

Kawerau District Council Draft Alcohol Control Bylaw

Summary of Proposed Changes - Statement of Proposal

Background Information

The Local Government Act 2002 gives territorial authorities the power to make bylaws for the purpose of protecting the public from nuisance, protecting, promoting and maintaining public health and safety and minimising the potential for offensive behaviours in public places. The Freedom Camping Act 2011 also provides a power to make a bylaw defining the local authority areas within the district where freedom camping is restricted and the restrictions that apply.

Where a bylaw was made under the Local Government Act 2002, the bylaw must be reviewed no later than five years after it was first made and thereafter at no longer than 10-yearly intervals. The existing Freedom Camping Bylaws was first made on 1 October 2019 and is due for review.

The Self-contained Motor Vehicle Legislation Act 2023 is now law and has been incorporated into the Freedom Camping Act 2011¹. As a result this means there are some nation-wide changes to where you can freedom camp, the meaning of self-contained vehicles and changes to the infringement fees and charges. The recent changes to the Freedom Camping Act 2011, have been reflected in the Draft Freedom Camping Bylaw and ensures alignment with the new legislation.

Council believes that, on the whole, the Freedom Camping Bylaw 2019 has been working well. However, following a review of how it has been operating, and the recent amendments to the Freedom Camping Act, some improvements have been identified.

Council is seeking your feedback on the proposed Draft Freedom Camping Bylaw. Consultation allows the community to have a say in the content of, and changes to, the proposed Freedom Camping Bylaw.

Summary of Information

A summary of the key changes between the Freedom Camping Bylaw 2019 and the proposed Draft Freedom Camping Bylaw have been set out below. A copy of the Proposed Freedom Camping Bylaw is attached to this Statement of Proposal and sets out all of the changes in more detail.

The layout of the Draft Freedom Camping Bylaw has been modernised and provides explanatory notes throughout the Bylaw, which allows better understanding for readers. The explanatory notes are not part of the bylaw, they are there to aid understanding and provide other relevant details, such as legislative definitions.

The Draft Freedom Camping Bylaw retains many of the existing provisions including permitting freedom camping and outlining the restrictions for restricted and prohibited areas. The main changes to the restrictions is that the 7 consecutive nights has been amended to a maximum of 7 nights in a calendar month and no person can stay for more than 7 consecutive nights when crossing over two calendar months. The other key change is enabling camp site inspections to ensure compliance with requirements.

¹ A full explanation of the legislation changes is available on the Ministry of Business, Innovation and Employment's website [here](#)

The temporary closures of freedom camping sites remains with an adjusted to the timeframes for advertising, allowing this to reflect the reason for closure, for example in an emergency it may not be practical to given 24 hours' notice.

While the freedom camping restricted or prohibited areas remain largely the same, some minor changes have been recommended as follows:

- Prideaux Park – extended current restricted area to include grassed area along the northern side of the Bowling Club.
- Maurie Kjar Aquatic Centre – reduced the available freedom camping parking area to one section but hours remain unchanged.
- Firmin Field – Reduced the parking area available for freedom camping, allowing more parking for hirers of Firmin Lodge. Reduced access to Firmin Field, which was amended to requiring prior approval, with no parking 10m from the riverbank or residential properties. Non-self-contained and tents may be considered in conjunction with hireage of Firmin Lodge due to plumbing capacity.
- Stoneham Park – removed as no longer available for freedom camping due to development.
- Boyce Park and Waterhouse Street Reserve, although already requiring consent must now obtain prior approval.
- Recreation Centre – Now prohibited due to health and safety concerns. Council reserves and playgrounds in residential areas are now referred to as neighbourhood reserves.

The maps have been updated and better descriptions have been provided.

One key addition to the Draft Freedom Camping Bylaw is that it enables 'Prior Consent', meaning Council can approve freedom camping in areas otherwise prohibited or in breach of restrictions (e.g. longer than 7 days, or in non-self-contained vehicle). An application is required more than 10 working days in advance of the requested freedom camping dates. This allows for special events or occasions.

In summary, the Draft Freedom Camping Bylaw will continue to help protect the public from nuisance, while protecting the environment, and promoting and maintaining public health and safety in public places. While Council remains committed to encouraging tourism and the benefits this brings to the community, Council does expect freedom campers, like the community, to respect the area and believes this Freedom Camping bylaw will help ensure the areas are protected for all to enjoy.

Have Your Say On This Policy

Council is seeking your opinion on the Draft Freedom Camping Bylaw 2024. Any person or organisation is welcome to make a submission on this policy.

The consultation period for the Draft Freedom Camping Bylaw 2024 will begin on 5 August 2024 and conclude on 6 September 2024.

The Council will take all submissions into account when it decides on the final content of the policy.

Submission forms and copies of the Draft Freedom Camping Bylaw and Statement of Proposal are available:

- Online at the Council's website: www.kaweraudc.govt.nz
- At the Council Offices and Libraries
- By phoning (07) 306 9009 and requesting a copy.

There are many different ways you can tell us what you think.

Submissions can be made:

Online: Visit our website - www.kaweraudc.govt.nz and use our online submission form.

Emailed to: submissions@kaweraudc.govt.nz
Please use subject heading - *Naming Policy – Submission*

Posted to: Kawerau District Council
Attn: Naming Policy – Submission
Private Bag 1004
Kawerau 3169

Dropped in to: Kawerau District Council
2 Ranfurly Court
Kawerau

Key Dates:

Submissions Open	5 August 2024
Submissions Close	6 September 2024
Proposed Submissions Hearing	25 September 2024
Council Deliberates and adopts (or not) Proposed Policy	September or October 2024

Please note Kawerau District Council must receive written submissions by **5.00pm on Friday 6 September 2024**.