CAMPING IN PUBLIC PLACES BYLAW 2017

(as at 21 October 2017)

Resolution in Council
28 September 2017

Pursuant to the Freedom Camping Act 2011, Whangarei District Council makes the following Bylaw about camping in public places in the Whangarei District.
1. Title

1.1 This Bylaw is the Camping in Public Places Bylaw 2017.

2. Commencement

2.1 This Bylaw comes into force on 21 October 2017.

3. Application

3.1 This Bylaw applies to the Whangarei District.
PART 1 PRELIMINARY PROVISIONS

4. Purpose

4.1 The purpose of this Bylaw is to regulate and manage camping on land controlled and managed by Whangarei District Council to:
   a) protect areas
   b) protect the health and safety of people who may visit areas
   c) ensure appropriate public access to areas is maintained
   d) provide transparency for those wishing to camp in public places in the District
   e) support a positive experience for campers and residents.

Explanatory note: The provisions of this Bylaw only apply to public places owned and/or controlled by Council and which are not managed as a camping ground. The Bylaw does not apply to land owned or controlled by other organisations, for example the Department of Conservation and The New Zealand Transport Agency, or privately owned land.

5. Interpretation

5.1 In this Bylaw, unless the context otherwise requires:

Act means the Freedom Camping Act 2011.

Area means a local authority area that is considered a discrete singular location and which may have multiple parking areas or marked parking spaces contained within it.

Camp or camping has the same meaning as freedom camp/freedom camping as provided in s5 of the Act or any subsequent legislation in amendment of, or substitution for, the same.

Council means the Whangarei District Council

Designated site means a parking area or marked parking spaces identified within the areas in Schedules 2, 3 and 4 of this Bylaw and indicated by signs erected in the area where camping is permitted subject to any restrictions and conditions.

District means the district of Whangarei District Council

Enforcement Officer means a person appointed as an enforcement officer under the Act.

Infringement offence means an offence specified in Section 20(1) of the Act.

Local authority area has the meaning set in the Freedom Camping Act 2011 or any subsequent legislation in amendment of, or substitution for, the same.

Reserve management plan means a management plan prepared under section 41 of the Reserves Act 1977 for reserves for which Council is the administering body.

Self-contained vehicle means a vehicle that complies with the New Zealand Standard 5465:2001 (the Standard), incorporating all amendments as at 1 September 2017 or any subsequent New Zealand Standard in amendment of, or substitution for, the same. Evidence of compliance with the Standard is through the display of a current warrant card and the availability on request of the associated self-containment certificate.

Explanatory note: A self-containment certificate is issued for vehicles that have systems to contain both black water (from toilets) and grey water (wastewater from sinks, showers or similar). The warrant that is issued in conjunction with the self-containment certificate should be displayed inside the front window of the vehicle.

Any plumber or other suitably qualified person registered under the Plumber, Gasfitters and Drainlayers Act 1976 is eligible to certify compliance with NZS 5465. The standard also provides for other entities to be issuing authorities if they have a suitable scheme for certifying testing officers.

Vehicle has the same meaning as in section 2(1) of the Land Transport Act 1998.

Waste means any kind of waste, including human waste.

5.2 Every Schedule to the Bylaw and the several parts thereof shall be deemed to form part of this Bylaw.
5.3 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be changed without formality.

5.4 The Interpretations Act 1999 applies to this Bylaw.

**PART 2 PROVISIONS FOR CAMPING, AND RESTRICTED AND PROHIBITED AREAS**

6. Provisions for camping

6.1 Camping is permitted in any local authority area within the District, except for those areas where it is prohibited or restricted:

a) pursuant to this Bylaw; or

b) under any other enactment.

Explanatory note: The provisions of Council’s District Plan, Reserve Management Plans and other bylaws; including, but not limited to, the Parking and Traffic Bylaw 2009, the Liquor Management Bylaw and the Public Places Bylaw 2014, also apply to camping.

6.2 Camping is restricted to self-contained vehicles only in all areas of the District, except for those areas listed in Schedules 3 and 4 of this Bylaw.

Explanatory note: All Schedules of this Bylaw provide specific restrictions for the areas contained in the Schedules, including for self-contained vehicles. For all areas not included in the Schedules, camping is permitted only in self-contained vehicles.

6.3 Except where this Bylaw provides for a lesser period, no person may camp for more than three nights in any four-week consecutive period in any one area, or within 1 kilometre of any area they have previously camped in within that four-week period. The four consecutive weeks begin from the first stay.

6.4 All camping activities must comply with the following conditions:

a) vehicles must park within existing marked parking spaces or within identified parking areas, whichever is present

b) vehicles must be legally parked

c) the site used must be left in a clean and tidy state

d) the camping activity must not prevent others from undertaking legitimate activities in the area

e) the camping activity must not restrict public access to public areas

f) enforcement officers must be able to inspect any site being used for camping and campers must comply with any reasonable directions of an enforcement officer, including requests to view self-containment certificates and/or warrants.

Explanatory note: In some locations in the District, parking on the grass area of a road reserve is an accepted and commonly occurring activity. In areas where such parking occurs during the day, the parking of camping vehicles is also deemed generally acceptable. However, this is at Council’s discretion and campers may be asked to move on in certain circumstances.

7. Prohibited areas

7.1 All camping is prohibited in the areas identified in Schedule 1 of this Bylaw.

8. Restricted areas for self-contained vehicles

8.1 In the areas identified in Schedule 2 of this Bylaw, camping is restricted to a designated site or marked parking spaces and is subject to the following restrictions:

a) camping is restricted to self-contained vehicles only

b) no person may camp for more than one night in any four-week consecutive period in any one area,
or within 1 kilometre of any area they have previously camped in within that four-week period, unless otherwise provided for in the Schedule. The four consecutive weeks begin from the first stay.

c) all camping must comply with any additional restrictions as provided in Schedule 2

d) all camping is subject to the conditions listed in clause 6.4.

8.2 Council may, by resolution, change the location of a designated site within a restricted area, and record such changes on the maps to Schedule 2.

Explanatory note: In some instances, a reserve or park may be upgraded or modified in a way that will necessitate relocation of the designated site within an area. The number and maximum length of camping vehicles possible will be limited by the size of each designated site. Signs and/or information will be provided on the maximum length of vehicles permissible at each site.

9. Restricted areas for self-contained and non self-contained vehicles

9.1 In the areas identified in Schedule 3 of this Bylaw, camping is restricted to a designated site or marked parking spaces, and is subject to the following restrictions:

a) camping is restricted to self-contained and non self-contained vehicles only

b) no person may camp for more than one night in any four-week consecutive period in any one area, or within 1 kilometre of any area they have previously camped in within that four-week period, unless otherwise provided for in the Schedule. The four consecutive weeks begin from the first stay

c) all camping must comply with any additional restrictions as provided in Schedule 3

d) all camping is subject to the conditions listed in clause 6.4.

9.2 Council may by resolution change the location of a designated site within a restricted area, and record such changes on the maps to Schedule 3.

10. Restricted areas for all camping

10.1 In the areas identified in Schedule 4 of this Bylaw, camping is restricted to a designated site within an area and subject to the following restrictions:

a) no person may camp for more than one night in any four-week consecutive period in any one area, or within 1 kilometre of any area they have previously camped in within that four-week period, unless otherwise provided for in the Schedule. The four consecutive weeks begin from the first stay

b) all camping must comply with any additional restrictions as provided in Schedule 4

c) all camping is subject to the conditions listed in clause 6.4.

Explanatory note: The areas listed in Schedule 4 allow for camping in self-contained and non self-contained vehicles, as well as tents. Any vehicle associated with a tent is subject to the same restrictions and requirements of Clause 6.

10.2 Council may by resolution change the location of a designated site within a restricted area, and record such changes on the maps to Schedule 4.

11. Prior consent from Council

11.1 Consent may be sought from Council for those camping activities that are specifically provided for in Council’s Reserve Management Plans. Consent must be applied for in writing to Council.

11.2 Consent may be sought from Council to allow camping in an area listed in Schedule 1. Any consent granted may be subject to such conditions as Council considers appropriate. Consent must be applied for in writing, providing sufficient detail about the proposed camping at least 20 working days in advance of the date planned for the camping activity.

11.3 Permission may be sought from Council to waive or modify camping restrictions in an area listed in Schedules 2, 3, or 4 and/or the restrictions as set out in clause 6.4. Any consent granted may be subject to such conditions as Council considers appropriate. Consent must be applied for in writing, providing
sufficient detail about the proposed camping, at least 20 working days in advance of the date planned for the camping activity.

12. Temporary closures

12.1 Council may temporarily close or restrict camping on any area or part of any area where a restriction is considered necessary by Council to:
   a) prevent damage to the area or facilities in the area
   b) allow maintenance to the area or facilities of the area
   c) protect the safety of persons or property
   d) enable public access, including in circumstances where events are planned for that area.

12.2 Where reasonably practicable, prior notice will be given of any temporary closure or restriction, and the length of that closure, or its removal, in a manner appropriate to the circumstances.

12.3 A temporary closure or restriction pursuant to clause 12.1 shall not, unless necessary to protect the safety of persons or property, extend for more than 14 consecutive days, and shall not be repeated in respect of the area to which it applied, more than twice in any twelve-month period.

PART 3 ENFORCEMENT, OFFENCES AND PENALTIES

13. Offences

13.1 As specified in section 20 of the Act.

14. Penalties

14.1 As specified in section 23 of the Act.

Explanatory note: Section 20 of the Act provides for offences, such as not properly disposing of waste into a waste receptacle, damaging or interfering with the flora and fauna in an area, and obstructing or threatening an enforcement officer.

Section 22 of the Act sets out defences to a freedom camping offence. Council officers use their discretion when investigating freedom camping complaints, which will include consideration of any defences that may be available to a person.
Schedule 1: Prohibited areas

<table>
<thead>
<tr>
<th>Area</th>
<th>Map Reference</th>
<th>Area</th>
<th>Map Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bland Bay Reserve</td>
<td>S1-01</td>
<td>Onerahi Sportspark</td>
<td>S1-20</td>
</tr>
<tr>
<td>Drummond Park Scenic Reserve [Parihaka Lookout carpark]</td>
<td>S1-02</td>
<td>Otaika Sportspark</td>
<td>S1-21</td>
</tr>
<tr>
<td>Elliott Reserve</td>
<td>S1-03</td>
<td>Otangarei No.1 Reserve</td>
<td>S1-22</td>
</tr>
<tr>
<td>Herekino Street - service lane and carpark behind 4-22 Herekino Street</td>
<td>S1-04</td>
<td>Otangarei Sportspark</td>
<td>S1-23</td>
</tr>
<tr>
<td>Hikurangi Sportspark</td>
<td>S1-05</td>
<td>Pataua South</td>
<td>S1-24</td>
</tr>
<tr>
<td>Hora Hora Sportspark</td>
<td>S1-06</td>
<td>Port Road - service lane and carpark area behind 11-67 Port Road</td>
<td>S1-25</td>
</tr>
<tr>
<td>Kamo Sportspark</td>
<td>S1-07</td>
<td>Portland Recreation Reserve</td>
<td>S1-26</td>
</tr>
<tr>
<td>Kensington Park</td>
<td>S1-08</td>
<td>Ruakaka - Princes Road Reserve</td>
<td>S1-27</td>
</tr>
<tr>
<td>Koropupu Community Sportspark [Springs Flat]</td>
<td>S1-09</td>
<td>Ruakaka Recreation Grounds</td>
<td>S1-28</td>
</tr>
<tr>
<td>Langs Beach - Cove Road beach access and carpark area</td>
<td>S1-10</td>
<td>Taiharuru</td>
<td>S1-29</td>
</tr>
<tr>
<td>Mander Park</td>
<td>S1-11</td>
<td>Takahiwai Sportpark</td>
<td>S1-30</td>
</tr>
<tr>
<td>Marsden Point Wharf</td>
<td>S1-12</td>
<td>Teal Bay/Ngawai Bay - Teal Bay Recreation Reserve</td>
<td>S1-31</td>
</tr>
<tr>
<td>Matapouri - Morrison Road carpark</td>
<td>S1-13</td>
<td>Tikipunga Sportpark</td>
<td>S1-32</td>
</tr>
<tr>
<td>McLeod Bay - playground and reserve area</td>
<td>S1-14</td>
<td>Tutukaka Marina Reserve</td>
<td>S1-33</td>
</tr>
<tr>
<td>McLeod Bay – Stuart Road, all road reserve</td>
<td>S1-15</td>
<td>Urquharts bay</td>
<td>S1-34</td>
</tr>
<tr>
<td>Morningside Sportspark</td>
<td>S1-16</td>
<td>Whananaki – Mangaiti Reserve</td>
<td>S1-35</td>
</tr>
<tr>
<td>Moureeses Bay</td>
<td>S1-17</td>
<td>Whau Valley Dam</td>
<td>S1-36</td>
</tr>
<tr>
<td>Ngunguru School</td>
<td>S1-18</td>
<td>William Fraser Memorial Park on Pohe Island</td>
<td>S1-37</td>
</tr>
<tr>
<td>Onerahi Beach Reserve – between Cliff Street and Johnson Street</td>
<td>S1-19</td>
<td>Woolleys Bay – eastern carpark</td>
<td>S1-38</td>
</tr>
</tbody>
</table>

Explanatory note: Organised camping activities at Kensington Park and William Fraser Memorial Park on Pohe Island in accordance with their respective Reserve Management Plans may be applied for in accordance with clause 11 of this Bylaw.
Prohibited areas – maps

Bland Bay Reserve
Map ref: S1-01
All camping prohibited

Drummond Park Scenic Reserve (Parihaka Lookout carpark)
Map ref: S1-02
All camping prohibited
CAMPING IN PUBLIC PLACES BYLAW 2017

Elliott Reserve
Map ref: S1-03

All camping prohibited

Herekino Street - service lane and carpark behind 4-22
Herekino Street
Map ref: S1-04

All camping prohibited
CAMPING IN PUBLIC PLACES BYLAW 2017

Hikurangi Sportspark
Map ref: S1-05

All camping prohibited

Hora Hora Sportspark
Map ref: S1-06

All camping prohibited

The information in this map was derived from digital databases. Care was taken in the creation of this map, however, Whangarei District Council and its contractors cannot accept any responsibility for errors, omissions or positional accuracy. Not to be used for navigation.

Cadastral information sourced from Land Information New Zealand.

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CAMPING IN PUBLIC PLACES BYLAW 2017

Koropupu Community
Sportspark (Springs Flat)
Map ref: S1-09

All camping prohibited

Langs Beach - Cove Road
beach access and carpark area
Map ref: S1-10

All camping prohibited
CAMPING IN PUBLIC PLACES BYLAW 2017

Mander Park
Map ref: S1-11

All camping prohibited

Marsden Point Wharf
Map ref: S1-12

All camping prohibited

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Camping in Public Places Bylaw 2017

Matapouri - Morrison Road carpark
Map ref: S1-13
All camping prohibited

McLeod Bay - playground and reserve area
Map ref: S1-14
All camping prohibited
CAMPING IN PUBLIC PLACES BYLAW 2017

Moureeses Bay
Map ref: S1-17

All camping prohibited

Ngunguru School
Map ref: S1-18

All camping prohibited
Otaika Sportspark
Map ref: S1-21

All camping prohibited

Otgarei No.1 Reserve
Map ref: S1-22

All camping prohibited
CAMPING IN PUBLIC PLACES BYLAW 2017

PORT ROAD - service lane and carpark area behind 11-67 Port Road
Map ref: S1-25

All camping prohibited

Portland Recreation Reserve
Map ref: S1-26

All camping prohibited
Please Note: The large car parking area further along from the Tutukaka Marina Reserve is under the control of the Marina Management Trust and the Trust prohibits all camping in that area, in accordance with the signage in place.

Tutukaka Marina Reserve
Map ref: S1-33

Urquharts Bay
Map ref: S1-34
CAMPING IN PUBLIC PLACES BYLAW 2017

William Fraser Memorial Park on Pohe Island
Map ref: S1-37

All camping prohibited

Woolleys Bay - eastern carpark
Map ref: S1-38

All camping prohibited

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The information in this map was derived from digital databases. Care was taken in the creation of this map, however, Whangarei District Council and its contractors cannot accept any responsibility for errors, omissions or positional accuracy. Not to be used for navigation. Cadastral information sourced from Land Information New Zealand.
Schedule 2: Restricted areas for self-contained vehicles

Camping is subject to the restrictions stated in the table.

<table>
<thead>
<tr>
<th>Area</th>
<th>Restriction</th>
<th>Map Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finlayson Street/Reyburn House Lane carpark</td>
<td>Restricted to the marked parking spaces as indicated on the referenced map. Parking permitted for a maximum of 3 nights.</td>
<td>S2-01</td>
</tr>
<tr>
<td>Onerahi - Beach Road Reserve</td>
<td>Restricted to the designated site as indicated on the referenced map.</td>
<td>S2-02</td>
</tr>
<tr>
<td>Ruakaka Beach Reserve</td>
<td>Restricted to the designated site as indicated on the referenced map.</td>
<td>S2-03</td>
</tr>
<tr>
<td>Whangarei Falls Scenic Reserve</td>
<td>Restricted to the marked parking spaces as indicated on the referenced map.</td>
<td>S2-04</td>
</tr>
</tbody>
</table>
Restricted areas for self-contained vehicles - maps

- Finlayson Street/Reyburn House Lane carpark
  Map ref: S2-01
  - All camping prohibited
  - Self-contained camping in designated site or marked parking spaces only

- Onerahi - Beach Road Reserve
  Map ref: S2-02
  - Self-contained camping in designated site or marked parking spaces only

The information in this map was derived from digital databases. Care was taken in the creation of this map, however, Whangarei District Council and its contractors cannot accept any responsibility for errors, omissions or positional accuracy. Not to be used for navigation.
Ruakaka Beach Reserve
Map ref: S2-03

Whangarei Falls Scenic Reserve
Map ref: S2-04

Camping in Public Places Bylaw 2017

- All camping prohibited
- Self-contained camping in designated site or marked parking spaces only
Schedule 3: Restricted areas for self-contained and non self-contained vehicles

Camping is subject to the restrictions stated in the table.

<table>
<thead>
<tr>
<th>Area</th>
<th>Additional Restrictions</th>
<th>Map Reference</th>
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</thead>
<tbody>
<tr>
<td>AH Reed Memorial Park – Whareora Road carpark</td>
<td>Restricted to the designated site as indicated on the referenced map.</td>
<td>S3-01</td>
</tr>
<tr>
<td>Bascule carpark – Port Road</td>
<td>Restricted to the designated site as indicated on the referenced map. Parking permitted for a maximum of 3 nights.</td>
<td>S3-02</td>
</tr>
<tr>
<td>Kowharewa Bay</td>
<td>Restricted to the designated site as indicated on the referenced map.</td>
<td>S3-03</td>
</tr>
<tr>
<td>Manaia walkway carpark</td>
<td></td>
<td>S3-04</td>
</tr>
<tr>
<td>Marsden Bay Reserve</td>
<td></td>
<td>S3-05</td>
</tr>
<tr>
<td>Matapouri - Wehiwehi Road carpark</td>
<td></td>
<td>S3-06</td>
</tr>
<tr>
<td>Ngunguru Library</td>
<td></td>
<td>S3-07</td>
</tr>
<tr>
<td>Ocean Beach carpark</td>
<td></td>
<td>S3-08</td>
</tr>
<tr>
<td>One Tree Point - boatramp carpark</td>
<td></td>
<td>S3-09</td>
</tr>
<tr>
<td>Reotahi</td>
<td></td>
<td>S3-10</td>
</tr>
<tr>
<td>Tarewa I-Site</td>
<td></td>
<td>S3-11</td>
</tr>
<tr>
<td>Wellingtons Bay – main reserve (Whangaumu Reserve)</td>
<td></td>
<td>S3-12</td>
</tr>
</tbody>
</table>
Restricted areas for self-contained and non self-contained vehicles - maps

AH Reed Memorial Park – Whareora Road carpark
Map ref: S3-01

Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Bascul carpark – Port Road
Map ref: S3-02

Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Camping in Public Places Bylaw 2017

Date Created: 5/10/2017 DZ

Whangarei District Council

Land Information New Zealand

All camping prohibited
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Marsden Bay Reserve
Map ref: S3-05

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Matapouri - Wehiwehi Road carpark
Map ref: S3-06

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only
CAMPING IN PUBLIC PLACES BYLAW 2017

Ngunguru Library
Map ref: S3-07

Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Ocean Beach carpark
Map ref: S3-08

All camping prohibited
Self-contained and non self-contained vehicles in designated site or marked parking spaces only
CAMPING IN PUBLIC PLACES BYLAW 2017

One Tree Point – boatramp carpark
Map ref: S3-09

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Reotahi
Map ref: S3-10

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only
CAMPING IN PUBLIC PLACES BYLAW 2017

Tarewa i-Site
Map ref: S3-11

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only

Wellingtons Bay – main reserve (Whangaumu Reserve)
Map ref: S3-12

- All camping prohibited
- Self-contained and non self-contained vehicles in designated site or marked parking spaces only
Schedule 4: Restricted areas for all camping

Camping is subject to the restrictions stated in the table.

<table>
<thead>
<tr>
<th>Area</th>
<th>Restriction</th>
<th>Map Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parua Bay</td>
<td>Restricted to the designated site as indicated on the referenced map.</td>
<td>S4-01</td>
</tr>
<tr>
<td>Sandy Bay - toilet block</td>
<td></td>
<td>S4-02</td>
</tr>
<tr>
<td>carpark/grass area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tamaterau</td>
<td></td>
<td>S4-03</td>
</tr>
<tr>
<td>Waipu Caves</td>
<td></td>
<td>S4-04</td>
</tr>
<tr>
<td>Whananaki North</td>
<td></td>
<td>S4-05</td>
</tr>
<tr>
<td>Woolleys Bay - western</td>
<td></td>
<td>S4-06</td>
</tr>
<tr>
<td>carpark</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Restricted areas for all camping - maps

Parua Bay
Map ref: S4-01

All camping prohibited
All camping permitted in designated site or marked parking spaces only

Sandy Bay - toilet block
carpark/grass area
Map ref: S4-02

All camping prohibited
All camping permitted in designated site or marked parking spaces only
CAMPING IN PUBLIC PLACES BYLAW 2017

Date Created: 5/10/2017 DZ

Tamaterau
Map ref: S4-03

All camping prohibited
Self-contained and non self-contained vehicles in designated site or marked parking spaces only
Tents (maximum of 2) permitted in designated site

Waipu Caves
Map ref: S4-04

All camping prohibited
All camping permitted in designated site or marked parking spaces only

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Additional information to Camping in Public Place Bylaw 2017

This document is for information purpose only and does not form part of this Bylaw. It contains matters made pursuant to this Bylaw and information to help users to understand, use and maintain this Bylaw. The document may be updated at any time.

Section 1: History of Bylaw

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Date of decision</th>
<th>Commencement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make</td>
<td>Camping in Public Places Bylaw</td>
<td>28 September 2017</td>
<td>21 October 2017</td>
</tr>
<tr>
<td>Change locations of designated sites</td>
<td>Resolution to change locations of three designated sites</td>
<td>27 September 2018</td>
<td>1 November 2018</td>
</tr>
</tbody>
</table>

Section 2: Related documents

<table>
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<tr>
<th>Document</th>
<th>Description</th>
<th>Location</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Reports to Council/Committee/Panels (note: does not contain references to 2016 process)</td>
<td></td>
<td></td>
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<tr>
<td>Camping in Public Places - Briefing</td>
<td>Review of process to date and discussion on a revised bylaw option</td>
<td>Council meetings webpage - link</td>
<td>16/5/2017</td>
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<tr>
<td>Camping in Public Places - Briefing</td>
<td>Discussion of key options for inclusion in a draft bylaw</td>
<td>Council meetings webpage – link</td>
<td>25/5/2017</td>
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<tr>
<td>Adoption of Statement of Proposal for proposed Camping in Public Places Bylaw</td>
<td>Statement of Proposal including draft Bylaw adoption for public consultation</td>
<td>Council meetings webpage - link</td>
<td>29/6/2017</td>
</tr>
<tr>
<td>Hearing – proposed Camping in Public Places Bylaw consultation</td>
<td>Hearing for interested parties to share their views in person</td>
<td>Council meetings webpage - link</td>
<td>2/8/2017</td>
</tr>
<tr>
<td>Proposed Camping in Public Places Bylaw – consultation feedback</td>
<td>Council Briefing to receive written submissions and a summary of all feedback received</td>
<td>Council meetings webpage - link</td>
<td>15/8/2017</td>
</tr>
<tr>
<td>Deliberations – proposed Camping in Public Places Bylaw</td>
<td>Deliberations on submission issues raised</td>
<td>Council meetings webpage - link</td>
<td>7/9/2017</td>
</tr>
<tr>
<td>Making of Bylaw</td>
<td>Council makes final Bylaw</td>
<td>Council meetings webpage - link</td>
<td>28/9/2017</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Description</th>
<th>Location</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Camping Act</td>
<td>Provides the functions, duties powers and penalties to make and enforce this Bylaw.</td>
<td><a href="http://www.legislation.govt.nz">www.legislation.govt.nz</a></td>
<td>NA</td>
</tr>
</tbody>
</table>
Section 3: Delegations

<table>
<thead>
<tr>
<th>Clause</th>
<th>Function, Duty, Power to be delegated</th>
<th>Delegated Authority</th>
<th>Delegation date</th>
<th>Delegation active date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>Power to provide consent to allow for camping in prohibited or restricted areas or where camping is provided for in a Reserve Management Plan.</td>
<td>Technical Officer Parks</td>
<td>28 September 2017</td>
<td>21 October 2017</td>
</tr>
<tr>
<td>12</td>
<td>Power to temporarily close an area.</td>
<td>Parks and Recreation Manager</td>
<td>28 September 2017</td>
<td>21 October 2017</td>
</tr>
</tbody>
</table>

Section 4: Enforcement powers

<table>
<thead>
<tr>
<th>Legislative provision</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Camping Act 2011</td>
<td>Section 20 (1) Every person commits an offence who: freedom camps in a local authority area in breach of any prohibition or restriction in a bylaw made under section 11 that applies to the area; or while freedom camping in a local authority area: • interferes with or damages the area, its flora or fauna, or any structure in the area; or • deposits waste in or on the area (other than into an appropriate waste receptacle); or • 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; or • deposits waste, generated while freedom camping, in or on a local authority area other than into an appropriate waste receptacle; or • fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under section 36 • refuses to give information when required to do so by an enforcement officer under section 35 or gives false or misleading information. Section 20 (2) Every person commits an offence who: discharges a substance in or on a local authority area in circumstances where the discharge of the substance is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it: • has, or is likely to have, a significant adverse effect on the environment; or • has caused, or is likely to cause, significant concern to the community or users of the area or land. Section 20 (3) Every person commits an offence who: while an enforcement officer is carrying out his or her functions and duties under this Act: • intentionally prevents the officer from carrying out those functions and duties; or • obstructs or impedes the officer; or • assaults, threatens, or intimidates the officer; or • uses language that is abusive or threatening to the officer; or • behaves in a threatening manner towards the officer; or • incites any other person to do any act referred to in the list above.</td>
</tr>
</tbody>
</table>
### Section 5: Offences and penalties

<table>
<thead>
<tr>
<th>Provision</th>
<th>Description of offence</th>
<th>Maximum fine upon conviction</th>
<th>Infringement fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freedom Camping Act</td>
<td>An offence under section 20(1)</td>
<td>NA</td>
<td>$200</td>
</tr>
<tr>
<td>Freedom Camping Act</td>
<td>An offence under section 20(2)</td>
<td>$10,000</td>
<td>NA</td>
</tr>
<tr>
<td>Freedom Camping Act</td>
<td>An offence under section 20(3)</td>
<td>$5,000</td>
<td>NA</td>
</tr>
<tr>
<td>Camping in Public Places Bylaw</td>
<td>Freedom camps, or prepares to freedom camp in an area in breach of any prohibition, restriction or condition in the clauses of the Bylaw</td>
<td>NA</td>
<td>$200</td>
</tr>
</tbody>
</table>

### Section 6: Amendments to designated sites by Council resolution (Clauses 8.2, 9.2 and 10.2)

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of change</th>
<th>Date of resolution</th>
<th>Map Ref</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tamaterau</td>
<td>split of designated site to better accommodate tent camping</td>
<td>27/09/2018</td>
<td>S4-03</td>
</tr>
<tr>
<td>Whangarei I-site – Tarewa Road</td>
<td>relocation and slight reduction of site to southern boundary</td>
<td>27/09/2018</td>
<td>S3-11</td>
</tr>
<tr>
<td>Whananaki North</td>
<td>reduction of site size</td>
<td>27/09/2018</td>
<td>S4-05</td>
</tr>
</tbody>
</table>