

Attachment C - List of recommended amendments following hearing panel deliberations and as an outcome of submissions

Additions underlined and deletions ~~striketrough~~

Clause	Recommended amendment
Clause 3.1	<p>Amend clause 3.1:</p> <p>The purpose of this bylaw is to prohibit or restrict freedom camping on land identified <u>in this bylaw</u> at clause 2 to:</p> <p>...</p>
Clause 6.1 Interpretation	<p>New definition:</p> <p><u>Water body means water in a river, lake, stream, pond, wetland.</u></p>
Clause 8.1 Schedule 1A	<p>New explanatory notes:</p> <p><u>Explanatory note A – specific restricted areas with arrival and departure restrictions: A freedom camper is permitted to stay in the same location or vehicle space overnight provided they depart the location or vehicle space outside of the hours specified for this location. Any vehicle space in the location must vacated in accordance with the conditions for that location and can be used by any other person/vehicle. A freedom camper may return to the same location or vehicle space for a second night during the hours specified in the conditions for this location. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30-day period.</u></p> <p><u>Explanatory note B – specific restricted areas at Kingston and Camp Hill Bridge: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights; however they must leave the space before the departure time condition applied after the second night. A freedom camper is not permitted to stay overnight in the same location or vehicle space at these areas for a third night within a 30 day period.</u></p>
Clause 8.3 Schedule 1B	<p>New explanatory note:</p> <p><u>Explanatory note – rural roads: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30 day period, and is not permitted to camp overnight for a third night within 500 metres of the location that the person had freedom camped within the previous two nights.</u></p>
Clause 8.3	<p>New explanatory note:</p>

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Schedule 1B	<p><u>Explanatory note – rural roads: Schedule 1B identifies areas of the rural road network that may have locations available for restricted freedom camping subject to the conditions in clause 8.3. Schedule 1B does not identify any specific location that meets the conditions in clause 8.3. A person wishing to freedom camp in any area identified in Schedule 1B must actively ensure that a location meets every condition in clause 8.3 before freedom camping in that location. For the avoidance of doubt, specific locations that may be available on a road identified in Schedule 1B and which also meets the conditions in clause 8.3 are not physically identified on the ground.</u></p>
Clause 8.3 Schedule 1B	<p>New explanatory note:</p> <p><u>Explanatory note – rural roads: Schedule 1B identifies areas of the rural road network that may contain complex and challenging terrain or road conditions. A person wishing to travel on any road identified in Schedule 1B should carefully consider their vehicle’s capabilities, their driving experience, and preparedness for different road conditions and potential emergency situations.</u></p>
Clause 8.3	<p>New condition:</p> <p><u>Where freedom camping occurs near a water body in a local authority area, ensure that the side or part of the motor vehicle closest to the water body is positioned not closer than 10 metres from the waterbody.</u></p>
Clause 8.3(b)	<p>Amended clause:</p> <p>ensure that the side or part of the motor vehicle closest to the road (that is the carriageway) is located a minimum of 5 metres from the nearest edge of the road <u>a marked shoulder (where provided) or edge of seal (where no hard shoulder) or edge of metalled/gravel (where no hard shoulder or seal)</u> at all times;</p>
Clause 8.3(d)	<p>Amended condition:</p> <p>Any person freedom camping in a local authority area marked as restricted in Schedule 1B of this bylaw must comply at all times with the following conditions:</p> <p>...</p> <p>ensure that the motor vehicle is only positioned on a formed gravel, <u>metalled</u> or sealed surface;</p>
Clause 7.2	<p>Amended clause:</p> <p>No person may freedom camp in any local authority area that is not marked as a restricted area in Schedule 1A or Schedule 1B <u>identified in</u></p>

Clause	Recommended amendment
	<p><u>Schedule 2</u> of this bylaw. Schedule 2 of this Bylaw identifies areas in which freedom camping is prohibited.</p>
<p>Part 3 Clause 9</p>	<p>Amend the heading of Part 3:</p> <p>Temporary changes to restricted <u>and prohibited</u> freedom camping areas</p> <p>Amend clause 9 and add a new clause 10:</p> <p>9 Council may temporarily prohibit <u>freedom camping and</u> restrict or change conditions in any restricted freedom camping area</p> <p>9.1 The Chief Executive of the Council may temporarily prohibit, restrict or change the conditions in any restricted freedom camping area, or temporarily prohibit freedom camping or part of any local authority area in any restricted freedom camping area, if the Chief Executive is satisfied in relation to the matters in section 11(2) of the Act. for one or more of the following purposes:</p> <p>(a) to protect the area.</p> <p>(b) to protect the health and safety of people who may visit the area.</p> <p>(c) to protect access to the area.</p> <p>9.2 Notice will be given of the any temporary prohibition, restriction, or change of conditions in any restricted freedom camping area, <u>or temporary prohibition of freedom camping under clause 9.1, including the location subject to the decision, either by a map or a description of its locality,</u> in any manner the Chief Executive considers is appropriate to the reason for the action taken under clause 9.1. <u>The notice shall include a timeframe and/or reasons for the temporary prohibition or restriction to be lifted.</u></p> <p><i>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</i></p> <p>9.3 <u>A person must not freedom camp in a local authority area contrary to a decision made under clause 9.1.</u></p> <p>10 <u>Applications to Council for certain events</u></p> <p>10.1 <u>Any person may apply in writing to the Chief Executive in relation to a one off community event:</u></p>

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	<p>(a) <u>for consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted;</u></p> <p>(b) <u>to temporarily restrict or change the conditions in any restricted freedom camping area, or temporarily prohibit freedom camping in any restricted freedom camping area.</u></p> <p><i><u>Explanatory note: Clause 10.1(b) is intended to enable flexibility so that freedom camping can be temporarily prohibited, restricted or to provide for existing conditions in the bylaw to be amended so as to provide for the operation of an organised event, where the Chief Executive considers it appropriate to protect the area, access and/or health and safety with respect to the organised event. The type of events the clause may apply to include, but are not limited to: scout and guide events, sporting and club events, marae-related events, community and school events.</u></i></p> <p>10.2 <u>Any application under clause 10.1 must:</u></p> <p>(a) <u>be made using the required form;</u></p> <p>(b) <u>provide sufficient detail about the event, including (where applicable to the application): the proposed location, intended dates, proposed duration, number of people attending the event, method of freedom camping and information about how human and other forms of waste from the event will be managed; and</u></p> <p>(c) <u>be made at least 20 working days before commencement of the event.</u></p> <p>10.3 <u>The Chief Executive has discretion in relation to an application under clause 10.1 to:</u></p> <p>(a) <u>refuse the application; or</u></p> <p>(b) <u>approve the application; or</u></p> <p>(c) <u>approve the application with terms and conditions.</u></p> <p>10.4 <u>If the Chief Executive is satisfied that the application would not be contrary to the purpose of this Bylaw, the application approved under clause 10.3(c) may include such terms and conditions as the Chief Executive considers necessary, where the Chief Executive is satisfied in relation to the matters in section 11(2) of the Act.</u></p> <p>10.5 <u>No approval under clause 10.3(b) or (c) has effect unless before the commencement of the activity a notice is given in any manner</u></p>

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	<p><u>the Chief Executive considers is appropriate which specifies the period of the activity, the location subject to the decision, either by a map or a description of its locality, details of any terms and conditions, and details of a supervising person of organisation. The notice shall include a timeframe and/or reasons for any approval to be lifted.</u></p> <p><i><u>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</u></i></p> <p>10.6 <u>No approval can be made for:</u></p> <ul style="list-style-type: none"> (a) <u>an event that has already commenced or taken place;</u> (b) <u>a contravention of this bylaw that has already occurred;</u> (c) <u>an activity that has prohibited activity status within any district plan rule having legal effect in the District; or</u> (d) <u>if it would authorise something that is or would be contrary to any other enactment or regulations.</u> <p>10.7 <u>The Chief Executive may revoke any approval under clause 10.3(b) or (c) immediately where there is reason to believe that:</u></p> <ul style="list-style-type: none"> (a) <u>the activity or event is not being undertaken in accordance with any approved application and/or terms and conditions; or</u> (b) <u>the activity or event may not protect the area, protect the health and safety of people who may visit the area, or protect access to the area.</u> <p>10.8 <u>The Council may prescribe any fees associated with any applications made under clause 10.</u></p> <p>10.9 <u>The Council can recover all such actual and reasonable fees and expenses incurred by the processing of, and notification of, any applications made under clause 10, including any necessary monitoring of the activity.</u></p> <p><i><u>Explanatory note: If any fee is prescribed under clause 10.8 in accordance with section 150 of the Local Government Act 2002, it is a fee associated with the administrative costs related to the application. It is not a fee payable for camping at any site.</u></i></p> <p>10.10 <u>The applicant may request in writing for Council to review decisions under clause 10.3 to:</u></p>

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	<p>(a) <u>refuse the application under clause 10.3(a);</u></p> <p>(b) <u>approve the application with terms and conditions under clause 10.3(c); or</u></p> <p>(c) <u>revoke any approval under clause 10.7.</u></p> <p>10.11 <u>In determining any review under clause 10.10, the Council may decide to:</u></p> <p>(a) <u>confirm its original decision; or</u></p> <p>(b) <u>amend or remove the terms and conditions imposed on any approved application; or</u></p> <p>(c) <u>issue a new approval.</u></p> <p>10.12 <u>A person must not freedom camp in a local authority contrary to a decision made under clause 10.3.</u></p>
<p>Part 4</p> <p>Clause 10</p>	<p>Delete Clause 10:</p> <p>10 — Consent to temporarily freedom camp in an area in which freedom camping is otherwise prohibited or restricted</p> <p>10.1 Any person may apply in writing to the Chief Executive of the Council for consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted, for a one-off or community event.</p> <p><i>Explanatory note: The type of events that may be applied for may include, but are not limited to: scout and guide events, sporting and club events, marae-related events, community and school events.</i></p> <p>10.2 Any application under clause 10.1 must:</p> <p>(a) be made using the required form;</p> <p>(b) provide sufficient detail about the event, including: the proposed location, intended dates of stay, proposed duration of freedom camping, number of people attending the event, method of freedom camping, and information about how human and other waste from the event will be managed; and</p> <p>(c) be made at least 20 working days before commencement of the event.</p>

Clause	Recommended amendment
	<p data-bbox="427 174 1337 241">10.3 The Chief Executive has discretion in relation to an application under clause 10.1 to:</p> <ul style="list-style-type: none"> <li data-bbox="523 286 948 320">(a) refuse the application; or <li data-bbox="523 353 975 387">(b) approve the application; or <li data-bbox="523 421 1286 454">(c) approve the application with terms and conditions. <p data-bbox="427 499 1385 645">10.4 If the Chief Executive is satisfied that the application would not be contrary to the purpose of this Bylaw, the application approved under clause 10.3(c) may include such terms and conditions as the Chief Executive considered necessary to.</p> <ul style="list-style-type: none"> <li data-bbox="523 689 839 723">(a) protect the area; <li data-bbox="523 757 1369 835">(b) protect the health and safety of people who may visit the area; <li data-bbox="523 869 963 902">(c) protect access to the area. <p data-bbox="427 947 1385 1126">10.5 No approval under clause 10.3(b) or (c) has effect unless before the commencement of the activity a notice is given in any manner the Chief Executive considers is appropriate which specifies the period of the activity, its location, details of any terms and conditions, and details of a supervising person or organisation.</p> <p data-bbox="523 1182 1385 1328"><i>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</i></p> <p data-bbox="427 1373 911 1406">10.6 No approval can be made for:</p> <ul style="list-style-type: none"> <li data-bbox="523 1440 1347 1473">(a) a contravention of this bylaw that has already occurred; <li data-bbox="523 1507 1342 1585">(b) an activity that has prohibited activity status within any district plan rule having legal effect in the District; <li data-bbox="523 1619 1278 1697">(c) if it would authorise something that is or would be contrary to any other enactment or regulations. <p data-bbox="427 1731 1358 1921">10.7 The Chief Executive may revoke any approval under clause 10.3(b) or (c) immediately where there is reason to believe that the activity may not protect the area, protect the health and safety of people who may visit the area, or protect access to the area.</p> <p data-bbox="427 1955 1294 2033">10.8 The Chief Executive may prescribe any fees associated with applications for discretionary consent to freedom camp.</p>

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	<p>10.9 The Chief Executive can recover all such actual and reasonable fees and expenses incurred by the processing of, and notification of, any such application, including any necessary monitoring of the activity.</p> <p>10.10 The applicant may request in writing for Council to review decisions under clause 10.3 to:</p> <p class="list-item-l1">(a) refuse the application under clause 10.3(a); or</p> <p class="list-item-l1">(b) approve the application with terms and conditions under clause 10.3(c); or</p> <p class="list-item-l1">(c) revoke any approval under clause 10.7.</p> <p>10.11 In determining any review under clause 10.10, the Council may decide to:</p> <p class="list-item-l1">(a) confirm its original decision; or</p> <p class="list-item-l1">(b) amend or remove the terms and conditions imposed on any approved application; or issue a new approval.</p>																				
Schedule 1A	<p>Amend hours of arrival and departure:</p> <table> <tr> <th>Location</th><th>Recommended amendments to arrival/departure hrs</th></tr> <tr> <td>Boundary Street carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> <tr> <td>Gorge Road carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 7<u>8</u> am</td></tr> <tr> <td>Industrial Place carpark Queenstown</td><td>Arrival – not before 6 pm Departure – before 7<u>8</u> am</td></tr> <tr> <td>Lakeview carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> <tr> <td>Queenstown Event Centre carpark, Frankton</td><td>Arrival – not before 8 pm Departure – before 7 am</td></tr> <tr> <td>Gray Street carpark, Frankton</td><td>Arrival – not before 6 pm Departure – before 7<u>8</u> am</td></tr> <tr> <td>Howards Drive Carpark, Lake Hayes</td><td>Arrival – not before 6 pm Departure – before 7<u>8</u> am</td></tr> <tr> <td>Glenorchy Domain carpark, Glenorchy</td><td>Arrival – not before 6 pm Departure – before 7<u>8</u> am</td></tr> <tr> <td>Gibbston Highway/State Highway 6 carpark (NZTA land)</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> </table>	Location	Recommended amendments to arrival/departure hrs	Boundary Street carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am	Gorge Road carpark, Queenstown	Arrival – not before 6 pm Departure – before 7 <u>8</u> am	Industrial Place carpark Queenstown	Arrival – not before 6 pm Departure – before 7 <u>8</u> am	Lakeview carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am	Queenstown Event Centre carpark, Frankton	Arrival – not before 8 pm Departure – before 7 am	Gray Street carpark, Frankton	Arrival – not before 6 pm Departure – before 7 <u>8</u> am	Howards Drive Carpark, Lake Hayes	Arrival – not before 6 pm Departure – before 7 <u>8</u> am	Glenorchy Domain carpark, Glenorchy	Arrival – not before 6 pm Departure – before 7 <u>8</u> am	Gibbston Highway/State Highway 6 carpark (NZTA land)	Arrival – not before 6 pm Departure – before 8 am
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Clause	Recommended amendment													
	Kingston Road/State Highway 6 carpark (NZTA land)	<u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u>												
	Hansen Place carpark, Arrowtown ¹	Arrival – not before 6 pm Departure – before 8 am												
	Wānaka Recreation Centre carpark, Wānaka	Arrival – not before 8 pm Departure – before 7 am												
	Beacon Point Road carpark, Wānaka	Arrival – not before 6 pm Departure – before 8 am												
	Allenby Place carpark, Wānaka	Arrival – not before 6 pm Departure – before 8 am												
	Camp Hill Road carpark, Hāwea	<u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u>												
Schedule 1A	Amend number of vehicle parking spaces available for freedom camping: <table><tr><th>Specific restricted carpark</th><th>Recommended number of spaces by Panel</th></tr><tr><td>Grey Street, Frankton</td><td><u>104</u></td></tr><tr><td>Hansen Place, Arrowtown¹</td><td><u>53</u></td></tr><tr><td>Allenby Place, Wānaka</td><td><u>53</u></td></tr><tr><td>Beacon Point, Wānaka</td><td><u>53</u></td></tr><tr><td>Camp Hill Bridge, Hāwea</td><td><u>1510</u></td></tr></table>		Specific restricted carpark	Recommended number of spaces by Panel	Grey Street, Frankton	<u>104</u>	Hansen Place, Arrowtown ¹	<u>53</u>	Allenby Place, Wānaka	<u>53</u>	Beacon Point, Wānaka	<u>53</u>	Camp Hill Bridge, Hāwea	<u>1510</u>
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Schedule 1A	Amend title of map: The name of the ‘Flint Street, Arrowtown’ restricted freedom camping area to ‘Hansen Place, Arrowtown’.													
Schedule 1A	Amended conditions for Camp Hill Bridge restricted area: The maximum number of certified self contained motor vehicles in this location must not exceed 15. A person freedom camping in this location must: ... <u>Use one of the 10 marked motor vehicle spaces</u>													
Schedule 1B	Amend Schedule 1B to correct errors with respect to the identification of some restricted rural roads (as detailed in the hearing report).													

¹ Formally 'Flint Street, Arrowtown'

Clause	Recommended amendment
Schedule 2	Amend Schedule 2 so that Shotover and Stanley streets (NZTA SH6) are considered local authority areas, and that as urban streets, are prohibited for freedom camping (with NZTA consent).