

Full Council

9 October 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [2]

Department: Strategy & Policy

Title | Taitara: Adoption of Freedom Camping Bylaw 2025

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to:

- a. provide information relating to Hearing Panel (**Panel**) deliberations and recommendations relating to the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 (**the draft bylaw**),
- b. provide further analysis and advice on Panel recommendations, and
- c. present options to Council, so that it can make decisions on adopting the draft bylaw.

Executive Summary | Whakarāpopototaka Matua

The district is the most popular place for overnight free camping in New Zealand. This has led to a range of adverse impacts on land controlled and/or managed by Queenstown Lakes District Council (**QLDC or the Council**). The Freedom Camping Act 2011 (**the Act**) provides for QLDC to make a freedom camping bylaw if it is satisfied that one is required to protect the area, access and/or health and safety of local authority areas from the adverse impacts of freedom camping..

Council determined that a freedom camping bylaw was the most appropriate option for addressing the perceived problems associated with freedom camping at its 20 March 2025 meeting. As such, a draft bylaw was prepared, adopted by Council for consultation, and consulted on between 8 July 2025 and 8 August 2025. The draft bylaw contains three core components:

- a. Prohibiting (i.e. not allowing) freedom camping on roads within the district's built up urban areas (such as town centres, commercial/business areas and residential areas). This includes prohibiting freedom camping within any on-road vehicle parking spaces (i.e. parallel, angle, etc. parking spaces);
- b. Restricting freedom camping on roads within the district's rural areas. These roads are located outside of the district's urban built up areas. This means that freedom camping can take place on any areas off the active road corridor (i.e. off road layby etc. areas) provided it complies with the proposed conditions specified in the draft bylaw; and

- c. Specific restricted freedom camping areas (primarily in existing car parking areas). Restricted freedom camping areas are locations where freedom camping can take place so long as it complies with the conditions identified in the draft bylaw for that location.

A total of 383 submissions were received on the draft bylaw, comprising 298 Letstalk survey responses and 85 emailed responses. The 26 August 2025 Hearing Report¹ provides a complete summary of submissions received. The Panel received submissions and has made recommendations on a final form of the draft bylaw for adoption by Council. Key amendments to the draft bylaw recommended by the Panel and/or officers following feedback from submitters include:

- a. A new definition for ‘waterbody’, and add a new clause for restricted rural roads requiring any freedom camping vehicle to be positioned at least 10 metres from any waterbody
- b. New explanatory notes to:
 - i. clarify the application of requirements relating to length of stay and hours of departure and arrival at restricted freedom camping areas, and
 - ii. clarify freedom camper obligations with respect to camping on rural roads in terms of available locations and road safety
- c. Identify that ‘metalled’ surfaces can also be used for freedom camping on rural roads
- d. Amendments to the 5 metre setback requirement on rural roads to more clearly express its intent, in particular, that unsealed roads are subject to the requirement and the distance from which the setback is measured i.e. from the marked shoulder (where marked) or edge of metalled/gravel (where no hard shoulder or seal)
- e. Amend Part 3 (Temporary changes to restricted freedom camping areas) to:
 - i. provide further specificity and transparency concerning the anticipated impacts to freedom camping opportunities in the district, and to improve administration and regulation of any decisions made under these clauses,
 - ii. include a new clause that provides for any person to apply to the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted or prohibited freedom camping area, and
 - iii. simplifying and combining clauses in Part 3 and Part 4 to make the bylaw easier to read and understand
- f. Amend the hours of arrival and departure requirements for specific restricted freedom camping areas to reflect the general function of carparking areas, and to improve consistency, understanding and enforcement processes
- g. Amend the name of the ‘Flint Street, Arrowtown’ restricted freedom camping area to ‘Hansen Place, Arrowtown’

¹ [26 August Hearing of Submissions on the Draft Freedom Camping Bylaw | Queenstown Lakes District Council](#)

- h. Reduce the number of vehicle parking spaces available for freedom camping at the Grey Street, Flint Street, Allenby Place, Beacon Point and Camp Hill Bridge restricted freedom camping areas
- i. Include conditions for the Camp Hill Bridge restricted freedom camping area to require the use of marked motor vehicle spaces
- j. Amend Schedule 1B to correct errors with respect to the identification of some restricted rural roads
- k. Amend Schedule 2 so that Shotover and Stanley streets (NZTA State Highway 6A) are included as local authority areas, and that as urban streets, are prohibited for freedom camping
- l. Minor amendments to improve the intended application of the bylaw with respect to where freedom camping is prohibited.

The amendments recommended by the Panel are shown in:

- a. **Attachment A** as tracked changes to the draft bylaw that was consulted on
- b. **Attachment B** as a clean version of the draft bylaw recommended for adoption
- c. **Attachment C** as a list only showing changes to specific clauses/schedules.

The Act strictly limits the scope for establishing freedom camping bylaws. Notably, it confines all considerations to the three section 11 matters and excludes consideration of any effects outside the local authority area being regulated. This includes impacts on private property, i.e. amenity and economic concerns, and impacts on other land not managed or controlled by QLDC. Together with the Act's presumption that freedom camping is permitted by default on any local authority area, these factors create a complex tension, particularly in a district where tourism is central to the economy, the community has substantial concerns about freedom camping, and where resident sentiment towards tourism is declining².

Given this context, it is challenging for an evidence based, and legally robust bylaw to mitigate this tension, despite it being the tool needed to effectively and efficiently regulate freedom camping. Nonetheless, the draft bylaw recommended for adoption is considered the most appropriate and proportionate means of addressing the identified issues related to freedom camping.

If the draft bylaw is adopted, officers recognise the importance of clear communication and education about its context and purpose, as well as the need to demonstrate proactive and effective monitoring and enforcement practices.

² Destination Queenstown and Lake Wānaka Tourism, Views on Tourism Research (Angus & Associates). N = 525
Queenstown Lakes

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Note** that on 26 June 2025 Council determined, pursuant to section 11(2)(a) of the Freedom Camping Act 2011 that a bylaw is necessary to regulate freedom camping on land that is controlled or managed by Queenstown Lakes District Council for one or more of the following purposes:
 - i. to protect the area;
 - ii. to protect the health and safety of people who may visit the area; and
 - iii. to protect access to the area;
3. **Determine** pursuant to section 11(2)(b) of the Freedom Camping Act 2011 that the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 is the most appropriate and proportionate way of addressing the perceived problem in relation to land that is controlled or managed by Queenstown Lakes District Council;
4. **Determine** pursuant to section 11(2)(c) of the Freedom Camping Act 2011 that the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 is not inconsistent with the New Zealand Bill of Rights Act 1990;
5. **Adopt** the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 with the changes recommended as an outcome of the consultation process;
6. **Resolve** that the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 will come into effect on 1 December 2025; and
7. **Note** that in accordance with section 157 of the Local Government Act 2002, public notice be given of the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025, advising:
 - a. that the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 will come into force on 1 December 2025;
 - b. that copies of the draft Freedom Camping Bylaw 2025 I Ture ā-Rohe mō te Noho Puni Korehere 2025 may be inspected, without fee, at all Council offices.

Prepared by:

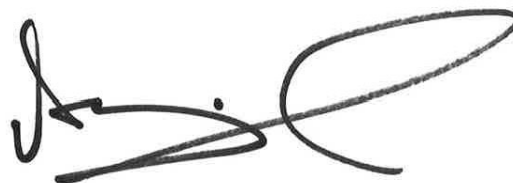


Name: Luke Place

Title: Principal Policy Advisor

16 September 2025

Reviewed and Authorised by:



Name: Kenneth Bailey

Title: Community Services General Manager

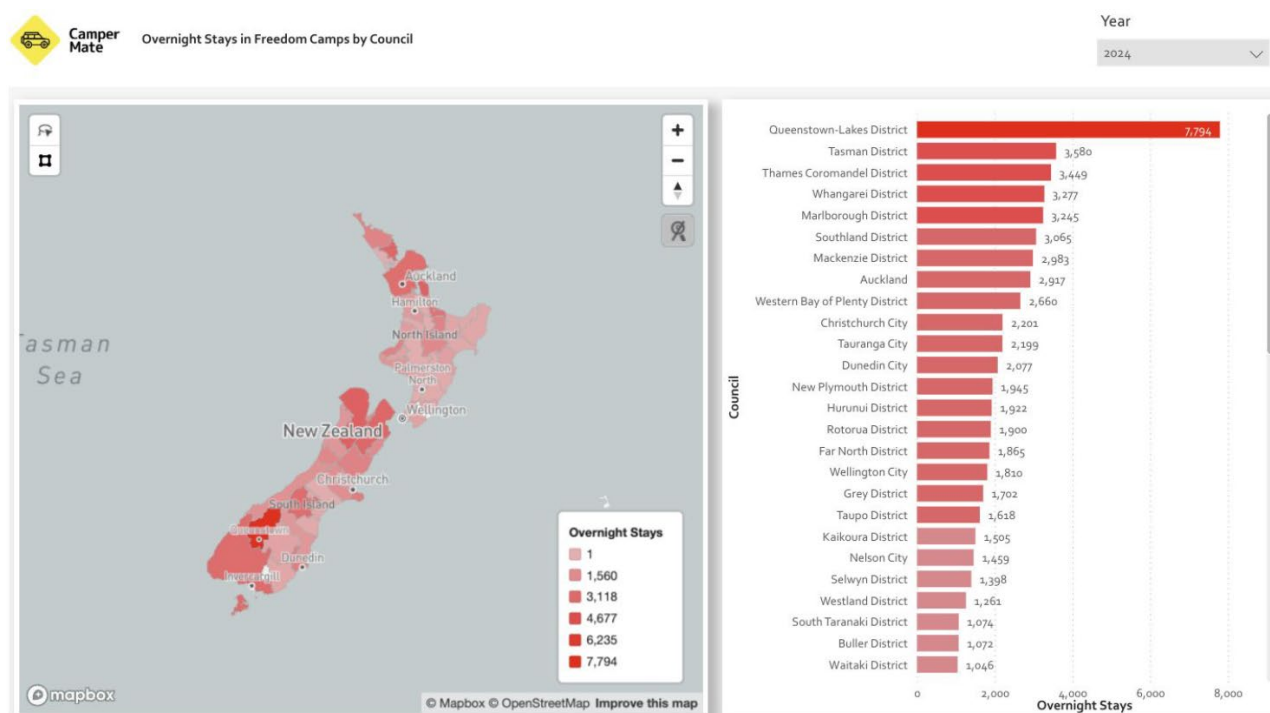
18 September 2025

Context | Horopaki

Freedom camping in the Queenstown Lakes District

1. The district is known to be one of the most popular camping destinations in New Zealand, and the most popular place for overnight 'free camping'. The total number of overnight campers over 2024 was 7,794, or more than double the number of overnight stays at the next most popular territorial authority area³ (Figure 1)⁴.

Figure 1 Campermate app overnight camping locations by territorial authority area in 2024



2. The popularity of freedom camping in New Zealand has significantly increased in recent years. It is estimated that the number of international visitors practicing freedom camping rose from 10,000 to 123,000, in the decade between 2008 and 2018⁵.

³ Campermate app, Overnight Stays at 'free camps', 2024

⁴ Representative of freedom campers who use the Campermate app, as such, not all freedom campers are captured. In addition, the counts are dependent on a number of variables, but nonetheless remain a useful proxy for analysis. Examples of such variables include:

Overnight Stays - are recorded when an app user first detected within 500m of their previous day's last location on the following day. e.g. If an app user stays in the same location multiple times, each night is counted as an overnight stay.

Free Camps Stays - refer to overnight stays within a 200-meter radius of a free campground's GPS coordinates.

⁵ <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-projects/responsible-camping/responsible-camping-working-group/>

3. The popularity of freedom camping in the district is reflected in the quantum of infringements issued under the Freedom Camping Act 2011 (**the Act**), observations made by QLDCs summer ambassadors⁶ and request for service applications made by members of the public. This data reflects that freedom camping presents an important issue to the district's residents.

Legislative context

4. The Act regulates freedom camping on land controlled or managed by local authorities. The key tenant of the Act is that it enables freedom camping in any local authority area, unless it is restricted or prohibited under a freedom camping bylaw. This means there is a starting presumption that freedom camping is permitted, including in a self-contained vehicle, tent or other temporary structure. Private land is not subject to the Act.
5. Section 44 of the Reserves Act 1977 specifies that 'permanent or temporary personal accommodation' is prohibited on any land classified as reserve. Freedom camping can only be provided for on any reserve if specifically enabled in a reserve management plan, or where the Council exercises its delegation from the Minister of Conservation to uplift the prohibition in all or part of any reserve land (i.e. as it has done at the Luggate Red Bridge site). A freedom camping bylaw cannot override or uplift the prohibition in section 44(1) of the Reserves Act 1977 to allow freedom camping on a reserve.
6. The effect of this legislative context is that:
 - a. freedom camping cannot take place on the majority of QLDC reserve land, and
 - b. freedom camping in self-contained vehicles and tents can take place on the balance of land controlled and/or managed by QLDC (i.e. roads and carparking areas) subject to any other restrictions such as those under the Traffic and Parking Bylaw 2018.
7. Section 11 of the Act empowers local authorities to make freedom camping bylaws. Bylaws can define any local authority area as a restricted (meaning that freedom camping is allowed subject to conditions) or prohibited area (meaning freedom camping is not allowed). A bylaw can only be made to address one or more of the following matters:
 - 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**.
8. Section 12 of the Act does not allow for freedom camping bylaws to prohibiting freedom camping in all the local authority areas.

⁶ QLDC employs 'summer ambassadors' over the peak summer period to visit popular freedom camping locations and share information on how to camp sustainably, improve visitor behaviour, promote local commercial or DoC campsites, and encourage campers to make the 'Tiaki promise'

9. A bylaw made under the Act can only restrict or prohibit freedom camping on land controlled or managed by a local authority, and NZTA land (with the agreement of the Chief Executive of NZTA⁷). Freedom camping on Land information New Zealand (**LINZ**) and Department of Conservation (**DoC**) land cannot be restricted or prohibited under a freedom camping bylaw.

Background regarding QLDCs Freedom Camping Bylaw 2021

10. QLDC adopted the Freedom Camping Bylaw 2021 (**the 2021 bylaw**) in December 2021. The New Zealand Motor Caravan Association (**NZMCA**) applied to judicially review the 2021 bylaw. The High Court determined⁸ that the decision made by the Council to prohibit freedom camping was ‘tainted’ by the inclusion of two irrelevant considerations, namely:
- a. the ‘property values factor’⁹, being the protection of the economic values of an area including residential and commercial areas (e.g. residential property values and loss of trade in commercial areas through occupation of car parks)¹⁰ and,
 - b. the ‘amenity values factor’¹¹, being protection of the amenity values of an area including residential and commercial areas (e.g. protection of views from residential and commercial properties, protection from noise from camping activity and arrival and departure of campers, loss of privacy).
11. The High Court ruled that these were irrelevant considerations, and the 2021 bylaw was quashed with effect from 20 September 2024.
12. In the absence of a freedom camping bylaw, QLDC lacks direct mechanisms to efficiently and effectively manage the adverse impacts of freedom camping relating to protecting access, health and safety, or other values of QLDC controlled or managed areas. While the traffic and parking regulations and the Reserves Act 1977 apply in certain situations, they do not directly regulate the activity and adverse impacts of freedom camping across the district.

Responsible camping programme

13. The purpose of QLDC’s Responsible Camping Programme is to educate visitors how to behave appropriately, camp sustainably and follow local rules so that both residents and visitors can enjoy shared spaces. The use of ‘summer ambassadors’ over the peak visitor season provides an ‘on the ground’ friendly approach to education and behavior change, supported by enforcement when required. The programme is guided by the Responsible Camping Strategy 2022 - 2027¹² and uses a range of tools to communicate, including pamphlets, signage, radio, digital advertising,

⁷ Section 11(3) of the Act requires written consent from NZTA before making a bylaw under subsection (1) that applies to any area of NZTA land.

⁸ [NZCMA v. QLDC \[2024\] NZHC 2729 \[20 September 2024\]](#)

⁹ At para. 111

¹⁰ At para. 52

¹¹ At para. 154

¹² https://www.qldc.govt.nz/media/nc3nyi5f/qldc_responsible-camping-strategy_may24_final.pdf

and website information. The Strategy is a non-statutory document that sits outside of the draft bylaw.

Steps taken to date in developing a new freedom camping bylaw

14. The draft bylaw has now reached a stage in the development process where it is ready for adoption by Council. The steps involved in the bylaw development process and the current status (adoption) of the draft bylaw is set out in **Figure 2**. Key milestones in developing the draft bylaw are outlined in **Table 1**.

Figure 2 - Bylaw development process



Table 1 - Key process milestones in developing the draft bylaw

Date	Details
20 March 2025 Council meeting ¹³	Report to Council on the perceived problems associated with freedom camping and the options to manage its adverse impacts. Council determined that a freedom camping bylaw together with non-regulatory tools is the most appropriate option for addressing the perceived problems associated with freedom camping (in regard to access, health and safety or the protection of areas).
15 April 2025 Council workshop ¹⁴	Workshop to receive guide the development of a draft bylaw and understand councillor priorities for regulatory intervention. Councillors expressed that reserve land should be managed under the Reserves Act 1977, the balance of land be managed under a freedom camping bylaw, and that a bylaw be proportionate to perceived problems.
22 May 2025 Council workshop ¹⁵	Workshop to share preliminary findings on areas where freedom camping may be restricted or prohibited, receive feedback on these areas, and describe preliminary assessment approach. Councillors expressed a preference to avoid freedom camping on reserve land and to rely on the Reserves Act 1977 mechanism.

¹³ [20 March 2025 Full Council Meeting | Queenstown Lakes District Council](#)

¹⁴ [15 April 2025 Full Council Workshop | Queenstown Lakes District Council](#)

¹⁵ [22 May 2025 Full Council Workshop | Queenstown Lakes District Council](#)

Date	Details
26 June 2025 Council meeting ¹⁶	Present Council with a draft bylaw and statement of proposal, and request approval for formal consultation. Councillors adopted the draft bylaw and statement of proposal for consultation.
8 July 2025 to on 8 August 2025 ¹⁷	Formal consultation period, including drop-in sessions and online webinar.
Week of 26 – 28 August 2025 ^{18,19, 20}	Hearings and deliberations by the hearings panel. Minutes from the deliberation session are included as Attachment H .
9 October 2025	Council asked to adopt the bylaw.

Analysis and Advice | Tatāritaka me kā Tohutohu

Summary of submissions regarding the draft bylaw's overall approach and general matters

15. Council invited the community to provide their position on the overall approach to the draft bylaw. **Figure 3** below provides an overview of the positions expressed by respondents. It illustrates that the majority of respondents opposed the overall approach of the draft bylaw. Among those who opposed the draft bylaw, 236 stated it was too permissive, while 21 stated it was too restrictive.

¹⁶ [26 June 2025 Full Council Meeting | Queenstown Lakes District Council](#)

¹⁷ [Draft Freedom Camping Bylaw 2025 | Let's Talk Queenstown Lakes District Council](#)

¹⁸ [26 August Hearing of Submissions on the Draft Freedom Camping Bylaw | Queenstown Lakes District Council](#)

¹⁹ [27 August Hearing of Submissions on the Draft Freedom Camping Bylaw \(continued\) | Queenstown Lakes District Council](#)

²⁰ [28 August Deliberations on the Draft Freedom Camping Bylaw | Queenstown Lakes District Council](#)

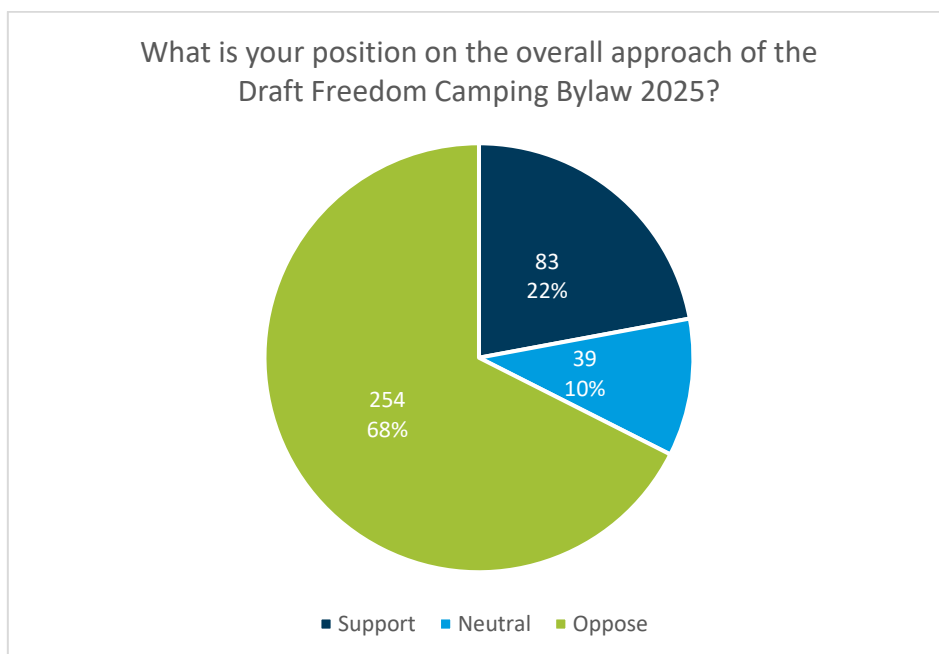


Figure 3 - Submitter positions on the overall approach of the draft bylaw

16. Respondents who supported the draft bylaw sought to ensure adequate facilities at any site, standardising and relaxing arrival and departure times, especially in rural areas, and limiting the number of permitted nights. They recommended introducing or clarifying urban restrictions, like prohibiting outdoor cooking or setting up chairs, while permitting such activities in rural areas. Suggestions also included prohibiting camping near commercial campsites and sensitive areas, providing more low-cost sites, allowing exemptions for larger vehicles and certain groups (e.g., NZ residents or NZMCA members), and improving digital check-ins, enforcement, signage, and communication.
17. Respondents who opposed the draft bylaw because it was too restrictive called for more freedom camping locations, including in reserves and provision for tents. They advocated for reducing restrictions on arrival and departure times, particularly for caravans and local workers, and sought a more permissive approach in rural areas. Clarity was requested on the two-night stay rule, along with a call for sufficient infrastructure.
18. Respondents who opposed the draft bylaw for being too permissive highlighted the need to restrict freedom camping in urban, rural, and roadside areas, especially near residential, commercial, or scenic sites. They sought for camping only to occur at paid or commercial campgrounds. They called for site-specific assessments, and the enforcement of certification standards. Suggestions included collecting fees, providing clear district-wide maps of prohibited and restricted zones, and prohibiting freedom camping in certain carparks. Opponents also recommended enhanced education and monitoring, greater collaboration with organisations like LINZ, DoC, tourism operators, and NZMCA, as well as consolidating camping into one large, designated area rather than dispersing sites.

19. Respondents who held neutral views generally called for stricter rules on toilet use and improved waste facilities, along with better monitoring and enforcement. Many preferred the use of commercial campgrounds or DoC sites and requested more designated freedom camping areas with accommodation for larger vehicles. Concerns were raised that restrictions on arrival and departure times, rural road access, and parking could negatively affect tourism, local businesses, and people with limited accommodation options. Additional suggestions included introducing fees for freedom camping and considering the impacts on residential properties, amenity, and parking for other users.
20. **Matters outside of scope** - Submitters frequently requested that freedom camping sites be separated from commercial campgrounds, urban areas, residential properties or areas close to waterways. Other submitters requested that freedom camping sites be in less scenic or less desirable locations. The type of adverse impacts raised by these submitters relate to private land, or economic/amenity effects on land that is not controlled and/or managed by QLDC. The High Court decision on QLDCs 2021 bylaw found that these effects fall outside the scope of section 11 of the Act and may not be considered by a council when making a freedom camping bylaw.
21. **Waste and toileting** - Submitters commonly raised concerns relating to the disposal of waste and toileting outside of vehicles, and requested infrastructure (i.e. toilets, rubbish bins etc.) to mitigate these issues. Concerns were raised in regard to the self-containment certification process, and requests were made for the bylaw to regulate the use and access of vehicle toilets. The draft bylaw only provides for freedom camping in certified self-contained vehicles. Officers consider that it is appropriate to rely on the default position in the Act and the amendments introduced by the Self-contained Motor Vehicles Legislation Act 2023 with respect to these issues. Further, the draft bylaw contains a condition that requires campers to take all waste away with them.
22. **Blanket prohibitions** - Submitters requested that freedom camping be prohibited across the entire district. Section 12 of the Act states that councils may not make bylaws that have the effect of a blanket prohibition. Other submitters opposed the draft bylaw on the basis that it amounts to a blanket ban. Officers consider that the draft bylaw applies a balanced and evidenced based approach to prohibiting or restricting freedom camping and provides a range of opportunities for freedom camping across the district in a manner that protects the area, access and/or health and safety.
23. **Meeting the demand for freedom camping areas** - Submitters requested that additional spaces be provided to meet a high demand for freedom camping, or that parking spaces be provided for different types/sizes of vehicles. The Act does not require bylaws to meet an identified demand for freedom camping, nor make provisions based on vehicle types. These matters are outside the scope of section 11 of the Act. The draft bylaw is considered the most appropriate and proportionate means of addressing issues related to freedom camping. It comprises a response that restricts freedom camping in areas where there are types of adverse impacts being experienced that can be managed by conditions (so as to ensure appropriate protection of the area, access and/or health and safety). A prohibition of freedom camping is proposed in areas where there are high adverse impacts from freedom camping that cannot be managed through

restrictions and conditions. The draft bylaw provides a range of opportunities for restricted freedom camping across the district.

24. **Monitoring and enforcement.** Many submitters raised concerns regarding the need for proactive and effective monitoring and enforcement of freedom camping activities or considered that QLDC had insufficient resources to support compliance. Monitoring and enforcement are tools to promote and achieve compliance. **Attachment D** provides an overview of QLDCs regulatory activities in regard to freedom camping. Officers acknowledge that whilst monitoring and enforcement is important to submitters, and a crucial part of operationalising the bylaw, they should not be considered determinative aspects of this bylaw development process. Section 11 of the Act provides an exhaustive list of what can be considered when developing a bylaw, and monitoring and enforcement does not form part of this list.

Rural road restricted freedom camping areas

25. The district's rural roads were identified as restricted freedom camping areas in the draft bylaw. These are roads that are located outside of the district's urban built-up areas (i.e. commercial, town centre, residential, business). This means that freedom camping can take place on rural roads in any area off the active road corridor (i.e. off-road layby areas) provided it complies with the proposed conditions specified in clause 8.3. These locations are shown in Schedule 1B of the draft bylaw. It is noted that in the absence of a bylaw, the default position in the Act would apply that would permit freedom camping on all rural roads (subject to self-containment requirements), including in tents. The draft bylaw provisions are intended to apply some measures to manage the adverse impacts associated with this stating point in relation to the matters set out in section 11 of the Act.
26. Clause 8.3 of the draft bylaw specifies a range of conditions to ensure freedom camping on rural roads protects the area, access and health/safety.
27. Council invited respondents to provide their position on the approach applied on rural roads. **Figure 4** below illustrates the distribution of positions provided in response to this question.

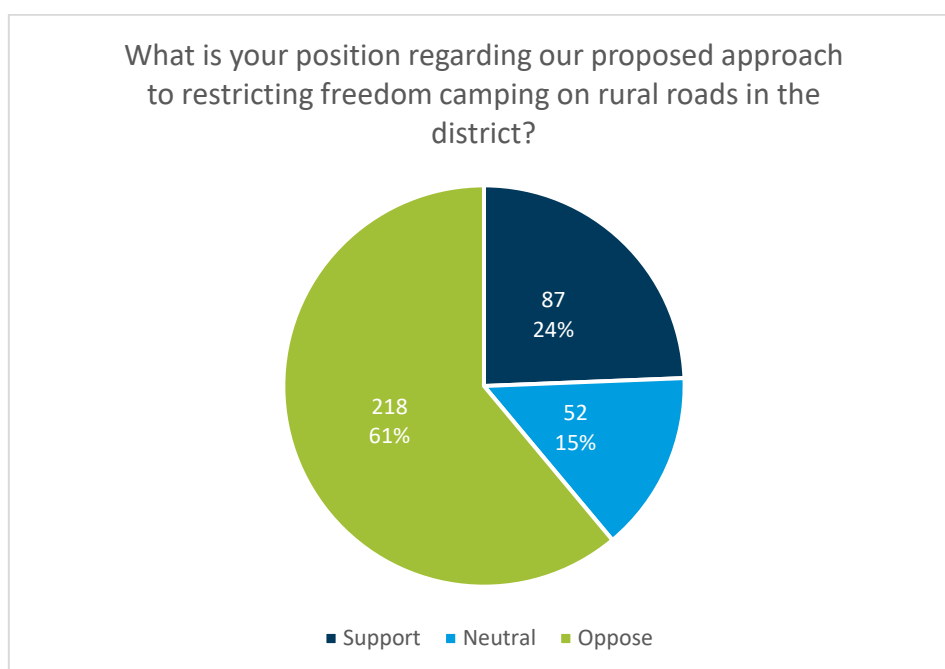


Figure 4 - Submitter positions on the rural roads approach of the draft bylaw

28. **Figure 4** illustrates that the majority of respondents oppose the approach to rural roads in the draft bylaw. Among those who opposed the draft bylaw, 19 stated it was too restrictive, 197 stated it was too permissive and 2 did not specify the nature of their opposition.
29. A number of respondents supported the rural roads approach but recommended amendments such as creating designated areas, upgrading lay-bys, accommodating larger vehicles, enhancing safety controls, prohibiting camping near residential properties, and improving monitoring and enforcement. Additional suggestions included better communication of rules, requiring campers to take their rubbish with them and respect waterbodies, and introducing fees for freedom camping.
30. Respondents who opposed the rural roads approach on the grounds that the bylaw was too restrictive suggested that suitable locations should be identified and that rules should be clearly communicated to campers. They voiced opposition to the 5-metre road shoulder setback and ground surface requirements. Several called for addressing problem areas by investing in infrastructure, such as rubbish bins and toilets, while allowing responsible overnight parking in other locations.
31. Respondents who opposed the rural roads approach and felt that the bylaw was too permissive suggested prohibiting or restricting freedom camping on rural roads, particularly near established campgrounds and residential areas. They advocated for allowing freedom camping only in specific rural road locations—such as formed, gravelled areas. Calls were made to identify which roads meet the appropriate conditions for restricted camping. Additionally, respondents recommended implementing effective monitoring, enforcing vehicle number limits, and prohibiting freedom camping on roads deemed unsafe or unable to meet specified requirements.

32. Respondents who took a neutral stance opposed the 5 metre road shoulder setback and parking surface restrictions. There was specific objection to several rural roads. Some expressed a preference for freedom campers to use commercial campgrounds or DoC sites, and worries about waste, toileting, congestion, and environmental impacts were raised. Calls were made for clearer definitions of what constitutes a 'rural road' and for the identification of designated areas suitable for freedom camping. Respondents emphasised the need for effective monitoring, enforcement and education.
33. In the 26 August 2025 Hearing Report, officers acknowledged the wide range of concerns raised by submitters and recommended several discrete amendments including:
- a. A new definition for 'waterbody', and add a new clause requiring any freedom camping vehicle to be positioned at least 10 metres from any waterbody;
 - b. New explanatory notes:
 - i. to clarify that the identification of a rural road as a restricted area does not mean that any specific locations are available that meets every clause 8.3 condition;
 - ii. to clarify that the district's rural roads may contain complex and challenging conditions which require careful consideration with respect to vehicle capabilities, driving experience, and emergency situations;
 - c. Identify that 'metalled' surfaces can also be used for freedom camping on rural roads;
 - d. Amendments to the 5 metre setback requirement on rural roads to more clearly express its intent, in particular, that unsealed roads are subject to the requirement and the distance from which the setback is measured i.e. from the marked shoulder (where marked) or edge of metalled/gravel (where no hard shoulder or seal);
 - e. Removing some roads from Schedule 1B as they are not controlled or managed by QLDC.
34. Officers did not recommend any material changes to the principle of identifying the district's roads as restricted areas on account of the limitations presented by the Act and the technical advice received from Tonkin and Taylor (TT).
35. Having considered submissions and officer advice contained in the 26 August 2025 hearing report, the Panel sought clarification on the operation of the bylaw with respect to rural roads. They expressed some concern with the identification of all rural roads as restricted areas and were cognisant of the opposition to the approach raised in submissions.
36. Officers explained how site-specific assessments of every rural road has not been undertaken, nor is it appropriate or required do so given the size of the district and the isolation of its rural road network. In addition, the precise number and location of sites which could satisfy the conditions in clause 8.3 are not known. The Act does not require local authorities to prepare site

specific assessments for each area covered in a bylaw, nor does it state how bylaws are to be prepared with respect to areas that are to be prohibited or restricted. Instead, it specifies that the local authority must be convinced that making a bylaw is required to address one or more of the issues outlined in section 11 of the Act. TT have provided advice based on the best available information which considers that stopping areas and laybys on rural roads have constraints relating to access, and health and safety which means that a management approach is justified across QLDC's rural road network.

37. Taking this into account, officers presented the Panel with the options available to manage freedom camping on rural roads. These options are set out in **Table 2** below.

Table 2 - Options to manage freedom camping on rural roads

Option	Description of effect
A - Freedom Camping Act default position	<ul style="list-style-type: none"> - Uncontrolled impacts on the area, access, health and safety - Enforcement obligations remain - Less conditions/more straightforward - Not well supported by submitters or technical assessment
B - Restricted – as proposed in draft bylaw Recommended	<ul style="list-style-type: none"> - Balance enabling Act with section 11 matters - Supported by technical assessment - Not well supported by submitters - More conditions/less straightforward - Enforcement obligations
C - Restricted – amended approach	<ul style="list-style-type: none"> - As per Option B and - Further amendments (i.e. to conditions) may address some submitters concerns but not all
D - Prohibited	<ul style="list-style-type: none"> - Highly restrictive - Not well supported by technical assessment - Supported by submitters - Enforcement obligations remain
E - Defer – remove from draft bylaw and direct further work	<ul style="list-style-type: none"> - The Act's default position would apply in the meantime – highly enabling (see Option A) - May result in the identification of additional specific restricted areas - Costly and time consuming additional step - Uncertain outcome

38. Having considered this, the Panel has recommended to Council that Option B as presented in the draft bylaw for consultation is the most appropriate and proportionate option to manage the adverse impacts of freedom camping on the district's rural roads.

39. Having made this recommendation, the Panel emphasised the need to ensure careful illustration, education and communication of the rural roads approach. In particular, the Panel wanted to ensure the community understood how the maps and conditions in clause 8.3 operate together to regulate where and how freedom camping could take place on rural roads. Section 11B(1) of

the Act allows bylaws to define prohibited and restricted areas either through the use of a map, or by a description of their locality (other than just a legal description). Providing a written list of rural roads may reduce the perception that the rural roads approach provides for freedom camping to take place anywhere on every rural road, which was a recurring concern in the feedback received. However, this would require a detailed description of where each road begins and ends, and where it transitions from an urban road (i.e. a prohibited freedom camping area) into a rural road (i.e. a restricted freedom camping area). Due to the static nature and scale of the maps, a list approach may provide marginally more clarity for bylaw users but is also likely to be cumbersome to present and difficult to apply on the ground. It is important to note that neither approach changes the statutory effect of the bylaw with respect to the way that freedom camping is managed on rural roads. On balance, officers recommend that the mapping approach be retained which visually illustrates the location of restricted rural roads.

40. To assist implementation, communication and education processes, an interactive online map will be provided which shows the restricted and prohibited freedom camping areas subject to the bylaw. In practice, this interactive map will be easier to navigate and will likely be the primary tool that freedom campers and the general public will use to understand how and where the bylaw applies.
41. Two explanatory notes were recommended by officers as an outcome of submissions and agreed to by the Panel to ensure bylaw users better understand the effect of clause 8.3 and the mapping in Schedule 1B. These explanatory notes:
 - a. clarify that the identification of a rural road as a restricted area does not mean that any specific locations are available which meet every clause 8.3 condition, and
 - b. clarify that the district's rural roads may contain complex and challenging conditions which require careful consideration with respect to vehicle capabilities, driving experience, and emergency situations.
42. Officers consider that careful illustration and communication of the rural roads approach is better undertaken in association with the implementation of a bylaw following adoption as compared to making changes to the bylaw instrument itself. In particular, QLDCs responsible camping website, summer ambassadors, and its overall freedom camping education campaign can work together to signal the need for campers to make informed decisions on where to camp, and help the community understand that the bylaw prioritises a balanced approach to protecting areas on rural roads in terms of their values, access, health and safety requirements for all users.
43. Over time, QLDC will carefully monitor any hotspots that are known or arise across the rural road network and assess whether or not they meet the conditions set out in the draft bylaw. Officers will consider if these areas could benefit from specific signage, education and other communication tools on a case-by-case basis to ensure compliance is achieved at any such sites. This monitoring activity will inform future reviews of the bylaw and support any necessary amendments in relation to sites and associated bylaw provisions that are not found to be working as anticipated.

Urban road prohibited freedom camping areas

44. The district's urban roads were identified as prohibited freedom camping areas in the draft bylaw. These are roads that are located within the district's urban built up areas (i.e. commercial, town centre, residential, business areas). This means that freedom camping is not allowed on urban roads. This includes prohibiting freedom camping within any on-road vehicle parking spaces (i.e. parallel, angle, etc parking spaces). These locations are shown in Schedule 2 of the draft bylaw (**Attachment A**).
45. Council invited respondents to provide their position on the proposed approach for urban roads. **Figure 5** below illustrates the distribution of positions in response to this question.

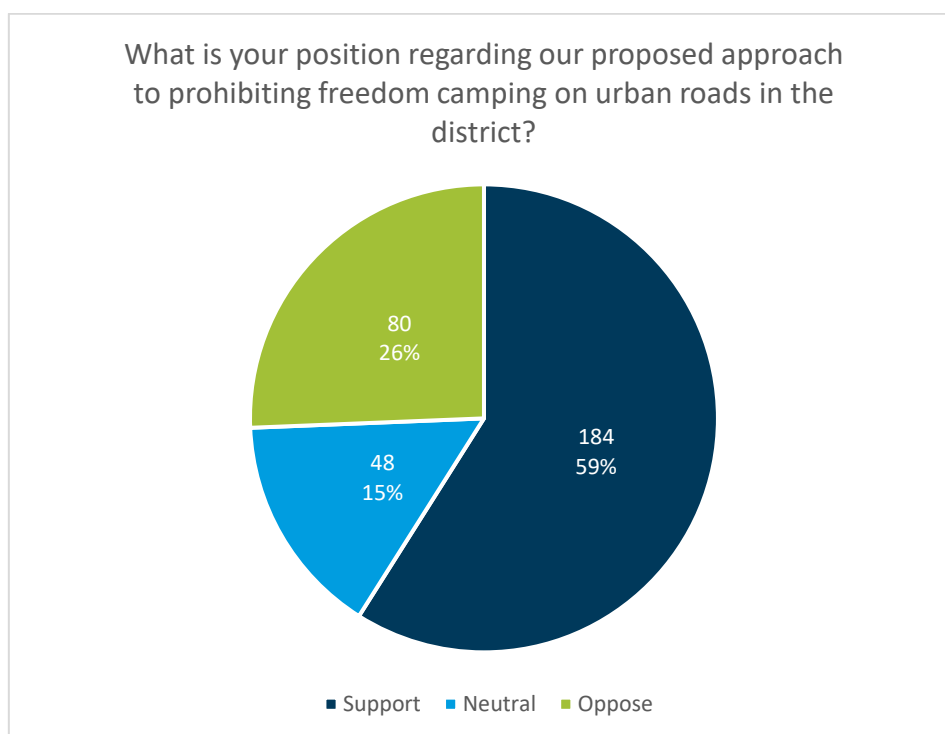


Figure 5 - Submitter positions on the urban roads approach of the draft bylaw

46. **Figure 5** illustrates that the majority of respondents (184) support the urban roads approach of the draft bylaw. Among those who opposed the draft bylaw 29 stated it was too restrictive, 41 stated it was too permissive, and 10 did not specify the nature of their opposition.
47. Respondents who supported the urban roads approach advocated for enhanced monitoring and enforcement, restrictions confining freedom camping to designated sites, preferably away from residential areas, and limitations on camping duration. They also suggested, encouraging the use of established campgrounds and supermarket carpark, and working with DoC to reopen closed sites to concentrate freedom camping in appropriate, well-managed locations.

48. Respondents who opposed the urban roads approach and who also considered the draft bylaw was too restrictive, advocated for freedom camping to be allowed on urban roads, in unused parks, or select urban areas, and for certified self-contained vehicles to park like any other legal vehicle. Suggestions included permitting camping after 5pm, establishing new campgrounds on the urban-rural fringe, and allowing campers to park on urban roads with homeowner permission.
49. Respondents who opposed the urban roads approach and who considered the draft bylaw was too permissive, sought for camping to be restricted to campgrounds, areas near public toilets or for freedom camping to be prohibit in all urban areas.
50. Respondents who were neutral raised concerns about potential negative impacts on people experiencing homelessness and night workers due to reduced overnight parking and noted that not all urban roads were clearly identified as prohibited. They felt some low-impact areas were unnecessarily excluded and suggested site-specific assessments to identify suitable camping locations with facilities. Additionally, they advocated for prohibiting camping in town centres to preserve access for workers, emphasised the importance of robust education, monitoring, and enforcement, and highlighted that urban roads present an easier environment for Council oversight.
51. In the 26 August 2025 Hearing Report officers acknowledged and addressed the concerns raised by submitters. It is noted that most submissions regarding the urban roads approach expressed support for this aspect of the draft bylaw. Neither the hearing report nor the Panel recommended any amendments to the draft bylaw in regard to this matter.

Specific restricted areas

52. The draft bylaw identified 15 specific restricted areas where freedom camping would be enabled subject to a set of conditions specified for each area. These locations and the proposed conditions are shown in Schedule 1A of the draft bylaw at **Attachment A**.
53. Council's online survey invited respondents to provide their position on each of the 15 specific restricted areas. **Attachment E** provides a table that sets out submitter positions, key themes and relief requested in relation to each of the proposed specific restricted freedom camping areas.
54. **Attachment E** illustrates that more respondents opposed than supported each of the specific restricted areas proposed in the draft bylaw. However, each of the proposed Upper Clutha specific restricted areas attracted a larger number of submissions than the rest of the district, with a much greater proportion of respondents expressing opposition.
55. Respondents who expressed support for the specific restricted areas highlighted a preference for locations that are safe, well-equipped, and appropriately distanced from residential zones. Feedback emphasised the need for basic facilities like toilets and showers, clear signage, and effective monitoring to ensure compliance. Some submitters suggested operational

improvements such as earlier departure times in the morning and better enforcement. Overall, support was grounded in practicality, safety, and thoughtful management of camper impacts.

56. Respondents who expressed a neutral position commonly called for more permissive arrival and departure times, often suggesting a three-night stay. Many supported the idea of adding more restricted areas and parking spaces to better distribute available areas. Key concerns included congestion, waste, undesirable behaviour and impacts on parking availability for other users. Several comments emphasised the need for effective monitoring, clear signage, and specific rules—such as prohibiting outdoor cooking or requiring campers to leave before peak facility hours (i.e. at recreation facilities). Some also highlighted localised impacts on nearby campgrounds, recreation centres, and amenity impacts on natural areas.
57. Respondents who opposed the proposed restricted camping areas consistently raised concerns about congestion, lack of parking for other users, and waste and toileting issues. Many emphasised the need for effective monitoring and enforcement, citing safety risks, undesirable camper behaviour, and impacts on nearby residential areas/properties, access to recreational facilities, and natural environments. Several comments called for the removal of specific sites from the draft bylaw, arguing that freedom camping should be restricted to existing campgrounds. Environmental degradation, fire risk, and amenity impacts were also common themes, with many opposing freedom camping in urban areas and advocating for a district-wide prohibition.
58. A range of the matters raised by submitters (i.e. amenity impacts on private land/other impacts on land that is not controlled or managed by QLDC, blanket prohibitions, and restricting freedom camping to existing commercial campgrounds) are out of scope of what may be considered and have been addressed elsewhere in this report. Concerns relating to toileting and waste have also been addressed earlier in the report and are not repeated here.
59. The 26 August 2025 Hearing Report acknowledged submitters concerns with respect to the nature and scale of freedom camping in specific restricted areas, particularly regarding adverse impacts on the availability of parking for other users and potential congestion in car parking areas. Officers acknowledged that the subject carparking areas tend to be ‘commuter’, ‘non-commuter’ or ‘recreation/events centre’ type carparks and therefore may experience different types of adverse impacts from freedom camping²¹. The hearing report noted the tension between the context of the Act being a highly enabling piece of legislation, with the feedback for a more restrictive approach that placed more priority on other users of the subject carparking areas. The Panel carefully canvassed the concerns raised by submitters.
60. On balance, given that any freedom camping parking spaces would be available to any other user outside of the specified overnight arrival and departure times, and that the majority of spaces at each location would not be available for freedom camping at any time, the Panel agreed that the draft bylaw generally achieved an appropriate balance between protecting access for non-

²¹ See Table 4 of the 26 August 2025 hearing report

[26 August Hearing of Submissions on the Draft Freedom Camping Bylaw | Queenstown Lakes District Council](#)

freedom camping users (i.e. recreational and commuters), while also enabling space for freedom camping overnight.

61. In response to submissions, a number of amendments to the hours of arrival/departure for the specific restricted areas were recommended to achieve greater consistency across the locations in order to improve understanding of the provisions for all users and enhance compliance. Officers recommended that all commuter and non-commuter carparks require arrival not before 6:00 pm and departure before 8:00 am. No amendments were recommended for the two recreation/events centre locations as they serve a different function and to allow campers to use paid facilities at these locations associated with opening hours of the facilities. A set of arrival/departure hours was recommended for the Kingston and Camp Hill Bridge sites in order to improve enforcement and compliance at these locations and to better protect access. The Panel agreed with officer's recommended amendments to hours of arrival/departure. A table showing the recommended amendments to arrival and departure hours is shown in **Attachment C**.

62. Having considered concerns raised by submitters, particularly in regard to access, the Panel recommended a set of amendments to the number of parking spaces available for freedom camping vehicles at five of the 15 proposed restricted freedom camping areas: Grey Street, Flint Street, Allenby Place, Beacon Point and Camp Hill Bridge. These amendments are illustrated in **Table 3** below. No amendments were recommended to the number of spaces at any other specific restricted area.

Table 3 – Recommended amendments to the number of vehicle parking spaces available for freedom camping at select specific restricted freedom camping areas

Specific restricted carpark	Spaces in draft bylaw that was consulted on	Recommended number of spaces by Panel
Grey Street, Frankton	10	4
Flint Street, Arrowtown	5	3
Allenby Place, Wānaka	5	3
Beacon Point, Wānaka	5	3
Camp Hill Bridge, Hāwea	15	10

63. The Hearing Report also recommended that a condition be added in relation to the Camp Hill Bridge site to require freedom campers use one of the marked vehicle parking spaces. The draft bylaw that was consulted on did not include this condition given the location and size of the carpark. Officers agreed with a submitter who was concerned that the absence of this condition may create ambiguity for campers, other users and impact effective monitoring and enforcement. The Panel agreed with this amendment.

64. A submitter requested that the name of the Flint Street restricted freedom camping area in Arrowtown be renamed to Hansen Road to match on-site signage. Officers agree that the name change is appropriate and recommended this in the hearing report. The Panel agreed. However,

it appears that carpark is named 'Hansen Place' and it is recommended that this name be used in place of Hansen Road and Flint Street.

Temporary changes to restricted freedom camping areas

65. Part 3 of the bylaw provides for temporary changes to restricted freedom camping areas. This enables QLDC to address unanticipated or emergency events related to a need to protect the area, access and/or health and safety. This aspect of the bylaw received few submissions.
66. A submitter raised concerns about decision making under Part 3. In particular, the submitter sought clarity on the meaning of 'temporary', and more specific processes related to criteria for reopening affected areas.
67. Other submitters raised concerns with respect to the potential impacts of freedom camping on recreational or other types of events and sought a broadening of the provisions to allow for a long-term use of temporary bans in areas subject to adverse impact from freedom camping.
68. In the 26 August 2025 Hearing Report amendments to Part 3 were recommended in order to provide further specificity concerning anticipated impacts that decisions made under the clause may have on the ability for a person to freedom camping in the district and to improve administration of associated decision-making processes. The amendments to Part 3 included:
- a. Amendments to clause 9 that provides for the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted freedom camping area or prohibit freedom camping comprising:
 - i. provisions to require the notification of the location subject to the decision, and a timeframe and/or reasons for the temporary prohibition or restriction to be lifted;
 - ii. an explanatory note to provide context in regard to what constitutes a 'temporary change' and how the setting of a fee does not constitute a fee for the activity of freedom camping;
 - iii. specify that decisions should take into account section 11(2)(a) of the Act; and
 - iv. a clause making it clear that a person must not freedom camp in a local authority area (or part of a local authority area) in contravention with a decision made under the clause.
 - b. A new clause 10 in Part 3 that provides for any person to apply to the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted or prohibited freedom camping area. The notified version of Part 3 (comprising clause 9 only) did not provide a clear pathway for any person to apply for temporary changes in order to protect access, health and safety and/or the area with respect to temporary events and focused on QLDCs capacity to exercise this function. This amendment would address submitters' concerns with respect to organised events at some specific restricted freedom

camping areas (i.e. Camp Hill Bridge and the recreation/event centres). The recommended clause included provisions similar to those set out in Part 4, clause 10 of the notified draft bylaw, in order to provide a clear framework for administering and deciding applications, including the setting of fees and reviewing decisions.

69. The Panel agreed with officer's recommended amendments to Part 3.

70. Following further consideration, the following additional amendments to Part 3 are proposed:

- a. Amendments to the wording at clauses 9.3 and 10.12 relating to breaches of any approval to improve the clarity of the provision,
- b. Amend the reference to section '11(2)(a)' of the Act at clauses 9.3 and 10.11 to reference the need for decisions to consider the matters at '11(2)' of the Act. This more accurately reflects the submitters relief and would have the effect of requiring a decision to also consider if the decision is the most appropriate and proportionate way of addressing the perceived problem in relation to that area, and that it is not inconsistent with the New Zealand Bill of Rights Act 1990,
- c. Amend the heading of clause 9 to more accurately represent the decision making capacity provided in the clause,
- d. Combining the new and current clause 10. Many of the subclauses are exactly the same and it would make the bylaw easier to read and understand if the two application concepts are included in one clause.

71. All of the recommended amendments are shown in **Attachment A** (as tracked changes) and **Attachment C** (as a list of relevant clauses/schedules).

Discretionary consent to freedom camp

72. Part 4 (clause 10) of the draft bylaw that was consulted on provides for any person to apply to the Chief Executive of the Council to temporarily freedom camp in an area otherwise prohibited or restricted for a one off or community event.

73. A submitter raised concerns in regard to the discretion to set fees for applications requesting approval to temporarily freedom camp, suggesting such fees might be disproportionate or constitute a fee for camping, which is prohibited by the Act. The hearing report clarified that the fee would be for recovering administrative costs associated with processing applications which is permitted under section 150 of the Local Government Act 2002 and would not comprise a charge for the activity of camping. Officers recommended the inclusion of an explanatory note to this effect.

74. An additional amendment was recommended to the Panel to specify that decisions under the clause should take into account all matters under section 11(2)(a) of the Act consistent with the amendment noted above to clause 9. As noted above, officers now recommend a correction to this to reference 11(2) to better reflect the relief sought by the submitter.
75. The Panel agreed with officer's recommended amendments to Part 4 as set out in the hearing report.
76. As set out above, officers now recommend combining clause 10 in the notified version of the bylaw with the recommended new clause 10 that provides for any person to apply to the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted or prohibited freedom camping area.

Other matters

77. A submitter requested that clause 7.2 be amended to more accurately reflect the approach taken in the draft bylaw and the intent of the Act such that '*no person may freedom camp in any local authority in Schedule 2 of this Bylaw that is marked prohibited*'. The hearing report recommended that this amendment be made to the draft bylaw and the Panel agreed. Officers now recommend a further minor amendment to clause 7.2 to improve the clarity of the amendments while maintaining the same intent.
78. NZTAs submission generally supported the draft bylaw but expressed concern that only limited areas of state highway had been identified. NZTA believes this could prevent QLDC from effectively managing the adverse impacts of freedom camping on the state highway. The draft bylaw does not identify every stretch of the state highway as restricted or prohibited. QLDC has not elected to include all of the large and isolated NZTA road network in the draft bylaw. Rather, a small number of 'hot spot' locations have been addressed to promote effective and efficient management. No amendments were recommended by officers or the Panel in regard to this matter. Officers also consider that this amendment would be beyond the scope of what was consulted on in the draft bylaw (i.e. QLDC may have to re-consult if Council decided to identify substantial areas of the state highway as restricted or prohibited).
79. A submitter requested that sections of Stanley Street and Shotover Street in the Queenstown town centre (that are part of State highway 6A) be prohibited for freedom camping. Officers consider this is within scope of the statement of proposal and recommend that, the draft bylaw be amended to reflect this. The portions of these streets are distinct from other NZTA roads in urban areas due to the extent of parking present. In addition, there is an MOU between QLDC and NZTA regarding parking management. The Panel agreed with this recommendation.
80. Following the consultation period, TT advised that parts of their technical assessment report, including Appendix E (site-specific assessment spreadsheets) contained some minor errors. TT advise that the subject amendments do not change their final recommendations. An updated copy of TTs assessment and Appendix E is included as **Attachment F**.

81. A submitter identified that a portion of private land off Kane Road had been identified as a restricted rural road in error. Officers recommended that this road be removed from Schedule 1B of the draft bylaw. The panel agreed with this recommendation.
82. The draft bylaw identified the Macetown 4WD track as a restricted rural road in Schedule 1B. It is understood that track is not controlled or managed by QLDC and is primarily owned by LINZ. Officers recommended that the track be removed from Schedule 1B. The Panel agreed to this change.

Summary

83. This report provides an overview of:
- a. feedback and changes requested by submitters;
 - b. officer advice to the Panel in response to submissions;
 - c. positions taken by the Panel with respect to a and b; and
 - d. some additional officer recommendations consistent with those made by the Panel in order to correct minor errors and/or improve the clarity and usability of wording in the draft bylaw.
84. The Panel recommended that Council adopt the draft bylaw that went out for consultation subject to the amendments shown in **Attachment A** and **Attachment C**, and as otherwise discussed in the preceding sections of this report.
85. Full copies of the submissions received are available for Council's consideration on QLDC's letstalk page²².
86. Council can make changes to a draft bylaw as an outcome of formal consultation, in response to submissions, as long these changes are within the scope of the statement of proposal. Material changes to the draft bylaw proposed after consultation that come about through the submissions process but are not contemplated in the statement of proposal may require Council to re-consult. The amendments recommended in the report and **Attachment A** and **Attachment C** are considered within scope.

Options and analysis

87. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

²² See Attachment C parts 1 – 5 in the 'Hearing of submissions' section in the 'documents' section of the letstalk webpage.

[Draft Freedom Camping Bylaw 2025 | Let's Talk Queenstown Lakes District Council](#)

88. Option 1: Adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 that went out for consultation with no further amendments.

Advantages	Disadvantages
<ul style="list-style-type: none"> General alignment with the broader goals and objectives QLDCs Responsible Camping Strategy 2022 - 2027. The Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. If adopted by Council, the draft bylaw that went out for consultation provides a sound basis to regulate freedom camping in the district. The bylaw development process has comprehensively identified and addressed a range of issues relating to freedom camping. 	<ul style="list-style-type: none"> The draft bylaw may not align or address community views on this issue. The draft bylaw would not reflect the wide range of community views contained in the submissions, nor the new information, analysis and subsequent advice provided by officers since the hearing panel convened. The important experience and knowledge of the district's community as noted in submissions and acknowledged in this report would not be incorporated into the draft bylaw.

89. Option 2: Adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 with the changes recommended as an outcome of the consultation process.

Advantages	Disadvantages
<ul style="list-style-type: none"> Alignment with the broader goals and objectives of QLDCs Responsible Camping Strategy 2022 - 2027. The final version of the bylaw would be responsive to new information, analysis and subsequent advice provided by officers since the hearing panel convened and is considered the most appropriate and proportionate method to address the perceived problems relating to freedom camping. The important experience and knowledge of the district's community as noted in submissions and acknowledged in this report will be incorporated into the draft bylaw where supported by the limited scope of the Act. 	<ul style="list-style-type: none"> The recommended amendments to the draft bylaw may not align or address all community views received through submissions. There are costs associated with implementation & ongoing operation of the draft bylaw, including in regard to monitoring and enforcement activities, communication and education, and preparing specific restricted areas for freedom camping.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. • The bylaw development process has comprehensively identified and addressed a range of issues relating to freedom camping. 	

90. **Option 3:** Do not adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 or propose a different way forward.

Advantages	Disadvantages
<ul style="list-style-type: none"> • The Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. • The absence of a freedom camping bylaw for the district would be supported by submitters who sought a more permissive approach for freedom camping as this would mean the default position in the Act would apply (which is more enabling). • Reliance on the default position in the Act may create a less complex regulatory environment for freedom campers and QLDCs regulatory team and removes the risk of a judicial review challenge, as is inherent with all bylaws. 	<ul style="list-style-type: none"> • Council would not have any ability to efficiently and effectively regulate freedom camping across all locations in the district managed or controlled by QLDC. Unregulated freedom camping would likely result in adverse impacts on the values/characteristics of the area, access and health/safety. • Monitoring and enforcement challenges and costs will remain for QLDC who retain a responsibility to regulate freedom camping under the default position in the Act. • Council would not be responding to community expectations with regard to efficient and effective management of the adverse impacts from freedom camping. • Officers may need to restart the bylaw development process resulting in cost and time implications. • Ad hoc/case by case management through the use of the Reserves Act 1977 and/or the Traffic and Parking Bylaw is available but is not efficient or effective in the long term.

Advantages	Disadvantages
	<ul style="list-style-type: none"> Lack of alignment with the broader goals and objectives of QLDCs Responsible Camping Strategy 2022 - 2027.

91. This report recommends that Council proceed with **Option 2**, that it adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 with the changes recommended as an outcome of the consultation process. Option 2 would enable Council to:

- Achieve alignment with those broader goals and objectives of QLDCs Responsible Camping Strategy 2022 – 2027.
- Appropriately regulate freedom camping in the district with respect to adverse impacts on the values/characteristics of the area, access and health/safety on land controlled and managed by QLDC (and select NZTA sites),
- respond to the experience and knowledge of the district’s community/submitters (where supported by the limited scope of the Act), and
- comply with the special consultative procedure requirements in the LGA.

Next steps

92. If Council adopts the draft bylaw, it is proposed that it would commence on 1 December 2025. There would be public notification of the outcome of the process, and submitters would be notified.

93. Officers would prepare a comprehensive communication and education campaign intended to assist campers and the wider community to understand the practical intent of the bylaw, actions that will be taken to regulate the bylaw, and ways that members of the public can get in touch with QLDC to report concerns or clarify any concerns or questions with respect to the bylaw.

94. Officers will be investigating additional sites for low-cost camping and freedom camping in the district as part of the wider responsible camping programme. This investigation will consider how technology can be used to monitor freedom camping activities and enforce regulations.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

95. This matter is of medium significance, as determined by reference to the Council’s Significance and Engagement Policy 2024. The issue of freedom camping (and destination management generally), is important to the district’s community. Any new regulation which enables, restricts or prohibits different types of visitor activity and its associated adverse impacts will be of high

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

- a. Consistency with existing policy and strategy – There is no inconsistency with existing policy and strategy.
- b. The impact on the Council’s capability and capacity – It is noted that regulatory actions will be required in regard to freedom camping activity whether a bylaw is in place or not. As such, in practice there is limited change to regulatory capability and capacity. Nonetheless, it is acknowledged that regulatory activity will need to be undertaken with respect to implementing, monitoring and enforcing a bylaw that applies specific restrictions and prohibitions across a wide area of land controlled or managed by QLDC.
- c. Climate change – There is no inconsistency with Council’s Climate & Biodiversity Plan, including its action plan and outcomes.
- d. Mana whenua (Kāi Tahu) - Officers and technical advisors have engaged directly with mana whenua representatives during the process of developing a draft bylaw.
- e. Strategic assets – This matter does not relate to the sale or transfer or sale of shareholding of any strategic assets.
- f. Council controlled organisations (CCOs) or council-controlled trading organisations (CCTOs) – This matter does not relate to any CCOs or CCTOs. Queenstown Airport Corporation is a CCO. Although involved in tourism, it is not directly related to freedom camping activity and did not make a submission.

96. 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, NZTA, LINZ, DoC, the NZMCA, Destination Queenstown, Lake Wānaka Tourism, recreational campers, the general public, residents, ratepayers and visitors to the district in general. Council has engaged in conversations with a range of key stakeholders throughout the bylaw development process. Any person or organisation has had the opportunity to provide a submission on the draft bylaw during the consultation period.

Māori Consultation | Iwi Rūnaka

97. Kāi Tahu have been engaged throughout the process of developing the draft bylaw. It is acknowledged that mana whenua have a high interest in biodiversity and water management. The bylaw development process has considered these matters with respect to the values or attributes of QLDC controlled or managed land (and select NZTA sites) with respect to protecting the area, access and health and safety where they are within scope of the Act.

98. Te Ao Marama and Aukaha were advised of consultation on the draft bylaw, and officers invited Iwi representatives to make a submission. Te Ao Marama and Aukaha did not make a submission.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

99. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
100. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by the Council adopting the draft bylaw which restricts or prohibits freedom camping on QLDC controlled or managed land (and select NZTA sites) in order to protect the area, access and health and safety.

Financial Implications | Kā Riteka ā-Pūtea

101. The costs associated with developing the draft bylaw including staff time and advertising will be met within current budgets. Review of the 2021 bylaw was planned to commence in 2026, therefore the quashing order from the High Court has brought forward this process.
102. Provision for bylaw monitoring, enforcement and compliance is identified as part of QLDCs regulatory functions and services in its 2024 - 2034 Long Term Plan²³. The private benefit element of bylaw and enforcement activities (assessed at 40%) would be funded from user charges, with the public element funded from the proposed district-wide targeted capital value based regulatory rate and the governance and regulatory charge²⁴.
103. Funding is required to successfully implement of a new freedom camping bylaw. Costs for the 2025 - 2026 Responsible Camping Programme are estimated at approximately \$420,000. This includes signage, marking vehicle spaces, ambassadors, printed and digital communications, fleet and site maintenance. Officers will be proposing the same budget is approved for 2026 - 2027 to ensure service levels are maintained and effective implementation of new bylaw. 2025 - 2026 is the final year of allocated funding for the responsible camping programme (\$400,000)²⁵, there is no confirmed budget in year three of the 2024 - 2034 Long Term Plan for this programme.

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

104. The following Council policies, strategies and bylaws were considered:
- a. Our Strategic Framework and Investment Priorities
 - b. Significance and Engagement Policy 2021
 - c. Responsible Camping Strategy 2022-2027

²³ QLDC Long Term Plan 2024–2034, page 104

²⁴ QLDC Long Term Plan 2024–2034, page 320

²⁵ Note that the \$20,000 balance for the Responsible Camping Programme is absorbed via Roothing and Parks budgets.

- d. Enforcement Strategy and Prosecution Policy 2021
- e. Parks and Open Spaces Strategy 2021
- f. Future Parks and Reserves Provisions Plan 2021
- g. The Queenstown Lakes Spatial Plan 2021
- h. Travel to a thriving future - A Regenerative Tourism Plan
- i. QLDC Disability Policy 2018.

105. The recommended option is consistent with the principles set out in the above-mentioned named policies.

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

The starting point for Council controlled or managed land in the Freedom Camping Act 2011

106. Under the Act, the starting point is that freedom camping in a self-contained motor vehicle (or tents) is permitted on all local authority land unless specifically restricted or prohibited under a bylaw. Freedom camping in non-self-contained vehicles is prohibited unless permitted under a bylaw or other legislation. Officers have identified all land controlled or managed by QLDC, to assess areas where there may be a need to restrict or prohibit freedom camping for the purposes set out in section 11 of the Act.

Legal requirements for making a freedom camping bylaw

107. Section 11 of the Act enables Council to make a bylaw to regulate freedom camping by defining areas where freedom camping is restricted or prohibited. Before making or reviewing a bylaw, Council must:

- a. under section 11(2)(a) satisfy itself that the bylaw is 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) determine that a bylaw is the most appropriate way to address the perceived problem in relation to specific areas where regulation or prohibition of freedom camping is being considered, and that any restrictions proposed are a proportionate response to addressing the perceived problem(s),
- c. under section 11(2)(c) ensure that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, and

- d. under sections 10A and 11(3), where NZTA land is to be considered local authority area for the purposes of a freedom camping bylaw, obtain the written consent of NZTA's Chief Executive. Five areas of NZTA land are identified as local authority area in the draft bylaw. Two areas are identified as restricted (Gibbston Highway/State Highway 6 carpark and Kingston Road/State Highway 6 carpark). Three areas are identified as prohibited (State Highway 8A land in the area of the Luggate Red Bridge, State Highway 84 land to the south of Mt Iron, Wānaka, and sections of Shotover Street and Stanley Street in Queenstown).

A bylaw is necessary to protect the area, health and safety, or access

- 108. Having considered the issues associated with freedom camping in the district and the options available to address these issues, Council determined at its 26 June 2025 meeting that a freedom camping bylaw was necessary to regulate freedom camping to protect the area, health and safety and/or access.
- 109. The majority of feedback received from submitters during the consultation process provided additional information that reaffirmed the issues associated with freedom camping in the district and the need for a bylaw to protect the area, health and safety and/or access for the full range of users of local authority areas.

Appropriate and proportionate way of addressing the perceived problem

- 110. The perceived problem that requires addressing is the adverse impacts of freedom camping on local authority areas (areas managed or controlled by QLDC and select NZTA land) with respect to the area (i.e. the protection of an area, including its values and attributes), access to the area, and health and safety of people who may visit the area. A bylaw may be made to protect any of these matters in relation to a particular area where freedom camping may occur.
- 111. The district is the most popular camping destination in New Zealand, and the most popular place for overnight 'free camping'. The district receives a significant quantum of campers in comparison to the rest of New Zealand, and in relation to its resident population. As outlined in previous reporting²⁶ and in the technical assessment undertaken by TT, the district experiences adverse impacts from freedom camping on the values and attributes that are present on areas managed or controlled by QLDC, and to access and health and safety of these areas (including with respect to the NZTA sites subject to the draft bylaw). Specifically, the technical assessment has identified areas where the adverse impacts from freedom camping on an area requires protection with regard to one or more of the matters set out in section 11(2)(a) of the Act. As such, it is considered that a bylaw which restricts or prohibits freedom camping on land within the district which experiences these adverse impacts is appropriate.
- 112. The draft bylaw comprises an appropriate and proportionate response as it restricts freedom camping in areas where there are types of adverse impacts being experienced that can be managed by conditions (so as to ensure appropriate protection of the area, access and/or health

²⁶ See 20 March 2025 full council freedom camping issues and options report

and safety). The approach in the draft bylaw provides a range of opportunities for restricted freedom camping across the district.

113. A prohibition of freedom camping is proposed in areas where there are high adverse impacts from freedom camping that cannot be managed through restrictions and conditions. This is considered an appropriate and proportionate response to the high adverse impacts on Council controlled or managed land (and select NZTA land), as any freedom camping in these areas would not protect the area access and/or health and safety.
114. QLDC recognises that the starting point in the Act is that freedom camping in a self-contained motor vehicle (or tents) is permitted on all local authority land unless a bylaw specifically restricts or prohibits it (other than reserve land). However, it is not considered that relying on this default position would be an appropriate or proportionate response, taking into account the quantum of campers the district receives, the volume of request for services applications from the public, summer ambassador survey information, and the technical assessment undertaken by TT.
115. Council acknowledges that it must comply with section 12 of the Act which does not allow for freedom camping bylaws to have the effect of prohibiting freedom camping in all local authority areas. In developing the draft bylaw, it has considered the default position in the Reserves Act 1977 that prohibits camping on reserves. It notes that Council has previously exercised its Ministerial Delegation to lift this prohibition and provide for freedom camping at the Luggate Red Bridge site. While the draft bylaw does not leave any local authority areas under the default presumption of the Act, the draft bylaw does not amount to a blanket prohibition on freedom camping. Rather the draft bylaw applies a balanced and evidenced based approach to prohibiting or restricting freedom camping and provides a range of opportunities for freedom camping across the district. It is also noted that the Act does not establish a requirement for bylaws to provide minimum or maximum provisions of freedom camping space nor to meet the demand for freedom camping.
116. The proposed changes as an outcome of consultation do not change the position that the bylaw is the most appropriate and proportionate way of addressing the perceived problem.

New Zealand Bill of Rights Act 1990 determination

117. This assessment first entails determining whether the draft bylaw limits any of the rights contained in New Zealand Bill of Rights Act 1990 (**NZBORA**). The NZBORA grants certain civil and political rights to people in Aotearoa New Zealand. In accordance with section 5, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.
118. Section 18 of the NZBORA relates to 'freedom of movement'. In particular, section 18 provides that 'everyone lawfully in New Zealand has the right to freedom of movement and residence in New Zealand' and is engaged by virtue of the draft bylaw's limits on freedom camping in certain areas. The High Court has previously found that the NZBORA does not contain a right to 'freedom camp' or remain in a place overnight, and the right in section 18 and other rights in the NZBORA

may not be engaged in the context of a freedom camping bylaw.²⁷ However, in the same case the Council also confirmed that any limitations arising from the bylaw at issue were justified in terms of section 5 of the NZBORA.

119. While it is unclear if any NZBORA rights are engaged, as the draft bylaw includes a number of provisions which prohibit freedom camping in certain areas in the district that are controlled or managed by QLDC (or NZTA) it is considered appropriate to address the second NZBORA assessment, to determine whether such limits in the draft bylaw are demonstrably justified. Caselaw indicates that restrictions can be justified if they reasonably address legitimate concerns around safety, access, or environmental effects.²⁸
120. In addition to the draft bylaw's prohibited areas, it includes a wide range of enabling provisions that provide for restricted freedom camping across parts of the district. While these provisions contain conditions which place certain limits on the type, nature and scale of freedom camping, they are intended to protect the area, access and health and safety for freedom campers to use these locations, as well as any other person that may visit the area. This ensures safe and enjoyable experiences for all in the area.
121. Further, the draft bylaw includes provisions that provide a pathway for any person to apply for a consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted, for a one off or community event.
122. On balance, it is considered that the draft bylaw's restrictive and enabling provisions together are demonstrably justified and present reasonable limits on the rights and freedoms contained within the NZBORA, and do not unreasonably interfere with any of the identified rights. As such, it is advised that the draft bylaw is not inconsistent with the NZBORA.
123. The proposed changes as an outcome of consultation do not change the position that the bylaw is not inconsistent with the NZBORA.

The special consultative procedure

124. Council used the special consultative procedure in section 83 of the Local Government Act 2002 for this bylaw (as required in section 11B of the Act). The special consultative procedure requires Council to adopt a formal statement of proposal, provide a consultation period, and allow people to present their views to Council in a manner that enables spoken interaction (such as through a hearing).
125. Council encouraged people to give feedback by making the draft bylaw, statement of proposal, and associated supporting material as widely available as is reasonably practicable and by:
- enabling people to provide their views on the draft bylaw by way of a survey on Council's 'Let's Talk' website, or by email, post or hand delivery;

²⁷ *New Zealand Motor Caravan Association Inc v Thames-Coromandel District Council* [2014] NZHC 2016.

²⁸ *Ibid.*

- having the statement of proposal accessible on Council's 'Let's Talk' website;
- placing advertisements in local newspapers;
- hosting public drop in sessions in the Whakatipu and Wānaka-Upper Clutha wards;
- directly notifying (via email) known stakeholders;
- promoting the consultation on Council's social media pages.

126. Submissions on the draft bylaw were accepted between 8 July 2025 and 8 August 2025. Hearings and deliberations were conducted between 26 – 28 August 2025.

127. The Chief Executive of NZTA has provided written consent under section 10A of the Act for QLDC to make a bylaw declaring some NZTA land as a local authority area for the purpose of the Act, and to make bylaws in relation to freedom camping in that area under section 11 of the Act. This consent is provided as **Attachment I**.

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

128. Section 10 of the Local Government Act 2002 states the purpose of local government is to enable democratic local decision-making and action by, and on behalf of, communities; and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

129. The draft bylaw will deliver on this purpose as it will ensure QLDC is addressing the matters in section 11 of the Act with respect to the adverse impacts of freedom camping in the district.

130. It is considered that the recommendation in this report is appropriate and within the ambit of Section 10 of the Local Government Act 2002, and that the Act enables local authorities to make bylaws to restrict or prohibit freedom camping on land controlled or managed by it.

131. The recommended option:

- a. Requires appropriate funding to implement plus ongoing management of a new freedom camping bylaw. Development of bylaws and regulatory activity can be implemented through current funding under the Long Term Plan and Annual Plan;
- b. Is consistent with the Council's plans and policies; and
- c. 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	Draft Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025 (with tracked changes)
B	Draft Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025 (clean version with no tracked changes)
C	List of recommended amendments following hearing panel deliberations and as an outcome of submissions
D	Overview of QLDCs regulatory activities in regard to freedom camping
E	Submitter positions and key themes/relief on proposed specific restricted freedom camping areas
F	QLDC Freedom Camping Tonkin and Taylor Technical Report (with minor updates)
G	Statement of Proposal Draft Freedom Camping Bylaw 2025
H	Minutes from Hearing Panel deliberations session
I	Written consent from NZTA Chief Executive

All attachments are provided in a separate document.