

# Freedom camping update

**Meeting:** Council Briefing  
**Date of meeting:** 05 August 2020  
**Reporting officer:** Paula Hansen, Senior Policy Analyst

## Purpose/Ngā whāinga

To report on a proposed course of action to manage freedom camping in the Kaipara District.

## Context/Horopaki

In 2019 Council requested staff research and report back on freedom camping matters within the District. Over recent years Council has fielded a range of enquiries about freedom camping, including whether Council has a policy or bylaw that regulates freedom camping.

## Discussion/Ngā kōrerorero

### Locations

The analysis undertaken indicates a few main areas where freedom campers stay. They are Dargaville, Baylys Beach, Maungaturoto, Paparoa and Matakoho, Mangawhai, Kaiwaka, Kaihu and Trounson Park area.

Generally, freedom campers appear to stick closely to the length of State Highway 12, although some deviate and go to Baylys Beach and the Kai Iwi Lakes. Only the occasional freedom camper travels along State Highway 14, or down the Pouto Peninsula.

### Complaints

To date Council has had comparatively few complaints from the Kaipara communities regarding freedom campers. Some concerns raised include travellers defecating along SH12 heading into the Waipoua Forest, however this issue is unlikely to be caused solely by freedom campers, but all types of visitors, including domestic and international tourists as well as day-trippers.

### Other analysis and research

In addition to the analysis of complaints received, discussions were held with parks and enforcement officers who confirmed that in their view the perceived problem is not significant.

Research on other council approaches across New Zealand indicates that the Kaipara District is not experiencing freedom camping related problems to the extent other councils are. While not always attributable to freedom campers, community perceptions regarding human waste, rubbish and overcrowded carparks in popular locations are often linked to overnight campers. These associated matters are not being experienced to a significant degree in the Kaipara District.

The low level of complaints also indicates that freedom camping is not a significant problem for the District compared to other Council areas such as Whangārei, Thames- Coromandel and Queenstown-Lakes Districts.

There are at least three public facilities between the turn off onto SH12 from SH1 with other public facilities accessed by travelling on tar seal roads off SH12. Once a traveller gets through Dargaville however, there are no public facilities along SH12 and the only tar seal roads to a public facility are to Baylys Beach and the Kai Iwi Lakes. All other public facilities require travel along metal roads which is possibly a deterrent to visitors to the District.

Given the post Covid-19 situation it is very difficult to make any assumptions about visitor numbers for the foreseeable future and how much the domestic market may adjust as part of that.

### Regulatory tools available

As with most problems raised with Council, there are several options available for consideration to address freedom camping matters:

1. Do nothing
2. Develop a non-statutory policy
3. Develop a bylaw under the Freedom Camping Act 2011
4. Undertake educational activities/install signs encouraging positive behaviours
5. Provide additional facilities and amenities

## **Options discussion**

### **1. Do nothing**

This option is not recommended. As outlined, there are some concerns raised regarding the lack of public toilets for visitors and addressing this lack is further discussed under heading 5 in this section and as part of the staff recommendation.

### **2. Non-statutory policy**

A policy approach is not recommended. While a policy could help provide guidance on freedom camping, the approach would largely be educational in nature and this can be achieved through other mechanisms discussed in heading 4. One of the frequent complaints regarding freedom camping bylaws is the difficulty in accessing and understanding where freedom campers can and cannot camp. A policy would incur the same issues as a bylaw in this regard but would have no regulatory 'teeth' for enforcement, possibly creating community expectations that Council would then be unable to meet. Other problems, such as those outlined below for a bylaw would also potentially occur.

### **3. Develop a bylaw**

Developing a bylaw is not recommended. The Freedom Camping Act 2011 is clear that, an identified issue needs to be established before a bylaw can be put in place to manage freedom camping in a prescribed area. This required approach is supported by case law. Further to this, the cost to enforce a bylaw could be cost prohibitive, with additional resources required. Whangārei District Council spent approximately \$300,000 last summer enforcing their Freedom camping Bylaw.

While the purpose of a bylaw is to control freedom camping the unintended consequence is often that it can result in the perceived promotion of areas for freedom camping. And promotion of specific sites through social media can quickly cause issues within a District. People generally like to do the right thing, so if they know they can go one place and not another they will go to where they can. This in turn can skew the spread of freedom campers within a district.

### **4. Educational activities**

More education is recommended. Educational activities such as signs and interpretation provide a lower cost, flexible and agile approach to any freedom camping matters that may arise. Visitors can be encouraged to 'do the right thing' through signage, and any promotional material developed for the Kaipara District can incorporate the same messaging. While there is no current specific need for such activities, these can proceed as and when required and allow Council to be more agile when addressing arising problems. Council staff are aware of these solutions and will implement these through operational activities as required.

### **5. Provide additional facilities and amenities**

This approach is recommended. The research undertaken for this report clearly indicates that the key problem currently in relation to freedom campers in the Kaipara District is the lack of public facilities.

This is also considered a problem for all visitors, not just freedom campers. It is understood that the Parks and/or Infrastructure teams are considering a 'destination management' plan or approach as part of their wider forward planning work, which is relevant to future decisions and how we manage effects. Staff will also investigate options for more public facilities where identified.

**Next steps/E whaiake nei**

- Staff to report to a future Briefing on a potential proposed destination management approach
- Investigation of additional public facilities.