

Attachment D - Overview of QLDCs regulatory activities in regard to freedom camping

QLDC's regulatory team have been involved in the development of the draft bylaw and acknowledge the concerns raised by submitters. The following points provide an overview of the regulatory activities undertaken by QLDC and potential responses to support the draft bylaw:

- QLDC have many years of experience at enforcing the entire district through the Freedom Camping Act 2011 (the Act), previous bylaws and more recently the Reserves Act 1977.
- A mix of proactive targeted patrols and RFS applications/responses to manage freedom camping non-compliance are employed. The enforcement of the Act is undertaken through a proportionate enforcement approach where resources are adjusted subject to demand and non-compliance observed and enforced. There is an aim of being cost neutral where possible, with fees collected from infringements covering the cost of the service.
- This approach allows QLDC to increase or decrease resourcing depending upon demand. Enforcement is carried out in line with the QLDC Prosecution Policy and Enforcement Strategy 2021¹ by applying proportional enforcement (i.e. more hours of patrol in summer when more tickets are issued, less hours in winter when less campers are present, and additional patrols added for hot spot areas or new issue locations). The Prosecution Policy and Enforcement Strategy 2021 encourages self-compliance prior to enforcement action taking place. Signage and communication is an effective way to achieve self-compliance with most people complying with the signage in the first instance.
- QLDC focus enforcement on known issue locations, utilising prior knowledge, data, and create summer and winter regular patrolled routes based upon demand and non-compliance. Patrols are undertaken during the early hours of each day while people are in the act of freedom camping. This is a common enforcement model across multiple regulatory regimes. The common places for non-compliance across the district are known and the specific restricted sites would be monitored closely. These patrol routes are assessed and amended as the demands change across the district.
- Patrols are currently conducted overnight. Daytime patrols do not currently take place. Daytime patrols could be introduced however, this will increase the costs of the service. It is anticipated that daytime patrols will be more challenging for enforcement of these restrictions to cover their own cost.

¹ <https://www.qldc.govt.nz/media/4v5kg35t/enforcement-strategy-and-prosecution-policy-2021.pdf>

- It also needs to be considered that some camping vehicles may remain in these locations to undertake activities during the day. Care will need to be taken around the requirements of the Act, specifically that section 5(2)(b) allows for recreational activities commonly known as day trip excursions during daylight hours. It is necessary to ensure that infringements are issued where there is clearly a breach of the Act and/or the bylaw and that vehicles that may appear to be camping are not infringed (i.e. camping type vehicles during daytime hours).
- Operationalisation of the bylaw (such as the identification and marking of any specific vehicle parking spaces in restricted areas) would be done in collaboration with QLDCs regulatory team to ensure that processes can be established for effective and efficient monitoring and enforcement.