

**QLDC DRAFT FREEDOM CAMPING BYLAW 2021**  
**EMAILED SUBMISSIONS (#233, #244 - #284)**

Submission to QLDC Draft Freedom Camping Bylaw 2021

Contact:

Duncan Forsyth on behalf of

**Mount Edward Winery**

[REDACTED]

[REDACTED]

We wish to speak to our submission

**Mount Edward Winery**

Mount Edward winery is situated at 34 Coalpit Rd Gibbston

This is the same address as the Gibbston Reserve

We immediately adjoin the reserve with no barriers between the reserve and ourselves.

This is our front yard - not our back yard - **see attached photo**

We are one of Central Otago's pioneering wineries, of international fame and recognition, our primary business is making wine on our onsite facility and selling wine to private clients through our tasting area also on site.

We are one of three neighbours who immediately adjoin the reserve, the other two being residential.

**Our Submission:**

That the Gibbston Reserve be excluded from potential restricted freedom camping sites.

**Basis**

- a. **Initial Xyst assessment was incorrect with them failing to assess site properly which would have them changed both scoring used and further suitability for camping**
- b. **Council officers in looking for restricted camping sites did not correctly apply council's own criteria in suggesting Gibbston be a suitable location**

- c. Council officers and Xyst have failed to equally apply measures used for determining prohibited areas, in Rafters Road and Whitechapel to that of the Gibbston Reserve
- d. Site is not fit for purpose

### Reasoning

- A. Initial Xyst assessment was incorrect with them failing to assess site properly which would have them changed both scoring used and further suitability for camping

The Site Assessment scoring method was based on the three assessment criteria set out in s11(2) of the FCA. Each of the criteria (protection of area, health and safety and access) was a score from 1 (being the lowest) to 5 (being the highest).

Gibbston scored a 4 in protection of the area and 4 in access

**The assessment states that protection of an area should include**

**Protection of the amenity values of an area including residential and commercial areas (e.g. protection of views from residential and commercial properties, protection from noise from camping activity and arrival and departure of campers, loss of privacy**

**Protection of the economic values of an area including residential and commercial areas**

Given Rafters road area also scored a 4 and there are no commercial areas immediately adjacent we fail to see how this was given the same weighting,

this plus how two residences are immediately next to the proposed site in Gibbston as opposed to none in the same vicinity at Rafters Road.

In addition, the Gibbston Reserve was created specifically for the residents of Gibbston, it is the only such reserve for residents. Rafters road is not, it is a Doc managed area. That Xyst gave each area the same weighting in terms of the both criteria, protection as well as access of the area, for residents and visitors we contend is wrong.

**Xyst should have listed the protection of the area and access to as of very significant concern and scored these sections a 5 - this would have removed Gibbston reserve as a potential site alone**

**B. Council officers in looking for restricted camping sites did not correctly apply assessments in suggesting Gibbston be a suitable location**

The Legislative frame work as noted in section 6 of the proposal by council

**allows local authority to define local authority areas in which freedom camping is prohibited or restricted.**

With stated proposal of banning freedom camping currently when

**“camping from occurring within residential and built up areas “and further that is**

**It is necessary to continue to control freedom camping in order to protect residential and built-up areas”**

Given the Gibbston reserve area is the only proposed area with residential and commercial properties.

why did council’s own officers not take this into account when applying its own rules, nor according to council records, as per notes from the council meeting to decide such areas, alert councillors to this fact?

None of the other areas proposed have any residential or commercial properties adjacent

Council’s own policy on not allowing freedom camping in such areas should have excluded the Gibbston reserve. It is not good enough to apply general district boundaries i.e. Rural when the fact is that the area concern would have clear affected parties that are residential and commercial

Council’s own position should have dictated that the Gibbston reserve is unsuitable

In addition

a)

In the statement of proposal

Introduction 5.)

Council officers have consulted with internal and external stakeholders to identify matters within the current bylaw that require updating, and to address specific concerns they have with the current bylaw.

There was no consultation with Mount Edward as an external stakeholder to address any specific concerns

b)

Gibbston Character Zone -

Purpose:

“Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character Zone and wider Gibbston Valley will not be adversely impacted.”

How, having campers directly in front of a commercial wine tourism facility, would not adversely affect our productivity as a high-end wine tourism destination needs to be explained by council officers, particularly given the number of complaints on record of camping at Rafters road and indeed illegal camping at the reserve prior

Again, why was council not alerted to this fact in reporting back site options?

**C. Council officers and Xyst have failed to equally apply measures used for determining prohibited areas, in Rafters Road and Whitechapel to that of the Gibbston Reserve**

1. The stated reasons for not allowing Rafters road to continue as a freedom camping area were

“There are no formed car parking areas along the road

and access is needed to be protected for viticulture operations.”

In Xyst’s own assessment – in Gibbston there is only “an informal car parking area “

We ask how is this different?

**Albeit poorly worded – one of the reason for rafters road being rejected is for the protection of viticulture activities**

The viticultural operations along Rafters road are two adjacent vineyards,

Gibbston Reserve also has two adjacent vineyards

In addition, a fully commercial winery and production facility -

Surely this equates to a higher level of protection for viticulturally activities at the Gibbston reserve

2. The stated reasons for not allowing White Chapel to be used as a freedom camping area are

**“Whitechapel Reserve 30. The Xyst Site Assessment scored Whitechapel Reserve as having a significant issue for health and safety due to the intersection at SH6.**

**In addition**

**Extensive revegetation plantings over much of the reserve have undertaken by community volunteers at the reserve in recent years.”**

We ask whether anyone has actually been to the Gibbston Reserve? where in addition to an Orchard having been planted by residents also there are

“Extensive revegetation plantings over much of the reserve has been undertaken by community volunteers at the reserve in recent years.” – again see photo

We also draw attention to Gibbston also being off a State highway and having the same level of concerns with its own intersection - not being any different to White Chapel especially in the Cromwell to Queenstown direction

**Again, we ask how is this any different on both accounts?**

For the above reasons we contend that Council officers and Xyst have failed to equally apply measures used for determining prohibited areas, in Rafters Road and Whitechapel to that of the Gibbston Reserve

And if purely judged on these reason Gibbston Reserve should be excluded as an option as well .

**e. Site is not fit for purpose**

In the bylaw covering report

42 Council officers explored if any sites that were assessed as having a significance score that justified prohibiting freedom camping under the FCA (8 or above out of 15) could be provided for freedom camping if the sites were managed with appropriate controls. The criteria was that the site must have only one ‘5’ significance score, **a formed carpark**, and a **public toilet nearby**

**We point out as per Xyst assessment there is no formed carpark, and additionally and most importantly there is no operational public toilet**

We point out the closed sign on the attached photo - until further notice

Did council officers make councillors aware that the site has no running or potable water? nor does it have easement to gain water

Rather an important point we would have thought - this has been the situation for many years with the only water supplied having come through us as a winery in times of emergency or being trucked in (an unsustainable solution).

This situation is well known having been so for a number of years-

How can council officers suggest to the council that Gibbston meets the criteria when it does not?

On this basis alone it should have been excluded

**Conclusion:**

**We contend that;**

**Xyst and council officers were remiss in firstly assessing the Gibbston Reserve as a potential site, secondly in not applying criteria used to prohibit this as a site and thirdly in assessing further suitability as a restricted site**

For these reasons

**Gibbston Reserve should be excluded from being a potential restricted freedom Camping site**

**Photo 1. Mt edawrd winery, Sussman residence, orchard, plantings, closed sign gibbston reserve**

**Photo 2 - reserve + residence building**





**#244**

-----Original Message-----

**From:** [REDACTED]

**Sent:** Wednesday, 1 September 2021 5:31:59 PM

**To:** "QLDC Services" <[services@qldc.govt.nz](mailto:services@qldc.govt.nz)>

**Subject:** Freedom camping bylaw 2021

To Council , Freedom camping,

As a ratepayer to the QLDC my wife and myself are totally against any form of freedom camping on the Morven Ferry Reserve.

The area is a very important Historical Site.

The trail is unsuitable for large self contained trucks as the steepness of the grade and the stability of the track. Only really access to the Reserve should be for emergency services and fisherman in four wheel drive vehicles.

We are positive that giving access to these campers would be a detriment to this important area.

Thanking you.

Alistair and Chrissie Thomas.



Queenstown District ratepayer

**#245**

**Submission to: QLDC Draft Freedom Camping bylaw 2021**

*Contact Address:* Alison and Neal Brown



We wish to speak to our submission.

***Our submission:***

Now is an opportune time to review tourism in the Queenstown Lakes district, a time to reset priorities and practices. Covid has created a respite from the previous volumes of freedom campers but it has not changed their locations and habits; it is not just international visitors but New Zealanders who are the problem.

In any discussion about freedom camping responsibility for the environment comes first and the right to use it second; the rights of an individual to camp should not override a community's collective wellbeing. Kaitiakitanga or guardianship must always be in play.

In May 2021 submissions were made to MBIE on the document Sustaining Freedom Camping in Aotearoa New Zealand. While QLDC signalled a review of their bylaw in 2019 we believe that this should have been held over until the outcome of the government review is known. This draft bylaw thus seems untimely.

As permanent residents of John Creek we are very aware of the numbers and range of vehicles that travel up Timaru Creek Road on the east side of Lake Hawea. This submission largely focuses on Lake Hawea and environs but many comments are relevant to the whole district.

**What is working**

- The 2012 bylaw banning of all camping along the southern foreshore of Lake Hawea and the appointment of local wardens who ticket and educate, has reduced attempts to camp at John Creek and in the township.

**What is not working and why the Draft bylaw will provide little relief**

- The lake edge is LINZ controlled land – not mentioned in the 2011 Freedom Camping Act.
- SH6 on the west side of the lake is Waka Totahi territory and again the 2011 Act does not provide for control of camping alongside of highways. The carpark and other roadside space at the entrance to the Isthmus Peak track are particular spots used by freedom campers.
- Some of the lake edge, for example at Willow Bay/Camp Bay is accessed through pockets of DoC land, another difficulty.
- Placement of signs is problematic in places. The sign on the corner of Hawea Back Road and the junction with Timaru Creek Road was moved but now it is on such an angle and at such a height that it scarcely readable. It should be on the left hand side of the road about 50-75metres further along Timaru Creek Road and at a height that would be seen by drivers and passengers.
- The wording of signs does not match the wording of the bylaw. 'Responsible Camping' does not appear in the draft bylaw either part 1 section 4 or in part 2.
- The draft bylaw does not address enforcement other than in Part 3 Discretionary consent.

### **New proposals in the draft bylaw.**

- Hawea Flat is now included as a residential area but it does not go far enough. We would like it to be extended to Camphill Road.
- Use of public carparks: We do not agree with using these carparks for freedom camping.
- The Camphill bridge car park is well used by people using the river, walkers and bikers along the trail from Lake Hawea to Albert Town. This car park would be inundated as it is much closer to Wanaka than the Red Bridge. The draft bylaw says that spaces would be marked out but this would be very difficult to monitor as many freedom campers travel out to spots around the lake after dark. There is a toilet on the other side of the river but this is at least 200m away and across the one way bridge. As non self-contained vehicles will try to use this site the distance from a toilet means it's unlikely to be used.

### **What we recommend**

- Include Hawea Flat as a residential area but extend the boundary to Camphill Road.
- Negotiate with DoC to block off access through their land at Willow Bay/Camp Bay.
- Enforce compliance.
- Ensure the wording in the new bylaw is clear about intentions, definitions, and restrictions and that wording matches corresponding signs and maps.
- Do not include car parks as areas for freedom camping even though it is intended that they be for self-contained vehicles only.

### **Other recommendations**

- Lobby Government to repeal the existing 2011 Freedom Camping Act. Currently it does not meet the needs of this district with the very high numbers of visitors and large areas of land not under Council control, especially LINZ land around lake edges.
- Educate New Zealanders about the rights and responsibilities of freedom camping.
- Ensure that our environment is respected and cared for.

**#246**

Please see the attached Submission on behalf of the Lakeside Rugby Club

1. **First name:** Brylee

2. **Last name:** Percy

3. **Organisation:** Lakeside Rugby Club

4. **Email address:** [REDACTED]

5. **Postal address:** PO Box 109 Glenorchy

6. **Contact number:** [REDACTED]

7. **You have the right to be heard in person before the Council in support of your submission. Do you wish to speak at a hearing?**

Yes we would like the opportunity

8. **I understand that all submissions will be treated as public information:** Yes I understand

9. **Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw

Kind Regards

Brylee Percy

Secretary Lakeside Rugby Club

The Lakeside Rugby Club is opposed to the proposed freedom camping at the Glenorchy Recreation Ground Carpark and driveway area (or Glenorchy Domain).

The Lakeside Rugby Club currently has a lease agreement with APL/ Queenstown Lakes District Council for part of the Recreation Ground the rest of the ground is leased to the Golf club. All the clubs work together to accommodate each other and they communicate regularly regarding times, events and tournaments. APL/Queenstown Lakes District Council have made no contact with the Lakeside Rugby Club regarding the possibility of Freedom Camping being allow at the Carpark at the Recreation Ground, and the impacts this would have on the club. Which is within the area we currently lease.



Due to the written lease agreement from Council and APL and the clause regarding licensee insurance. By allowing freedom camping within the carpark at the recreation grounds any firefighting costs or accident investigations or costs that would happen within the Lakeside Rugby Club lease land would fall under the Lakeside Rugby Clubs public liability insurance. Due to the nature of this clause the Lakeside Rugby Club is opposed to Freedom Camping.

## Freedom Camping Bylaw 2021 Submission

(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)

Name: (full name) THOMAS JENKINS

Organisation: (if any)

Email address:

Postal address:

Contact number:

Do you wish to speak at a hearing? (Yes/No)  No

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

### My stance on the draft Freedom Camping Bylaw is:

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## Conclusion

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

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Name: (full name) *Tim Perrison*

Organisation: (if any)

Email address:

Postal address:

Contact number

Do you wish to speak at a hearing? (Yes/No) *(No)*

I understand that all submissions will be treated as public information, except my contact information: I understand.

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- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

### **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

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Name: (full name) *Leah Gielink*

Organisation: (if any)

Email address:

Postal address:

Contact number:

Do you wish to speak at a hearing? (Yes/No)

I understand that all submissions will be treated as public information, except my contact information: I understand.

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their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
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Name: (full name) *Matt Hansen*

Organisation: (if any) *Canterbury Whitewater Club*

Email address:

Postal address:

Contact number:

Do you wish to speak at a hearing? (Yes/No)  Yes  No

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The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use

their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## Conclusion

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

## Freedom Camping Bylaw 2021 Submission

(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)

Name: (full name) *Emma Scott*

Organisation: (if any) *Canterbury Whitewater Club*

Email address:

Postal address:

Contact number:

Do you wish to speak at a hearing? (Yes/No)

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

### My stance on the draft Freedom Camping Bylaw is:

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use

their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

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- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## Conclusion

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.



## Freedom Camping Bylaw 2021 Submission

**Organisation:** Central Otago Whitewater Club

**Contacts:** Ngaio Hart (COW Hawea Whitewater Park Landscaping Project Liaison)  
Gordon Rayner (COW Chairman)

**Email address:** [REDACTED]

**Postal address:** Ngaio Hart, [REDACTED]

**Contact number:** [REDACTED]

**Do you wish to speak at a hearing?** Yes

**I understand that all submissions will be treated as public information, except my contact information:** Yes

**Regarding the draft Freedom Camping Bylaw 2021:** We oppose the draft bylaw as currently proposed

**Our stance on the draft Freedom Camping Bylaw is:**

Central Otago Whitewater Club is committed to protecting our local rivers and the right of people to enjoy them. This includes both on and off the river and our opposition to the Freedom Camping Bylaw in its proposed form is in regards to popular kayaking destinations which are used locally by our club, by kayakers from all over NZ and international paddlers (when we don't have border restrictions). Central Otago is renowned as a whitewater kayaking destination, valued for both its great whitewater and the beautiful scenery it is set within.

Our opposition to the Freedom Camping Bylaw as currently proposed is based on our past experience of the way freedom camping has impacted on some of our local kayaking spots - with this bylaw our particular concern is the proposal to allow freedom camping at the Camp Hill Bridge site, a site popular with cyclists, walkers, surfers, fishermen, boogie boarders and other river users, as well as kayakers. Prior to the formation of the Luggate Bridge freedom camping site we had issues with freedom campers in both carparks at the Whitewater Park. They left human faeces in the middle of the track up from the river, next to the toilet (!! ) and also dumped plastic rubbish (sushi containers, plastic bottles etc) in the long drop toilet provided on the DoC land river right (which is the responsibility of Central Otago Whitewater under our MOU with Doc). They also lit fires, used gas camp cookers near flammable grasses and pine trees and dominated the parking area. It made the area less pleasant for the many locals who use the Whitewater Park & cycle trail. These problems

largely disappeared when QLDC developed the Luggate Bridge site (hoorah - well done). What a shame to undo all this good work!

Central Otago Whitewater have spent a lot of money and energy getting a Resource Consent to create the Hawea Whitewater Park (as mitigation from Contact Energy for damming the river). This was a lengthy and involved process and the results are great - a fabulous facility much loved and used by kayakers, surfers, boogie boarders and enjoyed by the whole community. We have put energy into improvements with working bees weeding & planting natives, which is an ongoing project with a view to beautify the area for future users.

We are obviously very concerned that promoting freedom camping at the QLDC Camp Hill Bridge carpark on river left will bring this location back into the view of freedom campers as a destination, and lead to overflow camping on the DoC land river right. The private vehicle access to this DoC land was negotiated by Central Otago Whitewater with the neighbouring property owner who granted permission provided there would be no camping & no fires, as this would be an obvious risk to their property. If freedom camping becomes a problem in that carpark, we jeopardise this relationship that provided for this vehicle access.

Safety – the Camphill Bridge is a one-way bridge located on a dip in the road after a blind corner with no line of site of the bridge from both directions. No allowance has been made for pedestrian crossing of this bridge meaning pedestrians must run across between cars with no line of sight of approaching traffic. It is already a safety hazard but currently with limited numbers. Currently day users accessing the cycle trail will park on that side of the river so there is not much foot traffic across the bridge. Publicising this site for freedom camping and increasing numbers of people using the site will increase this safety hazard. Especially given the fact that QLDC has not provided a toilet on river left where the camping is proposed, which will inevitably lead to people walking across the bridge to use the toilet installed on the DoC marginal strip for the Whitewater Park.

- We oppose the proposal to allow freedom camping at the Camp Hill Bridge site. We think freedom camping should be prohibited at this location.
- We support allowing freedom camping at the Luggate Bridge site. This site is in a great spot by the river but in a place that doesn't really impact on locals or day users. It was very noticeable in Hawea that after this site opened there were hardly any overnight campers at the Whitewater Park - as the Luggate site is nice and close, and with amenities.
- We support prohibiting freedom camping in vehicles at Rafters Road (it is not very clear in the proposed draft, but we base this support on the fact this must refer to the vehicle access only – the camping reserve at the end of the road being DoC Reserve). NB. In relation to this DoC camping area - we think the DoC restriction to tenting only and a maximum of 3 nights stay has been very effective in limiting numbers and works well to allow recreational use while avoiding the problems that were previously occurring with large numbers of people residing in vans. We support DoC's current restrictions on this site, which encourages use of the camping area for kayakers, rafters & cyclists and keeps the river side area free for day users.
- We support providing freedom camping at Coal Pit Road. This seems a good site, that doesn't impact day users of the river access.

## Conclusion

The draft Freedom Camping Bylaw 2021 should not be passed as currently proposed. It should be amended to prohibit Freedom Camping at the Camp Hill Bridge site.

Good morning

Thank you for inviting the public to give feedback/submission.

To minimise the approved sites for freedom camping , to achieve sustainable freedom camping in our district is to be commended.

I would like to suggest to have more clarity published ( on website and on site), see below:

Clarity about maximum places for each site,

New Certification rules: as soon as the new freedom camping regime is in place (January 2022?)

My concern is the costs involved for proper, effective management of enforcing the rules.

These costs will only be recouped if fines are given. Maybe all campers are adhering the rules, so no income to set against the cost.

Could you specify more about recouping the cost? From residential rates, business rates , tourism fund or levy included in issuing the certification stickers?

I hope the above will be seriously looked at and taken into consideration when finalising the draft Freedom Camping 2021

Kind regards

Elisabeth Kleinjan

**Freedom Camping Bylaw 2021 Submission****Name:** Esther Water**Organisation:** n/a**Email address:** esther.water@gmail.com**Postal address:** [REDACTED]**Contact number:** [REDACTED]**Do you wish to speak at a hearing?** Yes – if required.**I understand that all submissions will be treated as public information, except my contact****information:** Yes.**Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw.**My stance on the draft Freedom Camping Bylaw is:**

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Road Queenstown Lakes District Council (QLDC) carpark. The main issue I have with the draft bylaw, is the proposal to allow restricted camping at this carpark.

**I oppose freedom camping at the Camp Hill Road carpark.**

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is also not advertised. Limiting numbers of freedom camping at Camp Hill Rd would involve signage, and thus advertising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Road carpark is an appealing site, more so than the heavily used Luggate Red Bridge Reserve approximately 14 kilometres away. Therefore, it is assumed that the Camp Hill Road carpark would be quickly known via social media and become highly sought after. The Camp Hill site has had minimal use for freedom camping since space was allocated at the Red Bridge Reserve. The concerns I have with the Camp Hill Rd carpark being used for freedom camping are:

**Environmental**

Toilet waste - Hawea Whitewater Park (HWP) was built as mitigation for whitewater amenity lost due to the Clyde Dam. Central Otago Whitewater (COW) and Whitewater NZ (WWNZ) secured this. COW and WWNZ negotiated for a HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. This carpark is across the river from the Camp Hill Rd QLDC carpark. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will refer to the QLDC carpark on the east bank. My concern is that the presence of the existing toilet located at this carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as selfcontained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. Therefore, the toilet would potentially become overused. The toilet is not maintained and cleaned for heavy use. As it is, there are issues with people defecating outside of this toilet in the surrounding planting and along the fence by people whom I can only assume, are not accustomed to long drop toilets.

Additionally, I have concerns that people using the Camp Hill Road carpark would use the surrounding landscaped area, as a toilet. As noted in Section 17 of the Statement of Proposal:

***Proposed Freedom Camping Bylaw 2021:***

Despite this, Council staff continue to receive anecdotal and photographic evidence of freedom campers defecating on the land (ie rather than using toilets). [. . .]. The Council issues up to 60 infringements per month for freedom camping.

Degradation of the river habitat – I have concerns that the river will become a place for freedom campers for washing, using detergents and other chemicals that are deleterious to the environment, and also have the potential to degrade the quality and mauri of the water.

***As noted in Section 17 of the Statement of Proposal: Proposed Freedom Camping Bylaw 2021:***

**Public concerns around freedom camper behaviour also remain, such as washing in lakes and rivers, causing damage to the environment and overcrowding.**

As a kayaker who regularly uses the slalom site by the Albert Town Campground, downstream of the Hawea Whitewater Park, this is a continuing issue. I regularly (particularly in summer) see people washing themselves in the river using soap, shampoo and conditioner, in addition to doing their dishes in the river using detergent. This is despite signs posted by the river asking people to not do this. These signs have helped, but not eliminated the problem.

**Loss of environmental amenity** - Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd. Central Otago Whitewater and Whitewater NZ have also invested substantial time and effort in successfully opposing, on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.

It is not acceptable that QLDC now propose a measure that has the capacity to degrade the same environment that many local community groups work to improve and defend, by potentially causing toilet and other waste in both the Camp Hill Rd carpark and the HWP carpark across the river.

**Loss of amenity**

Access to the HWP carpark is via private land, and that access is conditional on no one camping in the carpark. The landowner is highly sensitive about this, due to fire risk to their adjacent pine forest. It took considerable effort to negotiate for this access. There is a strong possibility that freedom campers would inevitably overflow from the Camp Hill Rd carpark, into the HWP carpark. This has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve, and the Albert Town Campground. Restricting camping at the Camp Hill Road carpark to only a relatively small number of spaces would not help. It could make overflow to the HWP carpark even more common. People camping in the HWP carpark would result in kayakers and everyone else losing access to that carpark. This loss is not just about carparking. This side of the

river (river right) has a significantly different character to river left. There is closer (and therefore easier) access to the river which is important for kayakers (more on this in the safety section below). In the afternoon there are more places to sit close to the river in the shade, which is important particularly for parents supervising their children surfing.

As noted in Section 14 of the *Statement of Proposal: Proposed Freedom Camping Bylaw 2021*:

- Despite the high level of compliance relative to the number of freedom campers, Council officers continue to observe poor behaviour from campers leaving an environmental impact. Freedom campers can pose health and safety risks from fire, human waste, litter and reduce the accessibility of waterways and reserves to others. Poor behaviour from some campers is leaving an environmental impact.
- Camping (both self-contained and non-self-contained) can limit locals' access to recreational facilities and sites and detract from their local experience.

The *DRAFT Freedom Camping Bylaw 2021* states:

3.1 The purpose of this bylaw is to regulate freedom camping in order to protect the environment, including the District's lakes and rivers, from harm.

Given that the *Statement of Proposal: Proposed Freedom Camping Bylaw 2021* (as above) notes that "Council officers continue to observe poor behaviour from campers leaving an environmental impact," it is difficult to have confidence that the Council will have the resources to ensure that the environment around the Camp Hill Road carpark is able to be protected from harm.

### **Safety**

**Road crossing** - Heavy usage of the Camp Hill Road carpark could significantly increase traffic across Camp Hill Road bridge at peak times, resulting in a corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks.

Currently, many kayakers use the HWP carpark as this provides the most direct access to the top feature of the HWP. Significantly, this also means that kayakers, who carry their boats on their shoulder (which obscures their vision), do not have to cross a road with limited visibility.

The potential loss of the HWP carpark, which is a very real concern if people were to freedom camp there, would mean all kayakers would need to park at the Camp Hill Road carpark. Not only would this increase the pressure on an already relatively small carpark, but would lead to greater safety concerns as kayakers have to cross the road (while carrying their kayak over one shoulder), with limited visibility.

An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and people on everything from lilos to blow-up flamingos. Many however are not aware of the dangers of a fast-flowing river (in spite of or despite the excellent signage and choosing to ignore it), and in particular what happens if you're caught on a tree or if a surfer is caught by their ankle leash in a flow such that they cannot get to their ankle to release it. This caused a near-fatal incident at the HWP in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well equipped

and skilled kayakers who rescued him. There have been similar incidents that did not get picked up by the media. It is a serious hazard, the same effect caused another near-fatal incident in the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-savedwoman-paddle-board>) that again was only survived by chance, as the SUP hire company happened to check on the group just at that moment. Dozens or even hundreds of freedom campers per week without river skills would inevitably increase the risk of a fatal incident occurring there.

Limiting camping at the Camp Hill Road carpark to only a relatively small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people seeking those spaces.

Section 3.2 (b) of the *DRAFT Freedom Camping Bylaw 2021* states that the bylaw works to ensure that: “the health and safety of people who may visit the areas, are protected.”

For all the reasons identified above, this will be difficult to achieve with the presence of whitewater hazards which are significant risk for people with no whitewater skills, less than 50ms away from the Camp Hill Road carpark.

### **Other**

While I acknowledge that Council is required to provide for Freedom Campers, a wider but related issue is that the provision of Freedom Camping so close to other, cheap campgrounds detracts from the possibility for these campgrounds to continue to operate. For example, the Albert Town campground closest to the Hawea River is \$7.50 a night. Not much more than a regular flat white, and less than a mushroom coffee if you're into something fancier. Other camping also exists at The Outlet and Lake Hawea.

### **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no mitigating advantages to regular users of this area. It is difficult to find any good reasons for allowing it.

The draft Freedom Camping Bylaw 2021 should not be passed as proposed.

**If it is amended in order to be passed, then the Camp Hill Rd carpark should have freedom camping prohibited.**

## Freedom Camping Bylaw 2021 Submission

**Name:** Fiona James

**Organisation:** *(if any)*

**Email address:** [REDACTED]

**Postal address:** [REDACTED]

**Contact number:** [REDACTED]

**Do you wish to speak at a hearing?** No

**I understand that all submissions will be treated as public information, except my contact information:** I understand.

**Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw.

### **My stance on the draft Freedom Camping Bylaw is:**

I am opposed to freedom camping. It results in loss of income for nearby campgrounds. It costs ratepayers to maintain and manage freedom camping areas. So while it is free for the freedom campers it isn't for local residents. There are other economical ways of travelling that doesn't involve subsidies from locals. These include staying at DOC campsites, Wooffing and other work in exchange for accommodation.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly

become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
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#### Safety

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of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

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## **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

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If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

## Freedom Camping Bylaw 2021 Submission

*(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)*

Name: Geoffrey Stewart Hatten

Organisation:

Email address:

Postal address:

Contact number:

Do you wish to speak at a hearing? *No*

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

### My stance on the draft Freedom Camping Bylaw is:

At a time when New Zealand has experienced a huge reduction due to COVID in the number of overseas visitors including freedom campers, many industry and political spokespersons have suggested that it is appropriate to consider "resetting" the tourism model.

It appears that New Zealand generally is struggling under the weight of tourist numbers, and perhaps no area is more affected by this than the Queenstown Lakes district.

The Wanaka area seems to already be well served for camping options. There is an established freedom camping area at the Luggate Red Bridge, and affordable camping at the Luggate Cricket Grounds, the Albert Town campground at the western side of the Albert Town/Hawea highway, and the Hawea swingbridge campground on the eastern side of the Albert Town/Hawea highway.

Additionally there are campgrounds at the Outlet, at least three commercial campgrounds in Wanaka itself, a QLDC owned facility at Glendhu Bay and a privately run but QLDC owned campground at Lake Hawea. In respect of the two lessees of the QLDC owned facilities at Glendhu and Lake Hawea in particular, I am sure they would be dismayed to see their landlord proposing a free campground virtually on their doorstep.

We should by all means encourage tourists to visit this amazing area which we are privileged to call home. However in part this area is amazing due to its largely unspoilt scenery. Encouraging more freedom campers puts that at risk. In a discussion document issued in April 2021 the Hon Stuart Nash, Minister of Tourism, proposed tougher rules for freedom campers including a more stringent definition of what "self contained" would mean. This may have an unintended impact by removing

the cheaper camper vans from the existing fleet, leaving budget travellers in a position of having to pay more for vehicles, or paying less attention to the rules.

The Queenstown Lakes area already has more visitors per capita based on usually resident owners and occupiers than most other areas of New Zealand. Unless central Government provides significant financial support for the area, the cost of developing additional infrastructure (toilets, WIFI etc) will fall on an already stressed ratepayer group.

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Name: Graham Christopher Charles

Organisation:

Email address:

Postal address:

Contact number:

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## GUARDIANS OF LAKE HĀWEA

### Submission to QLDC Freedom Camping Bylaw Review 2021

#### Contact Address:

Secretary



**The Guardians wish to speak to their submission.**

**This submission relates to Lake Hāwea and environs.**

#### Introduction

The Guardians of Lake Hāwea are a sub-committee of the Hāwea Community Association Inc. The Guardians of Lake Hāwea aim to ensure that Lake Hāwea, its surrounds, its water quality and its biodiversity and ecosystems are maintained and managed sustainably and safely for the benefit of all. Since February 2004 when the Guardians of Lake Hāwea submitted their document “Biosecurity of our Waterways” to a wide variety of groups nation-wide, as a response to the increasing dumping of human waste around the shores of Lake Hāwea, the Guardians have been submitting and commenting on this issue. The proposed review of the QLDC’s Freedom Camping Bylaw will provide little relief for much of Lake Hāwea and its environs. The Guardians acknowledge that the problem is the current National Freedom Camping legislation; land controlled by Land Information New Zealand is not mentioned. Apart from freehold and leased farmland, the surrounds of Lake Hāwea are almost entirely LINZ and DoC land. The exposed lakebed, at low lake levels, is also administered by LINZ.

**We wish to comment on four areas for the review.**

1. Mapping of the Hāwea Flat Township.
2. Camphill Road carpark.
3. Adding part of SH6 as a restricted area.
4. The QLDC and LINZ to work together.

#### **1. Mapping.**

The QLDC have mapped the Hāwea Flat Township as being contained within the Newcastle/McLennan Road boundaries.

We wish to ask that the Hāwea Flat Township actually be all of that contained within the Camphill Road (north), Lachlan Avenue (west), Kane and McLennan Roads (east and south).

This complete rectangle makes up the majority of the Hāwea Flat Township.

#### **2. Camphill Road carpark.**

We approve of this carpark with the following provisos.

- (a). Should any despoiling within or adjacent to the carpark, i.e., problems arising with the presence of human excrement, then the council must install a toilet.
- (b). There be a restriction of up to six Freedom Camping vehicles being allowed to park at any one time. We are mindful that this carpark was created for users of the white-water park, bikers and walkers on the Hāwea River Track.
- (c). We ask for the site to be managed by the council, this could be by the Freedom Camping Ambassadors.

### **3. SH6 Restricted Area.**

We request that SH6 from the Lake Hāwea Holiday Park (The Camp) to The Neck of Lake Hāwea be reinstated as a restricted area.

### **4. The QLDC working with LINZ.**

We wish for the QLDC to work closely with Land Information New Zealand so that restrictions can be placed on LINZ reserves such as the Craig Burn and Deep Bay areas adjacent to SH6, and their areas on the east side of the lake.

The Hāwea community has long had to put up with the despoiling through excrement on areas near the lake which are very accessible to vehicles. If LINZ was able to exercise controls on Freedom Campers, our lake surrounds and waters would be very much cleaner and able to be enjoyed by all.

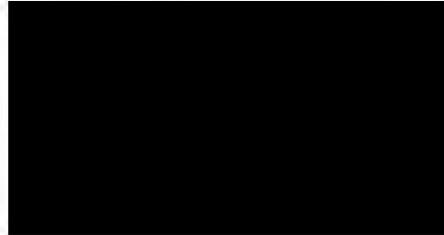
Thank you for this opportunity to make a submission.

The Guardians of Lake Hāwea.

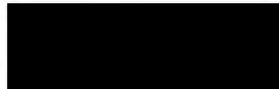
Name: Ian Pentecost

Email address:

Postal address:



Contact number:



I do not wish to speak at a hearing

I understand that all submissions will be treated as public information, except my contact information:

Regarding the draft Freedom Camping Bylaw 2021:

I oppose the draft bylaw.

My stance on the draft Freedom Camping Bylaw is:

I often use the Hawea Whitewater Park which is adjacent to the Camp Hill Rd carpark. I am concerned about the bylaw proposal to allow restricted camping at this carpark.

Camping at the Camphill Road carpark **should not be permitted.**

There is a very adequate low cost Campsite at the nearby Luggate Bridge Reserve.

The Camphill car park is small and is often crowded with the vehicles of kayakers and other users of the Hawea Whitewater Park



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**Name:** Janet Musker

**Organisation:** N/A

**Email address:** [REDACTED]

**Postal address:** [REDACTED]

**Contact number:** [REDACTED]

**Do you wish to speak at a hearing?** No

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Janet Musker

**Name:** Jo Haines, Alan Cutler

[REDACTED]

[REDACTED]

[REDACTED]

**Do you wish to speak at a hearing?** No

**We understand that all submissions will be treated as public information, except my contact information:** We understand.

**Regarding the draft Freedom Camping Bylaw 2021:** We oppose the draft bylaw.

**My stance on the draft Freedom Camping Bylaw is:**

We do not agree with creating another freedom camping site, especially in this location. It is a special site and people should not be encouraged to camp there as it could lead to:

- more pollution in the river (people washing dishes, themselves etc)
- more pollution along the banks of the river
- more road congestion at the pinch point of the single lane bridge and possible accidents between cars & pedestrians
- chance of accidents on the river with the hazards of the bridge pylons downstream of the wave. there is likely to be more swimmers playing in there who are not conversant with the hazards of whitewater
- congestion on the Hawea river track

The carpark was specifically designed for the whitewater facility and it is not appropriate to open it up to overnight stays.

Regards,

Jo Haines & Alan Cutler

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**Name:** Joanne Tilson

**Organisation:** *(if any)*

[REDACTED]

[REDACTED]

[REDACTED]

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- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

**#263**

Hi

Pease find attached submission. In case you have trouble opening this as it is in Pages doc, let me know. But, just to clarify, this submission is against the application for freedom camping at Hawea Flat.

Thanks

JO



To: Queenstown Lakes District Council  
letstalk@qldc.govt.nz

Submitters: Jonathan Henley Bird  
Toni Kendal Bird

Level 2  
13 Camp Street  
Queenstown 9300

PO Box 201  
Queenstown 9348  
New Zealand

al.nz

#### Submission on Draft Freedom Camping Bylaw 2021 – Red Bridge Reserve

- 1 This submission is made on behalf of Jonathan Henley Bird and Toni Kendal Bird (Submitters) in opposition to the Draft Freedom Camping Bylaw 2021 (Bylaw).
- 2 The Submitters could not gain an advantage in trade competition through this submission.
- 3 The Submitters are interested the Bylaw in its entirety. Without derogating from the generality of the above, the specific part of the Bylaw the Submitters are interested in is the proposal to allow restricted freedom camping in certified self-contained vehicles at Luggate Red Bridge Reserve (Proposal).

#### Reasons for the submission

##### *Amenity*

- 4 The Submitters own land at [REDACTED] opposite the Luggate Red Bridge Reserve campground. The location of the [REDACTED] campground has had a significant impact on their own amenity and the amenity of the surroundings generally since the freedom camping trial began in 2019.
- 5 The visual amenity when viewed from public view points including the State Highway has been compromised as has the Submitters' visual amenity. Attached as Appendix A is a photograph demonstrating the view of the campground from the Submitters' property.
- 6 The Submitters have experienced ongoing noise disruptions from campers. They have similarly experienced passing vehicles reacting to the campers (negatively) by tooting car horns and using engine braking to produce excessive noise.

##### *Privacy and security*

- 7 The Submitters are concerned about the significant impact the campground has had on their privacy and security.
- 8 They have repeatedly experienced campervans entering their property to either turn around in their driveway or drive around their house to turn around. On one occasion, campers approached their home looking for water. As a result, they have had to install expensive automatic security entrance gates and are in the process of installing security fencing around the boundary to prevent unwanted campers entering the property. The Submitters' have concerns for their safety, and that of their family members, given the proximity of their isolated home to the campground.

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- 9 The CCTV camera installed to monitor the campground looks directly at the Submitters' property and monitors their driveway, entranceway and lower paddocks. Attached as Appendix B is a photograph demonstrating the view from the CCTV. This is completely inappropriate.

#### *Hygiene and sanitation*

- 10 The Submitters are concerned the Proposal poses unacceptable hygiene and sanitation risks.
- 11 The Queenstown Lakes District Council (Council) Statement of Proposal on the Bylaw refers to "evidence of freedom campers defecating on the land" and concerns around freedom camper behaviour such as "washing in lakes and rivers".<sup>1</sup> The Submitters have experienced this type of behaviour firsthand. In particular, they have experienced campers urinating on the side of the road along with cleaning their teeth, dishes, pots, pans and bodies in the camping area. The Submitters have also had campers dispose of household rubbish in their personal recycling bins.
- 12 During the recent COVID-19 Alert Level 4 lockdown, the Submitters were aware of campers moving in and out of the campground breaching lockdown rules until Police eventually took control. Three camper vans remained onsite throughout the remainder of lockdown in breach of camping site duration rules.

#### *Impact on the community*

- 13 Locals who previously used the gravel area for car parking and carpooling are now using the road reserve, worsening the visual amenity effects and potentially compromising traffic safety.
- 14 The Submitters' are aware that local commercial campground operators, including the local Luggate Campground, have complained to Council about the impact the campground has had on their business.

#### *Non-compliances*

- 15 The Submitters have on many occasions observed in excess of 90 camping vehicles (i.e. 200 plus campers). This has also been recorded in media reports. This conflicts with the original intent as detailed in the Landscape Concept Plan and the subsequent reserves reclassification.

#### *Monitoring and management*

- 16 The Submitters' experience is that there has been no meaningful monitoring of behaviour and compliance, and no attempt made during the trial to undertake measures that might mitigate some of the undesirable behaviour and adverse effects.

#### *Process*

- 17 The Submitters are concerned the appropriate processes have not been followed. In particular, they are concerned that the Hawea Community Association, and the Hawea community generally, have not been appropriately consulted despite the Red Bridge Reserve being in Hawea Flat. The Submitters understand the Luggate Community Association has been consulted and provided the opportunity to provide input into the Proposal.

#### *Illegalities*

---

<sup>1</sup> At (17).

[REDACTED]

- 18 The Submitters consider that both the trial, and any permanent freedom camping authorised at the Red Bridge Reserve would likely be unlawful, based on the current situation:
- (a) S44(1) of the Reserves Act provides that no person can use a reserve, or any vehicle, caravan, tent or other structure situated on the reserve, for the purposes of permanent or temporary accommodation. Therefore, freedom camping on reserves is prohibited, unless a Reserve Management Plan provides for camping to occur and may impose conditions or requirements for such camping. It is not apparent to the Submitters that there is any such Reserve Management Plan for the Red Bridge Reserve.

- 19 The Submitter also considers that consent is likely to be required under the District Plan. At the very least, this is unclear.

*Reclassification*

- 20 The Submitters have concerns regarding the process employed by Council in approving the reclassification of the Reserve from Local Purpose to Recreation, at its September 2017 meeting, including:
- (a) The purpose of the Reserves Act 1977 was not appropriately considered (section 3) including the requirements to preserve and manage a number of matters (Recreation, wildlife, indigenous flora and fauna, environmental and landscape amenity or interest, natural scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features or value).
- 21 No expert reports (beyond a landscape assessment) were provided to assist the enquiry into the appropriateness of protecting the above matters, such as ecology and history of the site.
- 22 The council failed to appropriately enquire into alternative classifications for the site.
- (a) Although the consideration of scenic and historic reserve classifications were briefly considered, these were not based upon any expert reports and effects of special matters existing on the site, such as the heritage values.
- (b) In this assessment, the pre-determination of Council that recreation reserve is a preferred outcome is evidenced, and that its decision sought to retrofit an outcome to make camping appropriate, rather than considering the best purpose of management of the land in accordance with the Reserves Act classifications available. (see s18 Reserves Act)
- 23 Consultation held was not real or meaningful in that it provided no supporting expert information detailing the nature of characteristics existing on the site, therefore the public could not engage appropriately through informed information and decision making.
- 24 Consequences of reclassification as recreation reserve on adjoining neighbours and property owners was not adequately considered, despite amenity values being a key matters within section 3 of the Reserves Act.
- 25 The decision should have been made according to a reserve management plan (and the Council should have prepared this in consultation with the community prior to reclassification).
- 26 The requirements of s17 (recreation reserve) have not adequately been addressed in considering the ability to allow for camping, in particular how the following will be achieved:
- (a) Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora

or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.

**Relief sought**

- 27 The Submitters seek the following relief from Queenstown Lakes District Council;
- (a) That freedom camping within Queenstown Lakes District be prohibited;
  - (b) That freedom camping at Luggate Red Bridge Reserve be prohibited;
  - (c) That the issues identified in this submission be resolved before freedom camping at Luggate Red Bridge Reserve can be allowed to continue; or
  - (d) Any additional, further or consequential relief necessary to give effect to the matters raised in this submission.
- 28 The Submitters wish to be heard in support of their submission.

Yours faithfully  
Anderson Lloyd

*Maree Barr-Galloway*  




page 4

**al.**

Appendix A



Appendix B



## Freedom Camping Bylaw 2021 Submission

**Name:** Kellie Bailey

**Organisation:**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Do you wish to speak at a hearing?** *No*

**I understand that all submissions will be treated as public information, except my contact information:** I understand.

**Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw.

### **My stance on the draft Freedom Camping Bylaw is:**

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly

become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.
- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides

of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

Submission on the draft Freedom Camping Bylaw 2021

Submitters:

[REDACTED]

03/09/2021

In our opinion:

Gibbston Reserve carpark is an inappropriate and unsafe location for a freedom camping site and as such the submitters are in OPPOSITION to those aspects of the 'draft Freedom Camping Bylaw 2021' proposal which would designate Gibbston Reserve as a freedom camping site.

Map:

The following diagram identifies key points mentioned in this submission.



The reason for our opposition is as follows:

1. Gibbston Reserve is located adjacent and nearby to private residences, which would be negatively impacted by disturbance in the form of:
  - a. Noise (slamming of van doors, music and talking)
  - b. Vehicle headlights
  - c. General loss of privacy

It is difficult to imagine how these disturbances could be avoided or sufficiently mitigated.

Of particular concern is the arrival time of overnight stay vehicles, which can be as late as 11pm or later. As a specific and local example, when overnight vehicle camping was allowed at the Department of Conservation campsite at Rafter's Rd, Gibbston, the submitters visited the campsite one night during summer and personally observed that vehicles were still arriving after 11pm at night.

We conclude that Gibbston Reserve carpark is unsuitable as a freedom camping site as it is likely to have an ongoing and more than minor negative impact on neighbouring residents in terms of noise and light disturbance from campers, especially late at night.

2. Gibbston Reserve carpark is an unsafe location in terms of road safety
  - a. Arriving vehicles will likely stop in the middle of the road, as they assess their options in terms of choice of available parking spots, and to discuss where to go next if there are no parks available.
  - b. Motorhomes and vehicles towing caravans are frequently long and wide vehicles that will need to reverse out onto Coal Pit Rd when leaving the carpark and will obstruct traffic.
  - c. The reserve is located very close to a sharp 90 degree bend in the road.
  - d. A stand of mature conifers significantly obstructs the view of the road adjacent to the domain from further up Coal Pit Rd.
  - e. Vehicles travelling down Coal Pit Rd towards SH6 will not easily see vehicles that stopped around the corner on the road outside the reserve.
  - f. The portion of Coal Pit Rd beyond the reserve and the 90 degree corner is steeply sloped, south facing, heavily shaded and prone to ice formation during the winter months, and there is a history of vehicles sliding on ice on this section of road.

Mature conifers obstructing view of road adjacent to proposed Freedom Camping carpark.



View: Heading down Coal Pit Rd towards corner and proposed carpark.

As such, we believe the Gibbston Reserve carpark is an unsafe location for a freedom camping carpark site due to the poor visibility of vehicles stopped on the road outside the carpark from further up Coal Pit Rd, which makes vehicle collisions more likely.

3. The Coal Pit Road accessway is of insufficient width and condition

The above mentioned road safety concerns are exacerbated by the narrow width of Coal Pit Rd between SH6 and the proposed carpark, which is currently of insufficient width to enable standard vehicles to pass each other, let alone motorhomes and caravans. An additional hazard is the proximity of the drainage ditch alongside the road which can be up to 0.5m in depth.



To determine the actual width of Coal Pit Road, a survey of the width of Coal Pit Rd was carried out on Tuesday the 31<sup>st</sup> of August 2021, from the corner near Gibbston Tavern accessway up to the reserve itself.

It was found that Coal Pit Rd was typically in the order of 3.6m – 3.9m wide for the majority of the distance a vehicle would need to travel from SH6 to the proposed carpark.

Location	Description	Width
1	Corner of road near Gibbston Tavern accessway	4.6m
2	Opposite driveway (Residence North of reserve)	3.6m
3	Opposite residence North of reserve	3.7m
4	Reserve carpark (opposite reserve gate)	3.9m
5	Reserve carpark (South end)	3.6m
	Typical Width of Coal Pit Rd Between two corners	3.6m – 3.9m

3.6m-3.9m in width is significantly less than the 5.5m – 5.7m prescribed by Queenstown Lakes District Council requirements for a rural road serving up to 20 domestic units, (Reference Queenstown Lakes District Council document "Land Development and Subdivision Code of Practice, 2020" table 3.3, p68, roading classification E2).

The lack of width becomes even more of a problem for Motorhomes and Caravans which are typically significantly wider than a standard motor vehicle. For example, a modern caravan can be up to 2.5m in width<sup>1</sup>, compared to 1.8m wide for a normal sedan and 2m in width for a large 4WD.

Vehicle	Typical Width
Sedan	1.8m
Large 4WD	2.0m
Modern Caravan	2.3m- 2.5m

Although Coal Pit Road could be widened to accommodate wider vehicles, this would require considerable investment.

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<sup>1</sup> or example the 2021 Dethleffs Nomad 560 RET model



We conclude that it would be inappropriate to encourage wide vehicles such as Motorhomes and Caravans to travel along Coal Pit Rd to Gibbston Reserve carpark, and to do so will have a more than minor impact on existing road users.

4. The proposed carpark is an unsafe location in terms of the risk of falling branches

The mature stands of conifers located at the Northern and Southern ends of the carpark have many branches overhanging the proposed carpark which pose a safety risk to both people and vehicles. The branches are located high above the proposed carpark and are of considerable size and weight.



We conclude that Gibbston Reserve carpark is unsuitable as an overnight parking location due to the safety risk of falling branches.

5. The water supply to the toilet block is currently unreliable and unable to support additional use

Although self contained vehicles do not theoretically require the use of onsite toilet facilities, in practice many self-contained vehicle users will preferentially use onsite toilet facilities when they are available. It should therefore be assumed that the toilet block will experience a significant increase in usage.

The submitters have on multiple occasions encountered the situation of no water being available at the Gibbston Reserve toilet block, with both handbasins and toilets not operating. There is a clear risk of a person initially using the toilet facilities to only then realise that there is in fact no water available to flush the toilet. (The submitters have previously called the council to inform them that maintenance on the water supply was required.)

This is clearly an unpleasant and unhygienic situation, that will only get worse with the additional usage associated with having vehicles staying in the carpark overnight.

The exact nature of the water supply to the toilet block is not clear to the submitters, but it is assumed to be sourced from the nearby Camp Creek in some form.

We conclude that the Gibbston Reserve carpark is an unsuitable site for a freedom camping site due to the increased usage of an already inadequate water supply to the toilet block.

6. Conflict with existing community use of the reserve

Gibbston Reserve is the only public outdoor space the local community has for holding community events (eg Gibbston Community Association Christmas party and Halloween party etc) and having freedom camping vehicles and occupants parking in front of the domain and spreading out into the domain will interfere with and detract from the community's use of the domain for these events.

Furthermore, any allocation of carparking area for freedom camping vehicles must come at the expense of reduced carparking for other users of the reserve.

We conclude that the Gibbston Reserve carpark is an unsuitable site for overnight parking as it will interfere with existing community usage of the reserve.

The Submitters would like to thank you for considering our concerns.

Name: Lynne Stewart

[REDACTED]

[REDACTED]

[REDACTED]

Do you wish to speak at a hearing? *No*

I understand that all submissions will be treated as public information, except my contact information: I do understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

**My stance on the draft Freedom Camping Bylaw is:**

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.
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- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

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- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that

again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

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**So in Conclusion,**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

Camping there needs to be prohibited.

Yours sincerely

Lynne Stewart.

**From:** Madelyn Zoi [REDACTED]

**Sent:** Friday, 3 September 2021 12:04 PM

Thank you for this opportunity to share my thoughts on freedom camping in the QLDC region.

I remain mindful of the recent history of freedom camping in our region and am aware that irresponsible campers brought damage, additional costs, and ill-will and discord among local residents. Responsible freedom campers as well as local residents paid a heavy price because of the bad behaviour of a few. So I am pleased to see that -- with consultation from the community -- the draft Freedom Camping By-Law 2021 does include areas where freedom camping will be allowed.

My primary concern is that history not repeat itself —

- . that freedom campers take responsibility and comply with the regulations
  
- . that QLDC is not saddled with an impossible task to enforce the irresponsible few with compliance and
  
- . that local rates payers are not burdened with additional costs.

This is why I request that as you fine-tune freedom camping regulations that there is sufficient coordination and communication with **all** appropriate bodies:

- . those who create and enforce federal freedom camping laws
- . those who coordinate federal and regional freedom camping laws
- . national freedom camping associations
- . local governing bodies including those in tourism who advise visitors/freedom campers
- . the freedom campers themselves through websites and signage on the allowed freedom camping areas
- . local rates payers.

Communication, education and adequate monitoring will enable all responsible parties to all enjoy and benefit from having freedom campers in the community.

Thank you for your consideration.

Madelyn Zoi



### Freedom Camping Bylaw 2021 Submission

(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)

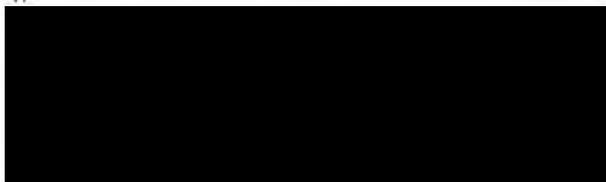
Name: (full name) *NEIL SLOAN*

Organisation: (if any)

Email address:

Postal address:

Contact number:



Do you wish to speak at a hearing? (Yes/No) *(No)*

I understand that all submissions will be treated as public information, except my contact information: I understand. *[Signature]*

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

*Don't ruin this place for local people. Freedom camping*  
My stance on the draft Freedom Camping Bylaw is: *will do exactly that!*

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

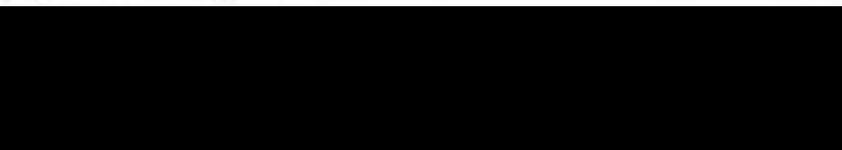
- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use

*See rest of group submission.*

## Freedom Camping Bylaw 2021 Submission

Name: Ngaio Hart

Organisation: not applicable



Do you wish to speak at a hearing? Yes

I understand that all submissions will be treated as public information, except my contact information: Yes

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw as currently proposed

My stance on the draft Freedom Camping Bylaw is:

I agree that freedom camping in NZ should be provided. NZ is known for its great outdoor environment and people want to get out there and enjoy it - and this includes the ability to go places and stay in the outdoors. I love to go places and go camping so am in support of NZ making this work.

I have a problem with the NZ's overall stance on providing freedom camping for self-contained vehicles – which really is aimed at tourists – whilst not really putting much energy into how kiwis get to stay in the great outdoors. DoC campsites deal with this well. I would like to see more places with toilets where you can camp. I think this is a bigger picture issue which I would like to see QLDC address – how do we allow your average kiwi to enjoy our great outdoors?

That aside my stance on the current proposed Freedom Camping Bylaw 2021 is largely to do with the location of proposed sites. I am a Hawea Flat local, keen kayaker & river surfer, and someone who enjoys our beautiful surrounds. I think we should create places for freedom camping – but they should be in locations that do not negatively impact on locals and day users of sites. For this reason, my stance on particular sites is as follows:

- I oppose the proposal to allow freedom camping at the Camp Hill Bridge site. I think freedom camping should be prohibited at this location, and this site should be protected for the many day users who access the river trail for cycling & walking and go to the Whitewater Park to surf, swim, boogie board, kayak and go fishing.
- I support allowing freedom camping at the Luggate Bridge site. This is a good location that doesn't impact on day users and doesn't seem to affect locals, is slightly out of the way, but close to the river and close enough to town to be appealing to Freedom Campers.
- I support prohibiting freedom camping in vehicles at Rafters Road (it is not very clear in the proposed draft, but I base this support on the fact this must refer to the vehicle access only – the camping reserve at the end of the road being DoC Reserve). I think the DoC restriction

to tenting only and a maximum of 3 nights stay has been very effective in limiting numbers and works well to allow recreational use while avoiding the problems that were previously occurring with large numbers of people residing in vans. I support DoC's current restrictions on this site and allowing camping in tents.

The Hawea Whitewater Park at Camphill Bridge is a fabulous facility much loved and used by kayakers, surfers, boogie boarders and enjoyed by the whole community. I have been involved in working bees weeding & planting at the Hawea Whitewater Park. There have been multiple local groups getting involved in doing a little bit of work there in what is a long-term project to enhance the site. There is a lot of passion and enthusiasm around this site and the potential to create something even more fantastic once we get more natives growing. There are plants starting to get established now and we will soon see the results of these efforts. It would be a shame to see this area be degraded by Freedom Camping – and with that potentially wipe out the enthusiasm of locals to contribute their own free time into a community project.

I have personally seen the impact of freedom camping at this site (in the carparks on both sides of the river), prior to the formation of the Luggate Bridge site. I came across a huge human poo in the middle of the path up from the river on the QLDC side (ew gross!), have seen poo near the toilet on the DoC side and seen people lighting fires and dumping rubbish. People who are going to move on the next day don't treat places with the same care and respect that locals do.

I am also concerned that promoting freedom camping at the QLDC Camp Hill Bridge carpark on river left will bring this location back into the view of freedom campers as a destination, and lead to overflow camping on the DoC land river right, which is not prohibited and therefore could not be effectively managed. Social media sites could see this area become a freedom camping hot spot to the detriment of day users. The private vehicle access to this DoC land was negotiated for the Hawea Whitewater Park by Central Otago Whitewater with the neighbouring property owner, who granted permission provided there would be no camping & no fires, as this would be an obvious risk to their property. If freedom camping becomes a problem in that carpark, we jeopardise this relationship which has provided that access.

Safety – the Camphill Bridge is a one-way bridge located on a dip in the road after a blind corner with no line of sight of the bridge from both directions. No allowance has been made for pedestrian crossing of this bridge meaning pedestrians must run across between cars with no line of sight of approaching traffic. It is already a safety hazard but currently with limited numbers. Currently day users accessing the cycle trail will park on that side of the river so there is not much foot traffic across the bridge. Publicising this site for freedom camping and increasing numbers of people using the site will increase this safety hazard. Especially given the fact that QLDC has not provided a toilet on river left where the camping is proposed, which will inevitably lead to people walking across the bridge to use the toilet installed on the DoC marginal strip for the Whitewater Park.

#### Conclusion

The draft Freedom Camping Bylaw 2021 should not be passed as currently proposed.

It should be amended to prohibit Freedom Camping at the Camp Hill Bridge site.



03 September 2021

Freedom Camping Bylaw 2021 Submission



By email: [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz)

**Re: QLDC Draft Freedom Camping Bylaw 2021**

#### Introduction

- 1 The New Zealand Motor Caravan Association Inc. (NZMCA) welcomes the opportunity to submit on the Draft Freedom Camping Bylaw 2021 (draft bylaw). The NZMCA is currently seeking a judicial review on the Freedom Camping Bylaw 2019 (current bylaw), which it argues is unlawful. The NZMCA makes this submission without prejudice to that litigation.
- 2 The Council's rationale for prohibiting freedom camping in most local authority areas is fundamentally flawed. There is insufficient evidence to support the Council's sweeping approach designed to force responsible New Zealanders into less desirable freedom camping areas. For these reasons we submit the draft bylaw is unlawful and open to judicial review.
- 3 We are dismayed the Council found it necessary to promulgate a draft bylaw that is more prohibitive than the version currently under judicial review, particularly when the Freedom Camping Act 2011 (Act) and the Council's Responsible Camping Strategy 2018 suggest a more permissive approach is needed. Furthermore, the Council continues to place significant weight on irrelevant matters to justify the scope of prohibition applied throughout the district. It seems the Council is reluctant to adopt a lawful bylaw that upholds the Act's premise and protects the rights and interests of responsible New Zealanders who enjoy freedom camping.
- 4 The NZMCA has reiterated its concerns on several occasions about the Council's prohibitive regime. The fact remains that for any bylaw to be effective it will need to address undersupply and overcrowding issues in a sustainable way, consistent with the Act.
- 5 The NZMCA does not support the draft bylaw in its present form. As the bylaw stands, we do not consider the limited availability of areas will be sufficient to meet the demand for freedom camping now or into the future, particularly if the Council is unwilling to exercise its delegated

Driving towards a Sustainable Future

Freedom to Explore

authority under the Reserves Act 1977. The draft bylaw does not reflect the permissive statutory regime for freedom camping in New Zealand. Nor is it clear an objective and evidence-based approach has been applied to s 11 of the Act.

- 6 We recommend the Council undertakes the following measures to ensure the bylaw it relies on to govern freedom camping is fair, reasonable, and consistent with the Act:
- i. Revoke the current bylaw as proposed.
  - ii. Exclude irrelevant matters from the site assessment criteria, e.g., residential and commercial amenity values, economic values, and crime.
  - iii. Increase the site assessment threshold for absolute prohibition from 60% to 80%.
  - iv. Reassess prohibited areas with an objective mindset and scoring method.
  - v. Exclude local authority areas that do not breach the 80% cut off point from the prohibited zones.

#### General comments on the Statement of Proposal

- 7 Paragraph 5 of the SOP notes:

*Council officers have consulted with internal and external stakeholders to identify matters within the current bylaw that require updating, and to address specific concerns they have with the current bylaw.*

- 8 It seems the Council did not consult with the NZMCA (a key stakeholder) to address the specific concerns we have with the current bylaw, prior to releasing the draft bylaw.
- 9 Paragraph 8 confirms the proposal includes revoking the current bylaw and introducing a new bylaw in its place. We support this approach. The Council is seeking public feedback on whether local authority areas should be prohibited under a new draft bylaw, rather than remain prohibited under the current bylaw. If, following submissions, the Council determines local authority areas do not need to be prohibited, it can remove them from the final bylaw.
- 10 The SOP emphasises the adverse effects of freedom camping. However, it fails to balance out the proposal by elaborating on the benefits and positive outcomes, of which there are many. On several occasions the NZMCA has provided Council with specific information regarding the positive economic and social benefits of responsible freedom camping, including why freedom camping in urban areas can support businesses and why it's important to New Zealanders, particularly the elderly and those with disabilities. Disregarding the positive benefits fails to provide submitters with a fair overview of the matter, and the necessary information they require to make informed submissions.
- 11 The Council suggests the current bylaw has been extremely effective, however it also claims ongoing issues with indiscriminate waste disposal continue to frustrate communities and therefore more prohibition is needed. These comments contradict the Council's position

affirming “most campers are responsible and treat our special environment with respect”<sup>1</sup>. The SOP is also at odds with the Xyst report, which suggests economic and amenity values are the primary matters that require protection from freedom camping. Confusing the problem makes it difficult for submitters to determine the real issues that necessitate a bylaw. It also makes it harder for us to provide constructive and meaningful feedback. It almost seems as if the Council wants to ‘cover all bases’ by claiming every objection and potential issue (perceived or otherwise) should be considered and result in prohibition.

- 12 What we and every other submitter should be able to see, without difficulty, is a clear line of sight between the relevant problems, the lawful rationale underpinning the need for area restrictions or prohibitions, and some form of objective assessment that confirms these controls are necessary, appropriate, and proportionate to addressing the perceived problems. There is no clear line of sight from our perspective.

- 13 The SOP, at paragraph 30, highlights one of our main concerns with the draft bylaw as it further reduces the areas available for freedom camping:

*Disadvantages include that because the proposed bylaw overall reduces the areas in which freedom camping is allowed, there is a risk that across the district there are inadequate areas for freedom camping to cater for the demand. Imposition of limits number of vehicles per carpark could further reduce the availability of freedom camping sites. This is hard to assess at the moment because of uncertainty around the number of tourists and this is something council will want to keep under review. This is considered a disadvantage because, while it may be necessary to protect the amenity and health and safety of residents of newly expanded or developed residential areas, it will have the effect of conversely reducing the area in which freedom camping is allowed in self-contained vehicles.”*

- 14 Importantly, the draft bylaw is not limited to protecting residential areas. The scope of prohibition includes many desirable local authority areas located beyond residential neighbourhoods. Many of these areas, as identified in our previous correspondence to Council, are more than suitable for responsible freedom camping with sensible restrictions to control vehicle capacity.

#### General comments on the draft bylaw

- 15 Section 3 outlines the purpose of the bylaw, noting

3.1 *The purpose of this bylaw is to regulate freedom camping in order to protect the environment, including the District’s lakes and rivers, from harm.*

3.2 *The bylaw achieves this purpose by:*

<sup>1</sup> <https://www.cildc.govt.nz/recreation/responsible-camping-in-the-queenstown-lakes-district/information-for-local-residents> (accessed 1 September 2021)

- (a) *defining the areas in the District where freedom camping is permitted, restricted or prohibited; and*
- (b) *providing for the restrictions that apply to freedom camping in areas where freedom camping is restricted so that the areas, access to the areas, and the health and safety of people who may visit the areas, are protected.*

*so that the areas, access to the areas, and the health and safety of people who may visit the areas, are protected.*

- 16 Accordingly, the overriding purpose of the bylaw is to protect areas from potential environment degradation. Of note, the purpose does not include regulating freedom camping to protect residential amenity and economic values, as has been relied on in the Xyst report.
- 17 Section 6.4 empowers the Council to further restrict freedom camping in a local authority area, by resolution only. The draft bylaw restricts freedom camping in all local authority areas that are not otherwise prohibited under Schedule A. We do not support the authority provided by s 6.4 as the Council may rely on it to further reduce the availability of freedom camping in the district on a whim and without public consultation.
- 18 We oppose the wide scope of prohibition in Schedule A and urge the Council to review its site assessments to align with s 11 of the Freedom Camping Act 2011 and s 3.1 of the draft bylaw.

#### **Reserves**

- 19 While freedom camping is not allowed by default on reserves, it is not prohibited. In order to meet the statutory purpose of the reserve classifications, the Council has delegated authority from the Minister of Conservation to permit camping, including freedom camping, in the reserves it manages. The Reserves Act clearly provides for camping to be authorised in reserves (particularly recreation and scenic reserves). The Council appears comfortable, through its communication and roadside signage, with visitors in self-contained vehicles freedom camping beyond the prohibited zones. Accordingly, we recommend the Council exercises its authority to permit freedom camping on reserves that are not otherwise prohibited. This is consistent with the approach taken by other local authorities and will ensure visitors have a clear understanding of where they can and cannot freedom camp.

#### **The Xyst report and site assessments**

- 20 The NZMCA has several concerns with the Xyst report, in particular the assessment criteria and method for scoring individual sites. We are familiar with the type of assessment methodology that has been relied on by the report writer, and in the past the NZMCA has commended other local authorities for adopting similar methodologies. However, in this case, having reviewed the report and individual site assessments we are not convinced the evaluation was carried out objectively in line with industry best practice. In our view, the results of the site

assessments were predetermined and were guided by the Council's preference to retain a prohibitive bylaw.

- 21 Based on our analysis of the report and Council's evidence, we believe several local authority areas would not be prohibited had the Council undertaken an objective assessment and correctly applied the Act's s 11 bylaw-making criteria. Table 1 offers a non-exhaustive list of areas that should not be prohibited. Many of these areas can accommodate a small number of self-contained vehicles consistent with the purpose of the bylaw and in harmony with other recreational users. If the Council agrees to reassess the draft bylaw, we recommend at the very least the locations listed in Table 1 become restricted freedom camping areas, in addition to the five restricted areas that the Council is consulting on<sup>2</sup>.

**Table 1: Non-exhaustive list of local authority areas where freedom camping should not have been prohibited in the draft bylaw**

Arrowtown parking lot / Buckingham St carpark	Kent St Carpark, Kingston
Albert town recreation reserve	Kingston Lakefront SE
Alice Burn Drive, Luggate	Kinloch Road
Beacon Point Road, Wanaka	Lake Hawea / Lakeview Terrace Esplanade Reserve
Benmore Place, Glenorchy	Lake Hayes North
Boyd Road	Lower Shotover Delta (carpark and adjacent reserve)
Bremner Bay	Luggate Red Bridge
Bremner Bay Recreation Reserve	Millbrook Reserve
Cardrona Valley Road North	Mount Iron car park, SH, Wanaka, opposite BP station
Clutha Outlet Reserve	Precipice Creek carpark
Coal Pit Road, Gibbston	Queenstown Events Centre
Crown Range Road/Cardrona Valley Road	Queenstown Gardens
Eely Point Recreation Reserve	Remarkables base car park
Glenorchy Paradise Road	Shotover Delta Road
Hansen Reserve	Templeton Park, Albert Town
Hawea Esplanade Reserve	Wanaka Recreation Centre
Hawea reserve-unformed large neighbourhood reserve	Wanaka Waterfront
Hawea River Reserve, Wanaka	Waterfall Creek
Hopkins Street Recreation Reserve (car parking areas), Luggate	Whitechapel Reserve
Jack Tewa Reserve	Wilcox Green (northern carpark)
Jardine Park, Kelvin Heights	All other non-prohibited reserves

<sup>2</sup> Gibbston Reserve carpark, Glenorchy Domain carpark, Camphill Road carpark, Morven Ferry Reserve, and Luggate Red Bridge Reserve.

22 Please refer to the legal opinion from Gallaway Cook Allan (**Appendix A**) and the industry expert review from Geoff Canham Consulting (**Appendix B**) for further analysis of the draft bylaw and Xyst report.

23 We request time to speak to this submission.

Nāku noa, nā  
New Zealand Motor Caravan Association Inc.



James Imlach  
National Manager – Property and Policy



## "APPENDIX A"



2 September 2021

New Zealand Motor Caravan Association  
PAPAKURA

[REDACTED]

Attention: James Imlach

Dear James

### QLDC FREEDOM CAMPING BYLAW JUDICIAL REVIEW

1. You have asked for an opinion on whether the Xyst site analysis report<sup>1</sup> that is relied upon by QLDC to support the proposed 2021 Freedom Camping Bylaw takes into account irrelevant considerations under the Freedom Camping Act 2011 (Act) and potentially exposes the council to further errors of law.
2. The fundamental difference of opinion between Xyst and Geoff Canham is the extent to which potential adverse amenity effects and economic impact on residential neighbours of public freedom camping sites are relevant to whether an area may be excluded from freedom camping under the Act. We acknowledge that Geoff Canham raises additional issues of concern, notably the weighting treatment of assessment matters, and level of criminality within the QLDC district. For the purposes of this advice we have focussed on amenity effects on neighbours as it most clearly articulates the limitations imposed within section 11.
3. Section 11(1) of the Act empowers local authorities to make bylaws controlling freedom camping in their district or region. Section 11(2) provides that power may only be used if the local authority is satisfied the bylaw is necessary, and the most appropriate and proportionate way to do one or more of the following:
  - i. protect an area
  - ii. protect the health and safety of visitors to the area or
  - iii. protect access to the area.
4. These three criteria circumscribe what the council must consider when making a bylaw. This is apparent from the first part of subsection 2 which says, "only if it is satisfied that". The use of those words make it clear that the scope of relevant considerations are confined by i, ii and iii of subsection 11(2)(a). Matters outside of these criteria cannot inform the exercise of Council's power to make the bylaw.
5. None of the criteria refer expressly to effects, so for neighbouring residential amenity to be a relevant consideration it must relate to the "area" to be protected. Neighbouring residential amenity locates primarily on private residential land.
6. We consider that this is not the 'area' sought to be protected by section 11(2)(a) of the Act.

<sup>1</sup> Xyst Report, Queenstown lakes District Council Assessment of Sites for Freedom Camping, dated 8 July 2021

[REDACTED]

**The Scheme of the Act**

7. The meaning of an enactment and by extension the terms within it, is to be ascertained from the text in light of the enactment's purpose.<sup>2</sup>
8. The Act does not have a purpose statement. Section 3 provides an outline of the Act and states what areas the Act regulates: land controlled by local authorities and land controlled by the Department of Conservation (DoC), not private land. Section 3 is clear that the Act does not regulate the use of private land.
9. "Area" is not a term defined by the Act. However, the section 11(2) criteria of visitation and access both suggest that the area in contemplation is public rather than private.
10. Areas of land controlled by DoC are defined in section 7 as "conservation land". Conservation land is used throughout the Act to refer to areas of land in DoC's control.
11. Land within a district controlled by a local authority under an enactment is defined in section 6 to be a "local authority area".
12. The heading of the subsection containing section 11 is entitled "Subpart 1—Freedom camping in local authority areas". Section 11 itself is entitled "Freedom camping bylaws".
13. Bylaws would not have effect in conservation land which is covered by the management regime described in the sections of the Act under the title "Subpart 2—Freedom camping on conservation land" leaving local authority areas as defined in section 6(1) as the only "areas" available to be controlled by freedom camping bylaws. However, section 17(2) is comparable to section 11(2) in that it defines the reasons that the Director General may issue a notice to restrict freedom camping:

*(2)A notice may be published under subsection (1) only if—*  
*(a)the Director-General is satisfied that the notice is not inconsistent with—*  
*(i)the purpose of any conservation Act relevant to the land; or*  
*(ii)any general policy, management strategy, or management plan made under a conservation Act relevant to the land; or*  
*(iii)the New Zealand Bill of Rights Act 1990; and*

14. What is clear in section 17(2) is that it is the purpose of the Act in relation to the land itself that is relevant, not the enjoyment of any neighbours' land that could justify issuing a Notice. We think that the same approach was intended in the drafting of section 11(2) and we do not see why inconsistent approaches would have been intended between section 17(2) and 11(2).
15. Contextually, the word "area" in section 11(2) forms part of the constraint on local authority power to restrict or prohibit freedom camping in local authority areas in subsection (1). This is only sensible if area means local authority area.
16. Overall, the scheme of the Act supports reading "area" in section 11(2) to mean "local authority area".

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<sup>2</sup> Section 5, Interpretation Act 1999



### High Court interpretation of the Act

17. The decision of the High Court in *The New Zealand Motor Caravan Association Inc v Thames-Coromandel District Council*<sup>3</sup> also supports this interpretation.
18. In the decision, the Court undertakes a statutory interpretation exercise about the structure and purpose of the Act at [8] – [18] including confirmation of the land which is regulated by the Act.
19. At [8] Cooper J reflects “Subsection (2) of s 3 then states that the Act regulates freedom camping on land controlled or managed by local authorities and on land controlled or managed by the Department of Conservation under statutes including the Conservation Act 1987 and the Reserves Act 1977.”
20. Cooper J at [10] recognises “Section 3(4) states that the Act does not regulate freedom camping on private land.” and notes that the part 2 of the Act is in two subsections with reflect the land regulated by the Act distinguished by controlling authority.
21. Cooper J also addressed the concerns of surrounding neighbours and considered the bylaw to ‘apply’ only to those who must comply with it:
 

[31] “However, the fact that a person living on adjacent land might be opposed to the inclusion of an area where freedom camping is permitted subject to conditions would not be sufficient to create an existing right, interest, title, etc. in respect of a person to whom the Bylaw applies. I doubt also that the Bylaw can properly be said to apply to members of the public whose houses adjoin or lie near an area where freedom camping is permitted. In my view, the persons to whom the Bylaw “applies”, within the meaning of s 11(6)(a), are those who must comply with it.”
22. This reasoning implicitly confirms that an “area to be protected” by a bylaw is necessarily a local authority area, rather than adjacent private properties.

### Preferred Approach

23. The section 11(2)(a) criteria are a prerequisite to the local authorities’ exercise of its section 11(1) power to restrict or prohibit freedom camping which would be otherwise permitted under section 10. The list of reasons to limit the permission are exclusively defined and each relates to the protection of the ‘area’ by bylaw but only if a bylaw is the most appropriate way to achieve this goal.
24. In our view, where section 11(2) of the Act refers to a bylaw being necessary “to protect the area”, the area concerned is a local authority area for which a bylaw may be made and is not an area that includes private residential land that might be adjacent to a local authority area.
25. The scope of the Act limits the locations to be protected to land in the control of local authorities—a ‘local authority area’. Effects on neighbouring properties are not within the section 11(2)(a) criteria because they do not locate in, or influence the local authority area, or visitation or access to it. Therefore, it is *ultra vires* the section 11(1) power to make a bylaw

<sup>3</sup> [2014] NZHC 2016, [2014] NZAR 1217, 2014 WL 4179447.



for the purposes of protecting those who may seek to enjoy private land adjacent to a local authority area.

26. For the above reasons, we advise that the approach of Geoff Canham which is to restrict his site analysis to potential bylaws that may be justified to protect the local authority area itself, and not to be concerned with protecting the amenity values of adjacent areas, is the correct approach. It follows that the breadth of considerations addressed by Xyst and its advice to the council in the promulgation of the 2021 draft bylaw statement of proposal takes into account irrelevant considerations. We identify the following assumptions made within the Xyst site analysis report<sup>4</sup>:

*"6.1 Protection of the area*

- *Protection of the amenity values of an area including residential and commercial areas (e.g. protection of views from residential and commercial properties, protection from noise from camping activity and arrival and departure of campers, loss of privacy)...*
- *Protection of the economic values of an area including residential and commercial areas (e.g. residential property values and loss of trade in commercial areas through occupation of car parks)"*

27. This assumption is then carried through to site specific assessments. In particular, we identify the following paragraph which is applied as a "common problem across all residential areas":<sup>5</sup>

*"Having assessed these residential streets as being typical of residential areas across the district, it is considered that camping within residential areas is unacceptable given the need to protect the amenity of residents including the right to quiet enjoyment of their properties, protection of views from properties and access to parking and other local recreation amenities."*

28. We consider the assumptions applied within the Xyst reports above to be fundamental to their site-specific assessments. A council decision based upon an irrelevant consideration is clearly judicially reviewable.

Yours faithfully  
GALLAWAY COOK ALLAN



Phil Page  
Partner (Dunedin)

[REDACTED]

<sup>4</sup> Xyst Report, Queenstown lakes District Council Assessment of Sites for Freedom Camping, dated 8 July 2021 at section 6.1

<sup>5</sup> Ibid at section 8.1

[REDACTED]

"APPENDIX B"

# Preliminary Analysis of NZMCA and QLDC Responsible Camping Reviews

*Comparative findings, analysis and recommendations to inform QLDC  
Freedom Camping Site Selection.*

1/09/21



GEOFF CANHAM  
CONSULTING



# QLDC FREEDOM CAMPING ASSESSMENT

## Summary of QLDC Assessment

I could not support the QLDC assessment having satisfied the requirement of the FCA 2011.

The QLDC assessment has decided to create bespoke values for the purpose of the selective weighting of its assessment. It used these solely negative values to weight disproportionate outcomes but using a donor assessment template it has then chosen to follow for validation, using a high score weighting as a default. This essentially has served to load deliberately adverse and detrimental scoring with unreasonably broad criteria to attempt a link to s.11 of the FCA, but in a way that comprehensively rules out Freedom Camping from any site.

Under the values QLDC have created, no site can score favourably to end up being recommended. This is because the QLDC's assessment determines Freedom Campers adverse to the economy, detrimental to visual amenity, detrimental to the environment and unable to be protected due to the level of criminality Queenstown allegedly faces as alleged in their assessment. I don't accept the inference of the 'mean streets of Queenstown' position by the QLDC assessment is a reason to prohibit the travel and accommodation choice of some tourists or that a cohort of tourists are responsible for adverse economic outcomes of Queenstown.

The QLDC Assessment doesn't make the case for why the amenity value of parked vehicles is used. The differentiation between vehicles is alluded to in QLDC's descriptions' scoring, yet how this value's baseline is set or benchmarked, or why this value is somehow influenced or at risk if some of those parked vehicles are Freedom Camper vehicles, is not explained.

Overall, the QLDC assessment liberally uses a generalised whole-of-site approach with resultant negative bias and a level of assumption that would place most of the resident public in need of regulation. By the rationale of the QLDC assessment, most parks and open spaces would also need to be off limits or to be severely restricted to basic rights. By the rationale of the QLDC assessment, most streets should require interventions to resolve a crisis of civil and economic matters apparently directly attributable to vehicle parking and visitors to Queenstown, as well as local residents.

The outcome of the QLDC Assessment is that the structured negativity weighting is not fair and reasonable. The subsequent extensive use of the score of five (where a five effectively dismisses the site) means the average across a site, then for all sites, is immediately to prohibit Freedom Camping. Even if a site could be considered favourable there isn't the capability in the assessment for it to ever be.

Sites are generally scored at the higher extreme for unsuitability as a result of this gearing of scores. The discrepancies in the QLDC approach then is most revealed where some remote roadside sites are suggested at the conclusion of the assessment as an apparent concession, where somehow under the same approach they score very well. By the same rationale as used by the QLDC assessment, those suggested remote sites shouldn't receive a favourable score. In the same way this interpretation is used by QLDC, other sites with the same or better attributes should've scored better and lead to the straightforward outcome of a Restricted site, as opposed to Prohibited.

As if by magic, no existing sites in the current Prohibited 'Zones' changed from being Prohibited and in the 2021 QLDC assessment somehow scored worse than QLDC's earlier regard for assessments. The resentment and absence of any opportunity for a site to become Restricted is palpable in the individual site-by-site assessments in the QLDC assessment. The adverse values QLDC have used are so sweepingly general, solely negative and hypothetical that the same alleged impact could apply to any member of the public and any potential civil law matter that exists. Any possibility of a site being a possible one in QLDC's existing Prohibited Zones was ruled out before the assessment even began.

Any potential site within any land area was never fully assessed by QLDC. However, the 'best part' of a whole land area was considered as applicable to the whole site by the QLDC assessment, e.g., even where there was a suitable and existing car park in one area of the site. Where there was an existing car park in one area, and recommended in the previously supplied NZMCA assessment, QLDC have simply ruled out the whole site or identified daytime use of the car park as a reason for it not to be available, i.e., overnight.

Briefly focusing on existing formed carparks and existing facilities during my multiple site visits for own site by site assessments, this reveals the higher levels of license the QLDC assessments empowered itself with in targeting the NZMCA recommended sites. The NZMCA recommended sites that were assessed over varying months of the year including sites over differing times of the day, including peak times at nearby recreation values, and during this time I did not witness the same issues asserted by QLDC for Freedom Campers where they would be detrimentally affecting access.

In my experience during numerous site visits with existing formed car parks, conspicuous Freedom Campers were already present at those sites as recreation users themselves, paying to use those very facilities or as recreation users of the parks concerned. The same conspicuous Freedom Campers were QLDC's tourism customers; people parking to use the same food service, public toilets or commercial premises nearby. In my experience the car parks offered plenty of capacity (but never right outside the premises or facility) and there was always somewhere to temporarily store a non-freedom camping vehicle in these public places. Overnight, these places would offer more, not less opportunity. This led me to begin concluding that the QLDC assessment hadn't been to those sites or the QLDC's bespoke weighting was deployed to set out a strengthening of QLDC's 2012 position further and not to assess sites based on anything less than non-site-specific hypothetical negativity.

However, when the QLDC assessment found itself in the position of wishing to recommend 8 remote roadside sites, its own values that it had used against the template assessment it adopted meant it had to significantly depart from these values when wanting to concede this small number of remote roadside sites. Remote roadside sites tendered to score the least favourably in the NZMCA assessment and do so anywhere in assessments as the health and safety weighting tends to be of a concern. (Also, at least one of the QLDC roadside sites suggested by Xyst it was an active road maintenance storage site and gravel pit with stern 'keep out or be removed at your cost' signage). QLDC's departure from consistency with an apparent concession within its own assessment (to maybe strike some kind of retrospective balance in their assessment) contrasts massively with their own values position.

The just 9 sites felt to be non-prohibited by QLDC are poorly identified, with only GPS coordinates and insufficient mapping to inform their assessment. All are magically well outside of the QLDC Prohibited Zones and all are apparently true roadside (next to the live lane causeway) locations except Redbridge, which is just near the roadside. Redbridge is deemed by the QLDC assessment as suitable, perhaps though without very much rigorous consideration for Freedom Campers or site inspection. It remained unsubstantiated why the QLDC Assessment rated remote sites so well.

QLDC has not adequately assessed the issues of regard for Freedom Campers well-being at the roadside sites nor Redbridge to lead to this recommendation, including the useability, maintenance concerns or hygiene at Redbridge. The NZMCA assessment noted late in 2020 and early 2021 that the site had a number of latent issues associated with unpleasantness/ unsuitability to be rectified including basic accessibility, toilets being open and deferred maintenance to the point of potholing and weed growth presenting an abandoned/ prohibited site profile to the location, especially when a proliferation of temporary fencing/ prohibitive signage made it unclear if the site was permitted. It remained unsubstantiated why the QLDC Assessment rated remote sites so well.

QLDC has imported a term, "Occupied Reserves" into its assessment, apparently applied as a catch all beyond wholly leased reserves, (e.g., to a golf club, campground on a reserve or where someone or a group uses it repeatedly as part of an activity), thus meaning it was a reason to discriminate with a hypothetical 'them' cohort created and decided by the license given to itself by the QLDC Assessment. I haven't heard or seen of this term being used or functioning in the industry vernacular or as a requirement of statute. This selective demarcation appears to impinge on human rights where an imagined foe should be excluded from public places. The QLDC assessment appears to score sites adversely for problems it doesn't have. The QLDC assessment also doesn't take into account the same solutions it seems open to for its suggested remote sites.

The QLDC Assessment has extensively cut and pasted sites as unsuitable, often referring to whole sites to justify this, ignoring suitable areas. However at times the QLDC assessment has mentioned a part of the reserve to provide an example, e.g., Glenorchy or Queenstown Gardens. However, this reveals that QLDC have used only a part of those site as the most unsuitable. This again seems to have simply targeted the NZMCA recommended sites with the most grossly contrasting scoring whereas the NZMCA had assessed the parts of the same sites as most suitable as well, i.e., not just finding the most negative location or inaccessible part within a reserve to prove an adverse assessment, e.g., a specific reserve boundary, the part close to an area already serving a specific fixed function. QLDC have also then at times scored the part of the whole site as most unsuitable as a result of the issues with site selection being used selectively, i.e., ignoring a part of a site which is perfectly suitable, and which would score more favourably, e.g., Glenorchy or Queenstown Gardens, Events Centres. etc.,

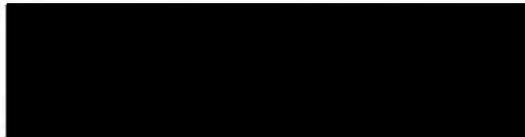
I believe QLDC's interpretation of the Reserves Act and actions that can be undertaken under is not accurate. Other local authorities' practices support an opposing approach to QLDC as well. The Act has been used as a tool of exclusion by QLDC as opposed to the Act's enabling ability as well.

## Freedom Camping Bylaw 2021 Submission

*(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)*

Name: Peter Mitchell

Organisation: *(if any)*



Do you wish to speak at a hearing? *(No)*

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

My stance on the draft Freedom Camping Bylaw is:

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

### Conclusion

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.

Sent: Monday, 9 Au

To: QLDC Communi

Cc:

Subject: Freedom Camping Bylaw

Congratulations on taking heed of submissions made on a proposal to have a freedom camping site on the foreshore near the Glenorchy marina!

Following over 820 public responses already received on a freedom camping survey in July, a number of locations are proposed to allow restricted freedom camping, allowing only certified self-contained vehicles.\* These locations are:

- Gibbston Reserve carpark
- Glenorchy Domain carpark
- Camphill Road carpark
- Morven Ferry Reserve
- Luggate Red Bridge Reserve

Rather than the Glenorchy Domain carpark as a freedom camping site may I suggest that the newly created carpark and viewing area at Bennetts Bluff would be a far more suitable location. The QLDC having already gone to the expense of carparking and installing toilets should make use of this newly created asset. This would incur minimal additional expenses and there is already signage which caters for campers' needs.

Further I believe that freedom camping should **not** be encouraged within the Glenorchy village area, and we should maintain the current prohibition on such activity. We already have sustainable camp facilities within the village and visitors to our pristine environment should be encouraged to make the most of these facilities!

\*Further the certification of many supposedly self-contained vehicles should be immediately addressed. I suspect that many vehicles which display the blue sticker do not have a flush toilet and neither do they contain hand washing facilities. They may be reliant on a porta-potty cassette which is not adequate in today's environment, particularly when people choose to not use the potty and go behind the nearest bush to relieve themselves. Therefore I believe we as a community have a great opportunity to raise the standards and encourage campers to be responsible and not abuse our environment!

Peter Speight

## Freedom Camping Bylaw 2021 Submission

Name: Robin Rutter-Baumann

Organisation: *Life Member of Whitewater NZ and Canterbury Whitewater Club*

Email address: r

Postal address:

Contact number

Do you wish to speak at a hearing? *No*

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021:

I oppose the draft bylaw proposal to allow restricted camping at the Camp Hill Rd carpark which is next to the Hawea Whitewater Park and ask that it is amended to prohibit camping.

Despite, now being 55 years old and living 440 km away, I visit the Hawea Whitewater Park 2-3 times each summer to go kayaking. Depending on who I am travelling with I stay at the Outlet Campground in Wanaka or the Albertown Campground. I avoid the busy environment at the Luggate Red Bridge Reserve.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but neither is it advertised. Designating Camp Hill Rd for freedom camping at would involve signage and create a social medial interest which would publicise and encourage the use of the Camp Hill Rd carpark for camping.

Presently the Camp Hill Rd carpark seems to be little used for freedom camping (probably because freedom camping space is available at the Luggate Red Bridge Reserve) But, I fear that if it was designated as a freedom camping spot the tacit promotion (by signage and word of mouth / social media) would quickly see the area over run with consequences for the environment and the Hawea Whitewater Parks amenity values.

### Impact on the environment

I believe that the change proposed by QLDC will degrade the environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark, the Hawea Whitewater Park carpark across the river and ultimately the surrounding environment once the toilets become 'unattractive'.

Central Otago Whitewater and Whitewater NZ, had Hawea Whitewater Park built as mitigation for rapids lost due to the Clyde dam. I was the President of Whitewater NZ for over a decade and we negotiated for Hawea Whitewater Park to include a carpark on DOC land with a view of the Hawea Whitewater Park waves. This included seating, native planting and a toilet.

The Hawea Whitewater Park carpark is on Camp Hill Rd carpark on the west bank of the Hawea River whereas the Camp Hill Road carpark the council proposes to designate for Freedom camping is on the opposite bank across the bridge.

I am concerned that the toilet at the Hawea Whitewater Park carpark become the default option for freedom campers who do not wish to use their self-contained loos. There is much evidence at other freedom camping spots of people peeing and pooing in the bushes despite being in vehicles appearing to have been certified as self-contained.

The Hawea Whitewater Park toilet is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. This has happened in the area before but has lessened because most freedom campers now use the Luggate Red Bridge Reserve.

#### Loss of Hawea Whitewater Park amenity

I am concerned that freedom campers would inevitably overflow from the Camp Hill Rd carpark and camp in the Hawea Whitewater Park carpark either by accident or intention. This could strain the relationship with the owner of the land adjacent to Hawea Whitewater Park carpark.

The Hawea Whitewater Park carpark is a no camping zone and requires users to gain access by crossing private land (by agreement).

This landowner is very sensitive about no camping agreement due to fire risk to their adjacent pine forest. In the past access was almost lost, due to people camping at the Hawea Whitewater Park carpark but problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve.

If freedom campers from the proposed Camp Hill Roads carpark site were to use the Hawea Whitewater Park carpark then this will result in kayakers and everyone else losing access to that carpark.

Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help because it would make overflow to the Hawea Whitewater Park carpark even likely.

#### Conclusion

The draft Freedom Camping Bylaw 2021 should not be passed as proposed.

As an alternative I ask that the draft Freedom Camping Bylaw is be amended to prohibit camping at the Camp Hill Rd carpark (or at the very least exclude it from the proposed bylaw to avoid promoting it as a freedom campsite).

Kia ora

Please accept my late submission.

This morning I found the latest edition of Scuttlebutt tucked inside the Wānaka Sun which had only found its way to my letter box late Friday evening. Within the front cover I read that submissions to the Freedom Camping Bylaw were overdue. I have a long and deep history of engagement in this focus area, and would like to make a few salient and helpful points concerning the proposals made. Firstly I fully understand the need for QLDC to provide some freedom camping sites for self-contained vehicles; it cannot under present law forbid camping everywhere.

In my local area I can see the balance you are trying to create: ban camping altogether from Hāwea Flat township but provide a site at Camphill Bridge. Please accept the following comments regarding this proposal, based on solid local knowledge.

1. Any freedom camping prohibition for Hāwea Flat 'township' needs to include all residential property in Hāwea Flat, not just south of Newcastle Road.
2. Camphill Bridge car park was partially 'gifted' to be used as a carpark by the former owner of Gimmermore Farm, now part of Devon Dairy. I suggest title is checked.
3. Camphill Bridge car park is very heavily used at many times of the day by walkers, dogs, cyclists, fisherfolk, surfers and sight seers. The numbers of camping sites would need to be restricted. I suggest six.
4. There is currently no public toilet at the Camphill Bridge car park. I can't think of any other official public camp sites, even for certified self contained vehicles that don't have a toilet. The number of day users at this site should warrant a toilet now; if freedom camping triggers installation of a toilet then the community could be more accepting and understanding of the situation.
5. I imagine campers regularly using the Hāwea River for washing. As part of our environmental responsibility I would expect signage requesting no use of soaps etc in the river.
6. A large amount of local volunteer labour has gone into planting and trying to beautify the Camphill Bridge car park. If freedom camping is to become part of the picture here, I would ask the council contribute significantly to these efforts to create a space desirable and functional for all.
7. I suggest talking to the kayak community who established this area as a destination. They have their own car park and toilet on private land, but working together rather than separately or against, will achieve better results.

Thank you for taking these points into consideration. And let's not lose the term 'responsible camping' which is really what it is all about.

Ngā mihi

Rachel Brown

Hāwea Flat

I would appreciate the opportunity to talk at any hearing

Submission in Respect of:  
Queenstown Lakes District Council  
DRAFT Freedom Camping Bylaw 2021

Prepared by  
Rik Deaton of



The above address is now known as  
**“The Maungawera Rural Visitor Zone”**

and a significant segment of our business plan and our offering revolves  
around motorhomes.

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NB: This submission concerns itself only with the nature of the Motorhome Management Strategy, facilities and locations proposed for the Upper Clutha Region. I make no comment re the Queenstown side of the Crown Range other than as my overarching observations generally apply.

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- Page 7 - A Motorhome Arrives in Wanaka - The QLDC Strategy.
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- Page 11 - Fifteen Hectares of Freedom Camping Coming to Camp Hill Road
- Page 11 - Critical Motorhome Services to be Supplied Outside Wanaka - Outline only - Details in Appendix 3
- Page 12 - A Transport Alternative - E-bikes + shuttle - Outline only - Details in Appendix 4
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- Page 14 - Recommendations of this submission
- Appendix 1 - Maps
- Appendices 2 through 5 - Expansion of points from body of submission.

To The Hearings Panel

Please do not even think about telling me you cannot consider the matters I raise in this submission because it says in the Statement of Proposal:

*“58. Submissions on matters outside the scope of the Proposal cannot be considered by the Hearings Panel.”*

That same Statement of Proposal commences with the baseline question that delineates the entire point of the exercise:

*“IS THE PROPOSED BYLAW THE MOST APPROPRIATE AND PROPORTIONATE WAY OF ADDRESSING THE PROBLEM?”*

The “problem” is the management of motorhomes and “*Responsible Camping*” within the district. Freedom Camping is just one aspect of that overarching problem. I contend therefore, that this bylaw contains no attempt whatsoever to “address the problem” and merely tries to sweep a small section of it, Freedom Camping, under the bureaucratic rug. The QLDC/Interagency “*Responsible Camping Strategy*” is most definitely a real attempt to outline a framework to address the global issue of how to manage camping in our district and across the country, but, aside from effectively using this bylaw to ban freedom camping, the rest of that strategy appears to be entirely aspirational at present.

Whilst this submission concerns itself very directly with Freedom Camping (and proposes a dramatic intervention) it simultaneously addresses the broader issue of motorhome management. This submission offers a set of practical real world solutions and interventions that will bring to life many of the aspirational goals of the interagency strategy.

Some on the panel may be aware that I am very much at odds with this council due to multiple matters wherein the Deaton family has received egregious treatment over the last few years and a lawsuit against QLDC for fraud is almost certain to result from one or more of those issues. If QLDC was a corporate entity nothing would make me do business with it. Since it is my local governmental consent authority however, I am forced to do business with it and it with me. As such, QLDC must consider my applications and submissions objectively and with equanimity. Neither of us has a choice.

Therefore, irrespective of this antipathy between us, this lengthy and highly detailed submission is an *in good faith attempt* at a positive contribution from a concerned long term member of this community. Whilst some elements of my suggested sequence of interventions may certainly be beneficial to our business (you did invite us to submit on that basis), this submission contains a valid and inherently superior alternative strategy aimed directly at motorhome management as opposed to merely eliminating freedom camping.

It attempts to provide an overarching motorhome management framework for the Upper Clutha in which the Freedom Camping Bylaw can reside and be administered with some degree of equity. It is most definitely appropriate and proportional and, being directly relevant to the subject matter, must be considered in this process.

## Executive Summary

### QLDC's FREEDOM CAMPING STRATEGY

When people travelling in motorhomes arrive at the edges of our town the following is generally indicative of their state of mind, their expectations and QLDC's strategy for dealing with them and their vehicles:

Tired / Big Vehicle / Winding roads / No information on route / Unfamiliar systems in vehicle / Terror of the mobile toilet / Toilet cassette full / Grey water tank 3/4 full / fresh water tank nearing empty / New to Wanaka / Zero signage to help them locate services or a campground, let alone freedom camping / We're tired, the kids are stroppy, we don't know where we are or where to go and there is absolutely nothing to tell us ... and we need to stop for the night right the hell now:

And now, off you go through dark, unlit backcountry roads to try to find the freedom camping spot 15 kilometres away that may or may not be full:

THIS THEN IS QLDC's FREEDOM CAMPING STRATEGY

WELCOME TO WANAKA.

-----

THE ALTERNATIVE - A MOTORHOME MANAGEMENT FRAMEWORK

FROM



- 1 - Intercept / Inform / Divert
- 2 - Expand Overnighting Options Very Significantly
- 3 - Supply Critical Motorhome Services outside of Wanaka
- 4 - Provide Alternative Transport to Wanaka and Environs
- 5 - Activate Second Regional Transportation Network
- 6 - Make the Alternative Transport Offering Irresistibly Desirable
- 7 - Enhance Visitor Experience Instead of the Opposite
- 8 - Result: Our Mobile Accommodation Sector Guests Feel Welcomed and Valued Instead of Denigrated, Penalised and Alienated

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## Preamble

I estimate that my lifetime total spent living and travelling full time across slightly north of forty countries in motorhomes of all types and sizes is approximately fourteen years. The vast majority of those 5,000+ nights in motorhomes were spent sleeping by the side of the road wherever the end of the day found us. In the 1960s, 70s, 80s and 90s this was simply known as motorhome travel, today it has been negatively rebranded as ***“Freedom Camping”***.

Turns out I know a little something about Freedom Camping in self contained motorhomes. As a consequence it is very clear to me that the people who have put together this bylaw, with its implicit embedded strategy to deal with the motorhome issue, know precisely nothing about motorhomes or the needs of motorhome travellers.

The strategy that is implicit in this bylaw, and QLDC's general attitude towards this community wide issue, is clearly to simply make freedom camping all but impossible across the region and thereby force these visitors into campgrounds. That's it. There is absolutely nothing more to this initiative. No strategy, no plan, no recognition of the realities involved and certainly no solution or even a symbolic attempt at improvement of the situation. If we can just get them out of our sight the problem will have gone away.

Whilst this is generally the requirement of the community and no bad thing for local campground operators, one of them being us, it is entirely without nuance or structure and is merely a continuation of the “us against them” attitude towards motorhome travellers that has evolved in recent years. This will damage our reputation as welcoming hosts and our economy will suffer as a consequence. Such need not be the case as I will demonstrate herein.

Additionally, there will be threads of other vitally important issues presently confronting our community woven into this submission - the recent push by the Shaping Our Future group for a **“Regional Transportation Mode Reset”** and by Lake Wanaka Tourism for a shift towards **“Regenerative Tourism”** in particular. **The traffic generated by the visitor segment of our population - especially motorhomes - along with the quality of the experience we can provide these visitors, is an integral and utterly critical part of those discussions and impinges directly on any Freedom Camping and General Motorhome Management Strategy.**

It is time for nuanced and integrated responses to difficult community issues. How to deal with motorhomes in general and freedom camping in particular is one such issue. I am essentially proposing a wider management structure that the bylaw itself can sit within as a way to positively assist motorhome travellers of all categories whilst still managing the problem. I believe this wider structure can turn the bylaw from a prescriptive, proscriptive and punitive blunt instrument aimed solely at freedom campers into something that can be a workable general management tool that can act for the benefit of both the community and all of our paying mobile accommodation sector guests.

**NB: ABSOLUTELY EVERYTHING PROPOSED IN THIS SUBMISSION IS UTTERLY CONGRUENT WITH THE QLDC/INTERAGENCY “RESPONSIBLE CAMPING STRATEGY”.**

### Observations regarding our economic sectors and demographics

#### Our economic sectors - Maybe digital and film are coming, but for now...

1. Tourism
2. Negative gentrification
  1. NB: building does not constitute a separate economic sector in this region. All building and ancillary services are servicing tourism, builders who build for tourism or negative gentrification.

#### Our population is growing frantically and it consists of three broad segments

1. The people who built the place - often low to medium income earners who are here because they love it here, but, increasingly, they struggle to afford to remain here.
2. A new moneyed elite who can afford to buy in at today's prices and many of whom do not need to make a living here. This is what I call "Negative Gentrification" and *I have been both a cause of it and a victim of it. I have utterly unique experience of this phenomenon and a great deal to say on this subject if anyone is interested.*
3. The visitor segment of our population which has two broad subsets:
  1. International Visitors - Like the permanent population, some have plenty of money and can afford a premium experience whilst others have scrimped and saved and planned and schemed to come here from around the world to see one of the most stunningly scenic regions of planet and this is their carefully budgeted "trip of a lifetime".
  2. Domestic visitors - Kiwis have always loved this area and long may it remain so.
    1. It is my opinion that the tourism spend of all these visitors collectively presently constitutes essentially the totality of our economy. It therefore behooves us to be nice to them and to ensure their experience whilst visiting us is as enjoyable and hassle free as we can make it whilst remaining congruent with our requirements as a community. That simply must include motorhome travellers.

### Vital Facts to Understand About Motorhomes and Motorhome travel

#### Main Points Below - See Appendix 2 for details

1. There's lots of them - two groups, two vehicle types, different requirements:
  1. Rental vehicles are under specified:
    1. Always looking for potable water and a dump site:
    2. Rental vehicles move on daily and vehicle must be used for sightseeing and in-town transport:
    3. They don't need a campground:
    4. They do need a way to leave the vehicle parked by day and get around the district:
  2. Domestically owned vehicles much higher spec:
2. More than just a motor vehicle so need a level site:
3. They are nice people:
4. They contribute to our economy:

5. New Zealand is a country custom made for sightseeing by road trip in a motorhome:
6. The way to de-intensify hot spot visitation and spread the tourism love to the regions:
7. If you don't want more international jet airports and more "Corporate Crowd Control Tourism"™ then ya gotta love motorhomes:
8. A distributed visitor population:
9. New Zealand is a country custom made for sightseeing by road trip in a motorhome:
10. When they get to our townships however, we need to manage:
11. They will all come to Wanaka and Queenstown so we need a *real* Motorhome Management Framework ... not a pseudo Freedom Camping proxy:

### **A Motorhome Arrives in Wanaka - The QLDC Strategy.**

1. **Tired:** They are often tired from driving through the night because we made it difficult or impossible to freedom camp out on the open road and forced them to drive on to Wanaka, thereby concentrating the distributed mobile accommodation sector in our townships along with the static accommodation sector.
2. **Big Vehicle:** This is the biggest vehicle many have ever driven and most are barely competent to drive it. Many are intimidated by driving a vehicle this large, especially when reversing and especially when reversing in the dark. Most people simply cannot reverse on their wing mirrors and this is the first time many will be forced to do so.
3. **Winding roads:** Ours are the windiest and most intimidating roads they have ever driven on. They are used to straight and level three lane motorways, freeways, interstates, autobahns, autoroutes and autostradas.
4. **No information on route:** They encountered absolutely zero information on their route of travel towards Wanaka about the realities of staying in a motorhome when in Wanaka.
5. **Unfamiliar systems in vehicle:** They were given inadequate introduction to the vehicle by the rental company and so are very unprepared to operate the on-board systems they have never used or seen before.
6. **Terror of the mobile dunny:** They have been doing everything in their power not to use the on-board mobile toilet because ... well, I really don't know why but it is universally the case. We need to change that mindset because the bathroom is arguably the entire point of motorhome travel and emptying the toilet cassette is utterly inconsequential. Nurses do it many times a day from an open bed pan. If they can cope then so can the rest of us. We need to forcibly get the message across that "*we require you to use the on board toilet so grow up and deal with it!*"
7. **Toilet cassette full / grey water tank 3/4 full / fresh water tank nearing empty:** Those who were either brave or desperate enough to use the toilet had no idea how to use an ultra low flush mobile toilet system so the 7 to 12 litre holding cassette is probably full after three family members depositing the equivalent of two or three coffee cups worth of urine into it along with a third of the contents of their fresh water tank to flush it down. Washing hands and coffee mugs in the

normal water intensive manner will have taken care of most of the rest of their 60 to 90 litre fresh water capacity.

1. People new to these systems always flush like they would a normal toilet and so they are already panicking about it because of the terrifying sight that greets them when they open the slide valve and look down. Full holding cassette = no toilet on board until emptied and we provide a negligently inadequate number of dump sites and then blame our guests for this lack of essential facilities.
8. **New to Wanaka:** They have never been to our town before so they don't know where they are going or how to find the services they desperately need.
9. **Zero signage to help them locate services or a campground, let alone freedom camping:** It is often dark when they arrive and, other than a few "do not" signs they are unlikely to see, there is absolutely zero signage to tell them where the single waste water dump station is located, where to find a campground and what they are and are not allowed to do in respect of stopping and sleeping for the night in public locations.
10. **We're tired, the kids are stropopy, we don't know where we are or where to go and there is absolutely nothing to tell us ... and we need to stop for the night right the hell now:** They desperately need to find a place to dump their waste water, refill the fresh tank and then they just want to pull over to stop and sleep for the night.
11. **And now, off you go to find the freedom camping spot:** Or if they do somehow magically know they can't free camp anywhere in the region except for two tiny spots right on the outskirts - the Red Bridge Motorhome Gulag or the Camp Hill Road Bridge site - they have to set off late at night for a 15-20 km cross country in the dark to try and find them - and then hope they are not full when they arrive as they are limited in numbers.

THIS APPEARS TO BE QLDC's FREEDOM CAMPING STRATEGY

WELCOME TO WANAKA

NOW FOR THE ALTERNATIVE

A MOTORHOME MANAGEMENT FRAMEWORK PROPOSED BY:



THE FOLLOWING IS PROPOSED AS

**A COMPREHENSIVE MOTORHOME MANAGEMENT FRAMEWORK**

1 - Intercept / Inform / Divert

2 - Expand Overnighting Options Very Significantly

3 - Supply Critical Motorhome Services outside of Wanaka

4 - Provide Alternative Transport to Wanaka and Environs

5 - Activate Second Regional Transportation Network

6 - Make the Alternative Transport Offering Irresistibly Desirable

7 - Enhance Visitor Experience Instead of the Opposite

8 - Result: Our Mobile Accommodation Sector Guests Feel Welcomed and Valued Instead of Denigrated, Penalised and Alienated

1 - Intercept / Inform / Divert /

All motorhomes in Wanaka arrive here from elsewhere as there are no motorhome rental bases in Wanaka to my knowledge. There are only four possible routes by which they can approach our town: Central route from Christchurch; The Haast Pass from the West Coast; Over the Crown Range from Queenstown: from Cromwell along Lake Dunstan.

**Intercept:** It is entirely self evident that any rational strategy to manage freedom camping and motorhomes generally in our town/s and region should involve taking the extraordinarily simple and glaringly obvious first step of setting up motorhome information stops at an appropriate location on each of these approach routes. How hard would it be to put up a large information sign at an existing roadside pullout to inform these visitors of the realities they will face when they enter Wanaka instead of just assuming they have magically absorbed our Freedom Camping Bylaw out of the ether somehow?

**Inform:** The signage at this information point must obviously tell them the basics and also provide a large map to orient them to the district as well as a fold-out pamphlet/booklet to take with them. This facility could certainly be used in combination with a mobile app but this actual physical intervention is imperative to ensure all have the opportunity to be informed of this important information so that enforcement is perceived as reasonable ... or at least less arbitrary and unreasonable.

The pamphlet is vital as it means they may never need take their motorhome into Wanaka itself as they have picked up vital information before arrival and so know the realities and the alternatives. It must have a detailed map showing the whole Upper Clutha Basin (not just the town centre) that includes the available Freedom Camping locations and all the paid campgrounds - It must include Lake Hawea, Hawea Flats, Luggate, the Red Bridge, the alternative route to Freedom Camping at Camp Hill Road via Hawea Back Road.

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**Critically Important:** It should also show the vast local cycle trail system so they can see clearly that a bicycle is a viable alternative for regional sightseeing. Plant the seed of alternative transport by bicycle right there and then.

They must be specifically informed that:

1. Wanaka's traffic situation is worsening rapidly and parking in town is becoming harder and harder to come by during the day, especially for large vehicles.
2. Parking areas at many scenic hot spots are ever more crowded.
3. No freedom camping other than in designated locations.
4. Where the waste water dump and fresh water top up sites are located.
5. Where paid campgrounds are located.
6. Where available Freedom Camping sites are located.
7. That there is absolutely no public transport available in the region.
8. Where they can hire alternative transport - bicycles - and so obviate the need to battle with Wanaka's traffic situation.

**Divert:** Having been *Intercepted* and *Informed* outside Wanaka and prior to decision points on their route, many will be able to decide to ***Divert*** away from Wanaka itself and choose one of the overnighting alternatives to the North of the Clutha - The Red Bridge Motorhome Gulag, The Camp at Lake Hawea, The Albert Town Campground or The Camp Hill Road Freedom Camping site. All of which are viable overnight stay locations but only The Camp at Lake Hawea has a dump site/fresh water available and none of them has an alternative transport option to allow occupants to leave their vehicle parked while they go sightseeing next day and also to travel into Wanaka itself as they are sure to want to do.

## **or they could instead**

**Divert to a major Freedom Camping location *with* an alternative transport option:**

There is one other overnighting destination north of the Clutha however, and it does have an alternative means for visitors to go sightseeing and so leave their motorhome parked, such that it potentially need never enter Wanaka!



## **2 - Expand Overnighting Options Very Significantly**

### **15 Hectares of Freedom Camping Coming to Camp Hill Road!**

We are LandEscape Wanaka and, unlike QLDC, we actually do have a plan. We also have approximately 15 hectares of flat, accessible rural land with a kilometre and a half frontage onto Camp Hill Road along the section leading from SH6 directly to the proposed council provided *Freedom Camping site* at the Camp Hill Road Bridge across the Hawea River. Recent success in the Stage Three Plan Change process has resulted in a change of zoning for this 115 hectare property and it is now known as The Maungawera Rural Visitor Zone.

Perched invisibly atop the terminal moraine towering above those fifteen hectares of pleasant and little used farmland adjoining Camp Hill Road is our new e-bike / hot tub / motorhome w. hot tub sites / restaurant / bar / cycle trails / farm tours / regenerative agriculture / renewable energy / energy efficiency demonstrator ... tourism operation.

*It is our intention to allow LandEscape customers who have rented our e-bikes, had one of our hot tub experiences or have met a reasonable minimum spend limit in our restaurant and bar (or other offerings as they may arise) to camp free of charge in their self contained motorhome on those fifteen hectares that front Camp Hill Road.*

### **IN LIGHT OF ALL THAT IS ESPOUSED IN QLDC's "RESPONSIBLE CAMPING STRATEGY"**

**This can only be seen by QLDC and the Interagency Working Group as  
extraordinarily positive and total support is the only reaction possible.**

## **3 - Supply Critical Motorhome Services Outside of Wanaka**

The supply of this much valuable and scenic private land at this incredibly strategic and appropriate location for the purpose of allowing Freedom Camping in self contained motorhomes is a revolutionary concept and the impetus for it is a combination of community spirited altruism along with, obviously, simple economic self interest.

The ability of a family with children, or a couple, or elderly retired people to dine at our restaurant on the spellbindingly beautiful central headland of LandEscape Farm (when we can afford to build it) and enjoy a few local wines and craft beers throughout a long evening of relaxation and enjoyment with a clear conscience will be transformational to the motorhome travel experience. They simply walk down the hill to their vehicle and climb into bed and then wander back up for a sunrise hot tub with coffee and croissants!

This is the essence of motorhome travel and we can gain these customers at very little extra cost to us and you QLDC can easily divert them to us or The Red Bridge, The Camp at Lake Hawea or Albert Town Camp Ground from three of the four Wanaka approach routes should you have the wit to do the obviously right thing for once.

Since the objective is to also obviate the need for these guests to take the vehicle into Wanaka itself, there will be some additional things we will need to provide for them beyond a flat, safe and pleasant spot to park for the night:

**Headings below - See Appendix 3 for Details**

Potable Water / Grey Water Dumping / Black Water Dumping / Recycling & Rubbish / LPG / Grocery & Staples / Electrical supply / Electric Vehicle Recharging / Alternative transport

**4 - Provide Alternative Transport - E-bikes + Regular Shuttle**

We, LandEscape Wanaka, have a real plan to do precisely this in a very structured, meaningful and high volume way. We also have the means to start immediately ... this spring, if the region has the visitation numbers to make it commercially viable. Right now, as I write, we have 82 cruiser style e-bikes sitting largely unused in a shed here on the property thanks to the casuistry, stupidity and bastardry of QLDC who have obstructed and thwarted us at every turn for over three years now in our pathway to commercialisation of this unique family business.

We are about to lodge yet another application for a commercial licence in a recreational reserve to allow us to initiate our concept for regional sightseeing and in-town transport by e-bike. The specific aim of this strategy is to give visitors to our region that alternative transport option that will allow them to leave the car or motorhome at their place of accommodation or in a parking lot and tour instead by e-bike. With 82 bikes already at our disposal, the ability to add to that number as needed and with unlimited space at LandEscape Farm to headquarter the operation we feel we are in an utterly unique position to attempt this strategy on behalf of ourselves and the community.

**1. Outline only below - Details in Appendix 4.**

- **Broad Target Market:**
- **The Perfect E-Bike for Our Target Market.**
- **Battery swap strategy @ 4 x Strategic Locations.**
- **Albert Town Recreation Reserve facility a second e-bike rental pick up and drop off point with LandEscape staff present:**
  - **Large motorhome and camping visitation.**
  - **Free Test Rides on safe and easy cycle trail.**
  - **Directly on route to LandEscape Farm.**
  - **Multiple trails Converge.**
  - **Injured Rider Recovery Service Proposed.**
  - **On-Site / On-Trail Bike Mechanic.**
  - **Food Trailer as a reason to Stop and have a Test Ride:**
- **Wanaka Lakefront Reserve unmanned base:**
  - **Critical Battery Swap Location.**
  - **Important Bike Drop Off Point for In-Town Customers.**
  - **Bikes and Trailer Cleared Late in Evening.**

**5 - Activate Second Regional Transportation Network**

The incomparable Upper Clutha Regional Cycle Trail System constitutes a second transportation system for our region. At the recent Shaping Our Future transport mode reset evening participants came up with dozens of reasons the shift from car to bicycle is difficult for residents. Almost none of those reasons apply to the visitor segment of our

population. We only need to have the bikes, the strategy and the locations to present it to them and here is the Deaton family once again handing it to the QLDC on a platter when they have zero plan of their own to achieve anything at all in this respect.

I wonder QLDC, will you cut us off at the knees again this time like you did last time?

### **6 - Remove All Barriers to E-bike Rental - Make the Alternative Transport Offering Irresistibly Desirable**

We intend to make every mental and physical barrier a potential e-bike renter may harbour go away with the depth and completeness of the offering. All of the following issues are addressed by this concept:

#### **Headings Below - See Appendix 5 for Details**

- **Free of Charge Test Rides.**
- **Visible From Road to Capture Passing Traffic for Test Rides.**
- **Safe, No traffic + Tuition as many renters Older and No recent Riding Experience.**
- **Suitable Bicycle - Not a Mountain Bike.**
- **Safe All Day Parking.**
- **Never Out of Battery.**
- **Intention is to Get Many Vehicles Off Roads.**
- **Breakdowns and Injury Confidence.**
- **Multiple E-Bike Pick up Points / Multiple Drop Off Points.**
- **Central Wanaka Battery Swap / Bike Drop.**
- **Shuttle Between Sites is Pivotal.**
- **Unique Extra Incentives - Freedom Camping / Food / Hot tubs / Scenery.**

### **7 - Enhance Visitor Experience Instead of the Opposite**

A reasonably physically capable person, most definitely including older people, can easily cover 60+ kilometres in a day of gentle riding on an e-bike with many relaxed stops and interludes along the way. As one covers such a distance on our magnificent regional cycle trail system the scenery is a continuum and the journey itself is an adventure and a joy. Juxtapose this with covering a similar distance in a car or motorhome trying to glimpse the same scenes along the way. Gone is the hassle of dealing with traffic and parking problems and one is immersed in the glory of the place instead of struggling with overstretched local infrastructure. The enhancement of the visitor experience that results is dramatic.

### **8 - Result: Our Motorhome Sector Guests Feel Welcomed and Valued Instead of Denigrated, Penalised and Alienated**

This then is the LandEscape Wanaka Motorhome Management Framework and Freedom Camping Strategy verses the bureaucratic myopia that is currently proposed.

## **Recommendations of this Submission**

1. If I was to expound on all of the matters on which our recommendations, interventions and initiatives, as enumerated in this submission, track and are entirely congruent with relevant aspects of ***"The QLDC/Interagency Responsible Camping Strategy"*** this submission would double in length and I'm sure you don't want that. Suffice to say:
  1. This submission must be understood and considered in relationship to that interagency strategy and not merely to the proposed bylaw.
  2. Please especially keep clauses from that document such as the following in mind:
    1. ***"Turning Strategy to Action"*** - Our proposals do just that and we are doing almost all of it for you.
    2. ***"Both the public sector and private sector have a role in providing camping opportunities. All agencies and the private sector need to work together to have a united approach that is clear and easily understood by campers and the community"*** - you mean just like we are proposing here and have been trying to do with QLDC for almost five years now?
    3. ***"Communication and education to campers will be coordinated and common across all agencies"*** - As I have proposed here as opposed to just leaving it to the CamperMate app and a few "Do Not" signs on the lakefront.
    4. ***"Seek private sector investment in the development and management of camping opportunities"*** - and here it is just falling into your lap courtesy of LandEscape Wanaka. We will do it all for you and all we ask in return is cooperation for a change instead of emasculation as usual.
2. Establish roadside motorhome information hubs at pullouts on each of the four approach routes to Wanaka.
  1. Several notification signs over preceding few kilometres - "Motorhome info hub in 5 kms".
  2. Erect a large and well designed outdoor informational sign at each of these pullouts.
    1. Must be illuminated for viewing at night - PVs / Battery / 12V LEDs
    2. Show regional cycle trail system and specifically advise regional sightseeing by bicycle rather than by driving.
    3. Emphasise the absolute need to become familiar with and make use of the on-board toilet system. Highlight that they are simple and hygienic to use and that the emptying of the holding cassette is an inconsequential task that is part and parcel of motorhome travel.

1. Hint from an expert: placing toilet paper into a waste bin instead of into the toilet makes emptying the cassette vastly easier. Toilet paper absorbs the free liquids, causes mounding in the cassette and prevents the breakup of the solids into an easily pourable slurry during vehicle movement. It would be very helpful for new users to be told this.
4. Emphasise that there are penalties for doing the wrong thing and introduce some
3. A comprehensive motorhome information pamphlet at each site as outlined in this submission.
  1. Include a large fold out version of the same map that is on the signage.
  2. Actively encourage regional sightseeing by bicycle.
  3. List all local bicycle rental companies and their locations.
    1. We have 82 rental e-bikes so, yes, this list does have to include us.
  4. Actively encourage motorhome travellers to proceed direct to a paid campground or one of the two approved Freedom Camping locations.
  5. Advise that LandEscape Wanaka at 93 Camp Hill Road is a third potential Freedom Camping location with virtually unlimited capacity.
    1. There is the caveat that this location is available only to customers who have purchased one of our offerings (e-bike rental, hot tub experience, restaurant & bar), but then the overnight stay in a safe, pleasant and convenient location is free of charge.
    2. We also have paid Motorhome sites each with private hot tub so you have to include us whether you like it or not, so you may as well mention the Freedom Camping option too don't you think?
    3. Certified self-contained vehicles only - we are a motorhome destination, not a campground.
    4. Advise them they can remain parked there for the day and access the cycle trail system just 700 metres away on their own bikes or e-bikes rented from us.
    5. Advise them we will have motorhome services available to customers.
    6. Advise them there will be a shuttle service to return from Wanaka after dark if needed.
4. Establish a second free of charge motorhome services location on the northern side of the Clutha with potable water, tank dumping, rubbish and recycling outside of Central Wanaka. The Albert Town campground being the obvious location - only rubbish / recycling at present.

1. I understand that reticulated services are not available across the river but it is inconceivable that council can expect that many mobile accommodation vehicles and campers with Porta-Potties to somehow make do without these services. It leaves them no alternative other than to go into the dump site in Wanaka which obviously adds to our traffic woes.
5. Change the parking lot for the Camp Hill Road Bridge Freedom Camping site to the far more suitable area on the western side of the bridge.
6. Construct 700 metres of linking cycle way from the S.E. corner of our property to the Camp Hill Road Bridge. This would enable a large number of cyclists to safely reach our property from the cycle trail entry point at the bridge. Not all of them on our e-bikes by any means as we hope to be a family cycling destination for locals from around the district.
7. Instruct the QLDC planning department to support our Freedom Camping initiative on our Camp Hill Road property as opposed to erecting the normal artificial bureaucratic barriers.
  1. As stated in the submission, I have no intention of applying for permission to do this. We hold that if QLDC can do it on public land, we can do it on private land, especially on land zoned RVZ.
8. Instruct Parks and Reserves to support, simplify and expedite our impending application for a commercial licence in the Albert Town Recreational Reserve and the associated battery swap trailers at the Red Bridge and the Wanaka lakefront to enable our concept for "Regional Sightseeing and In-Town Transport by E-Bike".
9. Change council's attitude towards motorhomes and motorhome travellers and attempt to change the community attitude as well - we need them every bit as much as they need us.

**SUBMISSION ENDS.**

**Appendices follow**

**Appendix 1 - Maps**

**MAP # 1**

**LandEscape Wanaka Customer Freedom Camping Terrain and On-Site Cycle Trails**

**Also Showing Location of Approved Restaurant and Bar**

Other approved facilities not shown: 20 x hot tubs sites; 10 x motorhome w. hot tub sites;  
15 x accommodation units; staff accommodation building; coffee shop; workshop;  
reception / admin / retail.



Fifteen hectares of Freedom Camping opening up on private land with frontage to Camp Hill Road to customers of LandEscape Wanaka.

## MAP # 2

### Cycle link between LandEscape Farm and Entrance to Cycle Trail System

Just 700 metres ... then 500 kilometres of Integrated Great Rides!

Plus

### Proposed Eastern Camp Hill Road Bridge Freedom Camping Site

#### NB: QLDC - your consultants chose the wrong Camp Hill Road Bridge Site.

The second parking lot on the Western side of the bridge is significantly more level and therefore far more usable to motorhomes. It is also a much better configuration for parking motorhomes, is probably larger and so could accommodate more of them and it is vastly more scenic and pleasant and it has a toilet present. Finally, living and working nearby and crossing that bridge very regularly, it has been my general observation that the Western parking lot is not used by locals nearly as intensively as the Eastern lot chosen by Council/Xyst as the Freedom Camping site.

Therefore, with its customary ineptitude, QLDC is about to make all motorhome users cram into a sub standard parking location less than 100 metres away from a very much more suitable one. The lot chosen also happens to be far more heavily used by locals thereby ensuring further needless annoyance, conflict and confrontation.

### So ... Also Showing Superior Western Freedom Camping Site Option.



Fifteen hectares of Freedom Camping opening up on private land with frontage to Camp Hill Road to customers of LandEscape Wanaka.

## Appendix 2

### Vital Facts to Understand About Motorhomes and Motorhome Travel

- **There's lots of them - two groups, two vehicle types, different requirements:** Motorhome travellers are a very significant part of both the international and domestic visitation populations. These two populations are generally travelling in two very different types of vehicle with very different route plans and timeframes. They have different requirements when in Wanaka and therefore need to be managed somewhat differently.
- **Rental vehicles are under specified:** The international visitor's rental vehicles are, generally speaking, barely viable for anything other than very short hops between services because all on-board systems are minimised to keep them below a Gross Vehicle Weight limit of generally 3.5 tonnes. This is a driver licence cut off point in many countries. Here it is the difference between a WOF and a COF.
- **Always looking for potable water and a dump site:** As a consequence many of these vehicles have very small capacities of on-board consumables: fresh water; black water; grey water; LPG; refrigeration space; house battery. They also probably have no viable heating system and no generator, rooftop PV (solar) or an inverter to give them 240V availability without shore power. Their charging capability whilst driving will almost certainly not have been enhanced with a high voltage charger to maximise alternator output to house battery.
- These vehicles need services daily and we (communities, local councils, NZTA & DoC) don't provide them in anything even vaguely approaching workable operational sufficiency.
- **Rental vehicles move on daily and vehicle must be used for sightseeing and in town transport:** Our international visitors in rental vehicles have a limited time duration for their road trip and have generally preplanned their route and dwell times in each location. ***THIS IS AN UTTERLY CRITICAL POINT*** as it means these vehicles move on to a new location every day (perhaps two days in Wanaka) and are on the move all day long in our town and immediate environs as this is the only method they currently have to accomplish that which they came here for ... sightseeing. This means that, on average, visitor's vehicles are on the roads much more frequently and for longer durations during the day than locals and also domestic motorhome travellers travelling in privately owned vehicles for extended periods.
- **They don't need a campground:** At night they need nothing other than a flat, safe, accessible, pleasant spot to park and sleep - they are self contained remember? By definition they don't need or want a campground ... but Kiwi families holidaying in caravans and tents do and it is for them we should reserve the council owned campgrounds in peak periods.
- **They do need a way to leave the vehicle parked by day:** By day they need a way to leave their vehicle and belongings in place at their overnight parking/sleeping spot, know it is safe from break in, be able to dump and fill tanks on

site *and they need another way to go sightseeing that is better than driving even if there is cost involved.*

- The strategy I will present below can achieve those aims in a manner that is positive in all respects for motorhome travellers, the community, our economy and environmentally.
- **Domestically owned vehicles much higher spec:** More and more the privately owned motorhomes I see domestic travellers arriving in are the medium to higher end of European units (the truly high end ones are from another world) and these vehicles are very much more fully specified than their rental counterparts and so provide a far superior experience for the traveller.
- This is a rapidly growing segment and, as evidenced by the NZ Motor Caravan Association's threat of legal action against QLDC for its freedom camping clampdown, their owners are very unlikely to accept the position of either this community or Council without a fight. They are Kiwis too and they seem to think that gives them some rights in their own country to use their quarter million dollar vehicles for their intended purpose. We agree.
- **More than just a motor vehicle so need a level site:** A motorhome is far more than just a motor vehicle that can be parked in any location available. A motorhome is a small mobile bed-sit apartment and, like any other residential living space, if it is not reasonably level you can't cook in it, you can't sit comfortably in it, you can't eat comfortably in it and you can't sleep comfortably in it ... and nor does the absorption cycle LPG refrigerator in it work properly when out of level so your refrigerated food will potentially spoil.
- **They are nice people:** Motorhome travellers are not our enemy. Go and chat to them and make them feel welcome and you'll quickly discover that, almost universally, these are really nice people who are just out experiencing the world in a way that is unique in the feeling of freedom and joy it offers them.
- **They contribute to our economy:** Motorhome travellers are not free loaders. Whether young people travelling on the cheap as generations of Kiwis have done overseas, families with kids or older retired people ... they spend in our economy at the same rate as any other traveller in their category except that they have pre-paid for their accommodation.
- **New Zealand is a country custom made for sightseeing by road trip in a motorhome:** Apartment dwellers from around the globe crave the freedom and peace of a road trip in a beautiful, pristine and safe environment. New Zealand offers that like few other places in the world and the motorhome is by far the best way to accomplish it.
- **The way to de-intensify hot spot visitation and spread the tourism love to the regions:** Queenstown and Wanaka are not the only compelling places to visit on the South Island. The entire island is replete with beautiful scenery, delightful country towns, great businesses and wonderful activities and the motorhome is the most efficient way to get a constant stream of visitors out to those regional destinations. Not everyone will want to travel that way but many do and we ought to embrace that.

- **A distributed visitor population:** Motorhomes constitute a large distributed mobile accommodation asset that, unlike static accommodation units, have the ability to simply stop where the end of a day of travel finds them and stay there for the night. We should actively encourage this ability out on the open road so that they are not forced to keep on driving needlessly through the night to get to a town and find a campground.
- **If you don't want more international jet airports and more "Corporate Crowd Control Tourism"™ then ya gotta love motorhomes:** I trust the reasoning is obvious and the arguments compelling.
- **When they get to our townships however, we need to manage:** When they do come to one of our small and charming towns however, it is there we need to take some rational control over their movements and stopping places by offering them a well managed alternative to simply pulling over and stopping for the night anywhere they choose as I have done so many times in so many glorious places. Sadly, those days really are gone but that doesn't mean we have to make it miserable for them.
- **They will all come to Wanaka and Queenstown so we need a real management strategy:** It is an absolute certainty that Wanaka and Queenstown will be on the route plan of every single South Island motorhome traveller so we need to embrace that, plan for it and manage it. This proposed Freedom Camping Bylaw makes not the slightest attempt to do any of those things ... it will just penalise motorhome travellers who have no idea that the bylaw exists or, as often as not, that they are in contravention of any local regulations at all. That will alienate the domestic segment from our region and the international segment from New Zealand thereby damaging brand New Zealand and brand Southern Lakes.

**Appendix 3**  
**Supply Critical Motorhome Services Outside Wanaka**

- **Potable Water:**
- We already have an approved whole-of-site potable water system in place supplied from a high volume spring on the farm. This system should be able to cope with the relatively minor needs of a significant number of motorhomes each day as well as meet our other requirements.
- **Grey Water Dumping:**
- Can be dealt with via on-site biological treatment and disposal - septic tank. This will be costly for us to install and maintain.
- **Black Water Dumping:**
- Cannot be dealt with on-site by biological treatment due to the toxic formaldehyde based treatment chemicals used in mobile toilet systems which kill the active bacteria in a septic tank system. Toilet cassettes will need to be dumped into an underground holding tank and pumped out on a regular basis by a septic tank contractor for disposal at an appropriate location.
- NB: Mobile toilet chemicals are completely unnecessary and are merely a way to sell consumables and slightly ameliorate the human "yuck factor". These chemicals turn what would otherwise be merely soil nutrient into toxic waste. Anything other than Septic Tank Safe versions should be banned across the entire country to enable remote site biological treatment.
- **Recycling & Rubbish:** We will provide this facility too.
- **Costs for the forgoing:** Unless QLDC cares to take on this job and cover these costs as part of its motorhome management strategy and thereby have another freely accessible motorhome dumpsite outside of central Wanaka, we will need to charge for these services so they will be contained within a fenced compound to maintain security and probably limited to our guests.
- **LPG:** It is entirely possible we can maintain an LPG bottle swap facility in partnership with an in-town supplier.
- **Grocery & Staples:** Albert Town 4-square, Lake Hawea General Store or perhaps a daily order and delivery by one of the above or an in-town supermarket.
- **Electrical supply:** Not viable for free of charge camping across that large an area, although we may supply a portable renewables based solution with PVs, a battery bank and inverter for a reasonable daily charge.
- **Electric Vehicle Recharging:** Our background family and company ethos is renewable energy and energy efficiency within the built environment. We are deeply knowledgeable in these fields, very tuned in to the state of the electric vehicle revolution and well placed to offer EV charging as we have an 11,000V supply to the centre of the farm and can supply to the Freedom Camping area in future. The EV and renewable energy transition will revolutionise motorhome travel.

- **Alternative transport:** The biggie, now that we have these guests and their motorhomes situated in a safe, secure, inconspicuous and appropriate location with their tanks filled/emptied and it has cost the community precisely nothing ... how do we keep their large vehicles in that location next day while the occupants head off to see the region, visit Wanaka and spend money in our economy?

**Appendix 4**  
**Alternative Transport**  
**An Effective and High Volume E-Bike Rental Service + Regular Shuttle**

1. **Broad Target Market:** Our target market for e-bike rentals is *everyone* who visits Wanaka who is not an expert mountain biker. Newsflash - that is *the vast majority* people who visit Wanaka.
2. **The Perfect E-Bike for Our Target Market:** We have therefore chosen a bike precisely suited to that market and the rides they will undertake.
  1. A comfortable, upright cruiser style, perfectly suited to the easy and gentle riverside and lakefront cycle trails / Mudguards / Integrated hi-spec lights / Integrated rack and optional pannier bags / Reasonable suspension / Low saddle height - feet touch ground when stopped.
3. **Battery swap strategy - 4 x Strategic Locations:**
  1. A customer must never run out of battery assist.
  2. We already have a large number of extra batteries at \$1,000 a piece.
  3. Battery swap easy and fast on our bikes - 60 seconds.
  4. Battery swap points at strategic locations around regional cycle trail system.
  5. Unattended locked trailer with rooftop solar / battery bank / inverter / multiple battery chargers.
  6. Rider stops / unlocks trailer / disconnects new battery from charger in trailer / changes battery on bike / places depleted battery in trailer / reconnects to charger to recommence charging / state of charge likely to fluctuate between 25% to 85%.
  7. Swap locations at: LandEscape Farm / Albert Town Recreation Reserve / Red Bridge Motorhome Gulag / Wanaka Lakefront.
4. **Albert Town Recreation Reserve facility also to be a second e-bike rental pick up and drop off point with LandEscape staff present:** A Recreational Reserve Commercial Licence required and soon to be applied for. This allows the following critically important services to be offered:
  1. **Free E-bike Test Rides:** Free of charge e-bike test rides from a trailer mounted operation highly visible from road, in or near to the launching ramp car park.
    1. e-bikes are so compelling to ride that a test ride is very often the clincher to a rental. Every two e-bikes rented is one car or motorhome off the road for the day.
  2. **Large motorhome and camping visitation** in this precise area so this is a key part of the plan to capture these visitors and get them onto an e-bike as opposed to using their vehicles to travel.

3. **Directly on route to LandEscape Farm** so easy to transport bikes each day without going into central Wanaka and integrates well with our other offerings.
4. **Multiple trails:** This location is at a nexus of multiple loop and one way cycle trails and so makes it very quick and easy for our staff to ride out to support a renter with technical or mechanical difficulties.
5. **Injured Rider Recovery Service:** When available and if financially achievable for us, we will have one of the new generation of small and powerful electric vehicles available for "Injured Rider Recovery Services". We will attempt to have trained staff who could often retrieve a minor injury (along with bicycle) or make the electric vehicle available to emergency services in a true emergency. The two main contenders for this role at present are Archimoto and Lyte Horse. Lyte Horse could probably recover an injured rider from almost anywhere on our cycle trail system - possibly even Dean's Bank or Sticky Forest!
6. **On-Site / On-Trail Bike Mechanic:** For this to work as a high volume operation it will be necessary to have a staff member on call to ride out (or drive and ride) to attend to minor on-trail mechanical issues. Even something as simple as a flat tyre will need attendance by staff or older people will be stranded potentially kilometres from a trail exit point.
7. Critical strategic battery swap location.
8. **Food Trailer as a reason to Stop and have a Test Ride:** We will also be applying for a food services trailer at this location to help justify staff presence in quiet times and provide a pleasant outdoor coffee and snacks stop at this meeting point of many trails. This will also provide another reason for potential renters driving by towards Wanaka to stop and test ride an e-bike.
  1. We can have a variety of e-bike chargers on hand to allow food trailer customers on their own e-bikes (Wanaka locals) to recharge for the duration of their coffee stop. Same at LandEscape Farm of course.
5. **Wanaka Lakefront Reserve unmanned base:** We will also apply for a battery swap trailer located somewhere on the Wanaka Lakefront in the upcoming commercial licence application referred to above. In addition to being a mere battery swap location (as important as that will be), this facility on the Lake Wanaka foreshore reserve is intended to serve as a drop off point for customers who have rented an e-bike from us and wish to leave it in central Wanaka and walk or taxi back to their accommodation. They will be able to lock the bike to the trailer or a nearby bike rack and drop helmet and other gear into a theft proof bin on board.
  1. We intend to clear the site late in the evening to enable renters to use the bikes to ride into Wanaka for dinner and then leave them at the drop off point afterwards.

**Appendix 5**  
**Alternative Transport**  
**Make e-bike Rental Irresistible - Eliminate All Barriers to Rental**

1. **Free of Charge Test Rides:** The people we are targeting have more than likely not ridden a bicycle for decades but e-bikes are tempting them to give this gentle adventure a go. They just need a little impetus to help them make the decision and that is where the free of charge e-bike test rides will prove invaluable.
2. **Visible From Road to Capture for Test Rides:** We have a very limited window of opportunity to capture these people so the opportunity absolutely must be in a highly visible location with easy and quick access and plenty of parking available.
3. **Safe, No traffic & Tuition as Many Renters Older and No recent Riding Experience:** Having not ridden for decades they need tuition, encouragement and a gentle safe location to get started. This must be on a cycle trail as opposed to out the door of a shop into central Wanaka traffic.
4. **Suitable Bicycle - Not a Mountain Bike:** The bicycle they use must be suitable for the purpose and for these riders. For this reason we have very intentionally chosen a bike that is not a mountain bike. Our Swiss made YouMo (Your Mobility) e-bikes suit this type of rider and the trails they will be riding perfectly and our customers love riding them.
5. **Safe All Day Parking:** They must be able to leave their car or motorhome in safety at the rental location.
6. **Never Out of Battery:** They must never run out of battery charge along the rides they are likely to be doing, hence our large stock of spare batteries and battery swap strategy.
7. **Intention is to Get Many Vehicles off Roads:** To take a significant number of vehicles off the road and to work financially this absolutely must be a closely managed, fully staffed, high volume operation. We are ultimately talking a lot of bikes out on the trails every day with this strategy if it works financially.
8. **Breakdowns and Injury Confidence:** Renters must know that if they have a puncture, a mechanical breakdown, a fall with an injury or even if they just run out of legs and breath or daylight somewhere ... there is a service that will get to them quickly and efficiently and render the assistance they need.
9. **Multiple E-Bike Pick up Points / Multiple Drop Off Points:** The vastly differing daylight hours and temperature ranges at different times of the year impose interesting constraints. The flexibility offered by multiple drop off and pick up points will be critical to dealing with this and is a key part of our e-bike rental strategy.
10. **Central Wanaka Battery Swap / Bike Drop:** There should be a late night drop off location in central Wanaka operating well after retail shops close so they can extract full value from their day's rental by using the bikes to return to their accommodation to

shower and change and then ride into town to dine. The implications in respect of traffic and parking in central Wanaka are self evident.

11. **Shuttle Between Sites is Pivotal:** - It is already our intention to have a regular shuttle running between Wanaka and LandEscape Farm for any number of operational and guest convenience reasons; a Safe Transport Option being just one of them. This shuttle service will be made more viable by the ability to return customers to their cars in town, the Albert Town Reserve or at the farm. This means guests can begin and end their ride in multiple locations and know they can return to where they need to at the end of the day.
12. **Unique Extra Incentives - Freedom Camping / Food / Hot tubs / Scenery:** Ideally there will be other incentives to encourage e-bike rental such as Freedom Camping in an appropriate and desirable location with a fine restaurant on site, or ending the day of riding in a spring-fed wood-fired hot tub stargazing and wine sipping with a shuttle back to your accommodation at the end of the evening. We've got that covered too.

**Appendix 1 - Maps**

**MAP # 1**

**LandEscape Wanaka Customer Freedom Camping Terrain and On-Site Cycle Trails**

**Also Showing Location of Approved Restaurant and Bar**

Other approved facilities not shown: 20 x hot tubs sites; 10 x motorhome w. hot tub sites;  
15 x accommodation units; staff accommodation building; coffee shop; workshop;  
reception / admin / retail.



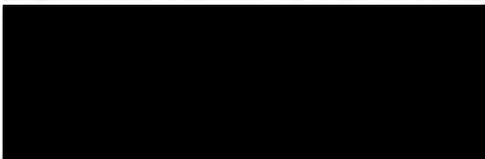
Fifteen hectares of Freedom Camping opening up on private land with frontage to Camp Hill Road to customers of LandEscape Wanaka.



## Freedom Camping Bylaw 2021 Submission

Name: Russell Godfey

Organisation: *Otago Canoe and Kayak Club*



Do you wish to speak at a hearing?  No

I understand that all submissions will be treated as public information, except my contact information:  I understand.

Regarding the draft Freedom Camping Bylaw 2021:  I oppose the draft bylaw.

### My stance on the draft Freedom Camping Bylaw is:

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known and highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go to the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.
- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown->

[lakes/trapped-surfer-pulled-hawea-river](#)) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

### **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

Dear Sir/Madam

I am just writing to re-confirm the large number of earlier submissions (including mine, a copy of which is attached) on the basis that the Whitechapel Reserve must be an area where freedom camping is banned.

The Whitechapel Reserve is wholly unsuitable for freedom camping for a number of reasons, all of which have been extensively set out prior to this, including but not limited to:

- Extremely unsafe access off the main road
- Fire risks
- Existing cycle trail
- Risks to the state of the river
- Public health risks
- Risk to an area of outstanding natural beauty
- Historic places nature of area (historic building in Whitechapel Lane)
- Lack of policing (refer to previous issues elsewhere with freedom camping).

Thank you for ensuring the Whitechapel Reserve is on the list of places where the QLDC is proposing to prohibit Freedom Camping – this is indeed the correct stance to take.

Kind regards

Sarah.

Ngā mihi | Kind regards

Sarah Manning

Partner

mortlock mccormack | law



Dear Jim, Mike and Craig

I am writing to express my extreme concern at your proposal to consider freedom camping at Whitechapel Lane near Arrowtown.

My family have owned a property at 2 Whitechapel Lane for 30 years.

A number of matters stand out for me:

- **Lack of proper consultation/improper process** - The manner in which residents were “informed” about the proposal – I understand that this was via a “mail drop” pamphlet on Thursday 25 October 2018. Residents (and out of town owners) with no mailbox were simply ignored, and the scope of people potentially affected is far, far wider than the few pamphlets dropped. Further, I understand that the Council is to meet on the topic of the proposed freedom camping at Whitechapel Lane on Thursday 25 October 2018. At what stage were you planning to consult with affected parties? I hear that it may have been Thursday evening (25 October) following the Council meeting? Further, simply dropping a pamphlet relating to an important matter such as this just prior to a long weekend, when residents may well have been out of town, is frankly not on.
- **Freedom Camping has been banned from Lake Hayes, the Shotover Delta, and the Wanaka Waterfront** – in Jim Boulton’s own words, the freedom campers “degraded the area, using the area like a toilet”. With respect, why do you think the campers will act differently at Whitechapel Lane? It is naïve to think that anything will change in the camper’s behaviour. I further quote from Jim’s own words, which sum up the myriad issues perfectly:

*The surge in freedom campers this summer had resulted in overcrowding, **public health risks due to human waste, and environmental risks as some bathed and washed their dishes or clothes in the district's lakes and rivers.***

*"These areas are **special to both residents and visitors alike** and have simply been abused by a small minority of freedom campers, and there has been a **loud and understandable public outcry,**" Mr Boulton said.*

*"Families **should be able to visit our reserves without worrying about seeing human waste or people literally airing their dirty laundry.***

*"It's a shame that we've had to take these measures as it will no doubt have an impact on responsible freedom campers staying in fit for purpose certified self-contained campervans. At the end of the day there is **a legitimate concern around public health, we have heard the community's concerns, we have listened, and we have acted.**"*

I also note that Michael Laws has backed the ban:

*Otago regional councillor Michael Laws has backed the latest ban.*

*He said freedom campers were "actively destroying" lakes and recreational areas in Queenstown Lakes and Central Otago.*

*"Freedom campers are a **plague in this region** and they have reached epidemic proportions over the current summer.*

***"They have despoiled many a Central Lakes beauty spot and ruined many recreational areas."***

Further, Freedom Camping is under review in Akaroa, another of New Zealand's iconic and beautiful places, where freedom camping has again proved extremely problematic - disrespectful and environmentally damaging behaviour by freedom campers being amongst the chief concerns of residents.

Freedom camping has also proved problematic in New Plymouth, Motueka and elsewhere – and in all cases (as with Lake Hayes, the Shotover Delta, and the Wanaka waterfront) the Council has listened to the justified concerns of residents. The very same arguments for removing freedom camping from Lake Hayes, the Shotover Delta, and the Wanaka waterfront also apply to Whitechapel Lane (with its beautiful nearby river) and to argue otherwise would be disingenuous.

Whitechapel Lane is an area of outstanding natural beauty, with ready access to the river which (to date) is clear and clean and unspoilt. The bike track has proved a great success, and as a runner I use the track a good deal. I have noticed that the runners, walkers, bikers and local residents treat the track and surrounds with great respect (as the area deserves) and I can't recall ever even finding a piece of litter. Runners, bikers and walkers now come from all over the country to access the track, and the track is a real drawcard for the area. It would be an immense shame for runners, bikers and walkers to have to navigate through campervans and human faeces. New Zealand is known for its outstanding natural beauty, and why the Council is even considering allowing one of New Zealand's iconic areas (and now iconic tracks) to be despoiled by freeloading "freedom campers" - who have already more than proved their lack of trustworthiness - is beyond me.

- **Unsafe Road Access** - I am sure other submitters will cover this matter so I will be brief – the road access to Whitechapel Lane is extremely unsafe, and I understand that any proposal to (for example) subdivide or intensify the land use in the area would be met with an almost certain "No" from the Council due to the road safety issues. How one expects 20 lumbering campervans manned by foreign drivers (yet another issue – and a major one) to negotiate that corner on a daily basis is also beyond me. There will be a fatal accident at that corner if this goes ahead. Residents and locals all know to treat the corner with the utmost respect, and on that basis the current roading works – but it will most certainly **not** continue to work if freedom camping is allowed at Whitechapel Lane.

- **History of Area – Historic Places** - Whitechapel Lane is a historic mining area and there is a beautiful old ruin there, which has not been despoiled in the 30 years I have known the area. The Historic Places Trust will most certainly have a view on freedom camping (and its associated myriad issues) so close to a historic ruin and in such a beautiful historic area.
- **Effect on Surrounding Area – Visual** – Together with the significant environmental and health issues which are known and proved to be associated with freedom camping, the visual aspect of 20 campervans together with associated paraphernalia will be very noticeable, especially from the Crown Range Road. I understand that the Council was - and is - particularly interested (and restrictive) regarding what residents can (and cannot) do with regard to their properties given how that may affect the “view” from the Crown Range Road – this argument must equally now apply to dumping campervans on Whitechapel Lane which will stick out like the proverbial sore thumb.
- **Effect on Surrounding Area – Safety** – Freedom campers have not got a good reputation in this country, and that reputation is something they have 100% brought upon themselves. Local residents deserve to feel safe and not threatened by freedom campers (particularly for the elderly and those living alone) and the threat of rowdy and disrespectful freedom campers is very concerning to all. There is a real community at Whitechapel and people look after each other. These people feel threatened and unsafe at the prospect of wave after wave of freedom campers, people who have proved themselves over time throughout this country to be a significant problem. The Council’s first loyalty is to its rate paying and law abiding citizens, and their wellbeing and safety should of course be of ultimate importance.
- **Lack of policing** – Any argument that the above issues can be mitigated with adequate “policing” is laughable – simply refer to what has transpired at Lake Hayes, the Shotover Delta, and the Wanaka waterfront, Akaroa etc- all more central areas and far more easily policed than Whitechapel Lane.
- **Fire Risk** – self explanatory
- **Freedom Camping generally** – I realise this is a national issue, but frankly why you would consider allowing freeloading “campers” to despoil our beautiful country is entirely beyond me. Local people know and love the country, and have stewarded it for generations. I am from a farming background, as are many of the people who live in the Whitechapel area, and these people have a long term sustainable view of “land stewardship” – the exact opposite of what the campers have proven themselves to have. I fail to see why the freedom campers (who have the money to pay for flights to NZ and/or hire a campervan) cannot simply book in advance and go to a place set up for them ie a camping ground, costing them only a minimal sum anyway (rather than a beautiful and unspoilt area of natural beauty, which they will proceed to ruin). This is particularly my view given the disrespectful way they have shown themselves over time to treat our beautiful country.

I sincerely hope that good reason and common sense will prevail, and I have every confidence in you that it will. Should good sense not prevail, there will be a long battle to commence as there is absolutely no way the residents and other affected parties will allow

freedom camping – and its attendant proven ruination of the beautiful landscape and river -  
on Whitechapel Lane.

Regards

Sarah Manning.

Sarah Manning

Partner

mortlock mccormack | law

# PATERSONPITTS GROUP

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0800 PPGROUP



Our Ref: W6225  
3 September 2021

## Sunnyheights Limited and Dublin Bay Residents

### Submission on Freedom Camping Bylaw 2021

**DUNEDIN:**  
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**ALEXANDRA:**  
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Alexandra 9340,  
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**CROMWELL:**  
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**QUEENSTOWN:**  
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**WANAKA:**  
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Wanaka 9305,  
T 03 443 0110

Submission on Freedom Camping Bylaw 2021

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## 1.0 SUBMISSION DETAILS

**Submitter:** Sunnyheights Limited, Libby and Stephen Blakley, Alastair Heine, Joy Paterson, Arne Gawn, Keith Mackenzie, Trevor and Lynne Currie, Ben Wilson, Mike and Jude Phillips, Erynne and Craig Fildes

**Agent:** Emma Turner - Paterson Pitts Limited Partnership

**Email Address:** emma.turner@ppgroup.co.nz

**Postal Address:** PO Box 283  
Wanaka  
9343

**Contact Number:** (03) 443 0110/ 021 974 886

**Do you wish to be heard:** Yes

**I understand that all submissions will be treated as public information:** Yes

**Position:** Support with amendments to Schedule A.

## 2.0 SUMMARY

This submission seeks an amendment to Schedule A of the Freedom Camping Bylaw 2021, that the Dublin Bay Recreational Reserve, surrounding Department of Conservation land and Dublin Bay Road is to be added in Schedule A as a Prohibited Camping Area.

## 3.0 THE SITE

The area which is sought to be included as a Prohibited Camping Area in Schedule A is the Dublin Bay Recreational Reserve, surrounding Department of Conservation land (Figure 1) and Dublin Bay Road (the site). The Dublin Bay Recreational Reserve is managed by Queenstown Lakes District Council through the Dublin Bay Recreational Reserve Management Plan. The reserve is accessed off Dublin Bay Road and is used for recreational purposes including water-based recreational activities and has walking and biking trails around the lake edge towards Albert Town. It is a very scenic location with views over the lake to the mountains and surrounded by rural land.



Figure 1: Extent of Dublin Bay Recreation Reserve shown in green with DOC land shown in blue, these two areas plus the full length of Dublin Bay Road make up the area sought to be included as a prohibited camping area.

#### 4.0 SUBMISSION ON DRAFT FREEDOM CAMPING BYLAW 2021

Parts 1 to 4 of the Draft Freedom Camping Bylaw 2021 (the Bylaw) is supported. However, this submission seeks amendment to Schedule A of the Bylaw to include further sites on which freedom camping should be prohibited. Sites that the submission seeks freedom camping should be prohibited on should include:

- Dublin Bay Recreation Reserve
- DOC land surrounding the Dublin Bay Recreation Reserve
- Dublin Bay Road (from Lake Hawea – Albert Town Road (SH6) to Dublin Bay Recreation Reserve)

These areas should be classified as Prohibited Camping areas for the following reasons:

1. Achieving the purpose of the Bylaw
  - a. Including these sites as prohibited freedom camping areas provides for protection of the environment.
  - b. In the past problems have arisen from freedom campers causing fires which have put vegetation, property and the health and safety of residents and people who may visit the area at risk.
2. Consistency with the Dublin Bay Reserve Management Plan

Submission on Freedom Camping Bylaw 2021

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- a. The three management objectives of the Dublin Bay Reserve Management Plan are better achieved by including these sites as prohibited freedom camping areas than if restricted freedom camping was allowed.
  - b. There is a policy<sup>1</sup> that states "To prohibit camping within the reserve" the explanation notes that camping should be prohibited because it is incompatible with the primary use of the reserve.
3. Consistency between the Department of Conservation's current management of Dublin Bay as a prohibited camping area and the Bylaw.
    - a. Including Dublin Bay Recreational Reserve as a prohibited camping area will result in a consistent approach between reserve management agencies to freedom camping in the area for ease of understanding for the public and enforcement.
  4. General enjoyment of the area for visitors and residents
    - a. Residents and visitors to the area will better be able to enjoy the site if it is made a prohibited camping area. Previous use of this reserve by freedom campers has resulted in fires and rubbish being left behind resulting in lower amenity for members of the public and residents. Helicopters with monsoon buckets have been required twice to extinguish fires in the last five years.

## 5.0 CONCLUSION

Overall, including the site as a prohibited camping area in Schedule 1 of the bylaw will better meet the purpose of the bylaw, be consistent with the Dublin Bay Management Plan and result in better general enjoyment of the area for visitors and residents.

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<sup>1</sup> Possibly 4.2, the label is missing in the document but is between 4.1 and 4.3.

## Freedom Camping Bylaw 2021 Submission

Name: Anthony Ohau Ward-Holmes

Organisation:

[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

Do you wish to speak at a hearing? Yes

I understand that all submissions will be treated as public information, except my contact information: I understand.

Regarding the draft Freedom Camping Bylaw 2021: I oppose the draft bylaw.

### My stance on the draft Freedom Camping Bylaw is:

I oppose the draft bylaw for many reasons, including but not limited to flaws in the consultation process, and the particular proposal to provide for freedom camping at Camp Hill Rd.

### Flaws in the Consultation Process

- Much of the consultation process has been during lockdown for Covid-19. Due to the lockdown I have had great difficulty getting more information about the Bylaw than is contained in the letstalk page. Phone calls to QLDC numbers, emails, and phone calls to a cell phone listed in the email signature of a relevant QLDC officer have gone unanswered for up to a week at a time. I am sure I am not alone amongst submitters or potential submitters in finding it difficult to get information. Despite the lockdown, the consultation period has not been extended.
- I've seen it reported that people doing the pre-consultation survey found they could inadvertently be seen to be supporting freedom camping at the sites surveyed. I.e.; from an email of a resident notifying friends and colleagues of the survey: *"It is a simple survey but BE AWARE that if you tick the maps in the survey you are supporting these locations."*
- Data from the survey indicates that this effect has occurred. Council officers analysing the data say they found *"there was a strong correlation in the results, in that visitors – want more freedom camping areas, - and residents – want less. Residents may accept freedom camping but typically do not support it close to where they live"*. I'm not sure how this correlation was established but I am sure I have seen it in past surveys and I assume that it is correct. Using the example of the Camp Hill Rd site in the pre-consultation survey however, the data is different.
- In the pre-consultation survey, 344 of 826 (41.65%) of all respondents supposedly supported freedom camping at Camp Hill Rd, but an increased ratio of 90 of 209 (43.06%) of those identifying as Upper Clutha Residents did so. This result, of supporting more freedom camping

locally, is contrary to the council's assertion and I think is more easily explained by local respondents inadvertently indicating that they supported freedom camping there.

- If you consider just those who live in Upper Clutha, AND who think that freedom camping has a negative or somewhat negative impact on the district, AND who support greater restrictions, 29 of 168 (17.26%) respondents still supposedly supported freedom camping at Camp Hill Rd. I submit that this number should be close to 0%, and that 17% represents the approximate level of respondents inadvertently indicating support of freedom camping at individual sites in the survey when they actually did not support freedom camping at those sites.
- The upshot is, it is very unlikely that 41.65% of respondents actually do support freedom camping at Camp Hill Rd. All such support figures from the survey need to be disregarded by councillors when considering the draft bylaw.

### **Camp Hill Rd**

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve and would quickly become widely known and highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. Luggate Red Bridge solved problems associated with occasional use of Camp Hill Rd for freedom camping, that would return but multiplied many times over if Camp Hill Rd carpark became a publicised and thence heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go to the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.
- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- Toilet and other refuse is a common problem associated with freedom camping but has not had a sufficient environmental impact to prevent allowance for freedom camping at multiple sites in the district, eg Luggate Red Bridge. The Camp Hill Rd carpark is different however, in the level of community support and activity to preserve and enhance the environment around there. It is

not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that reverses such community efforts at the Camp Hill Rd carpark, along the river banks, and at the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on nobody camping in the carpark. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.
- When kayaking events are held at the HWP, which to date have included the NZ Freestyle Championships, the South Island Slalom Championship and the NZ Secondary Schools Slalom Championships, both the HWP and the Camp Hill Rd carparks are full. There would be nowhere near enough parking if a proportion of the Camp Hill Rd carpark was allocated to freedom camping and use of the HWP carpark was completely lost.

#### Safety

- Heavy usage could significantly increase vehicle traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd
- If Camp Hill Rd carpark becomes heavily used for freedom camping, as discussed above access to the HWP carpark would be withdrawn. This means kayakers would also have to park at the Camp Hill Rd carpark. This in turns means more kayakers crossing Camp Hill Rd to get to the HWP, carrying a kayak on their shoulder which completely blocks visibility in the direction of the shoulder used. This ratchets the risk up further of an accident crossing Camp Hill Rd.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.
- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate safety issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## Conclusion

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity and increase the risk of fatal incidents on the road and at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is unlike any other potential site. It is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard, to the consequent loss of amenity of the HWP carpark, and to the negation of community efforts to enhance the environment there. It is also completely unnecessary, as there are both free (Luggate Red Bridge), and cheap (\$7.50 at Albert Town campground) alternatives within 10 minutes drive.

Therefore the draft Freedom Camping Bylaw should be amended to **prohibit** camping at the Camp Hill Rd carpark.

## Freedom Camping Bylaw 2021 Submission

I have a few issues with the draft Bylaw.

### 1. Prohibited areas

The areas in orange on many of the maps in the Schedule to the draft Bylaw do not extend far enough. No camping should be allowed near residential properties, regardless of their size.

Camping:

- Is an outdoor recreational activity, in which the participants leave urban areas and enjoy nature while spending one or several nights outdoors.
- Is not parking in urban areas or on the side of the road close to amenities or private properties, in order to avoid paying campground fees.

The term "freedom camping" should be interpreted in the same way, to prevent freedom campers from encroaching on urban areas and private properties.

In the case of the map on page 21 the orange areas should include all the areas under the control of the Hawea, Albert Town, Luggate and Mt Barker Residents Associations, as well as the roads connecting those areas.

This means treating as a "prohibited area" the area already coloured orange on page 21 plus: the land bounded by Ballantyne Road, Faulks Road, and Mt Barker Road to the south; Wanaka Luggate Highway (SH6) as far as 1km past Luggate (towards Cromwell); Church Road, Kane Road, Luggate Tarras Road, McKay Road, Hawea Back Road and Timaru Creek Road to the east; Haast Pass Makarora Road (SH6) starting from 1 km past the Lake Hawea campground to the north and ending at the Albert Town bridge; Maungawera Road and Dublin Bay Road to the west.

### 2. Definition of "self-contained vehicle"

The definition of "self-contained vehicle" in the draft Bylaw is "a ... vehicle ... for which a self-containment certificate has been issued under NZS 5465:2001."

Paragraphs 6.1.1 and 6.1.2 of NZS 5465:2001 state:

*"6.1.1 ... The toilet shall be usable within the vehicle, including sufficient head and elbow room whenever required, even with the bed made up.*

*"6.1.2 When the conditions of 6.1.1 are met, a portable toilet may be used externally (eg within a toilet tent or awning, where it is appropriate and convenient to do so)."*

The problem with NZS 5465:2001 is that, while campervans that carry a portable toilet can comply with these provisions merely by having enough space in the back, we know that the users of the campervans hardly ever comply with 6.1.2. Instead, they either use our natural environment, to the detriment of our enjoyment, or they (might) use toilet facilities built for them (at ratepayers' expense) in areas designated as freedom campsites.

It is probably too big a challenge for Council but one way of fixing this problem is to get Standards NZ to change paragraphs 6.1.1 and 6.1.2 simply to read, "6.1.1 ... The toilet may only be used within the vehicle, or externally within a toilet tent or awning."

An alternative is to add to the end of the definition of "self-contained vehicle" in the draft Bylaw the words, "but excludes any vehicle whose only toilet is a portable toilet."

The purpose of this proviso is to ensure that: (1) Council does not spend ratepayer money providing free toilet facilities for non-compliant freedom campers; (2) non-compliant campers are directed to commercial campgrounds (many of which will be owned or leased by Council) where they pay to use the toilets and other facilities (as is the case in the rest of the world); and (3) there is a better chance of protecting our natural environment.

This would also mean that: (4) only vehicles with built-in toilets can use designated freedom camping areas; and (5) Council does not need to build toilet facilities in those areas, as the vehicles' users will use their own toilets.

### 3. Confusing terminology

The draft Bylaw is confusing because of the use of over-wordy phrases such as, "restricted local authority area", "identified restricted local authority area", "local authority area", "permitted freedom camping area", and "local authority area marked as prohibited".

Clause 7.1 is especially confusing. Although it may have been intended to be a reference to the Freedom Camping Act, it achieves nothing, because (as I read the Bylaw) there are intended to be no "permitted freedom camping areas", there are only prohibited areas and "restricted local authority areas". Moreover, if the clause is left as is, it gives the impression that no freedom camping is permitted in the District.

Because of this confusion I have simplified the wording of the Bylaw. Following are the relevant parts of the Bylaw with the main proposed changes highlighted in yellow. At the end of this submission is a full, marked-up version showing all of the changes.

#### 4 Interpretation

4.1 In this Bylaw:- ...

**designated site** means a site in the District designated by the Council for use by freedom campers.

**District** means Queenstown Lakes District.

**person** has the meaning given in the Interpretation Act 1999.

**prohibited area** means an area marked as prohibited in Schedule A of this Bylaw.

**restricted area** means an area of land in the District that is not a prohibited area.

**self-contained vehicle** means a motor caravan, caravan, campervan, or any other vehicle designed and built for the purpose of camping for which a self-containment certificate has been issued under NZS 5465:2001, but excludes any vehicle whose only toilet is a portable toilet.

#### 5 Freedom camping prohibited in certain areas

5.1 No person may freedom camp in a prohibited area.

#### 6 Freedom camping in restricted areas

6.1 A person may freedom camp in a restricted area only if using a self-contained vehicle.

6.3 A person freedom camping in accordance with clause 6.2 must not stay at one site or nearby for more than two consecutive nights.

6.4 The Council may, by resolution, limit the number of vehicles in which freedom camping may occur in a designated site, and in that event -

(a) only the number of vehicles specified in the resolution may have persons freedom camping in that designated site at any one time; and

(b) no person may freedom camp in that designated site unless that person's vehicle is parked in a bay, space, or location delineated by the Council for freedom camping.

6.5 Where the Council has, by resolution, limited the number of vehicles that may freedom camp in a designated site, the Council shall:

(a) display signage at the designated site:

(i) explaining the limitation; and

(ii) stating the number of vehicles that may freedom camp in that designated site; and

(iii) requiring any vehicle freedom camping in that designated site to park in bays, spaces or locations delineated as being for freedom camping; and

(b) delineate bays, spaces, or locations for vehicles to freedom camp by way of markings, bollards, wheel stops or other signage.

#### 7 Consent to freedom camp in an area in which freedom camping is otherwise prohibited or restricted

7.1 A person may apply in writing to the Chief Executive of the Council for consent to freedom camp in a restricted area or a prohibited area.

7.2 The Chief Executive may, if satisfied that to do so would not be contrary to the purpose of this Bylaw, grant consent to freedom camp in a restricted area or a prohibited area with or without conditions.



- (iii) requiring any vehicle freedom camping in that ~~www~~designated site to park in bays, spaces or locations delineated as being for freedom camping; and
- (b) delineate bays, spaces, or locations for vehicles to freedom camp by way of markings, bollards, wheel stops or other signage.

~~No permitted freedom camping areas~~

~~There are no permitted freedom camping areas~~

**Part 3 – Discretionary consent to freedom camp**

**2. Consent to freedom camp in an area in which freedom camping is otherwise prohibited or restricted**

- 2.1 A person may apply in writing to the Chief Executive of the Council for consent to freedom camp in a ~~www~~ ~~authority~~restricted area ~~in which freedom camping is or a prohibited or restricted area~~.
- 8.2.2 The Chief Executive may, if satisfied that to do so would not be contrary to the purpose of this Bylaw, grant consent to freedom camp in a ~~www~~ ~~authority~~restricted area ~~in which freedom camping is or a prohibited or restricted area~~ with or without conditions.
- 8.2.3 A person freedom camping under a consent granted under ~~www~~ ~~authority~~ ~~clause 7.2~~ must:
  - (a) comply with any conditions specified;
  - (b) leave the site clean and tidy;
  - (c) not light any fire.
- 8.2.4 An enforcement officer may revoke a consent granted by the Chief Executive and direct any person freedom camping in accordance with that consent to immediately leave the site if satisfied that:
  - (a) ~~www~~ person has breached any of the conditions specified in the consent;
  - (b) ~~www~~ person has acted in a manner likely to endanger the health and safety of any other person;
  - (c) ~~www~~ person has damaged or is likely to damage the site.

**Part 4 – General Provisions**

- 9 **Relationship of Bylaw to Ngāi Tahu Claims Settlement Act 1998**
- 9.1 This ~~www~~ ~~authority~~ ~~Bylaw~~ does not limit or affect nohoanga entitlements granted under the Ngāi Tahu Claims Settlement Act 1998.
- 10 **Delegation**
- 10.1 Any of the various powers and functions of the Council as detailed and set out in this ~~www~~ ~~authority~~ ~~Bylaw~~ may be delegated by it to its Chief Executive, and sub-delegated by the Chief Executive to any other Officer of the Council.
- 11 **Savings**
- 11.1 Any discretionary consent to freedom camping granted by the Chief Executive under clause 6 of the Queenstown Lakes District Council Freedom Camping Bylaw 2019 shall, despite the revocation of that bylaw, continue as if granted under clause 8.2.2 of this Bylaw.

“ This wording is still pretty loose and it may be better to specify a distance, eg “within XX kilometres of that site”

Organisation: Whitewater New Zealand  
Contacts: Hamish Darling, (Whitewater NZ President)



Do you wish to speak at a hearing? Yes

I understand that all submissions will be treated as public information, except my contact information:

Yes

Regarding the draft Freedom Camping Bylaw 2021: We oppose the draft bylaw as currently proposed

To whom it may concern.

1. Whitewater New Zealand respectfully submits in opposition to the Draft Freedom Camping Bylaw 2021.
2. Whitewater New Zealand is a national organisation representing a community of 1000+ kayakers, packrafters and river users. Generally our mission is to foster the river community, promote safe, enjoyable river use, ensure public access to rivers, and preserve Aotearoa's lakes and rivers.
3. Queenstown Lakes District is something of a paddling Mecca in New Zealand, boasting some of the country's biggest and best rapids. Of concern in this submission is access and camping at the Kawarau and Hawea rivers. More specifically, the proposed prohibition of camping at Rafters Road, and the allowance of restricted camping at Camphill Road Carpark. These are addressed in turn.
4. We accept the need for properly managed freedom camping in order to allow access to public spaces whilst preventing degradation of public spaces, and reducing pressure on infrastructure such as car parking and toilets. However, we don't believe the Draft Freedom Camping Bylaw 2021 achieves this.

**Submission 1: WWNZ OPPOSES the Prohibition of Camping at Rafters Road**

5. The proposed bylaw purports to prohibit any camping at Rafters Road, and instead allow people to camp further up the road on Coal Pit Road (Gibbston Reserve Carpark).
6. The bylaw is unclear on it's implications to the DOC campsite at the end of Rafter's Road. *If this bylaw effectively bans* the tent-camping in the current camping area at Rum Curries Hut, Whitewater NZ respectfully opposes it. If this bylaw does not affect the existing campsite then please ignore submission points 7-10.
7. Moving the camping area like this removes campers from being alongside a river with a freshwater source, toilet facility, and being tucked out of the way, to being between multiple residential dwellings without any such amenities

8. Whilst we accept the new campsite is restricted to self contained vehicles, evidence in the past and throughout the region shows that self contained bathroom amenities are avoided wherever possible. Therefore the toilet at rafters road will either continue to be used in the same degree, resulting in effectively no difference. Or self dug toilets will be found in the new campsite, between residential dwellings.
9. It is the opinion of Whitewater New Zealand that the existing restrictions: a two night maximum stay restricting camping to tents, and constricting car parking space, are sufficient in managing the impact that freedom camping has on the area.
10. It would be a significant loss to the paddling community to lose access to the Rafters Road campsite, it is a treasured campground, meeting place of friends and area which we consider ourselves Kaitiaki.

**Submission 2: WWNZ OPPOSES the Allowance of Restricted Camping on Camphill Road Carpark.**

11. Notwithstanding our first submission Whitewater NZ opposes the establishment of Camphill Road Carpark as a freedom camping area. The reasons being the practicality of establishing a freedom campsite for self contained campers.
12. A well understood consequence of self contained campers is that when there are available public toilet facilities, they will be used in preference over the small toilets built into the campervans themselves.
13. Across the bridge from the new camping area is a publicly available longdrop designed for the convenience of river and nearby track users, *however the only access to this is across private land*. The relationship between the landowner and Hawea Whitewater Park users has been of mutual respect and care for that land based on a prohibition of camping there.
14. It is the opinion of Whitewater NZ that the increased traffic, and camping in the area will place strain on the amenities currently available. Furthermore it will place strain on the private landholder's allowance of their property as a thoroughfare. It would be a disaster to lose access to this area, car park and longdrop, but is a very real consequence of establishing a freedom camping site nearby.
15. Lastly the increased traffic to the area resulting from the added publicity of the freedom campsite present safety concerns. There is already pedestrian traffic crossing the road by the bridge, (which is in a dip after a blind corner). Additionally no allowance for pedestrian crossing of the bridge has been made. The lack of toilet facilities at the proposed campsite, will result in high numbers of pedestrians crossing the bridge itself to access the toilet on the other side, presenting further risk.

For the purposes described in submissions one and two, Whitewater NZ respectfully opposes this draft bylaw.

Ngā mihi

Hamish Darling

President of Whitewater NZ

[REDACTED]

## Freedom Camping Bylaw 2021 Submission

**Name:** Margrethe Helles

**Organisation:**

[REDACTED]

[REDACTED]

[REDACTED]

**Do you wish to speak at a hearing?** *No*

**I understand that all submissions will be treated as public information, except my contact information:** I understand.

**Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw.

### **My stance on the draft Freedom Camping Bylaw is:**

I am a regular user of the Hawea Whitewater Park (HWP), which is adjacent to the Camp Hill Rd carpark. The main issue I have with the draft bylaw is the proposal to allow restricted camping at this carpark.

Camping at the Camp Hill Rd carpark is currently not prohibited or limited in numbers, but it is not advertised either. Limiting the numbers of freedom camping at Camp Hill Rd would involve signage, which via social media amounts to publicising the use of the Camp Hill Rd carpark for freedom camping. The Camp Hill Rd carpark is a far more appealing site than the nearby and heavily used Luggate Red Bridge Reserve, and would quickly become known highly sought-after.

The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with Camp Hill Rd carpark becoming a heavily used freedom camping site:

#### Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for an HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly

become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch, or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.
- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides

of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.

- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

## Freedom Camping Bylaw 2021 Submission

*(if sending by email, ensure that "Freedom Camping Bylaw 2021 Submission" is in the subject line and send to [letstalk@qldc.govt.nz](mailto:letstalk@qldc.govt.nz) by 5pm Friday 3 September)*

**Name:** Grant Leslie Norbury

**Organisation:**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Do you wish to speak at a hearing?** No

**I understand that all submissions will be treated as public information, except my contact information:** I understand.

**Regarding the draft Freedom Camping Bylaw 2021:** I oppose the draft bylaw.

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The Camp Hill Rd carpark has had minimal use for freedom camping since space was allocated for freedom camping at the Luggate Red Bridge Reserve. There are many problems with the Camp Hill Rd carpark becoming a heavily used freedom camping site:

Environmental

- Central Otago Whitewater and Whitewater NZ, who had HWP built as mitigation for whitewater amenity lost due to the Clyde dam, negotiated for a HWP carpark on DOC land with a view of the HWP, seating, native planting and a toilet. It is on the west bank of the river, also on Camp Hill Rd but for the purposes of this submission will be referred to as the HWP carpark whereas the Camp Hill Rd carpark will always mean the QLDC carpark on the east bank. Presence of the toilet at the HWP carpark would be quickly revealed to freedom campers via social media. Many campers aren't keen to use the buckets that qualify their

vehicles as self-contained, and many commercial campervans incentivise people to not use their toilets by charging a cleaning fee. So, many campers would use the toilet just across the bridge at the HWP carpark. It is not maintained/cleaned for heavy use and would quickly become less preferable than the nearby alternative, which is to go the loo in the planting around the toilet. That this will happen is not conjecture, it is inevitable. We know this because it has happened before, and the problem was largely solved by the diversion of most freedom campers to the Luggate Red Bridge Reserve.

- Central Otago Whitewater, local kayakers, Forest & Bird, Mt Aspiring College, the Holy Family Catholic School and many other groups and individual volunteers, supported by Contact Energy and DOC, have invested a huge amount of time and effort landscaping, planting, removing pest species and cleaning up the HWP carpark area and along the river banks at Camp Hill Rd.
- Central Otago Whitewater and Whitewater NZ invested substantial time and effort in successfully opposing, mostly on landscape grounds, Aurora Energy's proposed substation immediately above the Camp Hill Rd carpark.
- It is not acceptable, and is contrary to the purposes of the draft Bylaw, that QLDC now propose a measure that will degrade the same environment that many local community groups work to improve and defend, by increasing toilet refuse in both the Camp Hill Rd carpark and the HWP carpark across the river.

#### Loss of amenity

- Access to the HWP carpark is via private land and that access is conditional on no camping. The landowner is very sensitive about this due to fire risk to their adjacent pine forest. Freedom campers would inevitably overflow from the Camp Hill Rd carpark. Some of that overflow would inevitably park-up in the HWP carpark. Again, this is not conjecture. We know this because it has happened before, access was almost lost, and the problem was solved by the diversion of freedom campers to the Luggate Red Bridge Reserve. People camping in the HWP carpark will result in kayakers and everyone else losing access to that carpark.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not help. It would make overflow to the HWP carpark even more common, and would even more quickly result in loss of access to the HWP carpark.

#### Safety

- Heavy usage could significantly increase traffic across Camp Hill Rd bridge at peak times, with corresponding increase in risk for Hawea River Track walkers and bikers crossing Camp Hill Rd, and even more so for any HWP users crossing the bridge while carrying kayaks or surfboards.
- An even more serious issue is the safety on the water of freedom campers and people in their networks. HWP was always supposed to be mitigation for kayakers but has turned out to be usable, and in fact far more used, by surfers, boogieboarders, and ad-hoc visitors on everything from lilos to blow-up flamingos. Many of these user groups are not aware of the dangers of a fast-flowing river, and in particular what happens if they're caught on a branch,

or by their ankle leash in flow fast enough that they cannot get to their ankle to release the leash.

- Entrapment via ankle leash is a particularly serious hazard of the HWP due to the bridge piers immediately downstream, where a swimmer and board can end up on opposite sides of a pier, connected by an ankle leash, with the swimmer basically being keel-hauled by their ankle. It caused a near-fatal incident in 2015 (<https://www.odt.co.nz/regions/queenstown-lakes/trapped-surfer-pulled-hawea-river>) that was only survived by chance, due to the presence of two well-equipped and skilled kayakers who rescued him. There have been multiple similar incidents at the HWP that did not get picked up by the media. The same effect caused another near-fatal incident on the far slower-flowing Clutha in 2018 (<https://www.odt.co.nz/regions/wanaka/quick-action-saved-woman-paddle-board>) that again was only survived by chance, as a vessel from the SUP hire company happened to check on the group just at that moment.
- Dozens or even hundreds of freedom campers per week without river skills would significantly increase the risk of a fatal incident occurring at the HWP.
- Limiting camping at the Camp Hill Rd carpark to only a small number of spaces would not mitigate these issues much if at all. That is because a small number of spaces available does not reduce the numbers of people there seeking those spaces.

## **Conclusion**

Publicising freedom camping at Camp Hill Rd would significantly degrade the environment and local amenity, and increase the risk of fatal incidents at HWP, with no offsetting advantages. It would be directly contrary to purposes of the draft Bylaw to protect the environment from harm, and to protect the health and safety of people who may visit the area.

Therefore the draft Freedom Camping Bylaw 2021 should not be passed as proposed.

The Camp Hill Rd carpark is a uniquely unsuitable candidate for freedom camping due to its proximity to a demonstrated and serious safety hazard. Therefore the draft Freedom Camping Bylaw should be amended to prohibit camping at the Camp Hill Rd carpark.

If camping there cannot be prohibited then it should not be restricted either, so that it can at least be kept unadvertised. Please note that this is not a sustainable solution however, camping there needs to be prohibited.

