Kaunihera | Council



Kaupapataka Wātea | Open Agenda



Notice is hereby given that an ordinary meeting of Matamata-Piako District Council will be held on:

Ko te rā | Date: Wā | Time: Wāhi | Venue: Wednesday 8 November 2023 9.30am Council Chambers 35 Kenrick Street TE AROHA

Ngā Mema | Membership

Manuhuia | Mayor Adrienne Wilcock, JP (Chair) Koromatua Tautoko | Deputy Mayor James Thomas Kaunihera ā-Rohe | District Councillors Caleb Ansell Sarah-Jane Bourne Sharon Dean Bruce Dewhurst **Davne Horne** Peter Jager James Sainsbury **Russell Smith** Kevin Tappin Gary Thompson Sue Whiting

Waea | Phone: Wāhitau | Address: Īmēra | Email: Kāinga Ipuranga | Website: 07-884-0060 PO Box 266, Te Aroha 3342 governance@mpdc.govt.nz www.mpdc.govt.nz



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1 Whakatūwheratanga o te hui | Meeting Opening

2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence At the close of the agenda no apologies had been received.

3 Pānui i Ngā Take Ohorere Anō | Notification of Urgent/Additional Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting."

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."

4 Whākī pānga | Declaration of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Whakaaetanga mēneti | Confirmation of Minutes

Minutes, as circulated, of the ordinary meeting of Matamata-Piako District Council, held on 25 October 2023

6 Papa ā-iwi whānui | Public Forum

At the close of the agenda there were no speakers scheduled to the public forum.



7 Pūrongo me whakatau | Decision Reports

7.1 Freedom Camping Bylaw Hearing 2023

CM No.: 2786738

Te Kaupapa | Purpose

The purpose of this report is to provide to Council for consideration, all submissions on the proposed Freedom Camping Bylaw.

Rāpopotonga Matua | Executive Summary

Council sought public feedback on the Freedom Camping Bylaw proposal from 18 September to 18 October 2023. Over this time 74 submissions were received. These have been attached to this report for Council to consider before making a decision on the Freedom Camping Bylaw at the 22 November 2023 Council meeting.

The Statement of Proposal including the draft bylaw, maps and summary of site assessments have also been attached to this report for Council information.

Council will listen to those who wish to present their submission in-person, and consider all the submissions received.

To prepare for deliberations and decision making at the Council meeting on 22 November 2023, Council are invited to request further information of staff and if necessary, investigate any amendments that may be required to the bylaw (based on the feedback received).

Following deliberations and decision making on a final bylaw on 22 November 2023 the date in which the bylaw comes into force is proposed to be 20 December 2023. This will allow staff time to update signage, include communications in newspapers and other mediums, update information on Council's website etc.

Tūtohunga | Recommendation

- 1. The information be received.
- 2. Council accepts any late submissions received.
- 3. Council hears all submitters that wish to be heard.
- 4. Council considers all submissions received, including submissions presented in person.
- 5. Council request any further information and/or clarification required prior to the Council meeting on 22 November 2023 for the deliberations and adoption of the Freedom Camping Bylaw.
- 6. Council staff be authorised to make any minor amendments needed prior to the Council meeting on 22 November 2023 for the deliberations and adoption of the Freedom Camping Bylaw.



Horopaki | Background

Pre-consultation

Pre-consultation on the proposed bylaw was undertaken with Te Manawhenua Forum and Iwi. Following a workshop with Council in August, key stakeholders were contacted seeking any additional feedback in relation to freedom camping within the District, as well as local interest groups associated with specific areas. This information collected through pre-consultation was considered and incorporated where appropriate into the proposed Bylaw.

Consultation

Public feedback was sought from the 18th of September to the 18th of October. Council staff attended and held pop-in sessions in the three main towns. Signage was placed around the district at key sites, with Council's caravan used at various key sites with signage. Feedback was also encouraged through newspaper advertising, facebook posts, information on our website, e-newsletters etc. Neighbours of proposed restricted and prohibited sites were contacted directly through letter or email to ensure awareness of the proposal. Key stakeholders and local interest groups approached during pre-consultation were also directly contacted to encourage them to make a submission.

The submissions have been collated in Attachment A.

Facebook comments are not considered submissions but have been attached for Councils information.

Ngā Take/Kōrerorero | Issues/Discussion

Issues and discussion are captured in Attachment B – Statement of Proposal.

Mörearea | Risk

Through the pre-consultation outlined above a number of risks have been minimised by having discussions with Te Manawhenua, lwi and local interest groups early on in the process.

Ngā Whiringa | Options

Option One – Status Quo

Description of option

Under this option, no new bylaw is made and the default provisions in the Freedom Camping Act 2011, Reserves Act 1977 and Resource Management Act 1991 will apply. Under the Freedom Camping Act 2011 self-contained freedom camping would be permitted on all land owned or controlled by the Council, except reserves, where it is prohibited unless explicitly provided for within an individual Reserve Management Plan.

Under this option, restrictions or prohibitions on freedom camping on local authority land (land controlled or managed by Council) would be those that currently exist under the Reserves Act 1977 and the Resource Management Act 1991. Council would be able to enforce the requirement of self-containment which is within the Freedom Camping Act 2011.

Advantages

Disadvantages



The District may be perceived as being more welcoming to visitors that choose to freedom camp because, under the Freedom Camping Act 2011, the 'default' is that freedom camping is permitted on all council-owned or managed land. This may result in economic benefits due to more visitors	Section 44 of the Reserves Act 1977 is likely to prevent the use of Council reserves for freedom camping, even on those that may be suitable locations for the activity. This could result in over-use of other locations and cause cumulative negative effects in those areas.
Any future Government changes to the Freedom Camping Act 2011 can be addressed as needed	Relies on enforcement tools under several different pieces of legislation to address the negative effects of freedom camping with the risk that enforcement action becomes piecemeal or inconsistent

Option Two – Making a Bylaw under the Freedom Camping Act 2011

Description of option

Under this option the Council would make a bylaw under section 11 of the Freedom Camping Act 2011 to prohibit or restrict freedom camping on land owned or controlled by the Council. Council would also make relevant amendments to the Reserve Management Plans as outlined within the Statement of Proposal for consistency.

Advantages	Disadvantages
Consistent with recent Council decisions that a bylaw under the Act is necessary and is the appropriate way to regulate freedom camping.	Cost to the Council and committee of implementation (such as communication and signage) and the cost of enforcement of a bylaw – Council should note staff have applied for further funding from Ministry of Business, Innovation and Employment to assist with these costs – at the time of writing this report we are awaiting the outcome of this application.
Infringement offences and other enforcement powers in the Act (e.g. removal of camping items) can be used to deal with breaches	Residents and visitors may see Matamata- Piako as being restrictive in terms of Freedom Camping.

Options will be considered by Council on 22 November 2023.

Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

The relevant requirements are set out earlier in this report and the Statement of Proposal.

Local Government Act 2002 (LGA 2002) Decision-making requirements

Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations are assessed as having a medium level of significance.



All Council decisions, whether made by the Council itself or under delegated authority, are subject to the decision-making requirements in sections 76 to 82 of the LGA 2002. This includes any decision not to take any action.

Local Government Act 2002 decision making requirements	Staff/officer comment
Section 77 – Council needs to give consideration to the reasonable practicable options available.	Options are addressed above in this report and in the Statement of Proposal.
Section 78 – requires consideration of the views of Interested/affected people	Feedback from the community was obtained through seeking submissions from the public.
Section 79 – how to achieve compliance with sections 77 and 78 is in proportion to the significance of the issue	The Significance and Engagement Policy is considered above. This issue is assessed as having a medium level of significance.
Section 82 – this sets out principles of consultation.	Feedback from the community was obtained through seeking submissions from the public.

Policy Considerations

To the best of the writer's knowledge, this recommendation is not significantly inconsistent with nor is anticipated to have consequences that will be significantly inconsistent with any policy adopted by this local authority or any plan required by the Local Government Act 2002 or any other enactment.

Ngā Pāpāhonga me ngā Whakawhitiwhitinga | Communications and engagement Communications and engagement have been outlined earlier in this report.

Timeframes

Key Task	Dates
Public consultation on Bylaw	18 September to 18 October 2023
Public hearing	8 November 2023
Council decision	22 November 2023
Preparation including communications, installation of signage etc	By 20 December 2023
Bylaw implementation	20 December 2023

Ngā take ā-Ihinga | Consent issues

Freedom camping is permitted on reserve land under the District Plan if provided for in a Reserve Management Plan. Therefore, the Proposed Bylaw and subsequent proposed changes to the Passive and Active Reserve Management Plan does not give rise to any consent issues on reserves.



In addition, the Act provides a permissive approach for freedom camping in local authority areas and explicitly states that Councils must not enforce blanket bans on freedom camping across the District, so the Act would prevail if there was an inconsistency between the Act and the District Plan.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes

The relevant Community Outcomes are set out below:

The relevant Community Outcomes are set out below:			
Economic opportunities	We are a business friendly Council	Our future planning enables sustainable growth in our District.	We provide leadership and advocacy is provided to enable our communities to grow.
Healthy communities	Our community is safe, healthy and connected.	We encourage the use and development of our facilities.	We encourage community engagement and provide sound and visionary decision making.
Environmental Sustainability	We support environmentally friendly practices and technologies.	Development occurs in a sustainable and respectful manner considering kawa/protocol and tikanga/customs	We engage with our regional and national partners to ensure positive environmental outcomes for our community.
Vibrant Cultural values	We promote and protect our arts, culture, historic, and natural resources	We value and encourage strong relationships with Iwi and other cultures, recognising wāhi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.	Tangata Whenua with Mana whenua status (those with authority over the land under Māori lore) have meaningful involvement in decision making.

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

The development of this Bylaw has been largely funded through a grant from the Ministry of Business, Innovation and Employment.

Ngā Tāpiritanga | Attachments

- A. The Proposed Freedom Camping Bylaw Submissions (Under Separate Cover)
- B. Statement of Proposal incl proposed Freedom Camping Bylaw
- C. Proposed Freedom Camping Bylaw 2023 Appendix 1 Maps

Adeba



D.]. Summary of site assessments to inform proposed Freedom Camping Bylaw

Ngā waitohu | Signatories

Author(s)	Olivia Picard	
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Approved by	Sandra Harris	
	Placemaking and Governance Team Leader	
	Erin Bates	
	Strategic Partnerships and Governance Manager	





Statement of Proposal¹

Proposed Freedom Camping Bylaw 2023

Amendments to the Active Reserve Management Plan and Passive Reserve Management Plan

FOR PUBLIC CONSULTATION

¹ This Statement of Proposal has been made for the purposes of Sections 82, 83 and 86 of the Local Government Act 2002 and Section 11B of the Freedom Camping Act 2011.



1. Introduction

Matamata-Piako District Council (the Council) is reviewing its regulatory approach to freedom camping. This statement of proposal details the Council's proposal to make a new Freedom Camping Bylaw under Section 11 of the Freedom Camping Act 2011 (the Act) and to make subsequent amendments to some of its reserve management plans to ensure consistency between the Proposed Bylaw and reserve management plans. A draft of the proposed new Freedom Camping Bylaw is attached to this statement of proposal.

We are seeking your feedback on the proposed new Freedom Camping Bylaw and the proposed amendments to the Passive and Active Reserve Management Plans (RMPs) to ensure consistency with the Proposed Bylaw

Consultation allows the community to have a say on the content of, and changes to, the bylaw and the RMPs. Council welcomes your feedback on the Proposed Freedom Camping Bylaw with consultation open from <u>18 September to 18 October 2023</u>.

Camping as an activity is managed though a range of other plans, bylaws and legislation. Council does not currently have a freedom camping bylaw, and as a result, cannot effectively regulate or enforce rules relating to freedom camping at any parks or other Council land that is not gazetted Reserve. The Act is permissive by default, and a bylaw enables Council to apply some protections to areas within the district that Council controls and manages. This includes protecting an area, protecting the health and safety of the people who may visit an area, and to protect access to an area. This review has been timed to enable Council to respond to the recent changes to the Act.

Currently, the Council website promotes self-contained motorhome camping at Te Aroha Council Office, Morrinsville Recreation Ground and Firth Tower Museum (for a fee). Freedom Camping is prohibited on most Council reserves under the Reserves Act 1977 (the Reserves Act). A new Freedom Camping Bylaw will consolidate and clarify the Council's position on freedom camping.

1.1 What is a Freedom Camping Bylaw?

The Act is permissible by default, which means its starting point is to allow freedom camping on all Council controlled or managed land, unless prohibited under other legislation (such as the Reserves Act). However, the Act does recognise that some areas may not be suitable for freedom camping and enables Councils to make a bylaw to protect these areas. Freedom camping bylaws can identify areas where freedom camping is prohibited and restricted, to manage how and where freedom camping can occur. These restrictions or prohibitions on freedom camping must be consistent with the Act and can only be applied if the restrictions or prohibitions are proportionate, and within the scope of the criteria within section 11(5) of the Act. According to the Act, areas may only be prohibited or restricted for the following reasons:

- i) to protect the area
- ii) to protect the health and safety of people who may visit the area
- iii) to protect access to the area

Areas must be assessed against these criteria before any restrictions or prohibitions are applied to ensure the Bylaw is appropriate, proportionate, consistent, and defensible. A freedom camping bylaw made under the Act cannot address issues other than camping as defined by the Act. This definition does not include staying at a camping ground, temporary or short-term parking of a motor vehicle, day trips, or resting or sleeping at the roadside to avoid driver fatigue. It also explicitly excludes those experiencing homelessness who may be living in their vehicle. The land covered by the Act is also limited to those areas managed by Council and does not include private land or Department of Conservation (DOC) reserves.





1.2 Changes to national legislation

The <u>Self-contained Motor Vehicles Legislation Act 2023</u> came into force in June 2023 and made amendments to the Freedom Camping Act 2011. A key change made by the amendment means that since June 2023, if a person is freedom camping on Council controlled or managed land using a vehicle, they must be using a certified self-contained vehicle to freedom camp. The definition of self-contained has been updated to require a fixed toilet. These changes apply nation-wide, regardless of whether or not a Council has a bylaw. There is a transition period to allow people with current 'blue sticker' certifications (under the old certification requirement) time to move to the new 'green sticker' certification (where a fixed toilet will be required) over the next two years.

Changes were also made to the infringement fees and fines structure under the Act. The original infringement fee of \$200 has been replaced by a new tiered penalty system which came into force on 13 July 2023 and provides Councils with more options to apply fines proportionate to the breach of a freedom camping bylaw or the Act.

The Ministry of Business, Innovation and Employment (MBIE) keeps their freedom camping website up to date with the most recent developments regarding national freedom camping rules: <u>https://www.mbie.govt.nz/freedomcamping</u>

2. Reasons for the proposal

On 23 August 2023, the Council decided to make a new bylaw to regulate freedom camping. Information about the Council's decision can be read on Council's website: https://www.mpdc.govt.nz/our-council/minutes.

In making its decision Council considered two reasonable and viable options to address matters related to freedom camping.

Option 1: Status quo

Under this option, no new bylaw is made and the default provisions in the Freedom Camping Act 2011, Reserves Act 1977 and Resource Management Act 1991 will apply. Under the Freedom Camping Act 2011 self-contained freedom camping would be permitted on all land owned or controlled by the Council, except reserves, where it is prohibited unless explicitly provided for within an individual reserve management plan.

Under this option, restrictions or prohibitions on freedom camping on local authority land (land controlled or managed by Council) would be those that currently exist under the Reserves Act 1977 and the Resource Management Act 1991. Council would be able to enforce the requirement of self-containment which is within the Freedom Camping Act 2011. This option was not chosen by Council.

Option 2: Make a bylaw under the Freedom Camping Act 2011

Under this option the Council would make a bylaw under section 11 of the Freedom Camping Act 2011 to prohibit or restrict freedom camping on land owned or controlled by the Council. Under this option, Council would have the ability to engage with the community and key stakeholders on the issue and have locally developed regulation to manage freedom camping in the district.

Council chose Option 2: Make a bylaw under the Freedom Camping Act 2011 as it is the most reasonably practicable option for addressing the problems caused by freedom camping.





In addition, Council has also chosen to propose amendments to the Active Reserve Management Plan and the Passive Reserve Management Plans to reflect restricted freedom camping on Herries Memorial Park, Hetana Street Reserve, Waihou Recreation Reserve and Waitoa Railway Reserve, as well as making a chance to remove Te Aroha Domain from Schedule E of the Active RMP, to make sure the documentation is consistent with the proposed bylaw.

The Councils General Policies RMP (GP RMP) outlines the procedure which Council must follow when amending an individual RMP with regards to freedom camping. The GP RMP provides for such amendments to provide for self-contained vehicles and applies a maximum of four consecutive nights on a reserve. To make an amendment, the proposal must first be publicly consulted on. This document fulfils these requirements by outlining the changes proposed and seeks public feedback on these changes. The changes are described in section 3 of this document: *What is Council proposing?*

In reviewing this bylaw Council determined that having a bylaw made under the Freedom Camping Act 2011 in place is the most appropriate way to manage issues relating to freedom camping. We consider the Proposed Bylaw to be the most appropriate form of bylaw.

We have assessed that the Proposed Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990. Any implications for rights under the New Zealand Bill of Rights Act 1990 will be reassessed before a final bylaw is made.

3. What is Council proposing?

The Proposed Bylaw includes rules for Freedom Camping across the district including identification of prohibited, restricted and permitted areas. The proposed Bylaw seeks to protect areas, the health and safety of people using areas, and protecting access to areas, from negative impacts caused by freedom camping.

A summary of the Proposed Bylaw is detailed below. The Proposed Bylaw is also attached to this document in full.

3.1 District-wide Restrictions

The Proposed Bylaw restricts freedom camping in all *Local Authority Areas*, which are areas under the control and management of Council. The restrictions that are proposed to apply to freedom camping District-wide are:

- A certified Self-contained motor vehicle must be used to freedom camp. This means if a person wishes to use a motor vehicle which is not certified Self-contained or a tent to camp, they need to stay in a campground or another area appropriate for this activity.
- A vehicle must not stay in any one area for more than four consecutive nights in any one-month period.
- A vehicle must not Freedom Camp within 500 metres of an area in which it has already been Freedom Camping for up to four consecutive nights in any one-month period.

These restrictions ensure short stays that will not adversely impact on any one location within the district and provides for turn-over at highly sought after freedom camping areas. It also means freedom camping is undertaken in vehicles with facilities onboard to ensure waste is dealt with appropriately.

The four-night maximum is consistent with the approach already taken on reserves which provide for freedom camping as detailed in the GP RMP.





3.2 Incorporation of NZ Standard by reference – Certified Self-Contained

The Proposed Bylaw uses the definition of certified self-contained motor vehicle within the Act. To support and provide further information to this definition, the Proposed Bylaw also incorporates by reference the NZ Standard 5465:2001 which has further detail of the more technical requirements of certification.

As required by clause 1 of Schedule 2 of the Legislation Act 2019, this statement of proposal is public notice of the proposal to incorporate the NZ Standard in the Freedom Camping Bylaw. The NZ Standard is incorporated by reference because it is impracticable to include its content in the bylaw. The NZ Standard is publicly available here where it can be viewed or printed once for free. We are seeking feedback on the incorporation of the NZ Standard in the Proposed Bylaw, particularly comments about whether:

- the Proposed Bylaw clearly identifies the material incorporated; and
- the means of making the NZ Standard publicly available is sufficient to enable people to find and obtain copies of it with reasonable ease; and
- it is otherwise appropriate.

3.3 Specific Area Restrictions

Any potential areas for prohibition or restriction must be first assessed against the criteria in section 11(2) of the Act before being included in a freedom camping bylaw. This section states that councils can only prohibit or restrict freedom camping in an area if this is necessary to:

- 1. protect the area to protect areas that are environmentally or culturally sensitive.
- 2. protect health and safety to keep freedom campers and other visitors to an area safe.
- 3. protect access to the area where the presence of freedom campers could block access or damage infrastructure.

The assessments were completed using a tool which is used by many New Zealand councils and is considered best practice by the sector. This assessment looks at each of the three elements outlined in section 11(2) of the Act to determine whether or not prohibiting or restricting freedom camping is appropriate in the area. The tool provides councils with a standardised and transparent way of applying the Act and demonstrates a clear line of sight between the criteria in the Act, and the bylaw.

The assessment focused on camping 'hot spots' – areas where there is a specific interest in managing freedom camping, areas where freedom camping is likely to occur in the future on local authority land, and areas which Council identified as being appropriate for proactively protecting with a bylaw. Council also reviewed areas which may be suitable for freedom camping in vehicles which are not self-contained.

As a result of this assessment, the Proposed Bylaw includes the following prohibitions and restrictions, grouped by ward. The summary of this assessment and the scores for each assessed area were received by Council at their meeting on 23 August 2023 when the Proposed Bylaw was considered and can be viewed here https://www.mpdc.govt.nz/our-council/minutes.





3.3.1 Matamata Ward

Prohibited Areas			
Name Description			
Banks Road Reserve and adjacent roadside	Banks Road Reserve, and the area of road and road reserve on Banks Road and Richardson Road adjacent to the reserve.		
Centennial Drive Reserve	Centennial Drive Reserve, which starts at Tainui Street, crossing Rata, Tamihana and Tawa Streets before finishing on Broadway (State Highway 24).		
Tom Grant Drive	Tom Grant Drive, which runs from Rawhiti Avenue, crossing Weka and Ngaio Streets, before finishing at Tawari Street.		
Hawes Bush	Hawes Bush, and the area of road a Walker Street adjacent to the reserv		
Waharoa (Matamata) Aerodrome	Waharoa (Matamata) Aerodrome, ir	ncluding old campground.	
Matamata Domain	Matamata Domain, located between Meura and Hohaia Streets, with Huia Street to the south.		
Rapurapu Reserve	Rapurapu Reserve, located on State Highway 28, approximately 800m south-west from the intersection of State Highway 28 and 29.		
Swap Park	Swap Park, located between Firth Street (SH 27) and Burwood Road.		
Bruce Clothier Memorial	Bruce Clothier Reserve, Waharoa Rest area and adjacent roadside.		
Reserve and Waharoa	Includes rail land that runs through the centre of the reserve which is		
Rest Area	subject to a lease held by Council.		
Restricted Areas			
Name	Description	Restriction	
Hetana Street Reserve	Hetana Street Reserve, located between State Highway 24 to the north and Tui Street to the south, with access off Hetana Street to the east.	Restricted to 6 vehicles within the 6 "back-in" car parking spaces located on the reserve across from the intersection of Arawa Street and Hetana Street, south of the public toilets.	
Pohlen Park	Pohlen Park and adjoining car park accessed from Western Street.	Restricted to 3 vehicles in the south east corner of the car park.	
Wairere Falls Car Park	Wairere Falls Car Park, located at the end of Goodwin Road, Okauia.	Restricted to 11 vehicles within the 11 large car parking spaces at the far south side of the car park.	

3.3.2 Morrinsville Ward

Prohibited Areas			
Name	Description		
Davies Park	Davies Park stretches along Fairway	y Drive. Includes the Reserves	
	known as Davies Park East and Dav	vies Park West. For the avoidance	
		within the existing carpark, café and	
	the planned Early Childhood Educat		
Holmwood Park and	Holmwood Park and adjacent roads	ide carparking. Located at the end	
adjacent roadside	of Holmwood Park Drive.		
Murray Oaks Scenic	Murray Oaks Scenic Reserve locate		
Reserve	Murray Road, north-east of the Morrinsville Township		
Thomas Park and	Thomas Park and adjacent road reserve and road on Moorhouse and		
adjacent roadside	Anderson Streets.		
Restricted Areas			
Name	Description	Restriction	
Morrinsville Recreation	Morrinsville Recreation Ground,	Restricted to 6 vehicles within the	
Ground	located at the end of Cureton	formed car park area accessed	
	Street.	from Cureton Street.	
Waterworks Road	Waterworks Road Reserve (Te	Restricted to 2 vehicles on the	
Reserve (Te Miro	Miro Forest Car Park, located at	southern edge of the main car park	
Forest)	684 Waterworks Road, Te Miro.		





3.3.3 Te Aroha Ward

Prohibited Areas			
Name Description			
Boat Ramp	Te Aroha Boat Ramp, parking area and skatepark, which is on road reserve located off Lawrence Ave/Terminus Street alongside the Coulter Bridge.		
Council office car park	Council Office Carpark, includes Co Car park, 35 Kenrick Street.	uncil Car park and adjacent Library	
Seddon Street Reserve	Seddon Street Reserve is located on both sides of Seddon Street. The reserve to the west runs from Seddon Street through to the end of Ward Street. The reserve to the east is bordered by Seddon Street and the old Te Aroha Railway Station.		
Skidmore Reserve	Skidmore Reserve, located on Kenr Street.		
Te Aroha Domain	Te Aroha Domain and adjacent road Includes the section of Koromiko St		
Restricted Areas			
Name	Description	Restriction	
Boyd Park	Boyd Park, located along Stanley Avenue and Spur Street. Includes a large portion of the Howarth Memorial wetlands.	Restricted to 6 vehicles in the north west corner of the existing formed car park between the netball courts and Boyd Park.	
Herries Memorial Park	Herries Memorial Park, which includes gravel section of Council office carpark, located off Kenrick Street.	Restricted to 6 vehicles along the southern side of the existing formed car park behind the Council buildings, accessed from Kenrick Street (the north point of Herries Park). Freedom Camping vehicles must only park between 7pm and 7am Monday – Friday, any time on weekends and public holidays.	
Waihou Recreation Reserve	Waihou Recreation Reserve, located off Ngutumanga Road, Waihou.	Restricted to 3 vehicles in centre row of car park spaces within the section of car park near the rugby fields, accessed opposite 16 Ngutamaunga Road.	
Waitoa Railway Reserve	Waitoa Railway reserve, across from the Farmers Road/SH 26 intersection in Waitoa. Approximately 10 kilometres from the Te Aroha township.	Restricted to 2 vehicles within the car park.	
Waiorongomai Car Park, Te Aroha	Waiorongomai Car Park, adjacent to the start of the Te Aroha Gold Mining Walking Tracks, approximately 5 kilometres from the Te Aroha township.	Restricted to 4 vehicles within the car park.	

3.3.4 All cemeteries and their associated car parks

The Proposed Bylaw also includes a prohibition of freedom camping within all cemeteries and their car parks, as follows:

- Matamata Cemetery, 155 Peria Road, Matamata
- Waharoa Cemetery, Dunlop Road, Waharoa
- Morrinsville Historic Cemetery, 412 Thames Road, Morrinsville
- Piako Cemetery, 3 Seales Road, Morrinsville
- Maukoro Cemetery, 253 Old Hill Road, RD 3, Morrinsville
- Te Aroha Cemetery, Stanley Road South, Te Aroha





3.4 Freedom camping for vehicles that are not self-contained

Council considered areas where the Proposed Bylaw could provide for freedom camping in vehicles that are not self-contained. Three locations were identified within the District where there are 24-hour toilet facilities available as options for further investigation and assessment. None of the areas were considered suitable, however, the Proposed Bylaw includes Schedule 3: areas where a person can freedom camping in a vehicle that is not self-contained (which does not currently identify any areas) to allow for easy incorporation of such areas into the bylaw in future, if and when appropriate facilities and areas come available.

3.5 Reserve Management Plan amendments

Alongside the Proposed Bylaw, Council also wants to specifically seek feedback on some amendments to Reserve Management Plans (RMPs) to ensure our rules are consistent within our different documents. To achieve this consistent with what we're proposing in the Freedom Camping Bylaw, we are proposing some changes to the Active and Passive Reserve Management Plans. These changes will be made once a final Freedom Camping Bylaw is adopted by Council following public consultation. Council's RMP documents can be viewed here: https://mpdc.govt.nz/plans/reserve-management-plans.

3.5.1 Passive Reserve Management Plan

Hetana Street Reserve, Matamata

Camping is not currently provided for in the Hetana Street Reserve RMP, so it is prohibited under section 44 of the Reserves Act 1977. Council has installed signage allowing freedom camping in six 'back-in' parks near the vehicle exit which is consistently used. A current Master Plan process is underway which is supportive of continuing to provide for some self-contained freedom camping on the reserve. We are proposing to continue the use of these parks, with a six-vehicle maximum in addition to the district-wide four-night maximum stay in any one month.

We are proposing to amend the Hetana Street Reserve RMP to allow for self-contained vehicles to freedom camp on the reserve by adding the following wording under the Management Intent section on page 30 of the Passive RMP: *"That freedom camping is permitted in self-contained vehicles in designated areas for a maximum of four consecutive nights."*

Waitoa Railway Reserve

The Waitoa Railway Reserve is understood to not be classified under the Reserves Act, so freedom camping currently permitted under section 10 of the FCA. However, it is Council's intent to classify this land, therefore it is appropriate to ensure the Waitoa Railway Reserve RMP is consistent with the Proposed Bylaw. We are proposing to restrict freedom camping on this reserve to two vehicles within the formed car park, in addition to the district-wide four-night maximum stay in any one month.

We are proposing to amend the Waitoa Railway Reserve RMP to allow for self-contained vehicles to freedom camp on the reserve by adding the following wording under the Management Intent section on page 176 of the Passive RMP: *"That freedom camping is permitted in self-contained vehicles in designated areas for a maximum of four consecutive nights."*

3.5.2 Active Reserve Management Plan

Herries Memorial Park, Te Aroha

Camping is not currently provided for in the Herries Memorial Park RMP, so it is prohibited under section 44 of the Reserves Act 1977. Freedom camping is currently advertised within an area at the north edge of the reserve, within the Council Office Carpark. There are some concerns regarding access with the current positioning of the freedom camping area, so this area is proposed to be shifted to a more appropriate location of the car park within this Bylaw, with restrictions of six vehicles within this area of car park, between 7pm and 7am





Monday – Friday, and any time on weekends and public holidays. This is in addition to the district-wide four-night maximum stay in any one month.

We are proposing to amend the Herries Memorial Park RMP to allow for self-contained vehicles to freedom camp on the reserve by adding the following wording under the Management Intent section on page 60 of the Active RMP: "*That freedom camping is permitted in self-contained vehicles in designated areas for a maximum of four consecutive nights.*"

Waihou Recreation Reserve

Camping is not currently provided for in the Waihou Recreation Reserve RMP, so it is prohibited under section 44 of the Reserves Act 1977. While freedom camping does not occur here, we have identified this area as appropriate for freedom camping with restrictions of two vehicles within a defined area of the car park, as well as the district-wide four-night maximum stay in any one month.

We are proposing to amend the Waihou Recreation Reserve RMP to allow for self-contained vehicles to freedom camp on the reserve by adding the following wording under the Management Intent section on page 64 of the Active RMP: *"That freedom camping is permitted in self-contained vehicles in designated areas for a maximum of four consecutive nights."*

Appendix E of the Active RMP

Appendix E of the Active RMP currently notes the Te Aroha Domain as a location which may be appropriate for camping. The Proposed Bylaw includes this reserve as prohibited for freedom camping, so we are proposing to amend this appendix to remove the Te Aroha Domain from this list, for the avoidance of doubt.

4. Have your say

Your views are vital to the success of the Freedom Camping Bylaw. Therefore, we would like to invite our community to provide submissions on the proposed draft Freedom Camping Bylaw to assist Council in the decision-making process.

This is your opportunity to have your say about:

- The district-wide restrictions
- The specific prohibitions and restrictions on areas within the District
- Amendments to the Active and Passive Reserve Management Plans to achieve consistency with the Bylaw
- Any other matters dealt with within this Bylaw

4.1 What is a submission?

A submission is a document that is sent or given to the Council from any organisation or any member of the public. Submissions may consist of completing the submission form on Council's website, or alternatively by sending a letter or email to Council. Your submission to this Statement of Proposal can:

- Support or oppose the full Proposed Freedom Camping Bylaw and proposed changes to the RMPs;
- Support or oppose certain elements contained in the Proposed Freedom Camping Bylaw and proposed changes to the RMPs;
- Raise issues that you believe have not been addressed in the Proposed Freedom Camping Bylaw.





4.2 How can I make a Submission?

We actively encourage the community to contribute to the formation of this important policy and it is easy to have your say. Simply make a submission on our website or write to us by **18 October 2023.** You can make a submission:

- Online through our website at https://www.mpdc.govt.nz/say-it/have-your-say
- Email <u>info@mpdc.govt.nz</u>
- Written drop off a hard copy of your feedback at one of our offices or post it to: *Attn: Freedom Camping Bylaw Submission*

Matamata-Piako District Council PO Box 266, Te Aroha 3342

Please be aware that submissions made to Council are public information. Your submission will be used and reproduced for purposes such as reports to Councillors, which are made available to the public and media.

4.3 When can I make a submission?

The submission period opens on Monday 18 September 2023 and closes on Wednesday 18 October 2023.

4.4 What happens next?

Following the closing of submissions, they will be reviewed by Elected Members and formally considered at a Council hearing, currently planned for the 8 November 2023. This meeting is open to both submitters and the public to attend.

If you wish to make a verbal presentation of your submission to the Council at the hearing, please tick the box on the submission form, or note in your written submission. Make sure you include a phone number or email address in your submission so we can contact you to arrange a time for you to speak.

Council is able to offer assistance with special requirements such as New Zealand sign language and audio-visual mechanisms. Please tell us if you require assistance on your submission so we can provide support.

Following the Hearing and Council's consideration of all submissions, it is planned a new bylaw will be made at Council's November meeting and will be operational by the end of the year.

5. Any Questions?

We are here to help - so if you have any questions about the policy or the submission process, please let us know. Call us on (07) 884 0060 and let our friendly Customer Services staff know you have a question about the Proposed Freedom Camping Bylaw or contact us via email at <u>info@mpdc.govt.nz</u>.

You must have your submission back to Council by Wednesday 18 October 2023.



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Freedom Camping Bylaw 2023

PROPOSED FOR CONSULTATION

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1. Introduction

1.1 Scope

The purpose of this Bylaw is to control Freedom Camping in the District in order to:

- (a) protect Local Authority Areas;
- (b) protect the health and safety of people who may visit Local Authority Areas; or
- (c) protect access to Local Authority Areas.

1.2 Enabling Enactment

This Bylaw is made under the authority of section 11 of the Freedom Camping Act 2011. In addition, other legislation and regulatory tools that regulate and control Freedom Camping include the Reserves Act 1977, reserve management plans, the Matamata-Piako District Plan and other Council bylaws. These should be referred to in conjunction with this Bylaw.

1.3 Title of this Bylaw

This Bylaw shall be known and cited as the Matamata-Piako District Council Freedom Camping Bylaw 2023 and shall come into operation on XX December 2023. For expediency this Bylaw may be referred to as the Freedom Camping Bylaw in this or other Bylaws.

Explanatory notes

This Bylaw is due for review by XX November 2028 (5 years after the date of the resolution to make this Bylaw).

1.4 Application

This Bylaw applies to all Local Authority Areas in the District of the Matamata-Piako District Council.

1.5 Explanatory notes

Sections headed 'Explanatory notes' in this Bylaw are for information purposes only, and -

- (a) they do not form part of this Bylaw; and
- (b) cannot be considered in the interpretation or application of a provision of this Bylaw; and
- (c) may be inserted, amended or removed without any formality.

1.6 Definitions and interpretation

1.6.1

In this Bylaw, unless context requires otherwise:

Act means the Freedom Camping Act 2011.

Council means Matamata-Piako District Council.



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District means the Matamata-Piako District.

Freedom Camp has the meaning in sections 5(1), 5(2) and 5(2A) of the Act.

Explanatory notes

As at 7 June 2023, sections 5(1), 5(2) and 5(2A) of the Act, where Freedom Camping is defined, are as follows:

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of an area accessible by motor vehicle or within 200 m of the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using either or both of the following:
 - (a) a tent or other temporary structure:
 - (b) a motor vehicle.
- (2) In this Act, freedom camping does not include the following activities:
 - (a) temporary and short-term parking of a motor vehicle:
 - (b) recreational activities commonly known as day-trip excursions:
 - (c) resting or sleeping at the roadside in a motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person-
 - (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
 - (b) is unable to live in appropriate residential accommodation; and
 - (c) as a consequence of that inability, is living in either or both of the following:
 - (i) a tent or other temporary structure:
 - (ii) a motor vehicle.

For the avoidance of doubt, as at 7 June 2023, section 5(3) of the Act defines camping ground as:

- (a) a camping ground that is the subject of a current certificate of registration under the Camping-Grounds Regulations 1985; or
- (b) any site at which a fee is payable for camping at the site.

Local Authority Area has the meaning in section 6 of the Act.

Explanatory notes

As at 7 June 2023, section 6(1) of the Act, where Local Authority Area is defined, is as follows:

(1) In this Act, local authority area-

(a) means an area of land-

(i) that is within the district or region of a local authority; and

- (ii) that is-
 - (A) controlled or managed by or on behalf of the local authority under any enactment; or
 - (B) an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A; 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.

Self-contained has the meaning given in section 4 of the Act.

Explanatory notes

As at 7 June 2023, section 4 of the Act, where Self-contained is defined, is as follows:

(4) In relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period.)

Explanatory notes

To be certified Self-contained, the motor vehicle must achieve compliance with NZ Standard 5465:2001. The standard can be viewed or printed once for free at this link: https://www.standards.govt.nz/shop/nzs-54652001.

For the avoidance of doubt, the standard requires that a Self-contained motor vehicle be equipped with a toilet that is permanently fixed to the vehicle in order to be certified.

1.6.2

The Legislation Act 2019 applies to this Bylaw.

2. Freedom Camping restrictions and prohibitions

2.1 Areas where Freedom Camping is prohibited

Freedom Camping is prohibited in the areas defined in Schedule 1. A person must not Freedom Camp in the areas defined in Schedule 1.

Explanatory notes

The Reserves Act 1977 prohibits camping on all reserves unless it is specifically provided for on a particular reserve in an operative reserve management plan.

2.2 Areas where Freedom Camping is restricted

2.2.1

A person may not Freedom Camp in contravention of this clause.

2.2.2

Freedom Camping is restricted in all Local Authority Areas. The restrictions that apply to Freedom Camping in all those areas are:

- (a) A certified Self-contained motor vehicle must be used to Freedom Camp.
- (b) A vehicle must not stay in any one area for more than four consecutive nights in any one month period.
- (c) A vehicle must not Freedom Camp within 500 metres of an area in which it has already been Freedom Camping for up to four consecutive nights in any one-month period.



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2.2.3

Freedom Camping is further restricted in the areas identified in Schedule 2 of this Bylaw.

2.2.4

Not withstanding clause 2.2.2(a) a person may only Freedom Camp in a vehicle that is not Self-contained in the Local Authority Areas identified in Schedule 3.

2.2.5

The restrictions that apply in the areas in Schedules 2 and 3 are:

- (a) If Schedule 2 or 3 specify a designated place in the Local Authority Area, a person must not Freedom Camp in another place in the Area, for example
 - (i) where Schedule 2 or 3 specifies a designated place in a reserve, a person must not Freedom Camp in any other part of the reserve.
 - (ii) where Schedule 2 or 3 specifies a designated place on a road, a person must not Freedom Camp on any other part of the road.
- (b) If Schedule 2 or 3 specify a maximum number of consecutive nights, that number prevails over clause 2.2.2(b) of this Bylaw.
- (c) If Schedule 2 or 3 specify a time of day where Freedom Camping is permitted, a person must not Freedom Camp outside of those times.
- (d) If Schedule 2 or 3 specify a maximum number of vehicles, a person must not Freedom Camp in the area if the maximum number of vehicles are already present when they arrive at the area.

3. Approvals

3.1 Prior consent from Council

3.1.1

A person may only Freedom Camp in contravention of clause 2 if that person obtains prior written consent of the Council and complies with any conditions of the consent.

3.1.2

A person applying for consent under clause 3.1.1 of this Bylaw must apply to the Council. The application must:

- (a) Be made at least 30 days prior to the date on which Freedom Camping is planned to occur; and
- (b) Include information about the person applying for the consent and their contact details; and
- (c) Describe the area or give an address where the Freedom Camping is intended to occur; and
- (d) Describe the reason the consent is sought.

3.1.3

Applications which fulfil the requirements of clause 3.1.2 of this Bylaw will be considered by Council and may be granted at the Council's discretion. The Council may attach conditions to any consent that is granted.

Explanatory notes

Council anticipates the following reasons could be grounds for an application:

• Where Freedom Camping is associated with a special event or occasion occurring in an area, and an exemption is required for the duration of the event or occasion.

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- Where there is a good reason for Freedom Camping in an area that cannot be reasonably met in another area.
- Complying with a restriction or prohibition within this Bylaw is not reasonable in the circumstances.

4. Temporary closures

4.1 Temporary closure of an Area to Freedom Camping

4.1.1

The Council may temporarily close or restrict Freedom Camping in any area or part of any 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 to the Local Authority Area or facilities; or
- (c) protect the safety of persons or property; or
- (d) provide for better public access, including in circumstances where events are planned for that area.

4.1.2

The Council will publicise a closure or restriction under clause 4.1.1 of this Bylaw in any manner it considers is appropriate to the reason for the closure or restriction. The publicity may occur before the closure or restriction, but only if that is reasonably practicable.

Explanatory notes

The Council may publicise a closure or restriction using a sign erected in the area, and/or advertising on the Council's digital channels or on the radio, and/or a public notice in the newspaper.

5. Enforcement

5.1 Offences

5.1.1

Every person who Freedom Camps or makes preparation to Freedom Camp in a Local Authority Area in breach of any prohibition or restriction in this bylaw commits an offence under section 20(1) of the Act.

5.1.2

Every person who Freedom Camps, or makes preparation to Freedom Camp, in a Local Authority Area in breach of the conditions of any consent given in accordance with clause 3.1 of this Bylaw is in breach of a prohibition or restriction in this Bylaw and commits an offence under section 20(1) of the Act.

Explanatory notes

Section 20 of the Act specifies a range of matters that are offences. The offences in section 20(1) are known as 'infringement offences'. A Council enforcement officer can issue an infringement notice to a person committing an offence under section 20(1) requiring them to pay an infringement fee and/or a fine as prescribed by section 20E of the Act.

Penalties for infringement offences under the Act are specified in the Freedom Camping (Penalties for Infringement Offences) Regulations 2023 and can be viewed here: https://www.legislation.govt.nz/regulation/public/2023/0136/latest/LMS853101.html

Section 26 of the Act explains the people who may be issued with an infringement notice. They include the person who committed the offence, the registered owner of the vehicle used to commit



an offence, and/or the person lawfully in possession of the vehicle used in the commission of the offence.

Council officers have other powers under the Act to deal with offences too, e.g., under section 36 of the Act an officer can require a person to leave an area if the officer has reasonable grounds to believe the person is committing an offence.

6. Schedules and Appendices

6.1 Areas where Freedom Camping is Prohibited or Restricted 6.1.1

Schedule 1 defines the areas where, under clause 2.1 of this Bylaw, Freedom Camping is prohibited.

6.1.2

Schedule 2 defines the areas where, under clause 2.2 of this Bylaw, Freedom Camping is restricted.

6.1.3

Schedule 3 defines the areas where, under clause 2.2.4 of this Bylaw, a person can Freedom Camp in a vehicle that is not Self-contained.

6.2 Appendices

6.2.1

Appendix 1 shows all the prohibitions and restrictions described in Schedule 1, 2 and 3 on maps for ease of reference only. Appendix 1 is not part of this Bylaw and if there is any conflict or inconsistency between it and the Schedules, the Schedules prevail.

6.2.2

Appendix 1 may be amended or removed without any formality.

This Bylaw was made pursuant to a resolution passed by Matamata-Piako District Council on XX November 2023. resolution number XX/XX/XX.



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Schedule 1: Areas where Freedom Camping is Prohibited

Explanatory notes

Freedom Camping on reserves is prohibited under section 44 of the Reserves Act 1977 and therefore prohibited under section 10(2)(b) of the Freedom Camping Act 2011, except where it is permitted in the designated places on reserves specified in Schedule 2, which are subject to the restrictions in this Bylaw. Some reserves where Freedom Camping is prohibited are included in this Schedule (and in the maps in Appendix 1), but not all.

For information about the location of reserves that are not referred to in this Bylaw, see the council's Reserve Management Plans at this link: <u>https://www.mpdc.govt.nz/plans/reserve-management-plans</u>

Definition of area		
All cemeteries and their associated carparks		
Matamata Cemetery, 155 Peria Road, Matamata 3472 Legal description: Lot 1 DPS 13600 Lot 2 DP 304507 Sec 112A SET MATAMATA Sec 175 SET MATAMATA		
Waharoa Cemetery, Dunlop Road, Waharoa 3474 Legal description: Part Lot 14 DP 850; Part Section 1 Block XIII Wairere SD		
Morrinsville Historic Cemetery, 412 Thames Road, Morrinsville 3300 Legal description: SA63/212, Part Motumaoho 2 Block		
Piako Cemetery, 3 Seales Road, Morrinsville 3300 Legal description: PtL 21 DP 23869 PtL 22 DP 2465 Sec 1 SO 518533		
Maukoro Cemetery, 253 Old Hill Road, RD 3, Morrinsville Legal description: Sec 21A Blk V SD WAITOA		
Te Aroha Cemetery, Stanley Road South, Te Aroha 3393 Legal description: Sec 8A Blk XI SD AROHA		

Definition of area	Map reference number (see appendix 1)
Matamata Ward	
Banks Road Reserve, and the area of road and road reserve on Banks Road and Richardson Road adjacent to the reserve. Legal description of Reserve: Part Section 86 Matamata SETT	FC1
Centennial Drive Reserve, which starts at Tainui Street, crossing Rata, Tamihana and Tawa Streets before finishing on Broadway (State Highway 24). Legal Description: PSc 155 Blk II SD TAPAPA Sec 154 Blk II SD TAPAPA	FC2
Tom Grant Drive, which runs from Rawhiti Avenue, crossing Weka and Ngaio Streets, before finishing at Tawari Street. Legal Description: Lot 1 DPS 28404, Lot 1 DPS 30594, Lot 14 DPS 11320, Lot 15 DPS 11320, Lot 21 DPS 12591, Lot 26 DPS 21875, Lot 27 DPS 25162, Lot 28 DPS 21875, Lot 28 DPS 25163, Lot 3 DPS 28404, Lot 4 DPS 28404, Lot 5 DPS 28404, Lot 5 DPS 28864, Lot 6 DPS 28404, PtL 13 DPS 12591, PtL 15 DPS 12591, PtL 18 DPS 12591	FC3
Hawes Bush, and the area of road and road reserve on Mills Street and Walker Street adjacent to the reserve. Legal description of Reserve: Lot 1 DPS 26844, Lot 2 DPS 26844, Section 77 Block XIII Wairere SD	FC4
Waharoa (Matamata) Aerodrome, including old campground. Legal description of Reserve: Section 72 Block XIII Wairere SDPT SEC 71 BLK XIII WAIRERE SDPT LOT 1 DP 29064MATAMATA NORTH EMATAMATA NORTH F).	FC5
Matamata Domain, located between Meura and Hohaia Streets, with Huia Street to the south. Legal description of Reserve: BlkXII Matamata TNSP,,Section 1 Block XXIII Matamata TNSP,Section 1 Block XXIII Matamata TNSP,BlkXXII Matamata TNSP, BlkXII Matamata TNSP	FC6

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Definition of area	Map reference number (see appendix 1)
Rapurapu Reserve, located on State Highway 28, approximately 800m south-west from the intersection of State Highway 28 and 29.	FC7
Legal description of Reserve: Section 78 Block XII Tapapa SD, Section 79 Block XII Tapapa SD, Lot 1 DPS 17684	
Swap Park, located between Firth Street (SH 27) and Burwood Road. Legal description of Reserve: Lot 4 DP 306522	FC8
Bruce Clother Reserve, Waharoa Rest area and adjacent roadside. Includes rail land that runs through the centre of the reserve which is subject to a lease held by Council. Legal description of Reserve: Lot 2 DPS 86557, Lot 1 DPS 86557	FC9
Morrinsville Ward	
Davies Park stretches along Fairway Drive. Includes the Reserves known as Davies Park East and Davies Park West. For the avoidance of doubt, this also includes the area within the existing carpark, café and the planned Early Childhood Education Centre.	FC10
Legal description of Reserve: Lot 71 DP 569808, Lot 9000 DP 577756, Lot 9001 DP 577756, Lot 1 DP 568806, Lot 3 DP 568806, Lot 2 DP 568806	
Holmwood Park and adjacent roadside carparking. Located at the end of Holmwood Park Drive. Legal description of Reserve: Lot 91 DPS 87084	FC11
Murray Oaks Scenic Reserve located between State Highway 26 and Murray Road, north-east of the Morrinsville Township Legal description of Reserve: Section 4 Block II Maungakawa SD, Section 5 Block II Maungakawa SD	FC12
Thomas Park and adjacent road reserve and road on Moorhouse and Anderson Streets. Legal description of Reserve: Lot 9 DP 17212, Lot 10 DP 17212	FC13
Te Aroha Ward	
Te Aroha Boat Ramp, parking area and skatepark, which is on road reserve located off Lawrence Ave/Terminus Street alongside the Coulter Bridge.	FC14
Council Office Carpark, includes Council Car park and adjacent Library Car park, 35 Kenrick Street. Legal description: Lot 2 DPS 33537, Sec 1 Blk XVI Twn TE AROHA Sec 2 Blk XVI Twn TE AROHA	FC15
Seddon Street Reserve is located on both sides of Seddon Street. The reserve to the west runs from Seddon Street through to the end of Ward Street. The reserve to the east is bordered by Seddon Street and the old Te Aroha Railway Station. Legal description of Reserve: Section 36 Block LII TN OF Te Aroha, Section 24 Block LII TN OF Te Aroha, Section 39 Block LII TN OF Te Aroha, Section 95 Block LII TN OF Te Aroha, Section 23 Block LII TN OF Te Aroha, Section 35 Block LII TN OF Te Aroha, Section 40 Block LII TN OF Te Aroha, Part Section 38 Block LII TN OF Te Aroha, Part Section 37 Block LII TN OF Te Aroha, Part Section 38	FC16
Skidmore Reserve, located on Kenrick Street, neighbouring 56 Kenrick Street. Legal description of Reserve: Lot 2 DPS 85918, Lot 2 DPS 85918	FC17
Te Aroha Domain and adjacent roadside parking on Wilson Street. Includes the section of Koromiko Street that runs through the domain. Legal description of Reserve: Section 16 Block IX Aroha SD	FC18





Schedule 2: Areas where Freedom Camping is Restricted

Explanatory notes

The restrictions in the table below apply in addition to the district-wide restrictions in clause 2.2.2.

Definition of area	Restriction	Map reference number (see appendix 1)
Matamata Ward		
Hetana Street Reserve, located between State Highway 24 to the north and Tui Street to the south, with access off Hetana Street to the east. Legal description of Reserve: Section 255 Matamata SETT, Section 2 SO 332296, Lot 2 DPS 86435, Sec 1 SO 332296	Restricted to 6 vehicles within the 6 "back-in" car parking spaces located on the reserve across from the intersection of Arawa Street and Hetana Street, south of the public toilets.	FC19
Pohlen Park and adjoining car park accessed from Western Street. Legal description of Reserve: Lot 11 DPS 8842, Lot 45 DP 15621, Lot 46 DP 15621, Lot 101 DP 13191, Lot 100 DP 13191	Restricted to 3 vehicles in the south east corner of the car park.	FC20
Wairere Falls Car Park, located at the end of Goodwin Road, Okauia. Legal description: Section 1 Survey Office Plan 523878. Morrinsville Ward	Restricted to 11 vehicles within the 11 large car parking spaces at the far south side of the car park.	FC21
Morrinsville Recreation Ground, located	Restricted to 6 vehicles within the	FC22
at the end of Cureton Street. Legal description: Part Lot 28 DP 2465	formed car park area accessed from Cureton Street.	1022
Waterworks Road Reserve (Te Miro Forest Car Park, located at 684 Waterworks Road, Te Miro. Legal description: Section 11 Block III Cambridge SD, Section 12 Block III Cambridge SD, Section 73 Te Miro SETT, Kiwitahi 2D Block, Section 13 Block III Cambridge SD, Part Lot 1 DP 21110	Restricted to 2 vehicles on the southern edge of the existing car park.	FC23
Te Aroha Ward		
Boyd Park, located along Stanley Avenue and Spur Street. Includes a large portion of the Howarth Memorial wetlands. Legal description: Section 90 Block IX Aroha SD	Restricted to 6 vehicles in the north west corner of the existing formed car park between the netball courts and Boyd Park.	FC24
Herries Memorial Park, which includes gravel section of Council office carpark, located off Kenrick Street. Legal description: Sec 167 Blk IX SD AROHA	Restricted to 6 vehicles along the southern side of the existing formed car park behind the Council buildings, accessed from Kenrick Street (the north point of Herries Park). Freedom Camping vehicles must only park between 7pm and 7am Monday – Friday, any time on weekends and public holidays.	FC25

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Definition of area	Restriction	Map reference number (see appendix 1)
Waihou Recreation Reserve, located off Ngutumanga Road, Waihou. Legal description: SEC 57 BLK XVI WAITOA SD, Lot 18 DPS 7681 Lot 19 DPS 7681 PSc 52 Blk XVI SD WAITOA PtL 20 DPS 7681 Sec 50 Blk XVI SD WAITOA Sec 51 Blk XVI SD WAITOA, Sec 13 Blk XVI SD WAITOA	Restricted to 3 vehicles in centre row of car park spaces within the section of car park near the rugby fields, accessed opposite 16 Ngutumanga Road.	FC26
Waitoa Railway reserve, across from the Farmers Road/SH 26 intersection in Waitoa. Approximately 10 kilometres from the Te Aroha township. Legal description: Section 27 Block IV Maungakawa SD, Lot 1 DPS 68970, Section 26 Block IV Maungakawa SD, Section 1 SO 56525	Restricted to 2 vehicles within the car park.	FC27
Waiorongomai Car Park, adjacent to the start of the Te Aroha Gold Mining Walking Tracks, approximately 5 kilometres from the Te Aroha township.	Restricted to 4 vehicles within the car park.	FC28







Attachment B

Schedule 3: Areas where a person can Freedom Camp in a vehicle that is not Self-contained

The Bylaw does not define any areas where a person can Freedom Camp in a vehicle that is not Self-contained on Local Authority Areas within the Matamata-Piako District.





Appendix 1: Maps [See attached]





Appendix 1 of the Matamata-Piako District Council Freedom Camping Bylaw 2023 Maps

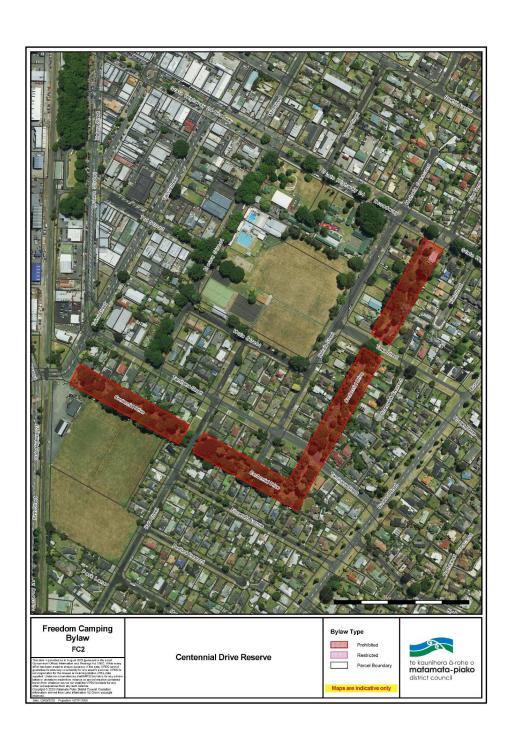
Areas where freedom camping is prohibited - Matamata Ward





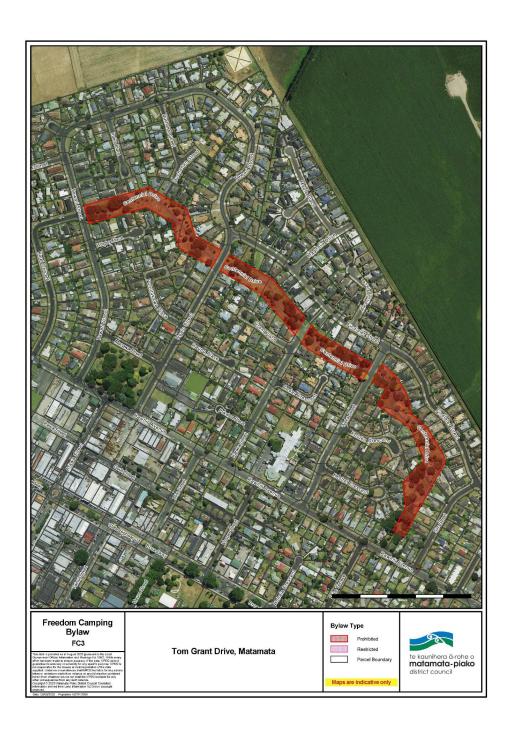
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Appendix 1: Matamata-Piako District Council Freedom Camping Bylaw 2023 Draft consultation version





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Appendix 1: Matamata-Piako District Council Freedom Camping Bylaw 2023 Draft consultation version



Attachment C



Appendix 1: Matamata-Piako District Council Freedom Camping Bylaw 2023 Draft consultation version



Attachment C



Appendix 1: Matamata-Piako District Council Freedom Camping Bylaw 2023 Draft consultation version





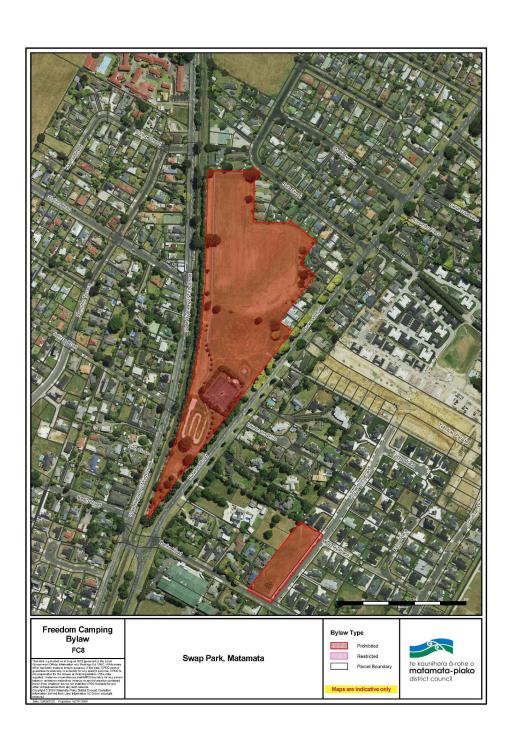


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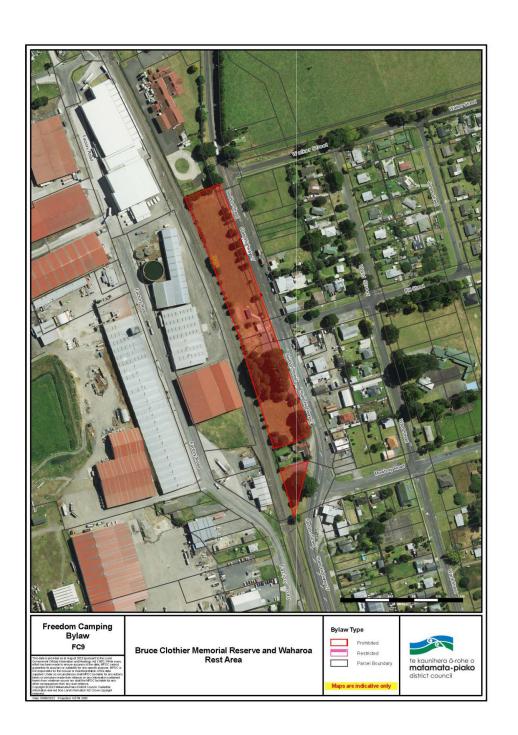
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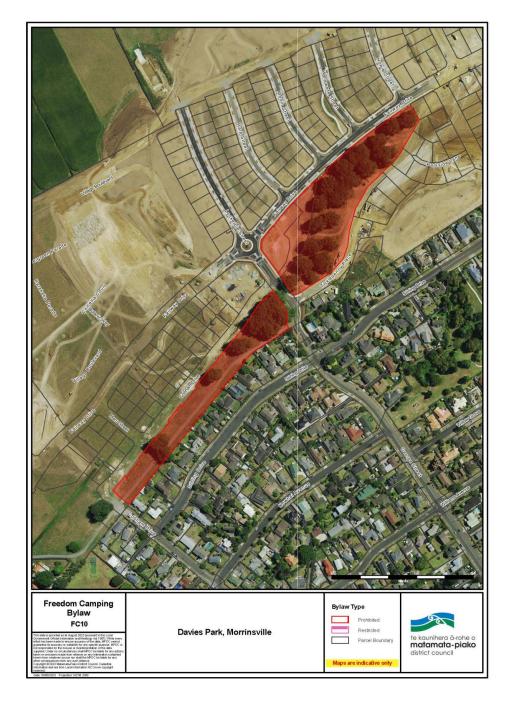
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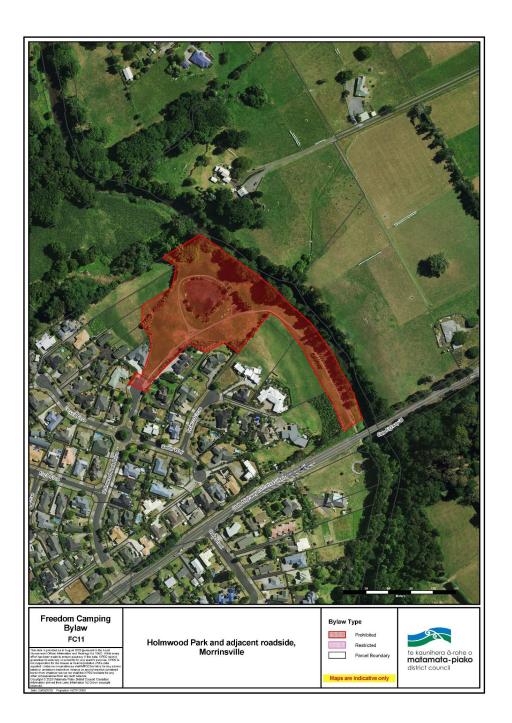


Areas where freedom camping is prohibited – Morrinsville Ward



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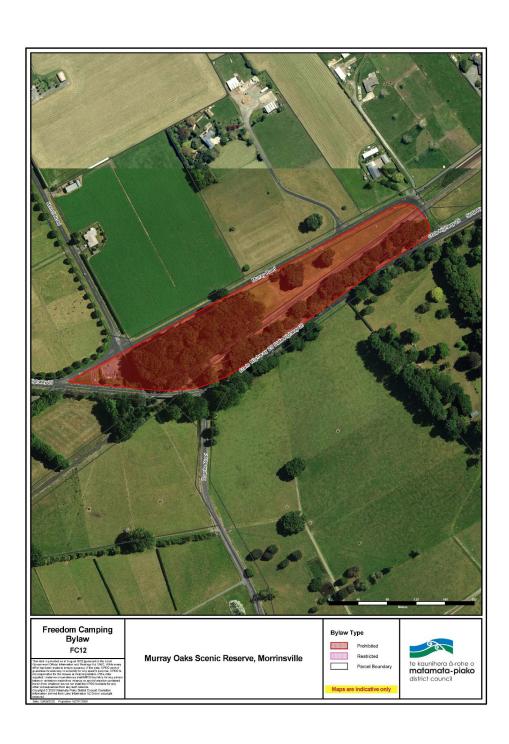




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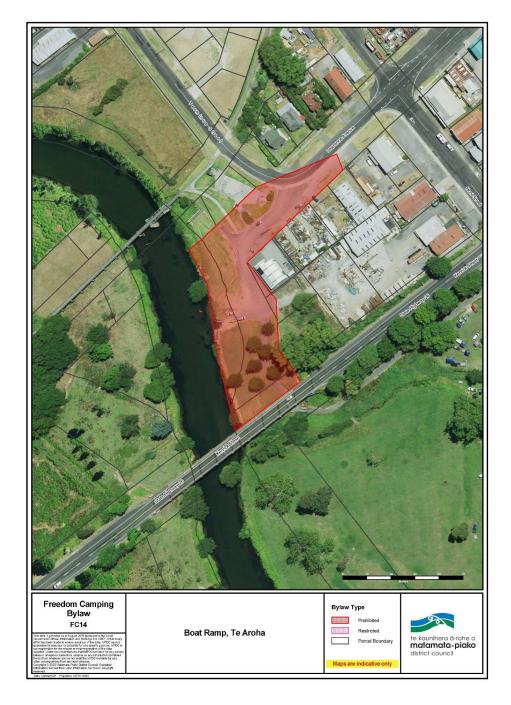






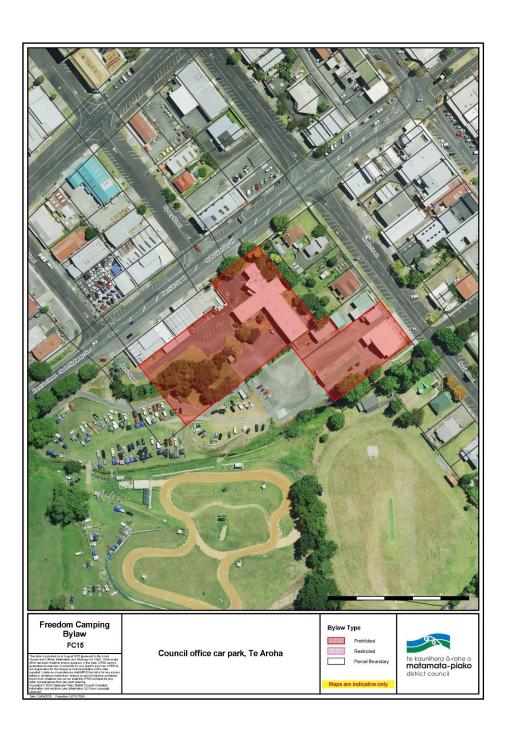


Areas where freedom camping is prohibited – Te Aroha Ward



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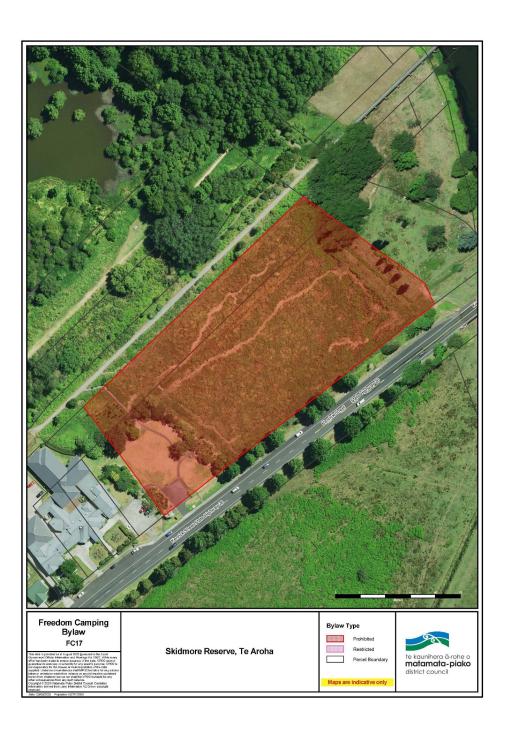






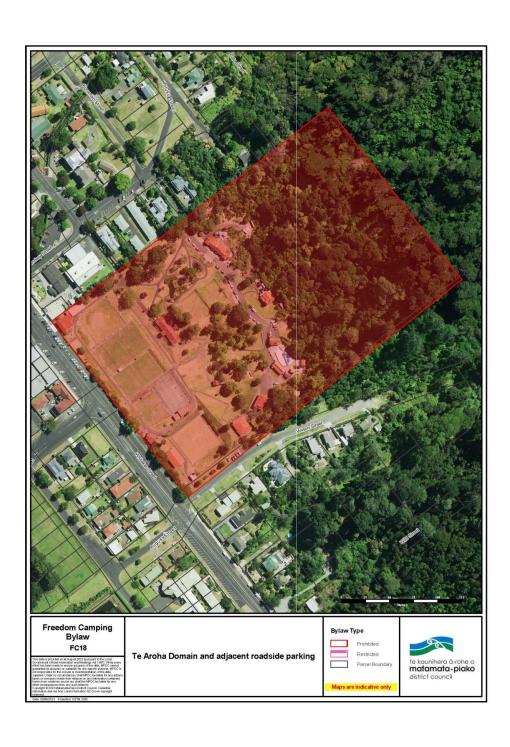


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Areas where freedom camping is restricted - Matamata Ward



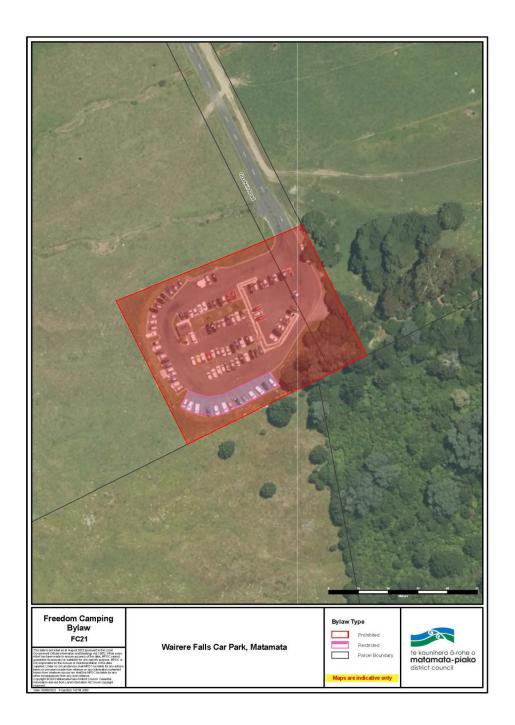
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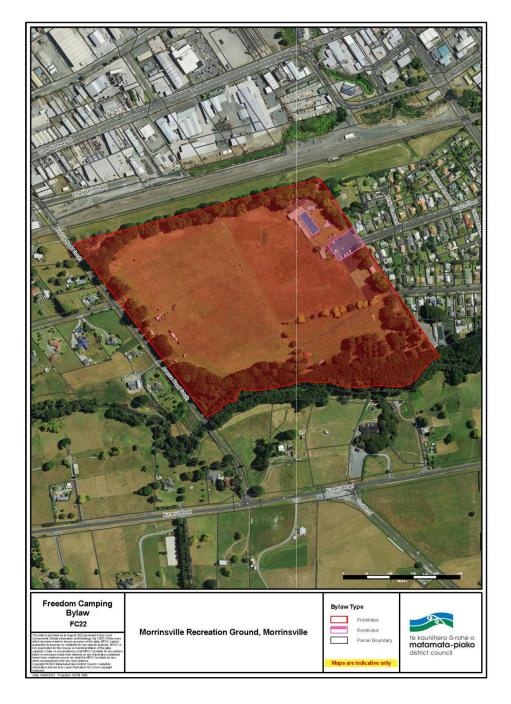


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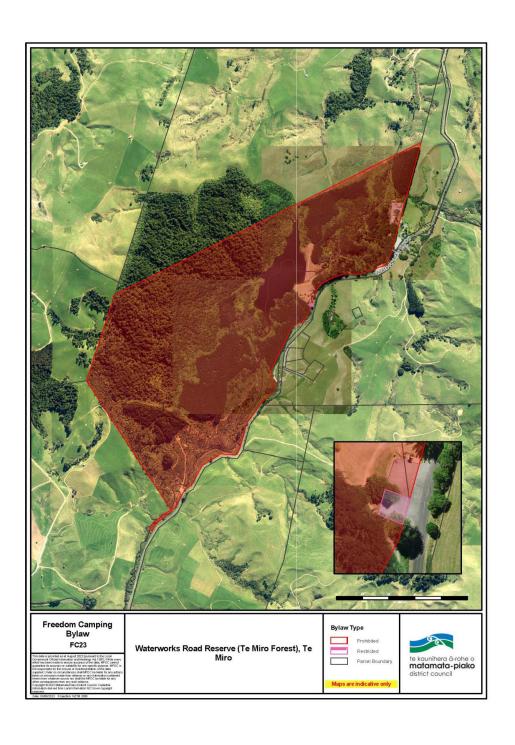


Areas where freedom camping is restricted - Morrinsville Ward



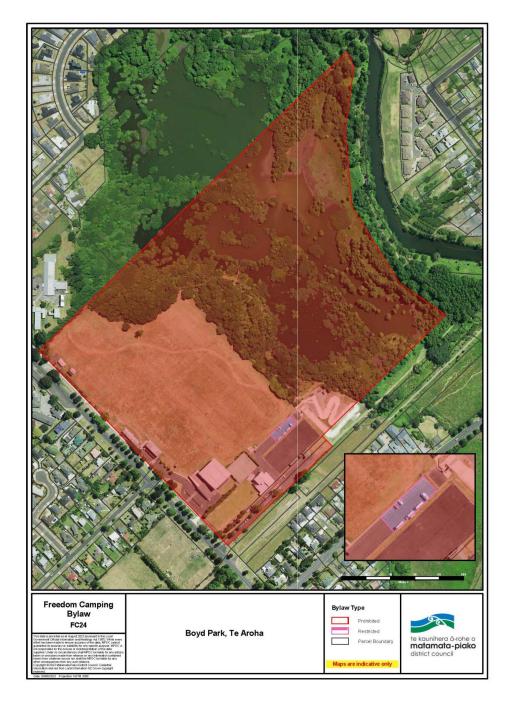
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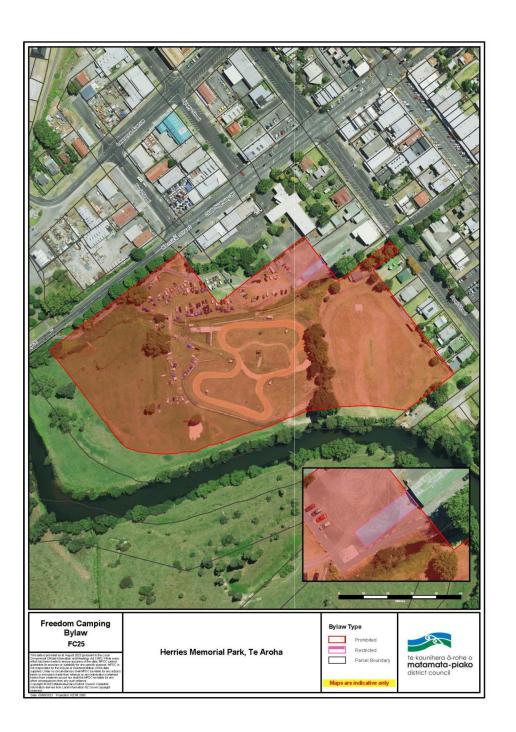
Areas where freedom camping is restricted – Te Aroha Ward



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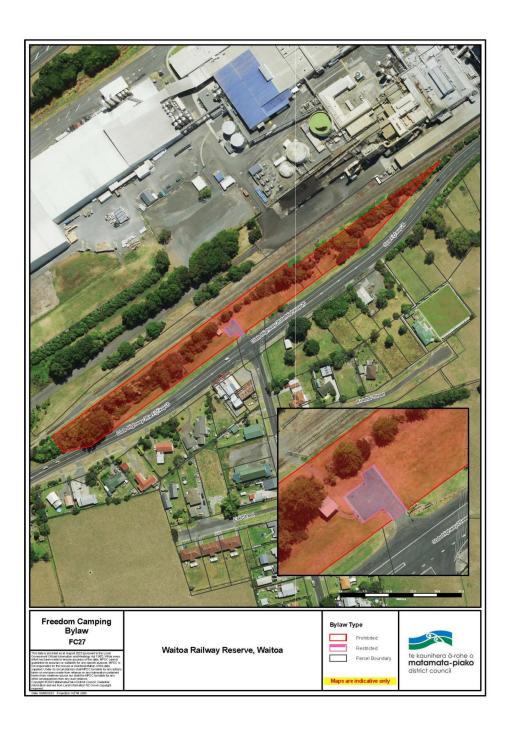


Appendix 1: Matamata-Piako District Council Freedom Camping Bylaw 2023 Draft consultation version

















Matamata-Piako District Council Freedom Camping Bylaw Development

Summary of draft area assessments against the criteria within the Freedom Camping Act 2011 to inform a Proposed Freedom Camping Bylaw *August 2023*

As part of the development of a Freedom Camping Bylaw, Matamata-Piako District Council (MPDC) has collated information to inform which areas could be included in a proposed bylaw as prohibited, restricted or permitted for freedom camping.

Freedom camping bylaws can identify areas where freedom camping is prohibited and restricted to manage how and where freedom camping can occur, and what additional conditions may be needed in some areas. Bylaws can also identify areas where freedom camping can occur in vehicles that are not self-contained.

The Freedom Camping Act 2011 (the Act) is permissive by default, which means its starting point is to allow freedom camping on all local authority land, with any vehicle used for freedom camping required to be certified self-contained. However, the Act does recognise that some areas may not be suitable for freedom camping. Any potential areas for prohibition or restriction must be first assessed against the criteria in section 11(2) of the Act. This section states that councils can only prohibit or restrict freedom camping in an area if this is necessary to:

- 1. protect the area to protect areas that are environmentally or culturally sensitive.
- 2. protect health and safety to keep freedom campers and other visitors to an area safe.
- **3.** protect access to the area where the presence of freedom campers could block access or damage infrastructure.

The assessments of each site within this document have been completed using a tool which is used by many New Zealand councils and is considered best practice by the sector. This assessment looks at each of the three elements outlined in section 11(2) of the Act to determine whether or not prohibiting or restricting freedom camping is necessary on the site.

The tool provides councils with a standardised and transparent way of applying the Act and demonstrates a clear line of sight between the criteria in the Act, and the bylaw.

The assessment focused on camping 'hot spots' – areas where there is a specific interest in managing freedom camping, areas where freedom camping is likely to occur in the future on local authority land, and areas which Council identified as being appropriate for proactively protecting with a bylaw. Council also reviewed areas which may be suitable for freedom camping in vehicles which are not self-contained. These sites included within the assessment fall within local authority areas, which is defined in section 6(1) of the Act and is land controlled or managed by or on behalf of Council.

Certain areas have been excluded from this assessment, such as:

- Private land.
- Crown land including conservation land, land managed by Waka Kotahi , and LINZ land.
- Leased land (such as Waharoa Domain).
- Inaccessible land.
- Existing paid campgrounds (such as Firth Tower in Matamata).
- Areas where parking regulations manage vehicles.



The Assessment Tool

The tool assigns scores for each of the elements in section 11(2) of the Freedom Camping Act 2011 (FCA) as follows:

PROTECT THE AREA – Considers cultural or histori significance and the natural environment	PROTECT THE HEALTH AND SAFETY OF PEOPLE WHO MA VISIT THE AREA - Considers levels of vehicular traffic (car parks/lookout points), use fo other activities (like sports grounds), and issues of persistent vandalism/vagrand	PROTECT ACCESS TO THE AREA - Considers damage caused by vehicular access to flora and fauna and the impact that people accessing the site will have on other users of the area					
Has historical, cultural or environmental significance and requires full protection	5	too great to allow access to		No access to the site, and any vehicle access would cause significant damage.	5		
Contains some significant historical, cultural or environmental areas.	4	Significant health and safety concerns.	4	Restricted access to the site, and any vehicle access would cause damage.	4		
Contains some areas that should be protected	3	Minimal health and safety concerns (risk for the elderly or children)	3	Moderate access to the site, and any vehicle access would cause minimal damage.	3		
Low concerns about areas that need protecting	2	Low concerns regarding health and safety				Good access to the site, which would not cause damage.	2
No significant area concerns	1	No health and safety concerns	1	Fully formed access to the site	1		

Application of the Tool

- Each area is given a score of 1-5 for each of the three elements.
- If the total score of all three purposes is **9 or more**, restricting or prohibiting freedom camping on the area may be necessary. If the score for **any one of the three purposes is 5**, this also indicates a need to protect the area for that purpose by prohibiting or restricting freedom camping.
- If the total score of all three purposes is **8 or less** and the area is a reserve*, there is an indication that freedom camping may be permitted on the reserve. For other areas that have a total score of **8 or less**, the tool indicates that it is appropriate for freedom camping to remain permitted**.

* NB: freedom camping on gazetted reserves is otherwise prohibited under the Reserves Act 1977 (RA) unless provided for in an individual Reserve Management Plan (RMP).

** NB: there is also District-wide restrictions that apply in all permitted/restricted areas, applied through the bylaw.



Summary table of area assessments

Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Cemeteries and associated carparks	Camping not provided for in RMP, so is prohibited under section 44 of the	10 Protect the	Cemeteries are sensitive sites for a wide range of cultures and religions. Vandalism has been a recent issue at cemeteries in	Prohibit freedom camping on all cemeteries and their associated carparks within a
Matamata Cemetery	RA.	area: 5	the district.	proposed bylaw.
Waharoa Cemetery		Destant	Cemeteries are frequently used by pedestrians including elderly and children	
Morrisville Historic CemeteryPiako Cemetery		Protect H+S: 3	which poses a safety risk. The car parks are typically accessible for	
Maukoro Cemetery		Protect	large vehicles however some freedom	
Te Aroha Cemetery		access: 2	camping vehicles would impede on access of others.	
Matamata Ward				
Banks Road Reserve and adjacent roadside, Matamata	Camping not provided for in RMP, so is prohibited under section 44 of the RA.	11 Protect the area: 4 Protect H+S: 3 Protect access: 4	Underground stormwater infrastructure on reserve requires protection from vehicles. Health and safety concerns regarding users of playground, narrow surrounding roads. No formed vehicle access to reserve or any formed parking on reserve.	Prohibit freedom camping on reserve and adjacent roads (Banks and Richardson) within a proposed bylaw
Centennial Drive Reserve and Tom Grant Drive Reserve, Matamata	Camping not provided for in RMP, so is prohibited under section 44 of the RA.	10 Protect the area: 3 Protect H+S: 4 Protect	Site contains mature trees. Both segments of the drive are used by cyclists and pedestrians more than vehicles and are dog exercise areas. The roads within both reserves are narrow and vehicles parked along the roads may restrict access for other users and cause damage to the grassed areas. The only formed carpark on both drives is	Prohibit freedom camping on reserve within a proposed bylaw.
		access: 3	on Tom Grant Drive and is adjacent to the playground.	

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Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Hawes Bush and adjacent roadside, Matamata	Camping not provided for in RMP, so is prohibited	12	Site identified as being of regional ecological significance and contains	Prohibit freedom camping on reserve and the surrounding
loadshee, Matamata	under section 44 of the	Protect the	mature kahikatea trees.	roadside within a proposed
	RA.	area: 5	There is no street lighting and reserve is isolated.	bylaw.
		Protect	The grass area used for informal parking	
		H+S: 3	gets damaged due to it being frequently waterlogged.	
		Protect		
		access: 4		
Hetana Street Reserve, Matamata	Camping not provided for in RMP, so is prohibited	10	Area contains a number of large trees which are scheduled in the District Plan.	Restrict freedom camping to a maximum of six vehicles
	under section 44 of the	Protect the	The area contains a number of	within the six 'back-in' car
	RA.	area: 2	community services frequently accessed	parking spaces that are
	Council has installed		by locals. The site is also close to the i-Site	currently signposted for
	signage allowing freedom	Protect	and can get busy with tourists.	freedom camping within a
	camping in six 'back-in'	H+S: 4	The access is narrow, vehicles parked in	proposed bylaw.
	parks near the vehicle exit		non-allocated spots may restrict access	
	which is consistently used.	Protect	for other users.	Amend the Hetana Street
	A current Master Plan	access: 4	The toilets on the reserve are open 24-	Reserve RMP to provide for
	process is underway which		hours but it is not considered appropriate	self-contained freedom
	is supportive of continuing		for vehicles which are not self-contained	camping in vehicles on the
	to provide for some self-		to freedom camp on this reserve.	reserve.
	contained freedom		·	
	camping on the reserve.			
Waharoa (Matamata) Aerodrome, Matamata	RMP provides for camping for a fee on the reserve.	14	The area is culturally significant and is governed jointly between Ngāti Haua and	Prohibit freedom camping or the entire Aerodrome area
Watamata		Protect the	Council.	within a proposed bylaw.
		area: 5	The site is used by the aviation club with	,
			planes taking off and landing on the	
		Protect	runway.	
		H+S: 4	There is no public access due to a locked	
			gate.	
		Protect	č	
		access: 5		



Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Matamata Domain, Matamata	Reserve understood to not be classified under the	9	Reserve contains trees scheduled in the District Plan south of the pool.	Prohibit freedom camping or reserve within a proposed
	Reserves Act, so freedom	Protect the	Site is busy and frequently used for sports	bylaw.
	camping currently permitted under section	area: 3	and children accessing the playground.	
	10 of the FCA.	Protect	The car park has good access and contains	
	10 of the FCA.	H+S: 4	a number of trees providing shade.	
		Orataat		
		Protect access: 2		
		access: 2		
Pohlen Park, Matamata	RMP provides for freedom camping on the reserve.	9	The site is used by locals for sports and the car park is often full over the weekend	Restrict freedom camping to three vehicles in the south
	camping on the reserve.	Protect the	and during events.	east corner of the car park.
	Council has installed	area: 2	The car park is sealed and provides good	away from neighbouring
	signage prohibiting	u.cu. 2	access to the reserve. Too many campers	properties, within a proposed
	freedom camping in	Protect	may prevent other users from using the	bylaw.
	response to complaints	H+S: 4	carpark. Complaints mostly related to	
	from neighbouring		vehicles that were not self-contained.	
	properties.	Protect		
		access: 3		
Rapurapu Recreation Reserve,	Camping not provided for	11	Site has cultural significance to iwi. There	Prohibit freedom camping on
Vatamata	in RMP, so is prohibited		has been attempts of regeneration	reserve within a proposed
viatalliata	under section 44 of the	Protect the	planting along the river.	bylaw.
	RA.	area: 4	The site has a history of vandalism and	
			public amenities have been removed due	
		Protect	to this. There is no lighting.	
		H+S: 4	Access is a sealed loop around the	
			reserve, there is very limited parking on	
		Protect	sealed areas.	
		access: 3		



Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Stanley Landing, Tower Road, Matamata	Camping not provided for in RMP, so is prohibited	7	The signage and monument have been removed from site. The area is isolated	Do not include the area in a proposed bylaw.
	under section 44 of the RA.	Protect the area: 3	and low use with no formal parking. The walkway has been closed due to erosion	Freedom camping on the
		Protect	from the river. Access to the previous monument site is only through private	reserve remains prohibited under section 44 of the
		H+S: 3	land due to a recent subdivision.	Reserves Act 1977.
		Protect		
		access: 1		
Swap Park, Matamata	Reserve understood to not be classified under the	10	There is Covid-19 commemoration planting to memorialise those from	Prohibit freedom camping or reserve within a proposed
	Reserves Act, so freedom	Protect the	Matamata who passed away, with an	bylaw.
	camping currently	area: 4	associated walking track on site. The park	
	permitted under section		is primarily used for passive recreation.	
	10 of the FCA.	Protect		
		H+S: 3	The access for vehicles is chained off and	
			vehicle or camping activities may damage	
		Protect	the grassed area.	
		access: 3		
Bruce Clothier Memorial Reserve	Camping not provided for	9	North end of the site contains a Cedar	Prohibit freedom camping o
& Waharoa Rest Area	in RMP, so is prohibited under section 44 of the	Protect the	Tree scheduled in the District Plan. The area is used as a rest stop next to a busy	reserve within a proposed bylaw.
	RA.	area: 2	State Highway. The toilet is one of the	bylaw.
	NA.	ureu. z	busiest public toilets in the district, and	Seek written consent from th
	Area contiguous to state	Protect	this along with customers of the	CE of NZTA to declare the
	highway road reserve.	H+S: 4	bakery/café across the road means there	state highway road reserve
	inginita) read reserver		are frequent vehicle movements within	portion of the area as local
		Protect	the car park, including some tourist	authority land under section
		access: 3	busses.	10A of the FCA for the
			The sealed car park is small and larger	purposes of the Freedom
			vehicles may restrict access for other	Camping Bylaw to ensure
			users.	consistent enforcement.



Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Wairere Falls (Carpark)	Freedom camping currently permitted on	11	Adjacent land is owned by Ngāti Hinerangi and they contain an easement over the	Restrict freedom camping to eleven vehicles in the car
	this Council owned car	Protect the	car park. Iwi support freedom camping	parking spaces along the
	park under section 10 of the FCA.	area: 5	within the car park as long as it doesn't impact on their adjoining land.	south end of the car park within a proposed bylaw.
		Protect	The car park is busy and often full on the	
	Iwi have an easement over	H+S: 4	weekends to service the Wairere Falls	
	the car park to access their		Walk. The car park was recently upgraded	
	adjacent land.	Protect	and contains 11 parks to the south that	
		access: 2	will accommodate larger vehicles and	
			provides an attractive place to camp.	
Morrinsville Ward				
Davies Park, Morrinsville	Camping not provided for	11	The car park is small and has limited	Prohibit freedom camping on
	in RMP, so is prohibited		access. It services a café, playground and	reserve within a proposed
	under section 44 of the	Protect the	the Early Education Centre (currently	bylaw.
	RA.	area: 3	under development).	
			The grass area behind the playground is	
		Protect H+S: 4	inaccessible to vehicles and many of the	
		H+S: 4	trees are protected by QEII covenants.	
		Protect		
		access: 4		
Holmwood Park and adjacent roadside, Morrinsville	Camping not provided for in RMP, so is prohibited	9	The site is largely grassed area and contains a small pond which floods the	Prohibit freedom camping on reserve and the carpark on
	under section 44 of the	Protect the	reserve 2-3 times a year, however more	Holmwood Park Drive within a
	RA.	area: 3	frequently in the last 18 months due to	proposed bylaw.
			increased severe weather events. There is	
		Protect	a walking track through the park that goes	
		H+S: 3	through to the Recreation Reserve.	
			There is no vehicle access onto the	
		Protect	reserve and vehicles parking on the road	
		access: 3	side may restrict access to surrounding	
			driveways.	

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Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Murray Oaks Scenic Reserve,	Camping not provided for	13	The site contains a number of historic oak	Prohibit freedom camping on
Morrinsville	in RMP, so is prohibited		trees (scheduled in District Plan). Train	reserve within a proposed
	under section 44 of the	Protect the	tracks run through the centre of the	bylaw.
	RA.	area: 4	reserve. The reserve is bordered by a local	
			road and a busy State Highway, and the	Seek written consent from th
	Area contiguous to state	Protect	State Highway designation is contiguous	CE of NZTA to declare the
	highway road reserve.	H+S: 5	to this reserve.	state highway road reserve
			The access via the local road is blocked by	portion of the area as local
		Protect	bollards. The access from the State	authority land under section
		access: 4	Highway is often waterlogged and unsafe.	10A of the FCA for the
			There is no formal access or parking on	purposes of the Freedom
			the reserve, but informal parking often	Camping Bylaw to ensure
			occurs.	consistent enforcement.
Recreation Ground, Morrinsville	RMP provides for camping	9	The site has no known area concerns.	Restrict freedom camping to
	on the reserve for a		Vehicles and camping activities on the	six vehicles within the forme
	maximum of four nights.	Protect the	sports field could damage the surface and	car park area within a
		area: 3	interfere with other users of the space	proposed bylaw.
	Currently used for		and cause health and safety issues.	
	freedom camping.	Protect	The reserve is a busy sport and recreation	
		H+S: 3	area. The car park services heated pools,	
			tennis courts and the sports field.	
		Protect	The car park has good access and is	
		access: 3	sealed. Freedom camping is currently	
			permitted within the car park.	
Studholme Street 24-hour public	Freedom camping	6	The 24-hour toilets are within a busy	Do not include the area in a
toilets (near Countdown),	currently permitted		shopping area. There is no parking	proposed bylaw.
Morrinsville	adjacent council	Protect the	allowed on the busy street immediately	
worrinsville	controlled and managed	area: 1	outside the toilet. Only basic toilet	Freedom camping remains
	land under section 10 of		facilities are available and they are used	permitted on council
	the FCA.	Protect	frequently by people travelling through	controlled and managed land
		H+S: 3	Morrinsville as well as people accessing	under section 10 of the FCA.
			the shopping area. The car parking	
		Protect	facilities adjacent to the toilets are in high	
		access: 2	use by shoppers accessing the	
			neighbouring retail areas.	



Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
			While the area is not considered	
			appropriate for vehicles that are not self-	
			contained due to the car parking area	
			servicing the retail area being in high-use	
			by customers, and the basic toilet	
			facilities, this assessment does not	
			suggest that a prohibition or restriction	
			on self-contained freedom camping is	
			warranted under the Act.	
Tahuna Domain, Morrinsville	Camping not provided for	7	No significant area concerns known, the	Do not include the area in a
	in RMP, so is prohibited		domain is used by the rugby club and	proposed bylaw.
	under section 44 of the	Protect the	contains club rooms and a public toilet.	
	RA.	area: 2	The road is a back road to the Waikato	Freedom camping on the
			Expressway and the public toilet gets a lot	reserve remains prohibited
		Protect	of use.	under section 44 of the
		H+S: 3	There is a sealed access to a small car	Reserves Act 1977.
			park on the reserve that services the	
		Protect	toilets and clubrooms.	
		access: 2		
Thomas Park and Roadside,	Camping not provided for	9	The site holds a playground and a Plunket.	Prohibit freedom camping on
Morrinsville	in RMP, so is prohibited		Plunket has a car park, however, the main	reserve and adjacent streets
	under section 44 of the	Protect the	parking for the park is on the adjacent	(Moorhouse and Anderson)
	RA.	area: 2	roadside. There is limited roadside	within a proposed bylaw .
			parking and larger vehicles may restrict	
		Protect	access for vehicles travelling on the road.	
		H+S: 4	They may also impact visibility for turning	
			and cause Crime Prevention through	
		Protect access: 3	Environmental Design (CPTED) issues.	



Alea assessed against the chitena	current status
Waterworks Road Reserve (Te Miro Forest), Morrinsville	Reserve understood to n be classified under the Reserves Act, so freedon camping currently permitted under section 10 of the FCA.
Wisely Reserve and adjacent roadside, Morrinsville	Camping not provided fo in RMP, so is prohibited under section 44 of the RA.
Te Aroha Ward	
Boat Ramp, Te Aroha	Freedom camping currently permitted on this road reserve under section 10 of the FCA.

Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Waterworks Road Reserve (Te Miro Forest), Morrinsville	Reserve understood to not be classified under the Reserves Act, so freedom camping currently permitted under section 10 of the FCA.	11 Protect the area: 4 Protect H+S: 4	The site is designated and has a water catchment overlay under the District Plan. There are also scheduled trees on site. The area is frequently used by mountain bikers who utilise the small gravel car park.	Restrict freedom camping to two vehicles on the south side of the car park within a proposed bylaw.
		Protect access: 3		
Wisely Reserve and adjacent roadside, Morrinsville	Camping not provided for in RMP, so is prohibited under section 44 of the	8 Protect the	The reserve has no known area concerns. The reserve is largely undeveloped and unused. There is a small, gated car park,	Do not include the area in a proposed bylaw.
	RA.	area: 2	chains and bollards restrict access. Any freedom camping at this site would occur	Freedom camping on the reserve remains prohibited
		Protect H+S: 3	on the adjacent roadside.	under section 44 of the Reserves Act 1977.
		Protect access: 3		Freedom camping remains permitted on the road side adjacent to the reserve under section 10 of the FCA.
Te Aroha Ward				
Boat Ramp, Te Aroha	Freedom camping currently permitted on	12	The site is culturally significant to Ngāti Tumutumu as it is a former pa and urupa	Prohibit freedom camping in the car park and associated
	this road reserve under section 10 of the FCA.	Protect the area: 5	site. Iwi support prohibiting freedom camping on this site. Cyclists bike through this area to access	council owned land immediately adjacent to the boat ramp including the
		Protect H+S: 4	the Hauraki Rail Trail. It has recently been upgraded.	skatepark within a proposed bylaw.
		Protect access: 3	The area floods significantly at times of heavy rain, covering the limited boat and trailer parking provided.	

Area assessed against the criteria

Current status



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Recommendation

Alea assessed against the chiena	Current status	Score	Summary of assessment	Recommendation
Boundary Street Carpark, Te	Freedom camping	7	There are no significant area concerns at	Do not include the area in a
Aroha	currently permitted on		this site.	proposed bylaw.
	this road reserve under	Protect the	The car park is close to town and busy on	
	section 10 of the FCA.	area: 2	Sundays for Church services and is used	Freedom camping remains
			by walkers and other users accessing the	permitted on the road side
		Protect	nearby Domain.	adjacent to the reserve under
		H+S: 2	The access is narrow, and longer vehicles	section 10 of the FCA.
			parked will impact access for other users	
		Protect	as well as traffic flow in the area.	
		access: 3		
Boyd Park Te Aroha	RMP provides for camping	10	Two thirds of the reserve is wetlands, the	Restrict freedom camping to
	in Spur Street car park		wetlands are a flood hazard area.	six vehicles in the north-west
	within the reserve for a	Protect the	The site contains a busy sports field and	corner of the car park
	maximum of four nights.	area: 3	event centre frequently used by children.	between the netball courts
			The car park is large and sealed with good	and Boyd Park within a
		Protect	access. It is used by people utilising the	proposed bylaw.
		H+S: 4	sporting activities.	
		Protect		
		access: 3		
Council Office Carpark (35 Kenrick	Freedom camping	9	Low area concerns for the car park area	Prohibit freedom camping in
• •	currently permitted on	-	however, the gravel area shares a parcel	the Council car park and
Street), Te Aroha	this council owned and	Protect the	with Herries Park (assessed below).	associated council owned land
	managed land under	area: 2	This is a busy car park for Council and	(excluding Herries Memorial
	section 10 of the FCA.		Library staff and visitors. Council staff use	Park) within a proposed
		Protect	this car park and require access to	bylaw.
	Freedom camping	H+S: 3	buildings to carry out their work.	- , -
	advertised in specific car		Campers could cause access issues and	
	parking spots accessed	Protect	impact the car park for day users. Council	
	from this car park, which	access: 4	has had issues with this in the past.	
	fall within the			
	neighbouring Herries Park			
	Reserve land parcel.			
	·			

Score

Summary of assessment

Item 7.1



Attachment D

Area assessed against the criteria	Current status	Score	Summary of assessment
Herries Memorial Park, Te Aroha	Camping not provided for in RMP. Freedom camping advertised within an area at the north edge of the reserve, within the Council Office Carpark.	11 Protect the area: 3 Protect H+S: 4 Protect access: 4	Area has a flood zone overlay under the District Plan, there is no formalised vehicle access onto this section of the Reserve. The area floods significantly in wet weather, vehicles and camping activities on the grass may cause damage. The reserve covers part of the Council car park (see above for relevant assessment.)
Herries Memorial Park Toilets - Roadside adjacent to 41 Rewi Street, near toilets	Freedom camping currently permitted on this council owned and managed land under section 10 of the FCA. Presence of 24-hour toilet facilities indicates potential area for vehicles that are not Self-contained	8 Protect the area: 2 Protect H+S: 4 Protect access: 2	See above for assessment relevant to Herries Park. The 24 hour toilets on Herries Memorial Park are close to a well-used playground. Only basic toilet facilities are available. The car parking spaces on the road are used by visitors to the playground including children. While the area is not considered appropriate for vehicles that are not self- contained due to the proximity of the playground and the basic toilet facilities, this assessment does not suggest that a prohibition or restriction on self- contained freedom camping is warranted under the Act.

Restrict to six vehicles along

behind the Council buildings,

accessed from Kenrick Street (the north point of Herries

Memorial Park) with existing time and day restrictions (7pm

to 7am weekdays, any time on weekends and public holidays)

within a proposed bylaw. Amend the Herries Memorial Park RMP to provide for selfcontained freedom camping in vehicles on the reserve.

Do not include the area in a

Freedom camping remains

permitted on the road side

section 10 of the FCA.

adjacent to the reserve under

proposed bylaw.

the southern side of the

existing formed car park



sment	Recommendation
cerns, the park is small cles or camping ve may damage the	Do not include the area in a proposed bylaw.
access onto the Street and Catherine	Freedom camping on the reserve remains prohibited under section 44 of the
s are narrow.	Reserves Act 1977. Freedom camping remains permitted on the road side adjacent to the reserve under section 10 of the FCA.
has no known area ours Herries Memorial area along Rolleston	Do not include the area in a proposed bylaw.
ed access or parking to damage the	Freedom camping remain permitted on the reserve and road side under section 10 of

Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Hanna Street Reserve, Te Aroha	Camping not provided for in RMP, so is prohibited	8	No known area concerns, the park is small and not busy. Vehicles or camping	Do not include the area in a proposed bylaw.
	under section 44 of the	Protect the	activity on the reserve may damage the	
	RA.	area: 3	grassed areas.	Freedom camping on the
			There is no vehicle access onto the	reserve remains prohibited
		Protect	reserve. The Hanna Street and Catherine	under section 44 of the
		H+S: 1	Crescent cul-de-sacs are narrow.	Reserves Act 1977.
		Protect		Freedom camping remains
		access: 4		permitted on the road side
				adjacent to the reserve under section 10 of the FCA.
Robertson Reserve, Te Aroha	Reserve understood to not	7	Reserve is small and has no known area	Do not include the area in a
Robertson Reserve, Te Arona	be classified under the		concerns. It neighbours Herries Memorial	proposed bylaw.
	Reserves Act, so freedom	Protect the	Park and is a grassy area along Rolleston	
	camping currently	area: 2	Street.	Freedom camping remain
	permitted under section		There is no formalised access or parking	permitted on the reserve and
	10 of the FCA.	Protect	so vehicles are likely to damage the	road side under section 10 of
		H+S: 2	grassed area.	the FCA.
		Protect		
		access: 3		
Seddon Street Reserve, Te Aroha	Camping not provided for in RMP, so is prohibited	9	Reserve contains stormwater assets and a drainage channel.	Prohibit freedom camping on the reserve within a proposed
	under section 44 of the	Protect the	There is a flood hazard on the west side of	bylaw.
	RA.	area: 3	the reserve.	
			There is no formalised parking, vehicles	
		Protect	and camping activities on the reserve may	
		H+S: 3	cause damage.	
		Protect		
		access: 3		

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Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Skidmore Reserve, Te Aroha	Reserve understood to not be classified under the	9	Vehicles and camping activities on the grassed area of the reserve may cause	Prohibit freedom camping on the reserve within a proposed
	Reserves Act, so freedom	Protect the	damage.	bylaw.
	camping currently permitted under section	area: 4	The area is not busy and has minimal health and safety concerns, however the	
	10 of the FCA.	Protect	car park is accessed from a busy road and	
		H+S: 2	is small.	
			Car park is small and sealed with good	
		Protect	access, however there is no vehicle access	
		access: 3	on the grassed area of the reserve.	
Te Aroha Domain, Te Aroha	Camping not provided for in RMP, so is prohibited	12	The domain is of high cultural and natural significance. It is host to a number of	Prohibit freedom camping on the reserve including
	under section 44 of the	Protect the	recreation and commercial activities.	Koromiko Road which runs
	RA, however, Appendix E of the Active RMP notes	area: 5	The multi-use area is popular and there are some concerns in regard to health and	through the reserve within a proposed bylaw.
	that camping could be	Protect	safety, especially due to the narrow one	p
	appropriate on the reserve.	H+S: 4	way road through the reserve with limited parking.	Amend Appendix E of the Active RMP to remove Te
		Protect	Parking is utilised available on adjacent	Aroha Domain from the list o
		access: 3	roads. Koromiko Road to the east is narrow and has limited roadside parking.	reserves to reflect the prohibition of camping on the reserve.
Tui Park, Te Aroha	Camping not provided for in RMP, so is prohibited	8	The reserve has a flood hazard overlay under the District Plan. The area is known	Do not include the area in a proposed bylaw.
	under section 44 of the	Protect the	to flood which poses a health and safety	
	RA.	area: 2	risk.	Recommend that freedom
			The bowling club leases a portion of the	camping on the reserve
	Leased areas are outside	Protect	reserve and there are a number of picnic	remains prohibited under
	the scope of the bylaw as they are not council	H+S: 3	areas located on the grassed area. There are large parts of the reserve leased for	section 44 of the Reserves A 1977.
	controlled or managed	Protect	grazing.	
	land and are not available	access: 3	Access is via Tui Park road, and the only	
	for freedom camping under the FCA		parking available services the bowling club.	



Area assessed against the criteria	Current status	Score	Summary of assessment	Recommendation
Waihou Recreation Reserve, Te	Camping not provided for	9	There are leases applied within the	Restrict freedom camping to
Aroha	in RMP, so is prohibited		reserve, with a range of different lease	three vehicles in centre row o
	under section 44 of the	Protect the	holders	car park spaces within the
	RA.	area: 2	The Reserve is multi use and the area is busy and frequently used by children, for	section of car park near the rugby fields within a proposed
	Leased areas are outside	Protect	equestrian related activities, and by	bylaw.
	the scope of the bylaw as	H+S: 4	people accessing riding for the disabled	
	they are not council		services, and for those accessing the	Amend the Waihou
	controlled or managed	Protect	rugby fields.	Recreation Reserve RMP to
	land and are not available for freedom camping under the FCA.	access: 3	The car park is sealed and has two formed accesses.	provide for self-contained freedom camping in vehicles on the reserve.
Waitoa Railway Reserve, Te Aroha	Reserve understood to not	9	The site is located between a busy state	Restrict freedom camping to
	be classified under the		highway and railway. The location is a	two vehicles within the
	Reserves Act, so freedom	Protect the	concern for health and safety.	formed car park within a
	camping currently permitted under section	area: 2	There is a small, formed parking area with no bollards or other devices stopping	proposed bylaw.
	10 of the FCA.	Protect	access onto the grass.	Amend the Waitoa Railway
		H+S: 4	Parking and camping activities on the grass may cause damage.	Reserve RMP to provide for self-contained freedom
		Protect	с , с	camping in vehicles on the
		access: 3		reserve.
Waiorongomai Car Park, Te Aroha	Freedom camping currently permitted on	9	A historic gold mining site is adjacent to the carpark.	Restrict freedom camping to four vehicles within the car
	this road reserve under	Protect the	The car park is in an isolated area with no	park within a proposed bylaw.
	section 10 of the FCA.	area: 3	lighting and is generally used by hikers	
			accessing the walking trails.	
		Protect	The car park is not sealed and has narrow	
		H+S: 3	road access.	
		Protect		
		access: 3		