

Freedom Camping Bylaw 2021

The Christchurch City Council makes this bylaw under section 11 of the Freedom Camping Act 2011.

The Freedom Camping Bylaw 2015 was replaced with this bylaw in 2021, after a review and consultation process. This bylaw was amended on 15 November 2023 due to changes to the Freedom Camping Act 2011.

1. Short title and commencement

- (1) This bylaw is the Christchurch City Council Freedom Camping Bylaw 2021.
- (2) This bylaw commenced on 1 December 2021. Amendments to this bylaw come into force on 22 November 2023.

2. Purpose

- (1) The purpose of this bylaw is to control freedom camping in the district in order to:
 - (a) protect local authority areas;
 - (b) protect the health and safety of people who may visit local authority areas; and
 - (c) protect access to local authority areas.

Explanatory note: This bylaw applies only to land under the control or management of the Council and within the Christchurch district, including Banks Peninsula.

3. Interpretation

- (1) In this bylaw, unless the context otherwise requires:

TERM	DEFINITION
Act	means Freedom Camping Act 2011
Authorised officer	means a person appointed by the Council to perform duties or give permissions under this bylaw, including an enforcement officer
Camping vehicle	means a self-contained motor vehicle
Chief Executive	means the Chief Executive Officer of the Council
Council	means the Christchurch City Council
District	means the district of the Council

The following terms have the same definitions as in the Act (for full definitions, refer to the Act):

Freedom camp	(1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of an area accessible by motor vehicle or within 200 m of the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using either or both of the following: <ol style="list-style-type: none">(a) a tent or other temporary structure;(b) a motor vehicle.
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- (2) In this Act, freedom camping does not include the following activities:
- (a) temporary and 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 motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person—
- (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
 - (b) is unable to live in appropriate residential accommodation; and
 - (c) as a consequence of that inability, is living in either or both of the following:
 - (i) a tent or other temporary structure:
 - (ii) a motor vehicle.

...

Local authority area	<p>(1) In this Act, local authority area—</p> <p>(a) means an area of land—</p> <ul style="list-style-type: none"> (i) that is within the district or region of a local authority; and (ii) that is— <ul style="list-style-type: none"> (A) controlled or managed by or on behalf of the local authority under any enactment; or (B) an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A; and <p>(b) includes any part of an area of land referred to in paragraph (a); but</p> <p>(c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.</p>
Motor vehicle	<p>means each of the following:</p> <ul style="list-style-type: none"> (a) a motor vehicle within the meaning of section 2(1) of the Land Transport Act 1998: (b) a unit used for camping that is not itself a vehicle but is capable of being— <ul style="list-style-type: none"> (i) transported by means of being loaded onto a vehicle; and (ii) used for camping whether or not it is loaded onto a vehicle
Self-contained	<p>in relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period)</p>
Warrant card	<p>means the warrant card referred to in section 87X(1)(b) of the Plumbers, Gasfitters, and Drainlayers Act 2006</p>

- (2) This bylaw contains explanatory notes, which are not part of the bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

***Explanatory note:** Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.*

4. Application of the Act on local authority areas

- (1) Freedom camping using a self-contained motor vehicle, or a tent or other temporary structure, in any local authority area is permitted under the Act, unless it is restricted or prohibited in the district:
 - (a) by this or any other bylaw; or
 - (b) under any other legislation.
- (2) Freedom camping using a vehicle which is not self-contained in any local authority area is prohibited under the Act, unless it is permitted in the district:
 - (a) by this bylaw; or
 - (b) under any other legislation.

Explanatory note: This clause reflects changes to the Freedom Camping Act 2011 made by the Self-contained Motor Vehicles Legislation Act 2023. This added a new default position that freedom camping on local authority area land in a vehicle that is not self-contained is prohibited, unless a bylaw specifically permits it. This bylaw does not define any areas permitting freedom camping in a vehicle that is not self-contained.

Compliance with this bylaw does not remove the need to comply with all other applicable laws. This includes: no camping in Council parks and reserves (unless the land is set aside as a camping ground); complying with parking restrictions and time limits; not littering; not lighting fires in breach of any fire restrictions; not making excessive noise; and complying with the directions of enforcement officers. The Freedom Camping Act 2011 contains further offences in relation to freedom camping.

5. Prohibited activities

- (1) No person may freedom camp in any local authority area in the district in any tent or temporary structure, unless:
 - (a) the area is set aside as a camping ground; or
 - (b) the person has prior permission from the Council for an organised event under clause 9 of this bylaw.

6. Prohibited areas

- (1) No person may freedom camp in any prohibited area.
- (2) Prohibited areas are described in Schedule 1 of this bylaw and are shown in red on maps in Schedule 2 of this bylaw.

7. Restricted activities

- (1) Any person may freedom camp in a restricted area, subject to the following conditions:
 - (a) the freedom camping must only take place in a self-contained motor vehicle; and
 - (b) the maximum stay in any location is two nights within a 30-day period; and
 - (c) the location must not be within 500 metres of a location where the person has previously freedom camped within a 30-day period.

- (2) Subclauses 1(b) and 1(c) do not apply to the restricted area known as the City Coastal Restricted Zone. In that restricted area, any person can freedom camp in a self-contained motor vehicle for up to four nights within a 30-day period, with no more than two nights in the same place. There must be a distance of at least 500 metres between one camping location and the next.

***Explanatory note:** This means a maximum stay in the City Coastal Restricted Zone of four nights within any 30-day period, and at least one change of location within those four nights.*

- (3) Where there are marked parking spaces in a restricted area, no person may:
- (a) park in a parking space where a camping vehicle is already parked (one camping vehicle per marked parking space); or
 - (b) take up more than one parking space with their camping vehicle, equipment or activities.

***Explanatory note:** If there is space for the combination of a towing vehicle and a towed camping vehicle within a marked parking space, there is no breach of subclause 7(3).*

- (4) No person may set-up their camping vehicle or camping equipment in such a way that it impedes the normal movement of vehicles or pedestrians, or otherwise blocks a thoroughfare.

***Explanatory note:** Subclauses (3) and (4) are to prevent overcrowding and the overflow of camping activities into public areas. Camping activities and equipment should not encroach into the surrounding area in a way that limits public access or parking availability, or raises safety concerns. Public areas where freedom camping is allowed are not intended to accommodate traditional camping set-ups (eg awnings, washing lines, cooking equipment, and tables and chairs) – these are better suited to camping grounds.*

8. Restricted areas

- (1) Restricted areas are described in Schedule 1 to this bylaw and are shown in orange on maps in Schedule 2 of this bylaw.

9. Prior permission from the Council for an organised event

- (1) The Chief Executive may temporarily waive or modify the freedom camping restrictions or prohibitions in this bylaw to enable camping for an organised event.

***Explanatory note:** This clause is intended to enable flexibility so that freedom camping can occur as part of an organised event, where the Chief Executive considers it appropriate. The Chief Executive has full discretion to grant or decline an application for permission. The type of events it may apply to include, but are not limited to: scout and guide events; sporting and club events; marae-related events; community and school events. Permission under this clause cannot be given for vehicles that are not self-contained, as freedom camping in vehicles that are not self-contained is prohibited by the Act.*

- (2) The organiser of the event must apply to the Chief Executive for permission. An application for permission must:
- (a) be made in writing, in the form required, and contain all necessary information to consider the request;
 - (b) provide sufficient detail about the event, including: the proposed camping location, intended dates of stay, number of people, method of freedom camping, and information about how human and other waste from the event will be managed; and
 - (c) be made at least 20 working days in advance of the event.
- (3) The Chief Executive may give permission or decline an application.

- (4) If permission is granted, the Chief Executive may impose any conditions they consider appropriate:
 - (a) to minimise the likely impacts from the event; and
 - (b) that are consistent with the purpose of this bylaw.
- (5) If an application is declined, the applicant will be informed of the reasons for the decision.
- (6) The permission may be revoked by an enforcement officer if any person breaches the conditions specified in the permission or otherwise breaches this bylaw.

10. The Council may temporarily close an area to freedom camping

- (1) The Chief Executive of the Council may temporarily close or restrict freedom camping in any area or part of any area where the closure or restriction is considered necessary to:
 - (a) prevent damage to the local authority area or facilities in the area; or
 - (b) allow maintenance to the local authority area or facilities; or
 - (c) protect the safety of persons or property; or
 - (d) provide for better public access, including in circumstances where events are planned for that area.
- (2) Notice will be given of any temporary closure or restriction, and the removal of any closure or restriction, in any manner the Chief Executive considers is appropriate to the reason for the closure or restriction. Prior notice of any temporary closure or restriction will be given where possible.

***Explanatory note:** Notice given by the Council may include any of the following: a sign erected in the area; and/or advertising on the Council's website or on the radio; and/or a public notice in the newspaper.*

11. Christchurch City Council General Bylaw

- (1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into, and form part of this bylaw.

12. Offence and penalty

- (1) As specified by section 20(1) of the Act, a person commits an infringement offence if the person:
 - (a) freedom camps in a local authority area in breach of any prohibition or restriction in this bylaw that applies to the area; or
 - (b) makes preparations to freedom camp in breach of any prohibition or restriction in this bylaw that applies to the area.
- (2) As specified by section 20E of the Act, a person who commits an infringement offence under section 20(1)(a) or (f) of the Act is liable to an infringement fee or to a fine imposed by a court of the amount specified or indicated in the Act or in regulations made under the Act.

***Explanatory Note:** The Freedom Camping (Penalties for Infringement Offences) Regulations 2023 set out the infringement fees for breaches of bylaws made under the Freedom Camping Act 2011, and the maximum fine that can be imposed by a court. The infringement fee is \$400. The Act and Regulations set out a range of other offences and infringement fees, ranging from \$200 to \$800. This include things such as: freedom camping in a vehicle that is not self-contained (unless permitted by a bylaw); failing to display a warrant card to demonstrate self-containment; camping with more people than the vehicle is certified for; damaging or*

interfering with the flora, fauna or structures in an area; not appropriately disposing of waste; failing to leave an area when required to by an enforcement officer; displaying an altered or fraudulent warrant card; presenting an altered or fraudulent certificate; or refusing to give information when required to (or giving false or misleading information). Section 22 of the Act sets out defences to a freedom camping offence. Infringement fees may also apply under the Litter Act 1979, including a higher fee for dumping offensive or hazardous waste.

13. Revocations and savings

- (1) The Christchurch City Council Freedom Camping Bylaw 2015 is revoked.
- (2) Any permission, consent, agreement or any other act of authority which originated under the Christchurch City Council Freedom Camping Bylaw 2015, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw.
- (3) This bylaw is implied into and forms any part of any permission, consent, or any other act of authority continued by this clause.
- (4) The revocation of the Christchurch City Council Freedom Camping Bylaw 2015 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

The initial resolution to make this bylaw was passed by the Christchurch City Council at a meeting on 13 August 2015 and was confirmed, following consideration of submissions received during a special consultative procedure, by a resolution at a subsequent meeting of the Council on 26 November 2015.

The bylaw was amended by the Council on 2 November 2016, and the amendments came into force on 1 December 2016.

The bylaw was amended by the Council on 8 November 2018, and the amendments came into force on 1 December 2018.

The 2015 bylaw was reviewed and replaced with the Freedom Camping Bylaw 2021 on 11 November 2021, which came into force on 1 December 2021.

The 2021 bylaw was amended on 15 November 2023 in response to the requirements of the Self-contained Motor Vehicles Legislation Act 2023, which amended the Freedom Camping Act 2011. The amendments included replacing definitions and text for consistency with the amended Act. These amendments were undertaken by resolution, publicly notified, in accordance with clause 10 of Schedule 1AA.

Schedule 1: Freedom camping prohibited and restricted areas

Prohibited areas

Prohibited area	Description of prohibited area
Central City Prohibited Area	Christchurch Central City – all Council-owned and/or -managed land between and inclusive of Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, Deans Avenue, Harper Avenue, and Little Hagley Park.
New Brighton Prohibited Area	New Brighton North Ramp and South Ramp Off-street car parks – all Council-owned and/or -managed land off-street car parks, immediately north and south of the New Brighton Pier.
North Beach Car Park Prohibited Area	The car park area alongside Marine Parade, between the North Beach Surf Lifesaving Club and the North New Brighton Community Centre. Applies at weekends, from 7pm Fridays until 7pm Sundays, and between 1 October and 1 May each year.
Southshore Spit Prohibited Area	All Council-owned and/or managed land in the area between the eastern coastline of the city and south of Caspian Street (including both sides of Caspian Street) to the foreshore of Southshore Spit Reserve.
Rāpaki Prohibited Area	Rāpaki Settlement – all Council owned and managed land beside and between Governors Bay Road and the foreshore at Rāpaki Jetty.
Naval Point Prohibited Area	All Council-owned and/or managed land in the Naval Point area is prohibited to freedom camping (other than in the sign-posted area where certified self-contained vehicles can camp for up to two nights in any 30-day period)
Lyttelton Prohibited Area	Lyttelton Main Business Area – Council owned and/or -managed land between and inclusive of London Street, Oxford Street, Norwich Quay, and Dublin Street.
Birdlings Flat Prohibited Area	Birdlings Flat residential zone – all Council-owned and/or -managed land. The residential zone within the Birdlings Flat settlement area, from 107 Poranui Beach Road, Hill View Rd, Forest View Road, Lake Terrace Road, Clifton St and Coates Roads to the foreshore of Burlington Bay
Ōnawe Flat Road Prohibited Area	Ōnawe Flat Road – all Council-owned and/or -managed land including Ōnawe Point and all areas of Ōnawe Flat Road, up to but excluding the Duvauchelle settlement.
Takamatua Prohibited Area	Takamatua – all Council-owned and/or -managed land including the road and coastline along Takamatua Bay Road to its intersection with McRae’s Road and including McRae’s Road; and the hillside residential area including Bellbird Lane, Quail Crescent, Kingfisher Road, Fantail Lane, Kōtare Lane, and Lushingtons Bay Road, as shown on the map.
French Farm Prohibited Area	French Farm – All Council-owned and/or -managed land including the roads and foreshore.
Wainui Prohibited Area	Wainui – including Stanbury Park. All Council-owned and/or -managed land, including the roads and foreshore.

Prohibited area	Description of prohibited area
Akaroa Prohibited Area	<p>Akaroa Prohibited Area – All Council-owned and/or managed land in Akaroa township is prohibited to freedom camping (other than in the marked parking spaces in the Akaroa Freedom Camping Area, where certified self-contained vehicles can camp for up to two nights in any 30-day period). The Akaroa prohibited area includes:</p> <ul style="list-style-type: none"> • the whole of the Akaroa waterfront (from Children’s Bay to Red House Bay (including the whole of Beach Road)); • Takapūneke Reserve (from and including Beach Road to Ōnuku Road); • the residential part of Lighthouse Road (as shown on the map); • Grehan Valley Road and Aylmer’s Valley Road (including the parking area for Misty Peaks Reserve); • Rue Balguerie and the first parts of Purple Peak Road and Stony Bay Road (as shown on the map); • Old Coach Road up to and including the turnaround area by Long Bay Road / State Highway 75; and • part of Morgan’s Road (as shown on the map).
Ōnuku Prohibited Area	Ōnuku – All Council-owned and/or -managed land including the roads and foreshore within the Ōnuku settlement area.
Purau Prohibited Area	Purau – All Council-owned and/or -managed land along the foreshore of Purau Bay.
Koukourarata / Port Levy Prohibited Area	Koukourarata / Port Levy settlement – All Council-owned and/or -managed land within the Koukourarata/Port Levy settlement area.
Addington Park Car Park Prohibited Area	Addington Park Car Park – No written description. Please see map.
Lower Styx Rivermouth Prohibited Area	Lower Styx River mouth – No written description. Please see map.
Windsport Park Prohibited Area	All of the land at Windsport Park near Humphrey’s Drive, including Windsurfers Reserve, Woolston/Ferrymead (as shown on the map)

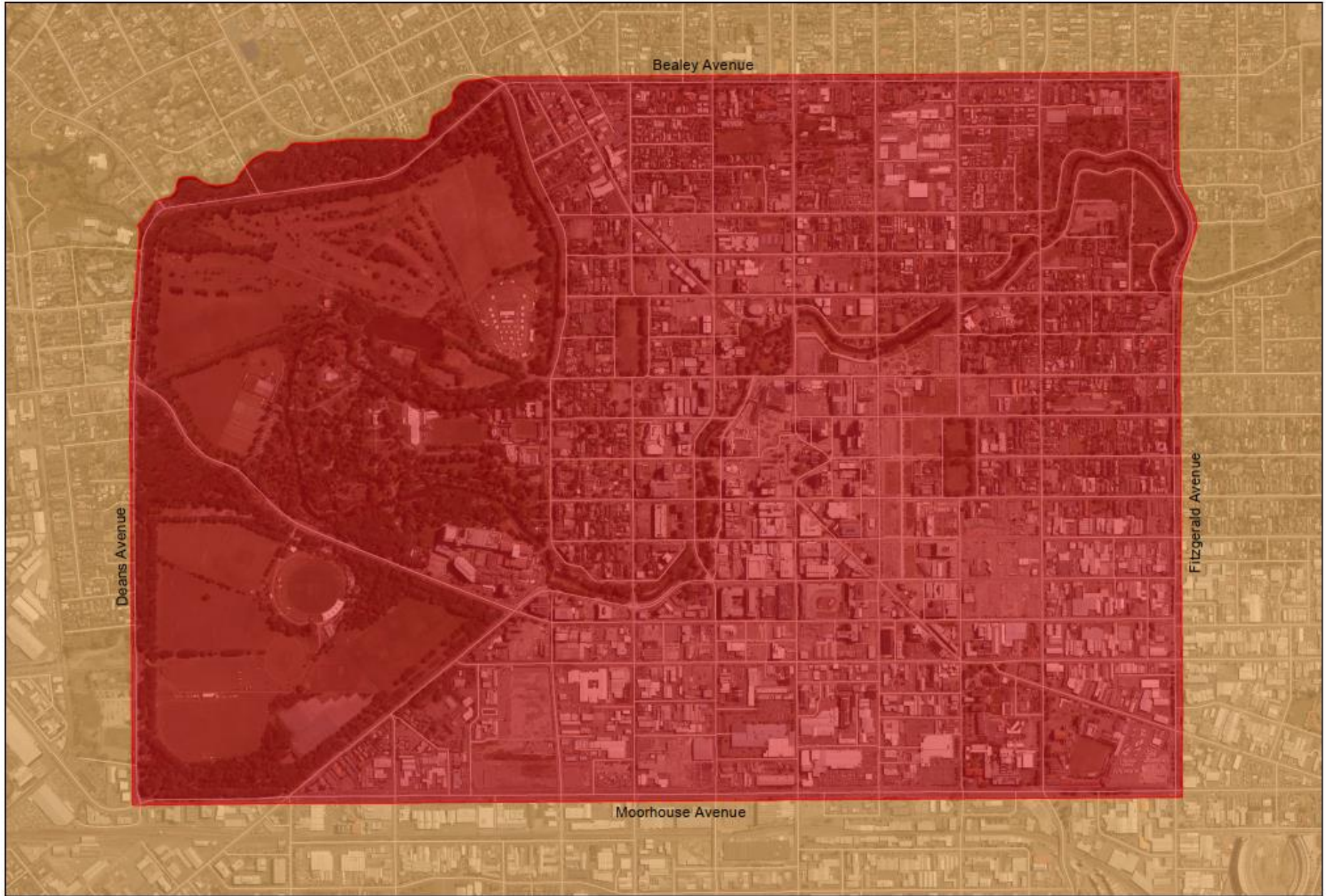
Restricted areas

Restricted area	Description of restricted area
Christchurch Urban Restricted Area	Christchurch City – all Council-owned and/or -managed land in the greater City urban areas, including Lyttleton, Cass Bay, Corsair Bay, Rāpaki and Governors Bay, excluding and bounded by prohibited areas.
City Coastal Restricted Zone	City Coastal Restricted Zone - All Council-owned and/or -managed land along the eastern coastline of the city, including part of North New Brighton, all of New Brighton, all of South New Brighton, and ending to the north of Southshore. That is, the area bounded by and including Larnach Street in the north (including Sandholm Close), west along Beach Road to Bower Avenue, down Bower Avenue, and then from the Wainoni Road Bridge on New Brighton Road along the eastern side of the Ōtakaro Avon River and the Avon-Heathcote Estuary / Te Ihutai to South New Brighton, and ending immediately adjacent to the north side of Caspian Street, then following the eastern coastline back up to Marine Parade and Beach Road corner, as shown on the map.
Akaroa Freedom Camping Area (restricted area)	Akaroa Freedom Camping Area is located at the northern end of Akaroa, south of Woodills Road / State Highway 75, and in the north eastern part of Akaroa Boat Park. There are two rows of freedom camping parking spaces to the west of the Akaroa Croquet Club (one row with seven larger parks, and one row with eight medium parks). A third row of freedom camping parking spaces is located alongside the northern fork of Grehan Stream (with three medium parks). Freedom camping parking spaces are clearly marked on-site.
Naval Point Freedom Camping Area (restricted area)	Naval Point Freedom Camping Area is signposted on site, and is located to the north of the access road that continues on from Charlotte Jane Quay.
Governor's Bay Restricted Area	Governor's Bay residential zone – No written description. Please see map.
Diamond Harbour Restricted Area	Diamond Harbour – All Council-owned and/or -managed land within the Diamond Harbour area, excluding the prohibited area in Purau Bay.
Purau Restricted Area	Purau residential area – No written description. Please see map.
Little River Restricted Area	Little River settlement – No written description. Please see map.
Takamatua Restricted Area	Takamatua residential zone – All Council-owned and/or -managed land within the Takamatua settlement area on the flat, including a portion of Takamatua Bay Road and Old French Farm Road.
Duvauchelle Restricted Area	Duvauchelle settlement – No written description. Please see map.
Robinson's Bay Restricted Area	Robinson's Bay – All Council-owned and/or -managed land within the Robinson's Bay area. Please see map.

Schedule 2: Maps of freedom camping prohibited and restricted areas

(starting on next page)

Central City Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

New Brighton Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

North Beach Car Park Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area

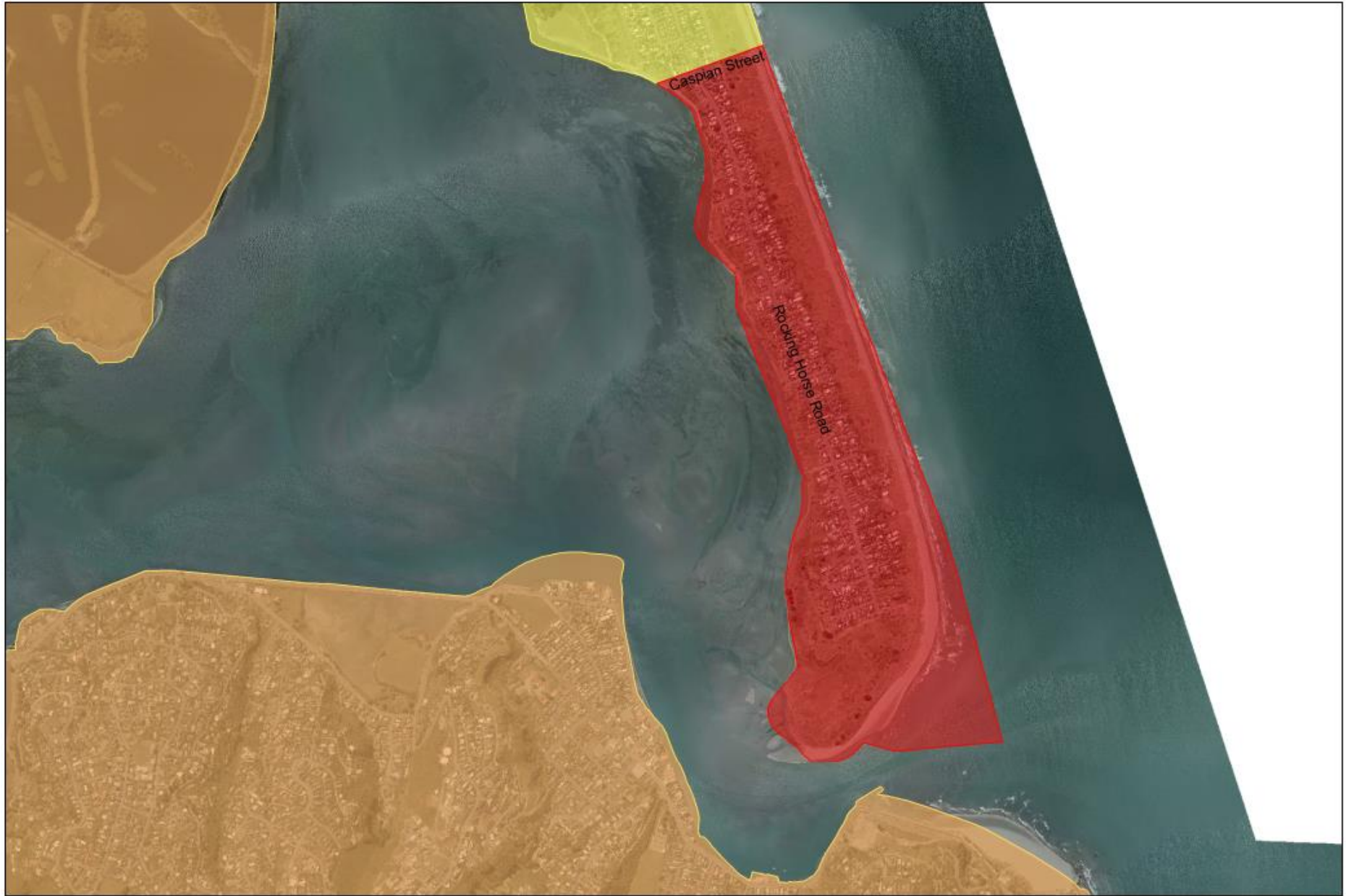


Restricted area

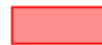


City Coastal Restricted Zone

Southshore Spit Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Rāpaki Prohibited Area, Naval Point Prohibited Area and Lyttelton Prohibited Area



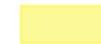
Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Birdlings Flat Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Ōnawe Flat Road Prohibited Area, Duvauchelle Restricted Area, and Robinson's Bay Restricted Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area

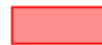


City Coastal Restricted Zone

Takamatua Prohibited Area, and Takamatua Restricted Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

French Farm Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Wainui Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area

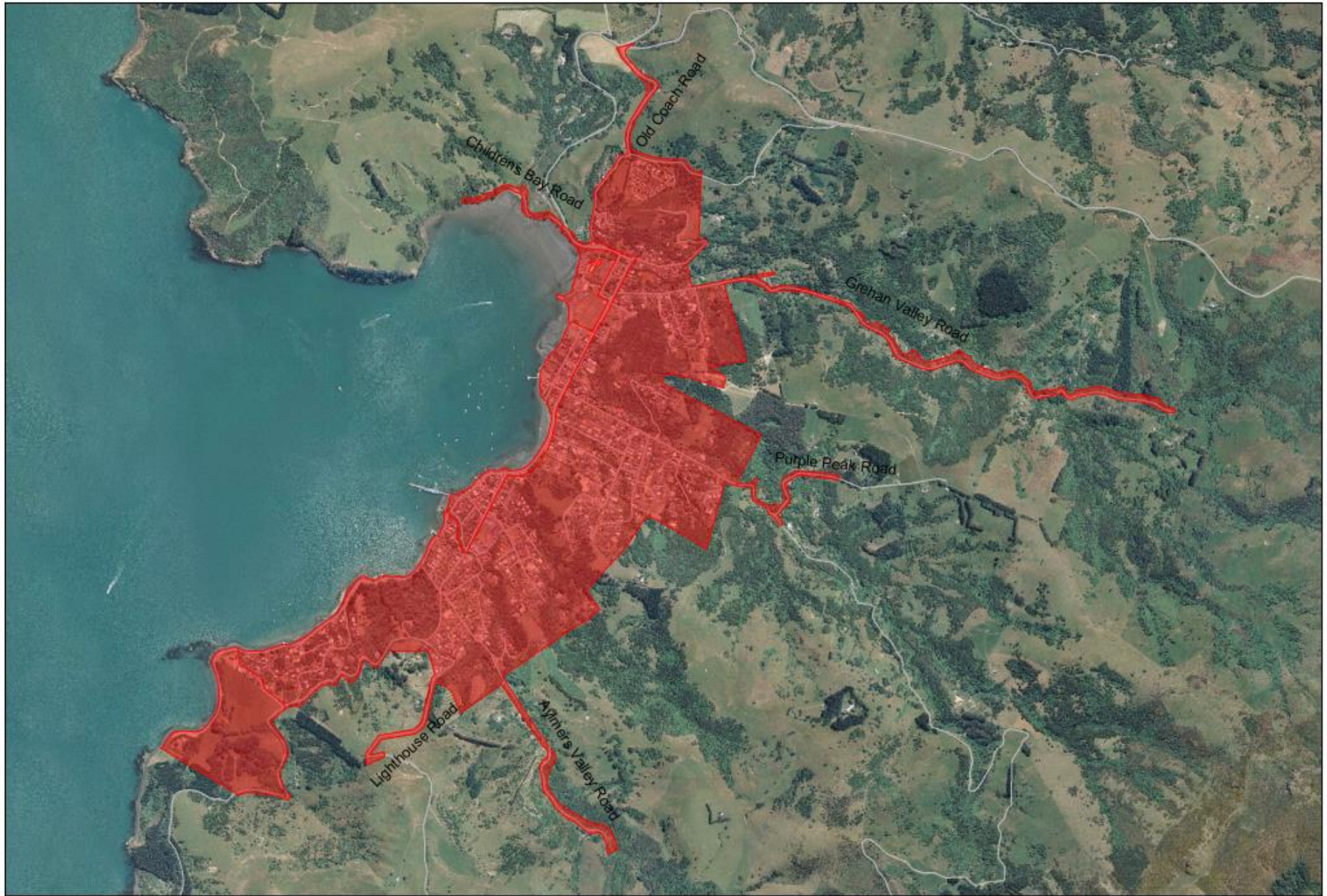


Restricted area



City Coastal Restricted Zone

Akaroa Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Ōnuku Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Purau Prohibited Area, and Purau Restricted Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Koukourarata Port Levy Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Addington Park Car Park Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area

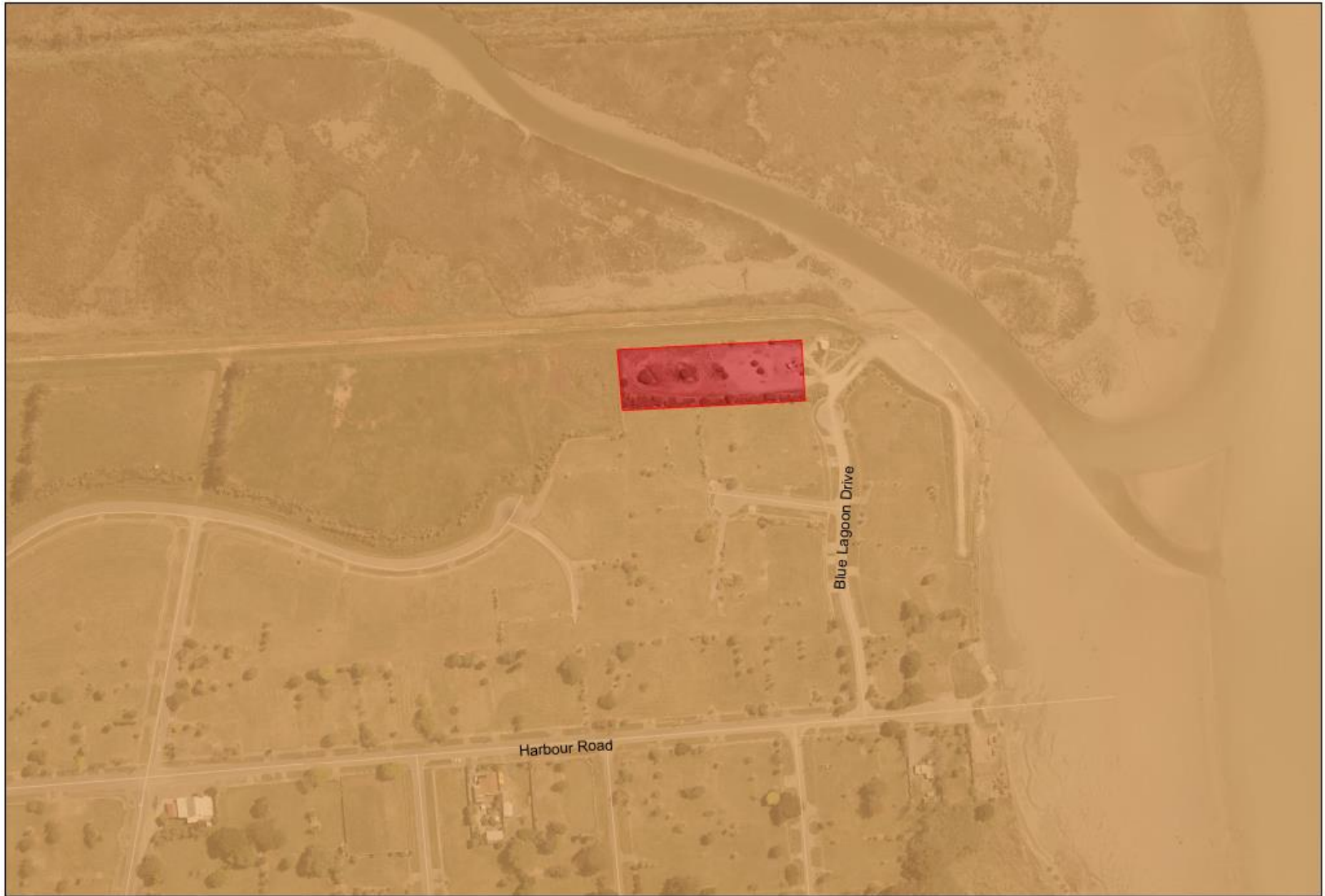


Restricted area



City Coastal Restricted Zone

Lower Styx Rivermouth Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Windsport Park Prohibited Area



Freedom Camping Bylaw 2021



Prohibited area

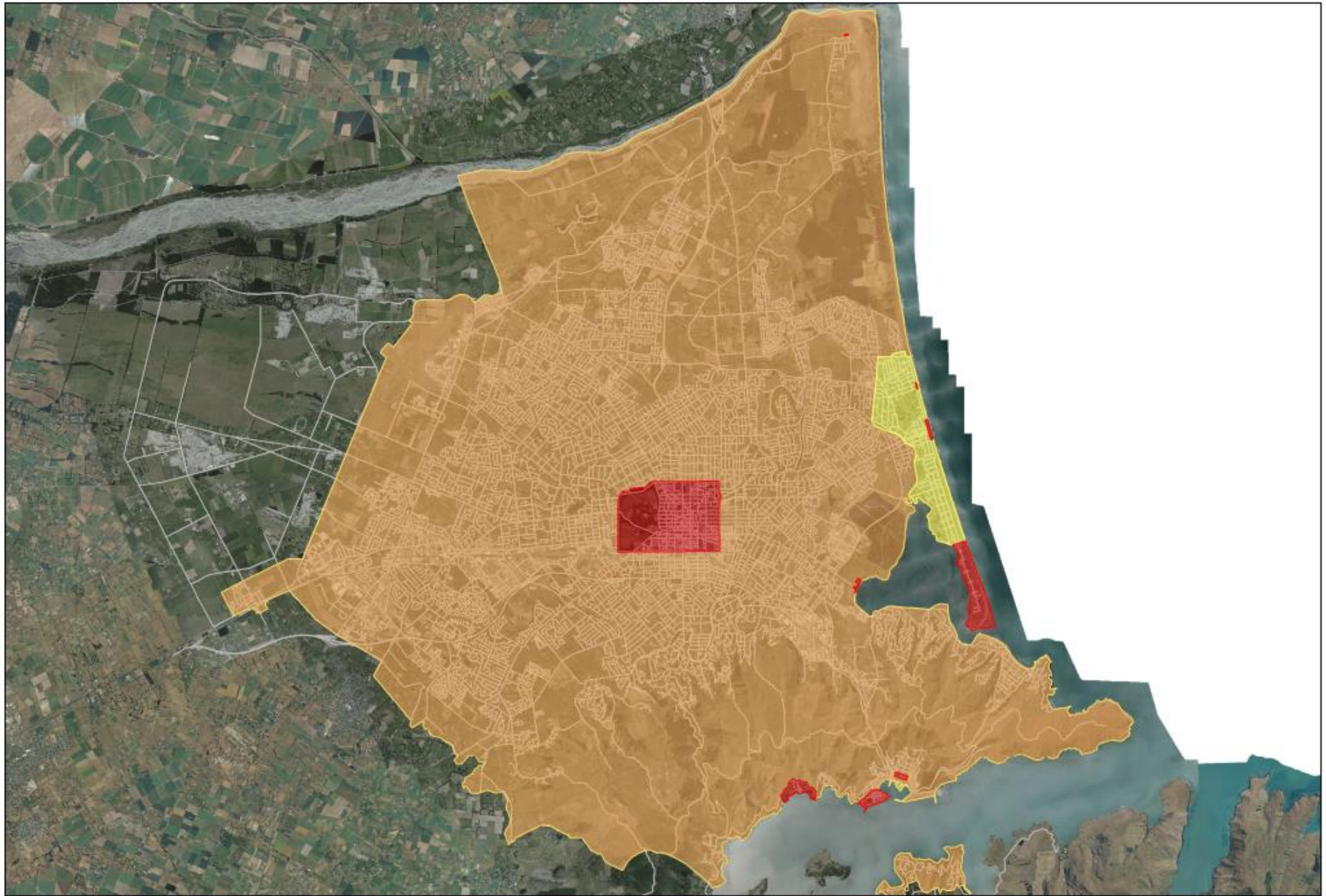


Restricted area



City Coastal Restricted Zone

Christchurch Urban Restricted Area



Freedom Camping Bylaw 2021



Prohibited area

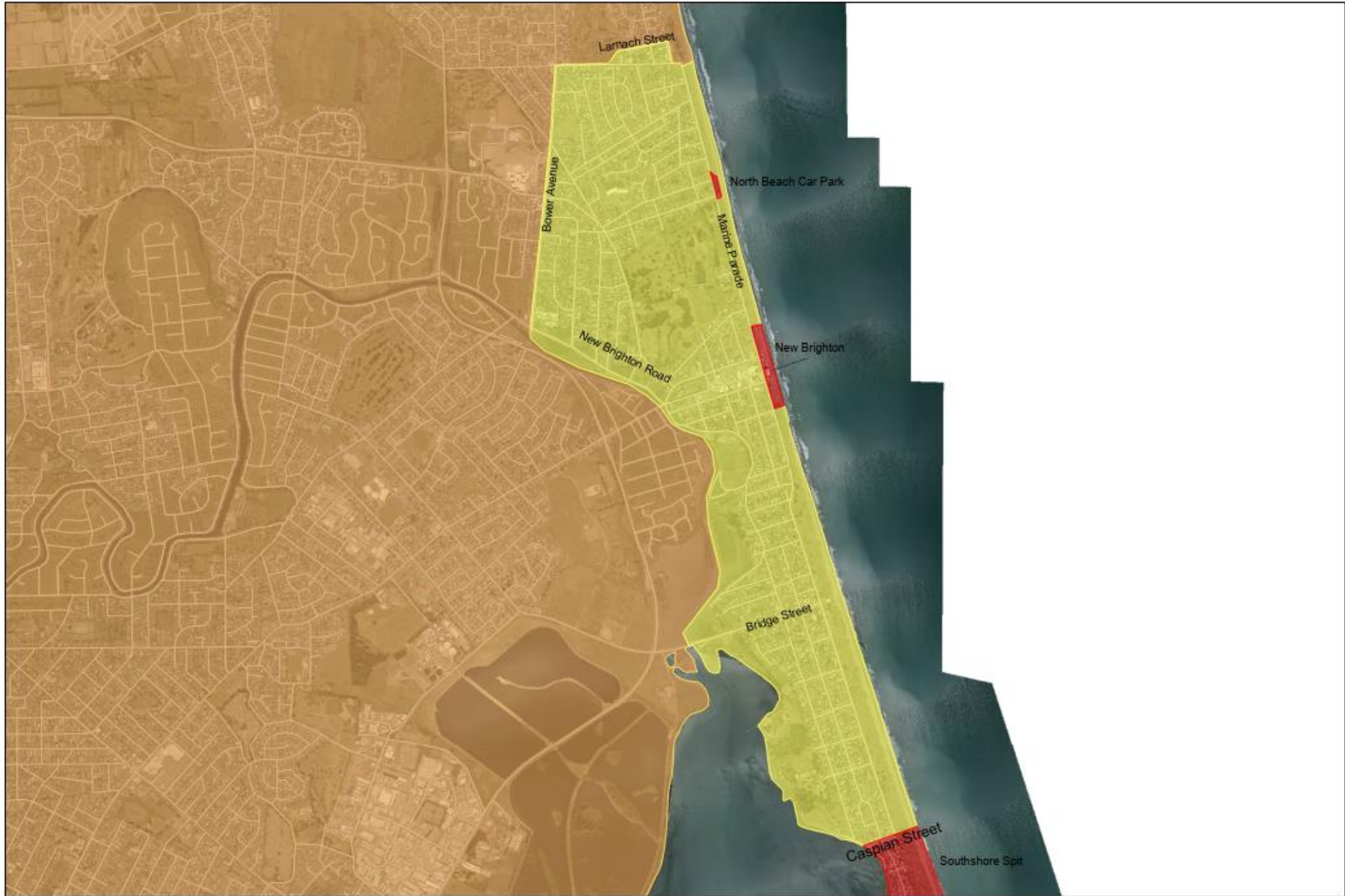


Restricted area



City Coastal Restricted Zone

City Coastal Restricted Zone



Freedom Camping Bylaw 2021



Prohibited area



Restricted area

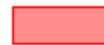


City Coastal Restricted Zone

Akaroa Freedom Camping Area (restricted area)



Freedom Camping Bylaw 2021



Prohibited area

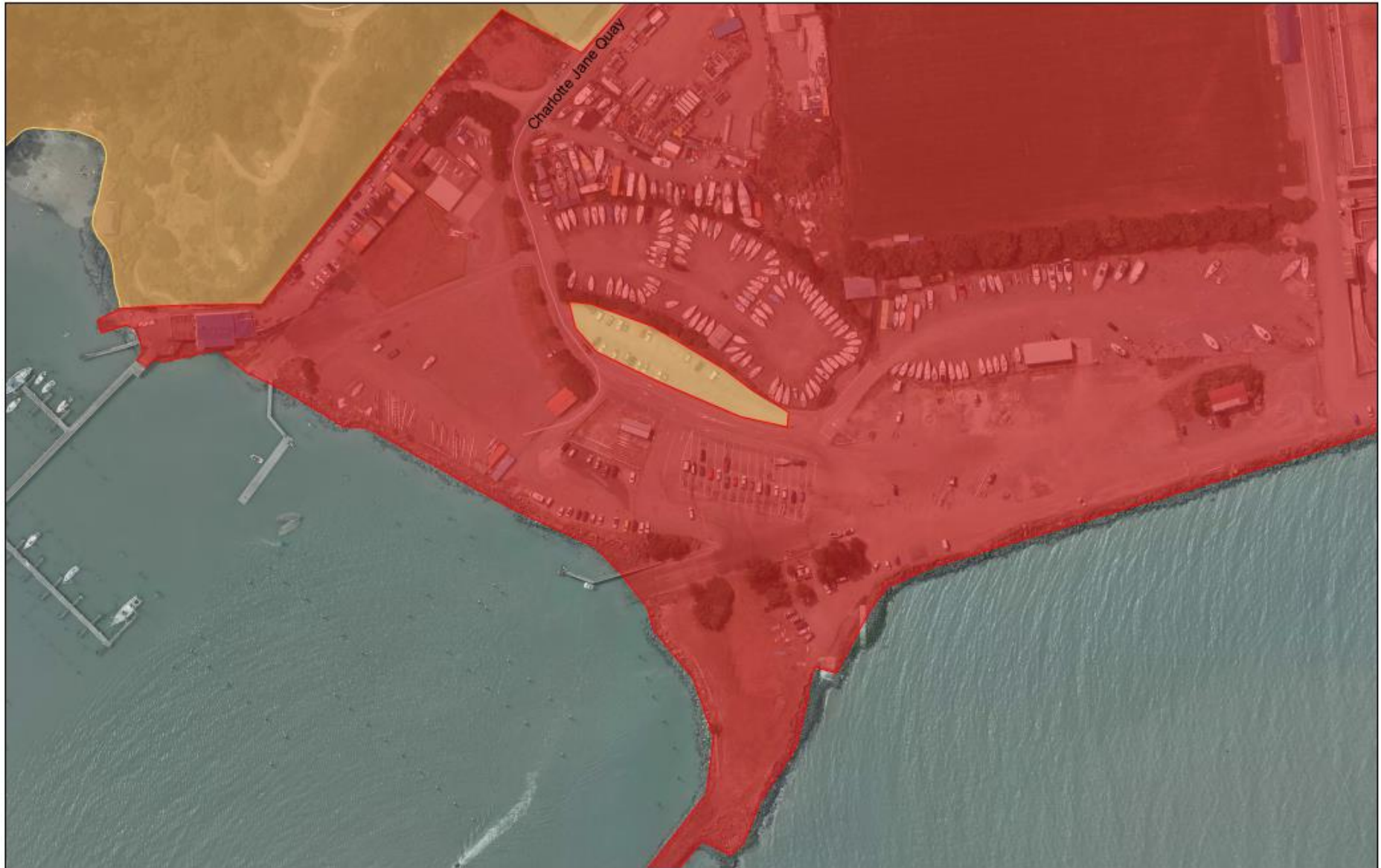


Restricted area



City Coastal Restricted Zone

Naval Point Freedom Camping Area (restricted area)



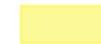
Freedom Camping Bylaw 2021



Prohibited area

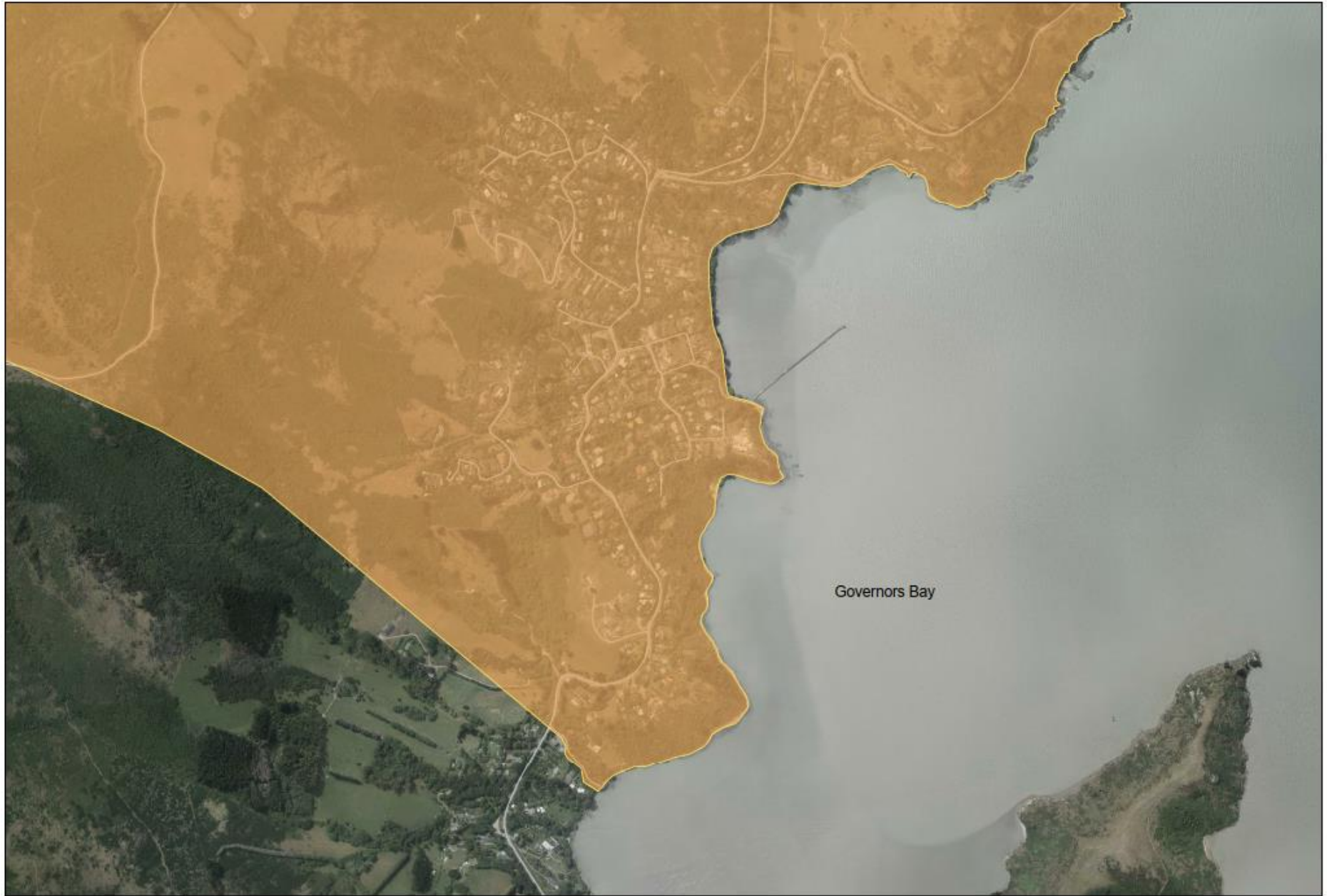


Restricted area



City Coastal Restricted Zone

Governor's Bay Restricted Area



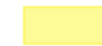
Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Diamond Harbour Restricted Area, Purau Prohibited Area, and Purau Restricted Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone

Little River Restricted Area



Freedom Camping Bylaw 2021



Prohibited area



Restricted area



City Coastal Restricted Zone