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# Hamilton City Parks Domains and Reserves Bylaw

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## STATEMENT OF PROPOSAL

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Hamilton City Council (the Council) is seeking feedback following the review of the Hamilton City Parks Domains and Reserves Bylaw 2012.

### BACKGROUND

The Bylaw is a tool for protecting Council's parks and reserves from damage, misuse, or loss and to allow for their effective management. This includes freedom camping on parks.

The Bylaw was last reviewed in 2012 as per the Local Government Act 2002 requirements, and in response to the Freedom Camping Act 2011, and into force 1 September 2012. At the time it came into force it was determined the most appropriate format for the Council's management and protection of parks within Hamilton.

### WHY ARE WE DOING THIS?

The Council is required to review the Bylaw periodically by legislation. This provides an opportunity for the Council to check in with the community on how the Bylaw is working, if the Bylaw is still needed and request feedback on changes proposed by the Council.

### OPTIONS

#### Option 1: Amend the Bylaw

*This is the preferred option.*

This will mean that the Council adopts the amended Bylaw with the following changes made:

- Revised Definitions section
- Clarified responsibilities around permission and enforcement
- Simplified expectations around behaviour on parks
- Updated freedom camping parts to include newly acquired parks
- Clarified on what parks freedom camping can occur

A copy of the proposed Bylaw is attached to this proposal.

#### Option 2: Revoke the bylaw

This will mean that the Council will no longer have a bylaw for protecting Council's parks and reserves from damage, misuse, or loss and to allow for their effective management.

Although enforcement officers do give verbal warnings, a bylaw is required to establish legally enforceable rules to deter the misuse and damage of Hamilton City parks. Without a bylaw, the Council's options to prosecute for severe infringements would therefore be limited.

### TELL US YOUR THOUGHTS ON THE NEW BYLAW

Before making any final decisions, we'd like to have your input.

You can give us feedback from **18 February to 18 March 2019**.

#### How to give feedback

- Fill out a feedback form online at [hamilton.govt.nz/haveyoursay](http://hamilton.govt.nz/haveyoursay)
- Fill out the feedback form included in this Statement of Proposal and send to Hamilton City Council, c/- Strategy Unit, Private Bag 3010, Hamilton 3240.
- Fill out the feedback form and deliver it to the Municipal Building or one of the Council's libraries.

Feedback forms and the proposed Bylaw amendments are available from all Hamilton City Council libraries, and from the Ground Floor reception of Council's Municipal Building in Garden Place.

For any queries please ring 07 838 6699 or email [info@hcc.govt.nz](mailto:info@hcc.govt.nz)

### Next Steps

Staff will collect and analyse all feedback at the close of the submission period. The analysis of this feedback will be presented to the May 2019 Regulatory and Hearings Committee. At this meeting, submitters wishing to speak to their written submission will be able to do so. The Council will then consider all the views and make a decision on the Bylaw in June 2019.

## QUICK FACTS

### **What does the bylaw cover?**

The Bylaw covers a lot, including general use and behaviour, fireworks, commercial activities, freedom Camping on parks, vehicles and animals on parks.

### **What other tools are there for managing use and activities on parks?**

Other Council bylaws (*e.g. Dog Control, Open Air Burning, Alcohol Control, Cemeteries and Crematorium*)

Other legislation (*e.g. Litter Act, Reserves Act, Resource Management Act*)

Council plans (*e.g. District Plan, Reserve Management Plans*)

### **What is freedom camping?**

Freedom camping is basic terms is camping on public land that isn't a recognised camping ground. The Freedom Camping Act 2011 provides a legal definition of freedom camping

### **How else does the city provide for freedom camping?**

Self-contained vehicles can park on roads where parking restrictions don't apply, for maximum 3 days as provided for in the Council's Traffic Bylaw.

# FEEDBACK FORM

## Hamilton City Parks Domains and Reserves Bylaw

Hamilton City Council has reviewed the Hamilton City Parks Domains and Reserves Bylaw.

**Please note:**

Please be aware when providing a submission that all responses are part of the consultation process. This means that your name **but not contact details** may be reproduced and included in the Council's public documents such as the Council agendas and minutes. These documents are available on the Council's website at [hamilton.govt.nz](http://hamilton.govt.nz)

**1. Should Hamilton City have a Parks, Domains and Reserves Bylaw?**

- Yes  
 No

Reasons (Please print clearly) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. Is there anything in the proposed Bylaw (attached) that should be changed?**

- Yes  
 No

Reasons (Please print clearly) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ABOUT YOU: (Please print your details clearly)**

This section lets us know a bit more about you and helps us with our analysis of the overall feedback we receive.

**3. Are you responding as a:**

- An individual/householder  
 A representative of a business, organisation or a community group

**As a representative of a business, organisation or community group:**

What is the name of your business, organisation, group? \_\_\_\_\_

What is your role within it? \_\_\_\_\_

What is the key focus of the business, organisation, group? \_\_\_\_\_

Do you have an office/a base in Hamilton?

Yes

No

**As an Individual:**

**4. Can you tell us your age group?**

16-24

25-35

36-50

51-64

65-80

80+

**5. Which best describes your household?**

Living alone

Family or couple with dependants (children or other family)

Family or couple with no dependants

Living with others that are not family

**6. Where do you live?**

I am a Hamilton city resident, my suburb is: \_\_\_\_\_

I live outside the Hamilton city:

Waipa

Waikato)

Greater Waikato

Elsewhere in New Zealand

Overseas

**The Regulatory and Hearings Committee will hear any verbal submissions that the community and organisations wish to make in support of their written feedback on 2 May 2019.**

**7. Do you want to verbally present to the Council in support of your feedback?**

Yes (*\*Please ensure you give us your contact details below*)

No



**8. Contact Details:** (Please print your details clearly)

Name: \_\_\_\_\_

Organisation (where applicable): \_\_\_\_\_

Postal Address (incl. City and postcode) \_\_\_\_\_

\_\_\_\_\_

Phone: (day) \_\_\_\_\_ (evening) \_\_\_\_\_

Email: \_\_\_\_\_

**Please get your feedback to us by 18 March.**

Feedback after this date may not be included in the feedback summary to Councillors.

**Feedback can be:**

- Completed online at [hamilton.govt.nz/haveyoursay](http://hamilton.govt.nz/haveyoursay)
- Posted to: Freepost 172189, C/- Strategy Unit, Hamilton City Council, Private Bag 3010, Hamilton 3240
- Dropped off to a Council library or the main reception, ground floor of Council (Municipal) Building, Garden Place.