

Full Council

25 June 2026

Report for Agenda Item | Rīpoata moto e Rāraki take [7]

Department: Community Services

Title | Taitara: Freedom Camping Bylaw 2025: Findings Report for Allenby Place and Beacon Point Road

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present the analysis, statutory assessments and associated options in relation to the issues present at Allenby Place Carpark restricted freedom camping area and Beacon Point Road restricted freedom camping area to Queenstown Lakes District Council (QLDC) to support a decision whether to propose changes to the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025.

Executive Summary | Whakarāpopototaka Matua

This report presents the analysis, statutory assessments and reasonably practicable options relating to two restricted freedom camping areas (RFCAs), Allenby Place Carpark (APCP) and Beacon Point Road Carpark (BPR), in order to support Council's decision on whether to propose amendments to the Freedom Camping Bylaw 2025 (the 2025 Bylaw). Council is asked to determine, for each location, whether to retain current settings, or propose additional restrictions, or prohibitions.

The 2025 Bylaw came into effect on 1 December 2025 and included 15 carparks with designated spaces for restricted freedom camping, as well as restricted and prohibited settings for rural areas and urban areas respectively. Early data from implementation of the 2025 Bylaw showed high numbers of Requests for Service (RFS) for Allenby Place and Beacon Point Road. The Chief Executive applied a temporary prohibition at APCP and increased capacity at Wānaka Recreation Centre to offset the removal of these three designated spaces. Councillors subsequently directed officers to prepare a formal findings report to inform a decision on whether to propose changes at APCP. Councillors also requested the same for BPR.

Across the District, the dominant observed issue is non-compliance with restricted area conditions, particularly early arrivals/late departures (overstaying arrival/departure times) and parking outside marked spaces/too many vehicles. The report also notes limitations in attributing some complaints (e.g., rubbish and fouling) to freedom camping without objective evidence, and that RFS volumes at both locations are influenced by repeat numbers of RFS lodged by a small number of individuals.

In addition to typical non-compliance themes, APCP has site-specific access and safety risks linked to the physical constraints of its accessway (narrow width, length and limited visibility), and regular pedestrian/cyclist use to access Mt Iron. A transport assessment indicates these constraints are not present to the same extent at most other RFCAs.

Issues at BPR are largely reflective of district-wide non-compliance themes, with the key concerns being conflict over parking availability for other users and health/safety risks associated with fouling. However, proving that fouling is attributable to freedom campers is often difficult, particularly where behaviours occur outside the defined RFCA.

In deciding whether to propose amendments, Council must apply the Freedom Camping Act 2011 (the Act) section 11(2) tests: (a) whether restrictions/prohibitions are necessary to protect the area, protect health and safety, or protect access; and (b) whether the bylaw provision is the most appropriate and proportionate response.

A key constraint is that Council's statutory assessment must focus on the defined restricted area (the mapped RFCA). Issues occurring outside the RFCA (e.g., on adjoining roads) cannot be relied on as the statutory basis for changing the RFCA settings, though they may be addressed through other tools (e.g., traffic controls and enforcement). This is an important constraint arising from both the 2024 High Court decision and how it subsequently informed the development of the 2025 Bylaw.

The section 11 assessments indicate for both ACPC and BPR that the pattern of non-compliance at APCP is not materially different from the other restricted freedom camping areas. For APCP, additional perceived problems relating to access and health and safety issues, which are exacerbated by non-compliance are also present. For completeness, the assessment for BPR addresses the perceived problem of fouling at the RFCA and notes that evidence is required to show that the problem is clearly attributable to freedom campers.

For each RFCA the assessment states the 2025 Bylaw has only been in force for a short time and that improved education and enforcement measures have not yet been fully developed or implemented. Due to this, Council must consider whether a prohibition to address the perceived problem presents an appropriate and proportionate response under section 11(2)(b) of the Act.

Based on the section 11 assessments undertaken for both RFCs, officers developed reasonably practicable options for Council's consideration as follows:

Allenby Place Carpark	• Option 1: Status quo (no bylaw changes). • Option 2: Targeted restrictions—limit vehicles to a maximum length of 6 metres, prohibit caravans, and prohibit freedom camping in December and January. • Option 3A: Prohibit freedom camping at Allenby Place and permanently add three designated spaces at Wānaka Recreation Centre. • Option 3B: Prohibit freedom camping at Allenby Place (without adding spaces at Wānaka Recreation Centre).
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Beacon Point Road Carpark	• Option 1: Status quo (no bylaw changes). • Option 2: Seasonal prohibition (December–January). • Option 3: Full prohibition.
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The principal advantages and disadvantages of the options for each RFCA are summarised as follows:

Allenby Place Carpark	• The status quo avoids consultation, allows further education and enforcement improvements, preserves district capacity, and avoids added pressure at Wānaka Recreation Centre. Its disadvantage is that it does not address the identified accessway-related health and safety risk and is unlikely to satisfy members of the local community. • The targeted restriction option is more proportionate than a full prohibition and reduces peak-period pressure and larger-vehicle risk but may not fully resolve the issues and would still shift demand elsewhere. • The prohibition option most directly address community concerns and removes the accessway risk, but require consultation, relies on relatively limited evidence, and would increase pressure at other sites. Option 3A preserves overall capacity through three permanent additional spaces at Wānaka Recreation Centre, while Option 3B avoids added operational pressure at that site but reduces overall capacity.
Beacon Point Road Carpark	• The status quo avoids consultation, allows more time to improve compliance, and preserves existing capacity, but leaves overstaying, parking pressure and perceived fouling concerns potentially unresolved. • The seasonal prohibition option targets the busiest months and is less restrictive than a full prohibition but may not fully address the identified issues and would still displace some demand during summer. • The full prohibition option most directly responds to community concerns. but requires consultation and would likely increase pressure on other restricted freedom camping areas.

If Council decides to proceed with one or more bylaw amendments, officers will prepare the statutory determinations report and a Statement of Proposal for Council consideration, followed by public consultation in accordance with the special consultative procedure. If Council retains the status quo for one or both locations, officers will progress site-specific improvements to education, monitoring and enforcement (subject to budget) to improve compliance and strengthen the evidence base for any future review.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Confirm** that its preferred option for the restricted freedom camping area at Allenby Place Carpark is **Option 1** (Status quo): that Council makes no changes to the Freedom

Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 Schedule 2 regarding Allenby Place Carpark and Wānaka Recreation Centre restricted freedom camping areas; and

3. **Confirm** that its preferred option for the restricted freedom camping area at Beacon Point Road Carpark is **Option 1:** (Status quo) that Council makes no changes to the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 Schedule 2 regarding Beacon Point Road Carpark restricted freedom camping area.

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2 June 2026

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2 June 2026

Context | Horopaki

1. The [QLDC Freedom Camping Bylaw 2025](#) (the 2025 Bylaw) came into effect on 1 December 2025. The 2025 Bylaw included 15 carparks with designated spaces for restricted freedom camping. This is alongside prohibiting freedom camping in urban areas (aside from specific restricted freedom camping areas) and allowing freedom camping on rural roads if certain conditions are met. During the first six weeks of operation, approximately 25% of all freedom camping (FC) related RFS in the District were for the restricted freedom camping area at APCP or in Allenby Place.
2. The QLDC Chief Executive (CE), in accordance with powers under Clause 9.1 of the 2025 Bylaw, and in accordance with the relevant matters under section 11(2)(a) of the Freedom Camping Act 2011 (the Act), introduced a temporary prohibition of FC at APCP from Friday 23 January to Thursday 30 April 2026, removing the three designated spaces.
3. At the same time, the CE varied the conditions relating to FC at the Wānaka Recreation Centre (WRC) to increase the number of designated spaces from 18 to 21 at that location, which resulted in the same amount of restricted FC spaces being available in the Upper Clutha Ward.
4. As part of the CE's decision, officers were directed to undertake further research and analysis of the issues presenting themselves at APCP to inform a Council decision regarding the longer-term future of the APCP as a RFCA, including the option to permanently prohibit FC at this area and the required process to achieve this.
5. On 10 April 2026 the CE reviewed the temporary prohibition at APCP and extended it to 31 January 2027. This included the temporary addition of the three designated spaces at WRC.
6. At a QLDC Council workshop on 16 April 2026 (the Workshop), officers provided an initial overview of the first summer of operation under the 2025 Bylaw. Staff also provided further information and context relating to the issues experienced at APCP, outlined what a bylaw amendment process under the Act would entail and sought direction on whether Councillors wanted a formal findings report to be presented to the Council for a decision on whether to propose an amendment to the 2025 Bylaw to prohibit FC at APCP. Councillors confirmed this directive.
7. The above directive included the analysis and assessment of permanently adding the three temporary spaces to WRC in the event of a prohibition at Allenby Place being proposed for consultation.
8. The RFCA at BPR received more RFS than any other area during the reporting period of 1 December 2025 to 31 March 2026. Due to this, Councillors also requested an update on the issues being experienced at BPR as part of the Workshop.
9. Staff provided the requested update and included in this an overview of the issues present at BPR and outlined how these differed from those identified at APCP.

10. Councillors requested that the decision report for APCP also provide the same analysis and option discussion for BPR.
11. The statutory process to amend a bylaw under the Act, and as informed by the Local Government Act 2002 (LGA) is that Council must first establish whether it is satisfied in relation to the relevant elements of section 11 of the Act.
12. Should Council determine that it is satisfied in this regard, then Council must subsequently proceed with adopting a Statement of Proposal in accordance with section 83 of the LGA for public consultation and feedback before making a final decision.
13. This report presents the findings to support a decision of Council as outlined in paragraph 11.

Analysis and Advice | Tatāritaka me kā Tohutohu

General matters applicable to Allenby Place and Beacon Point Road Carparks

Freedom Camping Act 2011 overview

14. In considering the findings of this report, Council must turn its mind to the same matters as were required for the 2025 Bylaw making process as applicable to the matters of this report.
15. The Act enables FC in any local authority area, unless it is restricted or prohibited under a bylaw made under the Act, i.e. there is a presumption that freedom camping on local authority land is a permitted activity.
16. Section 11(2)(a) of the Act empowers local authorities to make bylaws declaring any area to be restricted or prohibited for freedom camping to address perceived problems for one or more of the following purposes:
 - a. To protect the area;
 - b. To protect the health and safety of people who may visit the area; and
 - c. To protect access to the area.
17. Council must also be satisfied that a bylaw is the most appropriate and proportionate way of addressing a perceived problem in accordance with section 11(2)(b) of the Act.
18. For the purposes of this report, Council must consider the matters of sections 11(2)(a) and (b) for the specific issues present at each location, being the RFCAs at APCP and BPR.

RFS analysis

19. RFS are a key tool for QLDC to understand and react to community concerns in a timely manner. RFS also can provide data to assist in informing policy decisions. An individual RFS however does not necessarily represent an issue that Council can or should address. For example, a RFS about non-compliance with the 2025 Bylaw can on investigation be found to be a freedom camping vehicle parking for some hours during the daytime in a restricted freedom camping area, but not in one of the designated FC spaces. This is lawful behaviour and is not an issue of non-compliance if the vehicle is compliant with any applicable traffic and parking regulations (for example not parking across multiple outlined parking spaces in a sealed carpark).
20. Equally Council receives, for example, RFS about waste that is attributed to FC. Often it is not possible for Council to confirm that the rubbish was indeed dumped by a freedom camper who was engaged in the act of freedom camping. Without solid evidence, this type of perceived non-compliance is difficult to prove and to be able to be definitively categorised as a freedom camping related matter.
21. To support a decision of Council when making bylaws, it is generally held that 'objective evidence' is needed to confirm and clearly identify the problem(s), meaning evidence beyond that provided by residents via RFS and that this evidence needs to be able to show clearly that freedom camping is the activity causing the problem.
22. For the purposes of the RFS analysis in this report, it has however been presumed that where the RFS perceives the issue is one of non-compliance, or states the action is attributable to a freedom camper, that this is the case. The summer wrap May 2026 Responsible Camping Programme Update (RCPU) (**Attachment A**) provided to Elected Members on 22 May 2026 summarises what has occurred during the peak season. It outlines that a small number of locations accounted for a high number of repeat requests. This is the case at APCP and BPR, with 71% of all RFS submitted by four customers at APCP, and 31% from a single customer and 61% from three customers at BPR. This report treats each RFS as an individual RFS for analysis purposes, however Council may need to exercise some caution where numerous complaints arise from a single or limited number of sources. While each RFS is considered valid on its own, when they arise from single sources this may reflect a concentrated or particularly engaged viewpoint, rather than general community observations of a problem occurring. In saying this, officers acknowledge that certain sources may have more direct or first-hand knowledge of the issues, but it is still important to exercise some caution when assessing each RFS.
23. For analysis and reporting purposes, and to support understanding, FC related RFS are grouped into four high-level categories:
 - a. Bylaw non-compliance RFCA = non-compliant activities on an RFCA;
 - b. Onsite behaviours = Activities of freedom campers on a RFCA that does not represent non-compliance with the Act or 2025 Bylaw (e.g. hanging clothes to dry);

- c. Bylaw non-compliance District = any non-compliant activity anywhere in the District (e.g. FC in a tent or not complying with the restrictions for FC on rural roads);
- d. General = Other matters, (e.g. requests for enforcement or other operational actions, opposition to FC in general).

24. Detailed analysis of the RFS received for APCP and BPR is provided in the relevant sections of this report.

Enforcement and Summer Ambassador data

- 25. Other FC data collected by QLDC, including data specific to APCP and BPR, has been analysed to inform this report. This analysis is high-level, intending to support understanding of the issues at APCP and BPR specifically, rather than a detailed comparison across all RFCAs. The RCPU details the activities and actions of the programme across the District and includes a broader overview of the issues present over the summer period. This report draws on the RCPU where relevant.
- 26. Infringements issued at both APCP and BPR are highly consistent with infringements issued across the other restricted FC areas, with the predominant infringement types being 'failed to comply with the restricted area conditions', as indicated in the RCPU, which shows that for the reporting period, of the top 20 locations where infringements were issued, BPR received 5% and APCP received 2% of these, noting the temporary prohibition coming into effect on 23 January at APCP.
- 27. The information collected through the summer ambassador programme is a record of the daily site surveys, as well as daily handover notes provided by the ambassadors to each other to follow up on tasks and issues and improve rollout of the programme. Over 1800 individual site surveys were completed across all RFCAs between 1 December 2025 and 31 March 2026.
- 28. In general, the enforcement and summer ambassador programme data confirms that non-compliance with the 2025 Bylaw is by far the biggest issue observed, with overstaying arrival/departure and parking outside of the marked spaces/too many vehicles being the largest proportion of non-compliance, but improper toileting and poor rubbish management is also identified.
- 29. The RCPU highlights that the high demand for the limited free spaces during the peak summer period resulted in early arrivals, queuing for spots and a repeated need for freedom campers to be asked to move on. The RCPU further outlines these issues created difficulties in ensuring compliant behaviour.
- 30. The relevant sections of this report provide more detailed analysis of the summer ambassador data for APCP and BPR.

Further considerations

31. This section provides an overview of further considerations that are relevant to inform the options for both APCP and BPR outlined in this report.
32. As a result of the quashing of QLDC's 2021 Bylaw by the High Court in 2024, the development and proposal of the 2025 Bylaw followed a rigorous process to first define and identify local authority areas to then allow for a technical assessment of these areas to provide a robust basis for decision-making.
33. This resulted in the exclusion of any local authority areas, or parts of local authority areas, that could not be accessed by vehicles for the transport assessment component of the analysis, as the act of freedom camping in those locations was not considered possible given that FC in tents was proposed to be prohibited throughout the District.
34. While the Tonkin & Taylor (TT) assessment also included wider environmental values such as ecological issues and water quality, any areas with such identified issues were excluded from consideration prior to the final suite of carparks being proposed due to additional issues, such as the traffic assessment or confirmation that the local authority area had been identified as a reserve under the Reserves Act 1977.
35. Following this assessment process and the identification of possible RFCAs, the mapping of these RFCAs in Schedule 1 of the 2025 Bylaw was limited to the boundaries of the carparking area of each RFCA.
36. The 2024 High Court decision¹ included a detailed consideration of what could be considered 'the area' for the purposes of making a bylaw under the Act. Accordingly, for the purposes of considering any changes to APCP and BPR, Council cannot consider issues arising on land adjacent to the current restricted freedom camping areas, including any adjacent council controlled land. Further details on this matter are provided in the Legal Considerations and Statutory Responsibilities Section of this report at para 137.
37. The development of the 2025 Bylaw relied on data to identify existing perceived problems that can be addressed under a bylaw made under the Act, including in specific areas. However, there is no clear data providing evidence of the types of issues raised in the RFS for APCP and BPR prior to December 2025 that could have informed the development process, or that can be assessed against the scale of issues currently being reported. This includes both activities that now present non-compliance under the 2025 Bylaw, as well as activities that would have been either permitted or non-compliant under the Act, or other legislation at that time. Without any clear indication of any specific existing issue(s), Council may not pre-emptively apply a consideration under section 11(2)(a) to an area to restrict or prohibit freedom camping in that area.

¹ NZMCA v QLDC [2024] NZHC 2729 (NZMCA)

38. Further, the nature and scale of the issues identified indicate that much of the observed non-compliance has been due to the oversubscription of the available FC areas in the District as outlined in para 29. This adds an additional layer to the issues identified that would not have been able to be anticipated in the development of the 2025 Bylaw.
39. This links to the short length of time a bylaw has been in force and in association with this, what level of non-compliance, or new problems may be occurring, to warrant consideration of a change.
40. The assessments and analysis for each RFCA in this report provides details of the types of issues present at each. In each case, non-compliance with the 2025 Bylaw presents the largest proportion. When developing options for any bylaw related decision, an important consideration is what other potential solutions are available to address the perceived problem(s), instead of a bylaw, or in this case, a provision within a bylaw. This can include increased enforcement activities, non-regulatory approaches such as education, or even physical structures such as fences and gates. Other regulatory tools may also be available.
41. These considerations then provide a basis for a statutory decision of Council whether a bylaw is the most appropriate, and in case of a bylaw made under the Act, also a proportionate way of addressing the perceived problem.
42. If freedom campers were compliant with the rules, most issues would not be present, or in other words, completely new problems are not the key issues being raised. As such, other approaches are available to Council to address the non-compliance, including improved or additional educational activities, signs and increased or site focused enforcement activities. There may also be other available regulatory tools, such as the painting of road markings to indicate no stopping, standing or parking and associated enforcement actions, or other traffic calming or directional measures that can support issues in the vicinity of the RFCAs. This type of consideration is also important considering the short length of time the 2025 Bylaw has been in force.
43. There is no technical or legal framework that informs the length of time a regulatory mechanism should be in place before it is reviewed. However, best practice policy approaches indicate the time the 2025 Bylaw has been in place could be considered insufficient to gather an appropriate amount of data on the scale and type of problems. Implementation and monitoring activities are unable to be reviewed and improved, to support improved compliance as outlined in para 42. For example, the RCPU outlines that the voluntary check-in system did not achieve the desired outcome and in fact may have had the adverse effect of increasing traffic to sites. Adjustments to educational and support activities prior to the next summer period as part of the future work programme, may support a reduction in the range and number of issues experienced during the next busy period.
44. An alternative view is that given the period in question was the busy summer period, this is a time where any issues are going to be more apparent and therefore the existing data is sufficient.

45. Reductions of existing RFCAs in the District, and for the purposes of the matters of this report the Wānaka-Upper Clutha /Mata-Au Ward, may incur additional pressure at the remaining RFCAs in that area. Previous reports to Council, including the RCPU, highlight that Queenstown-Lakes experiences significant tourism-related infrastructure pressures, with pronounced seasonal peaks. The RCPU discusses the challenges experienced over the reporting period and that these reinforce the importance of exploring additional options to address these peak-time pressures.

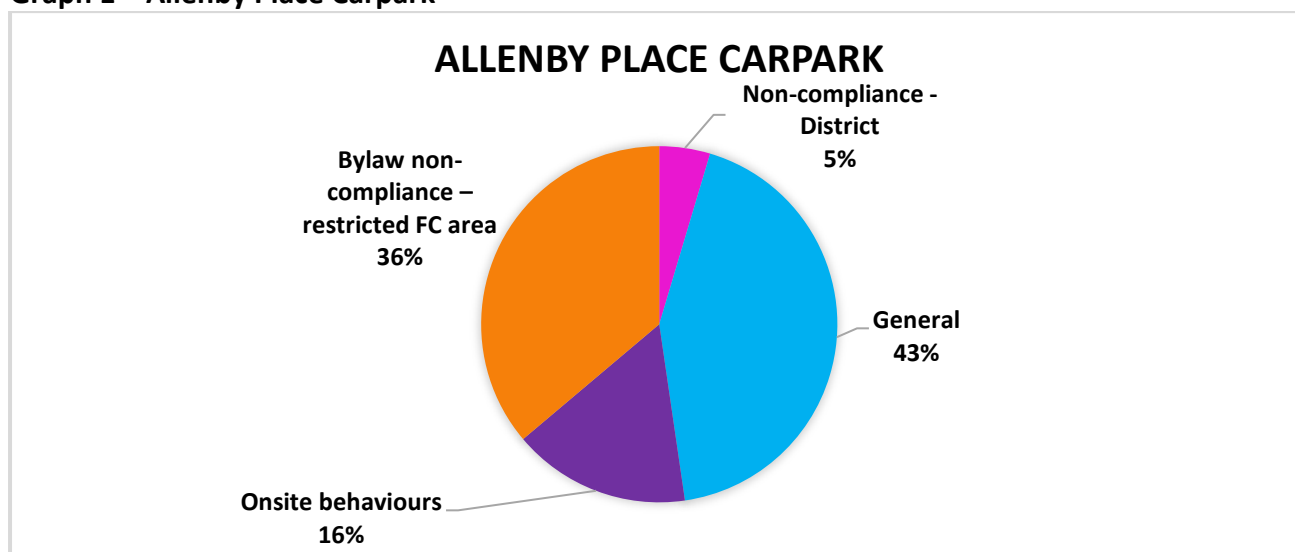
Allenby Place Carpark

46. The Briefing Report provided to the CE on 15 January 2026 (**Attachment B**) outlined the issues raised through RFS at APCP to support a decision whether to temporarily prohibit FC at APCP in accordance with the requirements of the Act. To inform this report, these issues have been further researched, analysed and refined.

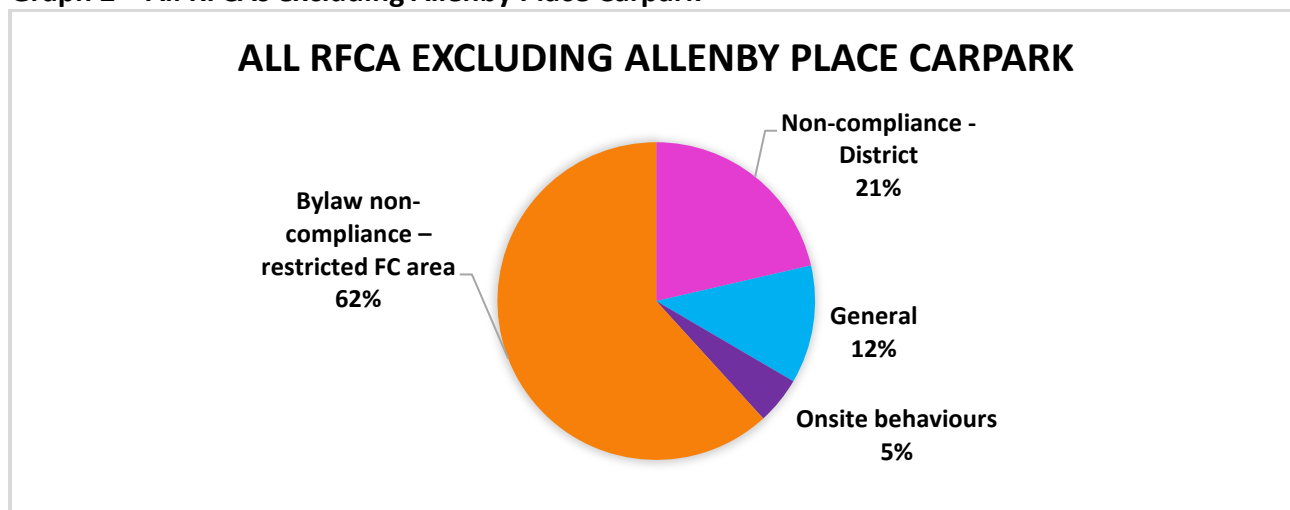
Analysis of RFS

47. A substantial portion of the RFS allocated to the restricted freedom camping area (RFCA) at APCP were about activities in the vicinity of the APCP (e.g. Allenby Place), but not in the area itself (35%). Freedom camping on Allenby Place is prohibited in accordance with Schedule 2 of the 2025 Bylaw. Due to the nature of the matters of this report however, these RFS have been included in the analysis provided for completeness and this is further addressed in the relevant sections of this report.
48. A high-level comparison of the four RFS categories (as outlined in para 23) across the other 14 RFCAs in the District and Allenby Place/APCP was completed. The graphs below illustrate that Allenby Place had a higher proportion of RFS relating to the 'General' and 'Onsite behaviour' categories. Noting that the data for Allenby Place is for the period 1 December 2025 to 22 January 2026, whereas the data for the remaining sites is for the full summer reporting period of 1 December 2025 to 31 March 2026.

Graph 1 – Allenby Place Carpark



Graph 2 – All RFCAs excluding Allenby Place Carpark



49. The total number of RFS for APCP between 1 December and 22 January as reported to the 16 April Council workshop was 80. These have now been further reviewed and analysed. Duplicate RFS raised have been removed, as well as RFS that relate solely to the Mt Iron Carpark, accessed off the State Highway. This results in a revised total number of 75 RFS for the period where restricted freedom camping was permitted at APCP. Two of these RFS were from freedom campers who had stayed at APCP, and these have been omitted from the further analysis. Across the remaining 68 RFS, 130 defined issues were raised.

50. These issues have been allocated across the four high-level categories as shown in the graphs in para 48. However, to support this analysis, the category of 'General' issues has been split into two subcategories. **Table 1** shows the total number of issues allocated to each category, sorted by highest to lowest. **Tables 2,3** and **4** provide a further breakdown of categories 1 -3.

Table 1 – APCP total issues for each RFS category

#	RFS category description	# RFS issues
1	Non-compliance with the 2025 Bylaw on the restricted area	47
2	General - Activities occurring on Allenby Place	40
3	Behaviour on the restricted area by freedom campers	21
4	General - Operational and implementation issues with the 2025 Bylaw	16
5	Non-compliance – District (on Allenby Place*)	6

* Excludes non-compliance where clearly linked to APCP being full, these are included in category 2, see Table 3

Table 2 – Category 1: Non-compliance with 2025 Bylaw on APCP

RFS type – non-compliance with 2025 Bylaw	# RFS type
Outside of marked spaces/too many vehicles	27
Overstaying – departure or arrival time	12
Fire	4
Non self-contained vehicle	2
Fouling	1
Rubbish	1

51. The types of non-compliance occurring at APCP during the reporting period is comparable to the other restricted freedom camping areas in the District. The overview provided at the 16 April QLDC workshop showed that RFS for parking outside the marked areas/too many vehicles and overstaying (arrival/departure) represented all the RFS for 2025 Bylaw non-compliance at seven sites and over half for the remaining sites. Just over 80% of non-compliance related RFS at APCP relate to these types of non-compliance.

Table 3 – Category 2: RFS relating to activities/issues on Allenby Place

RFS type – activities/issues on Allenby Place*	# RFS type
Heavy traffic	22
FC in Allenby Place due to restricted site being full	8
Noise due to FC driving at night	9
Freedom camper activities on Allenby Place**	7
Traffic blocking road and/or driveway access	6
Dangerous driving	4

* Some of the RFS in this category raised more than one matter, therefore the total numbers shown add up to more than the number of issues (30) indicated in category 2.

** Freedom camping vehicle occupants exhibiting unwanted daytime behaviours such as getting changed outside their vehicle or cooking.

52. The RFS for Allenby Place include some instances of non-compliance as well as day-time activities of freedom campers. However, the majority (over 70%) are for traffic (and associated noise and danger issues) related issues that are perceived to be because of the oversubscription of the designated spaces for freedom camping at APCP.

Table 4 – Category 3: RFS relating to behaviours of freedom campers on APCP that does not amount to non-compliance with the 2025 Bylaw or FCA.

RFS type – behaviours of freedom campers on APCP*	# RFS type
Dangerous/inconsiderate driving onsite	8
FC vehicles taking up daytime space in area, blocking access for Mt Iron walkers	7
Antisocial behaviour/misuse of facilities**	5

RFS type – behaviours of freedom campers on APCP*	# RFS type
Obstructing access onsite	4
Blocking access for Mt Iron walkers/cyclists	3
Obstructing access for properties using accessway	2
Damage to road due to FC vehicles	1

* Some of the RFS in this category raised more than one matter, therefore the total numbers shown add up to more than the number of issues (20) indicated in category 2.

** Freedom camping vehicle occupants doing dishes in toilet sinks/brushing teeth or other 'hygiene' activities, misusing the public toilets.

53. **Table 4** shows that for RFS received for APCP that are not clearly 2025 Bylaw non-compliance issues, most issues relate to the presence and manoeuvring of freedom camping vehicles that are considered to create access and safety issues.

54. In summary, the analysis of the RFS data shows:

- a. APCP received a different split of RFS within the four high level categories compared to the other RFCAs;
- b. The types of non-compliance RFS received under the 2025 Bylaw or the FCA were similar to those recorded across the other 14 RFCA;
- c. The majority of RFS received relating to Allenby Place (excluding APCP) related to traffic issues;
- d. Most of the instances of non-compliant freedom camping at Allenby Place were perceived to be due to the oversubscription of APCP; and
- e. Of the RFS for compliant activities occurring at APCP, most issues relate to vehicle movements and associated access and safety issues.

Summer Ambassador data

55. The data for the 66 site surveys at APCP between 1 December 2025 and 22 January 2026 were reviewed. Comments included in the surveys have, where relevant, been allocated to the categories and types as provided for the RFS.

56. **Table 5** below shows the total numbers of observations across all RFCAs compared to those for APCP.

Table 5 – Site survey observations

Observation type	All sites (excl. APCP)	APCP
Overstaying - arrival/departure	551	15
Outside of marked spaces/too many vehicles	110	7
Anti-social/misuse of facilities*	28	5
Rubbish	140	3
Fouling	59	0
Non self-contained/tent	25	0
Overstaying - nights	7	0

* Freedom camping vehicle occupants doing dishes in toilet sinks/brushing teeth or other 'hygiene' activities, misusing the public toilets

57. The data in **Table 5** indicate alignment between the RFS for non-compliance and the site survey observations of the summer ambassadors, with parking outside of the marked spaces/too many vehicles and 'overstaying-arrival/departure' presenting a significant proportion of all observations.

58. The site survey comments provided have also been further analysed to establish whether there are any similarities between the other RFS for APCP and the ambassador observations. 45 of the recorded site visits for APCP had additional comments, often explaining whether any freedom campers had been talked to and what those interactions had been about. Of these, nine include commentary regarding advising freedom campers of other locations or turning them around as the site was at capacity.

59. Due to the nature and intent of the handover notes of the summer ambassadors, no detailed data analysis has been undertaken, however a high level qualitative review of the notes indicates:

- Consistent early arrivals and 'spot holding' at ACPC, causing frustration for freedom campers arriving at the correct time to find the allocated sites already taken and having to then leave and move on to find another site;
- Instances of freedom camping vehicles ignoring the sandwich board sign at APCP indicating the RFCA was already full and still driving to the site to check; and
- Limited free alternative options available to advise freedom campers of if RFCA is full.

60. The RFS in **Table 4** indicate access issues for other users of APCP. The RFCU states: 'A persistent theme from the community was an opposition to freedom camping in busy, public spaces, like the Queenstown Event Centre, where camping activities was seen to conflict with other users of the carpark.' This indicates access issues for (local) users were perceived at a range of RFCAs in the District including APCP, but this issue is not specific to APCP or clearly or repeatedly indicated in either the site survey data or the handover notes.

Tonkin and Taylor Report

61. As outlined in **Table 4** at paragraph 52, the RFS for APCP raised a range of issues relating to traffic matters, including obstructing access. Based on the direction received for further research and analysis, officers determined that additional technical analysis was required.
62. QLDC engaged Tonkin and Taylor (TT) to review the specific circumstances at APCP relating to access to the RFCA and associated access and health and safety issues. The key elements of the report (**Attachment C**) discuss:
- the length and width of the accessway at APCP and associated vehicle passing and tracking manoeuvres; and
 - a comparison of issues for the other four RFCAs in the District that are also accessed via an accessway², including the use of the accessway by pedestrians and cyclists.
63. The assessment for the APCP accessway width and length shows that it is relatively long and narrow, being 4.5 metres wide at its narrowest point. The accessway edges are further constrained by fences, vegetation and formed curbs on both sides of the accessway. This width does not meet the QLDC Land Development and Subdivision Code of Practice, which would require a minimum width of 5.5 metres in the same or similar circumstances. The length of the accessway also means that it is possible for multiple vehicles to be travelling in both directions on the accessway.
64. Due to these issues, the report outlines that the width of the accessway limits the ability for campervans to safely pass other vehicles on the accessway and that the length of the accessway and visibility issues can make it difficult for vehicles manoeuvring out of the carpark or the adjacent residential properties to safely assess whether there are vehicles entering the accessway which may not allow for the vehicles to safely pass each other.
65. It is important to note that these issues also apply to other vehicles entering and exiting APCP, but that due to the potential size of larger freedom camping vehicles, this may be exacerbated by such vehicles.
66. For completeness, the TT report reviewed the 14 other RFCAs in the District to determine if similar issues were present. The review found that four other RFCAs are accessed via an accessway, and these were then further assessed against the following range of criteria:
- Is the accessway wide enough for two vehicles (including a campervan) to pass each other?

² For the purposes of this report and the 2025 Bylaw, an accessway is defined as the portion of land of RFCA that links the road that the RFCA is accessed off and the portion of the RFCA that forms the key purpose of the RFCA, which for each of the sites assessed is for the primary purpose of parking a vehicle.

- How long is the accessway and are there any visibility issues?
- Are there any other relevant issues on the accessway?
- How do pedestrians (other than people returning to their vehicles) and/or cyclists utilise the accessway and does it provide access to private property?

67. The report also compared vehicle tracking for campervans entering and exiting the RFCA in the event of all allocated designated parking areas being full. **Attachment D** provides an overview of the same assessment issues for APCP for completeness.

68. **Table 6** below provides a summary of the findings for the five RFCAs with accessways.

Table 6 – Summary of findings for RFCA with accessways

Carpark	Wide enough for 2 vehicles to pass	Visibility	Pedestrian/cyclist access	Manoeuvring required to exit
Lakeview Carpark, Queenstown	Yes, marked out as two lanes	No issues	Separate path	No
Wānaka Recreation Centre Carpark	Yes, marked out as two lanes	No issues	Separate path	No
Hansen Place Carpark, Arrowtown	No, but short accessway	Good visibility allows vehicles to safely wait on Ramshaw Lane	Separate pedestrian paths and access points available	No
Glenorchy Domain Carpark, Glenorchy	No, but short accessway	Good visibility allows vehicles to wait on Jetty Street	No separate pedestrian access points, but limited use anticipated	Yes
Allenby Place Carpark, Wānaka	No	Limited visibility due to length and angle of accessway	No separate pedestrian and cyclist access Accessway regularly used by walkers and cyclists to access Mt Iron	Yes

69. The key issues identified in the TT transport assessment indicate:

- the width of the accessway limits the ability for a campervan to safely pass another vehicle on the accessway, especially for larger campervans. The length of accessway can make it difficult for vehicles manoeuvring out of the carpark to safely assess whether there are

vehicles entering the accessway from Allenby Place and hence whether two vehicles can safely pass each other

- the length of the accessway, and as compared to the other four sites assessed, can present visibility issues, including for the three properties that enter and exit their properties via the accessway
- there is sufficient width to accommodate pedestrian/cycle movements along the accessway at the same time, however the APCP, unlike the four other sites, provides direct access to walking and cycling option on the adjacent Mt Iron and the site is frequently accessed for these purposes
- vehicle tracking demonstrates that a campervan can safely enter and exit three of these carparks if the allocated FC carparks are occupied without any onsite manoeuvring required, however this is not the case at Glenorchy Domain Carpark or APCP.

Perceived problems at the RFCA at Allenby Place Carpark

70. Of the 75 RFS analysed for this report, the largest proportion of issues raised relate to two non-compliant activities, being 'overstaying-arrival/departure' and 'outside of marked spaces/too many vehicles', with RFS for other issues being relatively low. This perceived problem is substantiated through the data provided through the summer ambassador programme, which also confirms that these issues represent the largest portion of issues present at most of the remaining 14 RFCAs, as well as corresponding lower numbers for other types of non-compliance. Given these similarities, it is not considered that these issues of non-compliance at APCP present a problem that is substantively different from the remaining 14 RFCAs in the District.
71. There are two additional perceived problems presented through the RFS that are either not present, or not present to the same degree, at the remaining 14 RFCAs in the District:
- a. access related problems on the APCP site
 - b. traffic related problems on Allenby Place, adjacent to APCP.
72. The access related issues described in the RFS were further assessed through the TT Report. This report confirms that the width and length of the accessway and the nature of freedom camping vehicles entering and exiting the ACPC create potential access and health and safety concerns that are not present to the same extent at the remaining 14 RFCAs.
73. The traffic related concerns identified in the RFS for Allenby Place (as opposed to APCP itself) are deemed to be because of the consistent oversubscription of the RFCA and associated traffic movements. This issue is reflected somewhat in the data provided by the summer ambassadors, noting that the RCPU indicates this issue was experienced across multiple RFCAs.

74. The 20 March 2025 Freedom Camping – Issues and Options Council Report identified 11 possible perceived problems associated with freedom camping. Using these as a basis, the key perceived problems at APCP that have been identified since the 2025 Bylaw came into force include:

- A high level of non-compliance with the 2025 Bylaw, resulting in occupation of parking spaces reducing availability for other users;
- impacts to access into or across local authority areas for intended use or other users;
- public health and safety risks from traffic movements on the RFCA; and
- vehicle congestion on streets and other public areas in the vicinity of the RFCA.

Associated changes to number of designated spaces at Wānaka Recreation Centre

75. As previously outlined, the January 2026 CE decision to temporarily prohibit FC at APCP also included adding three designated spaces at WRC to offset the temporary removal of APCP and in recognition of the high demand of designated spaces throughout the District.

76. In the event of Council determining to propose a permanent prohibition at APCP, consideration whether the three temporary designated spaces should be permanently added to the existing 18 spaces at WRC is warranted. The analysis and assessment section for APCP therefore also includes associated matters for WRC and the following paragraphs provide a high level description of the issues present at WRC to inform that analysis.

77. Detailed analysis of the RFS and the summer ambassador data has not been undertaken. As for most other sites, most RFS issues relate to 2025 Bylaw non-compliance matters. Similarly, the ambassador inspection issues show overstaying and parking outside of marked space as the top two inspection issues.

78. The RCPU additionally mentions a range of issues present at WRC, including repeated incidents of toileting in the bushes and much direct engagement through the ambassadors to deal with early arrivals and vehicles exceeding site capacity at WRC. The misuse of facilities at WRC is also highlighted. In response to persistent issues, two portaloos were installed in January 2026. The RCPU also reports that WRC was a site subject to considerable tensions due to the nature of the site which supports everyday community and recreational use.

79. Staff further report that the relatively large number of designated FC spaces at WRC prior to the addition of three spaces on 23 January was already observed to be problematic and this is reflected in the comments and data provided in the RCPU at para 78.

80. Feedback from officers regarding adding the three designated carpark spaces permanently to WRC indicates that the temporary addition was a challenge to manage but note however that the absence of blue paint markings for the three added spaces may have contributed to this.

Overall officers found the volume of campers due to the large number of designated spaces in this RFCA, which also is in high demand from the community, difficult to manage. The layout of the carpark, with the extra spaces being in a separate bay may also have created an additional barrier to freedom campers understanding the restrictions in place at WRC.

Beacon Point Road Carpark

81. Council requested an update on the RFCA at BPR for the 16 April 2026 workshop due to the high number of RFS received and at that workshop requested that this report also included findings and associated options for consideration for this location.

Analysis of RFS

82. Officers have further reviewed and analysed the RFS for BPR for the period of 1 December 2025 to 31 March 2026 as reported to the Workshop, have been with duplicate RFS removed. For completeness, the data for 1-30 April 2026 has been added. This resulted in a revised total number of RFS of 125, with 155 defined issues raised within these RFS. **Table 7** provides a breakdown of these issues across the four high-level categories.

Table 7 – RFS by four high-level categories

#	RFS category description	# RFS issues
1	Non-compliance with the 2025 Bylaw on the restricted area	124
2	Non-compliance – District	11
3	General	17
4	Behaviour on the restricted area by freedom campers	3

83. **Table 8** provides a further breakdown of category 1.

Table 8 – Category 1: Non-compliance with 2025 Bylaw

RFS type – non-compliance with 2025 Bylaw	# RFS type
Outside of marked spaces/too many vehicles	81
Overstaying – departure or arrival time	18
Fouling	22
Rubbish	3

84. The types of non-compliance occurring at BPR during the reporting period is comparable to the other restricted freedom camping areas in the District. The overview provided to the Workshop showed that RFS for parking outside the marked areas/too many vehicles and overstaying (arrival/departure) represented all RFS for 2025 Bylaw non-compliance at seven sites and over half for the remaining sites. Just under 80% of non-compliance related RFS at BPR relate to these types of non-compliance.

85. Reported fouling issues are however higher at BPR than at other RFCA in accordance with the data provided at the Workshop, with fouling representing 15% of all RFS.
86. The 11 instances of non-compliance with the District-wide rules were all for issues of camping in non-self-contained vehicles at the RFCA. 13 RFS under the 'General' category were for requests for better enforcement or opposition to the FC rules at BPR, with the remaining four relating to traffic concerns on Beacon Point Road in the vicinity of the RFCA. The three instances of anti-social behaviour related to people eating breakfast and hanging clothes to dry.

Summer Ambassador data

87. The data for the 135 site surveys from 1 December 2025 to 31 March 2026 were reviewed and relevant comments have been allocated to the categories and types as provided for the RFS.
88. **Table 9** shows the total number of observations across all RFCAs compared to those for BPR.

Table 9 – site survey observations

Observation type	All sites (excl. BPR)	BPR
Overstaying – arrival/departure	521	45
Outside of marked spaces/too many vehicles	108	9
Anti-social/misuse of facilities	31	2
Rubbish	130	8
Fouling	49	25
Non self-contained/tent	22	3
Overstaying - nights	7	0

89. The data in **Table 9** indicates general alignment between BPR and all other RFCAs, with overstaying-arrival/departure being the highest observation type in both cases.
90. Proportionally, fouling observations at BPR present comparatively high numbers compared to the remaining RFCAs. It is noted that most reports of fouling by the ambassadors does not indicate that there is any clear evidence linking the observed result of fouling with freedom campers. Equally, many of the observations are about 'toileting in the bushes', which is not within the RFCA. These matters are discussed in more detail in the analysis section of this report.
91. The site survey comments provided have also been further analysed to establish whether any additional themes were noted. As with APCP, several comments (7) outlined that ambassadors spent some time redirecting vehicles due to the site already being full, and this correlates to the traffic issues raised (4) in the RFS for BPR.
92. A high level qualitative review of the handover notes of the summer ambassadors indicates alignment with the observation types in **Table 8**. Overall, the enforcement and summer ambassador programme data indicates alignment with the range of issues identified in the RFS. The RCPU also further confirms that the issues present at BPR are largely reflective of the issues

being experienced at other RFCAs, including that ambassadors across the District consistently observed early arrivals, overstaying and parking outside of designated areas.

93. While reports of fouling are comparatively high at BPR, it is noted for completeness that the RCPU notes that Red Bridge Reserve and Wānaka Recreation Centre experienced repeated incidents of toilet in the bushes and the accumulation of toilet paper, despite toilet facilities being available, unlike BPR.

Perceived problems at the RFCA at Beacon Point Road Carpark

94. Just over 80% of the perceived problems at BPR relate to non-compliance with the 2025 Bylaw. The two key issues raised in RFS, and officer generated data are 'overstaying - arrival/departure' and 'fouling'.
95. The 20 March 2025 Freedom Camping – Issues and Options Council Report identified 11 possible perceived problems associated with freedom camping. Using these as a basis, the two key perceived problems at BPR that have been identified since the 2025 Bylaw came into force are:
- a high level of non-compliance with the 2025 Bylaw resulting in occupation of parking spaces reducing availability for other users; and
 - non-compliance with the 2025 Bylaw and Act resulting in health and safety risks from fouling.

Section 11(2)(a) & (b) assessments

96. To inform its decision on a preferred option, Council must consider the following for each RFCA:
- a. Under section 11(2)(a), Council must be satisfied that any restrictions or prohibitions are necessary for one or more of the purposes prescribed, being to protect the area, protect the health and safety of visitors to the area, or to protect access to the area;
 - b. Under section 11(2)(b), Council must determine that a restriction or prohibition is the most appropriate way to address the perceived problems, and that any restrictions or prohibitions proposed are a proportionate response to addressing the perceived problems. As freedom camping is otherwise permitted, restrictions and prohibitions must be supported by evidence that justifies both the issue being addressed and the response proposed; and
 - c. Under section 11(2)(c), Council must ensure that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
97. The following sections provides an assessment of the above matters for each RFCA.

Section 11 (2)(a) & (b) assessment - Allenby Place Carpark

98. This findings report was requested by Elected Members to support a decision of Council to consider amending the 2025 Bylaw to prohibit FC at APCP due to the range and number of RFS received for this RFCA as well as RFS for Allenby Place. This section provides an assessment of the relevant section 11 matters of the Act to change the RFCA to a prohibited area.
99. Due to the matters outlined in the Legal Considerations and Statutory Responsibilities Section of this report at para 137, the issues reported in RFS for Allenby Place cannot be taken into consideration for the purposes of the assessment as these are occurring outside of the RFCA.
100. It is however important to note that Council can choose to implement other measures on Allenby Place to address some of the issues outlined. For example, Council can install no stopping, standing or parking line (yellow lines) in appropriate locations on Allenby Place and enforce this to discourage unlawful daytime stopping of freedom camping vehicles.
101. **Table 10** below identifies the relevant perceived problems at APCP and provides a section 11(a) and (b) assessment for each.

Table 10 – Perceived problems at Allenby Place Carpark and Section 11(2)(a) &(b) assessment

Perceived problem	Assessment – section 11(2) (a) & (b) of the Act
A high level of non-compliance with the 2025 Bylaw resulting in occupation of parking spaces reducing availability for other users	<i>Section 11(2)(a)</i> The purpose and intent of the 2025 Bylaw and the rules applicable to APCP was to ensure issues relating to all three protections of section 11(2)(a) were adequately addressed. While a continued level of non-compliance can indicate a need to change a bylaw provision to address one or more of the matters of section 11(2)(a), the analysis of this report indicates that the level of non-compliance experienced at APCP is not dissimilar to the remaining 14 RFCAs in the District. <i>Section 11(2)(b)</i> Due to the relatively short amount of time the 2025 Bylaw has been in place, the ability for Council to prove sustained and on-going non-compliance at APCP is limited. Additionally, improvements to education and enforcement activities have not yet been able to be developed or implemented that may result in a reduction in non-compliance. While non-compliance can indicate a need for protection relating to the matters of section 11(2)(a), due to the

Perceived problem	Assessment – section 11(2) (a) & (b) of the Act
	circumstances present Council must consider whether a prohibition to address the perceived problem presents an appropriate and proportionate response under section 11(2)(b) of the Act.
Impacts to access into or across local authority areas for intended use or other users	<i>Section 11(2)(a)</i> The analysis of RFS and the associated data provide in Table 4, shows that the community considers freedom camping at APCP creates access issues for other users. While evidence confirming this issue has not been able to be confirmed through officer generated data, this perceived problem presents a matter under S11(2)(a)(iii) 'to protect access to the area'. <i>Section 11(2)(b)</i> This perceived problem is not entirely linked to non-compliance, but it is also considered that the problem occurred largely due to the oversubscription of the APCP and the associated traffic movements on site. As with the previous perceived problem, due to the length of time the 2025 Bylaw has been in place, Council must consider whether a prohibition to address the perceived problem pre presents an appropriate and proportionate response under section 11(2)(b) of the Act.
Public health and safety risks from traffic movements	<i>Section 11(2)(a)</i> The analysis of RFS and the associated data provide in Table 4, shows that the community considers freedom camping at APCP creates access issues for other users. Evidence confirming this issue has not been able to be confirmed through officer generated data, however the TT report outlines a range of issues present at APCP that indicate this perceived problem presents a matter under S11(2)(a)(ii) 'to protect the health and safety of people who may visit the area'. <i>Section 11(2)(b)</i> Due to the length and width of the accessway at APCP and the required turning manoeuvres for vehicles entering and

Perceived problem	Assessment – section 11(2) (a) & (b) of the Act
	exiting the site, it is considered that even with a much increased rate of compliance and a reduction in traffic on the accessway, the physical issues present at APCP, taking into consideration the potential size of freedom camping vehicles and the pedestrian and cyclist use of the accessway to access Mt Iron would still present public health and safety risks. A bylaw that addresses this issue may be considered an appropriate and proportionate response under section 11(2)(b) of the Act.

Section 11 (2)(a) & (b) assessment - Beacon Point Road Carpark

102. This findings report was requested by Councillors to support a decision of Council on whether to propose amending the 2025 Bylaw to prohibit FC at BPR due to the range and number of RFS received for this RFCA. This section provides an assessment of the relevant section 11 matters of the Act to change the RFCA to a prohibited area.

103. Due to the matters outlined in the Legal Considerations and Statutory Responsibilities Section of this report at paragraph 137, the issues reported in RFS occurring outside of the RFCA cannot be taken into consideration for the purposes of the assessment of potential changes to the RFCA.

104. It is however important to note that Council can decide to implement other measures at Beacon Point Road to address some of the issues outlined. For example, Council can enforce the provisions of clause 5 of the Activities in Public Places Bylaw, which prohibits a person from doing anything to cause a nuisance in a public place., or consider non-regulatory approaches such as signage about appropriate behaviour and activities at Beacon Point.

105. The ambassador data indicates however that a small portion of identified fouling issues occurred on the RFCA. Additionally, some of the RFS data also indicates fouling issues on the RFCA itself. As such, the assessment below includes the perceived problem of fouling on the RFCA.

106. As noted elsewhere in this report, a more restrictive change must be supported by robust objective evidence showing a problem of sufficient scale that is clearly attributable to freedom campers.

107. While issues identified outside the RFCA have been excluded from the assessment below and the resulting options, to provide context officers assessed the broader perceived problem, including matters arising in the vicinity of the RFCA. That assessment indicates that including those matters would be unlikely to change the analysis, particularly under section 11(2)(b), and accordingly would not alter the advantages and disadvantages in the options presented.

108. **Table 11** below identifies the relevant perceived problems at BPR and provides a section 11(a) and (b) analysis for each.

Table 11 - Perceived problems at Beacon Point Road Carpark and Section 11(2)(a) &(b)assessment

Perceived problem	Assessment – section 11(2) (a) & (b) of the Act
A high level of non-compliance with the 2025 Bylaw resulting in occupation of parking spaces reducing availability for other users	<i>Section 11(2)(a)</i> The purpose and intent of the 2025 Bylaw and the rules applicable to BPR was to ensure issues relating to all three protections of section 11(2)(a) were adequately addressed. While a continued level of non-compliance can indicate a need to change a bylaw provision to address one or more of the matters of section 11(2)(a), the analysis of this report indicates that the level of non-compliance reported via RFS at BPR, is not so significantly different to the remaining 14 RFCAs in the District as to clearly warrant a differentiated approach. <i>Section 11(2)(b)</i> Due to the relatively short amount of time the 2025 Bylaw has been in place, the ability for Council to prove sustained and on-going non-compliance at BPR is limited. Additionally, improvements to education and enforcement activities have not yet been able to be developed or implemented that may result in a reduction in non-compliance. While non-compliance can indicate a need for protection relating to the matters of section 11(2)(a), due to the circumstances present, Council must consider whether a prohibition to address the perceived problem presents an appropriate and proportionate response under section 11(2)(b) of the Act.
Non-compliance with the 2025 Bylaw and the Act- resulting in health and safety risks from fouling	<i>Section 11(2)(a)</i> The purpose and intent of the 2025 Bylaw and the rules applicable to BPR was to ensure issues relating to the protection of the health and safety of people who may visit the area were adequately addressed. While a continued level of non-compliance can indicate a need to change a bylaw provision to address one or more of the matters of section 11(2)(a), there is also the need for certainty that the evidence of the problem is both significant and robust. Additionally, the evidence needs to show that the problem is clearly attributable to freedom campers. Therefore, while issues of fouling may warrant protection of

Perceived problem	Assessment – section 11(2) (a) & (b) of the Act
	the health and safety of people who may visit the area, the level of evidence to clearly attribute this to freedom camping is limited. <i>Section 11(2)(b)</i> Same as the response for non-compliance – overstaying.

109. For both APCP and BPR, the assessment above, and any resulting changes proposed, are not considered to constitute any changes to the 2025 Bylaw in terms of the determinations made by Council for the 2025 Bylaw development process under the New Zealand Bill of Rights Act 1990, and as such the considerations and determinations made at the 26 June 2025 Council meeting remain valid.

Options analysis – overview of reasonably practicable options

110. The following sections outline for each RFCA the advantages and disadvantages of the identified reasonably practicable options as required by section 77 of the LGA, as informed by section 76(5) of the LGA and by the section 11 of the Act assessments above.

111. Based on the section 11(2)(a) and (b) analysis, officers have developed reasonably practicable options for consideration. As with most options analysis, this includes the option of retaining the status quo. The direction received for this report was to also analyse and develop the option of prohibiting freedom camping at both RFCAs.

112. Due to the issues identified in the analysis, the identified perceived problems and the section 11(2) assessments, officers have, for each of the RFCAs, developed an additional option which is designed to address the perceived problems as well as respond to the assessment outcomes. These options are provided in addition to any additional educational, enforcement or other activities Council may wish to pursue to achieve higher compliance rates.

Allenby Place Carpark

113. For Allenby Place Carpark there are two aspects of the perceived problem that may be addressed through additional restrictions at the RFCA, rather than prohibiting freedom camping completely. These are protecting access to the area for other users who wish to access Mt Iron and in connection with this protecting the health and safety of people who may visit the area.

114. Data provided by Destination Queenstown and the Ministry of Business Innovation and Employment indicates that the months of December and January are the busiest months for visitors to the District and this anecdotally coincides with a very high level of community use of the Mt Iron tracks. Prohibiting freedom camping during this period would remove the conflict occurring during the busiest time of year but would maintain the use of the area for freedom

camping during the remaining 10 months of the year to support the availability of designated spaces across the District.

115. The research undertaken for this report indicates that due to the nature of APCP, there are some potential health and safety risks associated with freedom camping vehicles driving into, and manoeuvring within, the area. Restricting campervans to a maximum length of 6 metres³, and prohibiting caravans, reduces this risk as it allows greater visibility on the accessway and easier manoeuvring onsite.

Beacon Point Road Carpark

116. The key perceived problem at BPR is occupation of parking spaces reducing availability for other users, with this issue receiving the largest number of RFS of all RFCAs. As with APCP, anecdotally BPR has a very a high level of community use during the summer period. Prohibiting freedom camping during December and January would remove the conflict occurring during the busiest time of year but support the use of the area for freedom camping during the remaining 10 months of the year to support the availability of designated spaces across the District.

Options analysis - Allenby Place Carpark

117. **Option 1 (Recommended Option):** that Council makes no changes to the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 Schedule 2 regarding Allenby Place Carpark and Wānaka Recreation Centre restricted freedom camping areas.

Advantages	Disadvantages
a. Retaining the status quo* would not require a statutory consultation process and the associated required resourcing of officers and Councillor time. b. Allows the implementation of a revised educational and monitoring approach (education, signs, increased and/or targeted enforcement) for the 2025 Bylaw with a view to improving compliance across the District and specifically at Allenby Place Carpark which reflects a proportionate response to the perceived problems. c. Retaining the existing restrictions will allow for more longitudinal data collection to	a. A high likelihood of community dissatisfaction, especially from the customers who submitted repeated requests for service, including the resulting impact on officer resources to respond to future requests for service. b. Does not address the potential for health and safety risks in the area due to the movements of freedom camping vehicles on the restricted freedom camping area, including the use of the accessway by pedestrian and cyclists to access Mt Iron via the Allenby Place Carpark.

³ Research indicates that that compact rental campervans that are self-contained are generally within a range of 5.5 to 5.9 metres.

Advantages	Disadvantages
support evidence collection of any of the identified issues. d. Retaining the existing restricted freedom camping area will not increase the demand for the remaining restricted freedom camping areas in the District, potentially creating additional issues at those locations. e. Does not add additional pressure to the restricted freedom camping area at Wānaka Recreation Centre. f. Satisfactory option for those who would like a more permissive freedom camping regime. g. Allows for other regulatory tools to be considered and applied, including for example the painting of yellow lines (not stopping, standing or parking) on Allenby Place to support a reduction in undesirable behaviours of freedom campers.	c. Presents a potential risk of challenge from those who would like a more restrictive freedom camping regime.

* *The description of the advantages is based on the current temporary prohibition and addition of spaces at WRC not being in place, in the case of this Option being the preferred option, the advantages would present themselves after the current temporary prohibition expires or is revoked by the CE.*

118. Option 2: that Council proposes to amend the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 to amend the restrictions at Allenby Place Carpark restricted freedom camping area to limit the vehicle size of freedom camping vehicles to a maximum length of 6 metres, prohibiting caravans, and prohibit freedom camping over December and January annually.

Advantages	Disadvantages
a. Would reduce the risk of potential health and safety issues in the area due to the movements of freedom camping vehicles on the restricted freedom camping area by limiting the designated spaces to smaller vehicles.	a. Some likelihood of community dissatisfaction, especially from the customers who submitted repeated requests for service including the resulting impact on officer resources to respond to future requests for service.

Advantages	Disadvantages
b. Would support the protection of the area, access to the area and the health and safety of visitors to the area during the busiest period of the year*. c. Less likely to result in legal challenge (than a complete prohibition) from those who would like a more permissive freedom camping regime. d. Retains the restricted freedom camping area between February and November, reducing the pressure on the remaining restricted freedom camping areas in the District during that period. e. Less likely to significantly increase the demand for the remaining restricted freedom camping areas in the District, potentially creating additional issues at those locations. f. Same or similar advantages as b., c. and f. for Option 1.	b. Presents a potential risk of challenge from those who would like a more restrictive freedom camping regime. c. Creates increased demand at the remaining restricted freedom camping area in the District, especially during the busiest period of the year. d. May not adequately address the identified health and safety risks. e. Requires a statutory consultation process and the associated required resourcing of officer and Elected Member time.

* As evidenced by data provided by Destination Queenstown and the Ministry of Business Innovation and Employment.

119. Option 3A: that Council proposes to amend the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 to prohibit freedom camping at Allenby Place Carpark restricted freedom camping area and permanently increase the designated spaces at Wānaka Recreation Centre restricted freedom camping area by three spaces.

Advantages	Disadvantages
a. Would reflect the requests of the community as identified in the requests for service. b. Would remove the risk of potential health and safety risks in the area due to the movements of freedom camping vehicles on the restricted freedom camping area.	a. Presents a potential risk of challenge from those who would like a more permissive freedom camping regime. b. Is based on limited evidence over a relatively short period of time. c. Requires a statutory consultation process and the associated required resourcing of officer and Councillor time.

Advantages	Disadvantages
c. Minimises any potential for a challenge from those who would like a more restrictive freedom camping regime.	d. Does not support the matters outlined in the advantages of points b., c. and f. in Option 1.
d. Adding three spaces to Wānaka Recreation Centre would not reduce the overall number of designated spaces in the District.	e. May incur potential additional issues as Wānaka Recreation Centre.

120. **Option 3B:** that Council proposes to amend the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 to prohibit freedom camping at Allenby Place Carpark restricted freedom camping area.

Advantages	Disadvantages
a. Would reflect the requests of the community as identified in the requests for service.	a. Presents a potential risk of challenge from those who would like a more permissive freedom camping regime.
b. Would remove the risk of potential health and safety risks in the area due to the movements of freedom camping vehicles on the restricted freedom camping area.	b. Is based on limited evidence over a relatively short period of time.
c. Minimises any potential for a challenge from those who would like a more restrictive freedom camping regime.	c. Likely to increase demand at the remaining restricted freedom camping area in the District, potentially creating additional issues at those locations.
d. Would not incur any potential additional issues at Wānaka Recreation Centre.	d. Requires a statutory consultation process and the associated required resourcing of officer and Elected Member time.
	e. Does not support the matters outlined in the advantages of points b., c. and f. in Option 1.

121. This report recommends **Option 1** for Allenby Place Carpark. This is due to the comparatively short length of time the 2025 Bylaw has been in place, and most reported issues present at the RFCA resulting from non-compliance with the 2025 Bylaw, rather than presenting a set of sufficiently significant new problems that would indicate a bylaw amendment is an appropriate and proportionate response to the issues.

Beacon Point Road Carpark

122. **Option 1 (Recommended Option):** that Council makes no changes to the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 Schedule 2 regarding Beacon Point Road Carpark restricted freedom camping area (status quo).

Advantages	Disadvantages
a. Retaining the status quo would not require a statutory consultation process and the associated required resourcing of officer and Councillor time. b. Due to the relatively short time the 2025 Bylaw has been in force, retaining the status quo will allow Council and officers to implement a revised educational and monitoring approach for the 2025 Bylaw with a view to improving compliance across the District. c. Retaining the existing restrictions will allow for more longitudinal data collection to support evidence collection of any of the identified issues. d. Retaining the existing restricted freedom camping area will not increase the demand for the remaining restricted freedom camping areas in the District, potentially creating additional issues at those locations. e. Satisfactory option for those who would like a more permissive freedom camping regime. f. Allows for other regulatory tools to be considered and applied, where relevant.	a. A high likelihood of community dissatisfaction, especially from the customers who submitted repeated requests for service, including the resulting impact on officer resources to respond to future requests for service. b. Does not address the perceived problem over overstaying through the protection of access to the area. c. Does not address the perceived problem of fouling through the protection of health and safety risks on the area. d. Presents a potential risk of challenge from those who would like a more restrictive freedom camping regime.

123.Option 2: that Council proposes to amend the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 to amend the restrictions at Beacon Point Road Carpark to prohibit freedom camping over December and January annually.

Advantages	Disadvantages
a. Would support the protection of the area during the busiest period for this area. b. Would support the protection of the health and safety of visitors to the area during the busiest period for this area.	a. Some likelihood of community dissatisfaction, especially from the customers who submitted repeated requests for service including the resulting impact on officer resources to respond to future requests for service.

Advantages	Disadvantages
c. Less likely to result in legal challenge (than a complete prohibition) from those who would like a more permissive freedom camping regime. d. Retains the restricted freedom camping area between February and November, reducing the pressure on the remaining restricted freedom camping areas in the District during that period. e. Same or similar advantages as b., c. and f. for Option 1.	b. Presents a potential risk of challenge from those who would like a more restrictive freedom camping regime. c. Some potential to increase demand at the remaining restricted freedom camping area in the District during December and January, potentially creating additional issues at those locations. d. May not adequately address the identified perceived problems. e. Requires a statutory consultation process and the associated required resourcing of officer and Elected Member time.

124. **Option 3:** that Council proposes to amend the Freedom Camping Bylaw 2025/Ture ā-Rohe mō te Noho Puni Korehere 2025 to prohibit freedom camping at Beacon Point Road carpark restricted freedom camping area.

Advantages	Disadvantages
a. Would reflect the requests of the community as identified in the requests for service. b. Would support protection of access to the area and the health and safety of visitors to the area. c. Minimises any potential for a challenge from those who would like a more restrictive freedom camping regime.	a. Presents a potential risk of challenge from those who would like a more permissive freedom camping regime. b. Likely to increase demand at the remaining restricted freedom camping area in the District, potentially creating additional issues at those locations. c. Requires a statutory consultation process and the associated required resourcing of officer and Councillor time. d. Does not support the matters outlined in the advantages of points b., c. and f. in Option 1.

125. This report recommends **Option 1** for Beacon Point Road Carpark. This is due to the comparatively short length of time the 2025 Bylaw has been in place, and most reported issues present at the RFCA resulting from non-compliance with the 2025 Bylaw, rather than presenting a set of sufficiently significant new problems that would indicate a bylaw amendment is an appropriate and proportionate response to the issues.

Next steps

126. Next steps are contingent on Council's decisions and would be actioned accordingly.

127. If Council determines to retain the status quo at one or both RFCAs, research and implementation of site specific improved education, monitoring and enforcement programmes will commence, subject to budgetary limitations.

128. If Council determines to proceed with a bylaw amendment process, a statutory determinations report and statement of proposal would be presented at the 23 July 2026 Council meeting. This would be followed by formal engagement in August via the special consultative procedure, as required by section 11B(3)(b) of the Act for amendments to freedom camping bylaws.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

129. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024. While perceived problem(s) related to freedom camping (at APCP, BPRC and WRC) are of high community interest, Council is not being asked to adopt a statement of proposal for consultation to address perceived problem(s) at in this report. Depending on Council's decision, formal engagement with the community would occur at a later stage in the bylaw development process that may be of higher significance.

130. The assessment of the factors in the Significance and Engagement Policy 2024 is as follows:

- Community interest (covered above).
- Consistency with existing policy and strategy – There is no inconsistency with existing policy and strategy.
- Impact on the Council's capability and capacity - The specific decision before Council would not create any new capacity or capability impacts that are not already funded.
- Climate change – There is no inconsistency with Council's Climate & Biodiversity Plan, including its action plan and outcomes.
- Mana whenua (Kāi Tahu) - Officers and technical advisors have engaged directly with mana whenua representatives during the process of developing the 2025 bylaw.
- Strategic assets – This matter does not relate to the sale or transfer or sale of shareholding of any strategic assets.
- Council controlled organisations (CCOs) or council-controlled trading organisations (CCTOs) – This matter does not relate to any CCOs or CCTOs.

131. Many businesses in the district rely on tourism and therefore have an interest how different visitor groups are regulated (including freedom campers). The persons who are affected by or interested in this matter are Kāi Tahu, the NZMCA, Lake Wānaka Tourism, recreational campers, the public, residents, ratepayers and visitors to the district. If Council elects to amend the 2025 bylaw, any person and organisation will have the opportunity to provide a submission during the consultation period.

Māori Consultation | Iwi Rūnaka

132. Kāi Tahu were engaged throughout the process of developing the 2025 bylaw. It is acknowledged that Mana Whenua have a high interest in biodiversity and water management. The 2025 bylaw development process has considered these matters with respect to the values or attributes of QLDC controlled or managed land in relation to protecting the area, access and health and safety, and it is not considered that specific additional engagement with Kāi Tahu is indicated.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

133. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10048 Health, safety or wellbeing incident affecting member of the public as well as RISK10031 Ineffective complaints handling in the QLDC Risk Register. These risks have been assessed as having a moderate residual risk rating.

134. The decision of Council on an option will allow Council to retain the risk at its current level or implement additional controls for these risks. The mechanisms by which this will be achieved will be detailed in subsequent reports to Council as applicable.

Financial Implications | Kā Riteka ā-Pūtea

135. A range of options have been presented to Council in this report, some of which would propose changes to Council operations that would require some additional funding, such as signage. More detail on financial implications can be provided as an outcome of Council's decision on how to proceed. If Council elects to proceed with a bylaw amendment process, the costs associated with this, including officer time, engaging internal and external subject matter experts and communication activities will be met within current budgets.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

136. The following Council policies, strategies and bylaws were considered:

- Strategic Framework including the Vision Beyond 2050: Our Strategic Framework | Queenstown Lakes District Council
- Responsible Camping Strategy 2022-2027

- Significance and Engagement Policy 2024
- Enforcement Strategy and Prosecution Policy 2021
- Travel to a thriving future - A Regenerative Tourism Plan
- QLDC Disability Policy 2018

137. The options are consistent with the principles set out in the named policies.

138. Provision for bylaw review, enforcement and complaint response is identified as part of QLDCs regulation functions and services in the 2024-34 Long-Term Plan. A subsequent decision to amend the 2025 bylaw may have implications for Council's capability and capacity with respect to implementing, monitoring and enforcing provisions that apply specific restrictions and prohibitions.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

139. Council must make its decisions in relation to the matters of this report within the applicable statutory framework, being the Freedom Camping Act 2011 as well as the Local Government Act 2002.

140. To support a decision of Council when making most bylaws, including a bylaw under the Act, it is generally held that 'objective evidence' is needed to confirm and clearly identify the problem(s), meaning evidence beyond that provided by residents, via RFS or other means. It is also considered that any identified problems need to be able to be clearly linked to freedom camping as the activity causing the problem.

141. The 2024 High Court decision addressed at length the issues of what could be considered 'the area' for the purposes of making a bylaw under section 11(1)(a) of the Act. Although the High Court focussed on nearby private 'residential and commercial areas', Osborne J held that "it is clear 'the area' as referred to in s11(2) is that particular local authority area which a local authority defines under s11(2) for the purposes of restricting or prohibiting freedom camping".

142. Council's approach when preparing and adopting the 2025 Bylaw was to exclude areas unable to be accessed by vehicles, due to the matters outlined at paras 32-36 of this report. Accordingly, for the purposes of considering any changes to BPR, Council cannot consider issues arising on land adjacent to the current restricted freedom camping area, including any adjacent council controlled land.

143. For both BPR and APCP, Council cannot consider issues arising on the roads adjoining the RFCAs as each road does not form part of the defined restricted 'area' and is subject to different provisions (prohibition) in the 2025 Bylaw.

144. Any adjacent land would need to be assessed as a potential new defined area (restricted or prohibited) that would then be included in, and subject to the 2025 Bylaw, which would require consideration against the terms of the section 11(2) tests. However, if Council was to reconsider the adjacent land, this would be a departure with its earlier approach, which was to exclude all other local authority areas due to of vehicle access limitations. To order to avoid a situation where inconsistencies arise, a new approach to these areas may be more appropriately carried out as part of a comprehensive review of the 2025 Bylaw.

145. While Council may wish to consider reviewing the boundaries of the BPR RFCA to include adjacent council-controlled land for consideration, and possibly also the boundaries of the APCP RFCA, an assessment on how this could be achieved, including the associated implications and risks for the 2025 Bylaw is outside the scope of this report. Should Council wish further advice on this matter it is suggested a future report is prepared to address this.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

146. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. It is considered that the options presented in this report are appropriate and within the ambit of Section 10 of the Act.

147. The recommended options:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Are consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Responsible Camping Programme Summer Wrap-up Update May 2026
B	Briefing Report to CE – temporary prohibition at Allenby Place Carpark 15 January 2026
C	Tonkin and Taylor Report - Allenby Place Carpark, Freedom Camping site
D	Transport Assessment Summary and Comparison – Allenby Place Carpark

All attachments are bundled together and circulated separately.