

## R301 - Camping on Reserves Policy

Category	Reserves on Council Land	Type	Policy
Policy Owner	<a href="#">Group Manager Property</a>	Approved by	Council
Last Approved Revision	December 2021	Review Date	September 2023

### PURPOSE

This policy sets terms, conditions and restrictions and guides decision-making as to where and how camping on reserves for recreational purposes is permitted and managed in order to provide for the benefit, enjoyment, protection and control of the public and the natural environment.

### ORGANISATIONAL SCOPE

The policy applies to all reserves administered by Selwyn District Council, excluding:

- camping grounds which are not administered by the Council; or
- camping grounds that have a certificate of registration under the Camping-Grounds Regulations 1985 where campers pay a fee to enter the camping ground) whether operated by Council or another party.

Notwithstanding any provision in this policy, the Council reserves its right to impose further conditions and obligations in respect of some of the reserves it administers.

### DEFINITIONS

**Camp** shall have the same meaning as stated in the Selwyn District Council Parks and Reserves Bylaw 2009, and any subsequent iteration.

**Designated** means areas within a reserve where camping is approved.

**Reserve** shall have the same meaning as stated in the [Reserves Act 1977](#)

### THE POLICY

#### 1. Statutory basis

- Under the Reserves Act 1977, camping is an activity that may only be undertaken on reserves in certain circumstances, and is otherwise prohibited.
- Section 44(1) of the Reserves Act 1977 provides that no person shall use a reserve of any type for personal accommodation except as provided for in that section and "in accordance with every term or condition on which such use is permitted".
- Section 17(1) of the Reserves Act 1977 provides that recreation reserves are principally for recreational use, while section 17(2)(a) provides for entry and access to recreation reserves to be subject to:

*...such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve[s] and for the protection and control of the public using [them].*

## 2. Where camping is permitted

- (a) Camping is permitted only:
  - i. for recreational purposes;
  - ii. in areas designated for that purpose on recreation reserves;
  - iii. on sites which are currently open (i.e. not subject to closure under paragraph 5(d) below or otherwise);
  - iv. at times and for durations permitted by this policy; and
  - v. in accordance with all other requirements of this policy,

and all other camping on reserves, including without limitation camping on all other reserve types, is prohibited.
- (b) Camping areas on designated sites shall be clearly defined and marked on site.
- (c) Approval of designated sites shall be determined and approved in the relevant Reserve Management Plan, or otherwise in accordance with the Reserves Act 1977.
- (d) Notwithstanding a) to c) above camping may be permitted on a reserve for a short duration (normally one to two days) where prior written approval from Council has been obtained, subject to compliance with any conditions of such approval and all other requirements of this policy.
- (e) Information on designated sites shall be made available on the Council's [website](#).

## 3. Camping Duration

- (a) During the period commencing on 1 November in any year and ending with 31 March in the following year the maximum length of stay for camping by any person on any particular reserve is four (4) weeks and camping beyond that period is not permitted.<sup>5</sup>
- (b) During the period commencing on 1 April in any year and ending with 31 October in the same year, no person may camp on any reserve or reserves on which camping would otherwise be permitted under paragraph 2(a) for more than four (4) weeks regardless of whether such period of camping:
  - i. is continuous or not; or
  - ii takes place at one or more locations or reserves.
- (c) For clarity, the maximum length of stay in paragraph 3(a) above applies in respect of each reserve, while the maximum length of stay in paragraph 3(b) above applies across all reserves in the District (and is therefore more restrictive than paragraph 3(a), primarily due to the decreased availability of sites for the reasons set out in paragraph 5(d) below).

## 4. Camping Facilities

- (a) Council shall ensure that all designated camping areas comply with the provisions of the District Plan, the relevant Reserve Management Plan, and the Reserves Act 1977.
- (b) Council shall provide campers with the option to financially contribute to the cost of operating camping facilities through the provision of onsite and electronic donation facilities. Approved cash handling procedures shall be complied with at all times. For the avoidance of doubt, no fee applies

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<sup>5</sup>Note that this is similar to, but more stringent than, section 44(2) of the Reserves Act 1977, which continues to apply, and provides that: "[e]xcept with the consent of the Minister [of Conservation], the owner of any vehicle, caravan, tent, or removable structure shall not permit it to remain on a reserve for a total period of more than 4 weeks during the period commencing on 1 November in any year and ending with 31 March".



for entry to the sites, and any contribution made by campers is by way of a voluntary donation for the use of facilities only.

- (c) Facilities will be maintained and serviced in accordance with approved levels of service.

## 5. Camping Management

- (a) Council shall ensure camping areas are adequately supervised with appropriate site security along with active policy and bylaw monitoring and enforcement.
- (b) Site capacity limits shall be actively managed to avoid overcrowding and septic system overload.
- (c) There shall be adequate and appropriate signage on approved camp sites, supported with the use and maintenance of online communication methods.
- (d) During the period 1 April to 31 October any or all sites or any part(s) may be closed at such time(s) and for such period(s) which Council decides are appropriate from time-to-time to:
  - i. respond appropriately to weather and resulting ground conditions
  - ii. enable the repair and restoration of both the environment and the treatment systems
  - iii. avoid servicing costs for sites where patronage is low.

Any one site should be available for campers throughout this period.

## 6. Camping Behaviour

- (a) Council shall promote and support responsible camping through the provision of:
  - i. litter receptacles
  - ii. sanitation facilities and services
  - iii. site security along with active policy and bylaw monitoring and enforcement and the use of:
    - Adequate and appropriate signage on designated camp sites
    - Appropriate communication methods.
- (b) Campers shall comply with:
  - i. All site rules promulgated by Council from time to time and displayed on signage, and all lawful directions given by a duly authorised officer of Council, relating to use of the particular site and facilities and to camper behaviour
  - ii. The relevant provisions of the Reserves Act 1977, the Local Government Act 1974, the Local Government Act 2002, any relevant Reserve Management Plans and the Parks and Reserves Bylaw 2009 and all other bylaws enacted by Council
  - iii. All other relevant laws in force in New Zealand.
- (c) Campers shall comply with:
  - i. All site rules and regulations, including all lawful direction given by a duly authorised officer of Council
  - ii. The relevant provisions of the [Reserves Act 1977](#), the [Local Government Act 1974](#) and [2002](#), any relevant Reserve Management Plans and bylaws enacted by Council

## 7. Enforcement

- (a) The purpose of enforcing this policy is to ensure the best possible outcomes are achieved for the benefit, enjoyment, protection and control of the public and the natural environment in respect of camping on reserves for recreational purposes.

- (b) When determining the most appropriate response to a particular situation, Council does not apply a rigid formula. Rather, it will weigh all competing considerations and exercise judgement. Much will depend on the circumstances of the case and the responsiveness of the parties involved.
- (c) Wherever possible, Council prefers to encourage the compliance of campers with this policy through the use of non-enforcement options. This primarily involves engaging with people and educating them as to their responsibilities, as well as liaising with other agencies and organisations.
- (d) Where non-enforcement options are ineffective, potential enforcement options that the Council may decide to take in its absolute discretion include:
  - i. issuing verbal or written warning(s)
  - ii. issuing infringement notice(s) for the purposes of sections 105A – 105O of the Reserves Act 1977 and the Reserves (Infringement Offences) Regulations 2019
  - iii. providing information to the Police
  - iv. issuing trespass notice(s) under the Trespass Act 1980
  - v. laying charges in respect of the commission of any offence(s) under legislation including the Reserves Act 1977, the Trespass Act 1980 and Council bylaws.
- (e) In pursuing both non-enforcement and enforcement options, the Council will continue to develop good working relationships with relevant Government and other agencies and organisations in order to increase compliance. These include:
  - i. Kāinga Ora and other housing providers in relation to accommodation issues
  - ii. the Ministry of Social Development and other social service providers in relation to other social issues
  - iii. the Police in relation to criminal conduct and trespass matters
  - iv. the Department of Conservation and other local authorities and camping ground operators in relation to general issues.

## DELEGATION

The implementation of this policy is delegated to the [Group Manager Property](#).

## RELATED POLICIES, PROCEDURES AND FORMS

- Parks and Reserves Bylaw 2009
- Relevant approved Reserve Management Plan, prepared in accordance with the [Reserves Act 1977](#)

## CONTACT FOR FURTHER INFORMATION ABOUT THIS POLICY

If you have queries about the content of this policy, contact the [Manager, Open Spaces and Strategy](#).

## POLICY REVIEW TABLE

Date of last review	Status / Summary of changes made
22 May 2019	Reviewed by Council
17 February 2020	Reviewed by staff with one minor amendment made to a position title.
22 July 2020	Reviewed by staff with amendments made as per Councillor request
November 2020	Reviewed by staff with no amendments made
December 2021	Approved by Council (by resolution) following review by Buddle Findlay