

Marlborough District Council Freedom Camping Control Bylaw 2012

Incorporating proposed amendments

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 One.

6. Restricted Areas

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

~~6.16.2~~ **Council may prohibit, by putting up signs, freedom camping in any restricted area where there is a high risk of fire or imminent flood in the area. The prohibition must be removed when the threat has receded. While an area is prohibited under this bylaw 6.2, no person may freedom camp in the area.**

~~6.26.3~~ 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).

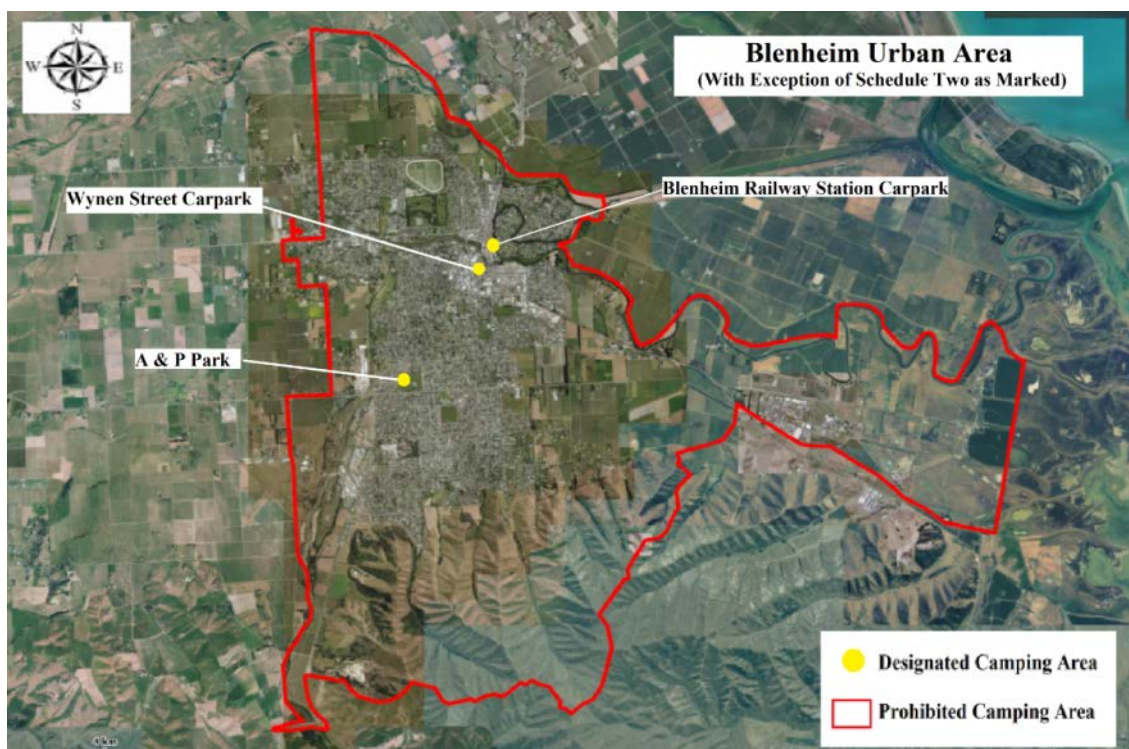
8.2 Section 20 of the Freedom Camping Act 2011 provides for other offences in relation to freedom camping.

SCHEDULE ONE—PROHIBITED AREAS FOR FREEDOM CAMPING

1. Blenheim Urban Area

The Blenheim Urban Area encompasses the area within the southern boundary of the Wither Hills Farm Park, to 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 the area from Middle Renwick Road, Rose Street and Banksia Place to the Westwood shopping complex, New Renwick Road to Aerodrome Road then along the true left of the Taylor River through to Taylor Dam Reserve, as shown on the Blenheim Urban Area Map. A & P Park, Blenheim Railway Station Car Park and Wynen Street Car Park (all as defined in Schedule Two) are not included in the Blenheim Urban Area.

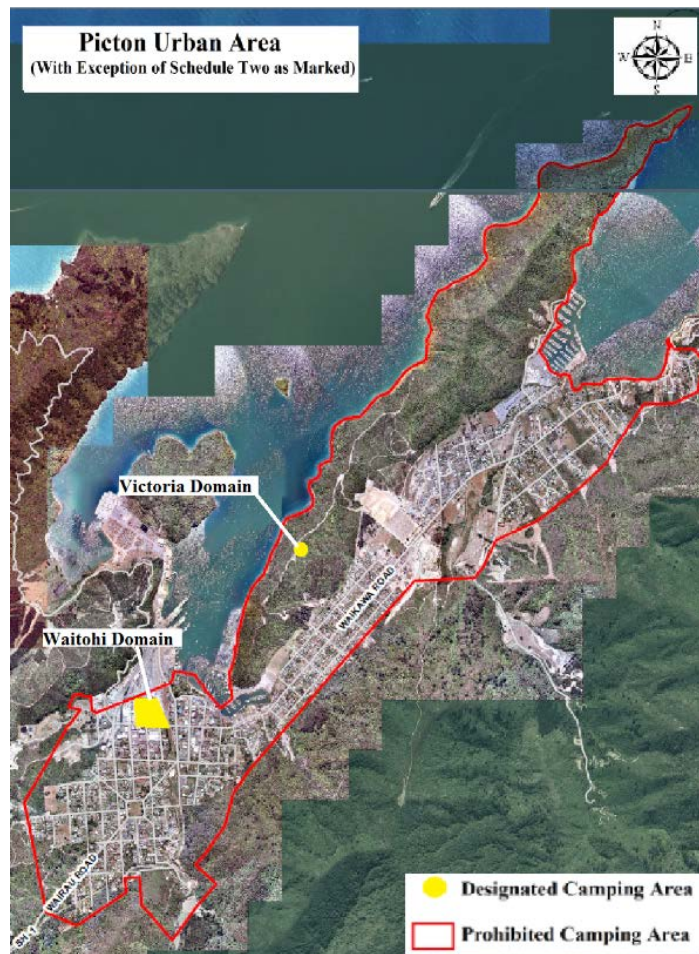
Freedom Camping is prohibited in all local authority areas within the Blenheim Urban Area.



2. Picton Urban Area

The Picton urban area encompasses the Elevation, Wairau Road, Essons Valley, following the bush line through Waikawa Bay and Victoria Domain through to Shelley Beach, Picton Foreshore through to the Picton Cemetery at Grave End Road and back to the Wairau Road as shown on the Picton Urban Area Map. Waitohi Domain and Picton High Street Car Park are not included in the Picton Urban Area. Victoria Domain and Waitohi Domain (as defined in Schedule Two) are not included in the Picton Urban Area.

Freedom Camping is prohibited in all local authority areas within the Picton Urban Area.



3. Havelock Urban Area

The Havelock Urban Area encompasses 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 Havelock Urban Area Map. This prohibited area includes the Log Wharf Reserve on State Highway 6.

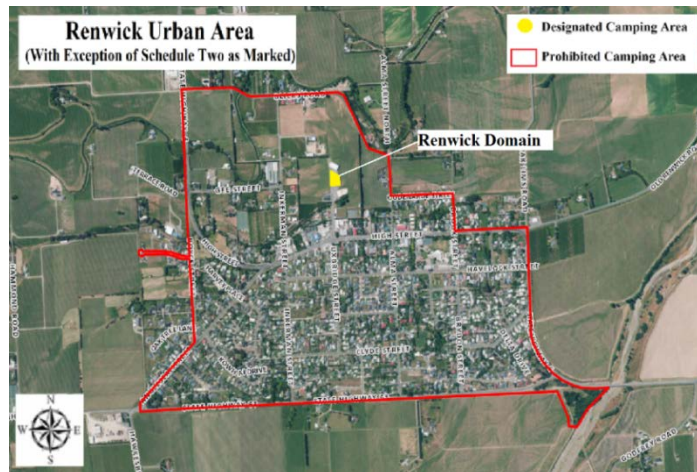
Freedom Camping is prohibited in all local authority areas within the Havelock Urban Area



4. Renwick Urban Area

The Renwick Urban Area encompasses 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 including Omaka River Reserve as shown on the Renwick Urban Area Map.

Freedom Camping is prohibited in all local authority areas within the Renwick Urban Area.

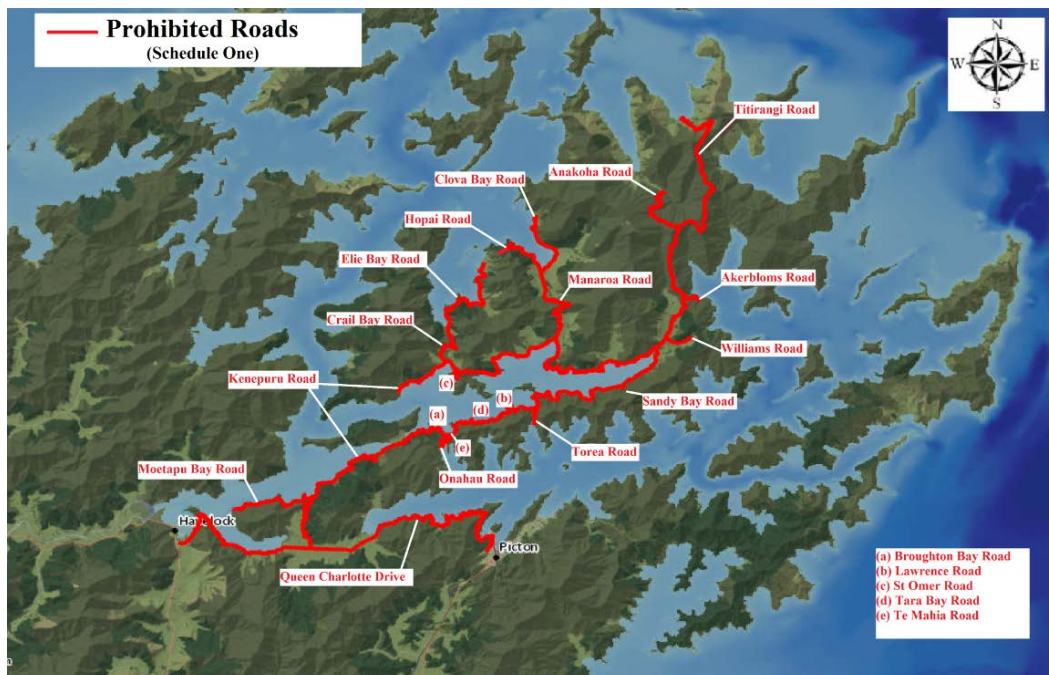


Renwick Domain (as defined in Schedule Two) is not included in the Renwick Urban Area

5. Queen Charlotte Drive Area

Queen Charlotte Drive runs from Picton to Havelock and as generally shown on the Queen Charlotte Drive Map.

Freedom Camping is prohibited along the whole of Queen Charlotte Drive, on the formed road, on road reserve, and on road verges and including at the Queen Charlotte Drive Lookout.



6. Kenepuru Sound Roads

The Kenepuru Sound Roads covered by this Bylaw are:

- (a) Akerbloms Road which runs from Titirangi Road to Punga Cove;
- (b) Anakoha Road which runs from Titirangi Road to Masons Road;
- (c) Broughton Bay Road which runs from Kenepuru Road to Broughtons Bay;
- (d) Clova Bay Road which runs from Manaroa Road to Otatara Road;
- (e) Crail Bay Road which runs from Kenepuru Road to Crail Bay;
- (f) Elie Bay Road which runs from Crail Bay Road;
- (g) Hopai Road;
- (h) Kenepuru Road which runs from Queen Charlotte Drive at Linkwater to Hopewell;
- (i) Lawrence Road which runs from Kenepuru Road to Puketea Bay;
- (j) Manaroa Road which runs from Clova Bay Road to Waitaria Bay;
- (k) Moetapu Bay Road which runs from Kenepuru Road to Hoods Bay;
- (l) Onahau Road which runs from Kenepuru Road to Waterfall Bay;
- (m) Sandy Bay Road which runs inland from Kenepuru Road;
- (n) St Omer Road which runs from Kenepuru Road to Saint Omer;
- (o) Tara Bay Road which runs from Kenepuru Road to Tara Bay;
- (p) Te Mahia Road which runs from Kenepuru Road to Te Mahia Bay;
- (q) Titirangi Road which runs from Kenepuru Road to Titirangi;
- (r) Torea Road which runs from Kenepuru Road at Portage to Torea Bay;
- (s) Williams Road which runs from Titirangi Road inland between Deep Bay and Kenepuru Head,

and as generally shown on the Kenepuru Sound Roads Map

Freedom Camping is prohibited along the whole of these roads (on the formed road, the road reserve and on the road verges).

7. Karaka Point Road Reserve Area

The Karaka Point Road Reserve Area is located approximately 8 kilometres from Picton and adjacent to Karaka Point Reserve on the Port Underwood Road as shown on the Karaka Point Road Reserve Map.

Freedom Camping is prohibited in all parts of the Karaka Point Road Reserve Area.



8. Ocean Bay Foreshore Reserve Areas

The Ocean Bay Foreshore Reserve Areas are located at Ocean Bay in Port Underwood on the Port Underwood Road as shown on the Ocean Bay Foreshore Reserves Map.

Freedom Camping is prohibited in all parts of the Ocean Bay Foreshore Reserve Areas.



9. Upper Spring Creek Reserve

The Upper Spring Creek Reserve is located on Rapaura Road approximately 400 metres from the intersection with State Highway One, at Spring Creek as shown on the Upper Spring Creek Reserve Map.

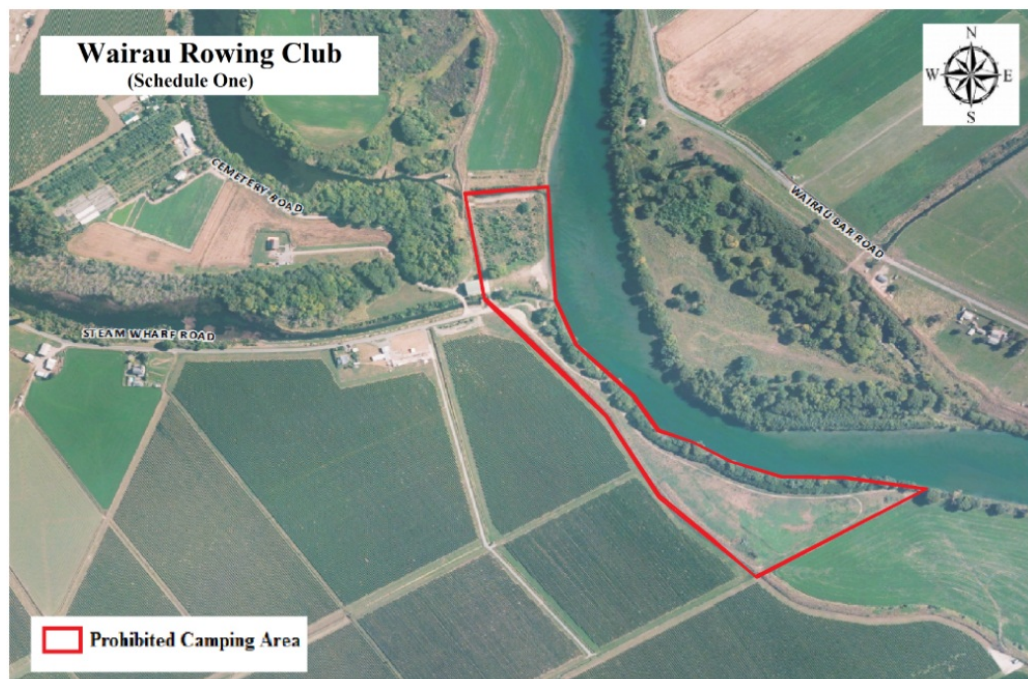
Freedom Camping is prohibited in all parts of the Upper Spring Creek Reserve.



10. River Reserve on Steam Wharf Road

The River Reserve is located adjacent to the Wairau Rowing Club premises on Steam Wharf Road in Grovetown as shown on Steam Wharf River Reserve Map.

Freedom Camping is prohibited in all parts of the River Reserve.



11. River Reserve on Jones Street

The River Reserve on Jones Street is located adjacent to the Blenheim Rowing Club premises on Jones Street in Grovetown as shown on the Jones Street River Reserve Map.

Freedom Camping is prohibited in all parts of the River Reserve on Jones Street.



12. Ferry Bridge Picnic Area

The Ferry Bridge Picnic Area is located on the north-east side of the Ferry Bridge which links Ferry Road and Botham's Bend Road. The prohibited area runs from the bridge to the east and down to the stop bank as shown on the Ferry Bridge Picnic Area Map.

Freedom Camping is prohibited in all parts of the Ferry Bridge Picnic Area.



13. Wairau Diversion Reserve Prohibited Area

The Wairau Diversion Reserve is located at the mouth of the Wairau Diversion. It is accessed from Reserve Road at the intersection of Thomas Road and Neal Road. Part of the Wairau Diversion reserve is a prohibited area and part is a restricted area.

The Wairau Diversion Reserve Prohibited Area is that part of the reserve from the western boundary of the restricted area going in an easterly direction adjacent to the Wairau Diversion and ending at the foreshore as shown on the Wairau Diversion Reserve Prohibited Area Map.

Freedom Camping is prohibited in all parts of the Wairau Diversion Reserve Prohibited Area.

Wairau Diversion Reserve (as defined in Schedule Two) is not included in the Wairau Diversion Reserve Prohibited Area



14. Seddon Domain Prohibited Area

Seddon Domain Area is located off Seymour Street in Seddon. The whole of the domain is included in the Seddon Domain Prohibited Area as shown on the Seddon Domain Prohibited Area Map except the Campground at Seddon Domain as shown on the Campground at Sedona Domain Map.

Freedom Camping is prohibited in all local authority areas within the Seddon Domain Prohibited Area.



15. Collins Memorial and Freeth Road Prohibited Area

Collins Memorial Reserve is located at Koromiko adjacent to and to the east of State Highway One (halfway between Blenheim and Picton)

The entire road and adjoining road Reserve along Freeths Road adjacent to SH1 at Koromiko

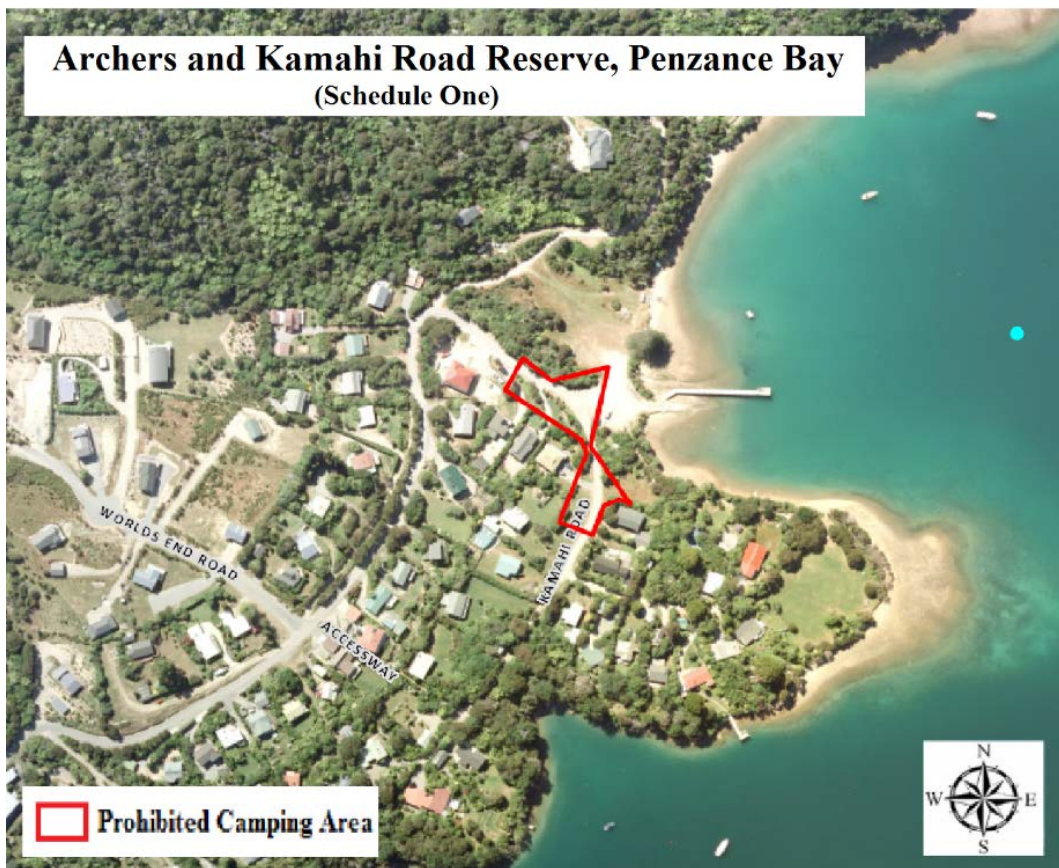


16. Rarangi Blue Gum/ Millennium Rock Road Reserve

Rarangi Road end adjoining DoC Rarangi Recreation Amenity reserve



17. Archers Road Reserve adjoining DoC Foreshore Reserve and Kamahi Road

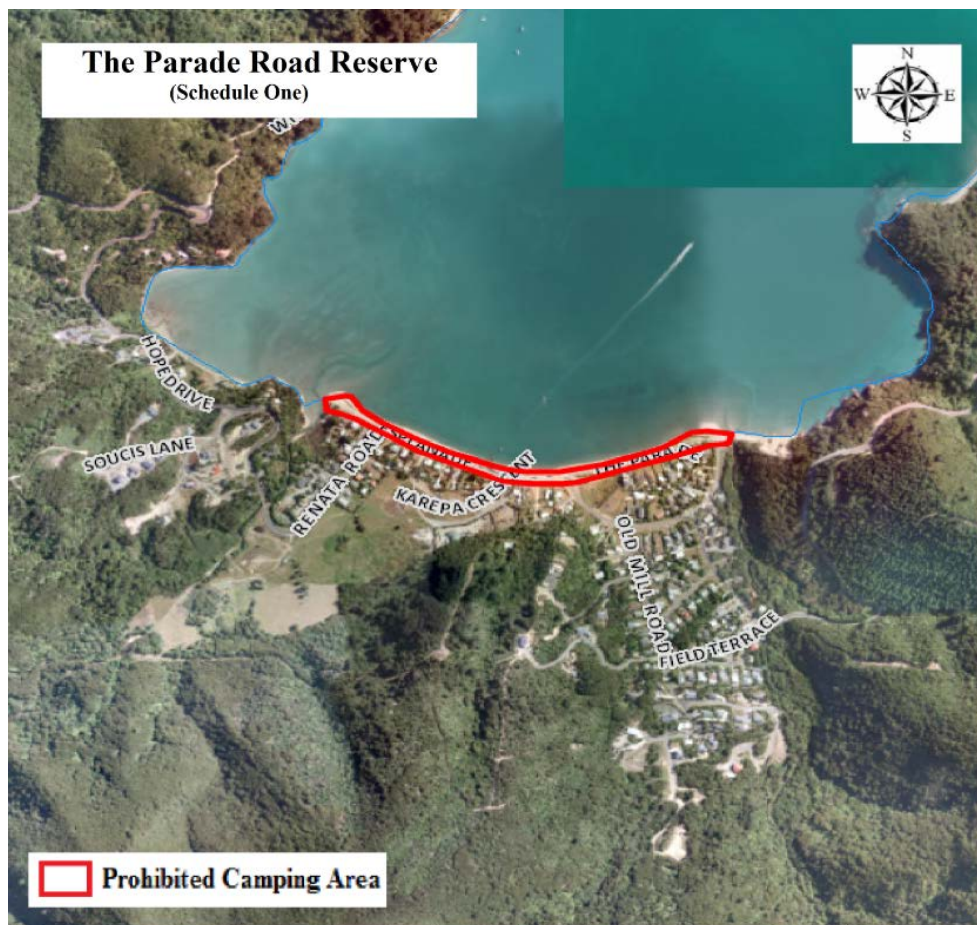


18. Tunnaciff Reserve Okiwi Bay

The Reserve bounded the by Parade and Okiwi Crescent in Okiwi Bay



19. The Parade and Esplanade and Road Reserve - Okiwi Bay



20. The Okiwi Bay Reserve

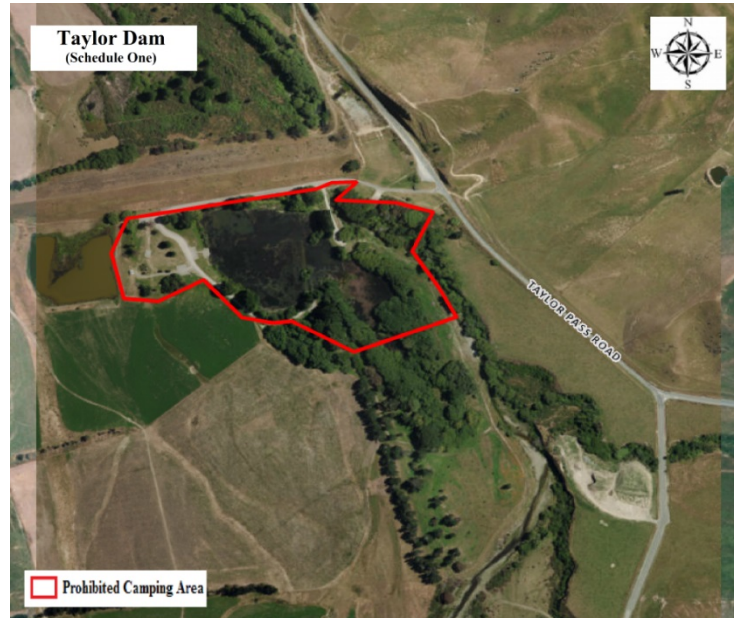
The Reserve bounded by Renata Road and Karepa Crescent- Okiwi Bay



21. Taylor Dam Reserve Prohibited Area

Taylor Dam Reserve on Taylor Pass Road

Taylor Dam Reserve (as defined in Schedule Two) is not included in the Taylor Dam Reserve Prohibited Area.



22. Omaka River Reserve

The Omaka River Reserve is located at the intersection of State Highway 6 and State Highway 63 as shown on the Omaka River Reserve Map.

Freedom Camping is prohibited in all parts of the Omaka River Reserve.



SCHEDULE TWO—RESTRICTED AREAS

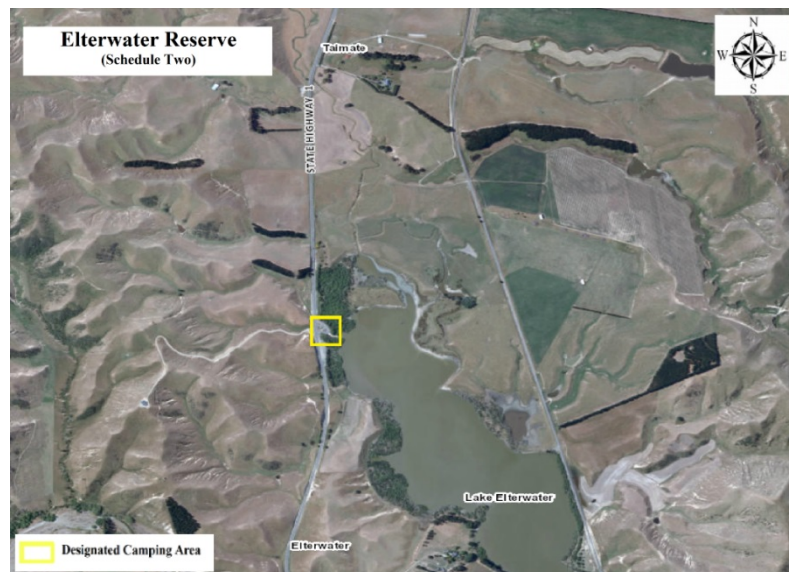
1. Elterwater Reserve

Elterwater Reserve is located approximately three kilometres north of Ward township, adjacent to and to the east of State Highway One, as shown on the Elterwater Reserve Map.

Freedom camping is restricted in all parts of Elterwater Reserve.

No person may freedom camp in the reserve using a tent.

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.

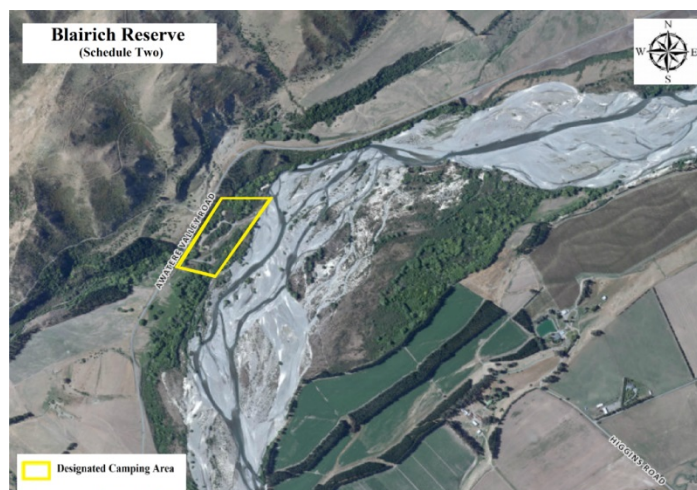


2. Blairich Reserve

Blairich Reserve is located approximately 12 kilometres south and west of Seddon, adjacent to and to the east of Awatere Valley Road, as shown on the Blairich Reserve Map.

Freedom camping is restricted in all parts of Blairich Reserve.

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



3. Double Bay Reserve

Double Bay Reserve is located in Double Bay in the Mahau Sound. It is located adjacent to and to the north of Moetapu Bay Road at Double Bay as shown on the Double Bay Reserve Map.

Freedom camping is restricted in all parts of the Double Bay Reserve.

No person may freedom camp in the reserve except in a self contained vehicle.

Vehicle numbers are limited to six.

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



4. Ohingaroa Reserve

Ohingaroa Reserve is located in Ohingaroa Bay in the Mahau Sound. It is located adjacent to and to the north of Kenepuru Road, as shown on the Ohingaroa Reserve Map

Freedom camping is restricted in all parts of the Ohingaroa Bay Reserve.

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

Vehicle numbers are limited to four.

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



5. Ohauparuparu Reserve

Ohauparuparu Reserve is located in Ohauparuparu Bay in the Kenepuru Sound. It is located adjacent to and to the south of Kenepuru Road.

Freedom camping is restricted in all parts of the Ohauparuparu Reserve.

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

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



6. Wairau Diversion Reserve Restricted Area

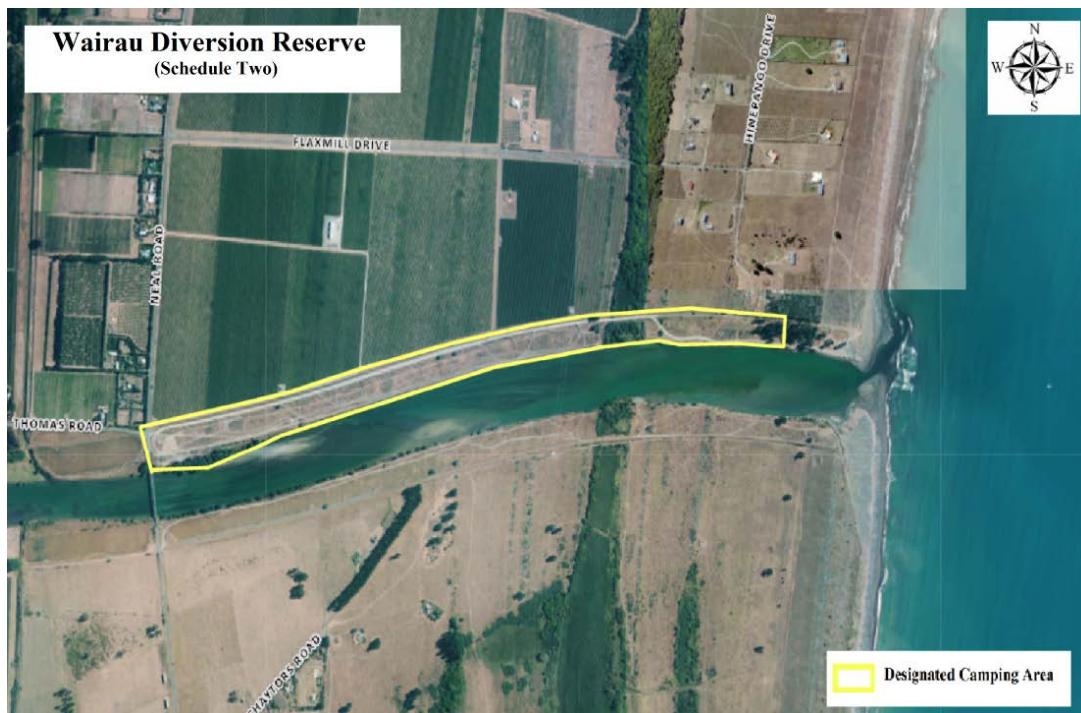
The Wairau Diversion Reserve is located at the mouth of the Wairau Diversion. It is accessed from Reserve Road at the intersection of Thomas Road and Neal Road. Part of the Wairau Diversion reserve is a prohibited area and part is a restricted area.

The Wairau Diversion Reserve Restricted Area is that part of the reserve from the western boundary of the prohibited area stretching in a westerly direction for approximately two kilometres to Neal Road and adjacent to the Wairau Diversion and being approximately 80 metres wide as shown on the Wairau Diversion Reserve Prohibited Area Map.

Freedom camping is restricted in all parts of the Wairau Diversion Reserve Restricted Area.

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

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



7. Taylor Dam

The Taylor Dam is located off Taylor Pass Road approximately from Blenheim as shown on the Taylor Dam Map.

Freedom camping is restricted in some parts of the Taylor Dam Reserve.

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

The maximum period anyone can freedom camp in this area is two consecutive nights in any four week period.



8. Alfred Stream Reserve

Alfred Stream Reserve is located off State Highway One in Rai Valley.



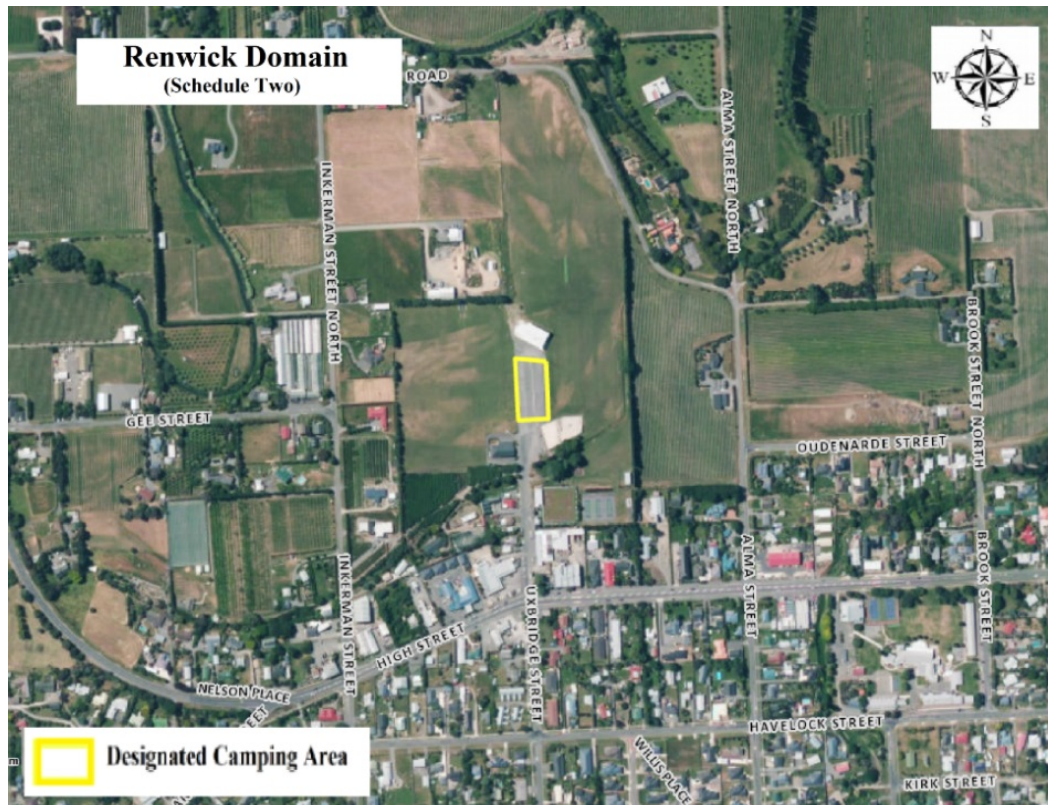
9. Brown River Reserve

Brown River Reserve is located adjacent to State Highway One along Ronga Road in Rai Valley.



10. Renwick Domain Carpark

Renwick Domain is located in Uxbridge Street, Renwick.



11. A & P Park

The A & P Park carpark is located within the grounds of A & P Park on Maxwell Road and Alabama Road.



12. Waitohi Domain

Waitohi Domain is located off Dublin Street in Picton.



13. Blenheim Railway Station Carpark

Blenheim Railway Station is located on Grove Road/Sinclair Street.



14. Wynen Street Carpark

Wynen Street Carpark is located on Wynen Street off Symons Street to the east, and Market Street to the west.



15. Victoria Domain

Victoria Domain is a recreational reserve located between Picton and Waikawa. Access to the domain is off Sussex Street.

