

SOUTH WAIRARAPA DISTRICT COUNCIL

31 JULY 2013

AGENDA ITEM C4

MINOR CHANGES TO THE CAMPING IN COASTAL AREAS BYLAW 2009

Purpose of Report

To obtain a resolution from Council for minor changes to the Camping in Coastal Areas Bylaw 2009.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *Resolve to approve the minor changes to the Camping in Coastal Areas Bylaw 2009 as outlined in section 2 and the appendices of this report.*

1. Background

The Camping in Coastal Areas Bylaw 2009 (the Bylaw – Appendix 1) was approved in December 2009 and covers the coastal camping areas owned by the South Wairarapa District Council. The Bylaw contains two schedules: Schedule 1 defines specific public places at the coast that would be governed by any SWDC Public Places Bylaw. Schedule 2 defines approved areas where camping is permitted.

2. Discussion

Approval has been sought for the Coastal Reserves Management and Development Plans that were publicly notified in January 2013, and for which a hearing was held on 4 July 2013. Two changes to the plans were recommended as a result of the hearing, and those changes must also be reflected in the Bylaw. Section 156(2)(a) of the Local Government Act 2002 allows Councils to address minor changes and errors in bylaws by resolution, the outcome of which must be publicly notified.

The first minor change to the Bylaw is to reduce the camping area at the South Tora Reserve (Sec 304 Awhea District) in order to protect the delicate and eroding southern half of the reserve (some of which has already eroded away). Camping will be focussed in the northern half of the reserve which is the widest grassy area. The reduced area is shown in Appendix 2.

The second minor change is to include part of Lot 2 DP 70767 (the Ngawi surf breaks) to Schedule 1- Public Places, and as an approved camping area in schedule 2 of the Bylaw. The area attracts surfers who use the reserve for beach access and stay overnight throughout the year, plus the reserve has an existing toilet that will be upgraded. A map of the proposed camping area is shown in Appendix 3.

These changes do not significantly alter any of the rules in the Bylaw; they make minor changes to the existing schedules attached to the Bylaw.

3. Conclusion

Minor changes to the Camping in Coastal Areas Bylaw 2009 will ensure that it will be consistent with the Coastal Reserves Management Plan. Once the two documents are aligned, any camping enforcement required at the coast will be clear.

4. Appendices

Appendix 1 – Camping in Coastal Areas Bylaw 2009

Appendix 2 – South Tora Reserve Reduced Camping Area

Appendix 3 – Ngawi Surf Breaks Camping Area (Lot 2 DP 70767)

Contact Officer: Jen Olson, Resource Management Officer

Reviewed by: Mark Allingham, Group Manager Infrastructure and Services

Appendix 1 – Camping in Coastal Areas Bylaw 2009

SOUTH WAIRARAPA DISTRICT COUNCIL BYLAW FOR CAMPING IN COASTAL AREAS 2009

1. Title

This bylaw may be cited as the South Wairarapa District Council Bylaw for Camping in Coastal Areas 2009.

2. Commencement

This bylaw shall come into force on 17 December 2009.

3. Applicability

This Bylaw shall apply only to those areas of the District described in Schedule 1 to the Bylaw.

4. Interpretation

For the purpose of this bylaw, unless the context otherwise requires:

'the Act' means the Local Government Act 2002.

'Authorised Officer' means a person appointed by the Council to act on its behalf with its authority

'Camp' means staying overnight in any public place or in any building, structure, or tent on a public place or in any vehicle including campervan, caravan, or any other vehicle that is capable of use for accommodation purpose parked on a public place (and 'camping' has a corresponding meaning).

'Camping area' means areas designated for camping as listed in Schedule 2 to this Bylaw.

'Contaminant' has the meaning given to it by section 2(1) of the Resource Management Act 1991.

'Council' means the South Wairarapa District Council or any officer authorised to exercise the authority of the Council.

'Cycle' means a vehicle that has at least 2 wheels and that is designed primarily to be propelled by the muscular energy of the rider, and includes a power-assisted cycle.

'District' means the district of the South Wairarapa District Council.

'Fauna' means animals of any kind.

'Flora' means plants of any kind.

'Licensed Camping Ground' means a camping ground for which there is a current certificate of registration issued under the Camping Ground Regulations 1985.

'Litter' has the meaning given to it by section 2(1) of the Litter Act 1979.

'Natural water body' means any naturally occurring body of water, including a river, creek, stream, or drain, and includes coastal waters.

'Public Place' means all lands, buildings or facilities owned or administered by the Council and to which the public has access, whether by right or usage, and includes all roads whether formed or unformed, foreshore, beaches and lake and watercourse margins. Licensed Camping Grounds are excluded from the definition of Public Place. The definition of Public Place shall only apply to those areas of the District described in Schedule 1 of the Bylaw.

'Registered' in relation to a vehicle, means registered under the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

'Vehicle' has the meaning given to it by section 2(1) of the Land Transport Act 1998 but does not include cycles.

5. Restrictions on Camping

- 5.1 No person shall, without the prior written permission of Council, camp in a Public Place, except in the Camping Areas specified in Schedule 2.
- 5.2 No person shall camp for a period longer than specified for any Camping Area in Schedule 2.

6. Behaviour in Camping Areas

- 6.1 No person may, in any Camping Area –
- (a) Damage, bury, disturb or remove anything in a Camping Area;
 - (b) Plant any tree, shrub or plant, or sow or scatter the seed of any tree, shrub or plant of any kind, or introduce any substance that may be injurious to animal or plant life in the area;
 - (c) Fix or place any placard, sign, or noticeboard
- Unless –
- (d) Prior approval in writing has been granted by the Council; or
 - (e) The activity is required for authorised maintenance purposes.

7. Vehicle Controls within Camping Areas

- 7.1 No person may drive or ride in any vehicle within any Camping Area in a manner which, having regard to all the circumstances, is or might be dangerous to any person.
- 7.2 No person may drive or ride any vehicle within any Camping Area in a manner which, having regard to all the circumstances, causes or might cause damage to structures, facilities, flora or fauna.
- 7.3 No person may drive any vehicle in any Camping Area at a speed in excess of 10km/h or at a speed contrary to the intent of clause 7.1 or such other speed limit as the Council from time to time may indicate by a sign or signs. This limit does not apply to cycles.



- 7.4 No person may stop or park any vehicle within any Camping Area in such a manner that it causes or is likely to cause an obstruction to any entrance, thoroughfare, path or walkway.
- 7.5 Where, in the opinion of any Authorised Officer, a vehicle (whether complete or not) has been abandoned in any Camping Area, the officer may take possession of the vehicle and dispose of it in the same manner as provided by Section 356 of the Local Government Act 1974.

8. Pollution

- 8.1 No person shall, in any Camping Area wilfully or carelessly -
- (a) Spill oil, petrol or a similar substance
 - (b) Cause oil, petrol or a similar substance to be spilled
 - (c) Discharge human waste to land or water
 - (d) Discharge any other contaminant to land or water.
- 8.2 Human waste may be disposed of at Council-approved dump stations only.

9. Litter

- 9.1 No person shall, in any Camping Area, bury litter or leave litter.
- 9.2 However, a person may leave litter in a bin that is provided in any of the Camping Areas listed in Schedule 1, if the bin is provided by Council for the kind of litter that the person leaves in it.

10. Dogs

- 10.1 Dogs are not permitted within the Camping Areas listed in Schedule 2 or within the Te Awaiti area described in Schedule 1.
- 10.2 Except as stated above, South Wairarapa District Council's Control of Dogs Bylaw 2007 applies to all Public Places at all times.

11. Fire

- 11.1 Fires will only be permitted in accordance with the rural fire seasons, as directed by the Wairarapa Chief Rural Fire Officer.
- 11.2 The use of gas fire barbeques is permitted.
- 11.3 Despite Clause 11.2, the Rural Fire Officer may prohibit the use of gas barbeques in a prohibited fire season in specific areas when, in his or her opinion, such prohibition is reasonably necessary and is in the interests of public safety.
- 11.4 Fireworks and flares are prohibited in the Camping Areas listed in Schedule 2.

12. Ordering Off

- 12.1 An Authorised Officer may order any person to leave a Camping Area if that person has committed a breach of this Bylaw. Anyone ordered off by an Authorised Officer to leave a Camping Area must comply with that order immediately and remove all vehicles and effects.

13. Offences and Penalties

- 13.1 Every person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000; and
- 13.2 Every person who is convicted of an offence against this Bylaw may be liable for the costs of remedying any damage caused in the course of committing the offence.



The Seal of the South Wairarapa District Council
was affixed hereto in the presence of:

[Signature].....Mayor 14/12/09.
[Signature].....Chief Executive Officer

Schedule 1 – Public Places

Public places are within the areas described below and illustrated on the following maps.

Tora Coast – the area of land bound by the following features:

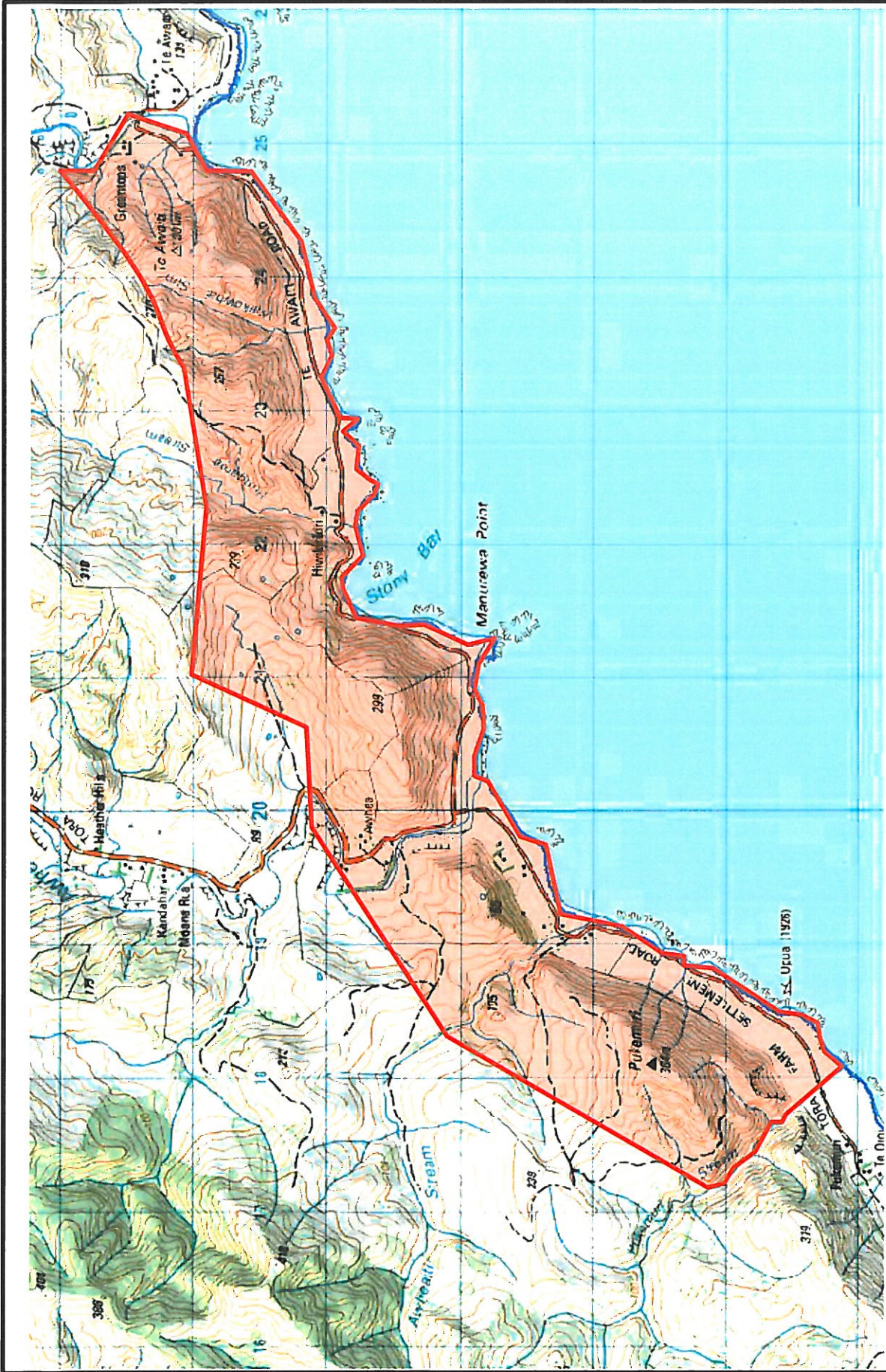
- Oterei River (northern boundary)
- Pukemuri Stream (southern boundary)
- Mean High Water Springs (eastern boundary)
- One kilometre inland from Mean High Water Springs (western boundary)

Ngawi – the area of land bound by the following features:

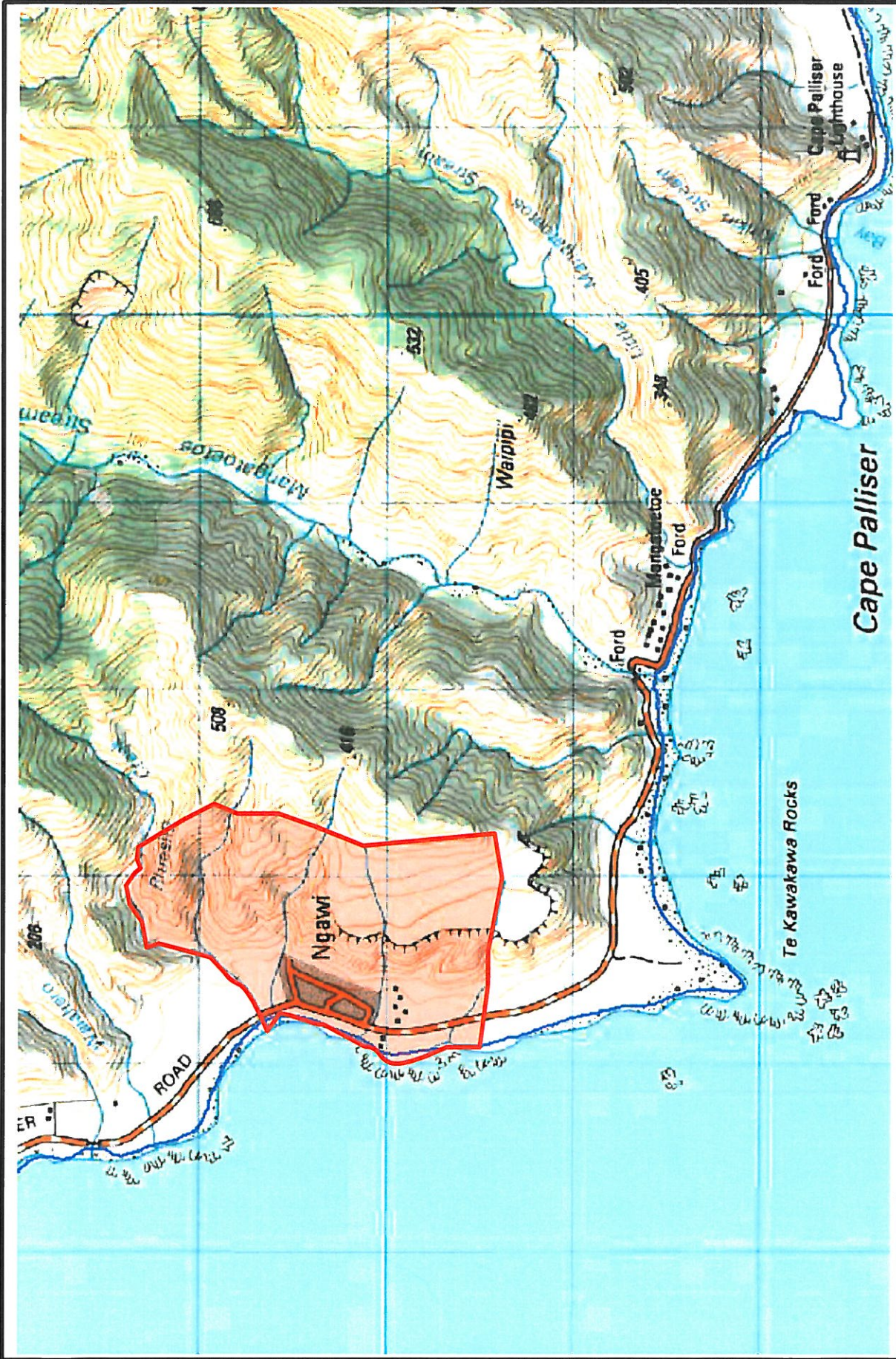
- Blueslip Creek (northern boundary)
- 500m south of Ngawi settlement (southern boundary)
- One kilometre inland from Mean High Water Springs (eastern boundary)
- Mean High Water Springs (western boundary)

Te Awaiti esplanade reserve – the area of land legally described as follows:

- Lots 3 and 4 DP 87044



Tora Coast



Ngawi



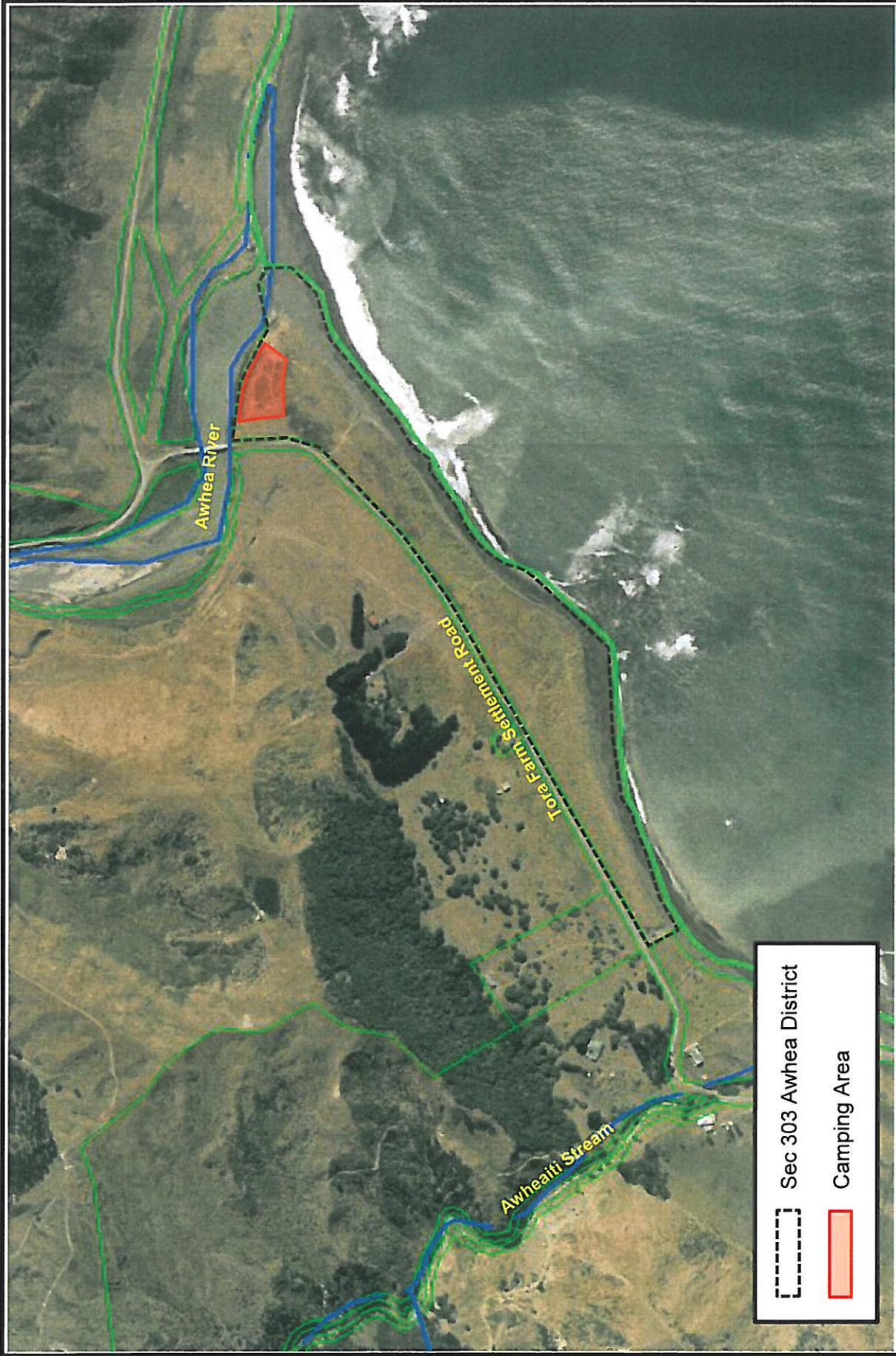
Te Awaiki

Schedule 2 – Camping Areas

Camping area	Legal description	Site description (see maps)	Authorised camping period and requirements
Ngawi	Lot 101 DP 29304	Coastal side of Cape Palliser Road, opposite settlement area	Camping for up to 21 days is permitted. Camping is only permitted in the area marked on plan and signposted on site.
North Tora	Sec 303 Awhea District	Coastal side of Tora Farm Settlement Road, south of Awhea River	Camping for up to 21 days is permitted. Camping is only permitted in the area marked on plan and signposted on site.
South Tora	Sec 304 Awhea District	Coastal side of Tora Farm Settlement Road, south of Awheaiti Stream	Camping for up to 21 days is permitted. Camping is permitted in signposted areas only. No camping in campervans or caravans is permitted.
Te Awaiti	Sec 299 Awhea District	Between Te Awaiti Road and Otere River	Camping for up to 21 days is permitted. Camping is permitted in signposted areas only.



Ngawi Camping Area





North Tora Camping Area



South Tora Camping Area



	Sec 299 Awhea District
	Camping Area

Te Awaiti Camping Area



Appendix 2 – Proposed reduced camping area at South Tora Reserve



**Appendix 3 – Proposed
additional camping area at
the Ngawi surf breaks (Lot 2
DP 70767)**

Ngawi Surf Break Reserve - Lot 2 DP 70767

