



MINUTES ATTACHMENTS

Ordinary Council Meeting

8 May 2017

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Attachment 1 Draft Freedom Camping Bylaw tabled on 22 June 20172

Tabled, Taupo District Council meeting: 22/06/17 (cont'd from 08/05/17) A1726302
(Version 15)

First adopted:	Date to be inserted
Next review date:	Date to be inserted
Document number:	A1726302?
Sponsor/Group:	Group Manager: Finance & Strategy



GREAT LAKE TAUPŌ
Taupō District Council

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** ~~set the requirements and define the areas within Taupō District for freedom camping. The Bylaw outlines the areas where freedom camping is permitted, restricted or prohibited 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 ~~which have meanings assigned to them by the Freedom Camping Act 2011, the Local Government Act 2002, the Reserves Act 1977, and the Land Transport Act 1998 will have the meanings as are respectively assigned in those Acts and corresponding supplementary legislation, 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
Camp or Camping	Temporary overnight lodging using: <ul style="list-style-type: none"> — a tent or other temporary structure; — a caravan; or — a car, campervan, motorhome, house truck or other vehicle for temporary accommodation.
Campground	The same meaning as the Act
Council	Taupō District Council
Enforcement officer	A person appointed under section 32 of the Act for the purposes of the Act
Freedom camp or camping	The same meaning as the Act

Local authority area	The same meaning as the <i>Act</i>
Reserve	The same meaning as the <i>Reserves Act 1977</i> and includes reserves under the control, maintenance and/or management of <i>Council</i>
Road	The same meaning as the <i>Land Transport Act 1998</i>
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.
Vehicle	The same meaning as the <i>Land Transport Act 1998</i>

Permitted Freedom Camping Areas

6. **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.

Prohibited Freedom Camping Areas

- A person must not **freedom camp** within 50m of Lake Taupo as measured by the Nui-A-Tia boundary.
- A person must not **freedom camp** within the urban areas of the settlements outlined in Schedule 2: Prohibited small settlements.
- ~~A person must not **freedom camp** in any part of the **local authority area** unless allowed for in this Bylaw (refer to Schedules 1 and 2 for details of sites).~~
- ~~A person must not **freedom camp** on any **reserve**, unless in a place set aside for camping by **Council** or the relevant reserve management plan.~~

Restricted Freedom Camping Areas

- A person may **freedom camp** at Reid's Farm Recreation Reserve for a maximum of 3 nights in any 14-day period.
- 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.
- ~~A person may **freedom camp** in the areas identified in Schedule 1: Open Freedom Camping Areas. Length of stay is outlined in the corresponding reserve management plans.~~
- ~~A person may **freedom camp** in a **self-contained vehicle** in any area identified in Schedule 2: Areas designated for self-contained vehicle camping only, in accordance with the Schedule Two restrictions.~~
- ~~A person may **freedom camp** for a maximum of two nights/three days, unless different restrictions are outlined in the relevant schedule or length of stay is determined within the relevant reserve management plan.~~

Exemptions/Defences

16. The Bylaw does not include the following activities:
- temporary and short-term parking of motor vehicles;
 - day trip recreational activities; and
 - parking on the roadside to avoid driver fatigue.

17. 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.
18. 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.
19. 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

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

Penalties

21. 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

22. Any person in breach of this Bylaw may be asked to leave the **local authority area** or conservation land where an **enforcement officer** believes on reasonable grounds that the person has:
 - a. acted in a manner likely to endanger the health and safety of other people;
 - b. damaged or likely to cause damage to the site; or
 - c. breached any of the conditions outlined for **freedom camping**.Any person given direction to leave the site may have their right to **freedom camp** revoked.
23. **Council** may, after the conviction of any person for a continuing offence against this Bylaw, apply to the court for an injunction to restrain the further continuance of the offence.
24. **Council** may seize or impound, or cause to seize or impound, any **vehicle**, boat, or any other property, in accordance with sections 37 and 38 of the **Act**, on any **local authority area** or conservation land, in breach of this Bylaw, and/or recover all charges in connection with the seizure or impoundment, of any **vehicle**, boat, or any other property.
25. Any person who's **vehicle**, boat, or other property, is seized or impounded may request their return in accordance with section 39 of the **Act**.
26. **Council** may dispose of any **vehicle**, boat or other property, not returned 6 months after being seized, if reasonable efforts have been made to identify the owner, not less than 14 days after public notice of **Council's** intention to do so.
27. **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

28. 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

DRAFT

GREAT LAKES TAUPŌ
Taupo District Council

Lake Maraetai Area 2

Waikato River

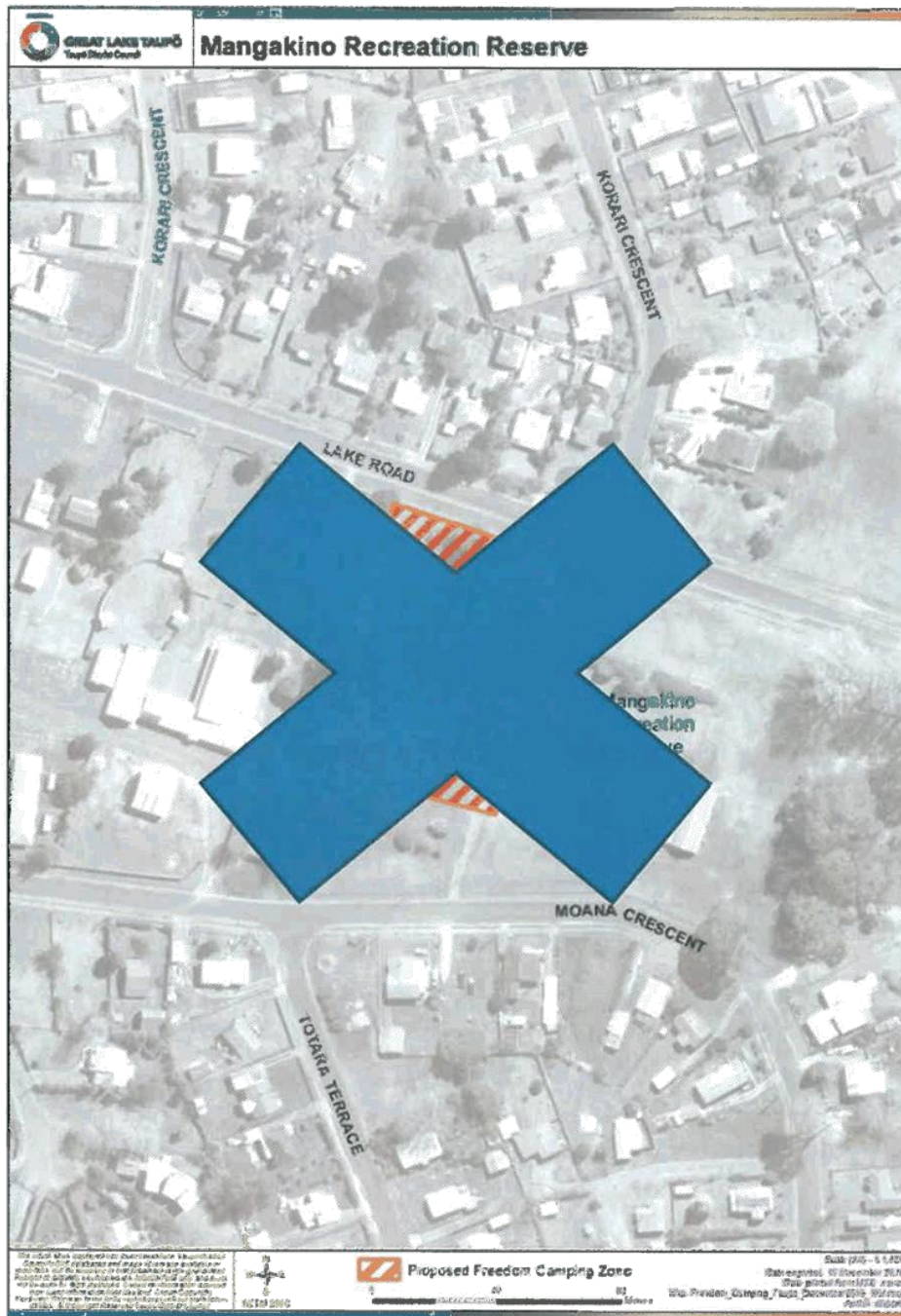
LAKE ROAD

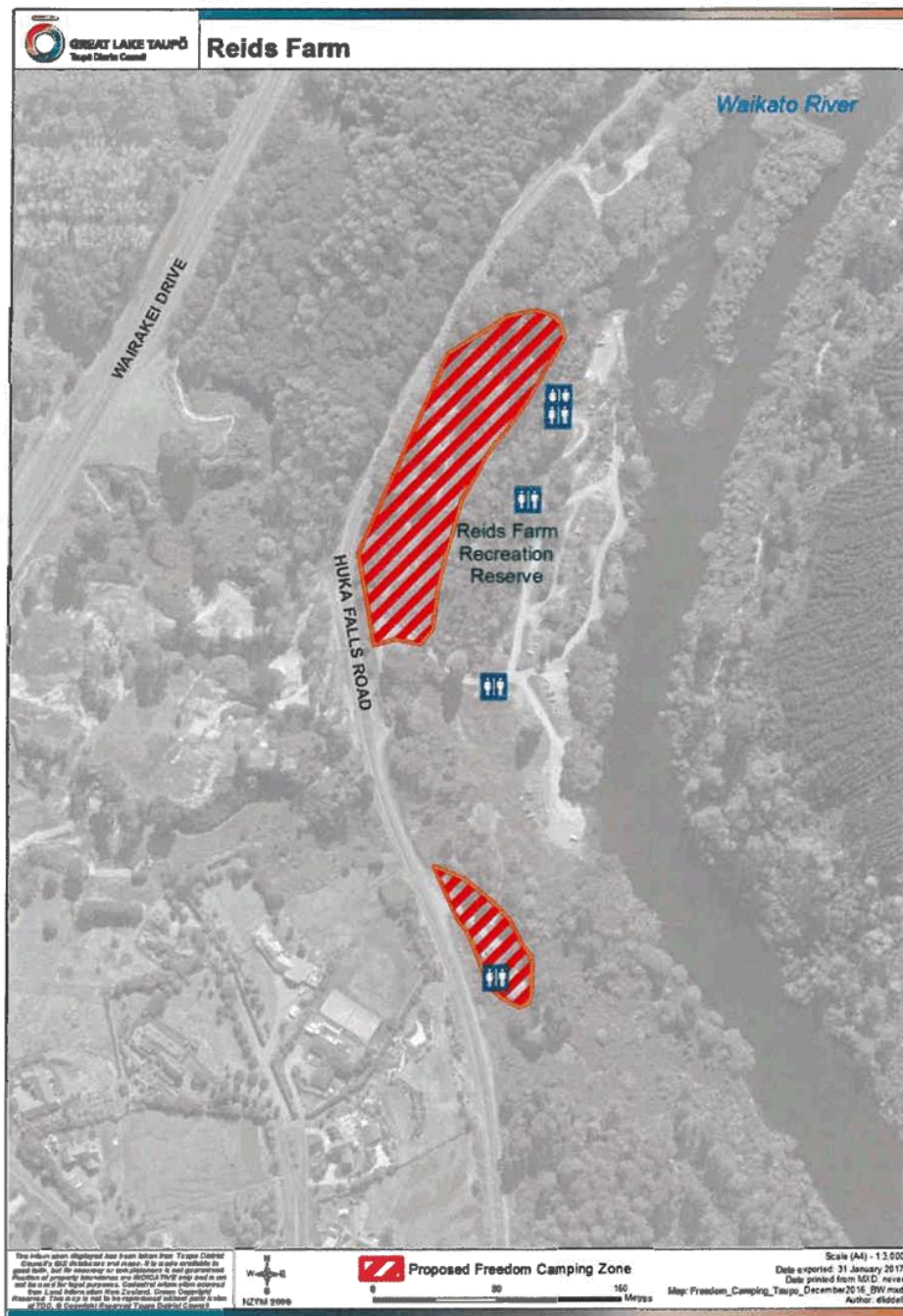
Mangakino Recreation Reserve

Lake Reserve

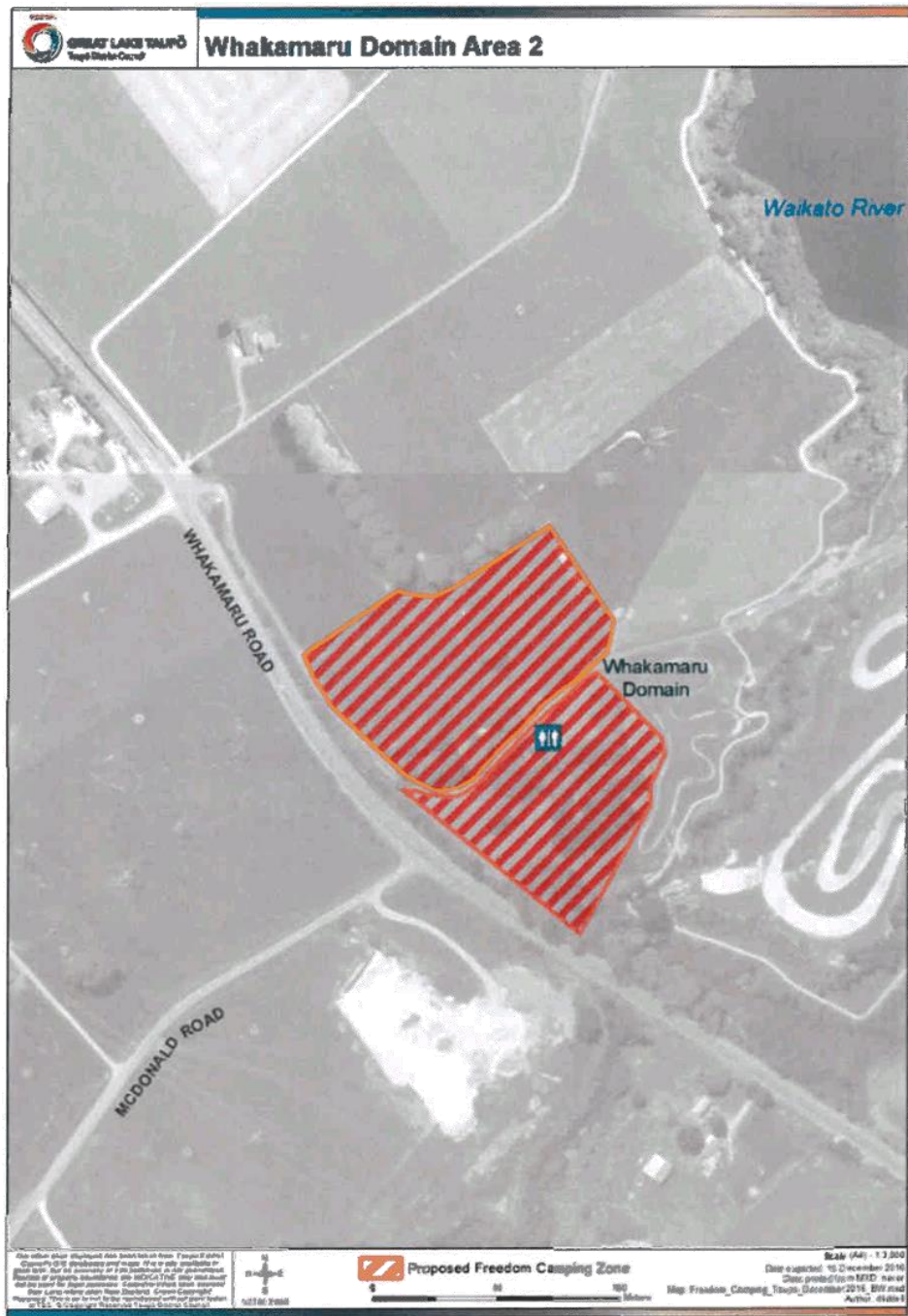
Proposed Freedom Camping Zone

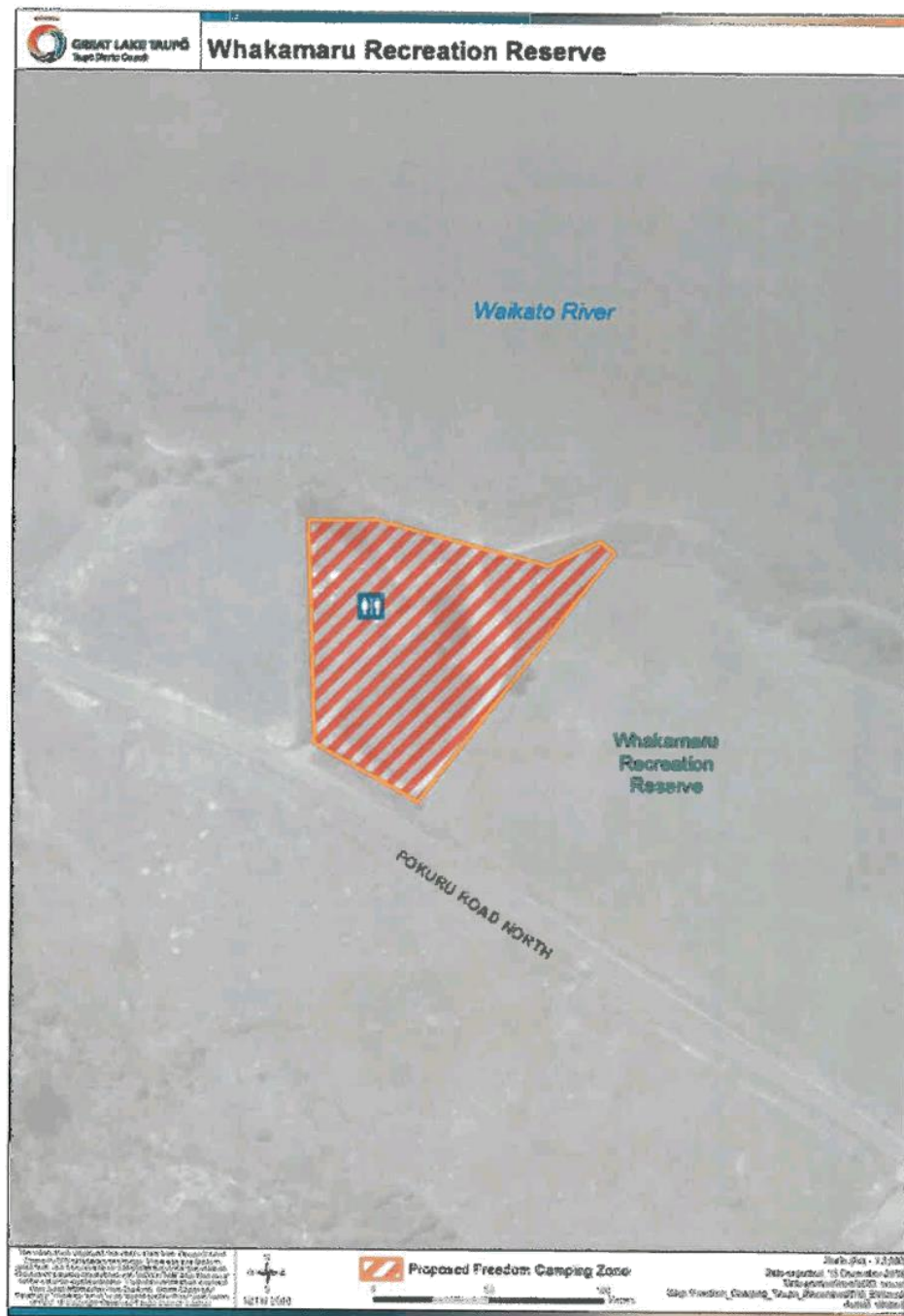
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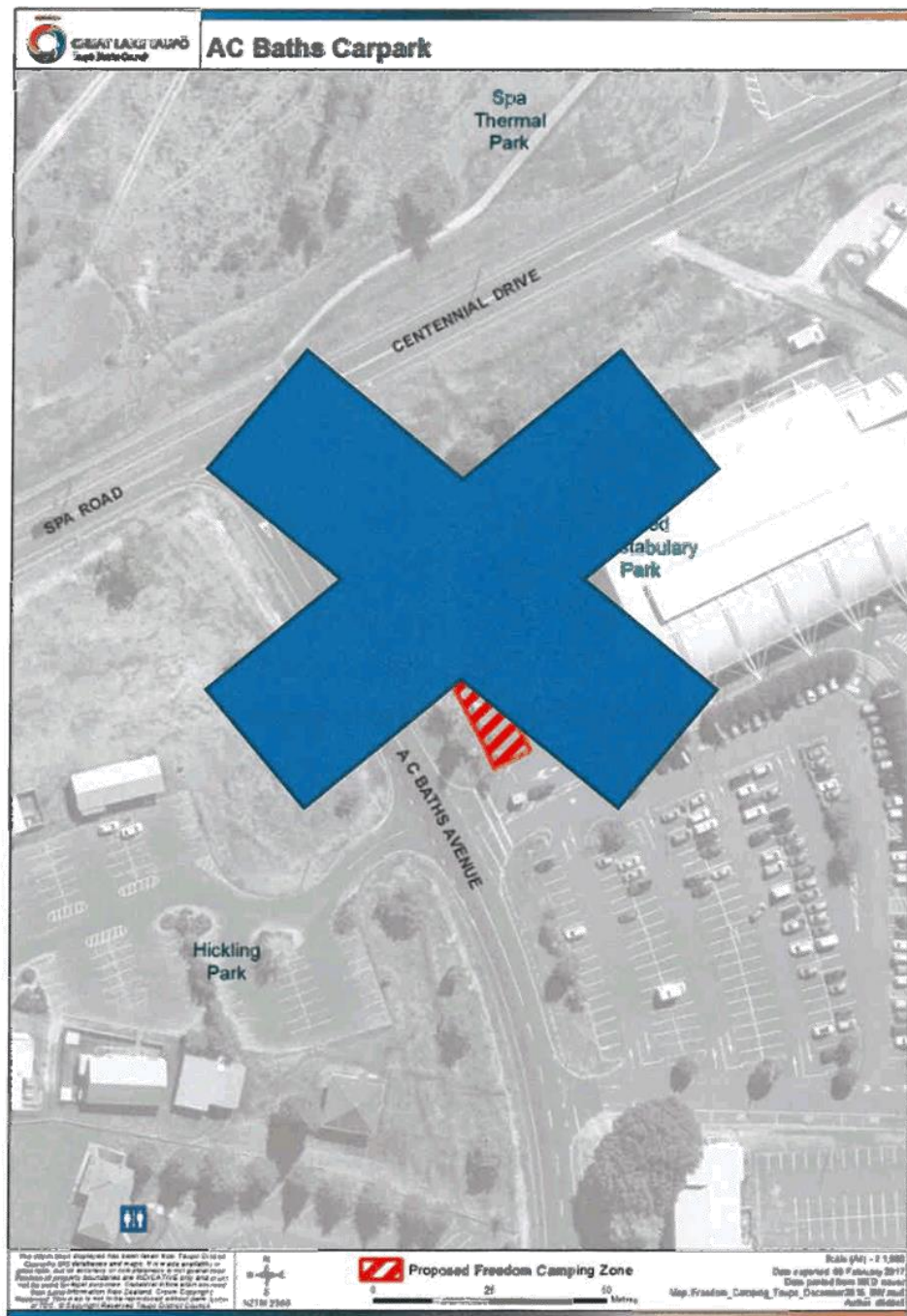






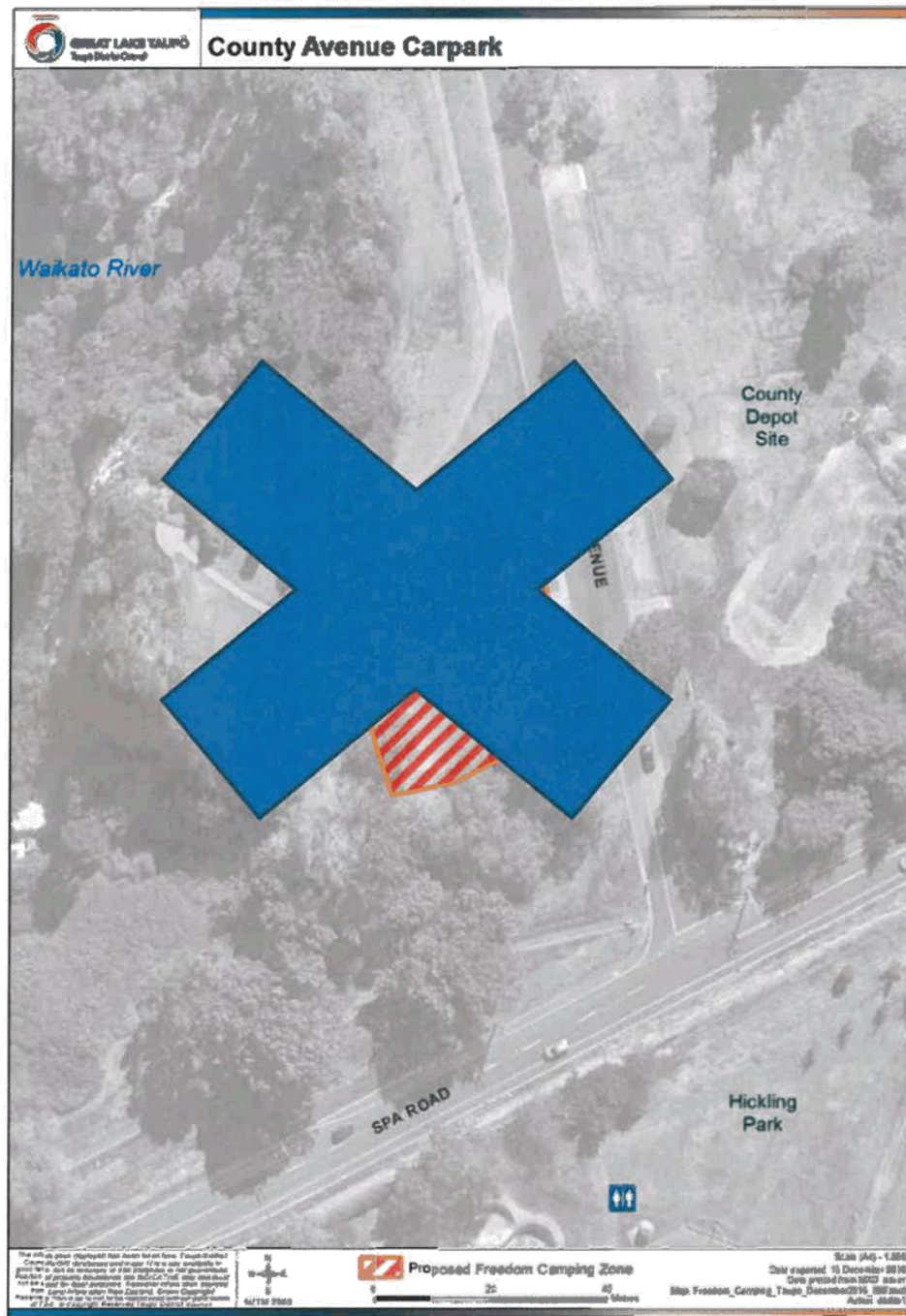


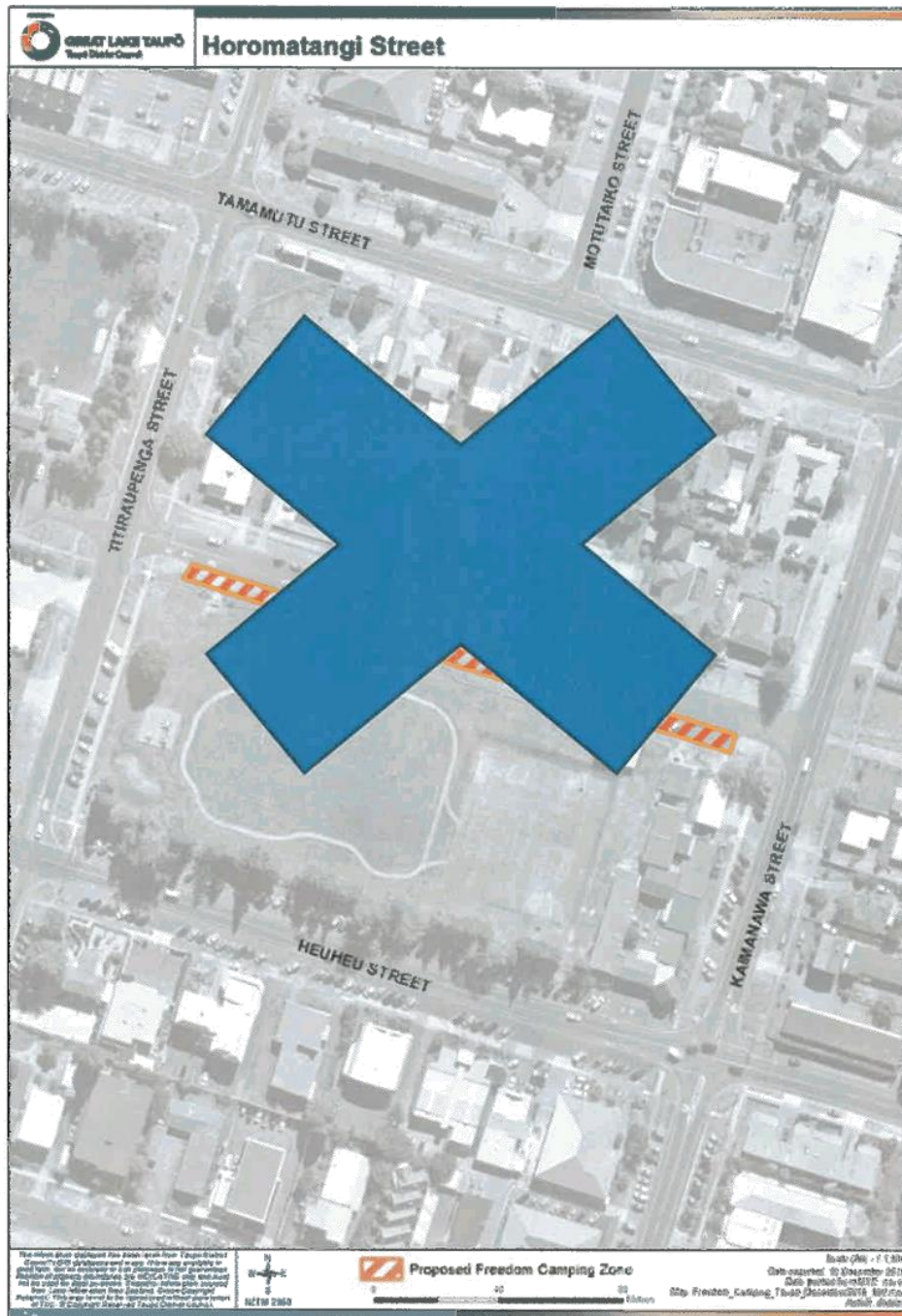
Schedule 2: Self-contained Vehicle Only Freedom Camping Areas



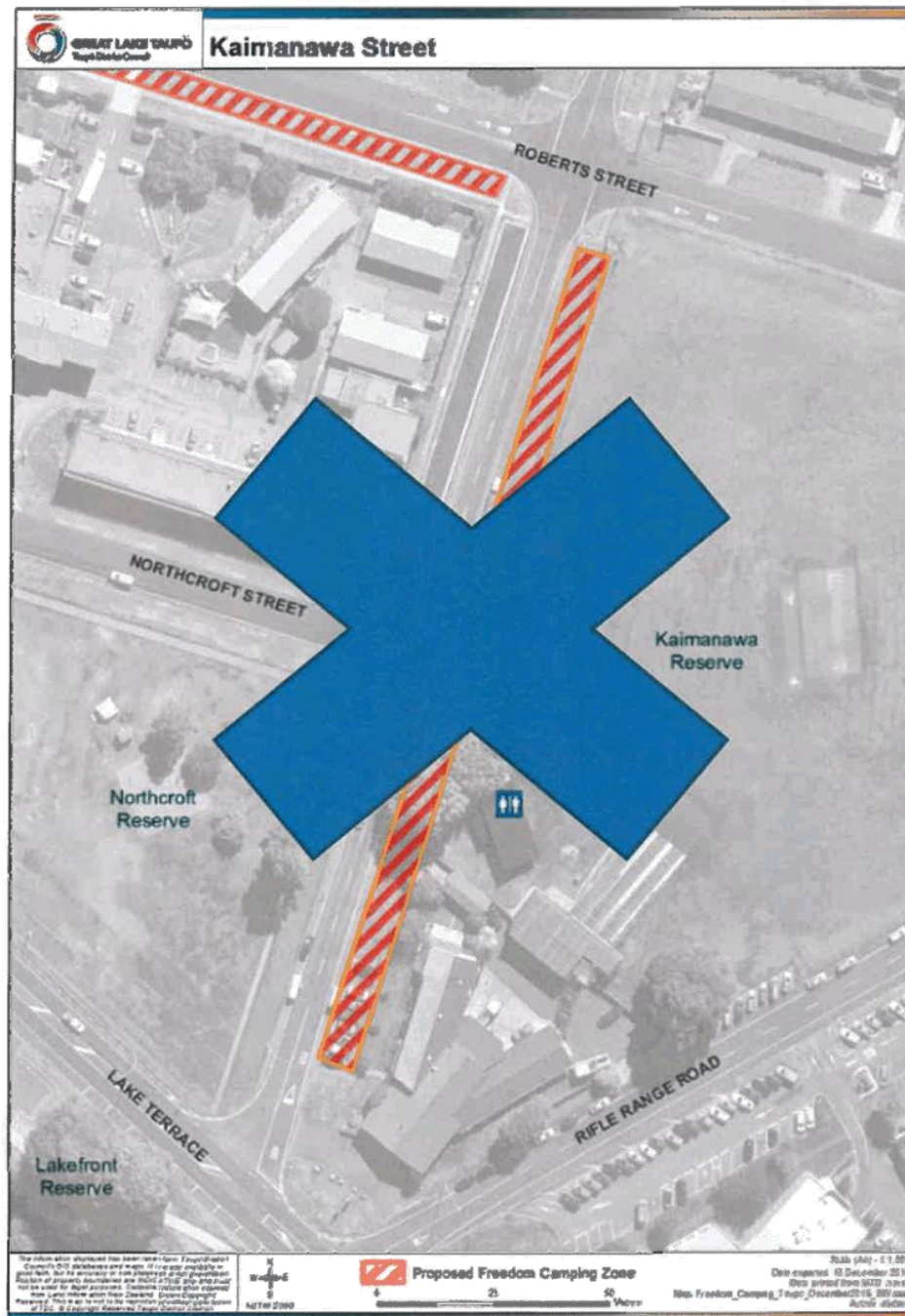
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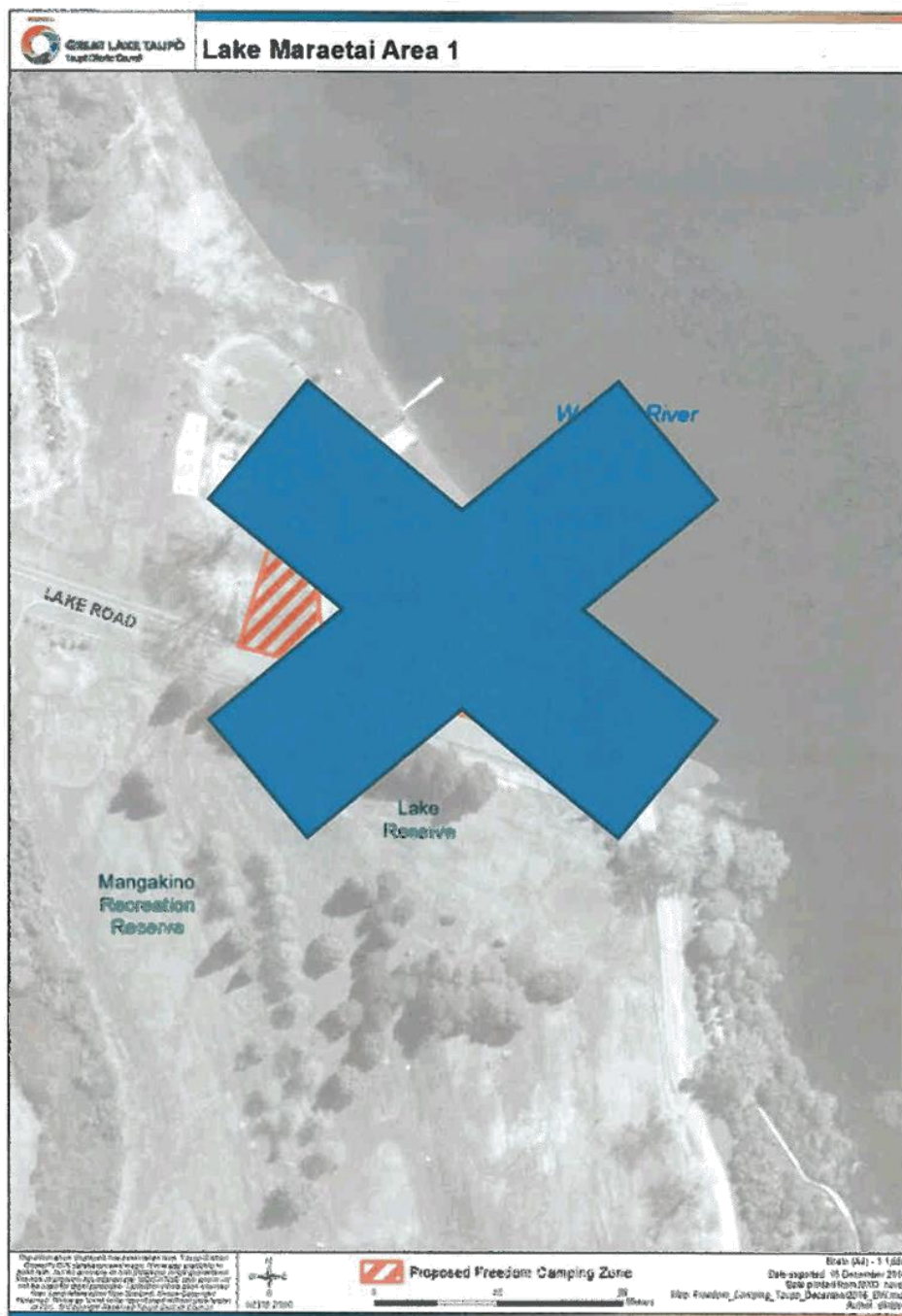


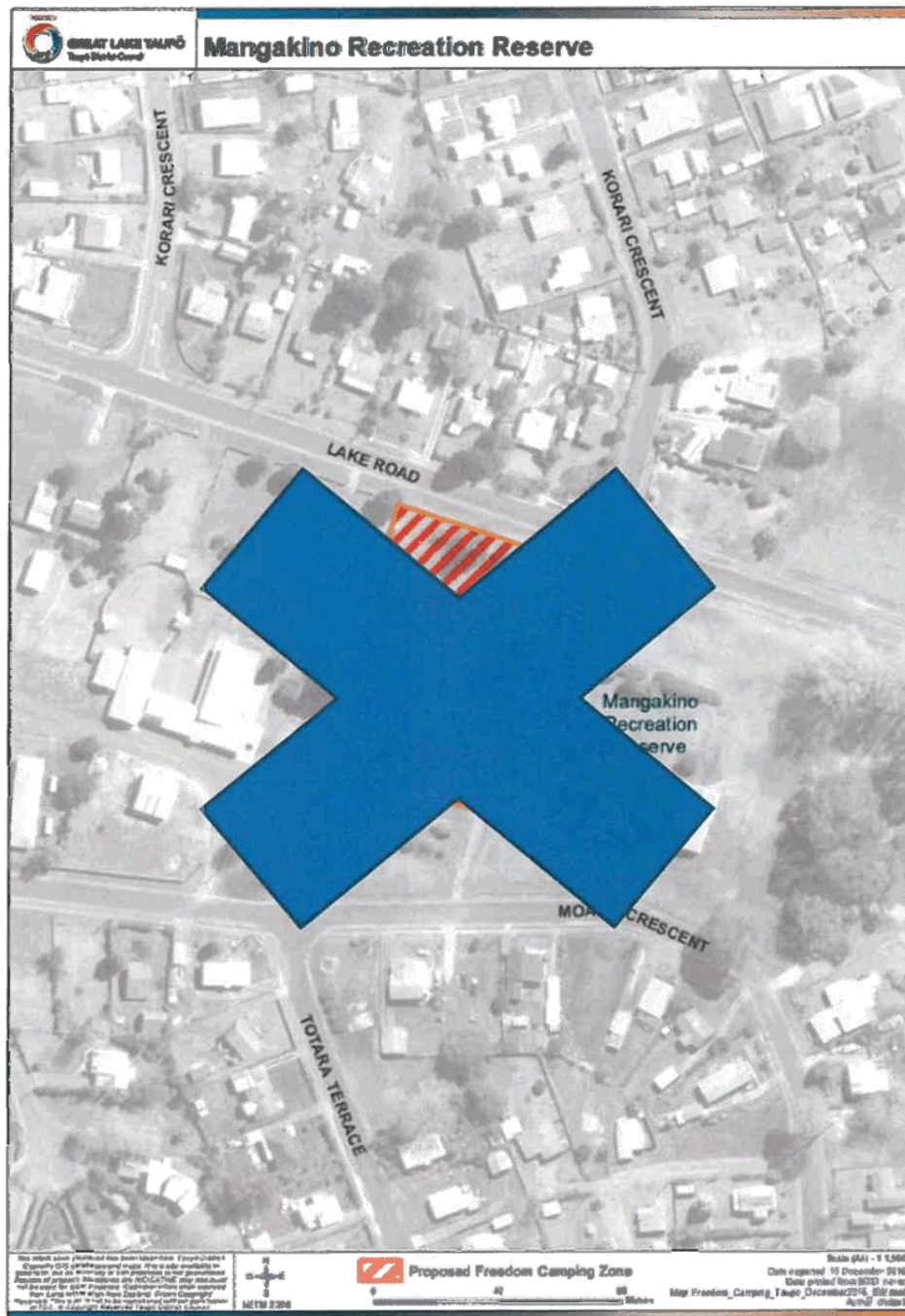


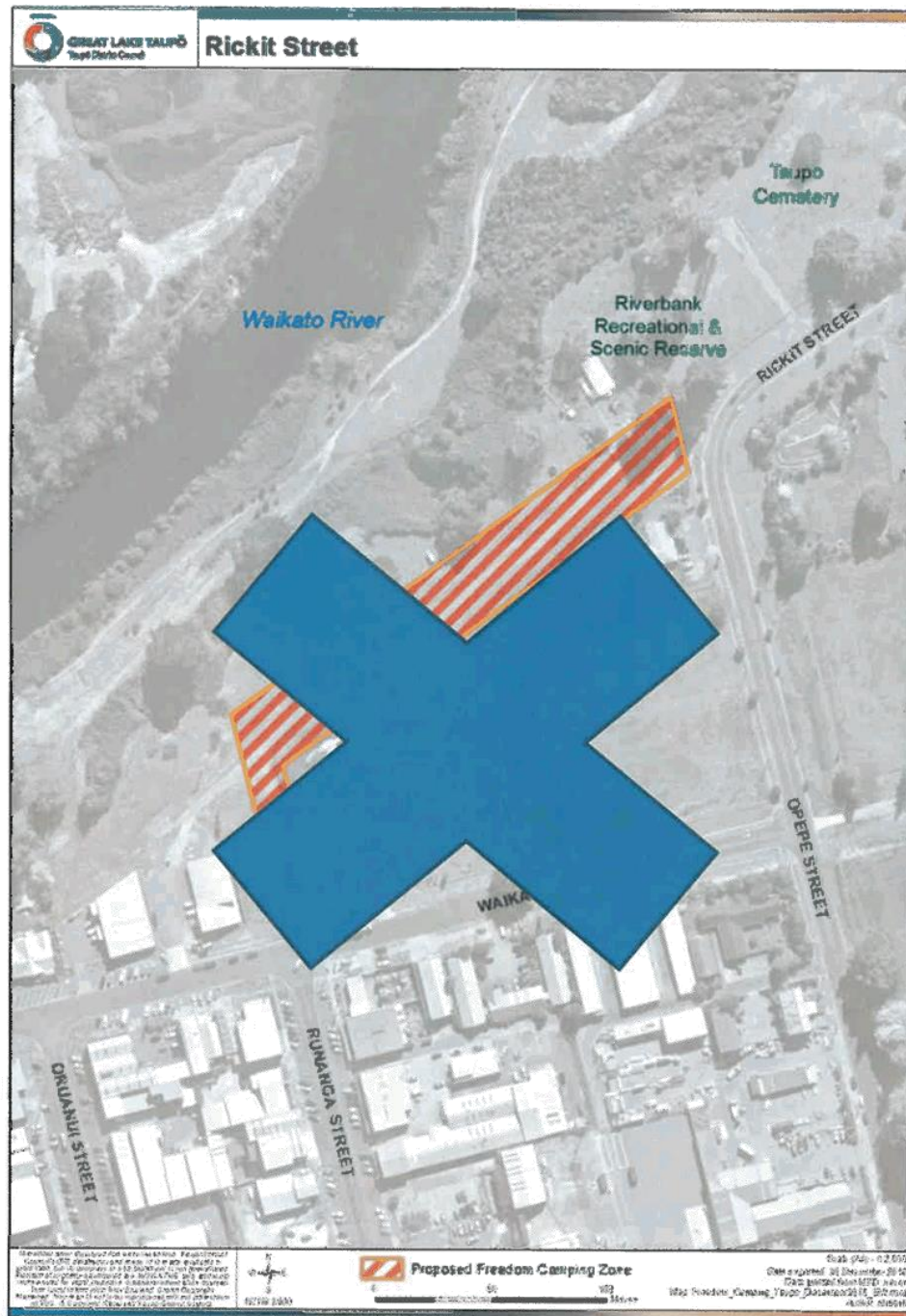


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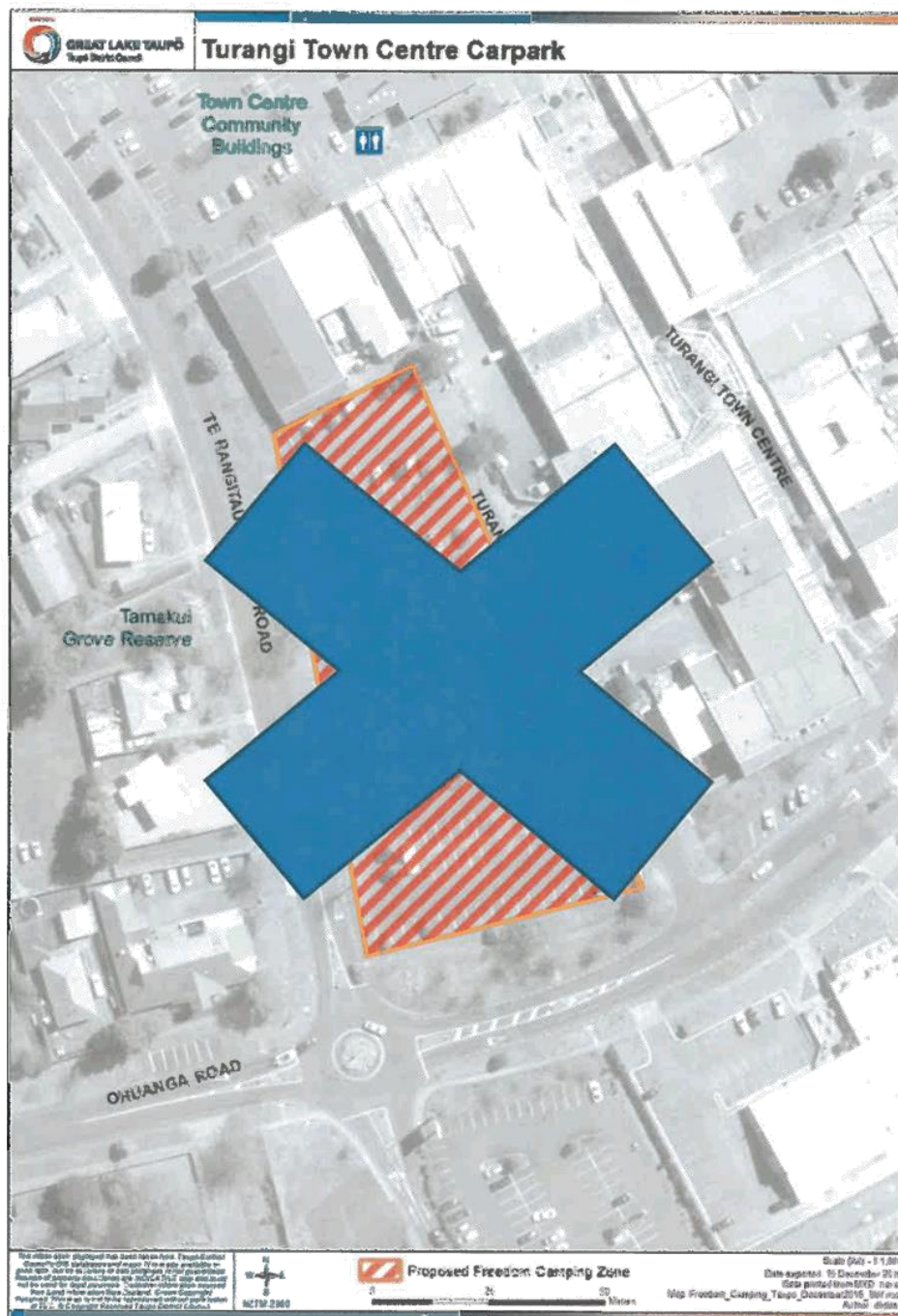




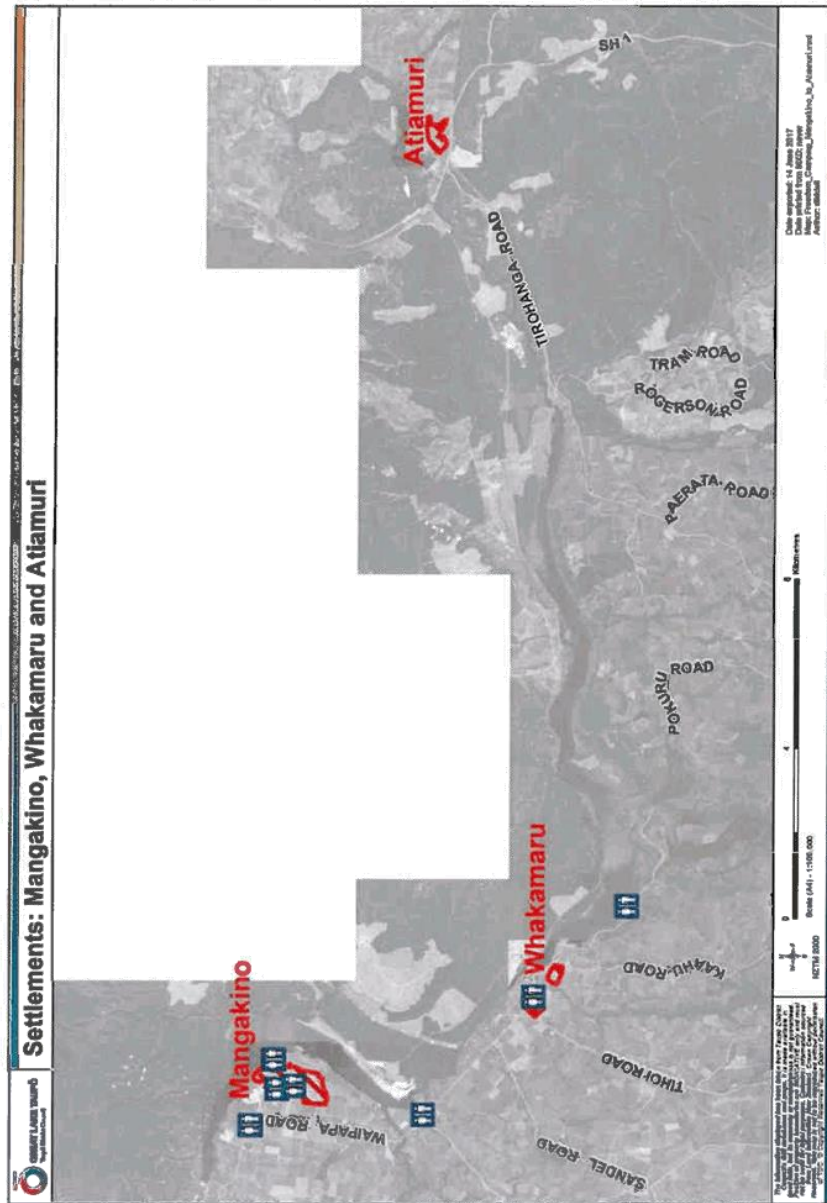




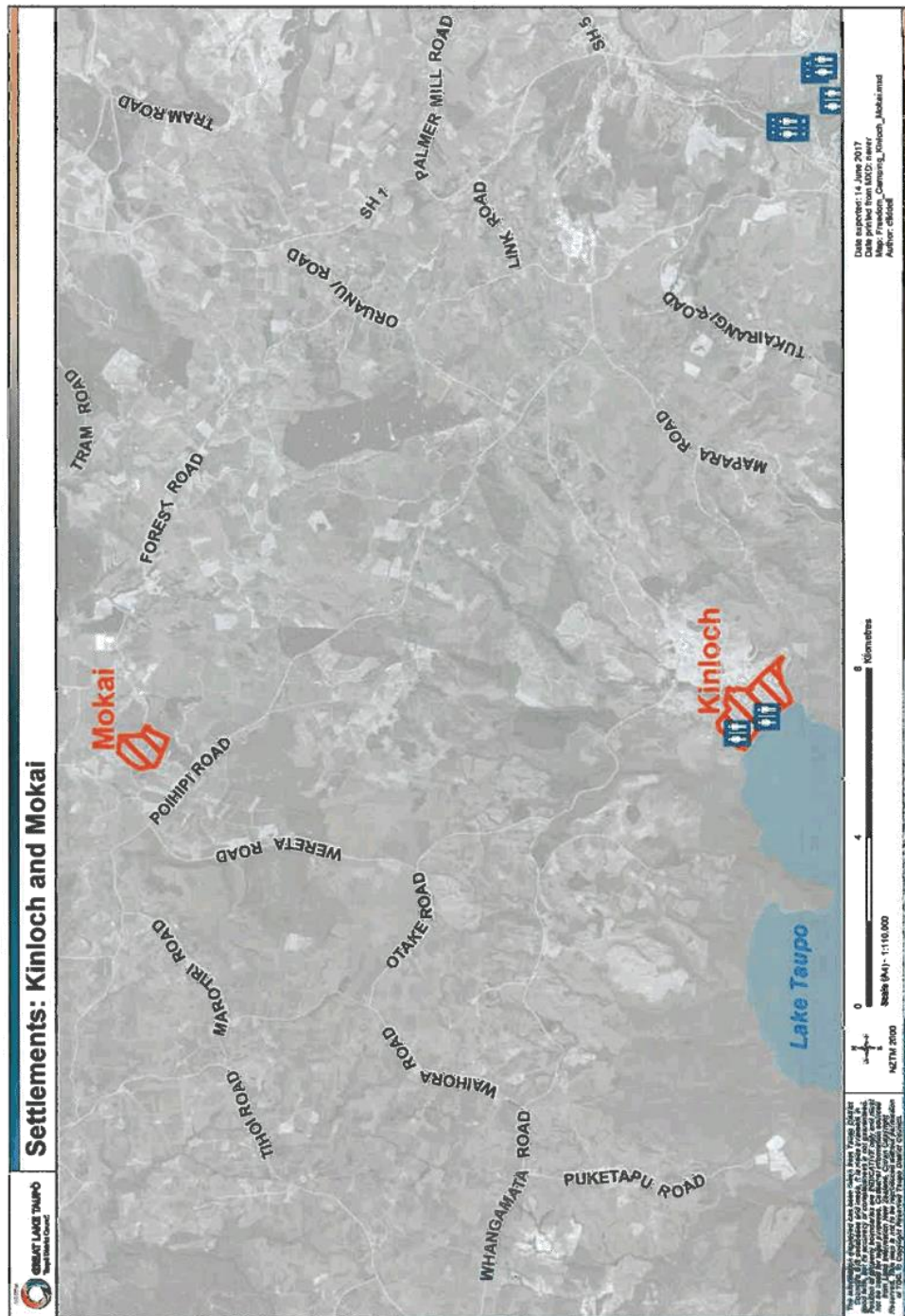


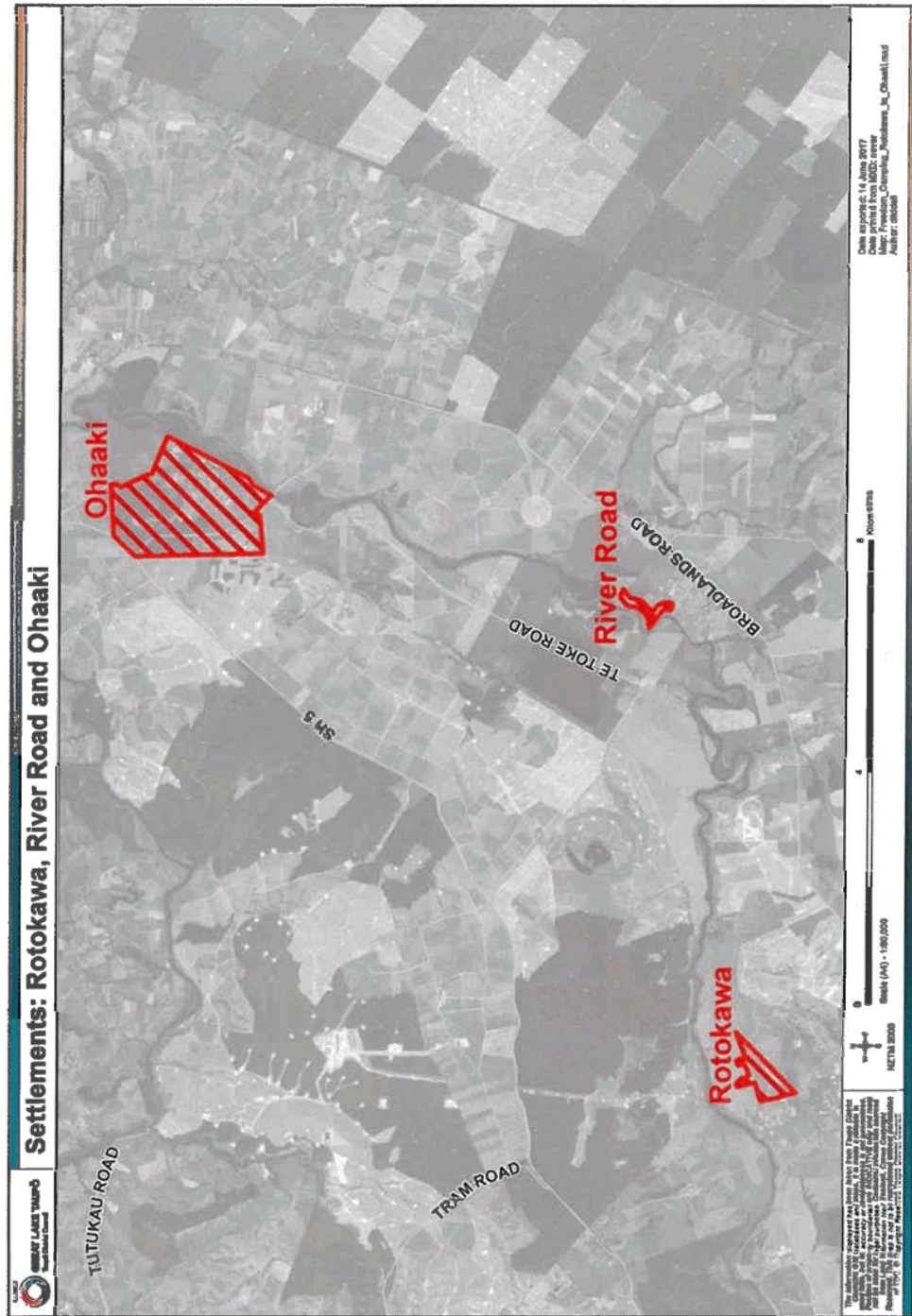


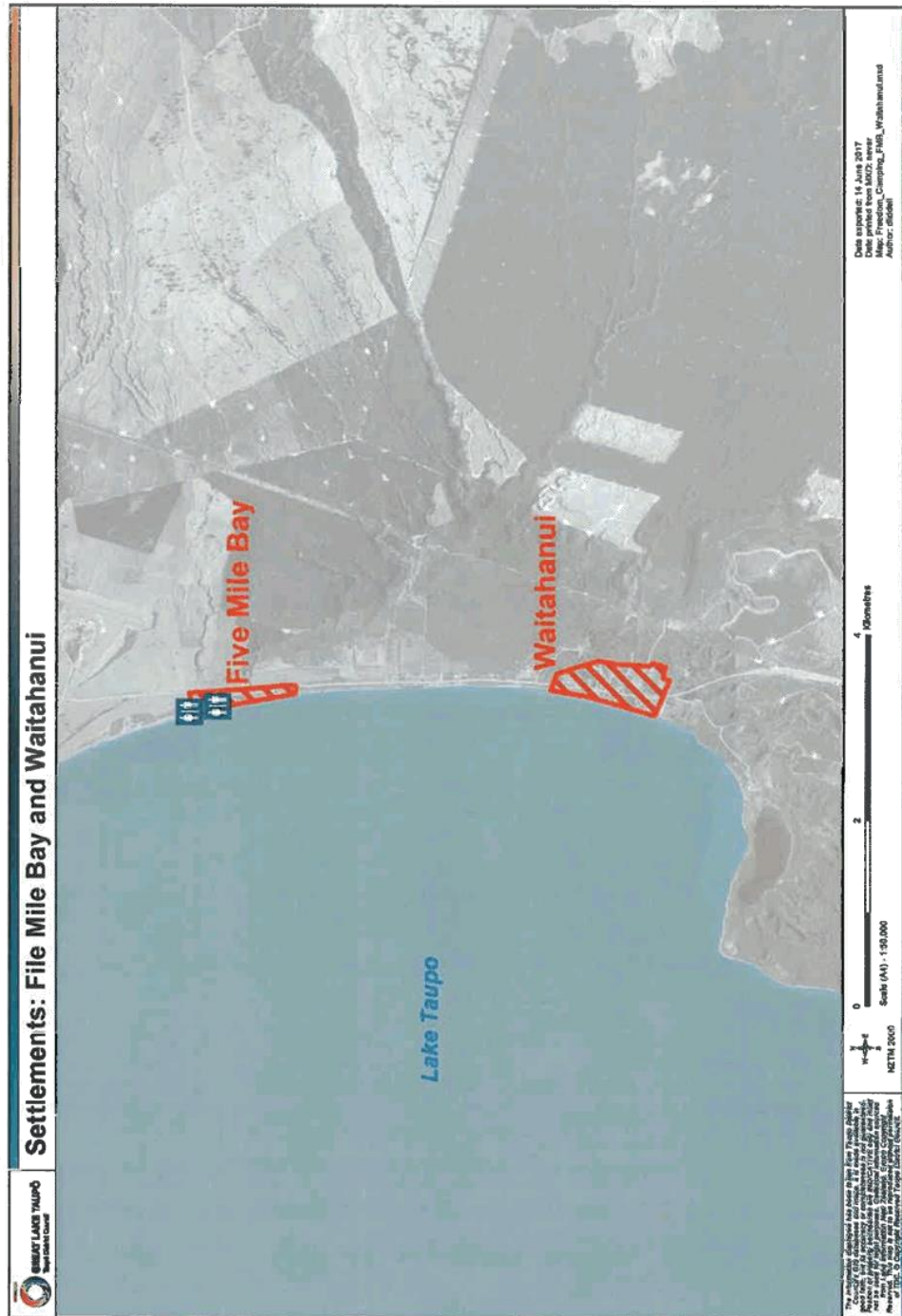
Schedule 3 2: Prohibited small settlements

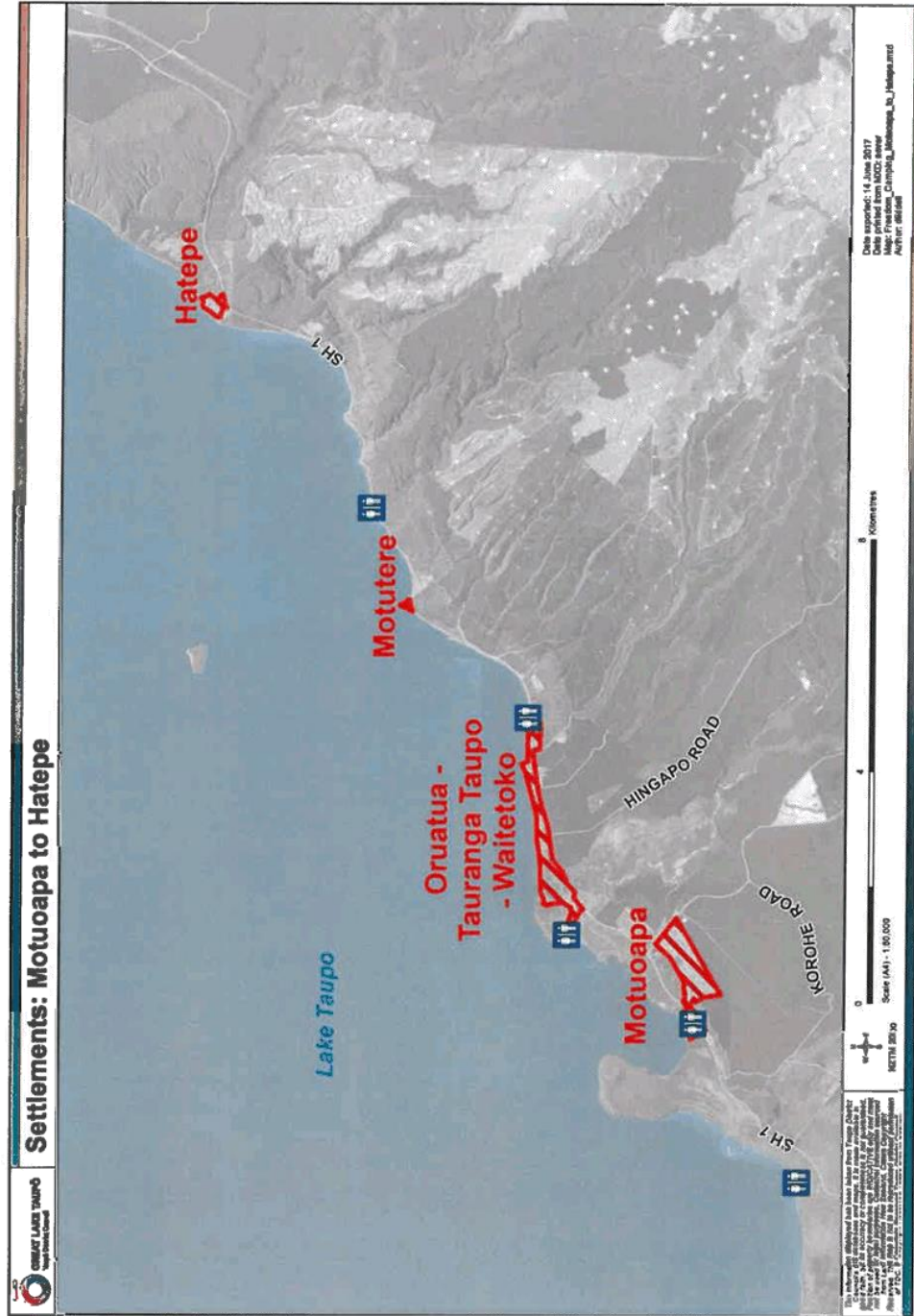


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