

# Report of the Responsible Camping Working Group

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**To the Minister of Tourism**

**31 July 2018**

## **Executive Summary**

The Minister of Tourism set up the Responsible Camping Working Group in April 2018 as a partnership between the government, local government and industry.

The purpose of the Working Group is to provide recommendations to the Minister of Tourism on policy, regulatory and implementation options for the improved management of freedom camping in New Zealand.

This report responds to the task set by the Minister of Tourism to the Working Group.

### **Responsible camping has a place in New Zealand's tourism and recreation offering**

The Minister of Tourism asked the Working Group to recommend the place of freedom camping in New Zealand's tourism and recreation offering. The Working Group considers that responsible camping in our public places has a place in New Zealand, and that we should protect New Zealanders' rights to access and use our public spaces.

The Working Group identified four outcomes of a successful responsible camping system in New Zealand as:

- New Zealand has a network of camping places (commercial and non-commercial) which is sustainable and flexible for different volumes of people camping, and provides for a range of different camping experiences
- Responsible camping has a net positive economic and social impact on communities and the local environment
- Communities and land owners/managers have the tools needed to effectively manage camping, and actively work together within and across districts to do so, and communities have trust and confidence in the system
- New Zealanders and international visitors can choose camping as a way to experience New Zealand's tourism and recreation offering.

The Minister also tasked the Working Group with identifying criteria to assess proposed responsible camping solutions. The Working Group has identified sixteen criteria that will help assess how well any option will deliver on the above outcomes. These are listed on pages 5-6.

### **New Zealand needs to shift to a better system for managing camping in public places**

In order to shift New Zealand from the current system of managing freedom camping to the successful responsible camping system identified above, the Working Group has recommended the follow legislative reviews:

- A review of the Freedom Camping Act 2011 to determine whether:
  - The Act allows us to achieve the outcomes of a successful camping system, or
  - Changes to the Act are required, or
  - A new statute that promotes responsible camping should be introduced to replace the Freedom Camping Act

- Ensuring there is national consistency in responsible camping rules across New Zealand through the introduction of four ‘camping zones’, which would be defined nationally, and then applied locally to suit local circumstances
- A review of the compliance regime to ensure it is an effective deterrent to unwanted behaviour
- A review of the administration system for the Standard for Self containment of Motor Caravans (NZS 5465:2001)
- A review of the Camping-Grounds Regulations 1985.

As well as these regulatory actions, the Working Group has identified three supporting actions:

- Guidance and support to transition to and implement the new system for councils and relevant land owners/managers
- Identifying how technology can be used in managing responsible camping
- Using data to support decision making, both at a local level, and at a national policy setting level.

### **Actions ahead of the 2018/19 peak season**

The Working Group recommends three actions ahead of the 2018/19 peak summer season:

- Funding to support councils with infrastructure, education and enforcement over the 2018/19 peak summer season
- A data and technology pilot with Geozone
- A marketing and education campaign to provide information to potential campers on the behaviour expectations of campers in New Zealand, with Tourism New Zealand.

The Working Group recommends the Minister makes \$8.5 million available from the Tourism Infrastructure Fund to support these actions.

### **Future of the Working Group**

The Working Group recommends that the Group continues meeting regularly to support the Minister of Tourism to implement its recommendations in an advisory capacity.

The Working Group also recommends that a current council officer or someone with experience in local government bylaw and policy making is included on the secretariat supporting the Working Group.

## Introduction

### Why the Working Group was set up

The Responsible Camping Working Group was set up by the Minister of Tourism in April 2018, following a meeting the Minister held with Mayors on 8 March 2018.

The Minister of Tourism has asked the Working Group to provide advice on improving the way we manage responsible camping in New Zealand. The Group was tasked with advising on:

- the place of responsible camping in New Zealand's tourism and recreation offering
- a work programme to shift New Zealand to a better system for managing camping in public places
- practical actions to support councils and communities to manage freedom camping ahead of the 2018/19 peak summer season (recognising that the previous two actions will take time to implement).

The Working Group, with support of the Minister of Tourism decided re-name themselves from the Freedom Camping Working Group to the Responsible Camping Working Group, to recognise that this type of camping has costs and benefits to communities, and that we want people to behave responsibly when camping in our public places.

The system New Zealand uses to manage camping in public places has developed over time, and there are many components to the system. Central government has the role of setting the overarching policy direction; however the majority of the responsibility for managing camping has been devolved to local government, and to central government agencies that manage land on behalf of the Crown.

The Freedom Camping Act 2011 was developed to give councils and the Department of Conservation a tool to manage the expected increase in the volume of people freedom camping during the 2011 Rugby World Cup. At the time many New Zealanders were concerned about protecting their rights to freedom camp. The Act protected these rights by having a provision preventing councils from banning responsible camping across the district.

Since then, the increasing number of people freedom camping has put pressure on some popular locations. This growth has been in the context of the overall increase in visitor numbers (both domestic and international), which is putting pressure on tourism infrastructure, including mixed-use infrastructure provided by local authorities. The pressure caused by this growth is also impacting on the social licence for tourism to operate.

Managing camping in our public places requires central government, local government and the tourism industry to work together. It has become clear that, while we are doing the best we can within the existing system, there are some gaps and challenges that need to be addressed to ensure New Zealand can make the most of the camping system. The Working Group is a partnership between central government, local government and the tourism industry to ensure the views and needs of all are considered in designing the new system.

## **Responsible Camping Working Group meetings**

The Working Group held three meetings – 4 May, 5 June and 6 July 2018. The meetings focused on the tasks set by the Minister of Tourism, and there was consensus across members on the recommendations in this report.

## **The task of the Responsible Camping Working Group**

The Working Group was tasked with reporting to the Minister of Tourism by 31 July 2018:

- a) Recommending on the place of freedom camping in New Zealand's tourism and recreation offering, and the criteria by which to assess options for changes to the system.
- b) Providing a plan for the Working Group to develop options and recommendations for changes to the freedom camping system over the long-term.
- c) Providing an outline of the practical actions the Working Group considers are needed to provide support to councils to manage freedom camping ahead of the next peak season, and progress on any action taken to date.

This report responds to these tasks and provides recommendations to the Minister of Tourism.

## **The future of the Working Group**

The Working Group sees this report as the first step in a process that will shift New Zealand to a better system for managing camping in public places.

The Working Group has identified there is a place for responsible camping in public places in New Zealand's tourism and recreation offering, and developed a work programme that will help create a system that achieves the four outcomes sought.

The Working Group understands that a policy process is now required to work through the detail of how its recommendations are designed, adapted and implemented. Implementing the work programme will take some time, and further analysis will be required to determine the best approach to designing and implementing the recommendations. The Working Group recommends that the group continues an advisory capacity, to provide advice to officials and the Minister of Tourism throughout this process.

The Working Group also recommends that a current council officer or someone with experience in local government bylaw and policy making is included on the secretariat supporting the Working Group.

## Responsible camping has a place in New Zealand’s tourism and recreation offering

Responding to task a) *Recommending on the place of freedom camping in New Zealand’s tourism and recreation offering, and the criteria by which to assess options for changes to the system.*

The Working Group considers that responsible camping has a place in New Zealand’s tourism and recreation offering, and that the traditional ‘kiwi way’ of camping should be protected and retained.

Camping has a long history in New Zealand – many New Zealanders and our international visitors use it as a way to explore New Zealand and connect with nature. New Zealand is primarily a touring destination, and a camping holiday is one of the ways that people choose to travel New Zealand. If managed correctly camping in public places can be leveraged to support government objectives (including tourism growth and regional dispersal), and local objectives (economic development and tourism growth).

However, growth in domestic and international visitor numbers is placing pressure on local communities and infrastructure. A responsible camping system should both enable opportunities for local communities, while appropriately managing the impact on local communities and minimising localised environmental impacts.

For these reasons, the Working Group considers the four outcomes of a successful responsible camping system in New Zealand are:

- New Zealand maintains a network of camping places (commercial and non-commercial) which is sustainable, capable of managing different volumes of people camping, and provides for a range of different camping experiences
- Responsible camping has a net positive economic and social impact on communities and the local environment
- Communities and land owners/managers<sup>1</sup> have the tools needed to effectively manage camping, and actively work together within and across districts to do so, and communities have trust and confidence in the system
- New Zealanders and international visitors are able to choose camping as a way to experience New Zealand’s tourism and recreation offering.

### Criteria

The Working Group has identified 3-5 criteria for each of the outcomes, which will help assess how well any options considered will deliver on the above outcomes.

Outcome	Criteria
New Zealand maintains a network of camping places (commercial, non-commercial) which is sustainable, capable of	<ul style="list-style-type: none"> <li>• Camping in suitable public places continues to be managed and appropriately provided for, and where physical infrastructure is provided it is maintained to an appropriate standard</li> </ul>

<sup>1</sup> For the purposes of this report, land owners/managers means territorial authorities and government agencies who manage land on behalf of the Crown (ie DOC, LINZ and NZTA).

<p>managing different volumes of people camping, and provides for a range of different camping experiences</p>	<ul style="list-style-type: none"> <li>• Commercial camping and holiday accommodation providers are recognised for the important part they contribute to the camping network, and their location taken into account when planning for non-commercial sites</li> <li>• The system is flexible and land owners/managers are able to quickly and effectively respond to changes in demand, including scaling up quickly as needed, and managing seasonal demand, as well as being responsive to changes over longer periods of time</li> </ul>
<p>Responsible camping has a net positive economic and social impact on communities and the local environment</p>	<ul style="list-style-type: none"> <li>• The local and historic interests in the land, and existing property rights are protected, and tangata whenua values are respected and promoted</li> <li>• Localised environmental impacts are minimised, and landscape and amenity values are protected</li> <li>• Net contribution is considered in decision making (spend and length of stay, as well as externalities are measured)</li> <li>• Visitors have the opportunity to contribute back to the places they are staying (positive social impact)</li> <li>• Social licence of tourism is maintained or improved</li> </ul>
<p>Communities and land owners/managers have the tools needed to manage camping, and are encouraged to collaborate within and across districts to do so, and communities have trust and confidence in the system</p>	<ul style="list-style-type: none"> <li>• Rules are consistent nationwide, but flexible enough to be applied in a way that takes local circumstances (including the views of the local community) into account</li> <li>• Rules are developed in a transparent and collaborative way</li> <li>• Land owners/managers have tools that enable them to make, communicate and enforce rules about responsible camping</li> <li>• Where available, data is used in decision making</li> </ul>
<p>New Zealanders and international visitors are able to choose camping as a way to experience New Zealand's tourism and recreation offering</p>	<ul style="list-style-type: none"> <li>• New Zealanders and visitors can trust that the experiences they have while camping in New Zealand will be of a consistent standard</li> <li>• Between commercial and non-commercial camping providers, there are enough viable camping options across the camping network to meet demand, and encourage dispersal</li> <li>• New Zealanders and international visitors have a clear understanding of how, where and in what manner they can camp and what the behaviour expectations of them are while camping, and have an incentive to comply with these</li> <li>• New Zealanders can gain an appreciation of New Zealand's culture and connect to our nature through camping</li> </ul>

## New Zealand needs to shift to a better system for managing camping in public places

Responding to task b) *Providing a plan for the Working Group to develop options and recommendations for changes to the freedom camping system over the long-term.*

The Working Group identified the following key problems with the existing system for managing camping in public places:

- The system is fragmented, and campers are often unclear about where to camp and what is expected of them, specifically
  - rules differ across districts/regions, and by landowners within regions
  - rules are made in isolation at a local level (usually reactive to local issues), and changes in one area often result in flow-on effects to other areas
  - information provided is inconsistent across land owners/managers, and districts/regions
- There is a mismatch between the cost and benefits – the benefits of responsible camping fall to those places where campers spend money (eg activities, retail, food and beverage), but the costs fall on the council (or agencies not set up to manage camping such as LINZ and NZTA). Because of this there has been under-investment in campsites and facilities, leading to poor experience and negative externalities (noting this is also a problem for tourism facilities generally)
- The current compliance regime is not an effective way of addressing and deterring unacceptable behaviour, nor does it cover the cost of the adverse impacts on the community and local environment; enforcement is inconsistent across councils; and the system lacks an effective collection mechanism
- Responsible camping is changing the use patterns of public infrastructure and spaces by putting increased pressure on facilities, leading to displacement (communities feel unable to use their local spaces due to the volume of campers), and is negatively impacting New Zealanders' perceptions of the value of tourism to their communities and the social licence of tourism to operate.

The Working Group has identified a combination of legislative review and supporting implementation actions that will address these issues and allow New Zealand to shift to a system for managing responsible camping that achieves the outcomes identified in the previous section.

### Legislative review

The Working Group proposes five areas for legislative review:

- The Freedom Camping Act 2011
- Creating national consistency through camping zones
- The compliance regime
- The administration system for the Standard for Self containment of Motor Caravans (NZS 5465:2001)
- The Camping-Grounds Regulations 1985.



## Review of the Freedom Camping Act 2011

The purpose of a review of the Freedom Camping Act 2011 would be to determine whether:

- The Act allows us to achieve the outcomes identified by the Working Group, or
- Changes to the Act are required, or
- A new statute that promotes responsible camping should be introduced to replace the Freedom Camping Act.

In particular, the Working Group recommends a review of the Act should consider (or a new statute should include):

- Including the objectives of the responsible camping system in the Act through a purpose statement, to clearly set out the role of camping within the tourism and recreation system, and guide decisions of land owners/managers
- Using camping zones to enforce greater national consistency, while still enabling local decision making to take into account local circumstances (outlined further below)
- How to encourage or require collaboration across land owner/manager boundaries
- Clarifying the interaction of the Act with other legislation and regulation (including the Reserves Act 1977, Conservation Act 1987, Land Act 1948 and Public Works Act 1981, Local Government Act 2002, Camping-Grounds Regulations 1985)

The Working Group also recommends that once the review is complete, guidance is provided to councils on how to implement the Act (outlined further below).

### Creating national consistency through zones

The Working Group considers the current system for managing camping in public places allows for too much variation at a local level, resulting in a dis-jointed system that is confusing for users. For this reason, the Working Group considers that introducing national consistency to the system is essential. A standard set of rules should be set at a national level, and then land owners/managers can apply the relevant rule based on site specific considerations.

The Working Group recommends this is implemented through four 'camping zones'. The four proposed zones are:

- 1) Camping is not allowed
- 2) Camping is only allowed in self-contained vehicles
- 3) Any camping is allowed (requires adequate provision to be made for waste disposal – ie nearby toilet, rubbish bins)
- 4) Remote camping allowed, provided campers have an adequate plan for managing waste (ie by following acceptable waste burying practices, pack-in/pack-out or leave no trace for activities such as surfing, hunting, tramping, or fishing where there is not is designated campsite).

These zones could be indicated via a colour-coded system for display on maps and road signs. This could include two additional colours for paid campsites – one for low-cost limited service, and the other for full service campgrounds.

Local discretion would be allowed on other matters, such as number of campers allowed at a site, number of nights and timing of stay (eg some sites might want to restrict camping between certain hours as the site may have other uses). Central government should also be responsible for ensuring there is coordination and oversight of the implementation of the Act.

The Working Group acknowledges that further work is needed to determine the most appropriate way to implement the zones system. The Working Group considers that the current system is not agile enough, and the implementation of the zones system should be agile and responsive to changes by landowners and camping behaviour.

### **A review of the compliance regime**

The Working Group considers that an effective enforcement mechanism is part of a successful responsible camping system and should provide a deterrent to unacceptable behaviour. The current compliance system is ineffective due to the cost associated with monitoring and enforcing, and the fact that international visitors and rental hirers can easily avoid infringements.

The Working Group recommends considering alternative options including instant fines, the regime for issuing and collecting parking and speeding tickets, and tying the infringement fine to the owner of the vehicle (who could then recover the cost from the user).

In particular, the Working Group recommends the review considers (but is not limited to):

- Ensuring there is collaboration across landowner/manager boundaries, with clear responsibility for enforcing
- The collection mechanism (and follow-up mechanism) for infringement fee collection
- How technology can be used to operationalise collection.

A successful responsible camping system enforcement system should:

- Incentivise self-compliance
- Be cost-effective to administer
- Be an effective deterrent to unacceptable behaviour
- Be appropriate to the scale of the actual harm.

### **A review of the administration system for the Standard for Self containment of Motor Caravans (NZS 5465:2001)**

The Working Group reports that the existing administration system of the Standard results in poor outcomes. It is not always clear to vehicle owners how to become certified; some vehicles are certified that should not be; and some vehicles have counterfeit stickers that identify them as certified when they are not. This makes it difficult to accurately determine which vehicles are certified as self-contained and which are not.

Given that much of the zones system identified above relies on an accurately identifying which vehicles are self-contained, the Working Group recommends changes are made to the administration system for the standard to address these issues.

In particular, the Working Group recommends that the standard certification should be overseen by a national body (for instance, similar to the WOF system), with quality checks in place. This should include keeping a register of certified vehicles, for access by councils (for enforcement reasons) and potential purchasers of vehicles, to avoid counterfeit stickers being used.

### **A review of the Camping-Grounds Regulations 1985**

The Working Group recommends a review of the Camping-Grounds Regulations to support a network of camping sites (commercial and non-commercial). The Regulations form part of how easy or difficult it is for a new campsite to be set up, and can be seen as being too restrictive and therefore prohibitive by some operators.

The Regulations should enable further opportunities for basic and low-cost campsites to be established, and be flexible to ensure that local authorities can apply discretion to make sites work, while also ensuring that public health and safety is preserved. In particular, the review should consider:

- Whether the Regulations should be revised and modernised
- Whether the Regulations should continue to apply to cases where non-commercial sites seek donations (the Regulations are triggered when a fee or donation is made for camping in a location)
- Clarifying whether the Regulations apply for sites that charge for the use of infrastructure such as toilets and showers, but do not charge for parking overnight.

## **Supporting actions**

### **Guidelines on implementing the new system**

The Working Group acknowledges that shifting from the current system to the desired system will take time to implement, and will require a transition period. Guidance and support to implement the system should be provided to councils and other relevant land owners/managers.

The Working Group recommends that along with the advice on how to implement the Act, guidance is provided on infrastructure, levels of service, monitoring and enforcement, and branding for sites.

Guidelines should include information on charging to recover the cost of maintaining infrastructure, and modern facilities that minimise maintenance costs. Government should also look at potential bulk procurement of infrastructure, for installation by land owners, and potential funding sources for installing infrastructure, signage and technology-based monitoring.

Implementation guidance should also include how to provide consistent signage, and a consistent message of the rules. This should include messaging about our expectations of how visitors will behave – along the lines of “this is the way kiwis camp” and “by following these rules you are respecting the culture and environment of New Zealand”.

### **Better use of technology as an enabler**

The Working Group would like to explore the role of technology in managing responsible camping. The other items on the work programme should be informed by this work stream.

This would include looking at:

- How we can provide clear and consistent information to guide and inform campers and camping behaviour
- How we can use or link payment methods (infringements, user pays and donations)
- Bulk procurement of technology to ensure widespread use
- Monitoring of sites for compliance and maintenance
- Demand and capacity management.

### **Data and information to support decision making is gathered**

There is currently limited data on freedom camping. The Working Group acknowledges that data on freedom camping is difficult to collect at a national level, and that while many councils collect data it is on a local basis and using different survey methodology.

The Working Group recommends that data to support decision making should be gathered by central and local government. This includes data to inform regulating at a system level (including a piece of research looking at the behaviours and motivations of campers over the 2018/19 peak season), and guidance should be provided on consistent collection of data to inform local decision making when implementing the system.

The other work streams should be informed by this work stream.

## Actions ahead of 2018/19 peak season

Responding to task c) *Providing an outline of the practical actions the working group considers are needed to provide support to councils to manage freedom camping ahead of the next peak season, and progress on any action taken to date.*

The Working Group recommends three actions for the Minister of Tourism ahead of the 2018/19 peak season:

- Funding to support councils with infrastructure, education and enforcement over the 2018/19 peak summer season
- A data and technology pilot
- A marketing and education campaign to provide information to potential campers on the behaviour expectations of campers in New Zealand

The Working Group recommends that the Minister of Tourism makes \$8.5 million of funding available from the Tourism Infrastructure Fund to support these actions.

### Funding for councils

The Working Group recommends providing funding to councils to support them to manage responsible camping ahead of the 2018/19 peak season. This funding should be used to support:

- infrastructure investment – including the potential for installing appropriate temporary facilities
- education and information provision, and/or
- monitoring and enforcement initiatives.

The co-chairs of the Working Group wrote to all Mayors on 25 May inviting them to identify local solutions to address responsible camping issues. In identifying these solutions, Mayors were asked to take a regional and cross-agency approach where appropriate.

To focus this funding, the Working Group identified some locations where the issues associated with responsible camping were of such significance they had the potential to have a national impact on the reputation of responsible camping in New Zealand – Queenstown, Mackenzie/Central Otago, Northland, Taupō, West Coast/Buller and Banks Peninsula/Akaroa – the hotspot areas. The Working Group also acknowledge that many other districts are facing pressure on their communities and infrastructure due to an increase in the number of people responsible camping.

Thirty-seven councils responded to the invitation from the co-chairs, with thirty-one councils keen to progress initiatives to address responsible camping ahead of the 2018/19 peak season. The total cost of identified initiatives was approximately \$15 million. Proposed projects included a range of (temporary) infrastructure (toilets, showers, waste facilities, landscaping, signage), and education, information and monitoring initiatives.

The Working Group prioritised the responses that addressed the identified hotspot areas, and consider to respond to proposals in these hotspot areas will cost approximately \$5 million.

The Working Group considers that a further \$3 million would substantively support projects proposed by the remaining Councils. Projects have been prioritised using the following criteria:

- Infrastructure must be in place ahead of the 2018/19 peak season. Significant infrastructure that cannot be in place by peak season 2018/19 will not be considered and will be referred to the next round of the TIF
- Where Councils have a significant number of similar investments proposed (eg for campsites and other infrastructure) they will be asked to prioritise
- Funding will not be provided for initiatives that are in direct competition with the commercial sector.

The Working Group also recommends that councils who have requested funding for monitoring and enforcement activities are encouraged to take a local ambassador approach, where an initial early-evening patrol would inform campers of the rules/bylaws in the area (including re-directing to appropriate sites), and a later patrol would focus on enforcement.

### **Data and technology pilots**

The Working Group also recommends a data technology pilot in key camping regions to see how data and technology can help inform council planning and guide camper movement in real time. For peak season 2018/19 the pilot project would involve working with Geozone and potentially include:

- Data reports – councils would receive reports on the behaviour of users of the Campermate suite of smartphone applications while in their area, allowing them to understand where there is capacity or whether a site is full
- Sensor pilot – expanding on the existing pilot in Wellington, to monitor site availability in real-time for users
- Dynamic dispersal – when sites are at or nearing capacity, informing users of the availability, and recommending other nearby sites. Also exploring whether through a partnership with the commercial sector, if targeted deals could re-direct users to commercial camping sites.

The outcomes of the sensor pilot and dynamic dispersal could be used to inform the technology workstream identified as part of the work programme.

MBIE, on behalf of the Working Group, is working with Geozone on how the data and technology pilot could be progressed.

### **Marketing and education campaign**

The marketing and education campaign would provide information to potential campers on the behaviour expectations of them while camping in New Zealand. The campaign would target campers on arrival to New Zealand, as well as both international and domestic campers while camping.

Tourism New Zealand has agreed to develop this campaign, and at the time of writing this report is developing project briefs for a marketing and education campaign.