HAURAKI
DISTRICT COUNCIL

Responsible Freedom Camping Bylaw 2023



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Title	Responsible Freedom Camping Bylaw 2020
Sponsor	Strategic Planning and Community Services
Approved by	The Hauraki District Council
Adoption date	20 December 2023
Adoption report	3541540
Review by	December 2028
File ref	3554330

Property of Hauraki District Council

1.0 Introduction

1.1 Purpose

The purpose of this bylaw is to encourage responsible freedom camping in the Hauraki District, whilst recognising that freedom camping is part of our traditional Kiwi culture and is a valued tourist experience. This bylaw regulates freedom camping in council areas and the effects on our community and environment to:

a) protect areas,

b) protect the health and safety of people who may visit the area,

c) protect access to the area.

1.2 Title

This bylaw is the Hauraki District Council Responsible Freedom Camping Bylaw 2023

1.3 Enabling enactments

This bylaw is made in accordance with section 11 of the Freedom Camping Act 2011. This bylaw should be read alongside that Act.

1.4 Commencement

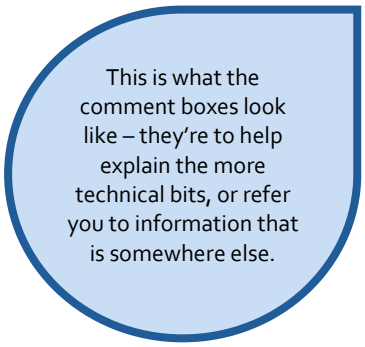
This bylaw comes into force on 20 December 2023.

1.5 Review

A review of this bylaw will be undertaken no later than 5 years after the commencement date above.

1.6 Related information

There is related information in comment boxes in this bylaw. Related information does not form part of this bylaw and may be inserted, changed or removed without any formality.



2.0 Definitions

In this bylaw, the following definitions apply, unless the context requires otherwise:

Authorised Officer	means any person delegated, appointed or authorised in writing by the Council to act on its behalf.
Council	means the Hauraki District Council, or any officer authorised to exercise the authority of the Council.
District	means the Hauraki District.
Enforcement Officer	means a person appointed as an enforcement officer under section 32 or 33 of the Freedom Camping Act 2011.
Freedom Camp	has the meaning given in section 5 of the Freedom Camping Act 2011; which means to camp (other than at a camping ground) within 200 metres of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 metres of a formed road or a Great Walks Track, using 1 or more of the following: a) a tent or other temporary structure. b) a motor vehicle.
Local authority area **(council area)**	means an area of land- i) that is within the boundary of the Hauraki District Council; and ii) that is controlled or managed by the Hauraki District Council under any enactment; or iii) 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.
Prohibited Area	means an area identified in Schedule 1: Prohibited Areas for Freedom Camping in which freedom camping is prohibited.
Restricted Area	means an area identified in Schedule 2: Approved Sites for Freedom Camping with restrictions, or an area identified in Schedule 3: Restricted Areas for Freedom Camping, where freedom camping is permitted subject to restrictions.
Self-contained 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.

3.0 Freedom camping areas

3.1 Freedom camping

Freedom camping is permitted in any local authority area within the District unless it is restricted or prohibited in an area if it is

a) a tent or other temporary structure ; or

b) a self-contained motor vehicle used.[1]

3.2 Non-self-contained Freedom camping

Freedom camping in a non-self-contained vehicle is permitted in any local authority area only if it is;

a) in accordance with this bylaw; or

b) under any other legislation.

3.3 Prohibited areas for freedom camping

i. A person must not freedom camp in any prohibited area identified in Schedule 1: Prohibited Areas for Freedom Camping.

ii. Despite subclause (i) a person may freedom camp in any prohibited area if he or she has obtained the prior written consent of the Council, granted under clause 4, and complies with any conditions on the consent.

3.4 Approved sites for freedom camping with restrictions

i. A person may freedom camp in any area identified in Schedule 2: Approved Sites for Freedom Camping, but must comply with the restrictions listed below and any additional restrictions listed for that site in Schedule 2:

   (a) Freedom camping is restricted to a maximum of two consecutive nights in a calendar month.

Signs displaying conditions of use are at each site. In most cases, tenting is not permitted on the grass areas adjacent to the carparks.

ii. Despite subclause (i), a person may freedom camp in any approved site for more than two consecutive nights if he or she has obtained the prior written consent of the Council, granted under clause 4, and complies with any conditions on the consent.

[1] In accordance with section 44 the Reserves Management Act 1977 freedom camping is not permitted on Council Reserves unless it is identified as a permitted activity in the Hauraki District Reserve Management Plan and listed in Schedule 2: Approved Sites for Freedom Camping, of this Bylaw.

3.5 Restricted Areas for freedom camping

i. A person may freedom camp on Council land that is open to the public and is not a reserve, in any area identified in Schedule 3: Restricted Areas for Freedom Camping, but must comply with the restrictions listed below and any additional restrictions listed for that area in Schedule 3:

(a) Freedom camping is restricted to a maximum of a one night stay in a calendar month, and

(b) Freedom camping in a non self-contained vehicle or a tent must occur within 100m of a public toilet that is open for use.

Remember you cannot freedom camp on our reserves unless they are included in Schedule 2 of this Bylaw.

ii. Despite subclause (i), a person may freedom camp in any restricted area if he or she has obtained the prior written consent of the Council, granted under clause 4, and complies with any conditions on the consent.

4.0 Prior consent from Council

4.1

The Council may grant consent to a person to freedom camp in a prohibited area or a restricted area, with or without conditions. Consent must be applied for in writing to the Chief Executive Officer of the Council at least 14 days in advance of the date planned for freedom camping in the prohibited area or restricted area.

5.0 Offences and penalties

5.1

The Council may use its powers under the Freedom Camping Act 2011 to enforce this bylaw.

A full list of offences can be viewed in section 20 of the Freedom Camping Act 2011, and includes littering, damaging flora and fauna and discharging substances.

5.2

As specified in section 20(1) of the Act, every person commits an offence who;

a) Freedom camps in a local authority area in breach of any prohibition or restriction in this bylaw that applies to the area; or

b) Makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this bylaw that applies to the area.

5.3

As specified by section 20 (1) of the Act, every person who commits an offence in accordance with section 20 (e) (1) (a) and (c) of the Act is liable to an infringement offence penalty of $400.

6.0 Relationship of bylaw with Treaty Settlement Act

This bylaw does not limit or affect the rights in relation to Hauraki Iwi entitlements under the Claims Settlement Act 1998.

List of schedules passed

Schedule 1 – Prohibited Areas for Freedom Camping.

Schedule 2 – Approved Sites for Freedom Camping with restrictions.

Schedule 3 - Restricted Areas for Freedom Camping.

A list of dump stations and their locations can be found in a list at the back of this bylaw.

Freedom Camping Bylaw validation

This bylaw was adopted at a meeting of the Hauraki District Council on 20 December 2023.

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

_____ Mr. Toby Adams, Mayor

_____ Mr. Langley Cavers, Chief Executive

Schedule 1 – Prohibited sites for freedom camping

South end and north end of Rays Rest Reserve, Kaiaua

Freedom camping is prohibited on the southern end and northern part of Rays Rest Reserve, including the beach. The reserve is off East Coast Road, approximately 4 km south of the Kaiaua township and adjacent to the Firth of Thames.



Kaiaua township and East Coast Road, Wharekawa Coast

Freedom camping is prohibited on council land, including the beach and Tauwhare Koiora Reserve, starting one kilometre south of Kaiaua extending along East Coast Road to the Hauraki Rail Trail Terminus north of Kaiaua. Freedom camping is prohibited on Council land in the 50km/hr speed limit area of the township of Kaiaua.



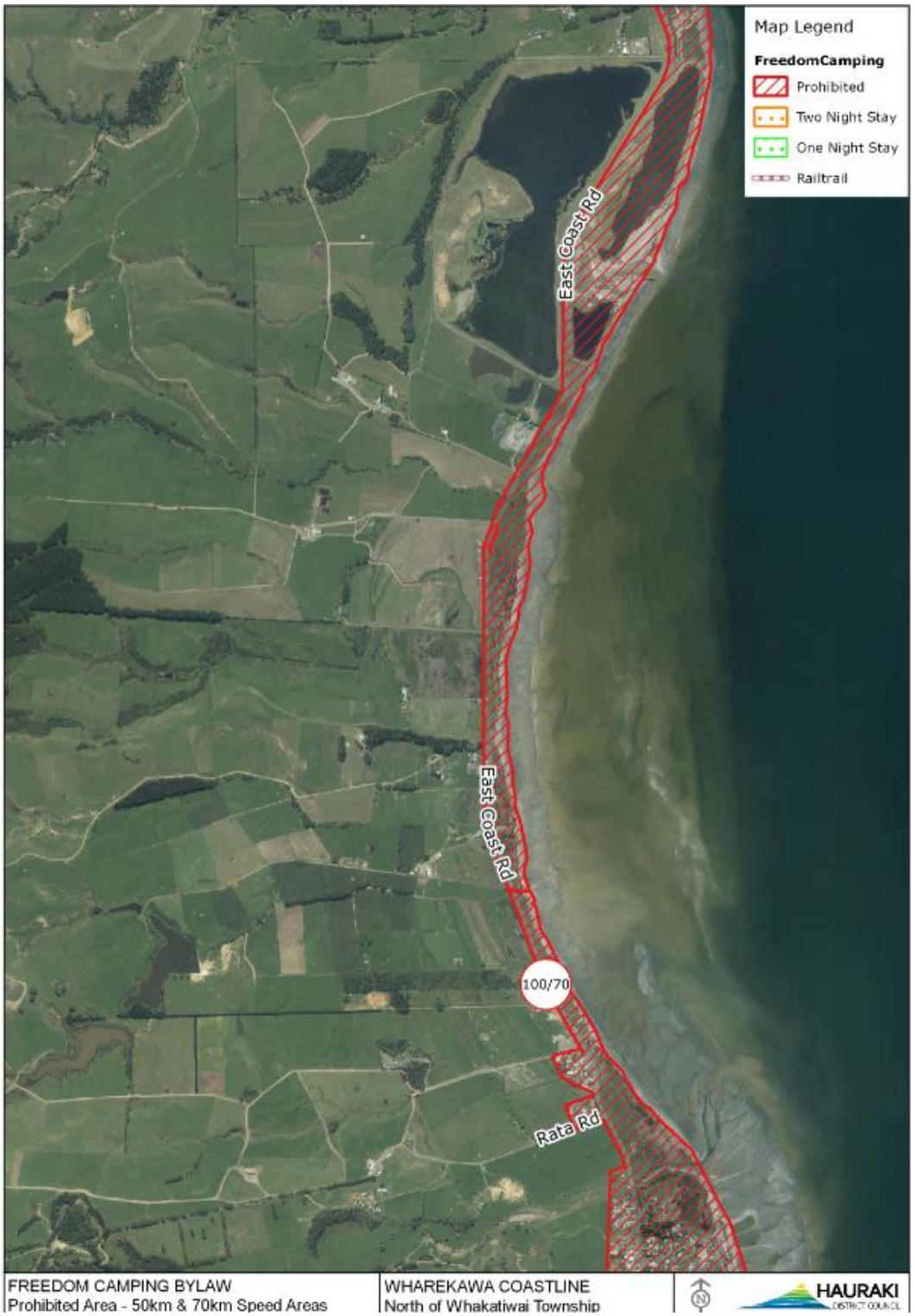
Whakatiwai and East Coast Road, Wharekawa Coast

Freedom camping is prohibited on council land on and adjacent to East Coast Road, including the beach, north of the Hauraki Rail Trail terminus to Waharau. Freedom camping is prohibited on Council land in the 50 km/hr speed limit area of Whakatiwai.



East Coast Road between Whakatiwai and Waharau, Wharekawa Coast.

Freedom camping is prohibited on Council land on and adjacent to East Coast Road, including the beach, north of Whakatiwai to Waharau.



Waharau Township and East Coast Road, Wharekawa Coast.

Freedom camping is prohibited on Council land on and adjacent to East Coast Road, including the beach, north of Waharau to the District boundary. Freedom camping is prohibited on council land in Waharau.



Schedule 2 – Approved sites for freedom camping with restrictions

Hauraki Rail Trail Terminus, East Coast Road, Kaiaua

The Hauraki Rail Trail terminus is just north of the Kaiaua township. Freedom camping is restricted to designated carparks. Freedom camping in a non-self-contained vehicle is permitted.



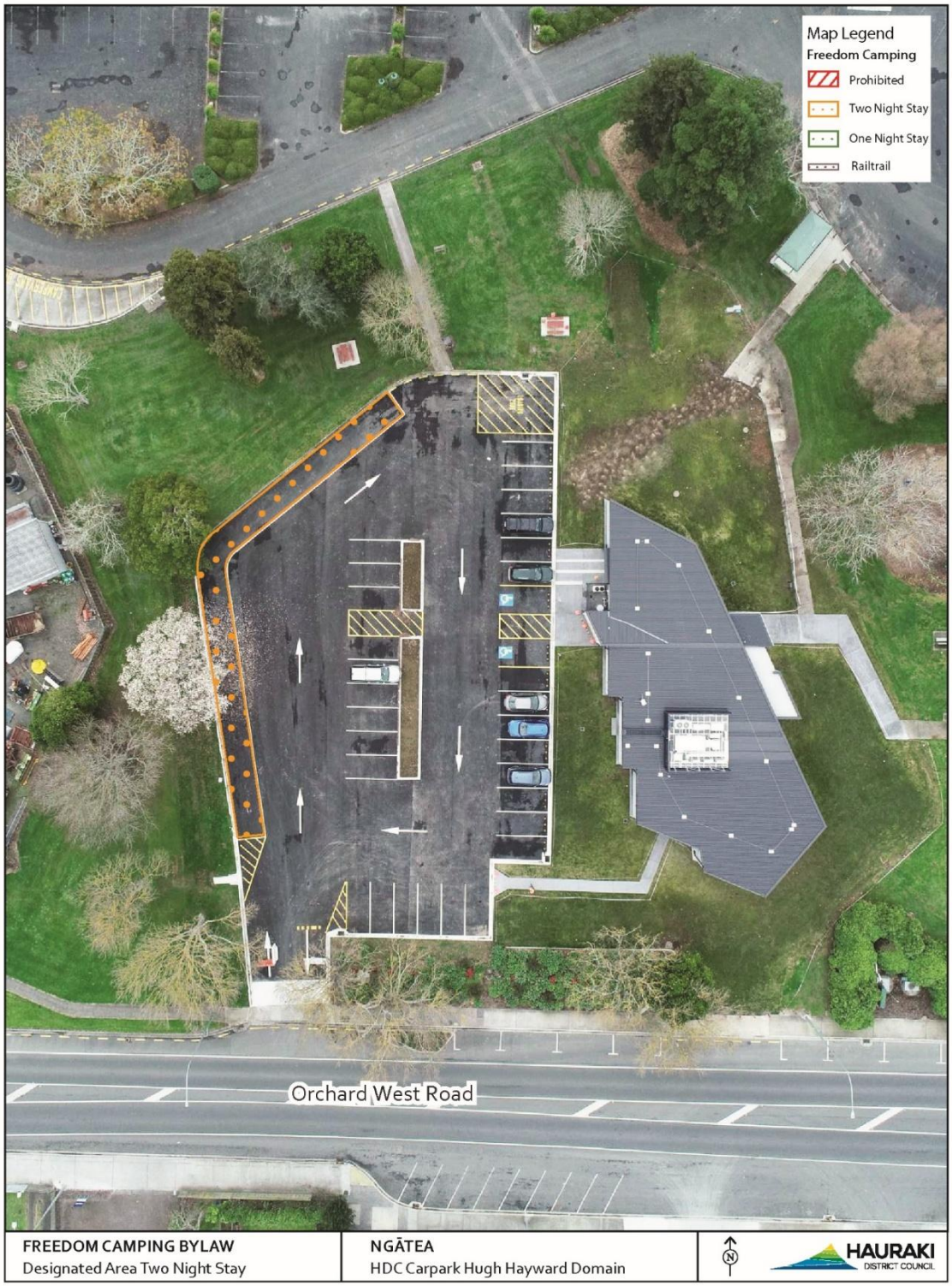
Rays Rest, East Coast Road, Kaiaua

The reserve is approximately 4 km south of Kaiaua township and adjacent to the Firth of Thames. Freedom camping is restricted to self-contained vehicles.



Hauraki Plains Library and Community Centre Carpark, Orchard West Road, Ngatea

The carpark area of the Hauraki Plains Library and Community Centre. Freedom camping is restricted to designated area. Note: Freedom camping is not permitted on the adjacent grass area.



Railway Reserve, Marshall Street, Paeroa

Freedom camping is restricted to designated carparks and the directly adjacent grass area.



Hauraki District Council carpark, Marshall Street, Paeroa

This site can only be used for freedom camping from 6pm Friday to 7pm Sunday of the same week.



Hauraki District Council carpark, off Mueller Street and Haszard Street, Waihi

Freedom camping is restricted to designated carparks.



Kenny Street carpark, Morgan Park, Waihi

Freedom camping is restricted to self-contained vehicles and to designated carparks.



Schedule 3 – Restricted areas for freedom camping

On council land within the 50km/hr and 70 km/hr speed limit areas of Waihi.



On Council land within the 50km/hr and 80 km/hr speed limit areas of Paeroa.



On Council land within the 50km/hr and 70 km/hr speed limit areas of Ngatea.



On Council land, including the beach, within the 50km/hr speed limit areas and lower speed limit areas of Whiritoa.



On Council land within the 50km/hr and 80 km/hr speed limit areas of Karangahake.



On Council land within the 50km/hr and 70 km/hr speed limit areas of Waikino.



On Council land within the 50 km/hr and 70 km/hr speed limit areas of Mackaytown.



On Council land within the 50km/hr speed limit areas of Turua.



On Council land within the 50km/hr speed limit areas of Kerepehi.



On Council land within the 70 km/hr speed limit areas of Waitakaruru.



List of Dump Stations

Please note this list does not form part of the bylaw and is for information purposes only.

Hauraki Plains Library and Community Centre, Orchard West Road, Ngatea

A dump station is available located on the internal access road between the Hugh Hayward Domain car parking areas. Entrance is off Pipiroa Road or off Orchard West Road.

Railway Reserve, Marshall Street, Paeroa

A dump station is available at the designated freedom camping area.

Victoria Street, Waihi

A dump station is available at the southern end of Victoria Street.

East Coast Road, Waharau

A dump station is available at Waharau Reserve.

HAURAKI
DISTRICT COUNCIL

For more information:

- **W** www.hauraki-dc.govt.nz
- **E** info@hauraki-dc.govt.nz
- **P** 07 862 8609 or 0800 734 834 (from within District)

Visit us at one of our offices:

- Paeroa: 1 William Street
- Ngatea: 84 Orchard West Road
- Waihi: 40 Rosemont Road