



Have Your Say

Proposed amendment to the Freedom Camping Bylaw



Te Kaunihera-ā-Rohe o Ngāmotu
**New Plymouth
District Council**

Review of the Freedom Camping Bylaw

Background

New Plymouth District Council Freedom Camping Bylaw (the Bylaw) was first adopted in December 2017. It is now due for review. If the Bylaw is not reviewed by 6 December 2024 it will be revoked under section 160A of the Local Government Act 2002, meaning there will be no Freedom Camping Bylaw.

In addition to the Bylaw being due for review, the Self-contained Motor Vehicles Legislation Act 2023 (MVLA) received royal assent on 6 June 2023 and is now law. The purpose of the MVLA is to improve the management of vehicle-based freedom camping by creating a robust regulatory system that central and local government can rely on to reduce the negative effects of freedom camping on communities and the environment.

The MVLA amends the Freedom Camping Act 2011 (FCA). The Bylaw must be updated to ensure it is consistent with the amended FCA.

Key changes from the FCA are summarised below:

- Requires vehicle-based freedom campers to use a certified self-contained vehicle when they stay on council land, unless a council designates a site as suitable for non-self-contained vehicles (NSC).
- Establishes a regulated system for the certification and registration of self-contained vehicles.
- Changes to the requirements that a vehicle must meet to be self-contained – vehicles must have a fixed toilet (there is a transitional period to allow people with the current 'blue sticker' certifications time to move to the new 'green sticker' certification).
- Strengthens the infringement system for freedom camping. The original infringement fee of \$200 has been replaced by a new tiered penalty system which came into force on 13 July 2023 and provides councils with more options to apply fines proportionate to the breach of a freedom camping bylaw or the FCA.

Determinations

To help the Council in determining whether to review the Bylaw a Regulatory Impact Assessment (RIA) was undertaken. The assessment sets out the authority to make a bylaw, the perceived problems or nuisances the bylaw addresses, and the options available to the Council to deal with these problems. The RIA was informed by:

- Council service request data.
- Regulatory Team information.
- Council's monitoring data for different freedom camping sites across the district, including infringement fines issued.
- Information from the Freedom Camping Ambassador.
- Data for four sites from the Campermate App.

The RIA showed that there are ongoing problems with freedom camping – 165 service requests were lodged between 1 January 2023 and 29 February 2024. These raised varying issues including dumped rubbish, overcrowding, defecation in public areas, loss of access to areas and facilities, and illegal freedom camping. In addition 414 infringement fines were issued for freedom camping in 2023.

As highlighted above, the Bylaw still has an important regulatory role to play and is the Council's preferred option for addressing freedom camping in New Plymouth District.

The Proposed Freedom Camping Bylaw with all changes can be found at the back of this Statement of Proposal.

A comprehensive explanation of the legislative changes is available on the Ministry of Business, Innovation and Employment's website [at this link](#).



Options

Three options were considered during the review of the current Bylaw.

OUR
PREFERRED
OPTION

Option 1

Review and amend the current Freedom Camping Bylaw

Advantages

- Retains a tool for addressing freedom camping related issues in the district.
- Allows Council to take into consideration new information in the sector since the previous bylaw review.
- Allows Council to incorporate legislative changes to the Bylaw.
- Allows Council to respond to issues arising in the district in relation to freedom camping, and to create an updated and fit for purpose regulatory instrument.
- Proactive approach to regulation.
- Allows Council the opportunity to take into account community views and preferences on freedom camping when making decisions.

Disadvantages

- Council resource required to undertake the review.
- There are costs associated with monitoring and enforcement of a bylaw.
- The proposed changes to areas being regulated may require additional resources.

Option 2

Roll over the current Freedom Camping Bylaw with the minimum changes required to align with the amended Freedom Camping Bylaw

Advantages

- Allows Council to incorporate legislative changes to the Bylaw.
- Retains a consistent approach to the Bylaw, providing for public certainty.
- This approach would not require any change to the current regulatory approach. Any increase in resource would be in response to an increasing number of service requests relating to freedom camping.

Disadvantages

- Council's regulatory approach may be outdated in terms of area controls.
- The RIA indicates that there is some need for some amendments to the regulatory approach for freedom camping within the community.
- Does not allow for current issues arising in the district in relation to freedom camping to be addressed.

Option 3

Let the Freedom Camping Bylaw lapse and have no specific regulations

Advantages

- There will be no Council resource required to carry out a review.
- No costs associated with monitoring and enforcing a bylaw.

Disadvantages

- Council will not have a tool to address issues arising in the district in relation to freedom camping.
- The public and visitors to the district may be unclear as to the rules on freedom camping in the district.
- Community views and preferences will be unknown.

Proposed changes to the Freedom Camping Bylaw

Council believes that on the whole, the Bylaw has been working well. However, following a full review of the Bylaw and to incorporate changes from the FCA some improvements have been identified. The key changes are outlined below.

Updated to align the Bylaw with the MVLA

It is proposed to make amendments to the Bylaw to ensure that it aligns with the amended FCA. These changes include:

- Updating the definition of self-contained motor vehicle.
- Adding non-self contained motor vehicle definition.
- Addition of key definitions found within the FCA by reference, for:
 - Certificate of self-containment.
 - Motor vehicle.
 - Self-contained.
 - Transitional period.
- Adding a section on 'where freedom camping is permitted', including an explicit statement regarding where non-self-contained vehicles are permitted in the district.

The Proposed Bylaw ensures alignment with the new legislation and enables Council to uphold the right to freedom camp in our district, while also protecting the environment, access to highly valued local areas and the health and safety of our residents and visitors to the district.

Non-self-contained vehicles

Under the current Freedom Camping Bylaw NSC vehicle freedom campers are permitted at Battscombe Terrace (six spaces available) and Lake Rotomanu (four spaces available). It is proposed to retain these areas for NSC vehicle freedom campers, but to add an additional two spaces at Lake Rotomanu.

This would result in 12 spaces in total for NSC vehicle freedom campers in New Plymouth District. It is also proposed to update the Bylaw so that the NSC spaces are only to be used by NSC vehicle freedom campers – that is, self-contained campers will not be permitted to use these spaces, as they have the rest of the district (excluding prohibited areas) to explore and utilise.

In addition, it is proposed to update the Bylaw terminology to ensure that it is consistent with the amended FCA.

New areas to be prohibited

Any potential areas for prohibition or restriction must first be assessed against the criteria in section 11(2) of the FCA before being included in a freedom camping bylaw. This section states that councils can only prohibit or restrict freedom camping in an area if this is necessary for one or more of the following purposes:

- a) to protect the area;
- b) to protect health and safety of people who may visit the area;
- c) to protect access to the area.



It is proposed to introduce an additional four areas where freedom camping is prohibited.

Weld Road	Proposed to prohibit freedom camping at this area in order to align the rules with Council's Coastal Reserve Management Plan and to protect access to the area – limited parking space in an area that is highly valued by the local community for recreational purposes.
Ahu Ahu Road	Proposed to prohibit freedom camping at this area in order to align the rules with Council's Coastal Reserve Management Plan and to protect access to the area – limited parking space in an area that is highly valued by the local community for recreational purposes.
Greenwood Road	Proposed to prohibit freedom camping at this area in order to align the rules with Council's Coastal Reserve Management Plan and to protect the area from the impacts of freedom campers – environmentally sensitive area with no public amenities provided.
Fort St George / Tataraimaka Pā	Proposed to prohibit freedom camping at this area to protect the area from the impacts of freedom camping, and to protect public health and safety in relation to accessing the area down an uneven and sandy accessway, in addition, this area is right adjacent to Tataraimaka Pā, an area of cultural significance. The area is environmentally sensitive with no public amenities provided.
Motukari Reserve Carpark	Proposed to prohibit freedom camping at this area to protect access to the area. There is very limited parking space in this area that is valued by the local community.
Rapanui Reserve	Proposed to prohibit freedom camping from this area to protect the area from the impacts of freedom camping. Rapanui Reserve is recognised as a coastal significant area and has key native ecosystems.



The Proposed Freedom Camping Bylaw with all changes can be found at the back of this Statement of Proposal.

For more information or a copy of the existing Bylaw, visit the Council's website npdc.govt.nz/HaveYourSay

Or phone us on 06-759 6060.

Have your say!

The Proposed Freedom Camping Bylaw is now open for public consultation. This is your chance to let the Council hear your views and preferences about the proposals. Please take the time to get involved and have your say.

There are several ways you can have your say. You can fill in the submission form on the next page or you can complete your submission online.

To get your submission to us, either:

Do it online: npdc.govt.nz/HaveYourSay

Email it to: submissions@npdc.govt.nz

Post it to: NPDC Freedom Camping Bylaw Submission, Reply Paid DX, DX Box NP90081, New Plymouth

Deliver it to: NPDC Civic Centre, Liardet Street, New Plymouth; or a library and service centre in Bell Block, Inglewood or Waitara.

**Be sure to get your submission to the Council by
5pm on Friday 13 September 2024**

Late submissions will not be accepted



NPDC Freedom Camping Bylaw

Submission Form

Submissions close at 5pm Friday 13 September 2024

Your details

Your submission must include your name and contact details (preferably email and phone)

First name:..... Last name:

Organisation (if applicable):

Postal address:

Phone: Email address:

Do you want to speak to the Council about your submission? (please tick one) Yes No

If you don't select an option, we will assume you don't want to be heard.

Your views

Give us your views below or fill out this [form online](#).

1. Do you support amending the Freedom Camping Bylaw to align with the legislative changes to the Freedom Camping Act 2011? (please tick one)

Yes No

Comments:
.....
.....

2. Do you support adding two spaces for non-self-contained vehicle freedom campers at Lake Rotomanu - this would allow for a total of six non-self-contained vehicle freedom campers at the site? (please tick one)

Yes No

Comments:
.....
.....

3. Should the non-self-contained vehicle spaces be reserved for only non-self-contained vehicles, i.e. self-contained vehicles would not be permitted in these spaces? (please tick one)

Yes No

Comments:
.....
.....

All submissions (including your name, address and contact details) are provided to Council officers and elected members for the purpose of analysing feedback. Your personal information will also be used for the administration of the engagement and decision-making process. Submissions (with individuals names only) will be available online. If requested, submitter details may be released under the Local Government Official Information and Meetings Act 1987. If there are good reasons why your details and/or submission should be kept confidential please contact our Privacy Officer on 06-759 5688 or through enquiries@npdc.govt.nz

4. Should freedom camping be prohibited at Weld Road? (please tick one)

Yes No

Comments:
.....
.....

5. Should freedom camping be prohibited at Ahu Ahu Road? (please tick one)

Yes No

Comments:
.....
.....

6. Should freedom camping be prohibited at Greenwood Road? (please tick one)

Yes No

Comments:
.....
.....

7. Should freedom camping be prohibited at Fort St George/Tataraimaka Pā? (please tick one)

Yes No

Comments:
.....
.....

8. Should freedom camping be prohibited at the Motukari Reserve Carpark? (please tick one)

Yes No

Comments:
.....
.....

9. Should freedom camping be prohibited at Rapanui Reserve? (please tick one)

Yes No

Comments:
.....
.....

10. Do you have any other comments on the Proposed Freedom Camping Bylaw?

.....
.....
.....
.....



New Plymouth District Council Bylaw

Freedom Camping Bylaw 2024~~17~~



Te Kaunihera-a-Rohe o Ngāmotu

**New Plymouth
District Council**

DOCUMENT HISTORY

Meeting	Date	Decision	Next Review
Council meeting	27 October 2020	Amended to include three new prohibition areas (Corbett Park, Tongaporutu, Battiscombe Terrace, excluding six restricted areas). With effect from 14 November 2020	
Council meeting	29 November 2018	Amended and re-adopted with effect from 14 December 2018	
Council meeting	6 December 2017	Adopted with effect from 23 December 2017	Five years from adoption

New Plymouth District Council

Freedom Camping Bylaw 201724

The purpose of this bylaw is to regulate freedom camping in the district in order to protect:

- local authority areas;
- the health and safety of people who may visit local authority areas;
- access to local authority areas.

1. Title

1.1 This Bylaw is the New Plymouth District Council Freedom Camping Bylaw 2024.

~~1.~~ 2. Authority

~~1.1~~ ~~This bylaw is made under the Freedom Camping Act 2011 and the Local Government Act 2002.~~

2.1 This Bylaw is made under sections 11 and 11A of the Freedom Camping Act 2011 and under the Local Government Act 2002.

2.2 The Council resolved to review its Bylaw under the Freedom Camping Act 2011 at a meeting of the Council on [date]. Following consideration of submissions received by the Council as part of undertaking a special consultative procedure, the Council adopted this bylaw by resolution at a meeting of the Council on [date]. Public notice was issued on [date] to set the operative date at [date].

The following note is explanatory and is not part of the Bylaw:

This Bylaw applies only to the areas under the control of the New Plymouth District Council.

Compliance with this Bylaw does not remove the need to comply with all applicable Acts, regulations, bylaws, and other regulatory requirements. This includes complying with any parking or other traffic restrictions in any area, not littering, complying with any restrictions or prohibitions on the lighting of fires, not making excessive noise, and complying with the directions of enforcement officers or other authorised persons.

~~2.~~ 3. Commencement

~~2.1~~ 3.1 This Bylaw comes into force on ~~14 December 2018~~ [date].

3.2 This Bylaw is next due for review under section 13 of the Act by [date].

3.4. Purpose

~~3.1~~ **4.1** The purpose of this Bylaw is to regulate freedom camping in the District in order to protect:

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

4.5. Interpretation

~~4.1~~ **5.1** In this Bylaw part unless the context otherwise requires:

Definitions

Act means the Freedom Camping Act 2011.

Council means the New Plymouth District Council.

District means the New Plymouth District.

Prohibited areas means an area identified in Schedule 1 of this Bylaw. ~~Freedom camping is not allowed in this area, in accordance with clause 7 5 of this Bylaw, unless a permit has been granted under clause 10 8.~~

Restricted area means an area identified in Schedule 2 of this Bylaw. Freedom camping is allowed in this area, subject to complying with all of the restrictions in accordance with clauses 8 and 9 of this Bylaw, unless a permit has been granted under clause 10.

Self-contained motor vehicle means:

~~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 complies with, and is certified under *New Zealand Standard 5465:2001* (including the March 2012 and May 2017 amendments to the Standard), as evidenced by the display of a current self-containment warrant issued under that Standard.~~

- a) a motor vehicle that has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006; or
- b) During the transitional period:
 - i) during periods 1 to 3, the vehicle was certified, before the commencement date and in accordance with the requirements of the existing standard, as having met the existing standard; or

- ii) during periods 1 and 2, the vehicle is certified, in accordance with the requirements of the modified standard, as having met the modified standard; or
- iii) during period 3, the vehicle was certified, in period 1 or 2 and in accordance with the requirements of the modified standard, as having met the modified standard; or
- iv) during period 4, the vehicle is not owned by a rental company; and
- v) was certified, before the commencement date and in accordance with the requirements of the existing standard, as having met the existing standard; or
- vi) was certified, in period 1 or 2 and in accordance with the requirements of the modified standard, as having met the modified standard.

Non-self-contained motor vehicle means a motor vehicle that is not self-contained in accordance with the Freedom Camping Act 2011.

The following terms have the same definitions as in the Act – the definitions are set out in the guidance material:

Certificate of self-containment

Freedom camp

Local authority area

Motor vehicle

Self-contained

Transitional period starts on 7 June 2023 and ends on the later of 7 June 2025 or a date specified in an Order in Council.

6. Where freedom camping is permitted

6.1 Freedom camping using a tent or other temporary structure or a self-contained motor vehicle is permitted in any local authority area within the District unless it is prohibited or restricted in an area:

Permitted areas

- a) under clause 7 or 9 of this Bylaw; or
- b) under any other legislation; or
- c) in the case of a self-contained motor vehicle, by the limit placed on the maximum number of people for which the vehicle is certified.

The following note is explanatory and is not part of the Bylaw:

Other legislation includes the Reserves Act 1977, which generally prohibits camping in reserves (pursuant to section 44) and provides for infringement notices to be issued.

6.2 Freedom camping using a motor vehicle that is not self-contained is permitted in a local authority area within the District, but only if:

- a) it is used in a non-self-contained area, and carried out in accordance with any restrictions and conditions imposed under clause 8 of this Bylaw; or
- b) it is otherwise permitted under other legislation.

The following note is explanatory and is not part of the Bylaw:

Examples of other legislation that may allow for non-self-contained motor vehicles include: reserve management plans under the Reserves Act 1977, bylaws made under the Local Government Act 2002, or rules in a regional or district plan.

5.7. Prohibited areas

~~5.1~~ **7.1** Subject to clause 8, a A person must not freedom camp:

Prohibited areas

- a) in any local authority area in tents or other temporary structures; or
- b) in a motor vehicle in any area marked red on any a map included in Schedule 1 and during the dates in which it is indicated that freedom camping is prohibited.

7.2 Despite clause 7.1, a person may freedom camp in any prohibited area if they have obtained a permit from the Council, granted under clause 10 of this Bylaw, and they comply with any conditions of that permit.

6.8. Freedom Camping Restricted areas – non-self-contained motor vehicles

~~6.1~~ **8.1** Subject to clause 8, a A person may freedom camp in a non-self-contained motor vehicle in the areas identified for freedom camping in Schedule 2 of this Bylaw, subject to complying with all of the following restrictions:

Non-self-contained

- a) the vehicle must be parked in a non-self-contained restricted area;
- b) a) the motor vehicle must be parked legally;

- e) b) must not stay in the same area in the District for more than one period of up to 24 hours in a 30 day period;
- d) c) must not prevent others from undertaking legitimate activities in the area;
- e) d) must not light any fires at the area; and
- f) e) must comply with the noise requirements set out in the operative District Plan;

~~6.2~~ 8.2 In subclause ~~6~~8.1(c) “the same area” means the land within 500 metres of the place where the person was last freedom camping.

8.3 Despite clause 8.1, a person may freedom camp in any restricted area if they have obtained a permit from the Council, granted under clause 10 of this Bylaw, and complies with any conditions of that permit.

~~7. 9.~~ Freedom camping Restricted areas – self-contained motor vehicles

~~7.1~~ 9.1 Subject to ~~clause 8,~~ a A person may freedom camp in a self-contained motor vehicle in any local authority area, ~~including~~ excluding the non-self-contained restricted areas in Schedule 2, ~~excluding and the those prohibited areas~~ in clause ~~57.1,~~ and subject to complying with all of the following restrictions:

Self-contained

- a) ~~must be in a certified self-contained vehicle;~~
- b) a) the motor vehicle must be parked legally;
- e) b) must not stay in the same area in the District for more than three periods of up to 24 hours in a 30 day period;
- d) c) must not prevent others from undertaking legitimate activities in the area;
- e) d) must not light any fires at the area; and
- f) e) must comply with the noise requirements set out in the operative District Plan.

~~7.2~~ 9.2 In clause ~~79.1(c)~~ “the same area” means the land within 500 metres of the place where the person was last freedom camping.

9.3 Despite clause 9.1, a person may freedom camp in any restricted area if they have obtained a permit from the Council, granted under clause 10 of this Bylaw, and complies with any conditions of that permit.

8. 10. Permits from the Council

Permits

8.1 10.1 The Council may grant a permit providing dispensation from a prohibition under clause 57.1 or one or more of the restrictions in subclauses 68.1(a) to (f) or 79.1(a) to (f). Permits may be granted with or without conditions. Conditions may include, but are not limited to:

- a) maximum number of people;
- b) maximum number of vehicles / tents / caravans;
- c) duration. ~~maximum number of nights.~~

8.2 10.2 Any Application for a permit must be made:

- a) in writing; and
- b) ~~providing~~ provide sufficient detail about the proposed freedom camping, including why the freedom camping will not comply with one or more of the requirements or conditions of clauses 68.1 and 79.1 and what efforts will be made to otherwise comply (for example, if freedom camping for more than three 24 hour periods, how the applicant will manage waste generated while freedom camping); and
- c) be made at least 20 working days in advance of the date the planned for freedom camping is proposed to commence.

10.3 The Council will make a decision to grant or refuse an application for a permit and inform the applicant at least five working days before the freedom camping is proposed to commence.

10.4 An enforcement officer may revoke a permit granted under clause 10.1 if any person breaches the conditions specified in the permit, or the freedom camping covered by the permit otherwise breaches the Act.

9. 11. The Council may temporarily close an area to freedom camping

Temporary closures

9.1 11.1 ~~In accordance with sections 145, 146(b), and 151(2) of the Local Government Act 2002, the~~ The Council may, by resolution, temporarily close any local authority area (or part of such area) in which freedom camping can be undertaken to some or all types of freedom camping where the closure is considered necessary to:

- a) repair damage that significantly affects the use of the local authority area or facilities in the area for freedom camping, or to prevent damage occurring where there is an immediate threat of damage that would otherwise require the Council to close the area to repair the damage; or

- b) allow maintenance to be carried out on the local authority area or facilities; or
- c) to ensure public health and safety can be maintained by ensuring safe public access to and from temporary events and occasions.

9.2 11.2 Notice will be given of any temporary closure, and the removal of any closure, in any manner the Chief Executive considers is appropriate to the reason for the closure. Where possible, not less than 24 hours' notice of any temporary closure will be given.

The following note is explanatory and is not part of the bylaw:

Notice given by the Council may include any of the following: a sign erected in the area; and / or advertising on the Council's website or on the radio; and / or a public notice in the paper.

10. 12. Effect of this Bylaw on other bylaws and enactments

10.1 12.1 This Bylaw does not override or affect any time, vehicle class or other restrictions that apply to the parking of a vehicle, made under any other bylaw or enactment.

Effect of this Bylaw on other bylaws and enactments

The following note is explanatory and is not part of the Bylaw:

This clause is to make it clear that approval of freedom camping under this Bylaw also satisfies any requirement for approval under another bylaw or enactment. For example:

The Council designates parking areas under the Traffic Bylaw and Council approval is needed to make changes; approving the same area for freedom camping under this bylaw also provides any Traffic Bylaw approval, if required (but the freedom camping must still comply with any parking time limits, etc. applicable to the area).

10.2 ~~The Council resolved to make a bylaw under the Freedom Camping Act 2011 at a meeting of the Council on 5 September 2017. Following consideration of submissions received during a special consultative procedure, the Council adopted this bylaw by resolution at a subsequent meeting of the Council on 6 December 2017. Public notice was issued on 16 December 2017 to set the operative date at 23 December 2017.~~

13. Revocation and savings

Revocation and savings

13.1 The New Plymouth District Council Freedom Camping Bylaw 2017 is revoked.

13.2 Any permission, consent, agreement or any other act of authority which originated under the New Plymouth District Council Freedom Camping Bylaw 2017, or which was continued by that Bylaw and which is still in force at the commencement of this Bylaw continues to have full force and effect for the purpose of this Bylaw.

13.3 This Bylaw is implied into and forms any part of any permission, consent, or any other act of authority continued by this clause.

13.4 The revocation of the New Plymouth District Council Freedom Camping Bylaw 2017 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if that Bylaw had not been revoked or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if that Bylaw had not been revoked.


Schedule 1: Maps of prohibited areas

Map number	Where is freedom camping prohibited?
Map 1	Fitzroy Beach carpark
Map 2	Back Beach bottom carpark
Map 3	Oakura Beach front
Map 4	Waiwhakaiho River Mouth
Map 5	East End Beach
Map 6	Kawaroa Park
Map 7	Corbett Park
Map 8	Battiscombe Terrace
Map 9	Tongaporutu
<u>Map 10</u>	<u>Fort St George</u>
<u>Map 11</u>	<u>Greenwood Road</u>
<u>Map 12</u>	<u>Weld Road</u>
<u>Map 13</u>	<u>Ahu Ahu Road</u>
<u>Map 14</u>	<u>Motukari Reserve Carpark</u>
<u>Map 15</u>	<u>Rapanui Reserve</u>

Map 1: Fitzroy Beach carpark



Map 2: Back Beach bottom carpark

 Freedom camping prohibited area at all times



Map 3: Oakura Beach front



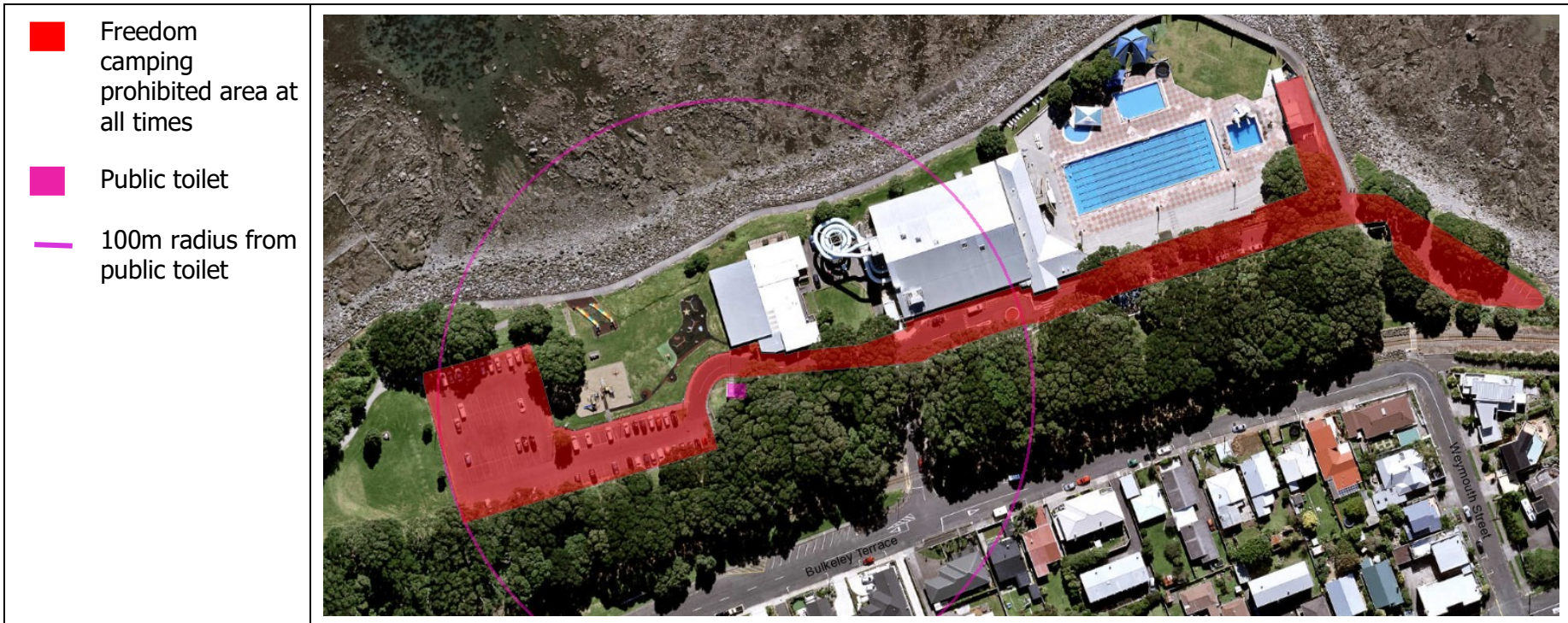
Map 4: Waiwhakaiho River Mouth



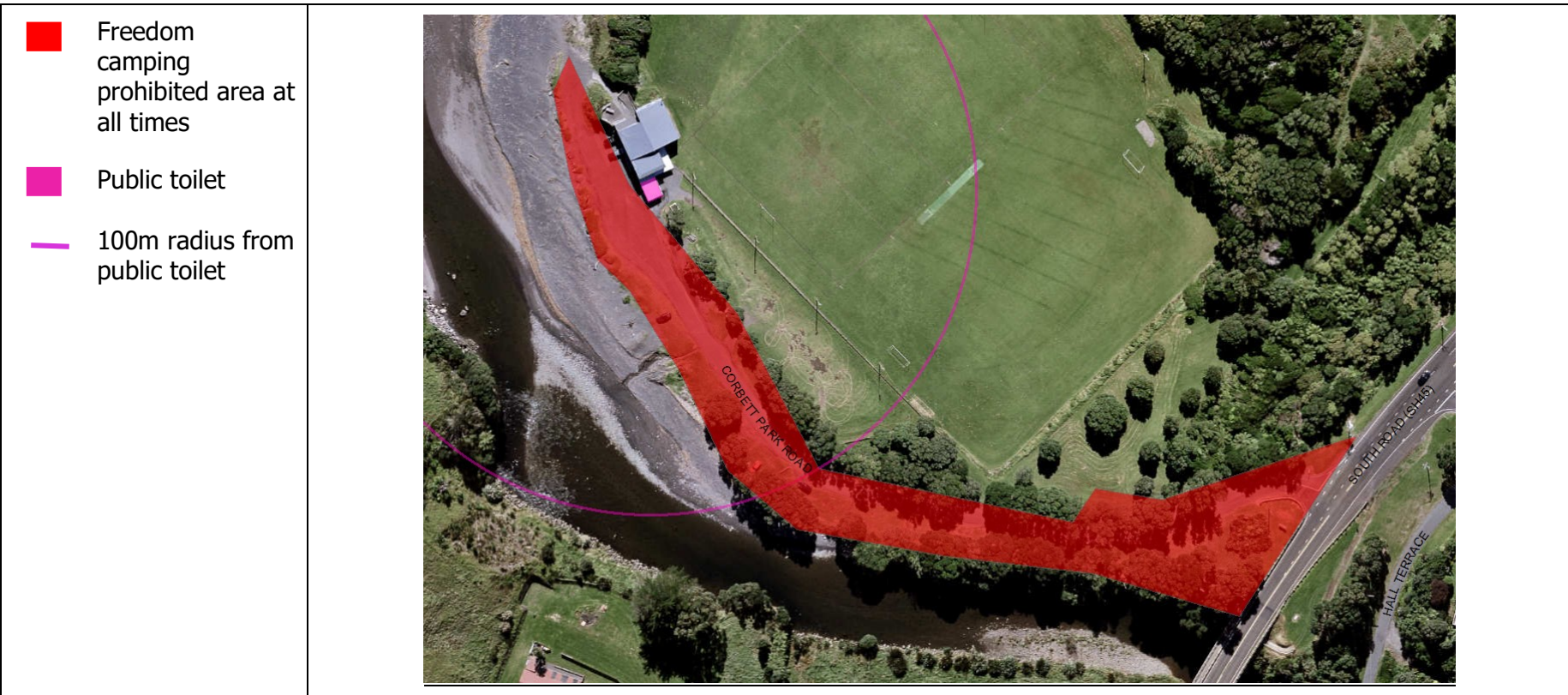
Map 5: East End Beach



Map 6: Kawaroa Park




Map 7: Corbett Park



Map 8: Battiscombe Terrace



Map 9: Tongaporutu

 Freedom camping prohibited area at all times



Map 10: Fort St George



Map 11: Greenwood Road

■ Freedom camping prohibited area at all times



Map 12: Weld Road

■ Freedom camping prohibited area at all times



Map 13: Ahu Ahu Road

■ Freedom camping prohibited area at all times



Map 14: Motukari Reserve Carpark

■ Freedom camping prohibited area at all times



Map 15: Rapanui Reserve



Schedule 2: Maps of non-self-contained restricted areas

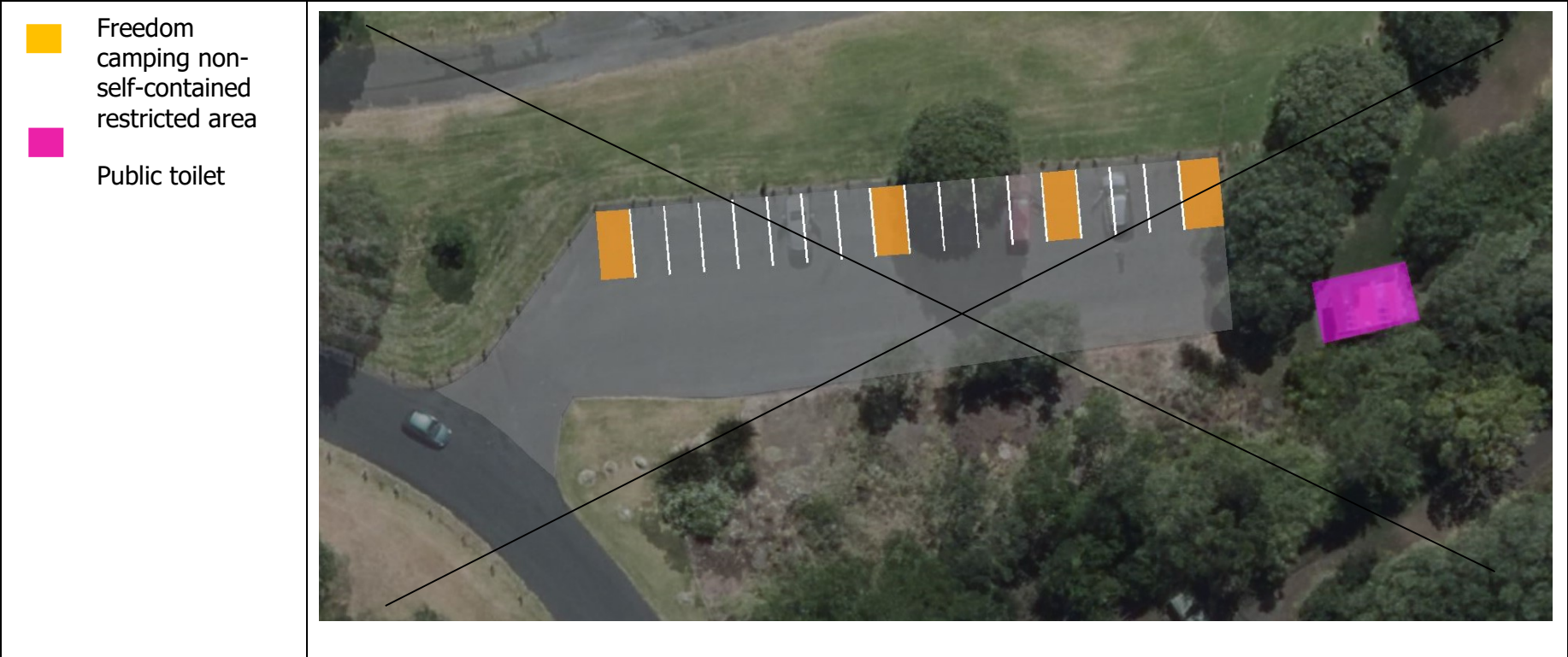
Map number	Where is non-self-contained freedom camping allowed?
Map 10 <u>16</u>	Battiscombe Terrace
Map 11 <u>17</u>	Lake Rotomanu

Map 10 16: Battiscombe Terrace

- Freedom camping prohibited area at all times
- Freedom camping non-self-contained restricted area
- Public toilet
- 100m radius from public toilet



Map ~~11~~ 17: Lake Rotomanu





Freedom Camping Bylaw - Guidance Material

1. Freedom Camping Act 2011 interpretation
2. Freedom Camping Act offences and penalties, and offenders liable for cost of damage - Section 20, ~~23~~, 20C, 20E and 24
3. New Zealand Standard: Self-containment of motor caravans and caravans NZS 5465:2001
4. Self-contained issuing authorities ~~Department of Conservation~~
5. New Plymouth District camp grounds
6. New Plymouth District dump stations and transfer stations
7. New Plymouth District Public Toilets

1. Freedom Camping Act 2011 interpretation

Certificate of self-containment means a certificate of self-containment issued under section 87U of the Plumbers, Gasfitters, and Drainlayers Act 2006.

Freedom camp

(1) In this Act, freedom camp means to camp (other than at a camping ground) within 200m of an area ~~a motor vehicle accessible by motor vehicle or within 200m of area~~ or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using either or both ~~1 or more~~ of the following:

- a. a tent or other temporary structure.
- b. a motor vehicle. ~~caravan~~
- c. ~~a car, campervan, housetruck, or other motor vehicle.~~

(2) In this Act, freedom camping does not include the following activities:

- a. temporary and short-term parking of a motor vehicle:
- b. recreational activities commonly known as day-trip excursions:
- c. resting or sleeping at the roadside in a ~~caravan or~~ motor vehicle to avoid driver fatigue.

(2A) In this Act, a person is not freedom camping if the person:

- a. is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
- b. is unable to live in appropriate residential accommodation; and
- c. as a consequence of that inability, is living in either or both of the following:
 - i) a tent or other temporary structure;
 - ii) a motor vehicle.

(3) In this subsection: ~~(1),~~

Camping ground means –

- a. a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; ~~or and~~
- b. any site which a fee is payable for camping at the site

Great Walks Track means –

- a. a track specified in Schedule 1 (of the Act); and
- b. any other track specified by order in Council made under section 44 (of the Act) as a Great Walks Track.

Immigration instructions has the same meaning as in section 4 of the Immigration Act 2009.

Residential accommodation includes accommodation in a dwelling house, flat, hotel, motel, boarding house, or camping ground.

Local authority area:

- (1) In this Act, local authority area –
- a. means an area of land-
 - i) that is within the district or region of a local authority; and
 - ii) that is
 - a. controlled or managed by the local authority under any enactment; or
 - and
 - b. an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A (of the Act); 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.

Motor Vehicle means each of the following –

- a. A motor vehicle within the meaning of section 2(1) of the Land Transport Act 1998;
- b. A unit used for camping that is not itself a vehicle but is capable of being –
 - i. transported by means of being loaded onto a vehicle; and
 - ii. used for camping whether or not it is loaded onto a vehicle.

Self-contained, in relation to a 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 (but see [subpart 1](#) of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period).

2. Freedom Camping Act offences, penalties, and offenders liable for cost of damage - Section 20, 20C, 20E3 and 24

20 Infringement offences relating to local authority areas **Offences**

- (1) Every person commits an infringement offence if the person who -
- a) freedom camps in a local authority area in breach of any prohibition or restriction specified in a bylaw made under section 11 or 11A that applies to the area; or
 - b) freedom camps in a local authority area, other than a local authority area defined in a bylaw made under section 11A as permitting motor vehicles that are not self-contained, using a motor vehicle that is not self-contained; or
 - c) fails to display a warrant card in a motor vehicle that the person is using to freedom camp in a local authority area, other than a local authority area defined in a bylaw made under section 11A; or
 - d) freedom camps in a local authority area in a self-contained motor vehicle with more people than the vehicle is certified for; or
 - b) e) while freedom camping in a local authority area, -
 - i. interferes with or damages the area, its flora or fauna, or any structure in the area; or
 - ii. deposits waste in or on the area (other than into an appropriate waste receptacle); or
 - f) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction specified in a bylaw made under section 11 or 11A that applies to the area; or

- g) makes preparations to freedom camp in a local authority area, other than a local authority area defined in a bylaw made under section 11A as permitting motor vehicles that are not self-contained, using a motor vehicle that is not self-contained;
or
 - e) ~~h) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area a self-contained motor vehicle with more people than the vehicle is certified for; or~~
 - d) ~~deposits waste, generated while freedom camping, in or on a local authority area other than into an appropriate waste receptacle; or~~
 - e) ~~i) fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under section 36; or~~
 - f) ~~[Repealed]~~
 - g) ~~freedom camps on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or~~
 - h) ~~while freedom camping on conservation land,—~~
 - i) ~~interferes with or damages the land, its flora or fauna, or any structure on the land; or~~
 - ii) ~~deposits waste in or on the land (other than into an appropriate waste receptacle); or~~
 - i) ~~[Repealed]~~
 - j) ~~makes preparations to freedom camp on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or~~
 - k) ~~deposits waste, generated while freedom camping, in or on conservation land other than into an appropriate waste receptacle; or~~
 - l) ~~refuses to give information when required to do so by an enforcement officer under section 35 or gives false or misleading information; or~~
 - m) ~~fails or refuses to leave conservation land when required to do so by an enforcement officer acting under section 36.~~
- (2) ~~Every person commits an offence who discharges a substance in or on a local authority area or conservation land in circumstances where the discharge of the substance is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it—~~
- a) ~~has, or is likely to have, a significant adverse effect on the environment; or~~
 - b) ~~has caused, or is likely to cause, significant concern to the community or users of the area or land.~~
- (2) In this section and in sections 20A and 20B, to make preparations means to do either or both of the following:
- a) erect a tent to use it for freedom camping;
 - b) park a motor vehicle to use it for freedom camping.
- (3) ~~Every person commits an offence—~~
- a) ~~who, while an enforcement officer is carrying out his or her functions and duties under this Act,—~~
 - i. ~~intentionally prevents the officer from carrying out those functions and duties;~~
or
 - ii. ~~obstructs or impedes the officer; or~~
 - iii. ~~assaults, threatens, or intimidates the officer; or~~
 - iv. ~~uses language that is abusive or threatening to the officer; or~~
 - v. ~~behaves in a threatening manner towards the officer; or~~
 - b) ~~who incites any other person to do any act referred to in paragraph (a).~~
- (4) ~~In this section, waste receptacle means a receptacle or facility that is provided by a local authority or the Department for the purposes of disposing of waste (for example, a rubbish bin, public toilet, or bulk waste disposal unit).~~

20C Other infringement offences

A person commits an infringement offence if the person -

- a) displays in a motor vehicle an altered or a fraudulent warrant card; or
- b) presents an altered or a fraudulent certificate of self-containment to an enforcement officer acting under this Act; or
- c) refuses to give information when required to do so by an enforcement officer under section 35, or gives false or misleading information.

20E3 Penalties for infringement offences

(1) A person who commits an infringement offence is liable to the following fee:

- a) an infringement fee not exceeding \$1,000 that is prescribed by regulations made under section 43; or
 - b) if no regulations have been made under section 43 prescribing infringement fees, an infringement fee of \$400; or
 - c) a fine imposed by a court not exceeding \$3,000 or any lesser or equal amount prescribed by the regulations.
- a) ~~the amount prescribed by regulations made under section 43 as the infringement fee for the offence; or~~
- b) ~~\$200, if no fee is prescribed in accordance with paragraph (a).~~
- (2) ~~A person who is convicted of an offence against section 20(2) is liable to a fine not exceeding \$10,000.~~
- (3) ~~A person who is convicted of an offence against section 20(3) is liable to a fine not exceeding \$5,000.~~

24 Offenders liable for cost of damage

(1) A person who commits an offence (including an infringement offence) may, in addition to, or instead of, ~~the~~ a penalty for the offence, be ordered to pay any of the following costs:

- a) ~~the costs incurred by the local authority or Department in repairing any damage done to the local authority area or the conservation land concerned as a result of the offence;~~
 - b) the costs incurred by the NZTA in repairing any damage done to NZTA land as a result of the offence;
 - c) the costs incurred by the Department in repairing any damage done to conservation land as a result of the offence;
 - d) the costs incurred by LINZ in repairing any damage done to LINZ land as a result of the offence.
- (2) The costs must be assessed by the District Court and are recoverable as if they were a fine.

3. New Zealand Standard Self-Containment of Motor Caravans and Caravans, NZS 5465:2001

The Self Containment Standard NZS5465:2001 defines the minimum facilities that a motor caravan or caravan needs to contain the waste which its occupants produce, and to provide the fresh water which they require for a minimum of three days. Below is a brief overview of the requirements:

Water supply

- Motor caravan or caravan shall be fitted with a water supply tank or tanks having a capacity of not less than 4 L per day for each of the number of persons authorised by the Self Containment Certificate, for not less than three days (i.e. a minimum of 12 L per person).

Sanitary fittings

- The motor caravan or caravan shall be equipped with a sink. Additional sanitary fittings, like a handbasin, shower etc. are optional.

Toilet

- The motor caravan or caravan shall be equipped with a toilet that is adequately restrained or secured when travelling. The toilet shall be usable within the vehicle, including sufficient head and elbow room whenever required, even with the bed made up.
- All toilet systems shall provide sufficient waste holding capacity for the occupants of the motor caravan or caravan for a minimum of three days. The waste holding capacity shall be the net capacity after deducting the initial charge, or the internal flushing water. The minimum capacity required per person per day shall be one litre.
- Self composting toilets shall comply with the sanitary requirements of the NZBC.

Waste tank

- The motor caravan or caravan shall be provided with a waste tank or tanks to receive all the waste water from all permanently installed fixtures. The capacity of the water tank shall not be less than, and preferably larger than, the minimum water supply as water supply requirements above.
- All tanks shall be adequately secured while the motor caravan or caravan is in motion. The evacuation valve or macerator pump shall be mounted to prevent accidental damage.

Evacuation hose

- Any vehicle fitted with a waste tank shall be supplied with an evacuation hose. The hose shall have a leak-proof coupling for attaching it to the holding tank evacuation valve. For a 75mm black water connection, a bayonet coupling to connect to a dump point is required.
- The hose diameter shall not be less than the minimum valve size appropriate for the tank, have a minimum length of 3m and be carried in a separate container.

Waste water treatments

- Chemical or biological treatments should be used in a waste tank.

Solid waste containment

- The motor caravan or caravan shall have a sealable solid waste container for rubbish.

Issuing Authority

A self containment issuing authority shall be one of the following:

- A plumber registered under the Plumbers, Gasfitters, and Drainlayers Act 1976; or
- A suitable qualified person, registered under the Plumbers, Gasfitters, and Drainlayers Act 1976; or
- Any organisation that operates a scheme of qualification for testing officers who shall be members of the organisation concerned. Documentation of this qualification scheme shall be made available on a public website or to any party on request as evidence that testing officers are competent to certify to this Standard.

4. Self-contained issuing authorities

The most well-known issuing authorities for the self-containment certification in New Zealand are **NZ Lifestyle Camping** and the **NZMCA**. However, any plumber, gasfitter or drainlayer can also be registered as an issuing authority. Visit the Plumbers, Gasfitters and Drainlayers Board website www.pgdb.co.nz for more information or www.nzscv.co.nz to search for certification authorities near you.

4. Department of Conservation

The Department of Conservation provides a number of campsites across New Zealand. In the Taranaki Region there is one Department of Conservation campsite:

Waitoetoe campsite:

Facilities

Only accessible on foot and with minimal facilities, this is the spot for those seeking a back to basics holiday.

The campsite is a paddock that is occasionally grazed by stock.

Getting there

The campsite is on Waitoetoe Road, off SH3, 35 minutes north of New Plymouth. A slump in the road means this campsite is only accessible by foot. Park your vehicle at the Waitoetoe Road end and follow the rough track down to the camping area—approximately 300m away.

Location

NZTM2000 coordinates: E1724050, N5685995
Latitude: -38.9662. Longitude: 174.4319

Fees

Free.
Maximum four night stay.

Activities

A perfect place for fishing, walking, surfing, swimming, relaxing or hiking the nearby Whitecliffs Walkway.

Know before you go

Take your rubbish away with you.
There is a flush toilet onsite, you will need to bring your own toilet paper.
The campsite can be exposed to the weather—make sure you tie your tent down well!
The ocean can have tidal rips so be wary if swimming. Keep clear of the eroding cliffs along the beach. If you're going for a walk make sure you are aware of tide times so you don't get trapped against the cliffs by an incoming tide.

For more information contact the Ngāmotu/New Plymouth Office

Phone: +64 6 759 0350

Address: 55A Rimu Street, New Plymouth 4312

Email: newplymouth@doc.govt.nz

5. New Plymouth District camp grounds

1. URENUI BEACH CAMP Urenui Domain, Urenui. Phone: 06-752 3838
2. ONAERO BEACH HOLIDAY PARK 1147 Main Road, Onaero. Phone: 0508 662 376
3. MARINE PARK MOTOR CAMP 8 Centennial Avenue, Waitara. Phone: 06-754 7121
4. NEW PLYMOUTH TOP 10 HOLIDAY PARK 29 Princes Street, Fitzroy, New Plymouth. Phone: 06-758 2566
5. FITZROY BEACH HOLIDAY PARK 1D Beach Street, New Plymouth. Phone: 06-758 2870
6. BELT ROAD SEASIDE HOLIDAY PARK 2 Belt Road, New Plymouth. Phone: 0800 804 204
7. OAKURA BEACH HOLIDAY PARK 2 Jans Terrace, Oakura. Phone: 06-752 7861

6. New Plymouth District dump stations and transfer stations

Dump Stations:

1. BP POWDERHAM SERVICE STATION 71 Powderham Street, New Plymouth
2. MOBIL SERVICE STATION Corner Leach and Eliot streets, New Plymouth
3. AA VEHICLE TESTING STATION 14D Swans Road, Bell Block

Transfer Stations:

1. OKATO Hampton Road
2. INGLEWOOD King Road
3. NEW PLYMOUTH Colson Road
4. WAITARA Norman Street
5. TONGAPORUTU Hutiwai Road

7. New Plymouth District public toilets

	Public toilet location	Access times
1	Ahu Ahu Reserve	24/7
2	Awanui Cemetery Reserve	Open 6.30am close 8.30pm
3	Battiscombe Terrace Car park	24/7
4	Bell Block Beach – Mangati Walkway	24/7
5	Brooklands Park (<u>the Dell toilets</u>)	24/7
6	Brooklands Zoo	Open 9.00am closed 5.00pm
7	Centennial park	24/7
8	Coastal Walkway CBD (<u>by Wind Wand</u>)	24/7
9	Coastal Walkway Waiwhakaiho River Mouth (<u>Rotomanu North</u>)	24/7
10	Corbett Park	24/7
11	East End Beach	24/7
12	East End Reserve Buller Street	Toilet access is 24/7, vehicle access is 6.00am to 8.30pm
13	Fitzroy Beach	24/7
14	Fitzroy Shopping Centre	24/7
15	Hickford Park	24/7
<u>16</u>	<u>Hickford Park Walkway</u>	<u>24/7</u>
16 <u>17</u>	Inglewood CBD	24/7
17 <u>18</u>	James Lane Rest Rooms CBD	Women's rest rooms are 10.00am – 5.00pm 7.00am to 8.00pm most <u>seven</u> days, closed <u>Sunday</u> . Outside toilet attached that is 24/7
18 <u>19</u>	Jubilee Park	24/7
19 <u>20</u>	Kawaroa Park	24/7
20 <u>21</u>	Lake Mangamahoe	Toilet access is 24/7, vehicle access is 6.00am to 8.30pm
21 <u>22</u>	Lake Rotomanu (<u>Rotomanu South</u>)	24/7
22 <u>23</u>	Lee Breakwater	24/7
<u>24</u>	<u>Mangapouri Cemetery</u>	<u>24/7</u>
<u>25</u>	<u>Marfell</u>	<u>24/7</u>
23 <u>26</u>	Marine Park	24/7
24 <u>27</u>	Merrilands Domain – Audrey Gale Reserve	Toilets are 24/7, vehicle access is 6.00am to 8.30pm

	Public toilet location	Access times
25 <u>28</u>	Motorua Shopping Centre	24/7
26 <u>29</u>	New Plymouth CBD (<u>Gover Street</u>)	24/7
27 <u>30</u>	New Plymouth CBD Exaloo	24/7
28 <u>31</u>	Ngamotu Beach	24/7
29 <u>32</u>	Oakura Beach	24/7
<u>33</u>	<u>Oakura CBD</u>	<u>24/7</u>
30 <u>34</u>	Oakura Motor Camp	Motor camp administered toilets
31 <u>35</u>	Okato	24/7
32 <u>36</u>	Okato Domain	24/7
33 <u>37</u>	Onaero Beach Motor Camp	Motor camp administered toilets
34	Plunket Women's Rest Rooms	Custodian administered
35 <u>38</u>	Puke Ariki	Museum opening hours
36 <u>39</u>	Pukekura Park behind Tea House	24/7
37 <u>40</u>	Pukekura Park Bellringer Pavillion	24/7
38 <u>41</u>	Pukekura Park Playground	24/7
39 <u>42</u>	Pukekura Park Rogan St Entrance	24/7
40 <u>43</u>	Pukekura Park Women's <u>Pavilion</u> Toilets	24/7
41	Tarata Domain	24/7
42 <u>44</u>	Tongaporutu Recreational Reserve	24/7
<u>45</u>	<u>Upper Mangorei Road</u>	<u>24/7</u>
43 <u>46</u>	Urenui Community Centre (<u>at rear of Centre</u>)	24/7
44 <u>47</u>	Urenui Motor Camp – Beach	Motor camp administered toilets
45 <u>48</u>	Urenui Motor Camp – River	Motor camp administered toilets
46 <u>49</u>	Wai-iti Beach	24/7
47 50	Waitara CBD (<u>next to Plunket Rooms</u>)	24/7
48 51	Waiwhakaiho Park (<u>rear of netball courts</u>)	24/7
49 <u>52</u>	Weld Road Reserve	24/7
50 <u>53</u>	Westown	24/7
51 <u>54</u>	Yandle Park	24/7



CONTACT

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-  www.npdc.govt.nz
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-  [NPDCouncil](https://twitter.com/NPDCouncil)

