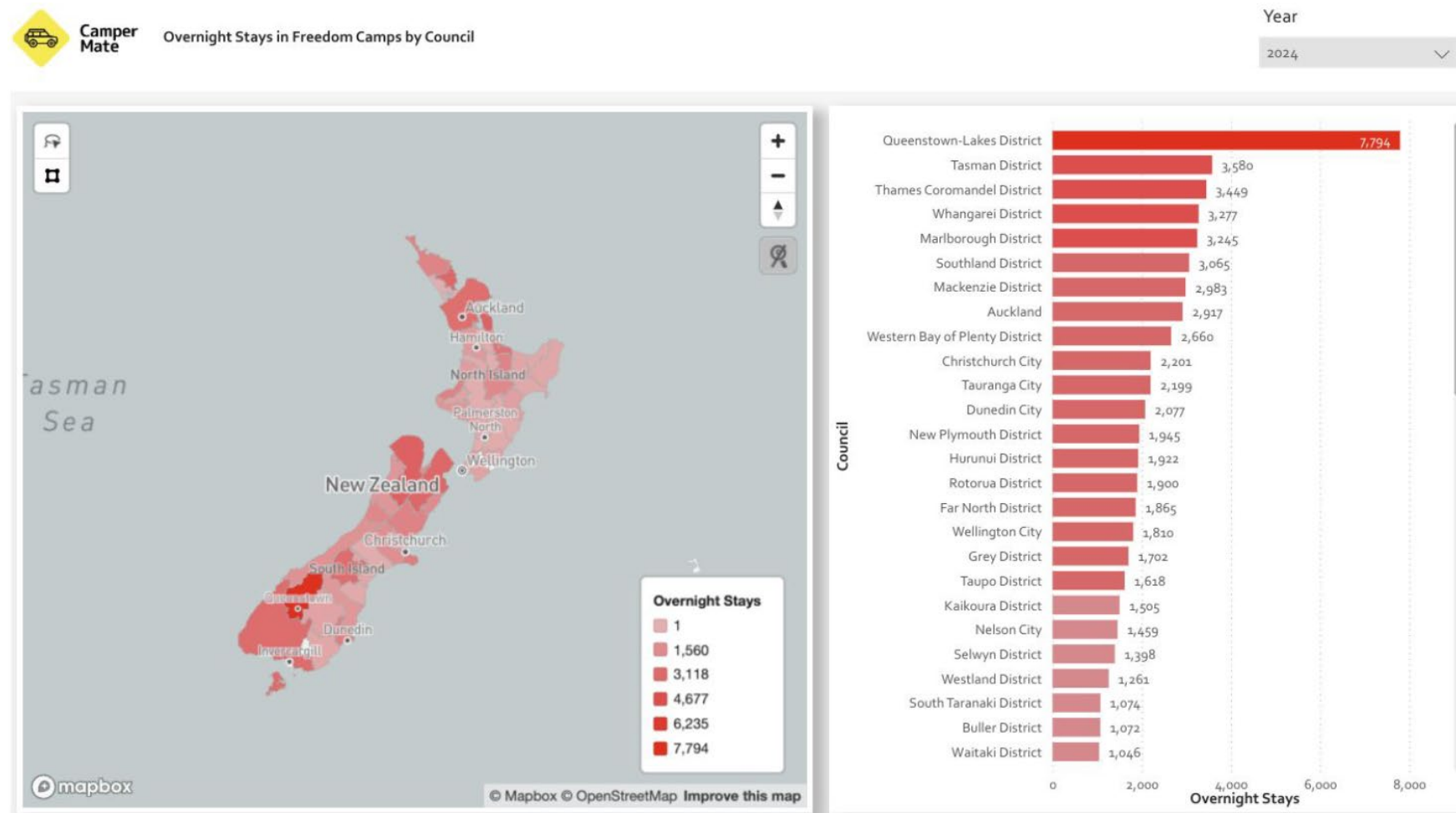


Developing a freedom camping bylaw

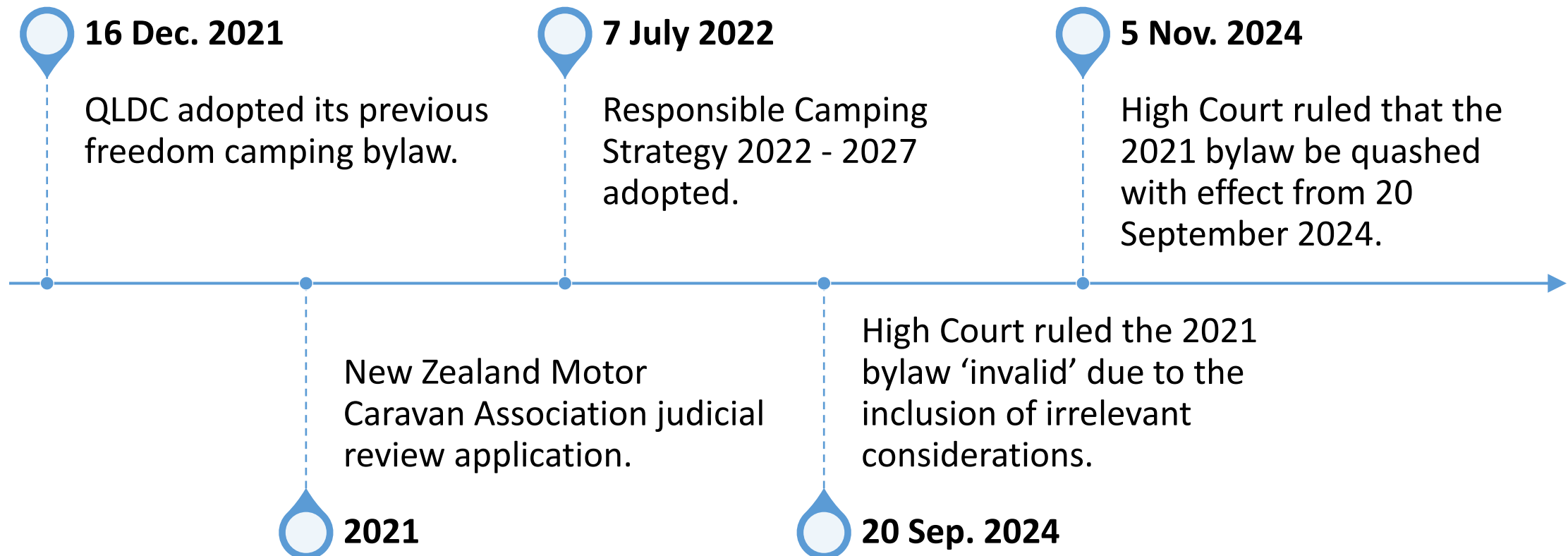
Recap

- The QLD is the most popular place for overnight stays (Campermate app).
- Between 2008 and 2018, the number of international visitors freedom camping rose from 10,000 to 123,000.
- Declining resident sentiment towards tourism.
- A bylaw response is one part of the wider responsible camping and visitor backdrop.



Campermate app overnight camping locations by territorial authority area in 2024

Background



Background

In the absence of a bylaw, the Freedom Camping Act 2011 permits camping in self contained vehicles on all QLDC controlled/managed land.

Since the 2021 bylaw was quashed, QLDC has relied on alternative tools:

- > summer ambassador education and guidance
- > responsible camping communications
- > default prohibited status under s.44 of the Reserves Act 1977
- > Traffic and Parking Bylaw 2018 provisions
- > self-containment requirements under the Freedom Camping Act 2011
- > monitoring and enforcement action

Freedom Camping Act 2011 and bylaws

Section 11 - local authorities can make bylaws declaring any 'area' to be restricted or prohibited for freedom camping to protect:

- > the area
- > health and safety of people who may visit the area
- > access to the area

'Area' is confined to:

- > land controlled or managed by/on behalf of the local authority, or
- > NZTA land (subject to consent of the NZTA chief executive).

Bylaws may not apply blanket prohibitions.

Judicial review key learnings

Irrelevant considerations:

- > **property values factor**

protection of economic values including those affecting private residential and commercial areas

- > **amenity values factor**

protection of amenity values including those affecting private residential and commercial areas

What are we seeking today

- > Guidance to focus the development of a draft bylaw.
- > Councillor priorities and principles for regulatory intervention at a district scale.
- > Council has a choice about how to address different effects in a consistent, evidence-based way.
- > A continuum of options are available.
- > The following slides will:
 1. present a continuum of possible regulatory interventions
 2. prompt views and discussion on the different types of interventions.
- > Officers will use Councillor feedback to develop a draft bylaw for consideration by Council ahead of public consultation.

What is out of scope for this workshop

- > How to regulate camping on a site-by-site basis or in specific locations. Expert assessments will inform specific interventions.
- > Council can not consider any effects or regulatory intervention on any land not owned/managed by QLDC.

Expert assessments – methodology

Multidisciplinary assessment:

- > ecological
- > water quality and quantity
- > Māori/cultural values
- > noise
- > traffic and transport
- > health and safety
- > natural hazard risk
- > heritage.

Focus = robust and defensible

Steps:

1. Identify and describe values and/or characteristics
2. Analyse the effects of Freedom camping
3. Advice on restrictions

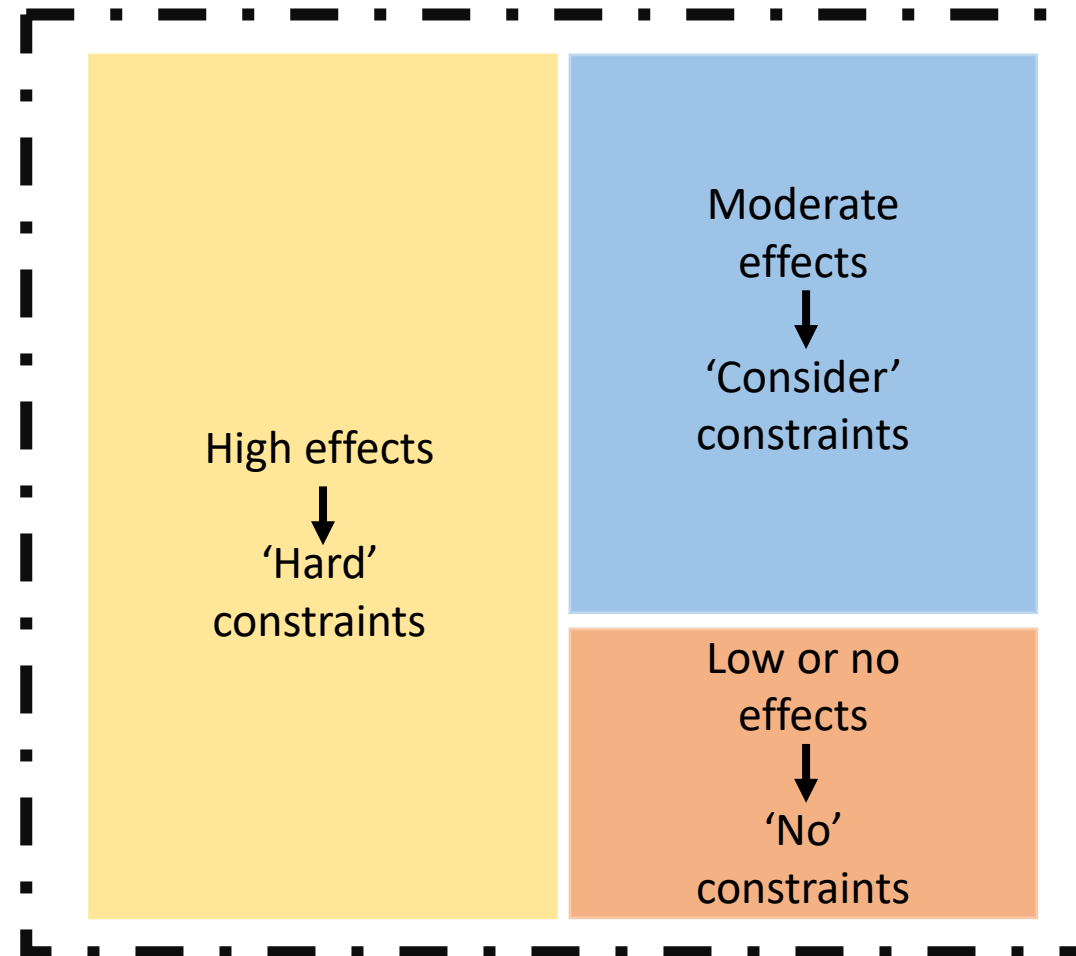
Output: GIS tool to identify different types of constraints on land.

Expert assessments – outputs

Negative effect on identified values or characteristics	Type of constraint on freedom camping based on expert advice	Description
High	Hard constraint	Freedom camping is considered inappropriate. It may be appropriate to prohibit freedom camping.
Moderate	Consider constraint	May consider the appropriateness of freedom camping with control measures (if such measures exist) for constraints.
Low	Noted constraint	Freedom camping may generally be considered acceptable, possibly with minor conditions.
None	No properties	No restrictions.

Expert assessments – outputs

Hypothetical output for a parcel of land to inform a response:



Managing effects

- > Interventions – an introduction:
 - > could be more or less restrictive
 - > should correspond to the effects being experienced
 - > can reflect Councillors tolerance to different types of effects

Less restrictive
High tolerance
Less effects



More restrictive
Low tolerance
More effects

Managing effects

Think of a hypothetical area of land that could be subject to different types of effects

<div> <div>Less restrictive options</div> <div>More restrictive options</div> </div>				
Effects	Option A	Option B	Option C	Option D
None	Enable (whole area)	Enable where there are no effects	Restrict where there are no effects	Prohibit (whole area)
Low		Restrict where there are low effects	Prohibit where there are low effects	
Moderate	Enable (whole area)	Enable where there are moderate effects	Restrict where there are moderate effects	Prohibit (whole area)
High		Restrict where there are high effects	Prohibit where there are high effects	

Enable

No specific controls
Rely on FCA default position

Restrict

Provide for subject conditions i.e.
number of vehicles, nights of stay,
proximity to facilities etc

Prohibit

Prevent from occurring

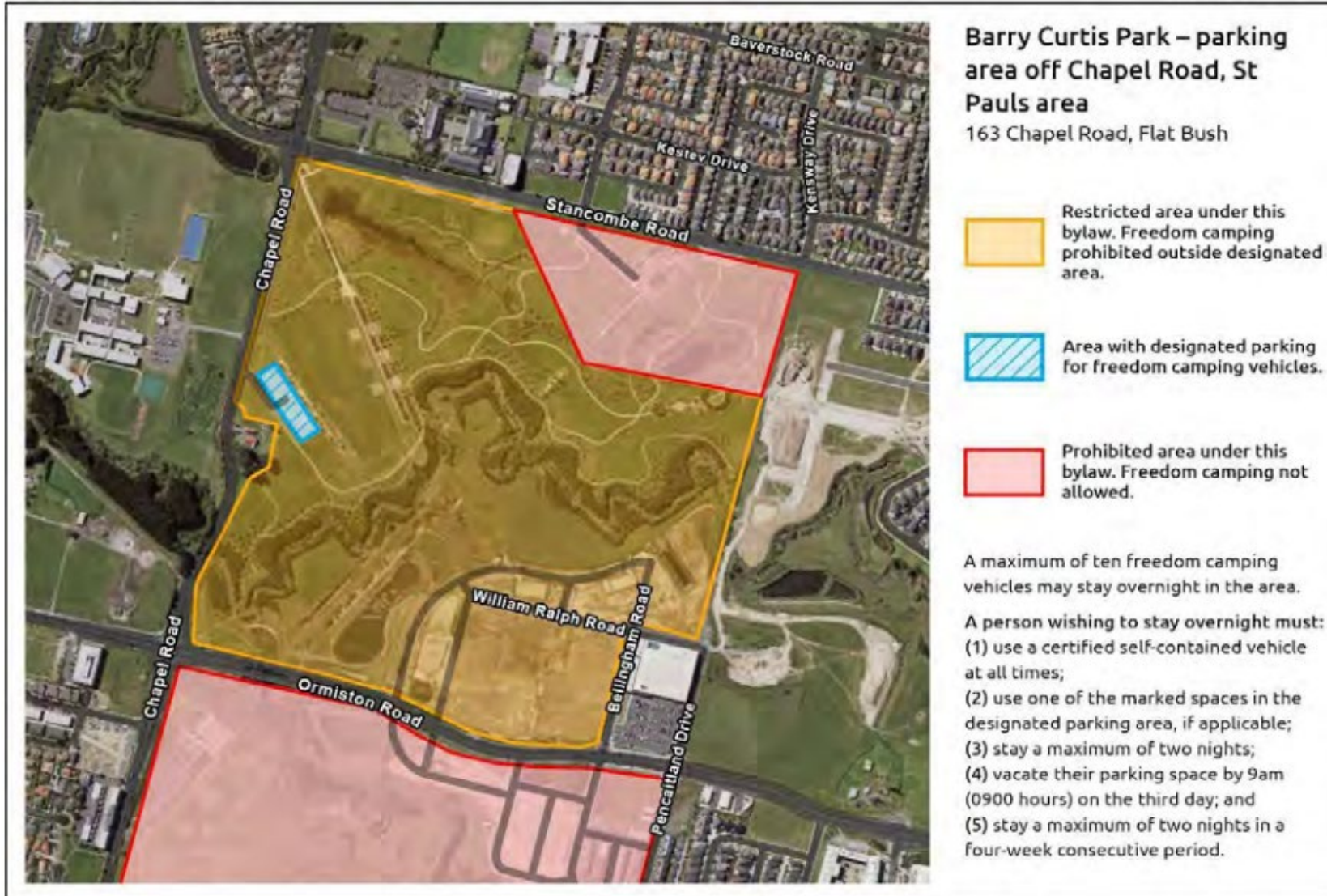
Not reasonably practicable
approach under the Act

Managing effects – example

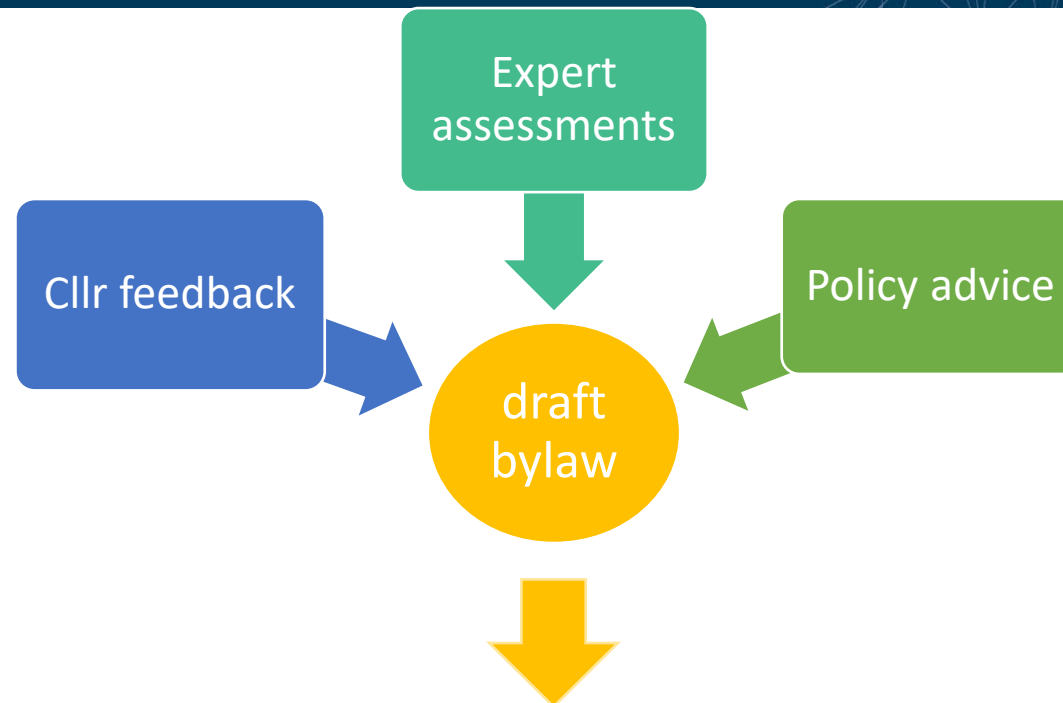
Local Board: Howick

Map: HW-R1

Source:
Auckland Council
Freedom Camping in
Vehicles Bylaw 2022



Indicative next steps



Indicative date	Task
13 May 2025	Council workshop #2
26 June 2025	Council meeting to adopt a draft bylaw for consultation
July - August 2025	Public consultation on draft bylaw
September 2025	Hearing of submissions and deliberations
9 October 2025	Council meeting to adopt final bylaw