



**Freedom Camping Bylaw  
Development - Expert Services**

**Executive Summary**

**Prepared for**  
Queenstown Lakes District Council  
**Prepared by**  
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## Executive summary

### Introduction

Queenstown Lakes District Council (QLDC) is developing a draft Freedom Camping Bylaw (bylaw) for the Queenstown Lakes District (District), under the Freedom Camping Act 2011 (FCA).

To support the development of the draft bylaw, Tonkin & Taylor Ltd (T+T) have undertaken an assessment of QLDC controlled and managed land, in relation to freedom camping across a range of specialist Subject Matter Expert (SME) areas. The purpose of this assessment is to independently assess QLDC land in relation to freedom camping and to assess the adverse impacts of freedom camping to inform whether the land needs to be protected (i.e. restricted or prohibited for freedom camping) with respect to those values present on the area of land, access to the land and/or the health and safety of people who may visit the land.

The assessment included a desktop area-wide, multi-criteria geospatial assessment of all QLDC controlled and managed land, which produced mapping of the attributes present and the relative level of impacts of these attributes on freedom camping, and the adverse impacts of freedom camping on the land (including those values present on the area of land, access to the land and/or the health and safety of people who may visit the land). This was followed by a site-specific desktop assessment of select carpark areas to provide specific recommendations to QLDC on the suitability of these areas for freedom camping, including recommended controls to protect the values of the area, access, and the health and safety of people who may visit the land from the adverse impacts of freedom camping.

This report provides an overview of the technical assessment that has been undertaken, and the results of the site-specific assessments. In undertaking this work, we have considered the following 8 specialist SME areas:

- Ecology.
- Water quality and quantity, and water services.
- Māori/cultural values.
- Noise (acoustics).

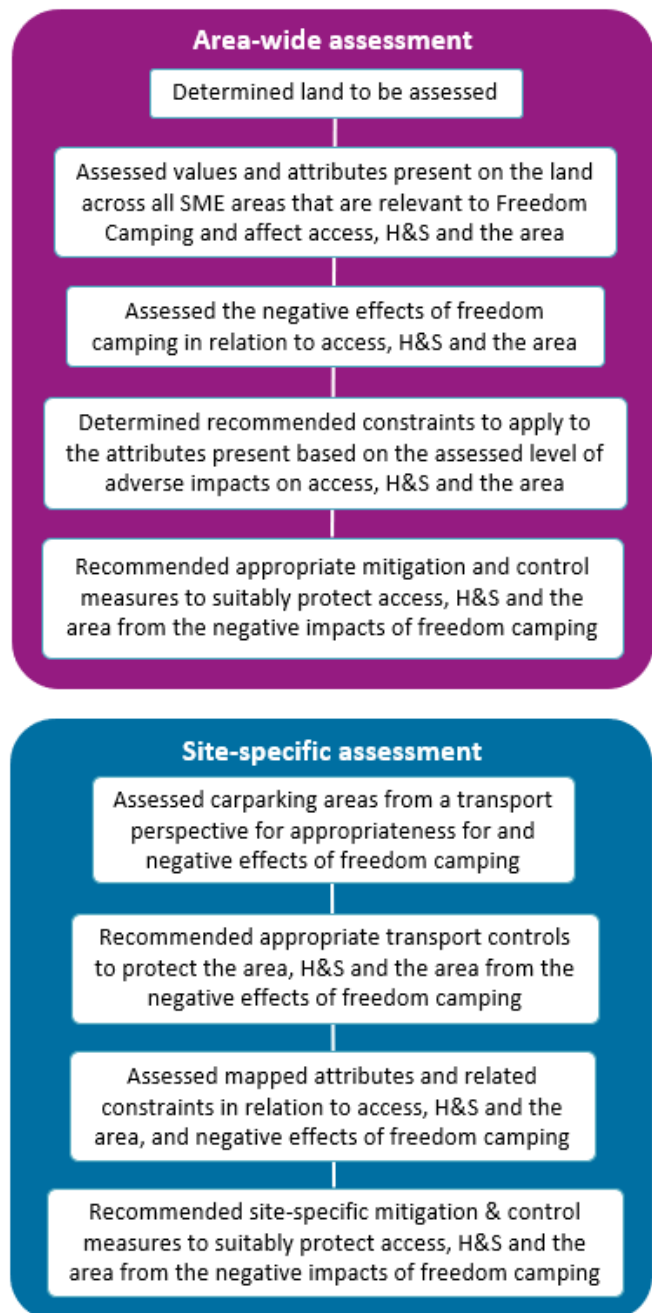


Figure i: Summary of assessment process.

- Traffic and transport.
- Health and safety.
- Natural hazards.
- Heritage.

## **Summary of assessment approach**

The flow chart presented in Figure i outlines the key steps we have undertaken in our expert assessment. These are outlined further in the following sections of the executive summary, with further detail and background provided in the main body of the full technical report. The results of the site-specific assessment are presented in Appendix E of the full report.

## **Area-wide assessment**

### **Land assessed**

The first step was to determine the land to be assessed. For the Queenstown Lakes District, freedom camping on land controlled or managed by QLDC, that is within 200 m of an area accessible by motor vehicle, formed road, or Great Walks track is regulated under the FCA and can be further regulated using a freedom camping bylaw. This land was required to be assessed. In addition, a small number of QLDC-selected Waka Kotahi New Zealand Transport Agency (NZTA) parcels were included within our assessment.

Land that falls under the above description was identified in collaboration with QLDC. This involved combining multiple geospatial datasets of both publicly available and QLDC-supplied information including title data and other land parcel information. To make sure all land that required assessment was captured, a wide net was cast initially, with the combined datasets also containing land that would not be regulated by the FCA. The combined dataset was checked with QLDC to confirm all relevant land was included. Following this, land not regulated under the FCA was removed from the combined dataset and excluded from the assessment.

Land excluded from this assessment includes all land not controlled or managed by QLDC. For example, this includes:

- Land owned by the Crown, or designated as LINZ land.
- Land owned by the Department of Conservation (DOC).
- Roads owned by NZTA (except for a small number of specific QLDC-selected NZTA land parcels).
- Private land or roads.

In some cases, removing every last piece of land not regulated under the FCA was not practicable or possible, and as such some of this land still remains within the GIS data provided to QLDC. However, for all intents and purposes, this land is not considered in our assessment and is not intended to be included in any draft bylaw.

### **Values and attributes of the land**

Our SMEs first developed a set of values and/or attributes that could be present on the land included for assessment, across the 8 specialist SME areas that have been considered in our assessment. Geospatial data and relevant information for each SME area was sourced from a range of best available open and authoritative existing sources, with additional information provided by QLDC.

In developing their sets of attributes, our SMEs specifically considered things that could either have an adverse impact on freedom camping and campers (if it was to take place on an area), and adverse impacts that unrestricted freedom camping could have on relevant attributes. Attributes were included based on the above, and where they are considered relevant to the three key areas that can be considered for protection defined under section 11(2)(a) of the FCA:

- Protection of the area.
- Protection of the health and safety of people that visit the area (this includes freedom campers and others).
- Protection of access to the area.

A full list of attributes considered in the assessment is included in Section 5 of the full report for each SME area.

### **Adverse impacts of freedom camping**

The adverse impacts of uncontrolled freedom camping (i.e. freedom camping as provided or under the FCA without any additional bylaw controls being present) were assessed by each SME in relation to the area, and its attributes, and in consideration of section 11 of the FCA (i.e. protection of the area, health and safety of people and access to the area). Adverse impacts on the area/attributes present for each SME area are detailed in Section 5 of the full report.

The FCA deals separately with camping in a self-contained vehicle, tent or other structure, and camping in a non-self-contained vehicle. Each SME considered the adverse impacts of freedom camping on their specialist area for both self-contained camping in vehicles and tents, and for non-self-contained vehicles.

The assessment of adverse impacts of freedom camping was supported by information supplied by QLDC. This included Request for Service (RFS) data on issues with freedom camping raised by the public, and the results of surveys of freedom campers undertaken across the 2024/2025 summer season.

#### **Examples of attributes present:**

- 1 A range of ecological attributes (e.g. bird or other fauna habitat), Māori/cultural and heritage attributes (e.g. Wāhi Tapu, archaeological sites of significance) were included as attributes that can be present on the land. Where present, these may require protection from the adverse impacts of freedom camping (i.e. protection of the area).
- 2 A range of natural hazards have been considered, and can exist as attributes present on a particular area. The presence of a natural hazard can have an adverse impact on the health and safety of people visiting the area, including freedom campers.
- 3 A number of QLDC controlled and managed areas (e.g. parks, reserves, carparking areas) have existing uses. If unrestricted freedom camping was to be allowed in these areas, access for other users could be adversely impacted.

#### **Examples of adverse impacts of freedom camping:**

- Inappropriate disposal of solid and human waste could have adverse impacts on attributes such as water quality and areas of ecological importance, and result in desecration of sites of Māori/cultural and heritage significance.
- Accidental damage, vandalism, 'trinket tourism'/fossicking could all result in damage to the environment, or Māori/cultural and heritage sites of significance.
- Excessive use of an area (for example a carpark, on-street parking in built up urban areas ( i.e. residential/commercial/business/town centre streets) or an accessway) by freedom campers could result in reduced access for other users of the area and adverse impacts on the health and safety of freedom campers and other road users.

### **Assessment of adverse impacts and recommended mitigation and control measures**

Following the development of attributes present on the land that could affect freedom camping, and the assessment of the adverse impacts of freedom camping on the land, an assessment of the relative severity of the related adverse impacts was undertaken. This assessment has used relative 'constraint' levels to rate the severity of adverse impacts, and therefore recommend an appropriate

level of consideration under a draft bylaw. The term ‘constraint’ was chosen to differentiate from other established terminology (such as the Resource Management Act 1991). The relative levels used in our assessment are outlined in Table i.

Each attribute was given a constraint level, based on the relative severity of the associated adverse impact on freedom camping, and/or the severity of the adverse impact of freedom camping on the attribute/land without the implementation of any additional mitigation or control measures. Constraints were determined relative to the three key areas for protection under section 11 of the FCA.

**Table i: Rating system for assessing relative severity of adverse impacts and related constraint level to apply to an attribute.**

#	Relative name	Description
3	<b>Hard Constraint</b>	Where the impact of an attribute present on freedom camping, or adverse impacts of freedom camping on the attribute/area, H&S or access are high to very high. <b>Hard constraint = high adverse impact.</b> Unlikely that restrictions, control or mitigation measures are sufficient to reduce the impact/protect the area, access and/or health and safety of people visiting the area. Freedom Camping is not recommended.
2	<b>Consider Constraint</b>	Where the impacts of an attribute present on freedom camping, or adverse impacts of freedom camping on the attribute/area, H&S or access are moderate to high. <b>Consider constraint = moderate adverse impact.</b> There are restrictions, control or mitigation measures, to manage the impact of the attributes present on freedom camping, or the adverse impacts of freedom camping on the attribute/area, access and/or health and safety of people visiting the area.
1	<b>Noted Constraint</b>	Where the impacts of an attribute present on freedom camping, or adverse impacts of freedom camping on the attribute/area, H&S or access are low to very low, but are still present and require noting. <b>Noted constraint = low adverse impact.</b> Attribute unlikely to adversely affect freedom camping, and freedom camping considered unlikely to adversely affect the attribute/land. Minor restrictions, control or mitigation measures may be recommended.
0	<b>No properties</b>	No attributes are present, hence no resulting impact.

Mitigation and control measures were then recommended by each of our SMEs to protect either the values of the area, health and safety of people in the area, or access to the area from the adverse impacts of freedom camping, and/or protect freedom campers from the adverse impacts of attributes present.

Examples of constraints and recommended mitigation and control measures for each of the three areas under the FCA include:

- 1 Examples to protect the area include:
  - a Set back distances between freedom camping and attributes such as water ways, heritage and cultural features of the land.
  - b Restricting freedom camping to formed surfaces (i.e. paved or gravel), in order to protect un-formed surfaces and sensitive ecological areas from damage.
- 2 Examples to protect health and safety include:
  - a A hard constraint on freedom camping in close proximity to roads with higher speed limits, and in built-up areas (i.e. urban residential/commercial/town centre locations),

where the presence of freedom campers presents a high adverse impact on health and safety, both to freedom campers and other road users.

- b Hard constraints in potentially high-risk natural hazard areas, and consider constraints with recommended signage identifying natural hazards in areas of moderate risk, to protect the health and safety of freedom campers.
- 3 Examples to protect access to the area include:
- a Restrictions on the number of freedom campers allowed at any one time, based on existing uses and occupancy, to protect access to the area for other users.
  - b Restrictions on freedom campers on or close to critical water, stormwater and wastewater infrastructure to maintain access for maintenance and effective/effective functioning of the infrastructure.

## Transport

A key aspect of the area-wide assessment was transport considerations. This resulted in the following constraints, and related controls:

- Where the speed limit of a road is 70 km/h or higher, the transport SMEs determined a high potential adverse impact on the health and safety of freedom campers and the public. Therefore, a hard constraint is applied to these areas, and freedom camping is not recommended on or immediately beside any high-speed road, in order to protect health and safety.
- In built up urban areas (i.e. residential/commercial/business/town centre streets), where there are pedestrians and other road users present, freedom camping in marked and un-marked on-street and side-of-street carparking could cause a high level of adverse impact to the health and safety of campers and the general public. Based on this, freedom camping is not recommended on any on-street or side-of-street parking in built-up areas during peak times, in order to protect health and safety.
- In built up urban areas (i.e. residential/commercial/business/town centre streets), on-street and side-of-street parking is often used by residents overnight (i.e. outside of business/school hours). Allowing freedom camping in these areas would also result in a high adverse impact to access to this carparking for the public. Based on this, freedom camping is not recommended in residential areas overnight. Similarly in built-up areas such as town centres and industrial areas, on-street parking is used heavily during the day, and can be used for night time activity within town centre areas. Based on this, freedom camping is not recommended in these areas during high-use times, in order to protect access.
- Outside of built-up urban areas, where existing stopping areas and laybys exist (including within higher speed environments), such that freedom campers can safely park fully separated from the road corridor, the adverse impacts of freedom camping and on freedom campers may be sufficiently mitigated through appropriate control measures. These include:
  - Camping is only recommended on formed gravel or sealed surfaces, to protect the area.
  - Camping restricted to parking a minimum of 5 m separation from the nearest edge of the hard shoulder, to protect health and safety of campers and other road users.
  - Camping numbers should be limited and campers should park in a way, in which sufficient space is still available in the stopping area or layby for other road users to stop in case of an emergency, to protect health and safety and access to the area.

A hard constraint applies and freedom camping is not recommended where the stopping area or layby has insufficient room to accommodate the recommended control measures (to protect access and H&S), and/or where a stopping area or layby is being used for maintenance purposes (to protect access).



## Area-wide multi-criteria geospatial analysis

The area-wide desktop assessment was undertaken utilising T+T's proprietary geospatial Site Selection Tool, to carry out a multi-criteria analysis of all land included in the assessment. The process involved:

- Import of geospatial information for the land to be assessed.
- Import of existing and available geospatial information for all attributes across each SME area determined relevant to freedom camping and the three considerations for protection under section 11 of the FCA.
- Application of the appropriate level of constraint as determined by our SMEs based on relative level of adverse impact on the three key areas under section 11 of the FCA, scored as outlined in Table i. These formed the 'multi-criteria' for the analysis.
- The multi-criteria analysis of all attributes and related constraint levels was then run across all land included in the assessment within the district. The results of the analysis provide every attribute and related level of constraint present on each area of land, and are mapped by showing the highest level of constraint present on any area or part-area shown. See example of this in Figure ii below.
- A detailed look at the first-pass results was then undertaken with each SME, in order to sense-check how attributes were mapped, and how constraints were being applied to the land. Due to the nature and accuracy of the geospatial data, some adjustments to the land included in the assessment, and the attributes and relative constraint levels were applied in order to arrive at the final set of attributes and constraints. This was an iterative process undertaken in consultation with QLDC and utilising their in-house knowledge of the district and local legislation.

The results of our area wide assessment are limited by the nature and quality of data available. Best efforts have been made to source geospatial data from a comprehensive range of open and authoritative sources, and we have assumed that the information and data used is fit for its intended purpose.

## Results of area-wide assessment

The results of outputs from the area wide assessment are shown in Figure ii and Figure iii. Figure ii illustrates the mapping of attributes and related constraints across land parcels. Based on the extent of mapped attributes, land parcels were further divided into areas with different constraint levels. Figure iii shows an example of the area-wide assessment for the Queenstown area. The results across the full district are shown in the figures in Appendix B of the main report.

Table ii illustrates some statistics of the area-wide analysis, including the number of parcels and area of land included, how many sub-areas the land was divided into by the multi-criteria analysis, and the number of constraints applied. Overall, as shown in Table iii, the area-wide assessment resulted in approximately 56,000 ha of land with one or more hard constraints mapped, where freedom camping is not recommended, based on the assessed constraints, and in order to protect the area, health and safety and/or access to the area from adverse impacts. Approximately 2,200 ha of land has one or more consider constraints mapped (and no hard constraints present), and control and mitigation measures are recommended in order to protect the area, health and safety and/or access to the area from adverse impacts. Approximately 80 ha of land has no constraints mapped.

Table ii: Summary statistics of area-wide analysis.

Total # of parcels	~11,000*
Total area of land	~580,000,000 m <sup>2</sup> (58,000 ha)*
Total number of sub-areas	~80,000*

\*Values are approximate only, to illustrate the scale of the assessment undertaken.

Table iii: Summary of area by highest level of constraint.

Constraint level	Area
Hard constraint*	~56,000 ha
Consider constraint	~2,200 ha
No constraints	~80 ha

\*Note: Hard constrained areas could also have considered constraints present.



Figure ii: Example of mapped attributes present on the land, with related constraints. Each parcel of land is subdivided into smaller areas based on where particular constraints are mapped as present.





Figure iii: Example area-wide assessment results for the Queenstown area. For full results of the area-wide assessment refer to Figures in Appendix B.

## Site specific assessment

Following the area-wide, multi-criteria geospatial analysis of all QLDC controlled and managed land, a site-specific assessment was undertaken to confirm the presence and applicability of mapped attributes and related constraints, and recommend appropriate controls and mitigation measures considered necessary to protect the area, health and safety and access to the area from adverse impacts.

Due to the size and scale of area and number of parcels included in the area-wide assessment, it was not practical to undertake site-specific assessments across the whole district. As such, QLDC has provided direction on where to focus our site-specific assessment. QLDC instructed us to undertake site-specific assessments on a subset of mapped and un-mapped carparking areas within the district that have been included in our area-wide assessment and are on QLDC controlled or managed land. This included:

- Currently mapped carparking areas located outside of protected reserve land.
- A select number of additional carparking areas that included some previously un-mapped areas, and some carparking areas wholly or largely on protected reserve land, that QLDC wished to consider.
- Selected NZTA areas, as advised by QLDC.

A total of 122 carparking areas across the district have been included in the site-specific assessment based on the above criteria.

## Transport assessment

A site-specific traffic and transport assessment was carried out on all 122 carparking areas first, to assess the practicality of allowing freedom camping from a transport perspective. This is because a number of the carparking areas assessed are not suitable for freedom camping for the following reasons:

- The mapped area is not actually a carparking area (e.g. road verge, accessways, areas with no actual formed carpark). Freedom camping is not considered appropriate for these in order to protect the area and protect access to the area.
- The mapped carparking area contains on-street parking, which is not considered suitable for freedom camping in order to protect the health and safety of campers and the general public in the area, from the regular activities of freedom campers (i.e., living in their vehicle and opening doors, carrying out camping activities within and in close proximity to the live traffic lane and footpath areas).

Relevant traffic and transport attributes were considered, along with the adverse impacts on these attributes of allowing unrestricted freedom camping. A recommendation to either prohibit freedom camping, allow with recommended restrictions, controls and mitigation measures, or allow unrestricted freedom camping was given for each carparking area, based on the relative level of adverse impacts and in order to protect the area, the health and safety of people using the area, and access to the area.

This resulted in 90 carparking areas where freedom camping is not recommended (i.e. should be prohibited), and 32 carparking areas where the effects of freedom camping from a traffic and transport perspective, could be managed. In general, the recommended transport restrictions include:

- Restrict the number of freedom campers to a suitable level in order to protect access to the carparking area for other users. This should be decided by QLDC, based on their knowledge of

the existing uses of a carparking area, and the overall occupancy. A rough guide of allowing camping across up to 10% of carparking spaces is provided, however this could go up or down based on the specific uses and occupancy on a case-by-case basis as determined by QLDC. In T+Ts view, this specific number of parking spaces  $\pm 10\%$  will not give rise to any additional need to protect the area from freedom camping under section 11 of the Act.

- Restrict camping to off-peak hours, in order to protect access to the carparking area for other users during peak times. This should be decided by QLDC, based on their knowledge of the existing uses of a carparking area, and the overall occupancy.
- Where the adverse impacts of freedom camping would significantly impact the health and safety of both campers and the public, prohibition of freedom camping was recommended.

The above are general recommendations, as a full suite of occupancy data was not available to fully assess the impacts of freedom camping during peak and off-peak hours. T+T advise that QLDC can use their discretion to select appropriate numbers of campers and hours of camping to allow, based on their institutional and expert knowledge of the existing uses and occupancy rates of each carpark. The full results of the site-specific assessment are presented in Appendix E.

There were no carparking areas assessed where un-restricted freedom camping is considered feasible from a traffic and transport perspective.

### Other SME areas

Following the traffic and transport site-specific assessment, the carparking areas recommended for restricted freedom camping were assessed one-by-one across the other SME areas. This involved the following steps:

- If there are no toilet facilities located within 75 m of the carparking area, the carpark is considered appropriate for self-contained vehicles only, as recommended by a number of our SMEs, in order to protect the area from waste.
- The attributes and related constraints developed by each SME and mapped as present on the carparking area from the area-wide assessment were noted.
- Where an attribute was mapped as present, this was reviewed in relation to its adverse impacts on freedom camping, or the adverse impacts of freedom camping on the attribute/area, in relation to protection of the area, health and safety of people, access to the area itself, or some combination of these.
- Where a mapped attribute was confirmed to apply to the carparking area, the recommended constraint level was reviewed to confirm it was appropriate to protect access, health and safety, the area, or some combination, in relation to the specific carpark.
- Following this, controls and mitigation measures have been recommended where necessary in order to adequately reduce the impact of the attribute, or adverse impacts of freedom camping, to protect access, health and safety and/or the area. Where a hard constraint is confirmed to apply, and controls or mitigation measures are not considered sufficient, the prohibition of freedom camping is recommended.

For the majority of carparking sites identified as feasible from a traffic and transport perspective, camping was considered possible with appropriate controls or mitigation measures put in place. The results of the site-specific assessment are presented in Appendix E of the main report.

### Results of site-specific assessment

Of the 122 carparking areas assessed in our site specific assessment, 32 were recommended by our transport SMEs as appropriate for freedom camping, with appropriate restrictions in place. Transport-related restrictions generally involve restricting numbers of campers and the hours of the

day in which camping can occur, in order to reduce the adverse impacts of camping to protect access for other users. Of the 32 carparking areas:

- One area was subsequently recommended as not suitable for freedom camping, due to a number of natural hazard risks present that could not be adequately controlled.
- Two areas require site-specific natural hazard studies to confirm the extent of the natural hazard risk and whether health and safety can be suitably protected with appropriate controls, or should be prohibited.
- In total, 29 areas are regarded as suitable for freedom camping, with appropriate restrictions and controls in place:
  - 16 areas are regarded as suitable for freedom camping, with additional controls such as exclusion zones around water bodies and stormwater infrastructure, and signage highlighting the presence of natural hazards.
  - 13 had no additional recommended controls across the other SME areas outside of transport.

A number of the recommended freedom camping areas (carparks noted above) are within reserve land that falls under the Reserves Act 1977, have existing uses as indicated by their District Plan zoning designations, or have existing lease or license agreements that apply to the carpark or nearby land accessed by the carpark. These matters will require consideration by QLDC in relation to the adverse impacts of allowing freedom camping on the area, health and safety and access to the area to inform the development of the draft bylaw.

An example of one of the carparking areas recommended for camping with appropriate restrictions and controls is shown in Figure iv. The full results of the site-specific analysis are included in Appendix E of the main report.

### **Limitations**

Our site-specific assessment is limited by the accuracy of the mapped carpark information supplied to us. Where the mapped area of a carpark does not align with the actual carparking areas provided (i.e. as may be viewed on Google Maps for example), we have attempted to consider the surrounding carparking area within the transport assessment where the intention of the mapped area is obvious. However, there are still a number of cases where this was not possible, and the site-specific assessment is limited to the mapped area. The mapped constraints that have been assessed by our other SMEs are those mapped as present on the mapped carparking area only. Any carparking area that is not mapped, or was not specifically requested by QLDC, has not been included in the site-specific assessment.



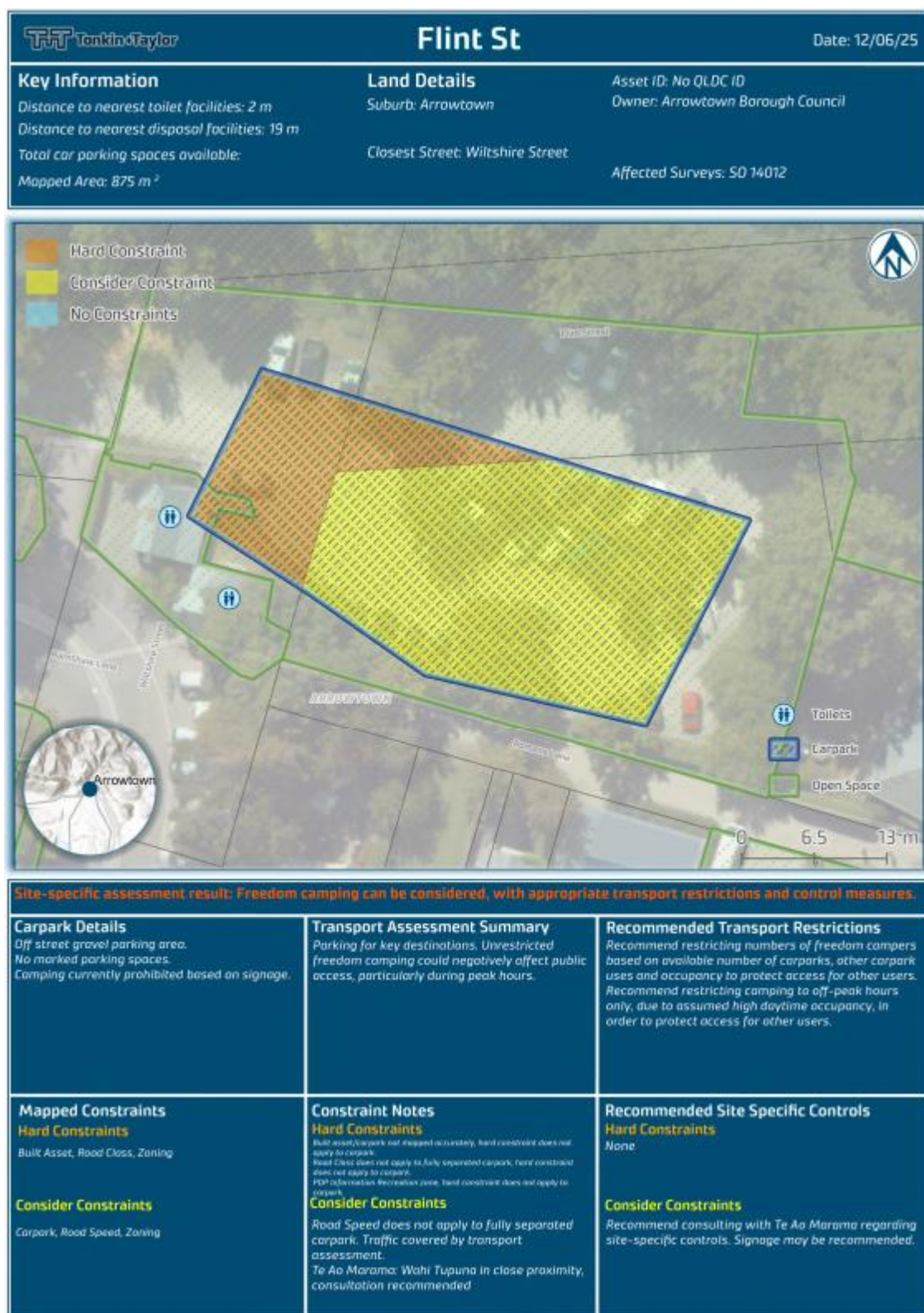


Figure iv: Example site-specific assessment for Flint St carparking area.



## Applicability

This report has been prepared for the exclusive use of our client Queenstown Lakes District Council, with respect to the particular brief given to us and it may not be relied upon in other contexts or for any other purpose, or by any person other than our client, without our prior written agreement.

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