# Marlborough District Council Freedom Camping Control Bylaw 2012

Pursuant to section 11 of the Freedom Camping Act 2011, the Marlborough District Council makes the following bylaw.

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## Bylaws

### 1. Title

This bylaw is the Marlborough District Council Freedom Camping Control Bylaw 2012.

### 2. Commencement

This bylaw comes into force on 26 November 2012.

### 3. Interpretation

In this bylaw, unless the context requires another meaning –

**Freedom camp** and **Freedom camping** have the meaning given in section 5 of the Freedom Camping Act 2011.

**Enforcement officer** has the meaning given in section 4 of the Freedom Camping Act 2011

**Local authority area** has the meaning given in section 6 of the Freedom Camping Act 2011 and also means within the Marlborough District.

**Self contained vehicle** means a vehicle for which a warrant has been issued in accordance with NZ Standard 5465:2001 (*New Zealand Standard for Self Containment of Motor Caravans and Caravans*). That warrant must be current and be displayed on the vehicle.

### 4. Purpose

The purpose of this bylaw is to regulate freedom camping in local authority areas so as to:

(a) protect the area;

(b) protect, the health and safety of people who may visit the area; and/or

(c) protect access to the area.

## 5. Prohibited Areas

No person may freedom camp in any local authority area identified in Schedule A.

## 6. Restricted Areas

6.1 No person may freedom camp in any local authority area identified in Schedule B unless he or she complies with the restrictions imposed on use of that area as set out in Schedule B.

6.2 Subject to clauses 5, 6.1 and 7 of this bylaw, no person may freedom camp in any local authority area unless he or she complies with the following general restrictions:

(a) Spends no more than two consecutive nights at the site;

(b) Camps in a self-contained vehicle (unless toilet facilities are provided at the site);

(c) Lights no fires; and

(d) Does not restrict public access to the area; and

(e) Appropriately disposes of all waste.

## 7. Council consent to freedom camping

7.1 A person may freedom camp in a Prohibited Area as set out in Schedule A if he or she has obtained the prior written consent of the Chief Executive of Marlborough District Council. Consent is at the absolute discretion of the Chief Executive and may be granted with or without conditions. Consent must be sought at least twenty working days in advance. All costs incurred by Council in determining the application for consent must be met by the applicant and must be paid before the determination will be released.

7.2 A person may freedom camp in a Restricted Area as set out in Schedule B otherwise than in accordance with the restrictions on freedom camping in that area if he or she has obtained the prior written consent of the Chief Executive of Marlborough District Council. Consent is at the absolute discretion of the Chief Executive and may be granted with or without conditions. Consent must be sought at least twenty working days in advance. All costs incurred by Council in determining the application for consent must be met by the applicant and must be paid before the determination will be released.

7.3 In relation to consent given in accordance with clauses 7.1 or 7.2:

(a) Any conditions attaching to the consent must be complied with;

(b) Fires are not permitted on site; and

(c) On departure the site must be left in a clean and tidy condition with all rubbish and waste removed.

7.4 Consent given in accordance with clause 7.1 or 7.2 may be revoked by the Council if an enforcement officer believes on reasonable grounds that the person(s) to whom consent has been granted has:

(a) acted in a manner likely to offend or annoy other people using the site;

(b) damaged or is likely to cause damage to the site; and/or

(c) breached any of the conditions of consent including the limitations in clause 7.3.

Revocation of consent occurs at the time the enforcement officer directs the person(s) to leave the site.

## 8. Offences and penalties

8.1 In accordance with section 20 of the Freedom Camping Act 2011, every person who freedom camps in a local authority area in breach of any prohibition or restriction in this bylaw commits an infringement offence and is liable to a fee of $200 (or other amount as prescribed by regulations made under that Act).

8.2 Section 20 of the Freedom Camping Act 2011 provides for other offences in relation to freedom camping.

## SCHEDULE A—PROHIBITED AREAS

1. All local authority areas including roads (but excluding State Highways) and reserves within the following urban areas:

   (a) **Blenheim urban area** encompassing Wither Hills Farm Park, the south side of the Co-op Drain to the intersection of Redwood Pass Road and State Highway 1, from the Riverlands ponds to the stop bank on the north side of the Opawa River through to the bridge at Thompson Ford Road, Murphys Road, Middle Renwick Road to Severne Street including Sheps' Park along David Street to Battys Road, New Renwick Road to Aerodrome Road then along the true left of the Taylor River through to Taylor Dam Reserve as shown on the separately attached map.

   (b) **Picton urban area** encompassing the Elevation, Wairau Road, Essons Valley, following the bush line through Waikawa Bay and Victoria Domain through to Shelly Beach, Picton Foreshore through to the Picton Cemetery at Grave End Road and back to the Wairau Road as shown on the separately attached map.

   (c) **Havelock urban area** encompassing Mahakipawa Road across the estuary to the Marina through to Cook Street then to the intersection with State Highway 6, then following the bush line back to Mahakipawa Road and State Highway 6 as shown on the separately attached map.

   (d) **Seddon urban area** encompassing Wakefield Street across State Highway 1 to Marama Road then into Foster Street, including the Domain, connecting into Beaumont Street, encompassing Nursery Lane back to the intersection of Simpson Street, Renwick Street and then along Mills Street to Fearon Street as shown on the separately attached map.

   (e) **Renwick urban area** encompassing the intersection of High Street and Old Renwick Road via State Highway 6 through to the north side of State Highway 63 where it intercepts with Anglesea Street to Boyce Street including River Terrace and from Gee Street to Blicks Lane, including the Domain Area, then into Alma Street North to Oudenarde Street then to Brook Street along to High Street back to the intersection of Old Renwick Road as shown on the separately attached map.

2. The following local authority roads and road verges, as shown on the separately attached maps:

   (a) **Queen Charlotte Drive** from Picton to Havelock and including the Queen Charlotte Lookout.

   (b) **Kenepuru Road** from Linkwater to the end of Titirangi Road including Manaroa Road, Clova Bay Road Moetapu Bay Road, Broughton Bay Road, Tara Bay Road, Lawrence Road, Torea Road, Sandy Bay Road, Titirangi Road, Akerbloms Road, Anakoha Road, Hopai Road, St Omer Road, Crail Bay Road, Elie Bay Road, Williams Road. Te Mahia Road and Onahau Road.

   (c) **French Pass Road** from Okiwi Bay to French Pass.

   (d) **Karaka Point Road Reserve** area adjoining Karaka Point Reserve on the Port Underwood Road

3. The following reserves administered by Council:

   (a) **Log Wharf Reserve**, State Highway 6, Havelock as shown on the separately attached map.

   (b) **Ocean Bay Foreshore Reserves**, Port Underwood Road, Ocean Bay, Port Underwood as shown on the separately attached map.

   (c) **Upper Spring Creek Reserve**, Rapaura Road, Spring Creek as shown on the separately attached map.

(d) River Reserve adjacent to the **Wairau Rowing Club** premises, Steam Wharf Road, Grovetown as shown on the separately attached map.

(e) River Reserve adjacent to the **Blenheim Rowing Club** premises, Jones Street, Grovetown as shown on the separately attached map.

(f) **Omaka River Reserve** at the intersection of State Highway 6 and State Highway 63 as shown on the separately attached map.

(g) **Ferry Bridge picnic area** from the bridge down to the stop bank as shown on the separately attached map.

(h) **Wairau Diversion Reserve** that part of the reserve from the sea to the area outlined in yellow on the separately attached map (note the part of the reserve outlined in yellow is a restricted area—see Schedule B).

## SCHEDULE B—RESTRICTED AREAS

1. **Elterwater Reserve**

**Location:** State Highway 1, north of Ward township as shown on the separately attached map.

**Conditions of use**:

- No person may freedom camp using a tent;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

2. **Blairich Reserve**

**Location**: Awatere Valley Road, as shown on the separately attached map

**Conditions of use**:

- No person may freedom camp using a tent;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

3. **Collins Memorial Reserve**

**Location**: Koromiko SH 1 halfway between Blenheim and Picton, as shown on the separately attached map

**Conditions of use**:

- No person may freedom camp using a tent;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;

- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

**4. Double Bay Reserve**

**Location:** Mahau Sound, as shown on the separately attached map

**Conditions of use**:

- No person may freedom camp using a tent;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

**5. Ohingaroa Reserve**

**Location**: Kenepuru Road, as shown on the separately attached map

**Conditions of use:**

- No person may freedom camp except in a self contained vehicle;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

**6. Ohauparuparu Reserve**

**Location**: Kenepuru Road, as shown on the separately attached map

**Conditions of use**:

- No person may freedom camp except in a self contained vehicle;

- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

**7. Wairau Diversion Reserve**

**Location:** Reserve Road at the intersection of Neil and Thomas Road as shown on the separately attached map

**Conditions of use**:

- No person may freedom camp except in a self contained vehicle;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

**8. Taylor Dam**

**Location: Taylor Pass Road** as shown on the separately attached map

**Conditions of use**:

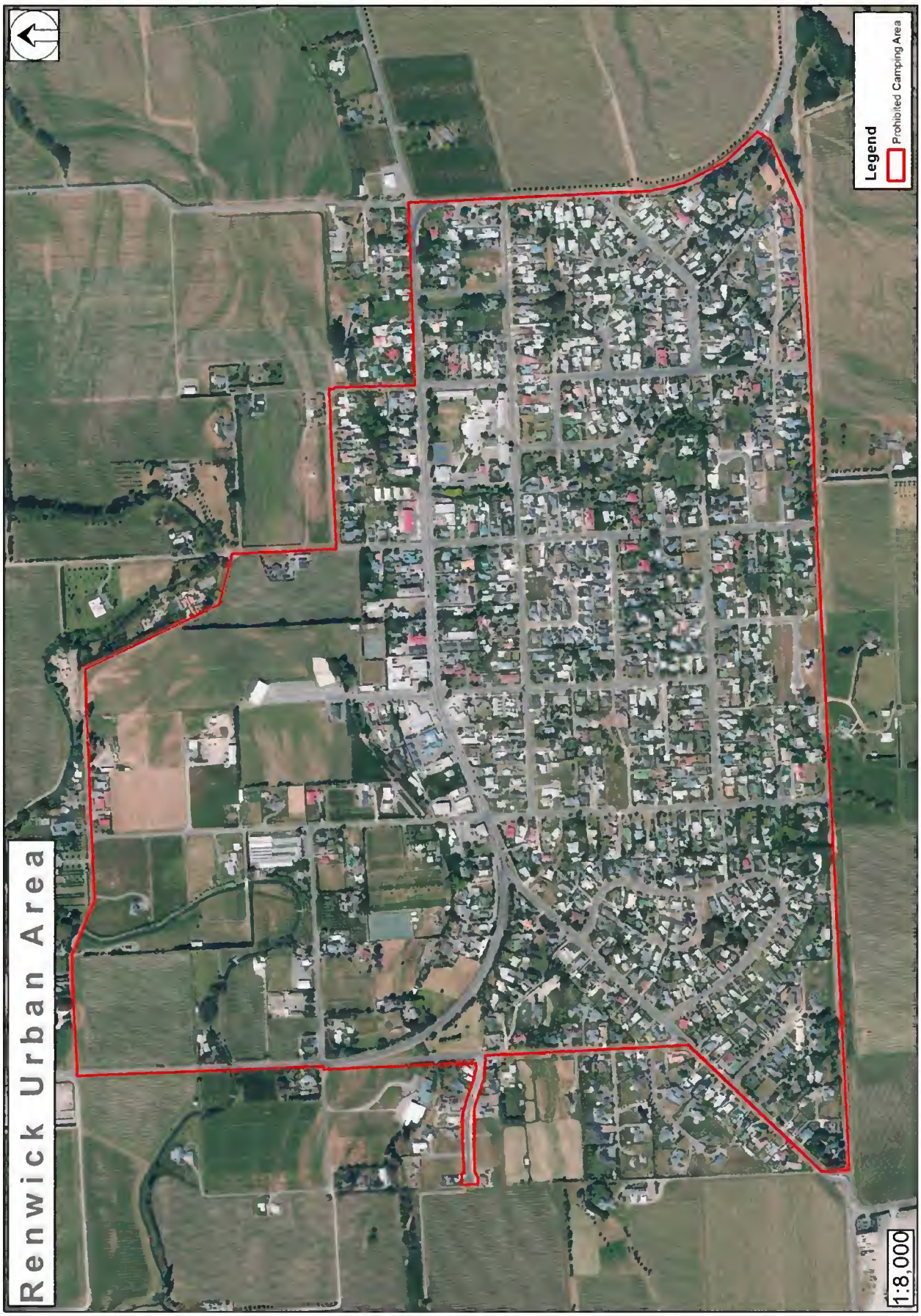
- No person may freedom camp except in a self contained vehicle;
- No person may freedom camp for more than two nights in any calendar month;
- No person may light any fire;
- No person may leave the area without taking with them all their toilet and grey water waste and rubbish from the reserve. All such waste and rubbish must be removed from the site and disposed of in a Council approved disposal facility. The site must be left in a clean and tidy state;
- All conditions stipulated on any signs at the site must be complied with; and
- Every person must leave and not return if required to leave by an enforcement officer.

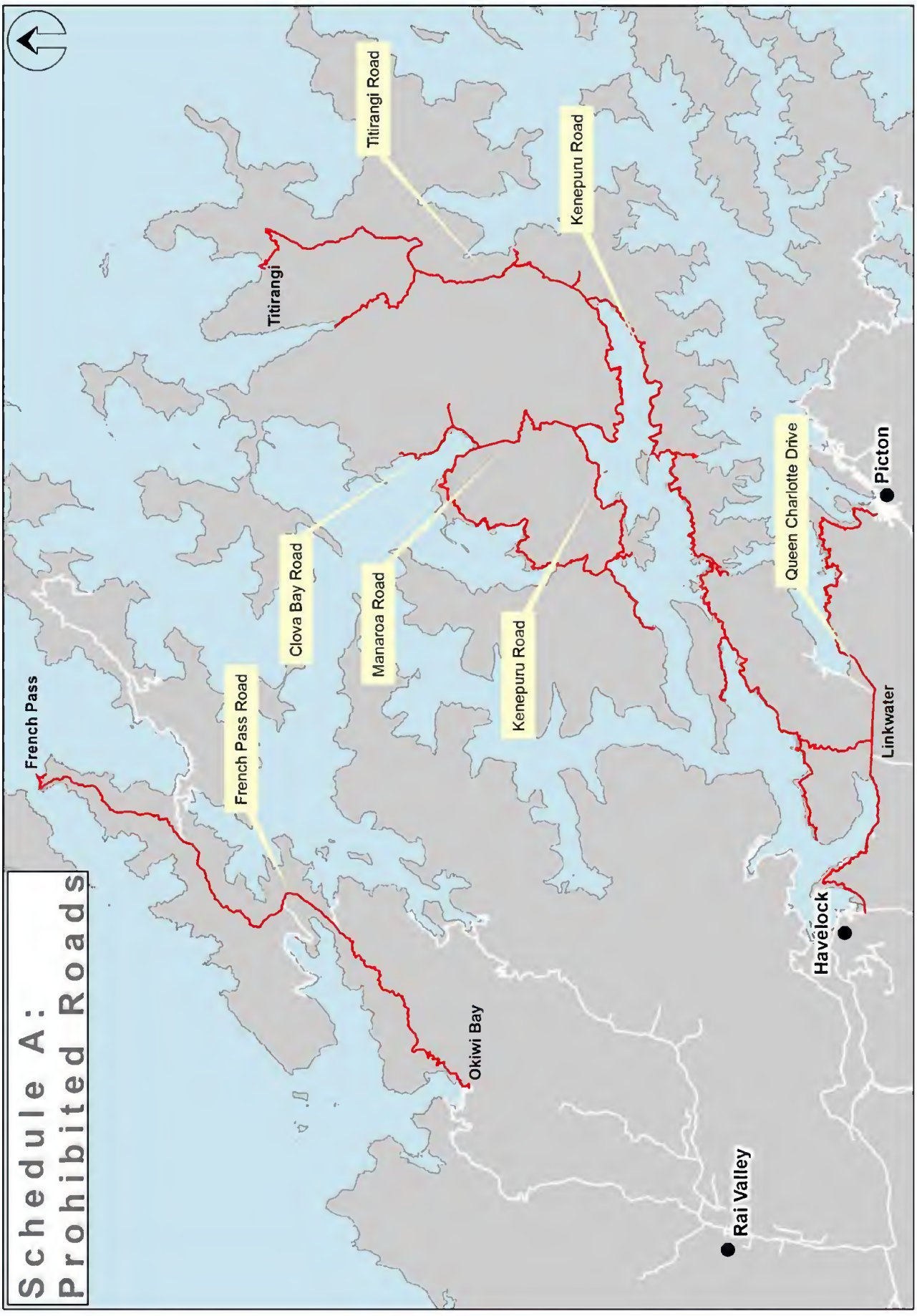
Blenheim Urban Area
Legend
Prohibited Camping Area
1:60,000

WAIKAWA ROAD
WAIRAU ROAD
SH 1
Legend
Prohibited Camping Area
Schedule A: Picton Urban Area

COOK STREET
MAHAKIPAWA ROAD
Legend
Prohibited Camping Area
Schedule A: Havelock Urban Area

Seddon Urban Area
Legend
Prohibited Camping Area
1:5,000

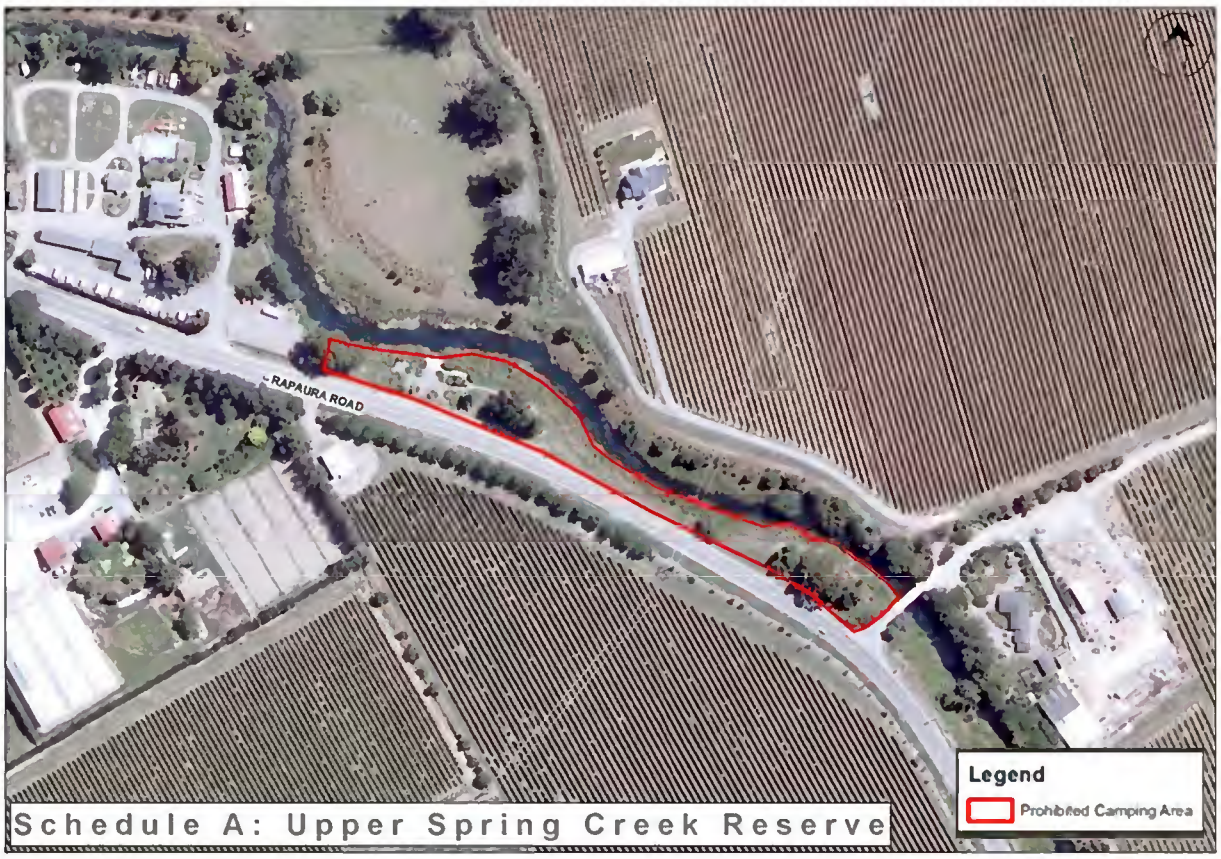

Renwick Urban Area
Legend
Prohibited Camping Area
1:8,000

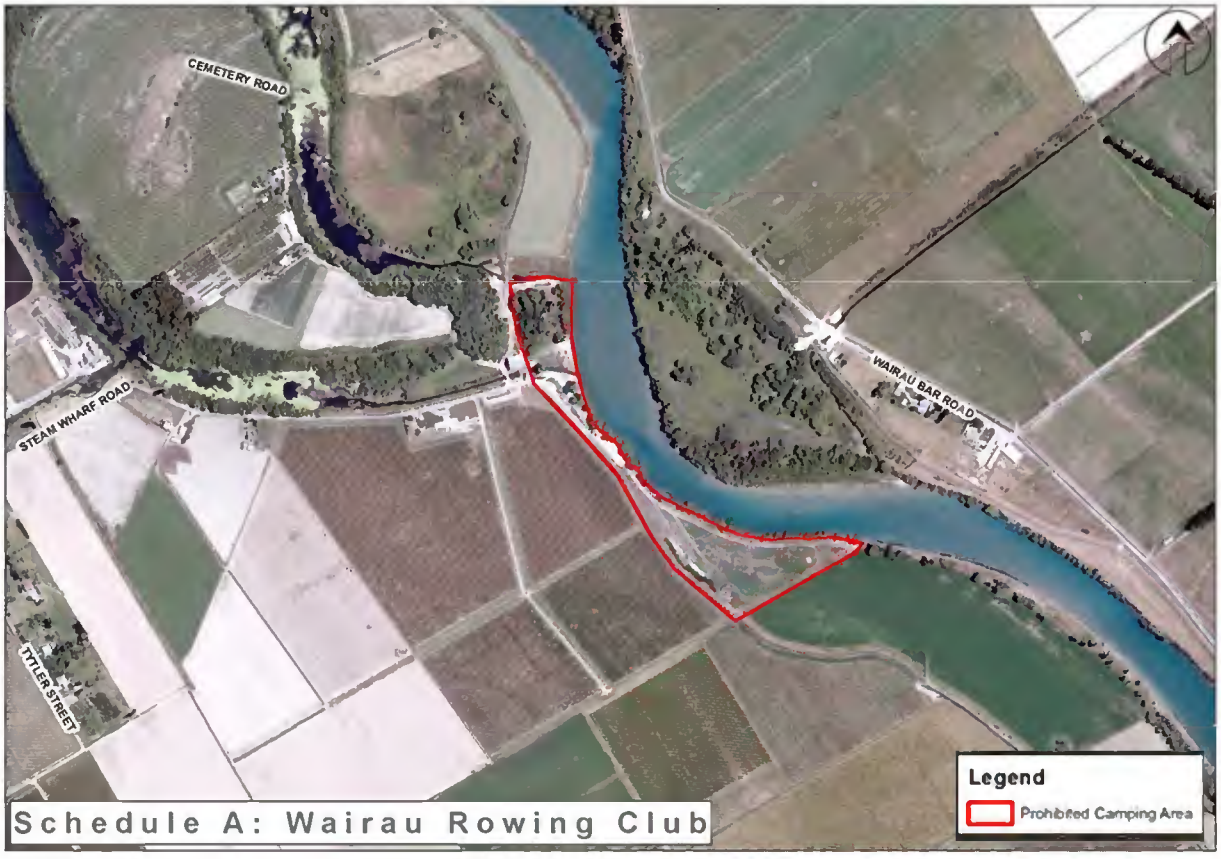

Schedule A:
Prohibited Roads
French Pass
French Pass Road
Clova Bay Road
Manaroa Road
Kenepuru Road
Titirangi
Titirangi Road
Kenepuru Road
Queen Charlotte Drive
Picton
Linkwater
Havelock
Okiwi Bay
Rai Valley

Karaka Point Road Reserve
Legend
Prohibited Camping Area
1:1,000

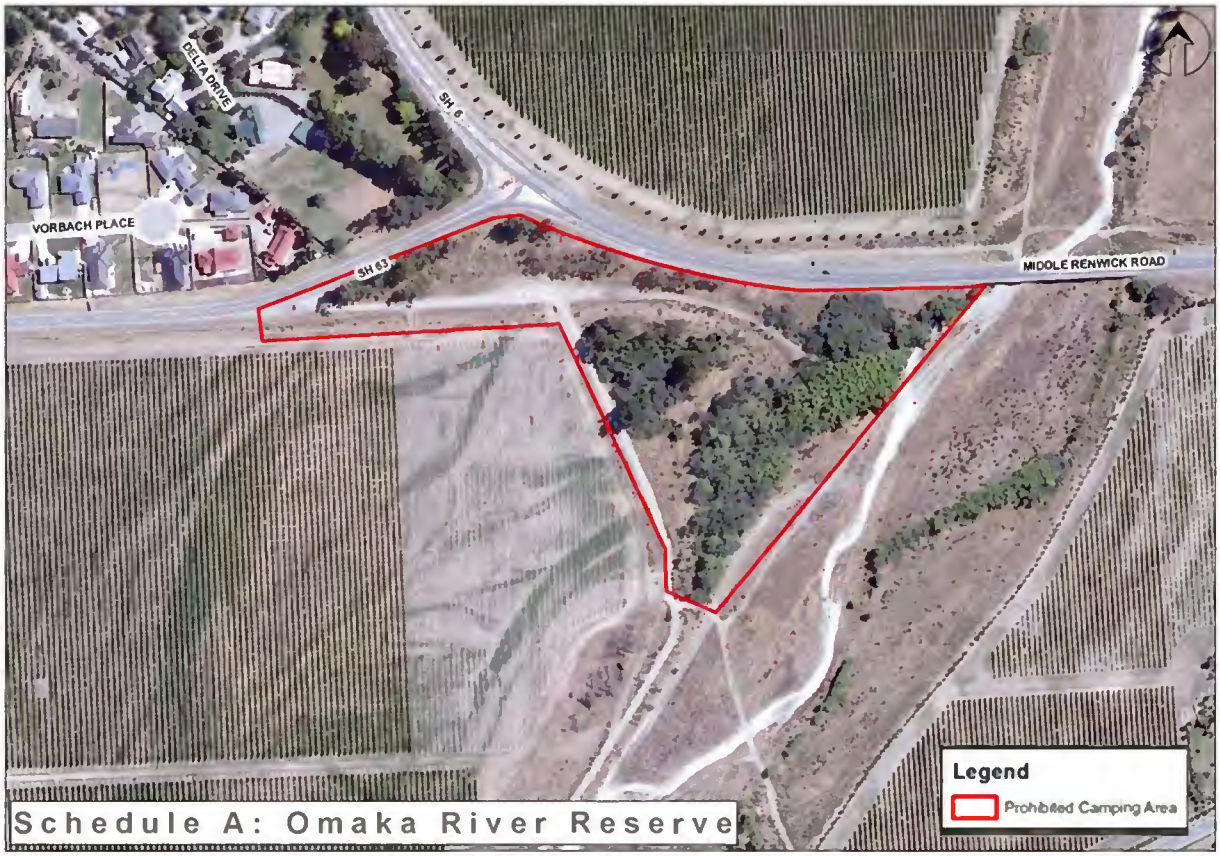
MAIN ROAD
CLIVE STREET
OLD COACH ROAD
SH 6
Legend
Prohibited Camping Area
Schedule A: Log Wharf Reserve

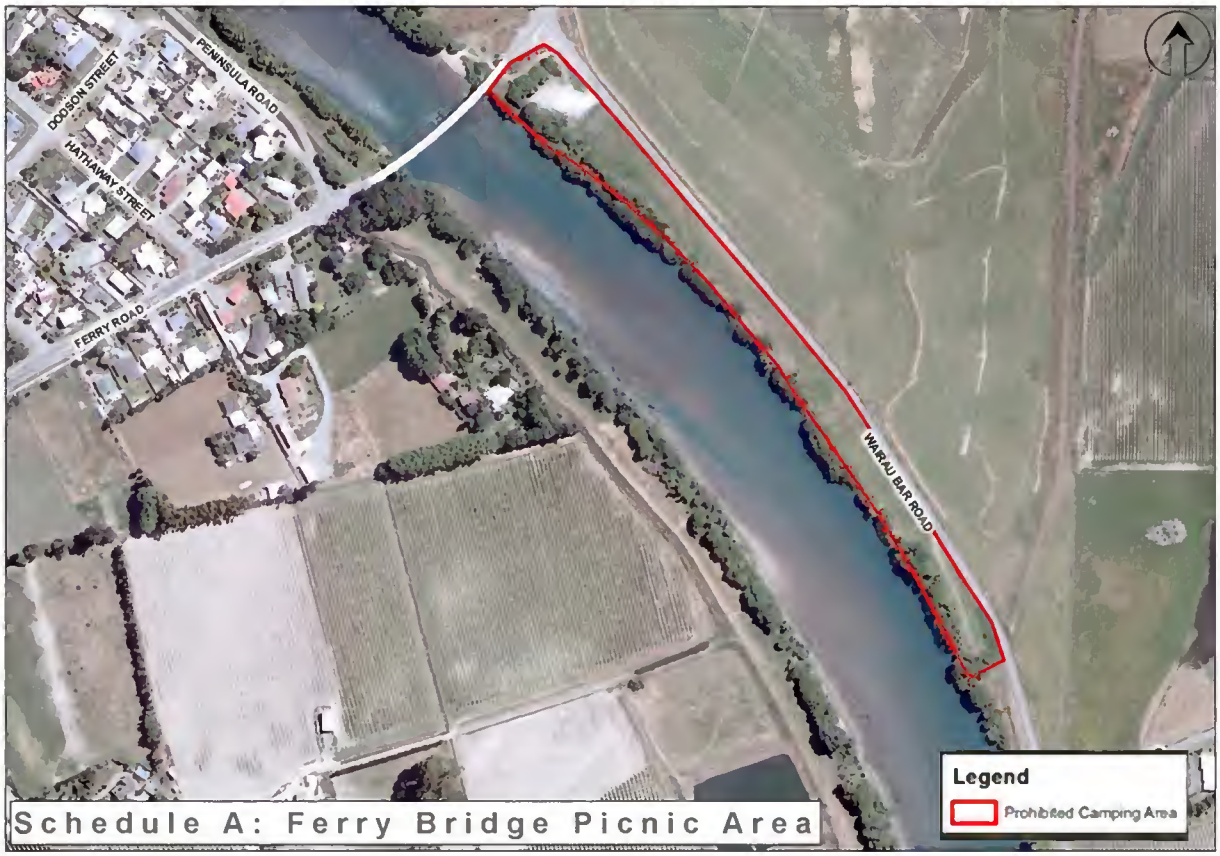
Legend
Prohibited Camping Area
Ocean Bay
1:3,000

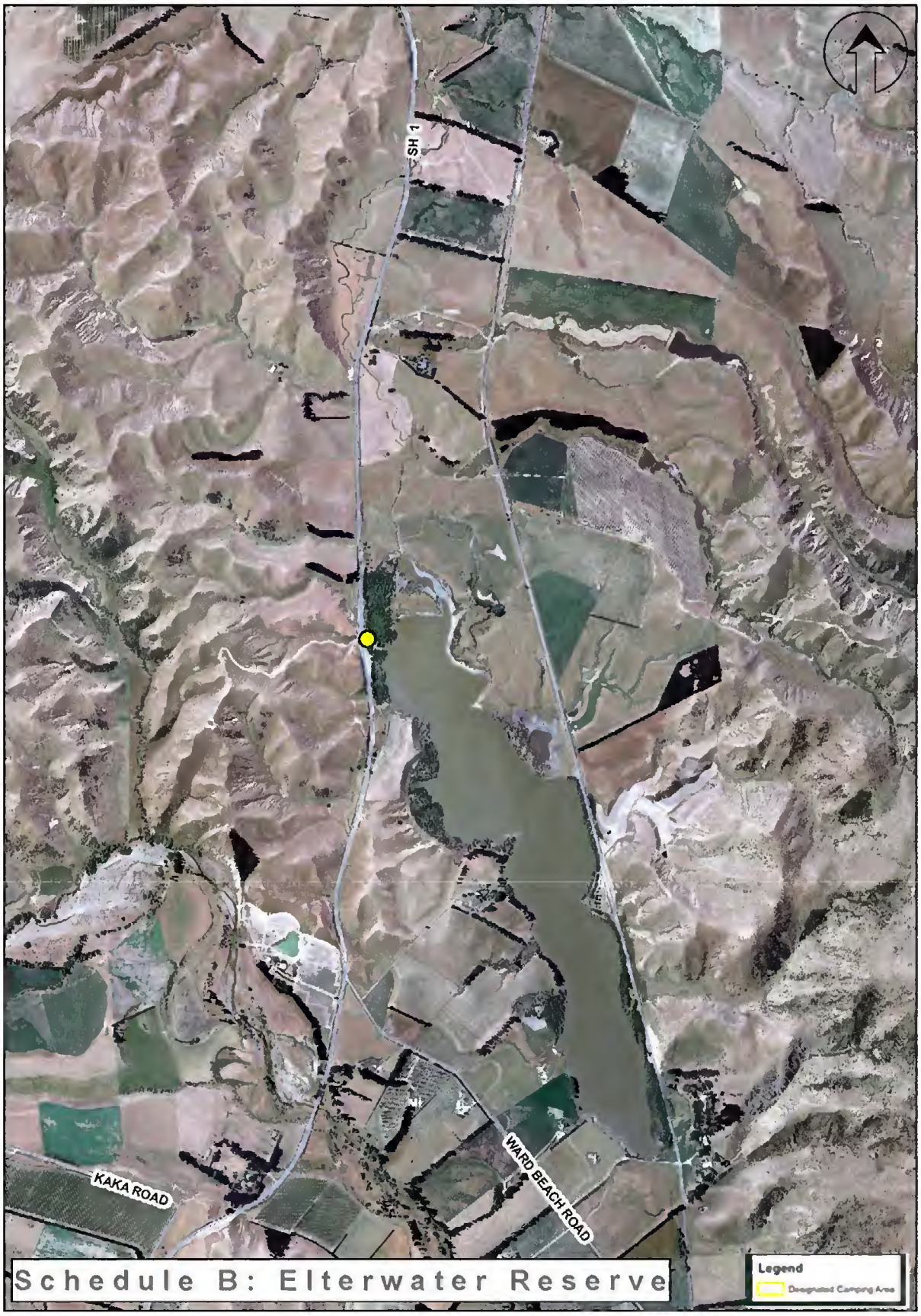

RAPAURA ROAD
Legend
Prohibited Camping Area
Schedule A: Upper Spring Creek Reserve


CEMETERY ROAD
STEAM WHARF ROAD
WAIRAU BAR ROAD
TYTLER STREET
Legend
Prohibited Camping Area
Schedule A: Wairau Rowing Club

JONES ROAD
Legend
Prohibited Camping Area
Schedule A: Blenheim Rowing Club


DELTA DRIVE
SH 6
VORBACH PLACE
SH 63
MIDDLE RENWICK ROAD
Legend
Prohibited Camping Area
Schedule A: Omaka River Reserve


PENINSULA ROAD
DODSON STREET
HATHAWAY STREET
FERRY ROAD
WAIRAU BAR ROAD
Legend
Prohibited Camping Area
Schedule A: Ferry Bridge Picnic Area


SH 1
KAKA ROAD
WARD BEACH ROAD
Schedule B: Elterwater Reserve
Legend
Designated Camping Area

Schedule B: Blairich Reserve

Schedule B: Collins Memorial Reserve

Schedule B: Double Bay Reserve

Schedule B: Ohingaroa Reserve

KENEPURU ROAD
KENEPURU ROAD
Schedule B: Ohauparuparu Reserve

Record No. 123733590