

Tūtohu Hōpuni Kore Utu Ture-ā-Rohe

Proposed Freedom Camping Bylaw 2016

Statement of Proposal

Have your Say! Make a submission

The proposed review of the Freedom Camping Bylaw 2016 is now open for public consultation from Monday 8 July to Sunday 11 August 2024. This is your chance to let the Council know your views about how we operate freedom camping in the District, so please take the time to have your say.

See pages 5 to 7 for the submission form.



www.southtaranaki.com/consultation

Proposed Freedom Camping Bylaw 2016

How to make a submission

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

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

You can let us know what you think about the proposed changes or anything else covered by the Freedom Camping Bylaw.

You can complete a submission form online at www.southtaranaki.com/consultations, or you can complete a paper copy of the submission form and drop it off at any Library Plus, Hāwera Administration Building, or post it to:
South Taranaki District Council
Private Bag 902,
Hāwera 4640

Please note that submissions, as part of the public consultation process, are a public record and will be included in a publicly available Council agenda and will remain on the Council's minute records.

Consultation Timeline

MONDAY 8 JULY

Consultation opens

SUNDAY 11 AUGUST

Consultation closes

MONDAY 2 SEPTEMBER

Council meeting to hear submissions

WEDNESDAY 25 SEPTEMBER

Council meeting to deliberate on submissions

WEDNESDAY 30 OCTOBER

Council meeting to adopt new Bylaw

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

Background

The Freedom Camping Bylaw (the Bylaw) came into force on 4 July 2016. The introduction of the Self-Contained Motor Vehicles Legislation Act 2023 means that the Bylaw requires a review. It is an opportune time to do a full review and examine all the freedom camping sites and look into other improvements that could be made to the Bylaw.

Legislative Framework

The Freedom Camping Act 2011 (FCA) allows freedom camping in a local authority area in self-contained motor vehicles and tents except for the places where it is prohibited under a bylaw.

Determinations

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

The Council considers the proposed Freedom Camping Bylaw to be the most appropriate form of bylaw.

The Council has assessed the proposed Bylaw and it 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 the final bylaw is made.

Proposed Freedom Camping Bylaw 2016

Summary of proposed changes to the Freedom Camping Bylaw 2016

Clause	What has changed	Why?
1.1	The inclusion of section 11A.	The Council wants to continue to allow non-self-contained vehicles to freedom camp. The Bylaw is made under section 11 and 11A of the FCA.
2.0	Wording of the reviews undertaken.	This clause needs to be updated to reflect the reviews undertaken to date and when the revised Bylaw will take effect.
5.0	Interpretations.	These have been updated to reflect the interpretations contained within the FCA, and to add new definitions for clarity when reading the Bylaw.
6.0	No person may freedom camp on any local authority area within town boundaries.	The FCA allows people to freedom camp in tents on any local authority area. The Council wants to control where people freedom camp, especially in tents. A cost-effective solution is to prohibit all areas rather than identifying each pocket of local authority land and installing and maintaining signage.
7.0	Removing clause 7.2 that states freedom camping in tents is only permitted in restricted areas identified.	Under the FCA we cannot ban freedom camping in tents across the district
8.0 and 9.0	Wording	Update wording to reference the new schedules.
10.00	The addition of 'Animals must be under the control of their owner at all times and not cause a nuisance to others.'	Dogs are covered by the Dog Control Bylaw and Policy. This statement ensures clarity that people must control all types of animals that they freedom camp with.
12.00	Replace 'Council' with 'Chief Executive'.	The Chief Executive has had this authority in the past, updating the wording provides clarity as to whether the Councillors or the Chief Executive makes the decision.
13.00	Addition of clause 13.1	The Act prohibits the use of non-self-contained vehicles unless they are permitted in an area under a bylaw. The additional clause allows non-self-contained vehicles to freedom camp during special events at the locations listed in Schedule 3.
	Replace 'Council' with 'Chief Executive'.	The Chief Executive has had this authority in the past, updating the wording provides clarity as to whether the Councillors or the Chief Executive makes the decision.
	The addition of 'Notes' to clauses.	This provides clarity for people as to the restrictions that can be waived or a modified through a request.
	Additional section. Relationship of Bylaw with Iwi settlement legislation.	This clause is for clarity. The right to camp under the Iwi settlement agreements is not to be overridden by any other legislation, including bylaws.

Proposed Freedom Camping Bylaw 2016

Changes to the Schedules

	Introduction of town boundary maps for Eltham, Kaponga, Hāwera, Manaia, Normanby, Ōpunakē, Pātea, and Waverley.	The FCA allows people to freedom camp in tents on any local authority land. This could be problematic for the District as we do not have public facilities available in all areas. Therefore, the most cost-effective option is to prohibit freedom camping in all townships except for the areas where it is permitted.
Eltham	Removal of Eltham LibraryPlus Car-park as a freedom camping site.	There have been instances of contamination at this site, and the site only has 8 carparks to service the library, which are needed for library users.
Eltham	Removal of Rukumoana Reserve as a freedom camping site.	This site is remote and overgrown, the access is a deep rutted track, and fires have been lit there recently. It is not a site we want to promote as a freedom camping site as campers' expectations may not be met. The site is better suited to the planting of trees as part of Council's Environment and Sustainability Plan.
Hāwera	Rearrange the freedom camping areas at Pukekino Landing.	This ensures the area is well utilised with easy access for freedom campers to enjoy.
Hāwera	Allow non-self-contained vehicles and tents at Waihi Beach Reserve and update the camping areas.	The site has a toilet facility so it can support tents and non-self-contained vehicles. We want to continue to maintain access for the general public, so freedom camping is restricted to a certain area of the Reserve.
Normanby	Removal of Tuke Street Reserve.	There is no formed access and no safety barriers to protect campers from passing traffic, the site is located within a residential area and is not suitable for freedom camping.
Ōpunakē	Only allow self-contained vehicles to freedom camp at Halse Place.	It is unlikely that people staying in tents and non-self-contained vehicles will go down a flight of 84 steps to use toilet facilities, therefore the Council is recommending only self-contained vehicles use this area.
Ōpunakē	Removal of the tenting area at Middleton Bay.	The area set aside for tents is eroding. To ensure the safety of campers it is recommended this area no longer permits camping. Non-self-contained and self-contained vehicles can continue to camp in the carpark area.
Ōpunakē	Only allow self-contained vehicles at the western carpark of the Ōpunakē Recreation Grounds.	The toilet facilities are more than 100m walking distance, it is unlikely that people will use the facilities when needed.
Ōpunakē	Remove the Southern Headland as a freedom camping area.	The land has been given back to Iwi, the portion that Council owns is landlocked and therefore unsuitable for freedom camping.
Ōpunakē	Remove Arawhata Road carpark.	Council does not own this portion of land and therefore it is not covered by the Bylaw.
Pātea	Remove Bedford/Egmont Street Reserve as a freedom camping area.	This area is in the centre of town on a bend next to the State Highway. People accessing the Reserve may cause traffic disruptions and there are no safety barriers in place to protect campers from traffic risks.
Pātea	Remove Stafford Street Pool Reserve as a freedom camping area.	The access to the Reserve is difficult, and the ground is uneven. The site is located within a residential area and is not suitable for freedom camping.
Waverley	Allow non-self-contained vehicles at the freedom camping area and increase the number of vehicles from 3 to 6 vehicles per night at the Wairoa Reserve.	The site has a toilet facility so the site can support non-self-contained vehicles. There is no suitable tenting area and there is a campground close by for people who prefer to stay in a tent. The site is popular and is large enough to support 6 vehicles overnight.
Cemeteries	The maps have been removed and a table has been included instead.	The location description and physical aspects of the site, mean that the maps are not necessary for the cemeteries.
Significant sites	The description and background of each site has been removed	These sites are significant because of their cultural and/or environmental importance. It was felt that because they are prohibited no further information was required.
Special events	This is a new section that has been added.	This section relates to clause 13.1 that allows non-self-contained vehicles to freedom camp in these areas for special events with the consent of the Chief Executive.



Te Kaunihera o Taranaki ki Te Tonga
South Taranaki
 District Council

Puka Tāpaetanga Submission Form

Freedom Camping Bylaw

Your details

First name/Initials

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Last name

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Organisation (if applicable)

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Address

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Contact Phone

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Email

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Do you wish to speak in support of your submission?

(If no boxes are ticked, it will be considered that you do not wish to speak)

- Yes
- No

If yes, do you wish to speak:

- In Person
- Online (MSTeams)

Please tick your preferred option

1. Do you agree with the introduction of town boundary maps?

Yes No

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2. Do you agree with removing the Eltham LibraryPlus carpark as a freedom camping area?

Yes No

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3. Do you agree with removing the Rukumoana Reserve (Eltham) as a freedom camping area?

Yes No

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4. Do you agree with allowing tents and non-self-contained vehicles at the Waihi Beach Reserve (Hāwera)?

Yes No

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Te Kaunihera o Taranaki ki Te Tonga
South Taranaki
 District Council

Puka Tāpaetanga

Submission Form

Freedom Camping Bylaw

Please tick your preferred option

5. Do you agree with removing the Tuke Street Reserve (Normanby) as a freedom camping area?

Yes No

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6. Do you agree with removing the ability for people to camp in tents and non-self-contained vehicles at Halse Place (Ōpunakē)?

Yes No

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7. Do you agree with removing the ability for people to camp in tents at Middleton Bay (Ōpunakē)?

Yes No

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8. Do you agree with removing the ability for people to camp in non-self-contained vehicles at the western carpark of the Ōpunakē Recreation Grounds?

Yes No

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9. Do you agree with removing the Bedford/Egmont Street Reserve (Pātea) as a freedom camping area?

Yes No

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10. Do you agree with removing the Stafford Street Pool Reserve (Pātea) as a freedom camping area?

Yes No

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11. Do you agree with allowing people to camp in non-self-contained vehicles at the Wairoa Reserve (Waverley)?

Yes No

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12. Do you agree with increasing the number of vehicles that can freedom camp at the Wairoa Reserve (Waverley) from 3 to 6 vehicles per night?

Yes No

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Please note any further comments on the next page



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