

Amendments: 22 September 2022

Review Date: 2 July 2025

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#### 1 Preliminary Provisions

- 1.1 This Bylaw is the Manawatū District Council Freedom Camping Bylaw 2020.
- 1.2 This Bylaw is made under:
  - (a) the Local Government Act 2002; and
  - (b) Section 11 of the Freedom Camping Act 2011 (the "Act").

Explanatory Notes: This Bylaw should be read alongside the Act.

# 2 Purpose and Scope

- 2.1 The purpose of this Bylaw is to regulate Freedom Camping in the Manawatū District by identifying Local Authority Areas where Freedom Camping is prohibited or restricted and the restrictions that apply in those areas to manage the effects of Freedom Camping in order to:
  - (a) protect Local Authority Areas;
  - (b) protect the health and safety of people who may visit the Local Authority Area; or
  - (c) protect access to Local Authority Areas.

Explanatory Notes: Land which is owned by the Council and is under any lease or agreement managed by other legislation, is not considered as freely available public land which can be utilised for Freedom Camping purposes.

- 2.2 For the avoidance of doubt, this Bylaw does not regulate the following activities:
  - (a) camping at a camping ground that is subject to a current certificate of registration under the Camping-Grounds Regulations 1985, or any site at which a fee is payable for camping at the site;
  - (b) temporary and short-term parking of a motor Vehicle;
  - (c) recreational activities commonly known as day-trip excursions; or
  - (d) resting or sleeping at the roadside in a caravan or motor Vehicle to avoid driver fatigue.
- 2.3 Nothing in this Bylaw derogates from the provisions of, or the necessity for compliance with, any relevant provisions in the Act, any other relevant enactment, any other relevant Bylaws, the Manawatū District Plan and the Manawatū-Whanganui Regional Council's One Plan.

# 3 Principles

- 3.1 This Bylaw is intended to encourage responsible Freedom Camping in the 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 Freedom Camp responsibly, respect public and private property and follow simple rules to protect our community and our environment.

- (b) Some controls on Freedom Camping are necessary to protect our community and environment, particularly rivers. Freedom Camping carries with it the responsibility to respect the community by protecting the environment from harmful contamination or fouling.
- (c) Freedom Campers are required to remove all waste and not cause any damage to the Local Authority Areas they use.
- (d) People using Self-Contained Vehicles are welcome to stay outside the Local Authority Areas described in Schedules 1,2 and 3 of this Bylaw.
- (e) People not using Self-Contained Vehicles are welcome to stay in Camping Grounds, Approved Camping Areas or the Local Authority Areas described in Schedule 3 of the Bylaw, subject to the restrictions set out in this Bylaw.

#### 4 Commencement

4.1 This Bylaw comes into force on 2 July 2020.

# 5 Interpretation and Definitions

- 5.1 The provisions of the Manawatū District Explanatory Bylaw 2022 and its amendments are implied into and form part of this Bylaw.
- 5.2 In this Bylaw, unless the context requires otherwise:

Act means the Freedom Camping Act 2011 and any subsequent amendments.

**Approved Camping Area** means any area within the Local Authority Area that has been set aside for the purpose of camping by the Council or any other organisation, which has been approved by the Council.

**Event** means any organised temporary activity that is likely to create Litter in a Public Place including, but not limited to, an organised gathering, open-air market, parade, protest, festival, film shoot, concert or celebration.

Freedom Camp and Freedom Camping has the same meaning as section 5 of the Act.

**Freedom Camping Prohibited Area** means a Local Authority Area described in Schedule 1 in which Freedom Camping is prohibited.

**Freedom Camping Restricted Area** means a Local Authority Area described in Schedule 2 and/or Schedule 3 where Freedom Camping is permitted subject to restrictions.

**Infringement Offence** means an offence specified in section 20(1) of the Freedom Camping Act 2011.

# **Local Authority Area** means:

- (a) an area of land-
  - (i) that is within the District; 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.

**Reserve Management Plan** means a management plan prepared under section 41 of the Reserves Act 1977 for reserves under the Council's control, management or administration.

**Road** means has the meaning assigned to it under section 2 of the Land Transport Act 1998.

**Self-Contained Vehicle** means a Vehicle designed and built for the purposes 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 complies with the New Zealand Standard 5465:2001: Self Containment of Motor Caravans and Caravans, as evidenced by the display of a current self-containment warrant issued under NZS 5465:2001.

Waste means any kind of waste, including human waste.

- 5.3 Reference should be made to clause 2 of the Manawatū District Explanatory Bylaw 2022 for any other definitions not included in clause 5.2.
- Any explanatory notes are for information purposes only. They do not form part of this Bylaw, and may be made, amended, revoked or replaced by the Council at any time.

#### **6** Freedom Camping Prohibited Areas

6.1 A person must not Freedom Camp in any Local Authority Area described in Schedule 1 of this Bylaw, except with Council Approval in association with an Event.

# 7 Freedom Camping Restricted Areas for Self-Contained Vehicles Only

- 7.1 A person may Freedom Camp in a Self-Contained Vehicle in any of the Local Authority Areas described in Schedule 2 of this Bylaw, but they must comply with the following general restrictions and any specific restrictions described in Schedule 2:
  - (a) All Vehicles must park within existing defined car parking areas, where they exist. If parking at the site contains designated Freedom Camping parking spaces, Freedom Campers must use those parking spaces for their Vehicles.
  - (b) A person must not Freedom Camp for more than five nights in any 30 day period at any one Local Authority Area, except with the written Approval of an Enforcement Officer;
  - (c) A person must not light any fire in a Local Authority Area except in a place specifically provided by the Council for that purpose during an open fire season, as regulated by Fire and Emergency New Zealand, or with the prior written Approval of an Enforcement Officer;
  - (d) A person must not restrict public access to the Local Authority Area;
  - (e) All Waste must be removed from the Local Authority Area and disposed of in a Council approved disposal facility;
  - (f) The Local Authority Area must be left clean and tidy;

- (g) A person must not damage or remove any vegetation from a Local Authority Area;
- (h) A person must not act in a manner likely to offend or annoy other people by causing a Nuisance;
- (i) All conditions stipulated on any signs at the Local Authority Area must be complied with; and
- (j) A person must not endanger the health and safety of others.

Explanatory Note: Fire and Emergency New Zealand is responsible for declaring prohibited or restricted fire seasons and for regulating and controlling the lighting of fires in open air. A person wanting to light a fire in a Local Authority Area should refer to the Fire and Emergency New Zealand Website for information on fire seasons and lighting of fires in open air.

7.2 A person Freedom Camping in any Local Authority Area described in Schedule 2 must also comply with any restrictions which may be set out in that Schedule for that Local Authority Area from time to time.

#### **8** Freedom Camping Restricted Areas

- 8.1 A person may Freedom Camp in any of the Local Authority Areas described in Schedule 3 of the Bylaw, but they must comply with the following general restrictions, and any specific restrictions described in Schedule 3:
  - (a) Any Vehicle, caravan, tent or other temporary structure must be located within a Freedom Camping Restricted Area, as described in Schedule 3;
  - (b) A person must not Freedom Camp for more than five nights in any 30 day period at any one Local Authority Area, except with the written Approval of an Enforcement Officer;
  - (c) A person must not restrict public access to the Local Authority Area;
  - (d) All Waste must be removed from the Local Authority Area and disposed of in a Council approved disposal facility;
  - (e) A person Freedom Camping must use the serviceable public toilet facilities available at the Local Authority Area, unless they have a Self-Contained Vehicle;
  - (f) A person must not use public toilet facilities for the washing of dishes, washing or drying of clothes, or bathing, unless the facilities are specifically designed for that purpose;
    - Explanatory Notes: Signage on public toilet facilities will indicate whether the facility is designed to accommodate other uses, such as washing or bathing.
  - (g) The Local Authority Area must be left clean and tidy;
  - (h) A person must not damage or remove vegetation from a Local Authority Area;
  - (i) A person must not act in a manner likely to offend or annoy other people by causing a Nuisance;

- (j) All conditions stipulated on any signs at the Local Authority Area must be complied with;
- (k) A person must not endanger the health and safety of others; and
- (I) A person must not Freedom Camp while an Event is on within the Local Authority Area, except with prior written Approval from Council in association with that Event;
- (m) A person must not light any fire in a Local Authority Area except in a place specifically provided by the Council for that purpose during an open fire season, as regulated by Fire and Emergency New Zealand, or with the prior written Approval of an Enforcement Officer.

Explanatory Note: For the avoidance of doubt, Freedom Camping is also allowed in a Self-Contained Vehicle in Freedom Camping Restricted Areas described in Schedule 3 of the bylaw, subject to compliance with the restrictions set out in Clause 8.1.

#### 9 Animals

- 9.1 Animals or pets are permitted at Local Authority Areas, unless specifically prohibited within this Bylaw, other Council Bylaws or any other enactment.
- 9.2 Any Animal or pet within a Local Authority Area must be Kept in accordance with the Dog Control Bylaw 2019, the Animal Bylaw 2019, or any other enactment, including being under control so as to minimise danger, distress, and Nuisance to the community, including other animals and wildlife.

#### 10 Temporary Prohibitions or Restrictions

10.1 Notice will be given, wherever possible, of any temporary prohibition or restriction on Freedom Camping in any Local Authority Area, and its removal, in any manner considered appropriate by the Chief Executive of Council in the circumstances.

Explanatory Note: The types of matters that will be considered when imposing a temporary closure or restriction on Freedom Camping in a Local Authority Area include, but are not limited to, the following purposes:

- (a) to protect flora, fauna, land, Structures or infrastructure from damage; and/or
- (b) to allow for maintenance of the Local Authority Area or facilities at the Local Authority Area; and/or
- (c) to allow exclusive use for any person or specified activity or Event; and/or
- (d) Health and safety issues or emergency situations.
- A person must not Freedom Camp in a Local Authority Area (or part of a Local Authority Area) while a temporary prohibition applies to that Local Authority Area (or part of the area).

#### 11 Evacuation of Local Authority Areas during Emergency Events

11.1 A person must evacuate a Local Authority Area immediately if asked to by anyone given authority by a Manawatū-Whanganui CDEM Group Controller for emergency purposes.

#### 12 Changes to Scheduled Areas

- 12.1 The Council may insert, add to, amend or alter:
  - (a) Local Authority Areas described in Schedule 1, 2 and 3 of this Bylaw; and
  - (b) any restrictions set out in Schedule 2 or 3 of this Bylaw for a particular Local Authority Area

in accordance with its powers under the Local Government Act 2002.

#### 13 Offences and Breaches

- 13.1 As specified in section 20(1) of the Act, every person commits an offence who
  - (a) Freedom Camps in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the Local Authority Area (or part of a Local Authority Area); and
  - (b) Makes preparations to Freedom Camp in a Local Authority Area in breach of any prohibition or restriction in this Bylaw that applies to the Local Authority Area (or part of a Local Authority Area).
- 13.2 Where someone is acting with the written Approval of Council and is complying with any terms and conditions of that Approval, this does not constitute a breach of the Bylaw.
- 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.
- 13.4 Every person who is committing or has committed an offence under this Bylaw or the Act, must, on the request of an Enforcement Officer:
  - (a) 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; and
  - (b) leave the Local Authority Area immediately.

#### 14 Penalties

14.1 In addition to the penalties and fines set out in the Local Government Act 2002 and the Manawatū District Explanatory Bylaw 2022, any person who breaches this Bylaw may be liable to a penalty under Section 23 of the Act.

# 15 Repeals, Savings and Transitional Provisions

- 15.1 Any permission, permit or other act of authority granted under the Manawatū District Council Freedom Camping Bylaw 2014 that was in force immediately before the commencement of this Bylaw, continues in force as if it is a permission, permit or other act of authority of that kind issued under this bylaw, but:
  - (a) Expires on the date specified in such permission, permit or other act of authority; or
  - (b) Where no expiry date is specified, expires 12 months from the commencement of this Bylaw; and



(c) May be renewed only by application made and considered in accordance with this Bylaw.

Any resolution or other decision made under the Manawatū District Council Freedom Camping Bylaw 2014 remains in force in the area to which it applied, as if they were resolutions made under this Bylaw, until revoked or replaced by an equivalent resolution or decision made by Council under this Bylaw.

This Bylaw was made by the Manawat District Council by resolution at a Council meeting on 2 July

2020 and must be reviewed within five years.

Sealed with the Common Seal of the MANAWATU DISTRICT COUNCIL in the presence of:



Chief Executive

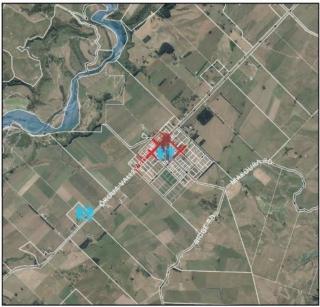
# **Schedule 1 – Freedom Camping Prohibited Areas**

No person may Freedom Camp in the Local Authority Areas shown in the maps in Schedule 1. This schedule includes, but is not limited to, cemeteries and Road reserves.

Note: Road reserves consist of all land that has been vested in the Council for the purpose of a Road. Generally this includes the corridor of land between a property boundary facing on to the Road and the Road itself, including Footpaths, drainage channels, berms, and grass shoulder. It also includes the carriageway (Road or street) itself.

# **Apiti Village Road Reserves**







# Awahuri Forest-Kitchener Park, Feilding



Note that the prohibited area shown on this map includes an area that is likely to lie beyond 200 metres from a motor vehicle accessible area or formed road. This reflects practical, on-the-ground considerations such as boundary fences etc.

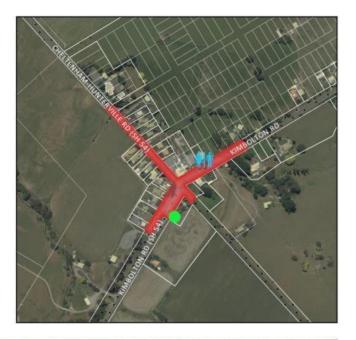
#### **Cheltenham Memorial Reserve**





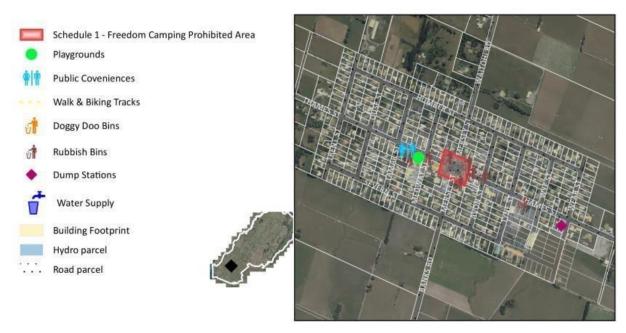
# **Cheltenham Village Road Reserves**







# Douglas Square, Rongotea





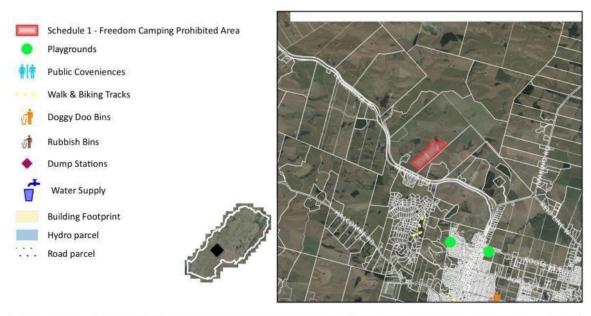
# Ellison Reserve, Tangimoana Beach







# **Feilding Cemetery**

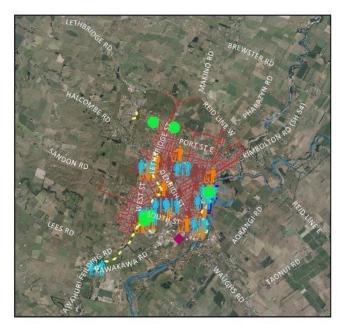


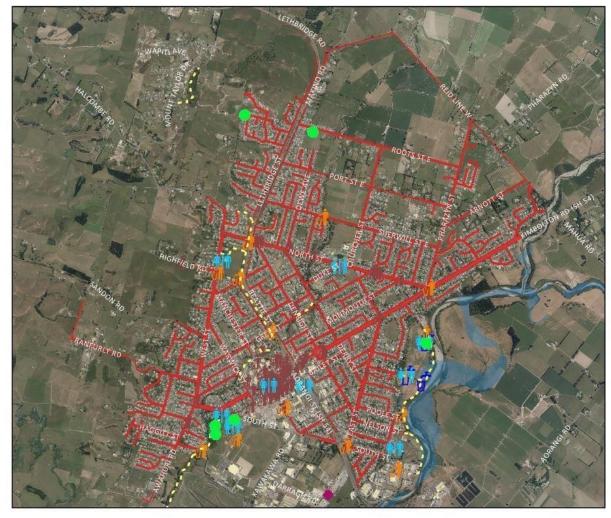


Note that the prohibited area shown on this map includes an area that is likely to lie beyond 200 metres from a motor vehicle accessible area or formed road. This reflects practical, on-the-ground considerations such as boundary fences etc

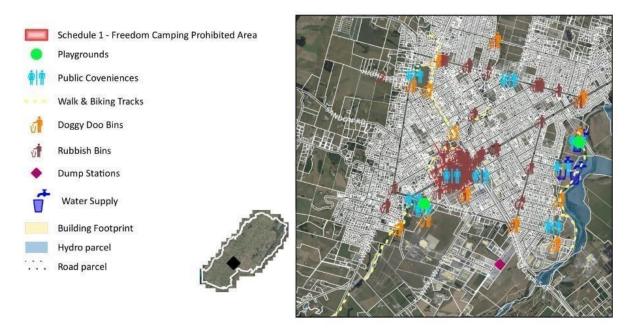
# **Feilding Road Reserves**

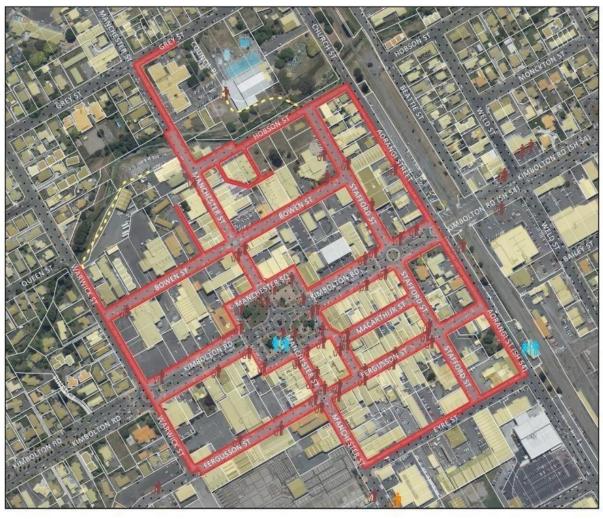




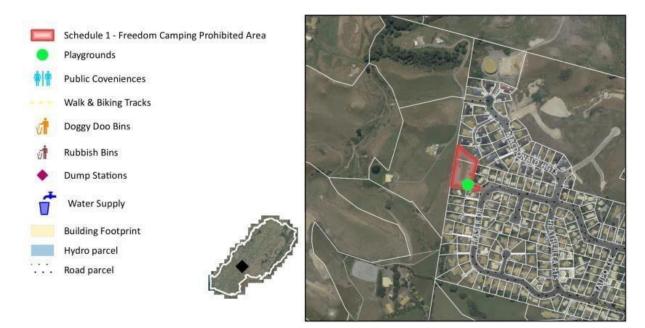


# **Feilding Town Centre**





# Fraser Drive Reserve, Feilding





#### **Halcombe Cemetery**





Note that the prohibited area shown on this map includes an area that is likely to lie beyond 200 metres from a motor vehicle accessible area or formed road. This reflects practical, on-the-ground considerations such as boundary fences etc.

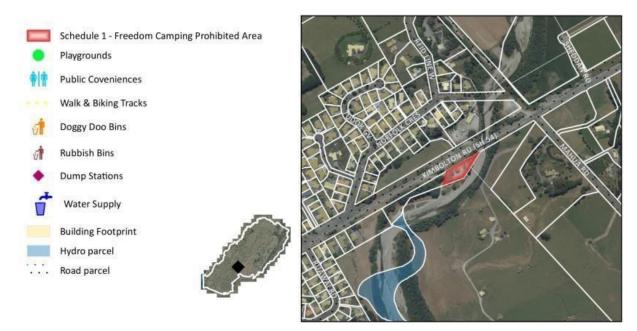
# **Halcombe Village Road Reserves**







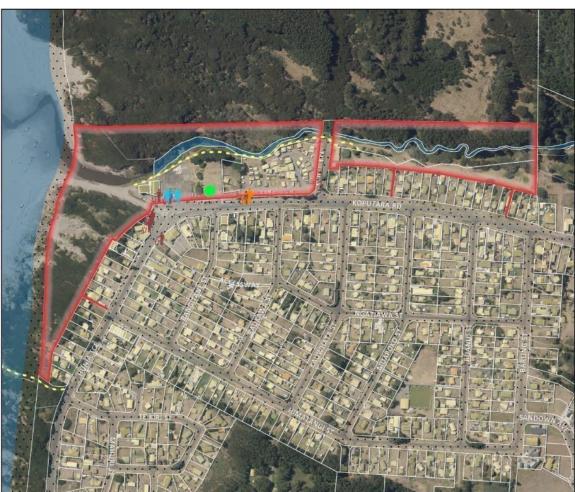
# **Herlihy Reserve, Feilding**





# Himatangi Beach

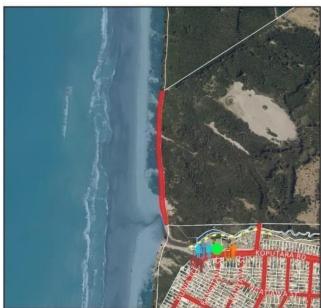




Note: The reserve area encompassed within the prohibited area is managed in accordance with Council's Coastal Reserves Management Plan. Much of the area is part of a restoration and development programme. Vehicle and pedestrian access is controlled to avoid impact on natural features and sensitive habitats.

# **Himatangi Beach North Road Reserves**







# **Himatangi Beach Village Road Reserves**

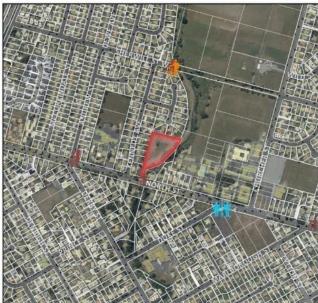






# James Palmer Park, Feilding







# **Kimbolton Cemetery**

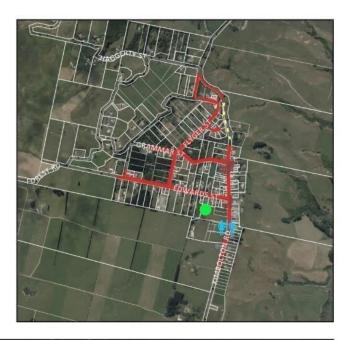






# **Kimbolton Village Road Reserves**

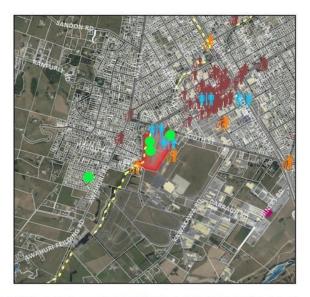






# Kowhai Park, Feilding

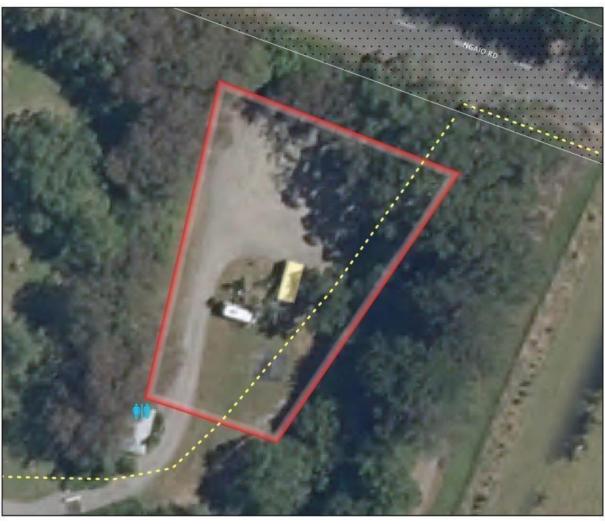






#### **Mt Lees Reserve**





# Old School Site, Finnis Road, Pohangina







# **Pohangina Cemetery**







# **Rangiwahia Cemetery**







# **Rongotea Cemetery**





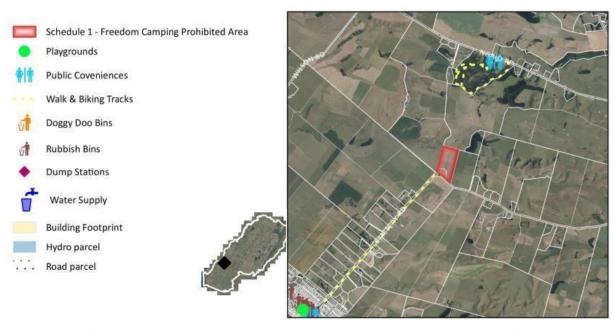
# **Rongotea Village Road Reserves**

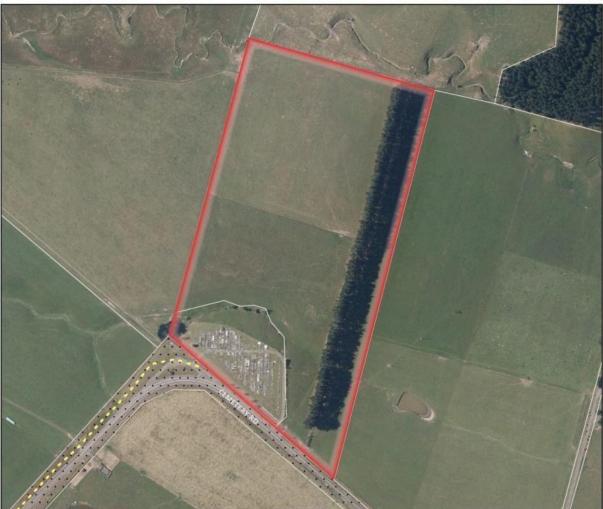






#### **Sandon Cemetery**



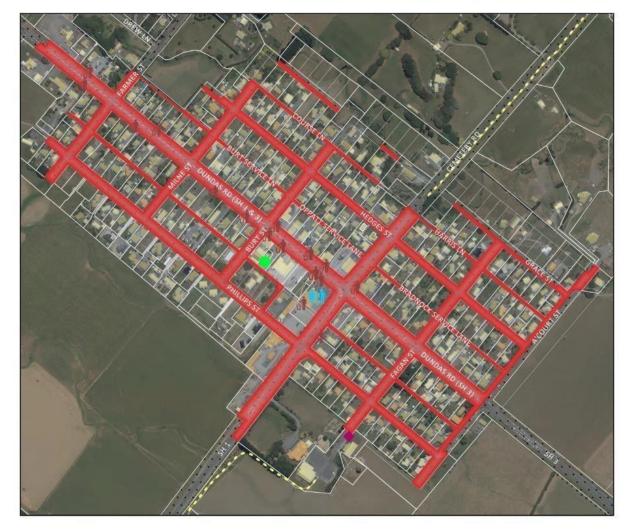


Note that the prohibited area shown on this map includes an area that is likely to lie beyond 200 metres from a motor vehicle accessible area or formed road. This reflects practical, on-the-ground considerations such as boundary fences etc.

# **Sanson Village Road Reserves**







# **Tangimoana Village Road Reserves**







#### **Vista Reserve**





#### **Waituna West Cemetery**







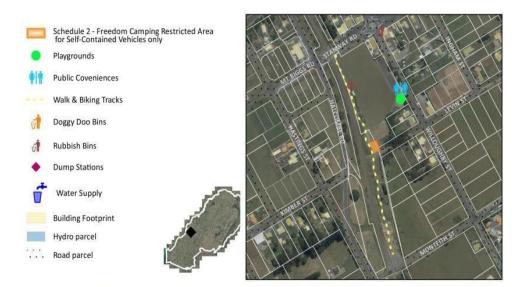
# Schedule 2 – Freedom Camping Restricted Areas for Self-Contained **Vehicles Only**

Freedom Camping in a Self-Contained Vehicle is permitted in the following Local Authority Areas subject to the restrictions listed at clause 7.1 of this Bylaw and any restrictions specific to the particular area as described in this Schedule.

- **Bartletts Ford** (at certain times of the year) Refer to the Map in Schedule 3.
  - This site is subject to the following specific restriction: Freedom Camping in a Self-Contained Vehicle is permitted at any time of the year. Any non-self-contained Freedom Camping is only permitted during the period from Labour Weekend until Easter.
- Putai Ngahere Reserve (Vinegar Hill) Refer to the map in Schedule 3. This site is subject to the following specific restrictions:
  - Freedom Camping in a Self-Contained Vehicle is permitted within the Schedule 2 and Schedule 3 Restricted Areas during the period from the end of February until 1 November. Any non-selfcontained Freedom Camping is limited to the Schedule 3 Restricted Area during the period from the end of February until 1 November.

Note that on the maps that follow, the Schedule 2 areas are those areas marked with an orange outline. Some maps also include Schedule 1 or 3 areas.

#### **Halcombe Domain**





#### **Kimbolton Domain**







#### **Menzies Ford**





#### **Pohangina Domain**







# **Pohangina Valley Lookout**





#### **Sanson Domain**





#### Timona Park, Feilding







# Wear Street Carpark at the Te Kawau Memorial Recreation Centre, Feilding



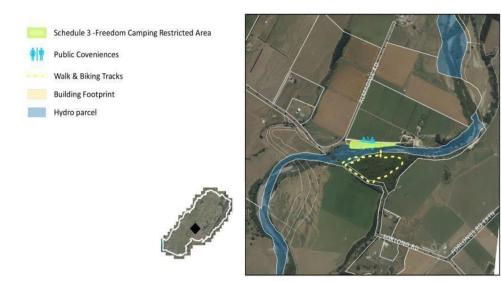


# **Schedule 3 – Freedom Camping Restricted Areas**

Freedom Camping in a Self-Contained Vehicle, non-Self-Contained Vehicle, caravan, tent or other temporary structure is provided for in the following Local Authority Areas, subject to the restrictions listed in clause 8.1 of this Bylaw and any restrictions specific to a particular area as described in this Schedule.

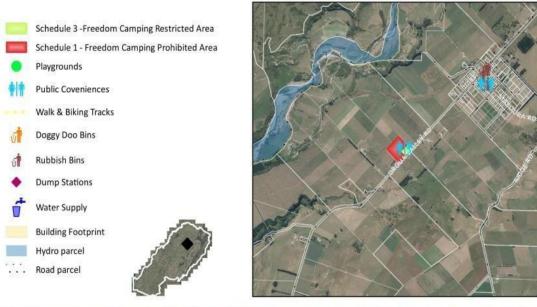
Freedom Camping Restricted areas are marked by a yellow outline in the Schedule 3 maps. Some maps also include Schedule 1 or 2 areas.

# **Almadale Reserve**





#### **Apiti Reserve**





#### **Bartlett's Ford**



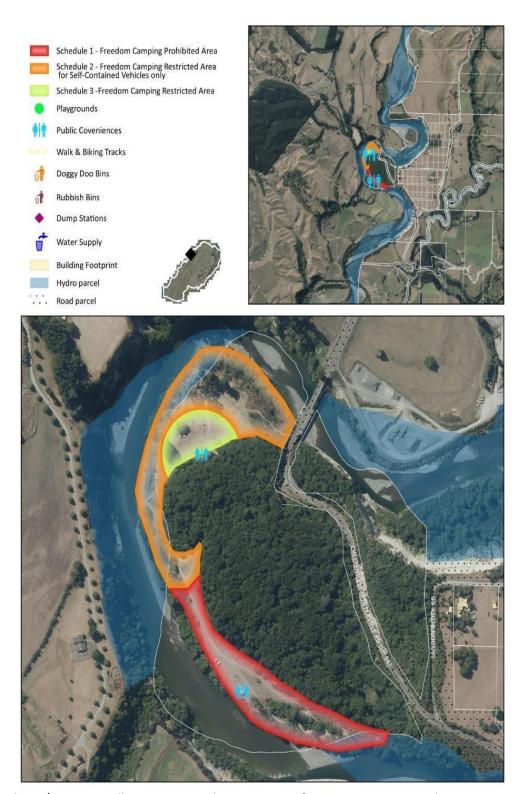
Bartletts Ford is subject to specific restrictions: Freedom Camping in a Self-Contained Vehicle is permitted at any time of the year. Any non-self-contained Freedom Camping is only permitted during the period from Labour Weekend until Easter.

#### London's Ford



London's Ford is subject to specific restrictions: Non-self- contained Freedom Camping is only permitted during the period from Labour Weekend until Easter. (Freedom Camping in a Self-Contained Vehicle is permitted all year round.)

#### **Putai Ngahere Reserve (Vinegar Hill)**



Putai Ngahere/Vinegar Hill Reserve is subject to specific restrictions: Freedom Camping in a Self-Contained Vehicle is permitted within the Schedule 2 and Schedule 3 Restricted Areas during the period from the end of February until 1 November. Any non-self-contained Freedom Camping is limited to the Schedule 3 Restricted Area during the period from the end of February until 1 November.

#### Rangiwahia Domain







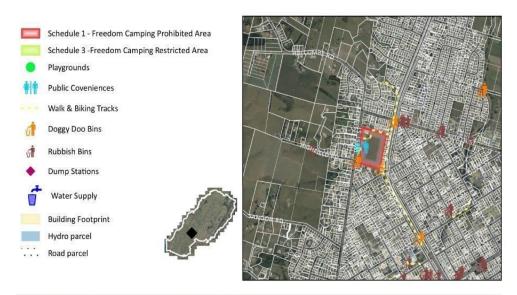
#### Raumai Reserve







#### Victoria Park





Victoria Park is subject to Specific Restrictions:

Freedom camping is limited to Self-Contained and non-Self-Contained Vehicles only. Any freedom campers must depart by 7:30am on Saturday mornings during school terms 2 and 3 if asked to by a Council Officer during organised events.

# Map of Freedom Camping Prohibited and Restricted Areas

