

Ministry of Business, Innovation and Employment
15 Stout Street
PO Box 1473
Wellington 6140
Attention: Responsible Camping Submissions



10 May 2021

Kia ora,

Re: Freedom Camping Consultation

Federated Mountain Clubs was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of 22,000 members in 96 clubs. FMC has taken, and continues to take, a leading role in the establishment of protection and ongoing robust planning for much of New Zealand's public conservation land. As a result, the New Zealand Conservation Authority includes a place for an FMC-recommended member.

We welcome the opportunity to provide our submission for the current Freedom Camping consultation process.

We strongly recommend for Option 2 rather than Option 1, generally support Proposal 3 and remain neutral on Proposal 4.

Our membership has a strong focus on participating in multiday outdoor activities throughout New Zealand, principally on public conservation land, and away from roadside locations. However important starting points for these activities are roadside locations that fall under the umbrella of the Freedom Camping legislation. A frequent schedule for a multiday outdoor activity involves driving to the starting point of the activity on the (Friday) evening after work, staying there overnight, leaving on foot from there early the next morning, and not returning for a few days.

Recreationists' vehicles are typically not camping vehicles - their purpose is just to get the group to and from the start of the outdoor activity, not a camping experience for several days in one location. The vehicles used include cars, club owned or rental vans, and in a few cases, tramping club buses.

The introduction of the Freedom Camping legislation prompted our members to be more conscious of their overnight location vehicle destinations, with the focus now being very much on using only locations where there are public toilet facilities. In the event that is not possible, our members are of course well versed in the procedures for socially and environmentally appropriate backcountry toileting.

FMC – FEDERATED MOUNTAIN CLUBS

www.fmc.org.nz | President: Jan Finlayson Privacy of natural persons | Vice-President: Neil Silverwood Privacy of natural persons
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Our response to the specific options and questions in your discussion document follows.

Minister's Foreword

We generally support the minister's objectives.

However the statement on page 2 that "... we need to make sure that the costs of freedom camping are not borne by local authorities and communities..." does not reflect the fact that freedom campers do usually contribute to the local economy. The provision of basic toilet and waste disposal facilities, in part at least, is the responsibility of local authorities. Where the prime driver for an influx of campers is the attractions of adjacent public conservation land, the joint responsibility should lie with both the local authority and the Department of Conservation (DOC). There are far too many instances of road ends with a primary purpose of providing access to public conservation land where DOC expects the local authority to fully fund the facilities.

In the paragraph on page 3 commencing "I believe that the most effective", there is the implication that a decision has already been taken. As explained above, that would significantly disadvantage Kiwi recreationists' outdoor activities, catching them under legislation that actually has quite a different target visitor base.

The issue and why we are consulting - page 6

Re "What is Freedom Camping". It is beyond the scope of this discussion, but it is not just overnight campers who can engage in inappropriate toileting and other environmentally harmful activities. A broader scope for future consideration would be best directed to understanding and addressing roadside needs for all visitors - the first thing a high proportion of distance travellers will want is a toilet.

The scope of the discussion document - page 6

We are strongly opposed to option 1

We strongly support option 2

We generally support Proposal 3

We are neutral on Proposal 4

The scope of the discussion document - page 7

Enforcement costs for local authorities with a lower rating base, as mentioned elsewhere, can be an issue. Perhaps a balance of freedom camping prohibition (as current legislation allows) and national funding support where there is a region wide benefit from the freedom camping location would be appropriate ?

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If new rules in relation to camping vehicles are to be introduced, then yes, additional costs will be incurred by owners of vehicles. It is important that the rules are applied universally, without taking into account the circumstances of the vehicle owners. Otherwise the costs of implementation and enforcement would be significantly higher.

Benefits of Freedom Camping - page 10

Your analysis of freedom camping activity reflects quite a different user base and activity than what we have outlined for our members and other New Zealand recreationists in this submission. It is important that you understand that the legislation catches a much wider range of overnight roadside usage, and as a result you need to ensure that there are not unintended consequences of changing the current regulations.

In a similar vein, there is the danger of inhibiting low budget Kiwi family holidays that rely on camping at locations where toilet facilities are already provided.

What the Government Wants To Achieve - Page 16

How much do you agree that certain types of vehicle based freedom camping is a problem? - Agree

Proposal 1 - Pages 17 to 19

How much do you support the proposal to make it mandatory for vehicle based freedom campers to use a certified self-contained vehicle? Strongly disagree / opposed to this proposal

Do you support this proposal? - No

Are there impacts of this proposal that you are concerned about?

As explained above, this would disadvantage people engaged in outdoor activities, principally in public conservation land, where the roadside location (usually with a public toilet already) is being used as a single overnight stop prior to leaving the area early the next morning. Based on all descriptions and pictures in your discussion document, you have not considered this user group when drafting this proposal.

How might this proposal impact you?

- This would significantly discourage and / or limit weekend and longer trips into public conservation land for recreationists.
- Our member clubs and other recreationists who own their own transport and use it to get to and from their outdoor activities would incur significant costs in acquiring and operating replacement vehicles.

What things should the Government consider to implement this option?

Revert to Option 2

Proposal 2 - Pages 20 to 21

How much do you support the proposal to make it mandatory for freedom campers to stay in vehicles which are certified self-contained, unless they are staying at a site with toilet facilities (excluding public conservation lands and regional parks)? **Strongly support**

Do you support this proposal? **Yes**

This proposal still provides scope to better manage freedom camping, but also places the onus on local authorities and DOC to provide suitable facilities at well frequented locations. It is to be noted that quite often the attraction for being there is on adjacent public conservation land administered by DOC, but the road location itself is managed by a local authority. In that scenario it is important that DOC still contributes to the provision and maintenance of suitable roadside facilities.

How might this proposal impact you?

Not significantly, although it will reinforce to recreationists the importance of overnight roadside locations being ones where a toilet is provided.

What things should the Government consider to implement this option?

Working with local authorities and DOC, establish / continue an ongoing programme of assessing well frequented roadside locations to ensure that:

- Toilets are established
- Toilets are maintained regularly to a useable standard
- Signage at other locations clearly indicates the expectation of vehicle requirements and the penalties for non compliance
- Regular enforcement of the rules for freedom camping locations

Proposal 3 - Pages 22 to 25

How much do you support the proposals to improve the regulatory tools for government land managers? **Support**

Do you support this proposal?

- In general yes - it is important that penalties for non compliance are noticeable and enforceable, and that fines do get paid by the person(s) committing the offence.
- An issue that requires careful consideration in the enforcement process is to understand the purpose for the vehicle being at the location - is it there for overnight camping, or is it there for the purpose of a daytime activity or genuine driver refreshment only ?

How might this proposal impact you?

Minimally, so long as daytime visitors don't get confused with overnight ones

What things should the Government consider to implement this option?

- Impounding vehicles in remote locations may be uneconomic / non achievable, so other immediate vehicle disabling options may need to be considered ?
- Ensure that enforcement is the responsibility of the local authority and that it not be outsourced to a private organisation that has no interest in the benefits of visitors to the area

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What would be an appropriate penalty?

- Returning vehicles - once fines and costs have been paid
- Fines should be collectible on the spot by the local authority

Proposal 4 - Pages 26-27

Do you think that the requirements for self-containment should be strengthened? - Neutral

This has no impact for our members.

Other Considerations - Page 28

Transition

Noting the desire by the Minister for quick implementation, it is whatever practical measures achieve that

Homelessness

Option 2 would be the best solution for locations where there are homeless people who cannot be accommodated elsewhere

Yours sincerely,

Jan Finlayson

President, Federated Mountain Clubs