

**Notice of Meeting:**

I hereby give notice that an ordinary meeting of the Regulatory Subcommittee will be held on:

**Date:** Thursday 1 October 2020  
**Time:** 9.00 am  
**Venue:** Edinburgh Room, Municipal Chambers, The Octagon, Dunedin

Sandy Graham  
Acting Chief Executive Officer

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**Regulatory Subcommittee**  
**Camping Control Bylaw 2015 Amendment Hearing**  
**PUBLIC AGENDA**

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**MEMBERSHIP**

<b>Chairperson</b>	Cr David Benson-Pope	
<b>Members</b>	Cr Rachel Elder	Cr Steve Walker
<b>Senior Officer</b>	Robert West, Acting General Manager City Services	
<b>Governance Support Officer</b>	Rebecca Murray	

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Rebecca Murray  
Governance Support Officer

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**Note:** Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.



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**1 APOLOGIES**

At the close of the agenda no apologies had been received.

**2 CONFIRMATION OF AGENDA**

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

## **DECLARATION OF INTEREST**

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### **EXECUTIVE SUMMARY**

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

### **RECOMMENDATIONS**

That the Subcommittee:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

### **Attachments**

	<b>Title</b>	<b>Page</b>
<a href="#"></a>	Regulatory Subcommittee Camping Control Bylaw Panel Register of Interest	7



Regulatory Subcommittee Camping Control Bylaw Panel Register of Interest - Current as at 21 September 2020				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr David Benson-Pope	Owner	Residential Property Ownership in Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee and Beneficiary	Blind Investment Trusts	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Yellow-eyed Penguin Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund Trust (Council appointment)	Duty to Trust may conflict with duties of Council Office	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	Connecting Dunedin (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Delegation holder	Second Generation District Plan (2GP) Authority to Resolve Appeals on behalf of Council (Council appointment)	No conflict identified.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Hospital Local Advisory Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Regional Transport Committee (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Commissioner (Community Representative)	District Licensing Committee (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Rachel Elder	Owner	Residential Property Ownership - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Greater South Dunedin Action Group	Decisions may be considered on the future of South Dunedin.	Withdraw from discussion and leave the table. If in confidential leave the room. Seek advice prior to the meeting.
	Host Parent	Otago Girls High School	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Advisor/Support Capacity	Kaffellogic	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tracks and Trails Interest Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Manufacturing Holdings	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Southern Urban Dunedin Community Response Group	Decisions about emergency response recovery may be conflicted	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Craigieburn Reserve Committee (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitu Otago Settlers Museum Board (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Café Logic Advisory Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Steve Walker	Chairperson	Dunedin Wildlife Hospital Trust	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Steve Walker Cont	Chairperson	West Harbour Beautification Trust	Potential conflict WHBT work with Parks and Reserves to co-ordinate volunteer activities	Withdrawal from all West Harbour Beautification Trust/ DCC discussions involving this relationship.
	Member	Orokonui Ecosanctuary	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.
	Member	Port Chalmers Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep New Zealand Beautiful	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.
	Member	Society of Beer Advocates	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Port Chalmers Historical Society	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential leave the room. Seek advice prior to the meeting.
	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Sea Lion Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Edinburgh Sister City Society (Council appointment)	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in confidential, leave the room. Seek advice prior to the meeting.
	Member	Connecting Dunedin (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Te Ao Turoa Partnership (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council appointment - alternate)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	West Harbour Community Board (Council appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.



## PART A REPORTS

### LATE SUBMISSION REPORT

Department: Parks and Recreation

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#### EXECUTIVE SUMMARY

- 1 The purpose of this report is to ask the Subcommittee to consider whether it will accept a late submission on the proposed amendment to the Camping Control Bylaw 2015. One submission was received after the closing date of 31 August 2020.

#### RECOMMENDATIONS

That the Subcommittee:

- a) **Decides** whether to accept the late submission.

#### BACKGROUND

- 2 The public consultation period was open from 3 August 2020 to 31 August 2020.
- 3 Nineteen submissions were received during the consultation period.
- 4 One submission (Beth Garey - 788633) was received on 3 September 2020, three days after the consultation period closed. Miss Garey acknowledged her submission was late and indicated she had overlooked the closing date for submissions.

#### DISCUSSION

- 5 Submission 788633 was made by Beth Garey. Miss Garey's submission discusses:
  - a) Her perspective as a DCC/DoC Community Ranger, employed to patrol freedom camping sites during the previous tourism season.
  - b) The way the Thomas Burns Street site served as a central hub that was useful for providing campers with information.
  - c) The positive effects of providing campers with rubbish and toilet facilities.

- d) The ease of access to the central business district the site provides, allowing freedom campers with access to amenities, goods and services.
  - e) The sentiment among campers the site has produced; that Dunedin values its visitors.
- 6 Miss Garey's submission includes topics that are not raised by other submitters.
- 7 As this is an administrative report only, a summary of considerations is not required.

## **OPTIONS**

- 8 Not applicable.

## **Signatories**

Author:	Stephen Hogg - Parks and Recreation Planner
Authoriser:	John Brenkley - Planning and Partnerships Manager Scott MacLean - Acting Group Manager Parks and Recreation

## **Attachments**

There are no attachments for this report.

## PROPOSED AMENDMENT TO THE CAMPING CONTROL BYLAW 2015 - RESULTS OF CONSULTATION

Department: Parks and Recreation

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### EXECUTIVE SUMMARY

- 1 This report presents a summary of the submissions received during consultation on the proposed amendment to the Camping Control Bylaw 2015 (the Bylaw). The proposed amendment would add the Thomas Burns Street carpark to the Bylaw under Schedule C and permit unrestricted overnight camping at the site between 1 November and 30 April each season.
- 2 There were 19 submissions made during consultation on the proposed amendment to the Camping Control Bylaw 2015. The special consultative procedure was used for consultation, as required by the Local Government Act 2002 (the Act). Of these submissions, 11 support the proposed amendment and 7 do not; 1 submitter partly supports the proposed amendment.
- 3 There was one late submission and it is recommended that the Regulatory Subcommittee decides whether to accept this.
- 4 Three submitters wish to be heard, including the late submitter.

### RECOMMENDATIONS

That the Subcommittee:

- a) **Considers** the results of the consultation on the proposed amendment to the Bylaw.
- b) **Makes** recommendations to the Council on the proposed amendment to the Bylaw.

### BACKGROUND

#### Review of Bylaw

- 5 Staff presented findings of a review of the Bylaw to Council on 31 January 2020. The review identified increasing numbers of campers visiting Dunedin, overloading of unrestricted freedom camping sites, and associated infringements and complaints as the most significant issues affecting management of freedom camping across the city.

- 6 The review highlighted the effect the two-year trial of the Thomas Burns Street carpark as an unrestricted freedom camping site had on redistributing and managing numbers of campers at The Dunedin City Council's two other unrestricted sites. A city-wide reduction in freedom camping infringements also occurred during the trial period.
- 7 Staff proposed that amending the Bylaw to include the Thomas Burns Street carpark as a Schedule C unrestricted camping area would be the most appropriate means of addressing the issues identified. A draft amended Bylaw, Statement of Proposal and public submission form were presented and approved by Council on 30 June 2020.

#### **Proposed amendment to the Camping Control Bylaw 2015**

- 8 The proposed amendment adds the Thomas Burns Street carpark to Schedule C of the Bylaw as an unrestricted area for freedom camping. This amendment would permit overnight camping in non-self-contained vehicles at the site between 1 November and 30 April each season, with conditions that campers parked in designated areas, stay a maximum of two consecutive nights and depart the site by 8:30am. Certified self-contained vehicles are currently permitted to overnight camp in any Council owned sealed or gravelled parking space under Schedule B of the Bylaw.

### **DISCUSSION**

#### **Consultation**

- 9 Consultation on the proposed amendment to the Camping Control Bylaw 2015, using the special consultative procedure, was carried out between 3 August 2020 and 31 August 2020.
- 10 Methods of consultation included information posted to the Dunedin City Council (DCC) website, a public notice in the Otago Daily Times and a media release. Approximately 35 letters were delivered to residents and businesses within proximity of the Thomas Burns Street carpark advising them of the proposed amendment; the majority of these were within the block bordered by Mason Street, Tewsley Street, Fryatt Street and Thomas Burns Street. Letters were also sent to ten campground providers within and in proximity to Dunedin and twelve budget accommodation providers in proximity to the central business district.
- 11 The submission form asked whether submitters supported the proposed amendment to the Bylaw and provided the options 'yes', 'no' and 'partly'. Submitters were also asked to comment on what they agreed or disagreed with and why and provided space for any further comments.

#### **Submissions**

- 12 Nineteen submissions were received during the consultation period and there was one late submission.
- 13 Five submitters indicated they belong to an organisation. These submissions were made by members representing the Waikouaiti Coast Community Board, Holiday Parks New Zealand, Leviathan Hotel, Ksubi Clothing and Waitaki Waters Holiday Park.

**Summary of submissions**

- 14 Submissions were summarised and analysed to identify topics. Twenty-two topics were identified during this process.
- 15 Ten topics were identified by those submitters that supported the proposed amendment. The topics raised by the late submitter have been included in these results.
- a) Six submitters commented that the proposed amendment would be beneficial, to:
    - i) campers (3),
    - ii) residents (2),
    - iii) the local environment (1).
  - b) Five submitters commented that the proposed amendment would benefit tourism:
    - i) by portraying Dunedin as a city that welcomes visitors (2),
    - ii) by attracting tourists (2),
    - iii) because freedom campers are important to Dunedin's economy (1).
  - c) Four submitters requested Council provide more:
    - i) sites for freedom camping (3),
    - ii) facilities for campers at unrestricted sites (1).
  - d) Two submitters commented that the Thomas Burns trial site had been successful in reducing numbers at other overloaded unrestricted camping sites.
  - e) One submitter commented that freedom camping promoted the sharing of spaces.
- 16 Twelve topics were identified by those submitters that did not support the proposed amendment.
- a) Nine submitters commented that Dunedin's existing accommodation providers:
    - i) Will be negatively affected by another free camping site (5),
    - ii) Can meet demand during the November – April period (1),
    - iii) Should be accommodating visitors, rather than freedom camping sites (3).
  - b) Six submitters commented that the proposal to use the Thomas Burns carpark as an unrestricted freedom camping site will:
    - i) Reduce parking availability for residents (4),
    - ii) Negatively affect the amenity and visitor experience of the site (1)and

- iii) Prime real estate should not be offered free of charge (1).
  - c) Six submitters commented that freedom campers in Dunedin:
    - i) Should only be permitted to camp in certified self-contained vehicles (3),
    - ii) Should have to pay a fee to use Council sites or facilities (2),
    - iii) Should be prohibited from camping in urban areas (1).
  - d) Four submitters commented that:
    - i) Freedom campers are low-value contributors to Dunedin's economy and Council should not be attracting them (1),
    - ii) Ratepayers should not bear the cost of freedom camping (3).
  - e) One submitter commented that visitors will not be deterred from coming to Dunedin if freedom camping sites were removed.
- 17 One submitter partly supported the proposed amendment and commented the site should only provide for certified self-contained campers.

## OPTIONS

- 18 There are no options to this report as the purpose is to present a summary of submissions.

## NEXT STEPS

- 19 Next steps are for the Regulatory Subcommittee to consider consultation results and make recommendations to the Council regarding the proposed amendments to the Camping Control Bylaw 2015.

## Signatories

Author:	Stephen Hogg - Parks and Recreation Planner
Authoriser:	John Brenkley - Planning and Partnerships Manager Scott MacLean - Acting Group Manager Parks and Recreation

## Attachments

Title	Page
<a href="#">A</a> Draft Amended Camping Control Bylaw 2015	17

**SUMMARY OF CONSIDERATIONS**
***Fit with purpose of Local Government***

This decision enables democratic local decision making and action by, and on behalf of communities.  
 This decision promotes the social well-being of communities in the present and for the future.  
 This decision promotes the economic well-being of communities in the present and for the future.  
 This decision promotes the environmental well-being of communities in the present and for the future.  
 This decision promotes the cultural well-being of communities in the present and for the future.

***Fit with strategic framework***

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environment Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spatial Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks and Recreation Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other strategic projects/policies/plans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This summary report for consideration has no impact on the strategic framework, however the proposed amendment to the Camping Control Bylaw has potential to contribute to strategies in terms of safe and healthy people, compelling destination, vibrant city and liveable city.

***Māori Impact Statement***

This summary report for consideration has no specific impacts for tangata whenua.

***Sustainability***

This summary report for consideration has no specific impacts for sustainability.

***LTP/Annual Plan / Financial Strategy /Infrastructure Strategy***

This summary report for consideration has no impacts for these documents.

***Financial considerations***

There are no financial implications to this summary report.

***Significance***

Significance is assessed as low to medium for the proposed amendment to the Camping Control Bylaw 2015. The proposal is consistent with existing DCC policy and strategy, has a low impact on Council's finances, capability and capacity. The proposal has been considered moderately important to Dunedin regarding the long-term social, economic, environmental and cultural impact, and moderately significant in terms of public interest. The special consultative procedure was used to consult on proposals, as required by the Local Government Act 2002.

## **SUMMARY OF CONSIDERATIONS**

### ***Engagement – external***

Methods of consultation for the special consultative procedure included the Dunedin City Council (DCC) website, a media release and a public notice in the Otago Daily Times. Businesses and residences near the Thomas Burns Street carpark were engaged through a letter drop and campgrounds and budget accommodation providers were also contacted directly.

### ***Engagement - internal***

There has been internal engagement with in-house legal counsel, Corporate Policy, Customer and Regulatory Services, Governance and Communications and Marketing departments during the Bylaw review and consultation process.

### ***Risks: Legal / Health and Safety etc.***

There are no identified risks to this summary report for consideration.

### ***Conflict of Interest***

There is no known conflict of interest.

### ***Community Boards***

Freedom Camping affects all of the Community Boards, the proposal to add Thomas Burns carpark to Schedule C is a response to the overcrowding issues that were problematic in the existing Schedule C sites.



## **23 Camping Control Bylaw 2015**

- 23.1 Title**
- 23.2 Commencement**
- 23.3 Interpretation**
- 23.4 Purpose**
- 23.5 Restrictions on Freedom Camping**
- 23.6 Discretionary Council Consent to Freedom Camp**
- 23.7 Permitted freedom camping must comply with certain requirements**
- 23.8 Council may enforce consented freedom camping**
- 23.9 Offences and penalties**
- 23.10 Relationship of Bylaw with Ngai Tahu Claims Settlement Act 1998**
- Schedule A: Prohibited Areas for Freedom Camping**
- Schedule B: Restricted Areas for Freedom Camping – self-contained vehicles only**
- Schedule C: Unrestricted Areas for Freedom Camping**

**2**

Adopted by Council: 21 September 2015

Date of Effect: 1 November 2015

## **PART 23: DUNEDIN CITY - CAMPING CONTROL BYLAW 2015**

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

### **Contents**

1. Title
2. Commencement
3. Interpretation
4. Purpose
5. Restrictions on Freedom Camping
6. Discretionary Council consent to freedom camp
7. Permitted freedom camping must comply with certain requirements
8. Council may revoke permitted freedom camping
9. Offences and penalties
10. Relationship of bylaw with Ngai Tahu Claims Settlement Act 1998

### **Bylaws**

#### **1. Title**

This bylaw is the Part 23: Dunedin City - Camping Control Bylaw 2015

#### **2. Commencement**

This bylaw comes into force on the 1<sup>st</sup> of November 2015 and has been made by resolution of the Council passed at a meeting held on **21 September 2015**.

#### **3. Interpretation**

In this bylaw, unless the context requires otherwise

**Act** means the Freedom Camping Act 2011

**Camping ground** means -

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

**Council** means the Dunedin City Council

**Enforcement Officer** means a person appointed by the Dunedin City Council as a enforcement officer under the Act

**Freedom camp** means to camp (other than at a camping ground) within 200m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200m of a formed road or a Great Walks Track, using one or more of the following:

- (a) A tent or other temporary structure;
- (b) A caravan;
- (c) A car, campervan, housetruck, or other motor vehicle.

In this bylaw freedom camping does not include the following activities:

- (a) Temporary or 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 caravan or motor vehicle to avoid driver fatigue.

**Freedom Camping** has the same meaning as freedom camp

**Great Walk Track** means –

- (a) A track specified in Schedule 1 of the Act; and
- (b) Any other track that the Governor-General may specify by Order in Council made to specify a track as a Great Walk Track and included in Schedule 1 of the Act or remove the name of a track specified in Schedule 1.

**Explanatory Note:** Dunedin currently has no Great Walk Tracks.

**Infringement offence** means an offence specified in section 20(1) of the Act – the list of offences are provided in Schedule D of this bylaw.

**Local Authority area** –

- (a) Means any area of land –
  - a. That is within the district; and
  - b. That is controlled or managed by the Council under any enactment; 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 in water.

**Self-contained vehicle** means a car, campervan, housetruck, or other motor vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and is certified that it complies with New Zealand Standard 5465:2001 Self Containment of Motor Caravans and Caravans.

#### 4. Purpose

The purpose of this bylaw is to:

Define the local authority areas in Dunedin where freedom camping is restricted, and the restrictions that apply to freedom camping in those areas, and to define the local authority areas in the City where freedom camping is prohibited, to achieve one or more of the following purposes:

- (a) The areas are protected
- (b) The health and safety of the people who may visit the areas is protected
- (c) Access to the areas is protected

#### 5. Restrictions on Freedom Camping

- (a) A person must not freedom camp in any local authority areas within a prohibited zone, as identified in Schedule A of this bylaw.
- (b) A person may only freedom camp in any restricted area, as identified in Schedule B, if they are using a self-contained vehicle where they comply with specified conditions in this schedule or displayed on the site.

- (c) A person may freedom camp in any area where freedom camping is unrestricted, as identified in Schedule C where they comply with specified conditions in this schedule or displayed on the site.
- (d) A person freedom camping in accordance with 5 (b) or (c) must not stay at any one local authority area for more than two consecutive nights.

#### **6. Discretionary Council consent to freedom camp**

The Council may grant a discretionary consent, being an exemption to clause 5, upon written application. Consent may be granted in specific cases, where the Council considers that granting of that consent would not be contrary to the purpose of this bylaw. Consent may be granted with or without conditions, and is at the absolute discretion of the Council. Applications are to be made in writing at least four weeks prior to the proposed date of camping.

#### **7. Permitted freedom camping must comply with certain requirements**

A person camping in accordance with a consent granted under clause 6 –

- (a) Must comply with any conditions included in the consent; and
- (b) Must leave the site clean and tidy when he or she departs; and
- (c) Must not light any fire at the site.

#### **8. Council may enforce consented freedom camping**

1. Any person authorised by the Council for the purpose of freedom camping enforcement, may direct a person freedom camping in accordance with a consent granted under clause 6 to leave the site at which he or she is freedom camping if the enforcement officer believes on reasonable grounds that the person –
  - (a) Has acted in a manner likely to endanger the health and safety of other people; or
  - (b) Has damaged or is likely to cause damage to the site; or
  - (c) Has breached any of the conditions included in the consent
2. If a person is given a direction under subclause (1), his or her consent is revoked from the date and time that the direction is given.

#### **9. Offences and penalties**

1. In accordance with section 20(1) of the Act, every person who breaches this bylaw commits an infringement offence.
2. In accordance with section 27 of the Act, an enforcement officer may issue an infringement notice to anyone who the enforcement officer believes on reasonable grounds has committed or is committing an infringement offence as set out in section 20(1) of the Act (a copy of which is included as Schedule D of this Bylaw for information only).
3. A person who commits an infringement offence is liable to a \$200 infringement fee for each offence.

#### **10. Relationship of Bylaw with Ngai Tahu Claims Settlement Act 1998**

This bylaw does not limit or affect the rights in relation to nohaonga entitlements under the Ngai Tahu Claims Settlement Act 1998.

### Schedule A – Prohibited Areas for Freedom Camping

To freedom camp is prohibited in local authority areas identified below.

Area Name	Map Reference Number / Description
<b>Scenic Reserves</b>	
Evansdale Glen	DCC – Camping – 01
Kaikorai Scenic Reserve	DCC – Camping – 02
Mount Cargill Reserve	DCC – Camping – 03
Mount Pleasant Scenic Reserve	DCC – Camping – 04
Mt Watkin	DCC – Camping – 05
Stevensons Bush	DCC – Camping – 06
Woodhaugh Scenic Reserve	DCC – Camping – 07
<b>Additional Areas</b>	
Ocean Grove	DCC – Camping – 08
Macandrew Bay - Broad Bay	DCC – Camping – 09
Portobello	DCC – Camping – 10
Taiaroa Head / Pukekura Reserves	DCC – Camping – 11
<b>Dunedin City Cemeteries</b>	
Andersons Bay Cemetery	192 Tomahawk Road, Dunedin
Broad Bay Cemetery	1 Virginia Avenue, Broad Bay
Dunedin Cemetery	133 Emerson Street, Concord
East Taieri Cemetery	14 Cemetery Road, East Taieri
Green Island Cemetery	District Road, Green Island
Greenpark Cemetery	480 Brighton Road, Brighton
Greytown (Allanton) Cemetery	Stack Street/Centre Road, Allanton
Hawksbury (Waikouaiti) Cemetery	61 Tumai Station Road, Waikouaiti
Hindon Cemetery	Hindon Road, Hindon
Hyde Cemetery	Cemetery Road, Hyde
Macandrew Bay Cemetery	4 Greenacres Street, Macandrew Bay
Merton Cemetery	2466 Waikouaiti-Waitati Road, Merton
Middlemarch Cemetery	91 Mold Street, Middlemarch
Northern Cemetery	40 Lovelock Avenue, Dunedin
Otokia Cemetery	Henley Road, Otokia
Port Chalmers Cemetery (new)	21 Cemetery Road, Port Chalmers
Port Chalmers Cemetery (old)	21 Cemetery Road, Port Chalmers
Portobello Cemetery	20 Harington Point Road, Portobello
Purakaunui Cemetery	Purakaunui Road, Purakaunui
Southern Cemetery	18 South Road, Dunedin
Waitati (Blueskin) Cemetery	Orokonui Road, Waitati
West Taieri Cemetery	1130 Lee Stream-Outram Road (SH87), Outram

### **Schedule B: Restricted Areas for Freedom Camping – self-contained vehicles only**

Self-contained vehicles may camp at any Council controlled land not specified in Schedule A subject to the following conditions:

All restricted camping areas are subject to the following conditions and any additional conditions placed on the sites.

1. Vehicles to freedom camp only in the designated areas.
2. Departure by 8.30am.
3. Maximum stay of two consecutive nights.
4. All vehicles must park overnight on gravelled or sealed areas set aside for parking.

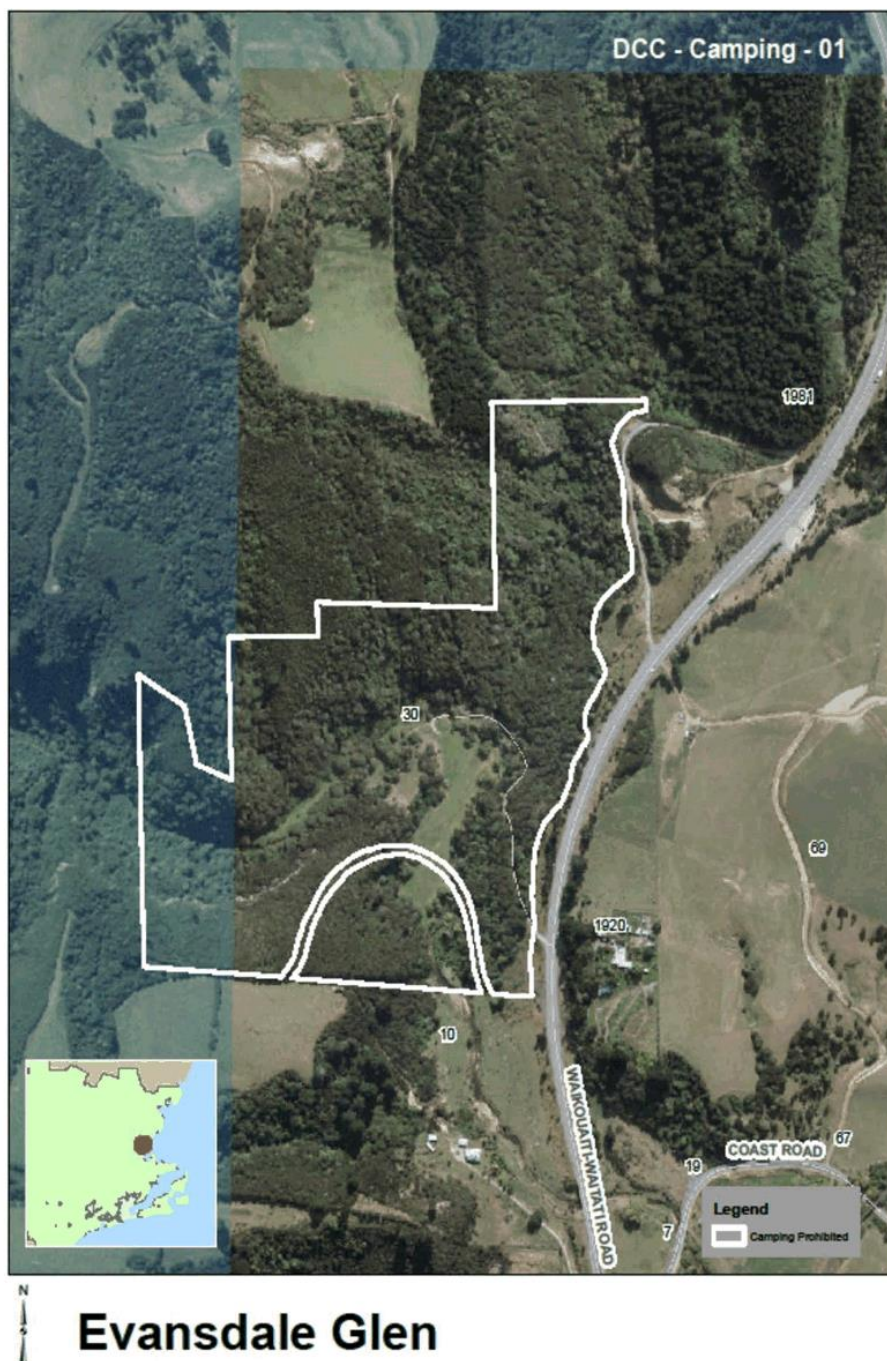
### Schedule C: Unrestricted Areas for Freedom Camping

All Council controlled land not specified in Schedule A or B is identified below as unrestricted camping.

Area Name	Map Reference Number	Additional Conditions
<b>Unrestricted Camping Areas</b>		
Ocean View Reserve Carpark	DCC – Camping – 12	Vehicles must park within the area indicated on the map
Warrington Reserve	DCC – Camping – 13	Non-self-contained vehicles restricted to the area shown on the map.  Self-contained vehicles restricted to the area shown on the map.  Tents restricted to the area shown on the map.  Departure by 12.00 noon.
Thomas Burns Street Carpark	DCC – Camping – 14	Camping in non-self-contained vehicles is permitted at this site between the 1 <sup>st</sup> of November and the 30 <sup>th</sup> of April.  Vehicles must park within the area indicated on the map.

All restricted and unrestricted camping areas are subject to the following conditions and any additional conditions placed on the sites.

1. Vehicles to freedom camp only in the designated area.
2. Departure by 8.30am excluding Warrington Reserve.
3. Maximum stay of two consecutive nights.
4. All vehicles must park overnight on gravelled or sealed areas set aside for parking.

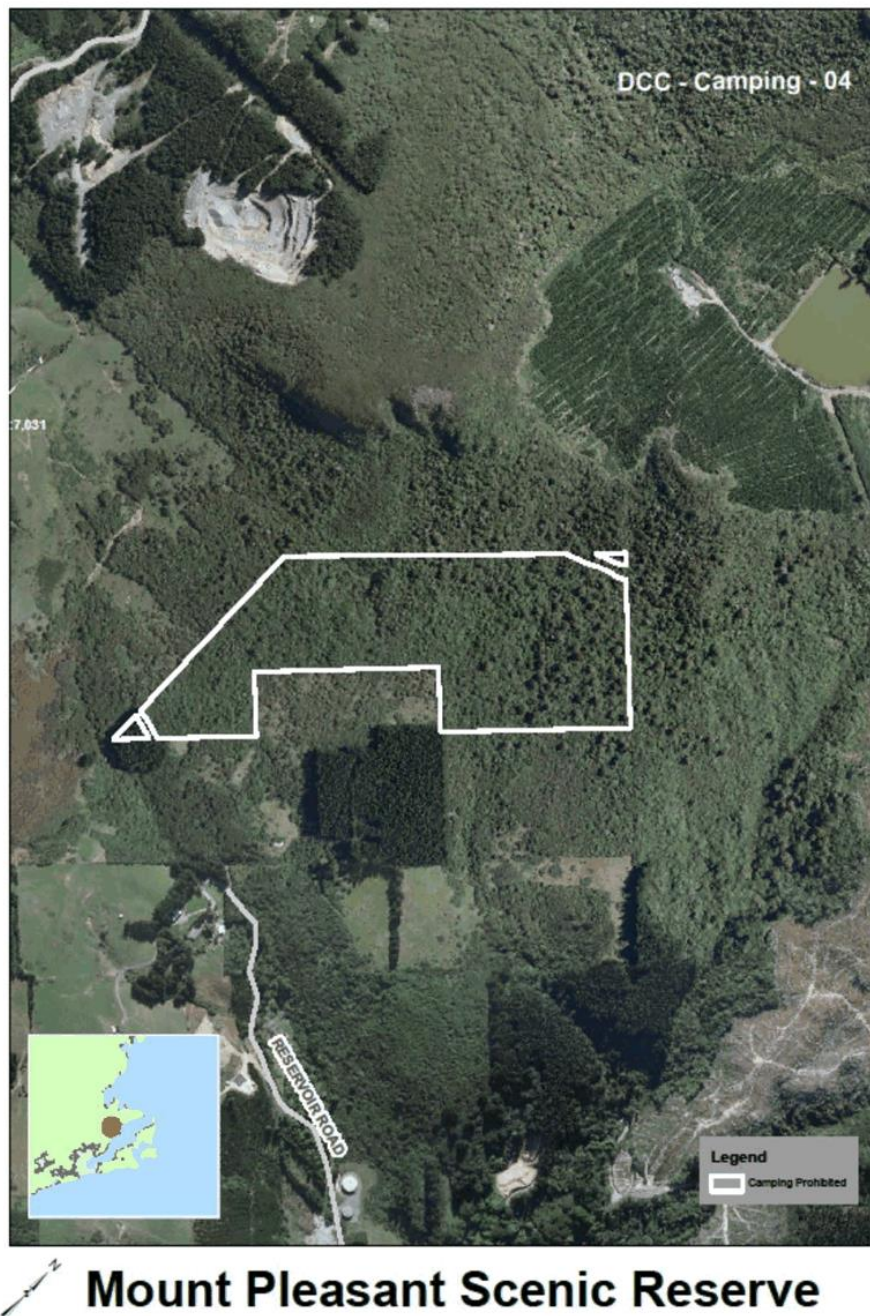


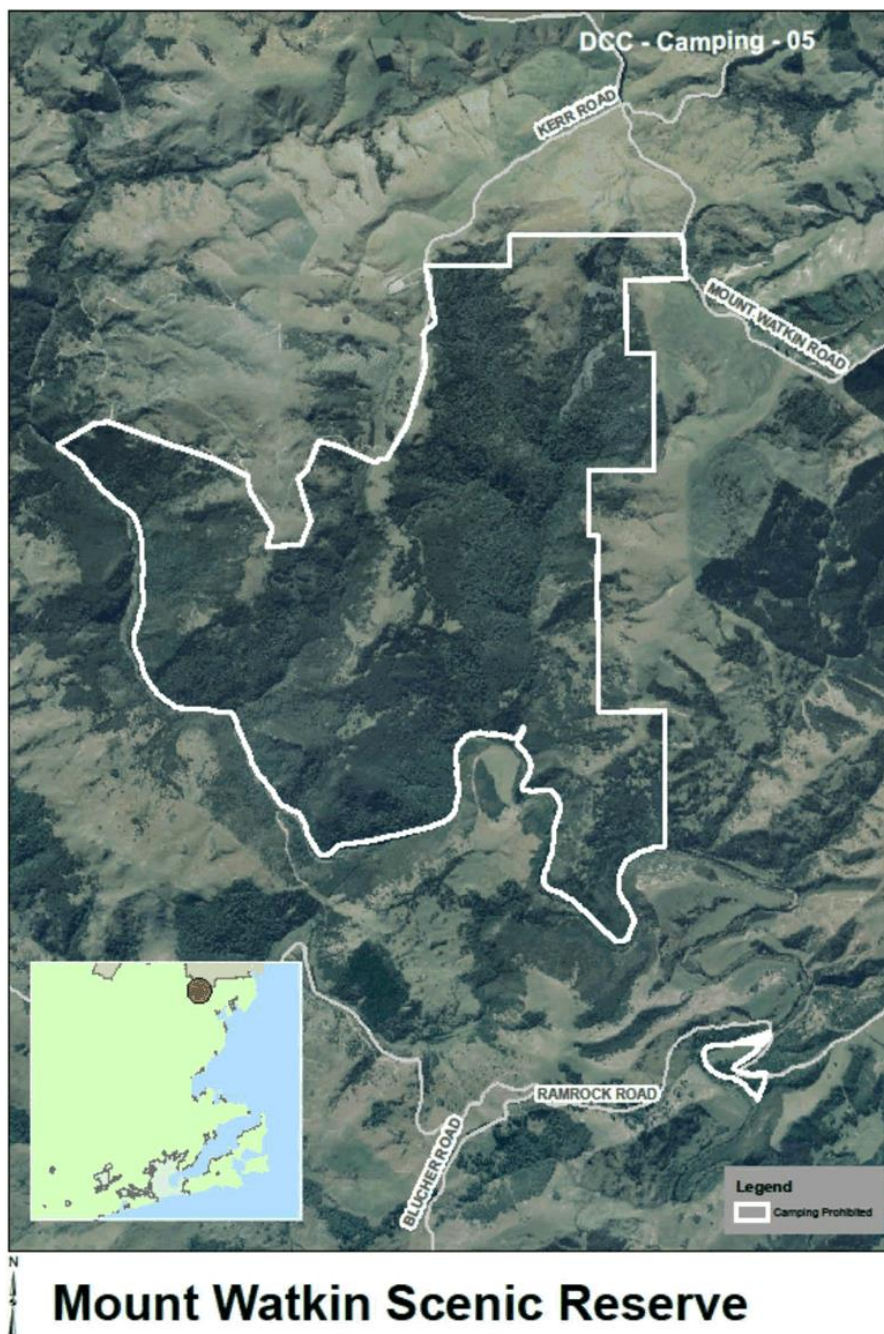












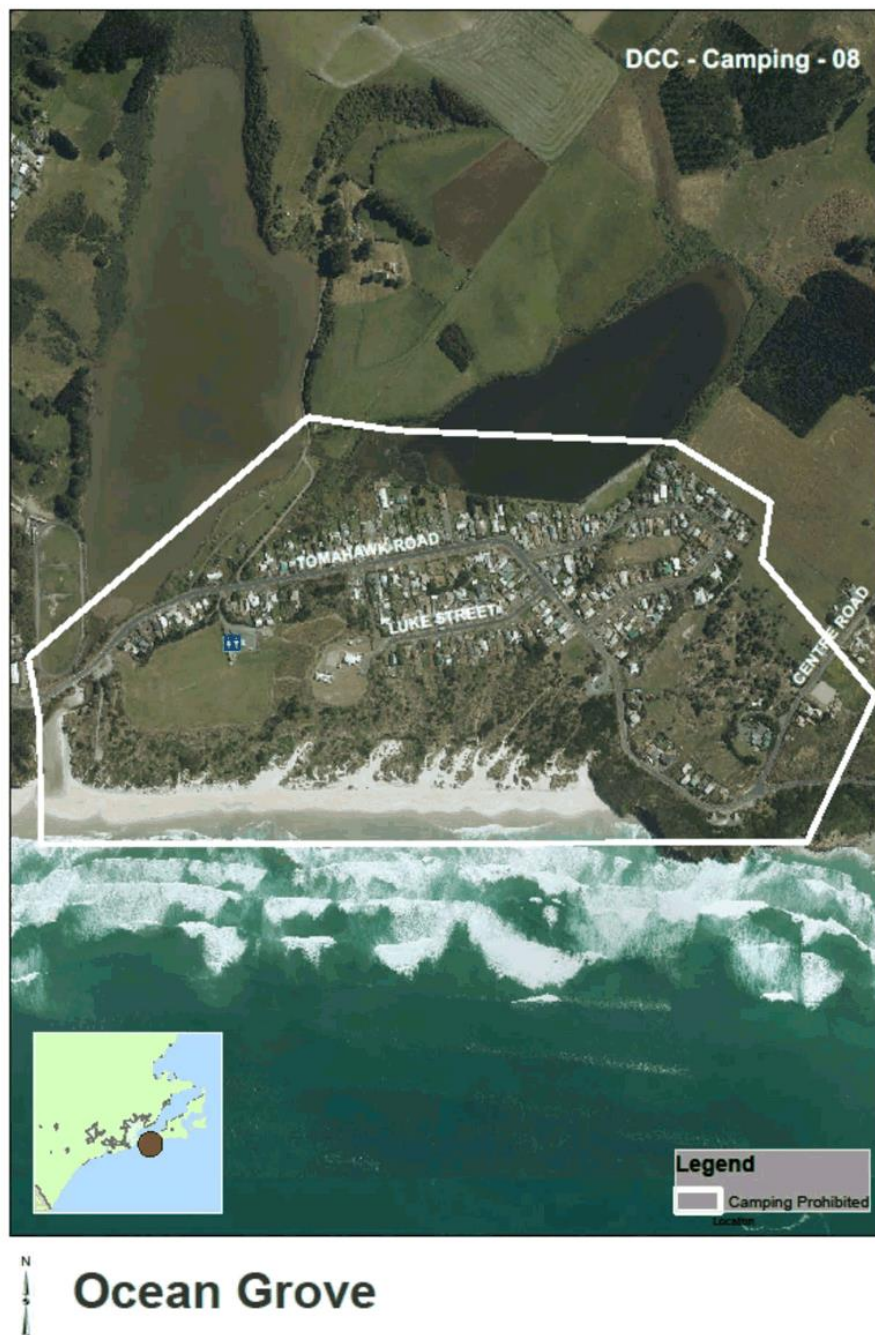


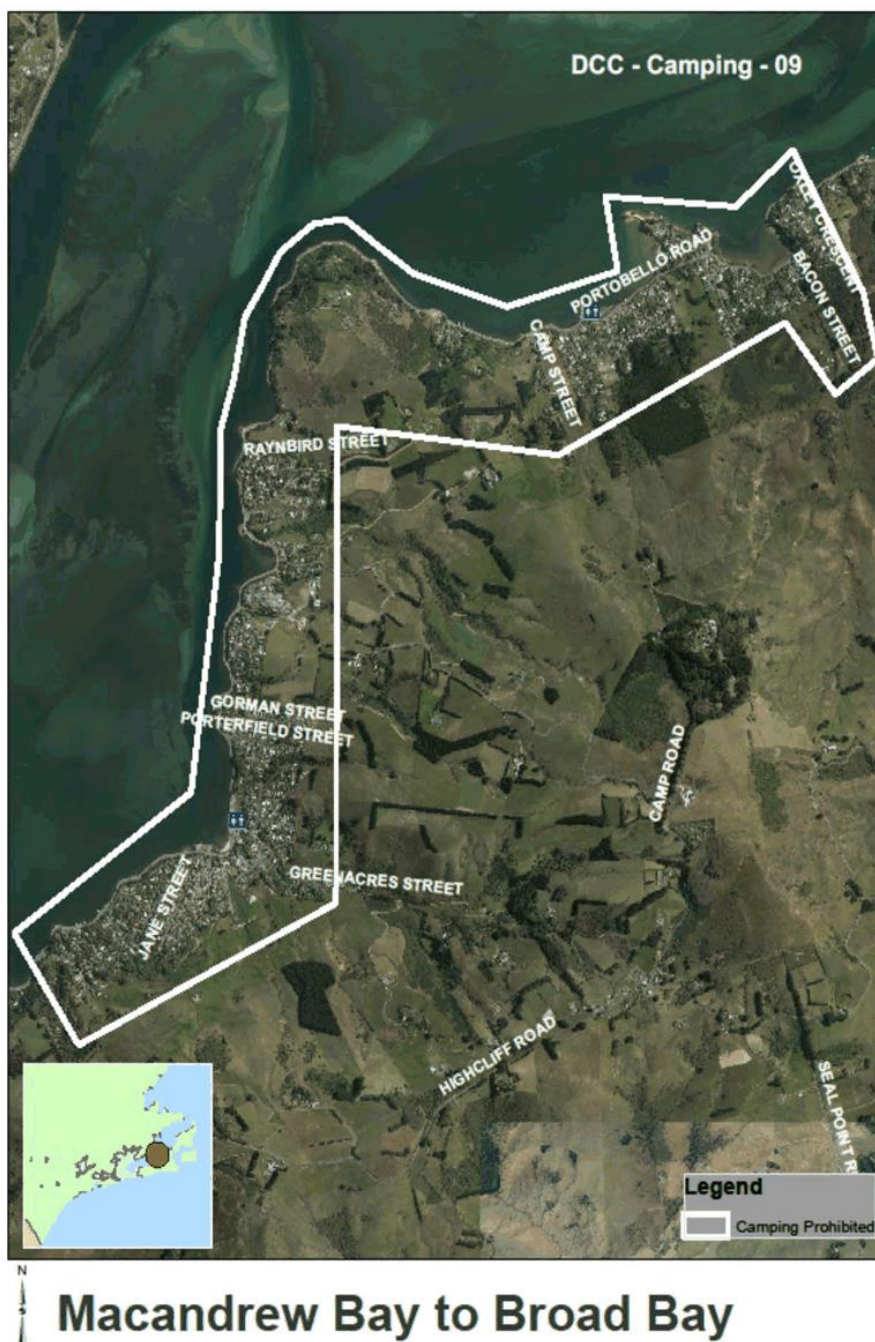




## Woodhaugh Scenic Reserve

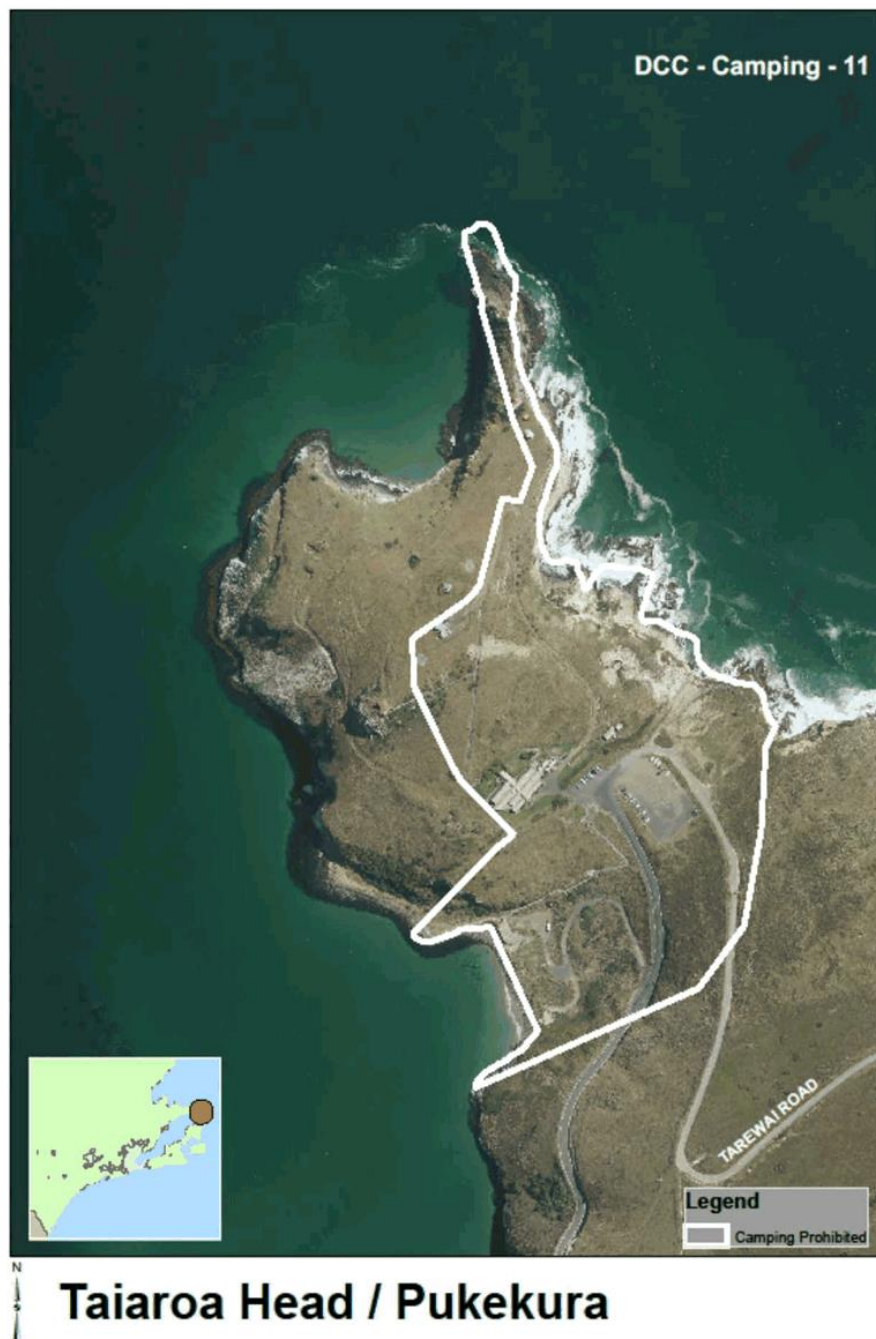




















**Thomas Burns Street Carpark**

**Schedule D (this does not form part of the bylaw but is included for information)**

**Infringement offences in Part 3 Enforcement, miscellaneous, and transitional provisions of the Freedom Camping Act 2011 relating to local authority areas:**

**Subpart 1 – Offences, defences, and penalties**

**20 Offences**

- (1) Every person commits an offence who—
  - (a) freedom camps in a local authority area in breach of any prohibition or restriction in a bylaw made under [section 11](#) that applies to the area; or
  - (b) while freedom camping in a local authority area,—
    - (i) interferes with or damages the area, its flora or fauna, or any structure in the area; or
    - (ii) deposits waste in or on the area (other than into an appropriate waste receptacle); or
  - (c) makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in a bylaw made under [section 11](#) that applies to the area; or
  - (d) deposits waste, generated while freedom camping, in or on a local authority area other than into an appropriate waste receptacle; or
  - (e) fails or refuses to leave a local authority area when required to do so by an enforcement officer acting under [section 36](#); or
  - (f) *[Repealed]*
  - (g) freedom camps on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or
  - (h) while freedom camping on conservation land,—
    - (i) interferes with or damages the land, its flora or fauna, or any structure on the land; or
    - (ii) deposits waste in or on the land (other than into an appropriate waste receptacle); or
  - (i) *[Repealed]*
  - (j) makes preparations to freedom camp on conservation land in breach of any prohibition or restriction in a freedom camping notice that applies to the land; or
  - (k) deposits waste, generated while freedom camping, in or on conservation land other than into an appropriate waste receptacle; or
  - (l) refuses to give information when required to do so by an enforcement officer under [section 35](#) or gives false or misleading information; or
  - (m) fails or refuses to leave conservation land when required to do so by an enforcement officer acting under [section 36](#).
- (2) Every person commits an offence who discharges a substance in or on a local authority area or conservation land in circumstances where the discharge of the substance is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it—
  - (a) has, or is likely to have, a significant adverse effect on the environment; or
  - (b) has caused, or is likely to cause, significant concern to the community or users of the area or land.
- (3) Every person commits an offence—

- (a) who, while an enforcement officer is carrying out his or her functions and duties under this Act,—
    - (i) intentionally prevents the officer from carrying out those functions and duties; or
    - (ii) obstructs or impedes the officer; or
    - (iii) assaults, threatens, or intimidates the officer; or
    - (iv) uses language that is abusive or threatening to the officer; or
    - (v) behaves in a threatening manner towards the officer; or
  - (b) who incites any other person to do any act referred to in paragraph (a).
- (4) In this section, **waste receptacle** means a receptacle or facility that is provided by a local authority or the Department for the purposes of disposing of waste (for example, a rubbish bin, public toilet, or bulk waste disposal unit).
- Section 20(1)(f): repealed, on 1 April 2012, by [section 8](#).
- Section 20(1)(i): repealed, on 1 April 2012, by [section 8](#).

**Explanatory Notes (this does not form part of the bylaw)****Principles**

The Dunedin City Council welcomes responsible freedom campers to the city. This bylaw recognises the popularity of freedom camping for both domestic and international visitors. The principles by which freedom camping is regulated to meet the purpose of this bylaw are set out below:

- (a) We welcome visitors who camp responsibly and respect our city
- (b) Some controls on freedom camping are necessary to protect our community and environment, especially our coastal areas which support outstanding wildlife
- (c) The right to freedom camp comes with the responsibility to respect our city by protecting our environment.
- (d) People using self-contained camping vehicles may stay outside of the no camping areas, in the Dunedin City Council area, subject to conditions
- (e) People not using self-contained vehicles should stay in licensed camp grounds, or within areas set aside for freedom camping
- (f) Specific traditional local camping sites may be recognised
- (g) Those who are found contravening the provisions of the bylaw will be subject to fines



## SPEAKING SCHEDULE

Department: Civic

## EXECUTIVE SUMMARY

- 1 Please find attached the speaking schedule as at 24 September 2020.

## Signatories

Author:	Rebecca Murray - Governance Support Officer
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## Attachments

	Title	Page
<a href="#">⬇A</a>	Speaking Schedule	42

Camping Control Bylaw 2015 Amendment Hearing Speaking Schedule as at 24 September 2020			
Date	Time	Name	Submission Number
1 October 2020	9.20 am	Beth Garey	788633
1 October 2020	9.30 am	Meg Gallagher, Ksubi clothing	785614
1 October 2020	9.40 am	Alasdair Morrison, Waikouaiti Coast Community Board	787898