

Draft Freedom Camping Bylaw 2014

Summary of Information

What this is all about

The Thames-Coromandel District Council is reviewing its current Freedom Camping Bylaw 2011 and is seeking your views on a proposed draft Freedom Camping Bylaw 2014.

Freedom camping is regulated by the Freedom Camping Act 2011 (the Act). Under the Act, freedom camping is permitted on all public land controlled or managed by a local authority unless the local authority prohibits or restricts freedom camping in some areas for one or more of the following purposes:

- To protect the area;
- To protect the health and safety of people who may visit the area; or
- To protect access to the area.

The Council may not make a bylaw that has the effect of prohibiting freedom camping in all local authority areas in its District. Also, the bylaw must not be inconsistent with the New Zealand Bill of Rights Act 1990.

Prohibited areas are locations where no camping may take place. Restricted areas are locations where camping may occur subject to certain conditions.

The Council's current Freedom Camping Bylaw has been criticised as being unreasonably prohibitive, especially concerning areas available for freedom camping. This has been the subject of a judicial review from the New Zealand Motor Caravan Association (NZMCA). Clauses in other Council bylaws (Public Places Bylaw and Parking Control Bylaw) have also been identified as being overly prohibitive and inconsistent with legislation.

So we have been working through a process to review the Council's current Freedom Camping Bylaw, in line with requirements of the Act, and are now seeking your views on a proposed draft Freedom Camping Bylaw.

Our process for reviewing the Council's current bylaw, reasons and determinations, are outlined in more detail in the full Statement of Proposal, which includes the proposed draft bylaw.

Summary of Proposal

The proposed draft Freedom Camping Bylaw is more permissive of freedom camping in the District, in-line with requirements under the Act. What the Council is proposing will involve adopting a new Freedom Camping Bylaw 2014 and revoking the current Freedom Camping Bylaw 2011.

To ensure consistency with requirements under the Act and the proposed revised approach to regulating freedom camping in the District, the Council is also proposing to revoke the following clauses in other Council bylaws:

- Clause 203.5 of the Public Places Bylaw (currently Part 2 Public Places Bylaw 2004) which prohibits camping in a public place.
- Clause 2003.5 of the Parking Control Bylaw (currently Part 20 Parking Control Bylaw 2004) which prohibits stopping, standing or parking any vehicle on any road or in any public place for the purposes of camping.

Proposed areas in the District for prohibition or restriction of freedom camping; and in the case of restriction what restrictions are proposed to apply, is set out in the draft bylaw as Schedule One and Schedule Two.

The Council considers that the proposed draft Freedom Camping Bylaw is necessary to manage freedom camping in the District, in conjunction with other non-regulatory tools such as provision of information.

Also, the Council considers that the proposed draft Freedom Camping Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, and does not unlawfully interfere with the rights of people to move around the Thames-Coromandel District.

Have your say

Please tell us what you think of what we are proposing by making a submission.

Submission forms and a full copy of the Statement of Proposal including the draft Freedom Camping Bylaw 2014, are available:

- online at the Council's website: <http://www.tcdc.govt.nz/freedomcampingreview>
- at the Council Offices and Libraries
- by phoning (07) 868 0200 and requesting a copy.

Submissions close at 4pm on 01 August 2014.

You can make a submission by:

- entering it online at: <http://www.tcdc.govt.nz/freedomcampingreview>
- posting it to: Thames-Coromandel District Council, Private Bag, Thames
- emailing it to: customer.services@tcdc.govt.nz
- faxing it to: (07) 868 0234
- delivering it to one of the Council Offices in Thames, Coromandel, Whitianga or Whangamata.

If you have any queries regarding this proposal or about how to make a submission, please contact Customer Services on 07 868 0200 or email: customer.services@tcdc.govt.nz

Please note that only those who make a submission and request the opportunity to be heard by Council will have the opportunity to present a summary of their submission. If you wish to be heard, please make sure that you state this in your submission and include a daytime phone number and email address to ensure that you can be contacted easily.