



tasman
district council

Te Kaunihera o
te tai o Aorere



Responsible Camping Strategy



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Tasman District Council

Responsible Camping Strategy

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The draft document was prepared for the Tasman District Council by independent consultant Paul McArthur – Parks, Recreation and Conservation. Tasman District Council staff Sharon Flood (Strategic Policy Manager) and Alan Bywater (Senior Policy Advisor) have overseen the project supported by Julie Nguyen (Graduate Policy Advisor).

Te Tau Ihu iwi input was facilitated and collated by Ursula Passl.

A Steering Group chaired by Councillor Canton supported by Councillors Brown, Bryant, Maling and Turley guided the development of the Draft Strategy.

The individuals and groups who made and provided input on the draft document are acknowledged for their valuable input.

Council adopted the Draft Strategy for public consultation on 10 October 2019 and consultation took place between 14 October and 18 November 2019.

A hearing panel made up of Councillors Bryant (chair), Hill, Hutt, Maling and Turley heard submissions, carried out deliberations and made recommendations on the Strategy. Councillor Hutt was replaced on the Hearing Panel by Councillor Walker for the final part of the deliberations.

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1 Purpose

The purpose of this Strategy is to provide a framework for Council to manage responsible camping through its management of regulations, provision of facilities, and visitor information. It will also help inform the future selection of sites for freedom camping and future prohibitions and restrictions within the Freedom Camping Bylaw.

2 Scope

This Strategy identifies the goals and objectives Council hopes to achieve through its management of responsible camping in the District, as well as the preferred management approach. It does not consider the future use of specific sites for freedom camping (either current or other sites). However, the Strategy includes a set of criteria to use in assessing the suitability of locations for use as freedom camping sites.

This Strategy has been developed as part of the statutory role of Council under the Local Government Act 2002 to "promote the social, economic, environmental, and cultural well-being of communities in the present and for the future." (Section 10, 1b).

Under the Local Government Act, Council has specific obligations to work with iwi. Council is committed to improving its working relationships with iwi and Māori of Te Tau Ihu o Te Waka a Māui.

The Strategy considers provision by Council, private sector, Department of Conservation (DOC), as well as public land administered by other organisations. It considers management actions that Council can take within its statutory role while partnering with others with a stake in responsible camping.

While freedom camping is the primary focus for the Strategy, a broader responsible camping perspective has been required to assess the issues being faced. Council cannot make a bylaw under the Freedom Camping Act that has the effect of completely prohibiting freedom camping in the District.

3 What is Responsible Camping and Freedom Camping?

Responsible camping is a term used to reflect the desired behaviour of all visitors to New Zealand irrespective of the sites and locations they seek to stay at, the type of vehicle they drive, or equipment they have. It is about travelling safely and respecting the environment and the communities that they visit and stay.

This responsible camping message has been the subject of recent promotions by Tourism New Zealand (TNZ), Tourism Industry Aotearoa (TIA) and Tourism Industry New Zealand Trust (TINZT).



Freedom camping can be broadly described as camping for free outside of an established camping area, either in a vehicle or tent on public land close to roads, the foreshore or a Great Walk.

Under the Freedom Camping Act 2011 it is more formally defined as: to camp (other than at a camping ground) within 200 metres of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 metres of a formed road or a Great Walks Track, in either a tent or other temporary structure, a caravan or a car, campervan, house truck, or other motor vehicle.

Under the Freedom Camping Act, freedom camping does not include short-term parking of a motor vehicle, day-trip excursions or resting or sleeping at the roadside in a caravan or motor vehicle to avoid driver fatigue.

4 Council's partnership with iwi

Legal Framework

In Tasman District there are both tangata whenua iwi who hold manawhenua and iwi who are acknowledged by the Crown, under statute. The eight Te Tau Ihu iwi and Ngāi Tahu are Treaty partners with the Crown. They work with Council and other local authorities to meet statutory obligations under the Deeds of Settlement for each iwi. There are a number of legal statutes which provide for kaitiakitanga (guardianship) and Māori cultural values in the management of resources. Three key examples are highlighted below:

Te Tiriti o Waitangi (the Treaty of Waitangi)

Te Tiriti o Waitangi is the founding document for Aotearoa (New Zealand). The Māori text has a different emphasis to the English text. The preamble to Te Tiriti is important because it sets out the intentions that both parties act in a manner that is binding and enduring (Kingi 2016). There are three key articles.

The first article refers to Māori tino-rangatiratanga and self-determination. The second article refers to Māori having full exclusive and undisturbed possession of their lands and estates, forests, fisheries and other taonga. The third article refers to protection of Māori and Pākehā.

The Treaty principles, as defined in the Court of Appeal and the Waitangi Tribunal, include:

- partnership - the duty to act reasonably and in good faith
- participation - to consult, and
- protection - to actively protect Māori in the use of their lands and waters and interests.

It is important that Te Tiriti o Waitangi and the Treaty partnership is recognised and acknowledged to enable iwi and local authorities to work together to achieve outcomes that benefit Māoridom and New Zealanders (Kingi 2016).

Manawhenua iwi and Tasman District Council are keen to actively promote an enduring Treaty partnership, including participation in decision-making and management for Te Taiao (the environment), based on goodwill, good faith and active protection.

Deeds of Settlement

These confirm iwi values, customary rights and interests and kaitiaki roles and responsibilities in the rohe (Tasman District).

Local Government Act

The Local Government Act provides for whānau, hapū, iwi engagement stating that persons exercising functions and powers under it are required to:

- recognise the Crown's responsibility to take account of the Treaty of Waitangi
- maintain and improve opportunities for Māori to contribute to local government decision-making processes, and
- in the course of the decision-making processes *"take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga."*

Māori Lore

Ahi kā roa or continual occupation conveys whanaungatanga – the relationships whānau, hapū and iwi have upheld in the rohe since their arrival to Te Tau Ihu. Mana and connections with the whenua (land) have been maintained through an ongoing commitment to ‘keep the home fires burning’. These relationships are founded on Te Ao Māori.

Relationships with the natural world originate through whakapapa (ancestral connections). Inter-generational relationships bind whānau, hapū and iwi to the natural world – ensuring respect for ngā atua kaitiaki (spiritual guardians) and all ngā taonga (sacred resources and ecosystems) within their domains.

Present day whānau, hapū and iwi continue to implement kaitiakitanga to uphold the cultural, spiritual and environmental integrity of the rohe for future generations. Therefore, whānau, hapū and iwi kōrero associated with kaitiakitanga acknowledge and respect ngā atua (sacred guardians), while striving to protect and enhance the hauora (health) of the rohe, in accordance with mātauranga (Māori knowledge) and tikanga (customary practices).

Iwi, hapu and whānau interest in Council’s role in managing responsible camping is embedded in their relationships with the land, the natural world through kaitiakitanga – the inherited obligation to uphold the integrity of the rohe for future generations.

The activity of camping has the potential to affect the natural environment and the hauora (health) of the land. Therefore, iwi, hapu and whānau have a strong interest in how Council manages this activity. To this end, Council has worked in partnership with Te Tau Ihu iwi to develop this Strategy. To protect and enhance Māori cultural values, Te Tau Ihu iwi have indicated a desire to participate in the selection of camping sites (through any subsequent review of Council’s Freedom Camping Bylaw). They also wish to have further discussion with Council on the operation of camping sites.

Areas for further discussion between Te Tau Ihu iwi and Council include:

- ways in which manaakitanga could be expressed
- how to raise visitor awareness and respect for Māori cultural values
- options for reciprocity
- ways to increase information and awareness about the significance of the rohe to whānau, hapū, and iwi, and
- cultural protocols for looking after areas where camping occurs.

5 Introduction

Tasman District has always been a popular destination for camping holidays. Generations of New Zealanders have enjoyed summers camping at Kaiteriteri, Tōtaranui, Māpua and a range of other camping destinations throughout the District.

In recent years, the level of overnight vehicle-based camping activity has increased dramatically. Motueka and Golden Bay, in particular, have attracted large numbers of vehicle-based campers who wish to stay overnight for free. With the increase in freedom/low cost campers, there has been an adverse reaction from some members of the community resulting from perceptions, or actual experiences, of:

- littering and dumping rubbish
- human waste left on site
- late night noise
- conflict with other users or other users feeling excluded from public spaces by the presence and large numbers of freedom campers
- safety concerns
- competition with commercial campgrounds
- loss of visual amenity
- lighting of fires
- disturbance of wildlife
- pollution of rivers.

From 1 January 2015 to 1 January 2019 Council received approximately 740 complaints regarding freedom camping within the District. The vast majority were reporting the presence of freedom campers, with only a small minority reporting illegal behaviour.

As with many other Councils around New Zealand, significant time and resources have been invested over the past few years to respond to managing freedom camping in the District.

Council has used a variety of regulatory and non-regulatory methods in an attempt to manage these issues.

- Adopting the Tasman District Council Freedom Camping Bylaw 2017, which includes the restriction of access to some areas of Council administered land where impacts on the environment, health and safety, and community are deemed too great.
- Informing campers of the locations where camping is permitted and the behavioural expectations through our website, online social media channels, and applications (e.g. CamperMate), leaflets and advocacy by compliance contractors.
- Actively engaging with the Responsible Camping Forum and supporting its social media education campaign.
- Enforcing the provisions of the Bylaw, moving campers on and issuing infringement notices where needed.
- Working with volunteer groups, campers, and landowners to reduce issues.
- Providing additional facilities and sites for freedom campers with financial support from Government's Tourism Infrastructure Fund (TIF) and Responsible Camping Fund.

Given the dramatic increase in issues associated with the growth in visitor demand, efforts to date to manage freedom camping have tended to be reactive to managing the immediate pressures being experienced without a more strategic approach.

This Strategy considers high-level goals and objectives for freedom camping and responsible camping in the District, the current pressures and options available to it, including both regulatory and non-regulatory tools, as well as criteria for the provision of camping sites.

With the increase in issues around the country, Central Government is displaying greater willingness to work with Local Government to consider and address any improvements required. The Minister of Tourism commissioned the Responsible Camping Working Group, which comprises senior tourism sector, local and central government representatives. The Group has considered the various issues involved with responsible camping and made recommendations for improvements to Government. Financial support for local authorities has also been provided by Central Government through the Tourism Infrastructure Fund (TIF Fund) and the Responsible Camping Fund.

Since 1 July 2019 most international visitors entering New Zealand have been charged the International Visitor Conservation and Tourism Levy. The Levy is set at \$35 and the revenue will be invested in sustainable tourism and conservation projects. Through this Levy, visitors to New Zealand (including those camping) directly contribute to making sure that tourism continues to benefit communities, visitors and the environment.

In developing the Strategy, input was sought from iwi, adjacent Councils, Department of Conservation, New Zealand Transport Agency, Land Information New Zealand, Nelson Regional Development Agency, and the Nelson Chamber of Commerce. The NZ Motor Caravan Association, Holiday Parks Association of NZ, Nelson Forests, several Motueka Fruit growers, backpacker accommodation providers and social agencies involved in supporting the homeless (including the Nelson Tasman Housing Trust) also provided input.

The Council published a Draft Responsible Camping Strategy for public consultation between 14 October 2019 and 18 November 2019. Council received a total of 187 written submissions. Hearings were undertaken on 4 December 2019 in Takaka, 5 December 2019 in Richmond and 6 December 2019 in Motueka. Council's Responsible Camping Strategy Hearings Panel considered the submissions made and further advice and information from Council staff on 9 December 2019 and 14 February 2020. The Hearing Panel's recommendations were considered at the Full Council meeting on 28 April 2020 where the final version of the Responsible Camping Strategy was adopted.

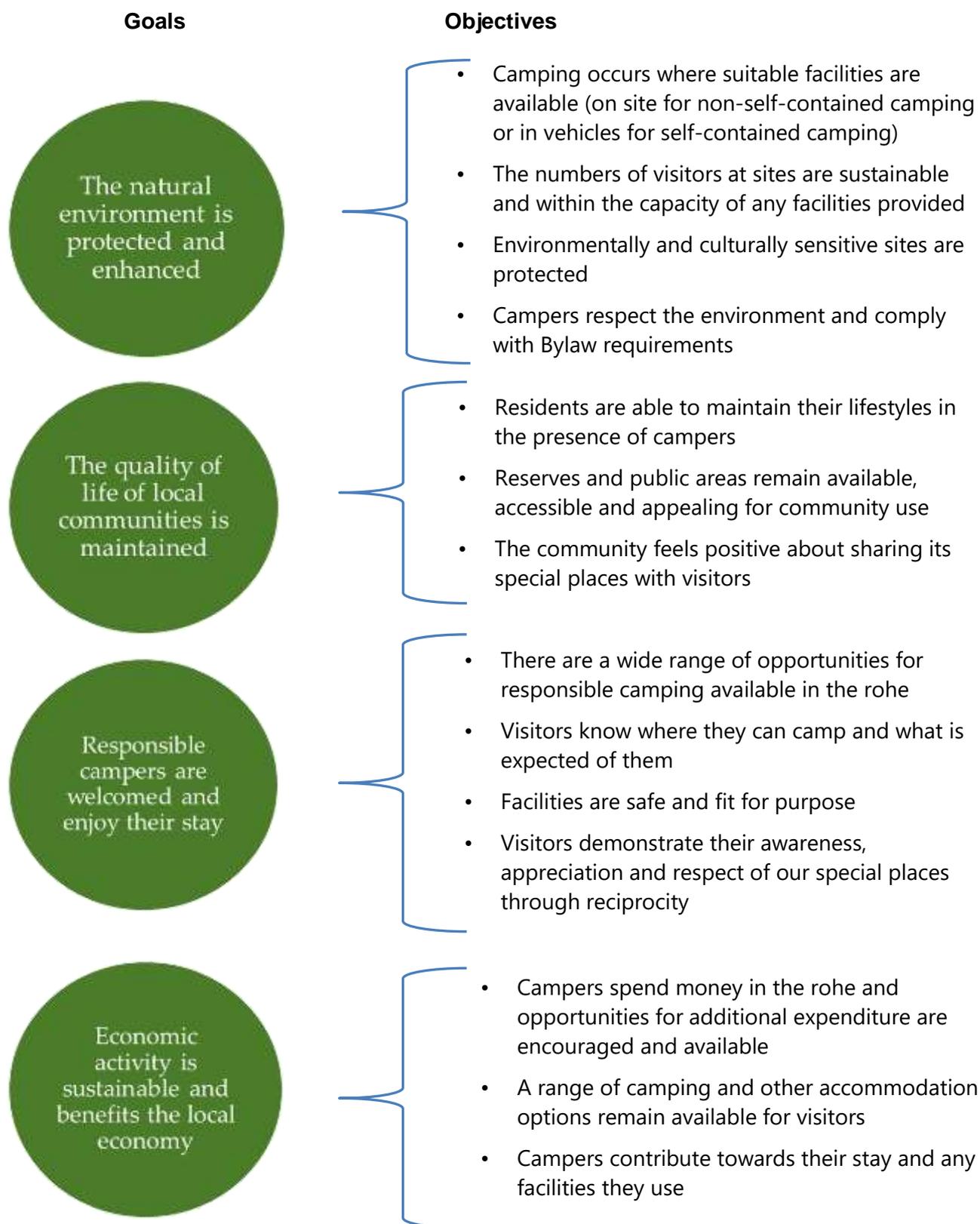
6 Principles

The following principles have provided useful values-based guidance in all areas of the development of this Strategy and will continue to guide its implementation.

- 1. To protect the hauroa/health of the environment**
Ensuring activities respect and protect the health of the environment and cultural values
- 2. To show manaakitanga**
Respect and kindness to others, being a responsible host, making visitors feel welcome and nurturing relationships
- 3. To ensure sustainability**
The places, facilities, and services we provide are environmentally, culturally and financially sustainable
- 4. To be adaptable and responsive to change.**
To monitor changing circumstances and effects of camping to inform decision-making
- 5. To work in partnership with iwi**
Ensuring Māori cultural values are protected for future generations
- 6. To work together with others**
Continually seeking opportunities to work with our communities to provide positive outcomes
- 7. To be effective and efficient in the use of resources**
Sustainably manage limited resources to meet our objectives
- 8. To keep our community and visitors safe**
Ensuring our wider family, friends, community, and visitors are safe

7 What we want to achieve

Vision: *We provide a wide range of camping opportunities with facilities that meet the needs of different types of camping and we welcome visitors that show respect, appreciation and a positive contribution to our special places and the communities through which they pass.*



8. Primary Management Tools

Policy decisions by territorial authorities on responsible camping and freedom camping are influenced by three major areas where management has the greatest influence. These are:

- **Regulatory approach**
What legislative tools to use to manage and control the effects of freedom camping? Whether to have a bylaw under the Freedom Camping Act and if so, what areas and types of freedom camping to prohibit and restrict under the Act?
- **Enforcement and Compliance**
How to go about trying to encourage compliance with the regulations and taking enforcement action where necessary.
- **Direct provision of sites and facilities**
*What sites to make available for freedom camping? (number and distribution)
What and what level of facilities to provide, for what types of visitors and how to fund these?*

Regulatory Approach

The Freedom Camping Act explicitly prevents a council from enacting a bylaw that has the effect of prohibiting freedom in all areas of Council administered land in its district, so this is not an option available. Council can only apply a bylaw to an area if a bylaw is the most appropriate and proportionate way of addressing the perceived problems relating to the area.¹

At the other end of the spectrum, councils are not required to have a bylaw, and many have elected not to. However, in Tasman District, there have been many adverse effects generated by freedom camping that require management through controls contained in a bylaw.

Regulatory controls in a bylaw include what areas require freedom camping prohibitions and what restrictions to have in place including how to manage visitors in both self-contained and non-self-contained vehicles.

Freedom Camping Act Prohibitions:

The current approach of prohibiting freedom camping in urban or high visitor use areas and sensitive or historical problem areas is considered appropriate and consistent with the principles of the Freedom Camping Act. It also is consistent with the approaches used in the nearby Nelson City, Buller and Marlborough Districts as well as other regions.

Freedom Camping Act Restrictions:

Historically, New Zealanders in non-self-contained vehicles have enjoyed the ability to park at road ends, surf or fishing spots and spend the night at locations without facilities. Most would use the environmental care code in managing their waste (including burying toilet waste appropriately), and few problems were encountered.

However, with the proliferation of visitors in non-self-contained vehicles and impact occurring at some of these sites, there is a need to restrict where freedom camping can occur and where necessary, provide sites and facilities. While such restrictions disadvantage the 'NZ Outdoor Recreation Users' freedom camper group, the alternative of few controls will create greater problems. Without bylaw controls in place, negative impacts on our environment and communities will continue to occur.

¹ Freedom Camping Act 2011, Section 11(2)(b) and Section 12

For self-contained vehicles, (with on-board facilities that are used), lower controls are needed, provided a well-distributed network of waste and dump station facilities are available throughout the District.

Enforcement and Compliance

Council's enforcement policy is to adopt a graduated response starting with warnings and scaling up to fines and eventually prosecution only when the case really requires. This enforcement and compliance approach applies to freedom camping in a similar way to other areas of regulation.

Under the Freedom Camping Act Council can issue fines for specific offences. The level of the fine (currently \$200) is determined nationally and Council has no discretion on the level of the fine. We are unable to take enforcement and compliance actions when illegal camping takes place on land which is not owned or managed by the Council. In these circumstances the land owner is responsible for taking action.

Some other Councils have used wheel clamps to assist with freedom camping enforcement and compliance. However the circumstances in which wheel clamps can be legally applied for this purpose are limited and often result in the offending vehicle being immobilised for an extended period in a place where it should not be located. In addition, legislation covering the use of wheel clamps specifies a range of requirements that present difficulties for Council to consistently meet. For these reasons Council does not consider the use of wheel clamps a practical tool to assist in freedom camping compliance and enforcement.

Council sets budgets for freedom camping compliance and enforcement work through its Long-Term Plans and Annual Plans. In general this activity is funded through General Rates, with Council seeking to access any suitable Central Government funding available. In determining the level of enforcement and compliance, Council considers the nature of the freedom camping issue and its impact, and weighs this up against the associated costs.

As of summer 2019/2020, Freedom camping enforcement and compliance is undertaken on Council's behalf by a contractor. The same contractor also undertakes parking and animal control compliance work for the Council and is able to coordinate work on these different functions to achieve efficiencies.

In summer 2019/2020 (1 December 2019 to 31 March 2020) the contractor operated every day in Motueka, four to five days per week in Golden Bay and also has capacity to visit the Alexander Bluff freedom camping area. The compliance staff generally operate in the evenings and early in the mornings. Public concerns about freedom camping can be reported by contacting the Council (including out of normal business hours), with patterns of complaints being used to direct enforcement and compliance activity. Enforcement contractors will also respond anywhere in the District if there is an urgent issue.

Compliance and enforcement staff acting on Council's behalf are able to and will check the adequacy of on-board facilities for vehicles claiming to be certified self-contained² and located in areas where only self-contained vehicles are permitted.

² The current certification standard is NZS 5465:2001 for certified self-containment. .

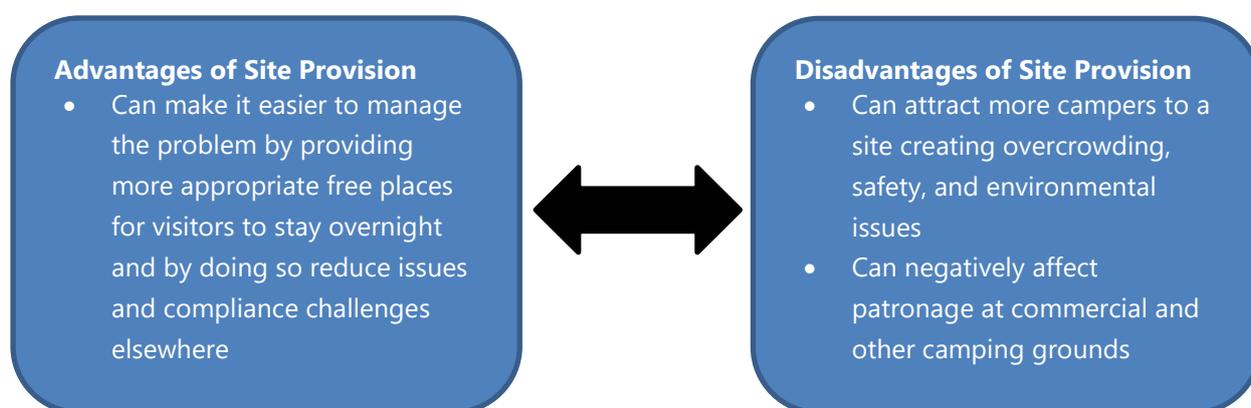
Provision of Sites and Facilities

Council is already heavily invested in the provision of campgrounds.³

This investment is primarily due to the land comprising campgrounds being administered by Council under the Reserves Act 1977, with obligations for public use and enjoyment or through the land being of strategic importance and inappropriate for divestment. The operation and leases of campgrounds by Council also provide a source of revenue for Council.

Designated freedom camping sites, however, are designed primarily to manage the significant increase in budget campervan tourism into the region and the flow on adverse effects experienced.

Sites and facilities that are made available by local authorities can have both positive and negative effects:



Given that there is a preference for freedom camping in non-self-contained vehicles to continue to be restricted in the District, there needs to be viable alternative options for these vehicles. Some budget campers are unlikely to be willing to pay a fee for staying a night at a campground.

For some parts of the District, 'low cost – low facilities' options are available by providers such as DOC or existing Council campgrounds, although it is noted that they may not have available capacity during the peak demand summer season.

Criteria to assess sites for suitability have been developed and will form the basis for a site assessment process to help guide the review of the Freedom Camping Bylaw.

³ Camping areas in Murchison, Motueka, Kina, Ruby Bay and Golden Bay

9. Council's Management Approach

Given the above considerations, Council's management approach can be summarised as:

- continue to prohibit freedom camping in sensitive areas; and
- restrict freedom camping to certified self-contained vehicles only, in so far as is legally permissible and subject to the outcomes of any Freedom Camping Bylaw review process; and
- where practical encourage campers in non-self-contained vehicles to make use of paid camping grounds as suitable facilities are available; and
- improve site selection, design and management, and increase provision in areas where pressures are being encountered; and
- provide easily accessible information on the likely exemptions available from the Camping Ground Regulations to make it as easy as possible for private landowners to provide paid camping grounds.

The rationale for Council's management approach is detailed in Appendix 1.

Site Assessment Criteria

To enable Council to provide a consistent and fair approach to the classification of areas as restricted and prohibited for freedom camping under the Freedom Camping Act and for the broader assessment of possible suitable locations for camping, a set of criteria has been developed for site assessments.

The criteria primarily use those contained in the Freedom Camping Act to develop bylaws but expand the interpretation for each.

Prerequisites for Consideration

Site Ownership: Sites in public ownership are the focus for consideration, although any privately-owned locations that stood out in any site assessment process could also be investigated further following dialogue with the landowner.

Accessibility: Only sites with existing vehicle access, or able to be readily provided with vehicle access and parking, will be eligible for consideration.

Primary Criteria

Score of 1-5 (1 being no significant risk and 5 being an extreme risk)

Assessment Criteria	Interpretation
To protect the area	<p>Are there significant values in the vicinity that are unable to be adequately protected from negative effects?</p> <p>Conservation values <i>Significant native habitats/communities or species</i></p> <p>Natural resource values <i>Freshwater quality/quantity</i></p> <p>Cultural values <i>As informed by iwi</i></p> <p>Historical values <i>Historic/archaeological sites</i></p> <p>Landscape and Amenity values <i>Obstruction of view shafts, reduction of natural and open space character and visitor experience of others</i></p> <p>Recreation assets <i>Physical damage to facilities or land</i></p>
To protect the health and safety of people who may visit the area	<p>Natural hazards <i>Dangerous rivers, flood zones, cliffs, slips, rockfalls, tsunami zones or flammable vegetation without adequate escape routes</i></p>

	<p>Built environment hazards <i>Physical hazards such as unsafe buildings and structures or contaminated sites</i></p> <p>Human hazards <i>Risk of verbal or physical abuse, crime and disorder, and safety of road users at and in close proximity to the site.</i></p>
To protect access to the area	<p>Physical obstruction of access <i>Blocking ease of access to recreation sites</i></p> <p>Discouraging access <i>High use by visitors reducing the quality of experience and appeal to visit site</i></p>

Secondary Criteria

All scores need to be yes

	Y/N
Is the site administered by Council, or does it have the support of the administering agency or owner to investigate further?	
Can the site be located, designed and managed to minimise actual or perceived negative effects on nearby residences and use of nearby private land?	
Is the site away from existing camping grounds or accommodation providers, with available capacity, that provide a low cost-low facility option?	
Will the use of the site have no significant adverse effect on community relationships?	
Can waste be adequately managed at the location (either in vehicles or on site)?	
Will use of the site for this purpose comply with other legal requirements such as the Tasman Resource Management Plan and the National Coastal Policy Statement?	
Would the use of the land for camping be consistent with (or not have negative consequences on) the purposes for which the land is held (e.g. Reserves Act classification)?	
If the land is reserve held under the Reserves Act 1977, is it legally possible to provide for camping?⁴	

⁴ Sections 41, 44(1), 53 or 55, Reserves Act 1977

10 Key areas of action

A number of actions that seek to advance progress towards the goals and objectives fall within the following key activity areas:

- **Encourage responsible camping behaviours, a respect for the environment and our communities**

Provide up to date, quality information to visitors through a variety of channels

- **Direct different types of campers to appropriate areas through effective regulation and enforcement**

Locations where the environment and cultural values are protected, facilities are suitable for the type of camping (self-contained or non-self-contained), and the effects on the local community can be minimised

- **Work cooperatively with others to encourage a range of camping opportunities**

Support other organisations and members of the community to provide suitable camping opportunities by developing Camping Ground Regulations exemptions guidelines, managing regulations sympathetically and promoting commercial camping opportunities to freedom campers where practical.

- **Undertake a review of the existing Freedom Camping Bylaw**

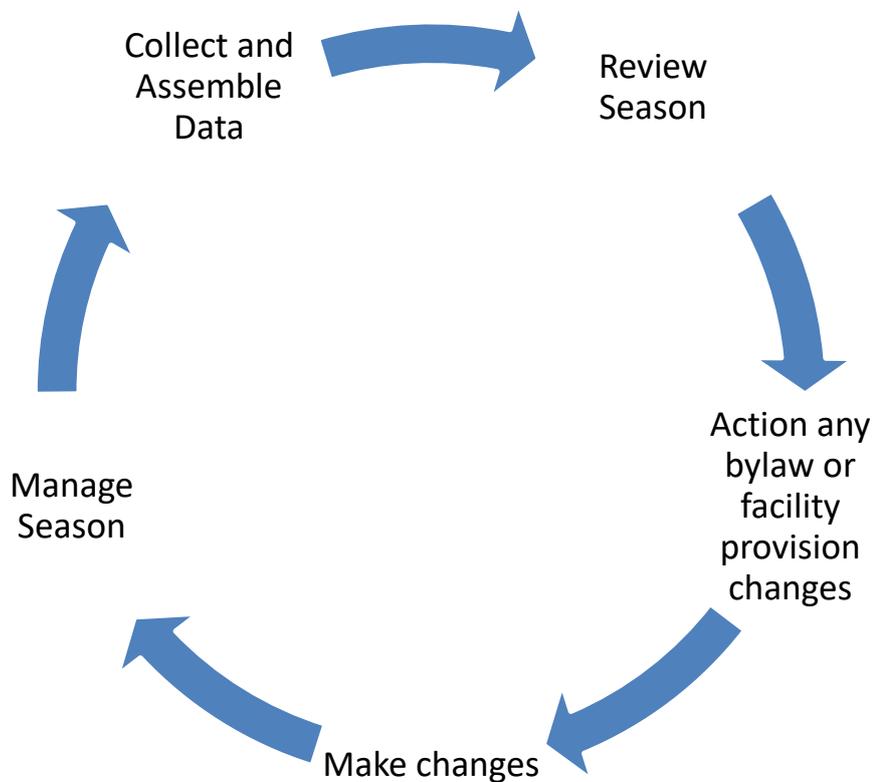
Through the Bylaw review, undertake an assessment of freedom camping sites and locations to protect the environment and encourage responsible camping behaviour

11 Monitoring and review

As experienced in recent years, the increase in tourism, particularly campervan tourism and its resulting effects, is dynamic and requires active management in response.

It is anticipated that changes will also be occurring at a national level to provide better tools to provide for responsible camping. This will also require agility for Council to adjust to this changing framework.

To provide for this, an annual cycle of management, monitoring, and review is considered essential. It is also important to be able to respond to changing conditions during the peak visitor season if required.



12 Glossary

Council	Tasman District Council
District	The territorial area of Tasman District
DOC	Department of Conservation
Kaitiakitanga	Guardianship, stewardship, trusteeship
Kawa	The 'right way of doing things'. Rules which govern the behaviour of Tangata tiaki (human guardians)
Kōrero	To tell, say, speak, read, talk, address
Manaakitanga	Unqualified acts of giving. It includes the customary practice of koha (the giving and receiving of gifts).
MBIE	Ministry of Business, Innovation and Employment
NZMCA	Nelson Zealand Motor Caravan Association
Rohe	District
Taonga	Treasure, anything prized - applied to anything considered to be of value including socially or culturally valuable objects, resources, phenomenon, ideas and techniques.
Tikanga	Customary practices which guide Māori relationships with the natural world. Tikanga is handed down from generation to generation.
TIA	Tourism Industry Aotearoa (independent association that represents New Zealand's tourism industry)
TINZT	Tourism Industry New Zealand Trust (Trust managed by the TIA for tourism education and promotion purposes)
TIF	Tourism Infrastructure Fund
TNZ	Tourism New Zealand (Tourism Marketing Entity funded by the New Zealand Government)
Whanaungatanga	Relationships, kinship, sense of family connection. For iwi, hapu and whānau, whanaungatanga relationships are everything – the relationship between people and the physical world and the relationship between people and the spiritual world

13 References

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- **Ministry of Business, Innovation and Employment, Department of Conservation 2018:** Aotearoa New Zealand Government Tourism Strategy (Draft)
- **Nelson City Council 2016:** Freedom Camping Strategic Plan
- **New Zealand Responsible Camping Forum 2017:** Freedom Camping Literature Review
- **Queenstown Lakes District Council 2018.** Responsible Camping Strategy
- **Responsible Camping Working Group 2018,** Report to the Minister of Tourism
- **Tasman District Council 2019,** Freedom Camping Site Survey January-February 2019

Appendix 1: Rationale for Council's Management Approach

Continue to regulate by prohibiting freedom camping in sensitive areas

Not regulating freedom camping would mean that the activity could take place on any Council controlled or managed land unless it is specifically prohibited by another act or regulation (e.g. Reserves Act 1977, Resource Management Act 1991). Given the potential adverse effects of freedom camping we do not consider this a viable option. There are a number of areas where it will continue to be necessary to prohibit freedom camping to protect the areas concerned.

Restrict freedom camping to certified self-contained vehicles only, in so far as is legally permissible and subject to the outcomes of any Freedom Camping Bylaw review process

In general the adverse effects associated with freedom camping in certified self-contained vehicles should be less than those camping in non-self-contained vehicles. Self-contained vehicles have on-board facilities to contain wastewater and solid. In Council's experience the impacts from high numbers of campers in non-self-contained vehicles can be unacceptable, even at sites where basic (toilets and rubbish disposal) facilities are provided.

It is Council's preference to restrict freedom camping to self-contained camping only, in so far as legally permissible. Such a restriction would have to be considered as part of a review of the Freedom Camping Bylaw (made under the Freedom Camping Act 2011). Under this Act freedom camping can only be restricted or prohibited at a site for the following purposes:

- protecting the area,
- protecting the health and safety of people who may visit the area; or
- protecting access to the area.

In reviewing the Freedom Camping Bylaw, Council will have to conduct a thorough assessment of Council land within the District to determine whether restricting freedom camping to self-contained vehicles only can be justified in accordance with the above reasons. Council will also consider whether other restrictions (for example limiting the number of campers at each site) are necessary and/or adequate to protect the area. The Freedom Camping Bylaw review process will include a public consultation process using the Special Consultative Procedure as set out in the Local Government Act 2002.

We will attempt to limit the impact of Council provided freedom camping sites on paid campground providers and other commercial accommodation as much as possible by providing very limited facilities (if any) at freedom camping sites (much lower than required under the Camping Ground Regulations) and will attempt to locate freedom camping sites away from commercial accommodation⁵.

Where practical encourage campers to make use of paid camping grounds.

Council will encourage campers to make use of one of the paid camping options in the District where adequate facilities are provided for them. There is a good number and range of paid camping grounds across the Tasman District. The majority have adequate capacity for all but the peak period in late December/early January each year.

⁵ However it should be noted that impact on or competition with commercial camping grounds or other commercial accommodation providers is not a reason that Council can use to restrict freedom camping in a bylaw under the Freedom Camping Act.

At sites designated for freedom camping, the Camping Ground Regulations do not apply (as no charge is being made for visitors to stay). Limited facilities are provided (if any), generally a toilet and rubbish disposal⁶.

Council's preference is not to provide more facilities than, at most a toilet and rubbish bins, at freedom camping sites to reduce competition with commercial camping grounds. This also helps to clearly demarcate freedom camping sites from commercial camping grounds. Campers that require a water supply, showers, laundry facilities etc. are encouraged to use commercial campgrounds or other accommodation providers.

Communicating the regulations that apply in our District to freedom campers and carrying out effective compliance and enforcement helps to encourage some campers to use commercial camping grounds. Through our enforcement officers and any future freedom camping ambassador programmes we can also help promote the commercial camping opportunities in the District to freedom campers.

Improve site selection, design and management and increase provision in areas where pressures are being encountered

One of the unintended consequences of providing sites for freedom camping has been at times and in some locations, excessive numbers of campers for the level of facilities provided.

To cope with the number of campers and the affects they can have on the site and surrounding location, there are a number of improvements in the way we provide and manage freedom camping sites that we will continue to work on.

These include the clear definition of the capacity of sites to match the facilities and space available, improving the means of communicating how full a site is before campers arrive and increasing the supply of sites where necessary.

Provide easily accessible information on the likely exemptions available from the Camping Ground Regulations to make it as easy as possible for private landowners to provide paid camping grounds

Council supports the provision of paid camping grounds and particularly lower priced camping options. The availability of adequate lower priced camping options is likely to help reduce the degree of illegal free camping in the District.

The range of facilities required in commercial campgrounds is controlled by the Camping Ground Regulations 1985. The Council administers these Regulations in the Tasman District and can issue certificates of exemption for some requirements where it is satisfied that undue hardship will be caused by registering the camping ground. Certificates of exemption will only be issued where Council is satisfied that the health and safety of camping ground users is adequately provided for. We will develop guidelines on the Camping Ground Regulations and the application of exemption certificates to help make the process for private landowners to understand what is required to register a camping ground easier.

⁶ This level of facilities is much lower than that required by commercial camping grounds by the Camping Ground Regulations.

Appendix 2: Current state 2019

Camper Profiles

Camping with the Tasman District is undertaken by a wide range of people such as international and domestic visitors, old and young, those on holiday, touring, or here for other reasons such as for employment or through homelessness

A variety of information is now available nationally on the demographics of campers and freedom campers. The CamperMate application has also been funded by Central Government to produce regional reports on user dynamics by region.

A survey of freedom campers using designated Council freedom camping sites within the District was undertaken between late January and mid-February 2019 to obtain a better picture of the local situation.⁷ By reviewing this data and previous existing work undertaken by the Department of Internal Affairs and the Queenstown Lakes District Council in categorising different types of campers, a set of visitor profiles have been customised to define the range of camping visitors to the Tasman District.

- **International Free Roamers**

Young budget travellers primarily from Europe in small hired or owned vehicles. A significant group within Tasman District

- **Grey Nomads**

Retired or semi-retired NZ or Australian travellers in larger self-contained vehicles

- **NZ Outdoor Recreation Users**

Locals camping or staying in non-self-contained vehicles at more remote areas

- **International or NZ Independent Tourists**

Travellers in larger hired campervans usually staying in commercial campgrounds. Currently relatively smaller group within Tasman District

- **Touring NZ or Australian Family**

Families touring the South Island and staying in commercial or DOC campgrounds

- **NZ Free Roamers or Road Trippers**

Lifestyle drifters or young people on a road trip seeking free camping. A significant group within Tasman District

- **Seasonal Workers**

International or NZ young people seeking work and free or low-cost accommodation. A significant group within Tasman District

- **Homeless/Rough Sleepers**

Local or people from other parts of the country without anywhere to live

The most prevalent group of campers using designated freedom camping sites during the January – February 2019 survey period was the 'International Free Roamers.' A few 'NZ Free Roamers or Road trippers' were also present. Some of these people may also have been seeking

⁷ Tasman District Council Freedom Camping Survey Jan-Feb 2019

seasonal work. Of the 'International Free Roamers,' the vast majority were from Germany, France, other parts of Europe, travelling in pairs in roughly half self-contained vehicles and half in non-self-contained vehicles (according to their responses which may not reflect the actual self-containment status).

Most of the visitors were intending to stay in Tasman District from a few days to a week or two, seeking free camping areas for most nights with accommodation at DOC camping areas or commercial campsites every few days to weekly. Backpackers were also an option for some, although less frequently used than commercial camping areas.

As expected, the primary factor motivating campers to use free sites was obtaining access to basic facilities for no cost. Other factors such as no need to book and having flexibility also featured to a lesser extent.

Management

The Tasman District Council Freedom Camping Bylaw currently contains the following restrictions and provisions:

- Prohibited areas (cemeteries, most reserves, some urban areas).
- Non-self-contained vehicles are not permitted elsewhere apart from at existing camping grounds or designated sites.
- Tent camping not permitted apart from in existing formal camping grounds.
- Seven designated free Council-administered sites, all providing for self-contained vehicles and five of which also for non-self-contained vehicles.

Council also provides several commercial camping areas operated under lease and directly operates several low-cost campgrounds.

Council has steadily improved its management of freedom camping through Bylaw prohibitions and restrictions, and through the provision of designated sites. However, the increasing numbers of freedom campers have continued to create various problems and increased community frustration.

Issues

Throughout the 2018/2019 summer, Council's Customer Service Centre received 180 freedom camper service requests. Of these service requests, the majority were reporting freedom camping in locations not permitted under the bylaw (57%). Other reasons include complaints from campers considered unjustifiably served an infringement notice (8%), open fires (7%), poor hygiene practices or facilities (7%) and non-self-contained vehicles in locations where these are not permitted (6%).

While some of the community frustration is justified, there are also elements of 'perception versus reality' and 'not in my backyard' syndrome that requires further exploration to identify the actual effects.

The tourism sector as a whole is concerned about maintaining the 'social licence' from our communities for tourism to thrive and be successful. Working through issues with the community is critical for a successfully supported approach.

A summary of issues experienced by enforcement officers over the 2018/2019 summer include:

- Overcrowding at designated sites
- Noise and unruly behaviour

- Rubbish
- Fires
- Not using vehicle facilities provided – showers, toilets, etc.

Enforcement

Over the 2018/2019 summer, Council issued 218 infringement notices. Bylaw breaches dealt with either through warning or issuing of infringement notices included:

- sleeping overnight in a vehicle in a prohibited area
- non-self-contained vehicle outside of a defined designated area
- non-self-contained vehicles in designated self-contained only sites, and
- vehicles staying longer than two nights.

Community Attitudes

To assist in considering community attitudes, the 2019 annual Council residents survey undertaken in May, included several questions relating to freedom camping. These questions sought to explore the extent and type of problems personally experienced by respondents, general attitudes to freedom camping and suggestions as to the attributes of places where it might be acceptable for freedom camping to occur in the District.

The survey confirmed that many residents have themselves freedom camped in the past (43% of the 401 respondents), although a similar percentage had also personally experienced significant problems with freedom campers in the District. These problems ranged from seeing rubbish and other waste dumped, facilities being overused or not used for their intended purpose (such as washing clothes in a toilet hand basin), to general dissatisfaction that campers in non-self-contained vehicles were taking advantage of Tasman District Council ratepayer-funded facilities.

The best locations for freedom camping suggested were those where there are facilities and that are away from residents' houses.

Overall, 76% of those surveyed supported controlled freedom camping in the District.

Demand and Supply

Demand

The number of international visitors who undertake freedom camping in New Zealand has been rising steadily over several years. These numbers are expected to continue to grow with projections that total international visitor arrivals to New Zealand will reach 5.1 million visitors in 2024 (from 3.7 million in 2017, up 37.1 per cent). This equates to a growth rate of 4.6 % per year.⁸

MBIE has estimated for the year ended 2018, approximately 123,000 visitors undertook some form of freedom camping during their stay. This number is equivalent to 3.4% of all visitors to New Zealand for that year.⁹ Tasman District will most likely experience a higher percentage of international visitors' freedom camping in the District, given public transport constraints often requiring a small independent vehicle and the type of attractions available which appeal to young budget travellers.

⁸ Ministry of Business, Innovation and Employment 2018: NZ Tourism Forecasts 2018-2024

⁹ Ministry of Business, Innovation and Employment 2018: International Visitor Survey

Both Nelson City Council and Buller District Council do not permit freedom camping in non-self-contained vehicles within their Districts and do not provide any designated sites for non-self-contained vehicles other than at commercial camping grounds. These rules could be creating a cross-boundary effect, encouraging some visitors to proceed on to Tasman District where free non-self-contained vehicle sites are available. However in Nelson, the local camping grounds have also reported increased patronage since the current bylaw was adopted in 2017.

Supply

Supply for camping is available in many forms

- Privately Operated Commercial Campgrounds (including some facilities leased from Council)
- New Zealand Motor Caravan Association (NZMCA)
- Department of Conservation (DOC)
- Tasman District Council Reserve Campgrounds
- Tasman District Council Freedom Camping Sites
- Carparks provided by others (e.g., Richmond Mall)

Summary of Site Provision

Ward	Approximate available no of sites	Number of camping areas					
		Private Commercial	DOC	NZMCA	TDC	Nelson Forests	Other
Richmond	50 ¹⁰	2	0	0	1	0	1
Waimea Moutere	290	2	0	0	2	0	0
Motueka	512	7	1	1	3	1	1
Golden Bay	783	15	4	1	3	0	0
Lakes Murchison	465	5	6	1		0	1
TOTAL	2100	31	11	3	9	1	3

Occupancy Rates

Data produced by Statistics NZ indicates that region-wide, commercial camping grounds have significant annual capacity with occupancy rates averaging 20-22% for the last two years. At the peak periods of January, these occupancy rates increase to 53-55%, although some popular individual sites will be full at this time.

Occupancy rates at other non-commercial camping areas vary significantly with short peaks when beach campgrounds (such as Pohara, Totaranui, McKee) may be full but at most times of the year, significant capacity remains. Other more remote campsites, (such as in the Wangapeka Valley) may receive few overnight visitors all year round.

Distribution

¹⁰ Includes an estimated acceptable use of up to 20 overnight spaces within the Richmond Mall car park.

Camping opportunities are well distributed across the District, with a higher number of campgrounds available in more popular areas. Campers staying at formal campgrounds are generally able to secure their desired bookings, provided they book in advance for the Christmas-January period.

The most significant pressure from freedom campers is in the Motueka and Golden Bay Wards. Existing freedom camping sites that have regularly been full or overfull include Waitapu Bridge and Taupata Point in Golden Bay and Alexander Bluff, Motueka Beach carpark and Decks Reserve carpark in the Motueka Ward. The recently opened site at Fittal Street in Richmond has also regularly experienced overcrowding over the summer months.

Given that price appears to be the primary determinant of budget traveller behaviour, campers will gravitate to free camping sites in the first instance including overcrowded sites, rather than head for the next cheapest option nearby or travel further outside of their desired destination to use a free or less expensive site elsewhere.

The provision of a limited number of free sites can draw campers in from a wider area than might otherwise be the case and can contribute to overcrowding of free camping sites.

Pricing

Charges are a key driver for camper behaviour. At present, there is a significant price differential between camping options.

	Approximate per Adult non powered site per night	Low Season	High Season
Tasman Members of Holiday Parks Association of NZ ¹¹	Average	\$35	\$40
	Maximum	\$44	\$55
	Minimum	\$18	\$34
Other commercial campgrounds	Minimum	\$15-20	\$15-20
DOC	Serviced	\$13	\$15/18
	Unserviced	\$8	\$8
TDC	McKee/Kina	\$6	\$6
	Freedom Camping Sites	\$0	\$0

Many van-based visitors are seeking free or low-cost sites and will accept a low level of facilities in return. Reducing the 'gap' between options is worthwhile pursuing, to ensure all campgrounds receive a fair share of patronage, and that the facilities meet the needs of visitors.

Economic Impact

Tourism produces a significant financial benefit to the Tasman District. In 2018, it delivered \$321 million of direct spend into the local economy. The biggest beneficiaries of this spend continue to be the retail sector at 47% of spend. This figure contrasts with attractions and activities securing only 20% of this spend. ¹²

¹¹ Tasman HPANZ members comprise approximately 50% of all commercial holiday parks in the Tasman District. (2018 tariff survey). Note as shown there are some commercial campgrounds that are not part of HPANZ with lower charges

¹² Economic Summary Report to Tasman District Council 22nd March 2019, NRDA

Coastal campgrounds are particularly popular over the summer months with significant flow on positive effects on local businesses and the wider community.

For those choosing to freedom camp at some stage during their visit, international visitors who did some freedom camping spend more on average. One of the primary reasons for this is that those freedom camping tend to stay longer. The average length of stay in NZ for visitors who did some freedom camping was 46 days in 2017 and 2018, almost three times longer than the average of all other visitors (17 days).¹³

MBIE estimate a daily spend of \$90 by those who freedom camped at some stage of their visit compared with \$190 daily for all visitors. These figures do not differentiate between the different user profiles that choose to freedom camp.

For the survey of Council provided freedom camping sites in conducted in January and February 2019, this daily spend figure appears to be significantly lower at between \$30 and \$50 per person per day for the group sampled.¹⁴ This expenditure was spent mostly on the basics, including food and transport, with lower spending on accommodation and activities. The economic benefits from budget travellers are therefore limited to these main sectors.

While providing various amounts of financial benefit, tourism also produces other negative impacts such as increased emissions, environmental damage, reduced visitor experience and impacts on local communities.

¹³ <https://www.mbie.govt.nz/immigration-and-tourism/tourism-research-and-data/>

¹⁴ Tasman District Council Freedom Camping Site Survey January-February 2019

Appendix 3: Options and tools

Council's Role and Level of Influence

As described in Section 2, Council has a statutory role under the Local Government Act 2002 "to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future." (Section 10, 1b)

Local Government is an essential partner for the tourism sector by playing a critical role in providing visitor services and infrastructure as well as organising and running events and investing in destination promotion.

Council can operate in several different roles to further the provision of high-quality camping experiences in the District:

Regulator

- Developing and implementing a bylaw under the Freedom Camping Act
- Administering the Camping Ground Regulations (1985)
- Administering other legislation to control and manage environmental effects

Landlord

- Owner and lessor of commercial campgrounds

Facility Provider

- Owner and provider of basic paid campgrounds
- Owner and provider of free overnight parking sites and facilities

Funder

- Funder of projects that provide community benefit
- Provider or rates relief for ratepayers that provide community benefit

Partner

- Working with other organisations on issues of common interest to achieve more than working independently

Advocate

- Encouraging and supporting desired and beneficial behaviours and actions

Tools

Several regulatory and non-regulatory tools exist to support local authorities in providing for responsible camping.

Regulatory Tools

Bylaws under the Freedom Camping Act 2011

Most councils', where there is significant motorhome tourism, use a bylaw to manage the effects of freedom camping. While there are several deficiencies in the Freedom Camping Act, including difficulties in collecting infringement fines from international visitors, it is still an essential tool for Councils' to use in guiding responsible camping behaviour.

Camping Ground Regulations 1985

The Camping-Grounds Regulations 1985 (the Regulations) are the legislative tool under the Health Act 1956 to promote and protect public health at camping grounds. The Regulations impose various requirements, including the need to have camp plans and marked sites, keep records, and provide lighting and toilet, ablution, kitchen, and laundry facilities, etc.

Territorial authorities are required to enforce the Regulations in their districts and ensure regular inspections of all camping grounds. They apply only to camping grounds for which payment of some form of fee is payable to camp. Certificates of exemption can be issued where Council is satisfied that the registering the camping ground will cause undue hardship.

Reserves Act 1977

Land that is held as a reserve under the Reserves Act 1977 is subject to the requirements of that Act over the Freedom Camping Act. The Reserves Act excludes camping by default, although this can be provided for under reserve management plans, or in the absence of these, through a public consultation process and a resolution of Council.

Tasman District Council has operative reserve management plans for each of its Wards, Tata Beach reserves, the Abel Tasman Foreshore Scenic Reserve and Moturoa/Rabbit Island, as well as Reserves General Policies that form a part of all reserve management plans. Camping is not provided for in reserves, apart from those that are currently set aside for that purpose (e.g., McKee, Kina, Owen River, Fearon Bush, Decks Reserve, Motueka Beach etc.)

Compliance/Enforcement

Enforcement is a significantly challenging, but essential element for the regulatory approach to managing responsible camping. The Tasman District is extensive and has high levels of visitors, including those in campervans.

The selected management approach should provide options for visitors, make it easy for responsible camping behaviour that meets the local rules, and provide clear consequences for those that don't follow the rules. Care needs to be taken on policy development to most effectively balance the costs to provide and maintain facilities and sites against the costs of compliance and enforcement patrols.

Currently there are challenges in recovering infringement fines issued to our international visitors. Recommendations by the Responsible Camping Working Group to improve the law to provide for better means of recovering fines should be supported.

Non-Regulatory Tools

Information and Education

There have been significant improvements to the level and availability of information about responsible camping and rules about freedom camping and designated sites over the last few years.

Campers surveyed at the Tasman District Council freedom camping sites over the summer indicated a high reliance on online camping applications such as CamperMate and the Internet in general as well as local i-Sites. It will be important that these channels remain up to date with current information so that visitors are always clear about rules and expectations.

The other important medium is signs, both for use in identifying prohibited and restricted freedom camping areas. For example, Queenstown Lakes District has dominant signs on the state highways advising when travellers are arriving or leaving freedom camping prohibited zones.

Self-Containment Standard for Motor Caravans and Caravans

The New Zealand Standard for Self-Containment of motor caravans and caravans (NZS 5465:2001) is designed to define a base standard for the containment of wastewater and solid waste to help the management of areas where there are no sewerage disposal facilities. It is not a legally required standard - however, many Councils' reference it within their freedom camping bylaw. Being self-contained is an important distinction that local authorities and DOC are using in the development of bylaws and gazette notices under the Freedom Camping Act. The standard NZS5465:2001 was last reviewed in May 2017 and a change was made to require a toilet that can be used inside the vehicle, even with the bed made up. This became a legal requirement in 2018, however a transitional arrangement allows vehicles classified under the old standard to stay in use for four years. Effectively a vehicle complying with the old standard could be legal until 31st January 2022.

Provision of Sites and Facilities

Many Councils currently provide designated sites for freedom camping under the Freedom Camping Act with facilities appropriate for the mode of camping (such as self-contained or non-self-contained)

The number, location, and level of facilities is an important factor to consider and usually relative to where pressures are occurring, and the level of facilities needed by the dominant user group (e.g. self-contained or non-self-contained vehicles, 'International Free Roamers' or 'NZ Outdoor Users', etc.). Sites need to be carefully selected, designed and operated in order to be effective and not create adverse effects. The site assessment criteria within this Strategy is intended to provide a framework to support this decision-making process.

Responsible Camper Certification

The Responsible Campers Association Incorporated has been created to develop, promote and support a Responsible Campers Accreditation Programme¹⁵ which provides education and competency cards to campers who can successfully answer questions on responsible camping. This accreditation system focuses on the education and competency of the camper, rather than a standard that applies to facilities on a vehicle.

¹⁵ For more information www.accreditedcampernz.com