



Mackenzie

DISTRICT COUNCIL

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**RESPONSIBLE FREEDOM CAMPING BYLAW
2016**

RESPONSIBLE FREEDOM CAMPING BYLAW 2016

1. SHORT TITLE

- 1.1 This bylaw is the "Mackenzie District Council Responsible_Freedom Camping Bylaw 2016".

2. PROCEEDURE AND COMMENCEMENT

- 2.1 This Bylaw is made under:
- (a) The Local Government Act 2002; and
 - (b) Section 11 of the Freedom Camping Act 2011.
- 2.2 This bylaw comes into force on 27 August 2016.
- 2.3 Every Schedule to this Bylaw shall be deemed to form part of the Bylaw.
- 2.4 This Bylaw shall have the effect of repealing the Mackenzie District Council Freedom Camping Bylaw adopted in 2014.

3. INTERPRETATION

- 3.1 In this Bylaw, unless the context requires otherwise:

Act means the Freedom Camping Act 2011

Campsite means a site used for freedom camping in a local authority area.

Council means the Mackenzie District Council or any Committee of the Council or officer delegated to exercise the authority of Council.

District means the territory of Council.

Enforcement Officer has the same meaning as contained in Section 4 of the Act.

Freedom Camp has the same meaning as freedom camp in Section 5 of the Act.

Local authority area is.

- (a) an area of land-
 - (i) that is within the District of the Council; and
 - (ii) that is controlled or managed by the Council under any enactment; 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.

Offence has the same meaning as contained in Section 4 of the Act.

Person includes a corporation and also a body of persons whether corporate or unincorporated.

Public notice means the same as in Section 2 of the Local Government Act 2002 and 'published' and 'publicly notified' have corresponding meanings.

Self-contained camping means camping in a self-contained vehicle or by alternative means providing that the individual camper(s) have the capability of meeting the ablutionary and sanitary needs of occupants of the camp for a minimum of three days without requiring any external services, relying on public facilities or discharging or depositing any waste into the environment.

For the avoidance of doubt camping of any kind where ablution activities involve the use of portable toilets not located and used in a fully private facility, or undertaking ablution activities in the natural environment, are excluded from being considered self-contained camping. .

Self-contained vehicle means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of the occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and

1. Complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001 and
2. The toilet facility must be readily usable within the vehicle including sufficient head and elbow room at all times, even with the bed made up.

4. PURPOSE

4.1 The purpose of this Bylaw is to regulate and manage responsible_freedom camping in Local Authority Areas and its effects on the Mackenzie District community and environment, in order to:

- (a) protect local authority areas;
- (b) protect the health and safety of people who may visit local authority areas; or
- (c) protect access to local authority owned or controlled areas.

4.2 This Bylaw is intended to encourage responsible Freedom Camping in the Mackenzie District. The principles by which Freedom Camping is regulated to meet the purpose of this Bylaw are set out below:

- (a) The District welcomes visitors who camp responsibly, respect public and private property and follow some simple rules to protect our community and our environment.
- (b) Some controls on Freedom Camping are necessary to protect our community and environment.
- (c) Freedom Camping carries with it the responsibility to respect the community by protecting the environment from harmful contamination or fouling.
- (d) Freedom Campers are expected to remove all waste and not cause any damage to the areas they use.

5. LOCAL AUTHORITY AREAS WHERE FREEDOM CAMPING IS PERMITTED

- 5.1 Freedom Camping is permitted in any local authority area within the District unless restricted or prohibited in an area:
- (a) in accordance with this Bylaw; or;
 - (b) under any other enactment.

6. PROHIBITION ON FREEDOM CAMPING

- 6.1 No person may Freedom Camp in any Prohibited Freedom Camping Area within the Local Authority Area, as identified in Schedule 1 of this Bylaw.

7. RESTRICTIONS ON FREEDOM CAMPING

- 7.1 A person may Freedom Camp within the Local Authority Areas identified in Schedule 2 of this Bylaw but subject to the restrictions set out in that Schedule for any particular area.

8. PRIOR CONSENT FROM COUNCIL

- 8.1 The Council may grant consent to waive Freedom Camping restrictions in any of the areas identified in Schedule 1 and Schedule 2 of this Bylaw.
- 8.2 Any application for consent must be made in writing to the Council at least two weeks in advance of the date planned for Freedom Camping within the relevant area.
- 8.3 A person Freedom Camping in accordance with a consent granted under clause 8.1 must comply with any conditions of consent.
- 8.4 A Council Officer may revoke a consent granted under clause 8.1 by giving a direction for the person to leave the Camping Area where that person has:
- (a) acted in a manner likely to endanger the health and safety of other people;
 - (b) damaged or is likely to cause damage to the site;
 - (c) breached any of the conditions included in any consent

9. CLOSURE OF FREEDOM CAMPING AREA

- 9.1 The Council may close a freedom camping area.
- 9.2 The Council may temporarily close or restrict entry to any overnight freedom camping area or part of any freedom camping area where such restriction is considered necessary by Council to:
- (a) prevent damage to the local authority area or facilities in the area; or
 - (b) allow maintenance to the local authority area or facilities thereon; or
 - (c) protect the safety of persons or property; or

- (d) allow or facilitate public access.

10. OFFENCES

- 10.1 As specified by section 20(1) of the Act, every person commits an offence who:
 - (a) freedom camps in a local authority area in breach of any prohibitions or restriction in this bylaw that applies to the area: or
 - (b) makes preparations to camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area.
- 10.2 An Enforcement Officer may issue an infringement notice to anyone who the Enforcement Officer believes on reasonable grounds has committed or is committing an Infringement Offence as set out in section 20(1) of the Act.
- 10.3 Where any person is committing or has committed an offence under this Bylaw or the Act, that person must, on the request of an Enforcement Officer:
 - (a) leave the relevant area immediately; and
 - (b) supply their full name, date of birth, full address, telephone number and occupation to the Enforcement Officer, as well as those same details for any other person connected in any way with the alleged offence.

11. PENALTIES

- 11.1 As specified by section 23(1) of the Act, every person who commits an offence pursuant to section 20(1)(a) and (c) of the Act is liable to an infringement fine of \$200.
- 11.2 The enforcement officer may also take such other action against the permit holder as authorised by this Bylaw or the Act as the enforcement officer deems necessary. It shall not be a precondition to taking such other action that a permit is revoked.

Schedule 1 – Prohibited Freedom Camping Areas

A person must not freedom camp in any prohibited area within the Mackenzie District, as identified in Schedule One: Prohibited Areas for Freedom Camping, without the prior written consent of the Council.

Tekapo Township, Tekapo

Freedom Camping is prohibited within the Tekapo Township. Freedom camping is prohibited on all Council controlled land including roads and reserves in the Tekapo Township within the area shown on Diagram 1 highlighted blue¹.



Diagram 1: Tekapo Area

¹ Except than in relation to Lot 5 DP 455053, Lake Tekapo, provided that such camping is in accordance with any Licence to Occupy granted to the Lake Tekapo Camping Ground as provided in Schedule 2 Section 1(d).

Twizel Commercial Area, Twizel

The Commercial Centre in Twizel township is shown on Diagram 2. Freedom camping is prohibited on all Council controlled land including roads and reserves in the area shown on Diagram 2 highlighted blue.



Diagram 2: Commercial Centre Area, Twizel

Lake Ruataniwha Lagoon Area (West)

The Lake Ruataniwha Lagoon Area (West) is shown on Diagram 3. Freedom camping is prohibited in all parts of this area shown on Diagram 3 highlighted blue.



Diagram 3: Lake Ruataniwha Lagoon Area (West)

Schedule 2 – Restricted Freedom Camping Areas

Freedom Camping is provided for, subject to the restrictions specified for each area.

Any restrictions must be complied with unless the prior written consent of the Council is obtained.

All Council Controlled land

1. Freedom camping is restricted to self-contained camping other than in the following areas:
 - a. Fairlie Top Ten Holiday Park
 - b. Lake Alexandrina South End Camp Ground
 - c. Lake Macgregor/Lake Alexandrina Outlet Camp Ground
 - d. Lot 5 DP 455053, Lake Tekapo, provided that such camping is in accordance with any Licence to Occupy granted to the Lake Tekapo Camping Ground.

Lake Opuha - Bennetts Road

1. No camping is allowed 23rd December to second Monday in January (inclusive).
2. No camping within 20 m of the lakeshore.
3. Freedom camping is restricted to self-contained camping.
4. Freedom camping is restricted to a maximum period of three consecutive nights.



Diagram 4: Lake Opuha – Bennetts Road Area

Lake Opuha - Hayes Road

1. No camping is allowed 23rd December to second Monday in January (inclusive).
2. No camping within 20 m of the lakeshore.
3. Freedom camping is restricted to self-contained camping.
4. Freedom camping is restricted to a maximum period of three consecutive nights.



Diagram 5: Lake Opuha – Hayes Road Area

Lake Opuha - Opuha George Road

1. No camping is allowed 23rd December to second Monday in January (inclusive).
2. No camping within 20 m of the lakeshore.
3. Freedom camping is restricted to self-contained camping.
4. Freedom camping is restricted to a maximum period of three consecutive nights.



Diagram 6: Lake Opuha – Opuha Gorge Road

Lake Ruataniwha (West End)

Freedom camping is provided for within the area shown on Diagram 7 highlighted yellow subject to the following restrictions:

1. No camping is allowed 23rd December to second Monday in January (inclusive).
2. No camping within 20 m of the lakeshore.
3. Freedom camping is restricted to self-contained camping.
4. Freedom camping is restricted to a maximum period of three consecutive nights.



Diagram 7 Lake Ruataniwha