

Full Council

23 July 2026

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

Department: Community Services

Title | Taitara: Proposal to amend the Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to make the necessary statutory determinations under the Freedom Camping Act 2011 for proposed amendments to the Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 and adopt a statement of proposal, including the draft amended Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 for public consultation.

Executive Summary | Whakarāpopototaka Matua

This report seeks Council's decisions on proposed amendments to the Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 (2025 Bylaw), the associated required statutory determinations and adoption of a Statement of Proposal on these matters for public consultation.

The proposed amendments respond to matters identified through the first summer of implementation of the 2025 Bylaw, subsequent officer analysis, and Council's direction at its 25 June 2026 meeting.

The proposal is focused on three restricted freedom camping areas: Allenby Place carpark, Beacon Point Road carpark and Wānaka Recreation Centre carpark.

Council is asked to make the statutory determinations required under the Freedom Camping Act 2011 for the proposed prohibition at Allenby Place carpark and the proposed seasonal prohibition at Beacon Point Road carpark, including that the measures are necessary, appropriate and proportionate to address the identified health, safety and access issues as outlined in the Findings Report presented to the 25 June 2026 Council meeting.

The proposed amendment would prohibit freedom camping at Allenby Place carpark, apply a summer prohibition condition to Beacon Point Road carpark during the summer season period to be confirmed by Council at this meeting, and increase the number of designated spaces at Wānaka Recreation Centre from 18 to 21.

The increase at Wānaka Recreation Centre is not subject to the same statutory determinations as a restriction or prohibition, but it remains part of the proposed bylaw amendment and therefore requires consultation.

The statement of proposal sets out the scope of consultation, the options available for each location, and the process for public feedback. The scope is deliberately limited to the three identified locations, with any broader feedback on the 2025 Bylaw to be reported separately for information or future direction.

The recommended option to proceed with the statutory determinations and adopt the Statement of Proposal for consultation gives effect to Council's previous decision at the 26 June 2026 Council meeting.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Note** that at its 25 June 2026 meeting, Council decided to propose amendments to the Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 to prohibit freedom camping at the current restricted freedom camping area located at Allenby Place carpark, apply a summer prohibition condition to the restricted freedom camping area Beacon Point Road carpark and increase the number of designated spaces at Wānaka Recreation Centre;
3. **Determine** pursuant to section 11(2)(a) of the Freedom Camping Act 2011 that that prohibiting camping at Allenby Place carpark is necessary to:
 - a. protect the health and safety of people who may visit the area; and
 - b. to protect access to the area;
4. **Determine** pursuant to section 11(2)(a) of the Freedom Camping Act 2011 that that applying a summer prohibition condition to the restricted freedom camping area at Beacon Point Road carpark during the months of **[insert months here]** annually is necessary to:
 - a. to protect the health and safety of people who may visit the area;
5. **Propose** to increase the number of designated spaces at the Wānaka Recreation Centre carpark restricted freedom camping area from 18 to 21 spaces;
6. **Determine** pursuant to section 11(2)(b) of the Freedom Camping Act 2011 that:

- a. prohibiting freedom camping at Allenby Place carpark, and
- b. prohibiting freedom camping during the summer months of **[insert months here]** annually at Beacon Point Road carpark

is the most appropriate and proportionate way of addressing the perceived problem in relation to those locations;

7. **Determine** pursuant to section 11(2)(c) of the Freedom Camping Act 2011 that:

- a. prohibiting freedom camping at Allenby Place carpark,
- b. prohibiting freedom camping during the months of **[insert months here]** annually at Beacon Point Road carpark, and
- c. increasing the number of designated spaces at Wānaka Recreation Centre from 18 to 21;

is not inconsistent with the New Zealand Bill of Rights Act 1990;

- 8. **Adopt** the statement of proposal (Attachment C) for consultation in accordance with the special consultative procedure outlined in sections 83 and 86 of the Local Government Act 2002, from 27 July to 31 August 2026;
- 9. **Agree** that a summary of the information contained in the Statement of Proposal is not necessary to assist in public understanding of the proposal;
- 10. **Appoint** four Councillors (Councillors Belk, King, Mitchell and Tucker) of whom three are required to form a hearings panel to hear and consider the submissions on the proposal and make recommendations to the Council on final amendments to the Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025; and
- 11. **Authorise** officers to update the Statement of Proposal to reflect decisions made at this meeting, fix any errors and make any other updates or changes that do not affect the substance of the proposal, prior to consultation starting.

Prepared by:

Name: Carrie Williams
Title: Policy Manager

3 July 2026

Reviewed and Authorised by:

Name: Ken Bailey
Title: General Manager – Community
Services
6 July 2026

Context | Horopaki

1. The Freedom Camping Bylaw 2025 (2025 Bylaw) came into effect on 1 December 2025, introducing 15 restricted freedom camping carparks across the District. During its first six weeks, Allenby Place carpark (APCP) generated a high number of requests for service, making up about 25% of all district freedom camping complaints. In response, the Chief Executive (CE) imposed a temporary prohibition on freedom camping at APCP from 23 January to 30 April 2026, removing its three designated spaces, while adding three temporary spaces at Wānaka Recreation Centre (WRC) to maintain capacity in the Wānaka-Upper Clutha Ward.
2. Officers were then directed to carry out further analysis of APCP to support a longer-term Council decision, including whether to permanently prohibit freedom camping there. The temporary prohibition was later extended by the CE to 31 January 2027.
3. At a Council workshop on 16 April 2026, officers presented an overview of the first summer under the 2025 Bylaw and outlined the process for any amendment in relation to the request for further analysis and reporting on APCP.
4. Councillors requested a formal findings report on APCP and asked for the same analysis and option discussion for Beacon Point Road carpark (BPR), which had received the highest number of complaints during the 1 December 2025 to 31 March 2026 period.
5. The Findings Report was presented to the 25 June 2026 Council meeting and provided Council with options for each site for consideration.
6. At that meeting Council determined to propose amending the 2025 Bylaw to prohibit freedom camping at APCP, amend the conditions at BPR to include a prohibition during December and January annually and increase the number of designated spaces at WRC.
7. At the 25 June 2026 meeting, Councillors discussed whether the summer seasonal prohibition should be extended to include February. Accordingly, this report is seeking confirmation on which period Council wishes to propose a prohibition at Beacon Point Road, being either December and January, or December, January and February.
8. In accordance with the requirements of the Freedom Camping Act 2011 (the Act) Council must make the necessary determinations and adopt a Statement of Proposal for public consultation to consider feedback on the proposed amendments prior to making a final decision.

Analysis and Advice | Tatāritaka me kā Tohutohu

Statutory requirements

9. The Findings Report (FR) and its attachments presented to the 25 June 2026 Council meeting which provided the relevant analysis and research to support a decision of Council is included for completeness in Attachments A and B.

10. The Act outlines matters that Council must be satisfied about when making or amending a bylaw. For the purposes of this report, Council must be satisfied about these matters in relation to a proposed prohibition at the current APCP restricted freedom camping area (RFCA) and the proposed summer period prohibition condition at BPR RFCA within the context of the 2025 Bylaw.
11. In accordance with section 11(2)(a) Council may make (or amend) a bylaw if it is satisfied that the bylaw is necessary 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.
12. 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.
13. These matters are discussed for each of the RFCA below.

Allenby Place carpark

14. The FR identified three perceived problems occurring on APCP that were assessed against sections 11(2)(a) and (b):
 - 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; and
 - public health and safety risks from traffic movements.
15. The FR section 11(2)(a) assessment for APCP outlined that 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 indicated that the level of non-compliance experienced at APCP was not dissimilar to the remaining 14 RFCAs in the District. This does not indicate a clear need for protection under the Act. However, the remaining perceived problems may warrant consideration in accordance with section 11(2)(a)(ii) & (iii):
 - to protect the health and safety of people who may visit the area, and
 - to protect access to the area.

16. Council must also be satisfied that amending the 2025 Bylaw to remove the RFCA at APCP and prohibit freedom camping at that location, as informed by the section 11(2)(a) matters, as well as the wider research and analysis undertaken, is an appropriate and proportionate response under section 11(2)(b) of the Act.
17. The recommendations of this report provide for Council to make the relevant determinations for the above matters.

Beacon Point Road carpark

18. The FR identified two perceived problems occurring on BPR:
 - 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 the Act resulting in health and safety risks from fouling.
19. The FR section 11(2)(a) assessment for BPR outlined that 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 indicated that the level of non-compliance experienced at BPR was not so significantly different to the remaining 14 RFCAs in the District. This does not indicate a clear need for protection under the Act. However, the remaining perceived problem may warrant consideration in accordance with section 11(2)(a)(ii):
 - to protect the health and safety of people who may visit the area.
20. Council must also be satisfied that amending the 2025 Bylaw to prohibit freedom camping at BPR during the chosen summer season annually, as informed by the section 11(2)(a) matters, as well as the wider research and analysis undertaken, is an appropriate and proportionate response under section 11(2)(b) of the Act.
21. The recommendations of this report provide for Council to make the relevant determinations for the above matters.

Wānaka Recreation Centre

22. The Act's framework is that freedom camping is permitted in a tent or self-contained vehicle by default. Council must only consider the statutory matters under Section 11(2)(a) and (b) where it wishes to restrict or prohibit freedom camping. As such, a decision to increase the number of designated spaces at the WRC is not subject to these statutory determinations. However, the proposed increase still represents an amendment to the 2025 Bylaw and as such, Council is required to consult on this increase in accordance with the statutory requirements.

New Zealand Bill of Rights Act 1990

23. The three elements of the proposal are not considered to be inconsistent with the New Zealand Bill of Rights Act 1990. While the proposed amendments reduce the number of the restricted freedom camping areas in the District and during summer reduce the available designated spaces, on balance this is not considered to substantively change any matters relating to the New Zealand Bill of Rights Act 1990 and as outlined in the process to make the 2025 Bylaw.

Findings – reasonably practicable options

24. The reasonably practicable options identified in the FR for each RFCA are outlined here.

Option 1 – Status quo - no changes to the 2025 Bylaw

Unless there are specific circumstances that preclude this, the inclusion and consideration of the status quo is always provided as an option in accordance with best practice approaches. The FR found that the status quo was a valid option, given the length of time the 2025 Bylaw has been in force and due to the nature of the perceived problems at each RFCA.

Option 2 – Propose amendments to the restrictions at the RFCA

Option 2 considered specific additional restrictions/conditions to each RFCA designed to address the perceived problems identified, while retaining the area as a RFCA. This is considered a potential appropriate and proportionate response as it addresses the perceived problems during the busy summer period while retaining the RFCA outside of that period and reducing the pressure on the RFCA during that period.

Option 3 – Propose to prohibit freedom camping at the RFCA

This option was provided as a reasonably practicable option in response to community requests and as directed by Councillors for consideration. This option also included the additional option of increasing the number of designated spaces at WRC in relation to the option to prohibit freedom camping at APCP.

25. For APCP Council decided to propose to prohibit freedom camping and to increase the number of designated spaces at WRC.
26. For BPR Council decided to propose an additional condition to prohibit freedom camping during December and January annually, noting that due to additional discussions on the appropriate length of a summer seasonal prohibition during that meeting, this report is seeking confirmation on which months (December and January or December, January and February) Council wishes to propose the prohibition for.

Consultation

27. Section 11B(3) of the Act requires Council to consult using the special consultative procedure under section 83 of the Local Government Act 2002 (LGA). The requirements of the special consultative procedure include that the Council must adopt a 'Statement of Proposal' (SOP).
28. Section 86 of the LGA provides further details regarding the required content of an SOP in relation to amending bylaws.
29. The SOP provided in Attachment C and draft bylaw at Attachment D contains:
 - a. A description of the proposal and the reasons for the proposal;
 - b. An overview of the relevant legislative framework, together with links to the findings report and this agenda item for more detailed information on the relevant statutory determinations;
 - c. A draft of the proposed amended 2025 Bylaw;
 - d. Information on how and when to provide feedback on the proposal, including through written submissions and attendance at a hearing.
30. The scope of the consultation is limited to the current APCP, BPR and WRC RFCAs, meaning that other provisions of the 2025 Bylaw, including any other RFCA, are excluded from the proposal, and this is clearly articulated in the SOP.
31. Within the context of limiting the scope of the proposal to only the APCP, BPR and WRC RFCAs, it is important to provide a clear framework for people to provide their feedback on what their preferences are for each RFCA. This ensures the community has transparency about the options Council will consider and supports Council in making an informed final decision accordingly.
32. The SOP asks people to choose their preferred option for each location, noting that respondents will be limited to choosing only one option.

Allenby Place carpark

Option 1 – Council's proposed option: to prohibit freedom camping at the RFCA

Option 2 – Retain the status quo – freedom camping permitted subject to conditions

Option 3 – Retain the RFCA but amend the conditions to prohibit freedom camping during [insert months here] annually and a freedom camping vehicle size limit at APCP only. ¹

¹ For the purposes of consultation, it is assumed the same summer prohibition period that has been applied to BPR would apply to APCP if this was the final preferred option of Council.

Beacon Point Road carpark

Option 1 – Council’s proposed option: Retain the RFCA but amend the conditions to prohibit freedom camping during **[insert months here]** annually.

Option 2 – Retain the status quo – freedom camping permitted subject to conditions

Option 3 – prohibit freedom camping at the RFCA.

Wānaka Recreation Centre

Option 1 – Council’s proposed option: to increase the designated spaces at WRC from 18 to 21

Option 2 – Retain the status quo – retain the current 18 designated spaces.

33. The SOP further allows people to provide any additional views, either specific to each RFCA and/or on the 2025 Bylaw in general. However, it clearly states that any such views are outside the scope of the consultation and will not be considered as part of the proposal. Any feedback received that falls in this category will be analysed and summarised and reported back to Council for information and/or further direction to officers outside of this proposed amendment process.
34. Section 83(1)(a)(ii) of the LGA outlines that a local authority must consider whether it is necessary to enable public understanding of the proposal, to adopt a summary of the information contained in the statement of proposal.
35. Due to the nature and scope of the proposal, officers do not consider it necessary to develop a summary of the SOP. An associated recommendation is included in this agenda report.
36. It is noted for completeness that due to the timeline of this amendment process, a final decision of Council is not scheduled until 17 December 2026. As such, if Council determines to proceed with the proposed option for Beacon Point Road, this will not be able to be implemented prior to the proposed beginning of the summer prohibition for the 2026/2027 summer season. The timeline for this process as extracted from the Statement of Proposal is set out in the table below:

Date	Activity
23 July 2026	Council meeting to adopt statement of proposal for consultation
27 July 2026	Consultation period begins (9.00am)
31 August 2026	Consultation period ends (5.00pm)
27/28 October 2026	Oral submissions heard by Council hearing panel
17 December 2026	Deliberations and adoption by Council

Options

37. 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.

38. Due to the nature of the matter of this agenda report and the previous decisions and direction of Council, the options available to Council are limited as follows.

39. **Option 1:** Make the statutory determinations as provided in the recommendations to this report and adopt the Statement of Proposal for consultation.

Advantages	Disadvantages
a. Gives effect to the previous decisions of Council to propose amendments to the 2025 Bylaw	a. The statutory consultation requirements require resources for receiving and analysing submissions holding hearings and subsequent deliberations and final decision reports. b. A high level of community feedback may be received that is outside the scope of consultation, resulting in community dissatisfaction.

40. **Option 2:** Request officers to report back on an alternative approach for the SOP.

Advantages	Disadvantages
a. Allows Council to undertake further considerations for their preferred option on this matter.	a. Does not give effect to the previous decisions of Council to propose amendments to the 2025 Bylaw to prohibit freedom camping in the specified locations. b. Delays the process for any amendments to be confirmed and implemented.

41. **Option 3:** Determine not to proceed with the proposed amendment.

Advantages	Disadvantages
a. Will not require resources for the statutory consultation process. b. Allows enforcement activities to be tailored where possible to reduce non-compliant activities.	a. Does not give effect to the previous decisions of Council to propose amendments to the 2025 Bylaw to prohibit freedom camping in the specified locations. b. Likely to result in significant community dissatisfaction due to a reversal of previous decisions made.

42. This report recommends **Option 1** because it gives effect to the previous decisions of Council.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

43. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because while perceived problem(s) related to freedom camping (at APCP, BPRC and WRC) are of high community interest, this consideration alone does not increase the significance to medium or high. The assessment of the factors in the Significance and Engagement Policy 2024, consistent with the FR, 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.

44. 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. Any person and organisation will have the opportunity to provide a submission during the consultation period.

Māori Consultation | Iwi Rūnaka

45. 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 (Queenstown Lakes District Council) 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 due to the constrained nature and locations subject to the proposal.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

46. 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.
47. Approval of the recommended option will allow Council to retain the risk at its current level or implement additional controls for this risk. This will be achieved by proposing to implement additional controls through an amendment to the 2025 Bylaw to address the identified health, safety and access issues as outlined in the Findings Report presented to the 25 June 2026 Council meeting.

Financial Implications | Kā Riteka ā-Pūtea

48. The costs associated with a bylaw amendment process, including officer time, engaging internal and external subject matter experts and communication activities will be met within current budgets.
49. Funding is required to successfully implement any amendment to the freedom camping bylaw. This includes updates to signage, marking vehicle spaces, printed and digital communications. The cost of these changes is estimated at \$5,000.
50. Provision for bylaw monitoring, enforcement and compliance is identified as part of QLDC's regulatory functions and services in its 2024 - 2034 Long Term Plan². 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 charge³.

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

51. The recommended option is consistent with the principles set out in the named policies:
- 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

² QLDC Long Term Plan 2024–2034, page 104

³ QLDC Long Term Plan 2024–2034, page 320

- QLDC Disability Policy 2018

52. The options are consistent with the principles set out in the named policies.
53. Provision for bylaw review, enforcement and complaint response is identified as part of QLDC’s regulation functions and services in the 2024-34 Long Term Plan.

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

54. This report asks Council to make the necessary statutory determinations required under the Freedom Camping Act 2011 to amend the 2025 Bylaw to inform the decision to propose the amendments for public consultation.
55. This report asks Council to adopt the Statement of Proposal and draft bylaw as provided in Attachments C and D as outlined in paragraph 29. It includes the required content as informed by sections 83 and 86 of the Local Government Act 2002 and provides the other necessary information required under section 83 regarding how and when people are able to provide their feedback to Council.

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

56. 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.
57. The recommended option:
- Can be implemented through current funding under the Long Term Plan and Annual Plan;
 - Is 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	Freedom Camping Bylaw 2025: findings report for Allenby Place and Beacon Point Road as presented to 25 June 2026 Council Meeting*
B	Attachments to Freedom Camping Bylaw 2025: findings report for Allenby Place and Beacon Point Road as presented to 25 June 2026 Council Meeting*

C	Statement of Proposal to amend the Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025
D	Draft Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025 with proposed amendments tracked

*Attached separately.