



# FREEDOM CAMPING *Bylaw*

2017



**NAPIER**  
CITY COUNCIL  
*Te Kaunihera o Ahuriri*

[www.napier.govt.nz](http://www.napier.govt.nz)

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### 1. Title

- 1.1. This bylaw is the Napier City Freedom Camping Bylaw 2017.

### 2. Commencement and review date

- 2.1. This bylaw comes into force on 01 February 2017.
- 2.2. This bylaw revokes the Napier City Freedom Camping Bylaw 2014 (amended 2015).

### 3. Purpose

- 3.1. The purpose of this bylaw is to control freedom camping in the district in order to:
- a) Protect the area;
  - b) Protect the health and safety of people who may visit the area;
  - c) Protect access to the area.

### 4. Definitions

In this bylaw, unless context otherwise requires:

**Act** means the Freedom Camping Act 2011.

**Calendar Month** a period from a specified day in one month to the day numerically corresponding to that day in the following month, less one.

**Campsite** means a site used for freedom camping in a local authority area.

**Certified self-contained vehicle** means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanity needs of 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, as evidenced by the display of a self-containment warrant issued under New Zealand self-containment of motor caravans and caravans.

**Council** means the Napier City Council.

**Enforcement Officer** has the same meaning as contained in Section 4 of the Act.

**Freedom camp** has the same meaning as contained in Section 5 of the Act.

**Local authority area** has the same meaning as contained in Section 5 of the Act.

### 5. Areas for freedom camping

- 5.1. A person may freedom camp in the Napier local authority area, other than those areas defined in schedule one (restricted areas for certified self-contained vehicles), schedule two (restricted area for non self-contained vehicles) and schedule three (prohibited areas), subject to the following restrictions;
- a) Vehicles must be certified self-contained vehicles;

- b) Period of stay shall be no longer than one consecutive night in any one location in the Napier local authority area.
  - c) Freedom campers must comply with conditions listed in 6.1.
- 5.2.** Freedom camping is restricted in areas identified in Schedule One: Restricted areas for freedom camping for certified self-contained vehicles, subject to the conditions listed in clause 6 and in the schedule.
- 5.3.** Freedom camping is restricted in areas identified in Schedule Two: Restricted Areas for Freedom Camping for non-self-contained vehicles, subject to the conditions listed in clause 6 and in the schedule.

## 6. General conditions for freedom camping in vehicles

- 6.1.** Persons freedom camping in any Napier local authority area must ensure compliance with the following conditions:
- a) Ensure waste and litter generated is disposed of at Council approved facilities;
  - b) The lighting of fires is prohibited;
  - c) Not cause a nuisance or unreasonable disturbance through the creation of excessive noise to other persons camping in the area or local residents;
  - d) Park in a legal manner and in formed parking areas;
  - e) Ensure parking of vehicle does not restrict access to public areas and private land;
  - f) Allow enforcement officers to inspect any campsite and comply with any reasonable directions of an enforcement officer;
  - g) No person may freedom camp for more than 10 nights in any calendar month on any land controlled or managed by the Napier City Council in the Napier City local authority area.

## 7. Prohibited areas for freedom camping

- 7.1.** A person must not freedom camp in any prohibited area within Napier City local authority area as identified in Schedule three: Prohibited areas for freedom camping.
- 7.2** Except as provided below, sealed or unsealed parking areas forming part of any grassed reserve are excluded from the prohibition in clause 7.1 but freedom campers must comply with the conditions in clause 5.1.

The exceptions are:

- McLean Park where Freedom camping is prohibited within any associated parking area; and
- Westshore Beach Reserve where Freedom camping is restricted to the area mapped in Schedule 1, Map 3.

## 8. Prior permission from Council

- 8.1.** Upon application, the Chief Executive of the Council may temporarily waive or modify the freedom camping restrictions or prohibitions in clauses 5 to 7 of this bylaw. Permission may be granted by the Chief Executive, with or without conditions.
- 8.2.** Application for permission must be in writing and provide sufficient detail about the proposed camping to the Chief Executive of the Council at least 14 days in advance of the date planned for freedom camping in the area where the restrictions apply.
- 8.3.** Any temporary waiver or modification of the freedom camping restrictions or prohibitions by the Chief Executive of the Council must be in writing.

## 9. Council may close an area to freedom camping

- 9.1.** The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of an area where the closure or restriction is considered necessary to:
- a) prevent damage to the local authority area or facilities in the area; or
  - b) allow maintenance of the local authority area/ facilities thereon; or
  - c) protect the safety of persons/property; or
  - d) provide for unfettered public access, including in circumstances where events are planned for that area;
  - e) protect residents from significant adverse effects associated with freedom camping in public spaces.
- 9.2.** Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.

## 10. Enforcement, offences and penalties

- 10.1.** The Council may use its powers under the Freedom Camping Act 2011 to enforce this bylaw.
- 10.2.** A person who fails to comply with this bylaw commits a breach of this bylaw and is liable for a penalty under the Freedom Camping Act 2011.

**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 the area or threatening an enforcement officer.

## Schedule one: Restricted areas for freedom camping for certified self-contained vehicles.

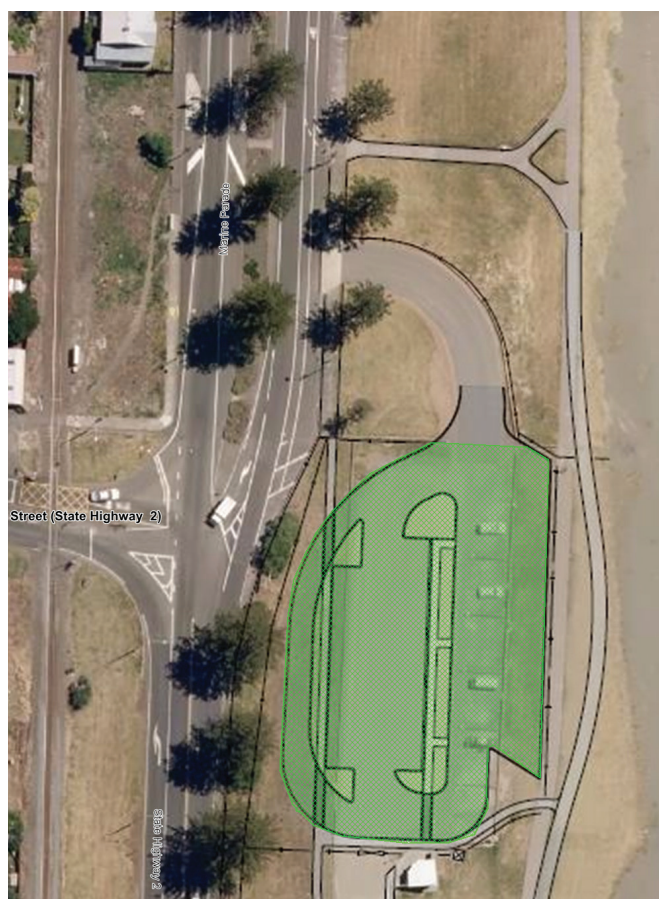
### Restricted areas:

#### Ellison Street Carpark

#### Map 1

- Vehicles must be certified self-contained;
- 3 night maximum stay;
- Must comply with conditions listed in 6.1.

Map 1: Ellison Street Carpark

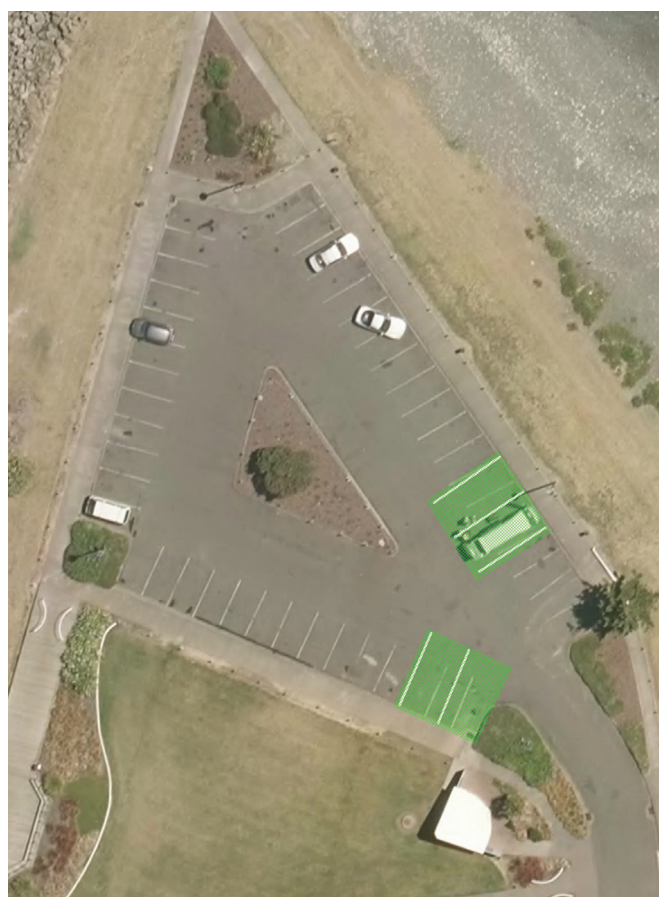


#### Perfume Point Carpark

#### Map 2

- Vehicles must be certified self-contained;
- 4 vehicles only;
- 2 night maximum stay;
- Must comply with conditions listed in 6.1.

Map 2: Perfume Point Carpark (4 vehicles only)





### Westshore Beach Reserve

### Map 3

- Vehicles must be certified self-contained;
- 4 vehicles only;
- 2 nights maximum stay;
- No camping between 24 December in any year and 7 February of the following year;
- Must comply with conditions listed in clause 6.1.

### Map\_3: Westshore Beach Reserve (4 vehicles only)



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## Schedule two: Restricted area for freedom camping for non-self-contained vehicles.

### Restricted area:

#### Foreshore Reserve Carpark

#### Map 4

- 2 nights maximum stay;
- Must comply with conditions listed in clause 6.1;
- No person may freedom camp for more than 10 nights in any calendar month on any land controlled or managed by the Napier City Council in the Napier City local authority area.

Map 4: Foreshore Reserve Carpark



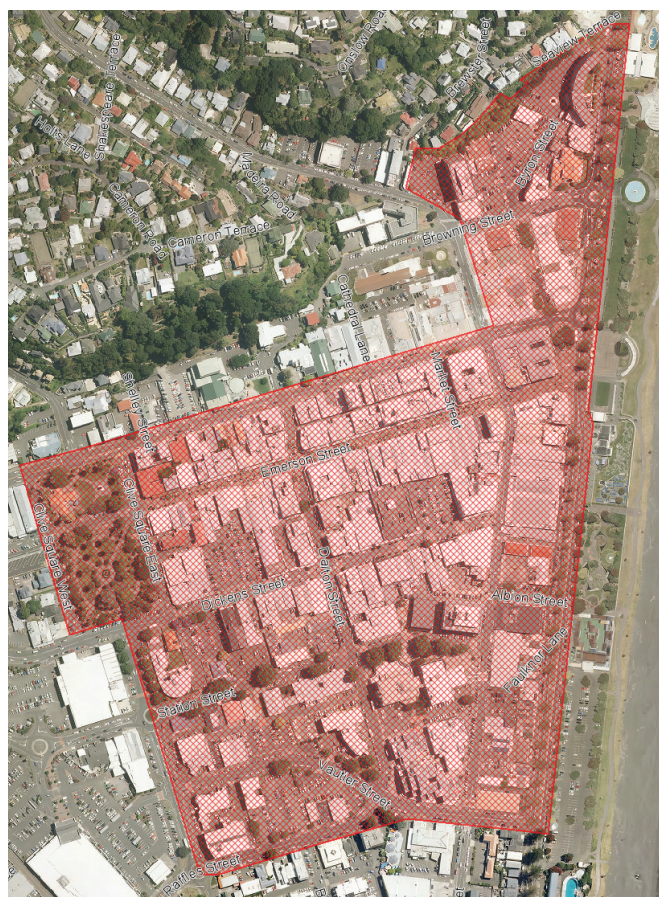


## Schedule three: Prohibited areas for freedom camping.

### Prohibited areas:

Napier CBD	<b>Map 5</b>
Marewa shopping area	<b>Map 6</b>
Tamatea shopping area	<b>Map 7</b>
Taradale shopping district	<b>Map 8</b>
Westshore Beach Reserve	<b>Map 9</b>
McLean Park	<b>Map 10</b>
Areas with speed limit exceeding 50km/hr	<b>Map 11</b>
Grassed reserves (listed page 8).	

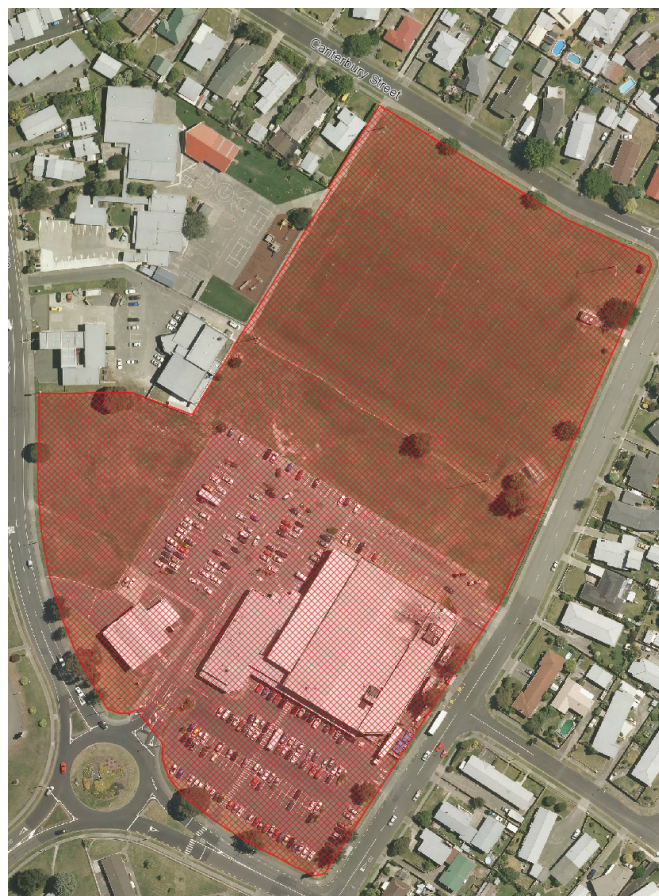
**Map 5: Napier CBD**



**Map 6: Marewa shopping district**



**Map 7: Tamatea shopping district**





Map 8: Taradale shopping district



Map 9: Westshore Beach Reserve



Map 10: McLean Park



Map 11: Roads prohibited for camping due to speed limits in excess of 50 km/hr.





**Open space reserves:**

1. Anderson Park
2. Bluff Hill Domain
3. Church Road Reserve
4. Coote Road Corner Reserve
5. Dolbel Reserve
6. Halliwells Walkway Reserve
7. Harold Holt Avenue Reserve
8. Hyderabad Road Reserve
9. Kent Terrace
10. Kent Terrace Detention Dam
11. Lance Leikis Reserve
12. Meeanee Domain
13. Missionview Walkway Reserve
14. Oaklands Reserve
15. Onekawa Plantation Reserve
16. Orotu Drive Reserve
17. Otatara Hillside Reserve
18. Pirimu Stream Reserve
19. Prebensen Drive Reserve
20. Redclyffe Recreation Reserve
21. Riverbend Reserve
22. Shakespeare Road Reserve
23. Sturms Gully
24. Sugar Loaf Reserve
25. Taipo Stream Reserve
26. Taradale Reservoir Reserve
27. Tiffen Park
28. Tironui Reserve
29. Watchman Road Reserve
30. Westshore Wildlife Reserve

**Individual foreshore reserves:**

1. Beacons Recreation Reserve
2. Humber Street Reserve
3. Meeanee Quay Reserve
4. Spriggs Park

**Individual neighbourhood reserves:**

1. Ahuriri Park
2. Alexander Avenue Reserve
3. Allen Berry Avenue Reserve
4. Ascot Park Reserve
5. Chaucer Road Reserve
6. Churchill Drive Reserve
7. Donegal Crescent Reserve
8. Duckworth Crescent Reserve
9. Essex Street Reserve
10. Fitzgerald Place Reserve
11. Forward Street Reserve

12. Glamorgan Avenue Reserve
13. Gleeson Park
14. Harris Street Reserve
15. Hetley Crescent Reserve
16. King George's Reserve
17. Knightsbridge Place Reserve
18. Lee Road Reserve
19. Lesser Park
20. McKeefry Avenue Reserve
21. Maraenui Shopping Centre Reserve
22. Ngarimu Crescent Reserve
23. Norfolk Street Reserve
24. Oldham Avenue Reserve
25. Pirimai Park
26. Tait Drive Reserve
27. Taradale Road Reserve
28. Te Awa Estate Reserve
29. Thackeray Street Reserve
30. Upham Crescent North Reserve
31. Upham Crescent South Reserve
32. Warren Street Reserve (Siberia)
33. York Avenue Reserve

**Individual public gardens:**

1. Botanical Gardens
2. Centennial Gardens
3. Centennial Park
4. Clive Square
5. Kennedy Park Rose Gardens
6. Marine Parade Gardens
7. Memorial Square
8. Taradale Clock Tower Reserve and Ornamental Gardens

**Individual sports parks:**

1. Bledisloe Park
2. Hawke's Bay Lawn Tennis and Squash Club Reserve
3. Maraenui Golf Course Reserve
4. Maraenui Park
5. Marewa Park
6. Nelson Park
7. Onekawa Park
8. Papakura Domain
9. Park Island
10. Petane War Memorial Reserve
12. Tamatea Park
13. Taradale Park
14. Tareha Park
15. Whitmore Park



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