Cemetery.</p> <p>I wonder if it is possible to build a white stone remembrance wall as in some other cemeteries where ashes could be placed and a small memorial plaque attached to each Stone.</p> <p>This would certainly save space and is attractive to the relatives and those visiting the cemetery.</p> <p>I look forward to a positive response to my suggestion.</p>	<p>Your feedback about a white stone remembrance wall has been passed onto our cemeteries team, additionally we would like to encourage you to submit to the long-term plan as this is the time where council allocates funding for new projects.</p> <p>There has been limited demand for a memorial wall but there has been significant demand for a Ash wall which the team are looking to have in place in the near future.</p>
<b>Standardised burial depth</b>				
3	Leanne Karauna		As long as costs remain the same for depths	General response that includes point about how costs will remain the same.
<b>Limits on items inside grave</b>				
3	Leanne Karauna		Prosthesis should be able to be buried what is the reasons for this	They can be in coffins so the item is protected but also does not pose a health and safety risk to cemetery staff if they are re-digging the site on behalf of the family.
6	Atariti Jopson		If whānau are paying for it then they should have the final say. Stay out of it!	Council has this rule to safeguard the health and safety of cemeteries staff, visitors, and the environment. Certain items could pose a health and safety risk to staff and visitors or are harmful to the surrounding environment.
13	Merenia Wells-Connor		I understand the reason for most of the listed items there are some that need clarification. we have had a glass vase at my mother's	If the item is not inside the grave, there is no problem with having these items















































































































