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# CONSERVATION AUTHORITY

TE POU ATAWHAI TAIAO O AOTEAROA

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## Freedom Camping

### SUBMISSION FROM THE NEW ZEALAND CONSERVATION AUTHORITY

Date	14 May 2021
To	<a href="mailto:responsiblecamping@mbie.govt.nz">responsiblecamping@mbie.govt.nz</a>
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### The New Zealand Conservation Authority

1. The New Zealand Conservation Authority (the Authority) was established under the Conservation Act 1987, with members appointed by the Minister of Conservation. It is an independent statutory body with a range of functions, but primarily acts as an independent conservation advisor to the Minister, and the Director-General of Conservation. The Authority also has a growing advocacy role regarding matters of national significance relating to conservation.
2. The NZCA's statutory functions include consultation on conservation general policies, as well as approval, review, and amendment of conservation management strategies and conservation management plans. Together, these statutory documents govern the management of public conservation lands and waters. This includes determining what types of activities are appropriate, permitted, or prohibited on public conservation land.
3. The Authority has a range of powers and functions under the Conservation Act 1987 and other conservation-related legislation. Section 6C(2)(c) of the Conservation Act allows the Authority to "advocate [its] interests... at any public forum or in any statutory planning process."
4. In light of the Authority's functions relating to the statutory management of conservation land, and the national significance of freedom camping regulations in relation to conservation, the Authority welcomes the opportunity to provide a submission of its views on the discussion document: "Supporting Sustainable Freedom Camping in Aotearoa New Zealand".

## Change is needed

5. The Authority agrees that, to be successful, tourism in Aotearoa New Zealand must operate with the social license of local communities, and this requires protection of the natural environment.
6. The Authority notes that the current lull in international tourism, because of the Covid-19 pandemic, represents an opportunity to reset the tourism industry, directing it towards a sustainable and regenerative relationship with our natural environment, and local communities. Now is the right time to address the environmental consequences of tourism. This work is a small part of the necessary change.
7. The Authority broadly agrees with the proposals outlined in the discussion document, *Supporting Sustainable Freedom Camping in Aotearoa New Zealand*. Measures are required to improve the sustainability of camping in New Zealand, due to problems with toilet and other waste, littering, poor behaviour, and overcrowding.

## How and where should freedom camping take place?

### Proposal 1 – The right direction, but not enough

8. The Authority supports Proposal 1 as a potential solution which would mitigate some of the negative environmental effects resulting from freedom camping. The Authority considers that this proposal does not go far enough, however, nor provide sufficient protection for the natural environment.
9. Proposal 1 does not restrict freedom camping in tents in any way. It is easy to contemplate how restrictions on freedom camping in non-self-contained vehicles might easily be circumvented, by simply throwing up a tent next to the vehicle, without addressing any of the issues stemming from lack of access to appropriate facilities.
10. For this reason, the Authority recommends that Proposal 2 is preferred, although the Authority considers that this is only a short-term solution to the environmental and social consequences of freedom camping.

### Proposal 2 – A short-term/transitional solution

11. The Authority recommends that Proposal 2 be adopted as a short-term/transitional solution. All freedom camping should take place either in a certified self-contained vehicle, or in close proximity to a toilet.
12. While this approach is likely to mitigate some of the negative impacts of freedom camping, the Authority considers that it does not address the essential issue of the reliance of freedom camping on the externalisation of costs, whether in the form of rate/taxpayer funding of facilities, or environmental degradation.

### The public conservation lands exception

13. The Authority notes that Proposal 2 includes an exception to the requirement to freedom camp near a toilet when not in a self-contained vehicle, on public conservation land (PCL).
14. Although the Department of Conservation has tools to manage freedom camping on public conservation land, the Authority has some concerns that PCL may be subject to increased pressures as a result of this exception.
15. The Authority will work alongside the Department to address any increased pressures to PCL that arise from the proposed changes.

## Low-cost paid campsites – A long-term solution

16. Therefore, the Authority recommends that, following a transitional period as described above, the majority of freedom camping should be replaced by the provision of a comprehensive network of low-cost paid campsites, which provide campers with basic facilities, including toilets, fresh water supply, sinks for grey water collection, and rubbish collection.
17. The Authority considers that these low-cost campsites could be modelled on Department of Conservation campsites. Some elements, such as the camp host programme, could also be adopted at popular freedom camping sites during the transitional stage.
18. In addition to ensuring that costs of camping are not borne by local communities and the environment, these campsites would provide additional options for the management of visitors. Online booking systems could be utilised to monitor and regulate demand, and differential charges could apply to domestic and international visitors.
19. The Authority considers that this approach would address the essential issue, while ensuring equitable access to low-cost camping for New Zealanders, and minimising negative impacts on the value contributed by international visitors.
20. In order to ensure that this network of low-cost paid campsites is effective, the Authority recommends that a review is undertaken, taking into account the existing network of Department of Conservation and other low-cost campsites, freedom camping and visitor trends, the resilience of local environments, and the views of communities.
21. The Authority notes that, under this proposal, those with certified self-contained vehicles could potentially still freedom camp in areas which have not transitioned into low-cost paid campsites. This would be strictly conditional on strengthened certification standards and an improved regulatory system, however, in accordance with Proposals 3 and 4.
22. In addition, freedom camping in a self-contained vehicle could also require the purchase of an annual pass, similar to the Backcountry Hut annual pass, with an online payment system. This would be intended to cover local costs for provision of water, dumping stations, and waste disposal.

## Proposal 3 – Improving regulatory tools

23. The Authority supports the introduction of improved regulatory tools for government land managers.
24. With regards to regulatory enforcement, the Authority considers that introducing higher fines for breaches of freedom camping bylaws and notices is less likely to improve the rate of compliance, than addressing the low likelihood that a breach will result in apprehension, the imposition of a fine, and that fine ultimately being collected.
25. To that end, the Authority recommends that enforcement and consistent recovery of penalties be prioritised. The Authority supports the introduction of an effective mechanism for the recovery of penalties for non-compliance, a requirement that vehicle rental companies be required to pass on infringement notices to vehicle renters, and the introduction of a new infringement for vehicles fraudulently claiming to be self-contained.
26. The Authority also note that charges imposed by vehicle rental companies for returning vehicles without emptying toilets and waste tanks incentivises renters to either not use on-board toilets and waste facilities, or to empty waste irresponsibly before returning

their vehicle. The Authority recommends that vehicle rental companies be required to include the cost of waste disposal in the initial hireage fee for a vehicle; and educate their customers on the importance of protecting our natural environment, including the need to dispose of all waste responsibly.

## Proposal 4 – Strengthening the requirements for self-contained vehicles

27. The Authority supports the strengthening of requirements for certification of self-contained vehicles; as well as the introduction of a national regulatory system, including an oversight regime and online register. Strengthening the requirements for self-containment is an extremely important measure to help protect our natural environment.
28. The Authority considers that the proposed requirements do not go far enough, however, to ensuring that self-contained vehicles are truly self-contained. Therefore, the Authority recommends that requirements for certification should include:
  - a. A permanent, plumbed or cassette style toilet, which is practical to use
  - b. Holding tanks for grey as well as black water, which are internal, and collectively of equal volume to freshwater tanks
  - c. Cooking facilities, a plumbed sink, and rubbish container.

## Final thoughts – a long road ahead

29. The Authority acknowledges that freedom camping is a genuine issue in relation to the environmental impacts of tourism in New Zealand, and appreciates the work being undertaken to address this issue.
30. The Authority is concerned that there is a real risk of missed opportunity, however, if our focus is on achieving quick wins through addressing more immediate and easily-fixed issues such as freedom camping, rather than implementing major changes required to make tourism sustainable and regenerative.