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Ministry of Business, Innovation and Employment
Attention – Responsible Camping Submission
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Dear Sir/Madam

Rotorua Lakes Council Responsible Camping Submission

Thank you for the opportunity to submit on the Rotorua Public Transport Review. Feedback below follows the digital Responsible Camping submission document.

BACKGROUND

1. What does freedom camping look like in your District?

RLC agrees that there are problems that arise in the Rotorua District from certain types of vehicle based freedom camping.

Historically Rotorua has had a strong and mostly positive freedom camping scene, where limited sites were made available by Council and were greatly appreciated. Tourism businesses felt a direct economic benefit from these sites, as freedom campers were largely about the location and style of freedom camping, as opposed to the central idea that they were only freedom camping to save money. With the low cost of camping grounds in the region, and the large variety of options, it was not uncommon for freedom campers in our region to switch between paid and unpaid camping based on their social needs or proximity to amenities/experiences.

Pre-Covid the Rotorua District was seeing an increase in the number of freedom campers, which put pressure on our limited designated freedom camping areas. These designated areas are defined in Reserve Management Plans which are an inflexible mechanism to manage changing trends. In more recent years we have added “trial” areas to manage increased numbers. These trial areas do not have the correct legislative backing in place but despite this they are accepted by users and if managed sensitively, the community.

In the absence of a Freedom Camping Bylaw, RLC has used the Reserves Act to discourage freedom camping on reserves where there is a clear community opposition to this use. RLC has invested heavily in security to move people on from these reserves: to direct people to designated freedom camping sites and our trial sites; and, to move on campervans who are not certified. People without permanent housing, living in cars/vans, have added additional complexity at some sites.

The NZMCA has endorsed Rotorua as a Motorhome Friendly destination based on the availability of freedom camping areas. A recent email received from the NZMCA interprets this as:

“Since Rotorua became a MHFT we have advised our members the district welcomes responsible freedom campers in self-contained vehicles and that they are welcome to temporarily park up basically anywhere in the district. To date we haven’t had many issues with this. “

The city has an NZMCA Park and also several POPs (park over properties).

For the last few years, we have run an Ambassador Programme in summer to encourage responsible camping behaviour by those staying at our freedom camping sites.

2. What are your views on freedom camping in vehicles?

RLC agrees with freedom camping in vehicles as long as they are in the correct sites with appropriate facilities and there is community acceptance. Managed well, freedom camping provides visitors with a great experience both socially and economically.

Managed poorly, freedom camping has the potential to lead to complaints and also create potential safety issues for persons staying in vehicles should they be targeted by ill-intentioned people. A key issue with freedom camping has been a lack of uniform rules and regulations across New Zealand, creating confusion in the market and increasing the levels of non-compliance through inconsistent by-laws from region to region. All of this contributes to anxiety and decreasing levels of enjoyment of the overall New Zealand experience.

Freedom campers are a largely well-connected network of travellers who self-police and are compliant. Issues have arisen in this space with non-traditional freedom campers who utilise this space, but are there to abuse the space for social gain (partying), or out of economic need (those who are homeless). These are not the traditional freedom campers but outliers who are using freedom camping spaces negatively, or not as intended, and are enabled by: significant gaps in region by region understanding of the freedom camping sector; lack of regulations; lack of available and highly visible signage around regulations; weak to non-existent monitoring of freedom camping sites and enforcement of regulations. Those regions which are taking more proactive roles in this space are showing significantly better outcomes and experiences for their community and much better overall user experience. Freedom camping has its place within the framework of the New Zealand visitor economy, but requires a top down approach in order to implement industry best practice and provide consistency across the country.

a) Are there any specific issues related to vehicle-based camping in your area?

Litter

Specifically at our Hamurana trial site and also at our Rerewhakaaitu campsite (though the latter is likely to have resulted from the Department of Conservation having a no bin philosophy at their nearby campsite).

Waste

RLC has had few issues with human waste from people toileting in bushes.

Overcrowding

On some of our designated freedom camping sites, probably because we have very limited number of sites.

Staying too long

At a freedom camping site by those who are homeless and living in cars or vans. RLC has experienced people over staying and when moved on doing the same in another spot. This creates a ‘cat and mouse’ situation.

Staying in vehicles that are not certified self-contained

RLC has increased the provision of toilets at its freedom camping sites so Self-contained Vehicle Standard (SCVS) requirements are not so much of an issue. There are only two sites (Lakefront and Polynesian Spa) where RLC enforce certification since the closest toilets are closed overnight.

Antisocial behaviour

Which has been exacerbated by the increase of those who are without permanent housing. Antisocial behaviour is often a result of additional factors such as mental or addiction issues which may be the original cause of homelessness.

b) Are there specific behaviours which impact on use of local amenities/infrastructure?

RLC is aware of those, without permanent housing, creating a quasi-village in an area highly frequented by tourists, resulting in negative perception issues. Anecdotally RLC has heard about freedom campers washing in Rotorua lakes and toileting in bushes, but has received little formal feedback about these issues. The strong feeling from within the visitor economy is that it is not the traditional freedom campers who are causing these types of issues, but are more likely users of freedom camping sites for reasons outside of temporary stop overs, reasons such as being without a permanent home.

c) What benefits does vehicle based freedom camping provide for your region?

Rotorua businesses that work with campervan travellers report significant and positive experiences, both economically and socially with freedom campers. They challenge general public perceptions of freedom campers being “young, European backpackers in poorly constructed, cheap vans” with many freedom campers being older in age, in larger, self-contained, more expensive campervans e.g. Maui or Apollo brand campervans, who utilise freedom camps for social reasons not economic. As such they frequently eat out, do lots of activities and are positive participants in the Rotorua visitor economy.

PROPOSAL 1: MAKE IT MANDATORY FOR FREEDOM CAMPING IN A VEHICLE TO BE DONE IN A CERTIFIED SELF-CONTAINED VEHICLE

1. How much do you support the proposal to make it mandatory for vehicle based freedom campers to use a certified self-contained vehicle?

RLC's response is 'neutral'.

RLC has assumed that a 'certified self-contained vehicle' is one that has been plumbed with a waste tank or a toilet with a removable waste cassette.

There is currently an unknown number of non-SCVS owned vehicles, the compliance cost to enforce the use of SCVS vehicles is also unknown. Limiting camping to sites with assessable toilet facilities is considered to be a more effective option.

2. Do you consider this option will improve camper behaviour?

Providing the expectation that vehicles are certified self-contained is likely to encourage and enable improved behaviour with regard to toileting and/or washing. However, if camping is not limited to designated sites, the number of campervans trying to park up in non-designated sites could increase.

Having proper SCVS should improve behaviour overall but will have to be co-managed with appropriate facilities on site to make sure the non-use of toilets is provided for. Best practice for

freedom camping indicates that camper behaviour, positive or negative, is more strongly influenced when signage is large and highly visible, monitoring and enforcement are strong and rules and regulations are consistent and easily understood.

The majority of freedom campers are self-regulating. Negative, anti-social behaviour is usually associated with those using a freedom camping space who are unlikely to be compliant in the first place - such as those without a permanent home or those using the space for social gain (partying). These are better monitored and managed through local police.

a) Will this option support or improve tourism outcomes in your district?

As stated above, regulations on self-contained toilets is misinterpreting the issues within freedom camping. Economically, environmentally and socially, freedom camping is a valuable contributor to the economy. Regulating self-contained toilets is not key to improving concerns related to freedom camping, but more about minimising general public perception which is neither very informed nor based on being users of this space.

Issues around poor bathroom hygiene and waste need to be investigated further to provide an accurate picture of the social issues of those abusing freedom camping sites. This could include mental health, economic deprivation, criminal and/or anti-social tendencies.

b) Will this option decrease pressure on the environment and local government infrastructure?

Government Infrastructure

Enforcing vehicles to be SCVS is not likely to reduce pressure on local government infrastructure. Toilet and washing facilities would still need to be provided at designated freedom camping sites.

Environment

Effective and intelligent resourcing of freedom camping will have a better effect on the reduction of environmental damage and improve perception and usability. For example consistent, nationwide regulations, which are strongly enforced: proper signage with appropriate information (such as waste dumping sites); and removal of bins (but signage to where bins are located) have been shown to have a longer term positive effect on the environment (and infrastructure).

RLC does note that encouraging large numbers of visitors to travel round the country in large vehicles is not environmentally friendly from an emissions perspective

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

RLC concern relates to the policing of legitimate certification and how this certification will be indicated on a vehicle. Re the latter, there is support for the establishment of a national database that warranted officers could refer to.

Also of concern is believing that self-contained toilet regulation is key to improving freedom camping. More tangible benefit to the entire sector and general public would be gained from having a nationwide, holistic approach to regulating freedom camping.

3. How might this proposal impact your district?

a) Will this proposal increase or decrease the likelihood of people camping in the Rotorua District?

The introduction of mandatory SCVS would likely decrease the number of budget campervans available and thus the number of people able to use them. This may decrease the overall

number of freedom campers. In saying this, there was always a limited number of non-compliant freedom campers, so RLC expects that this will have a limited effect on genuine campers. Compliance at freedom camp sites needs to be consistently enforced. Also appropriate information should be put forward at points of rental and nationwide freedom camp site regulations.

b) Will this proposal have a direct financial impact on business in the Rotorua District?

Given the small amount of non-compliant freedom campers, our expectations are that there will be some impact, but not significant.

c) Will this option increase or decrease the attractiveness of visiting other regions in New Zealand?

Regional attractiveness is not decided upon in any degree by mandated camper toilets.

4. What things should the Government consider to implement this option?

There will still be the need to provide appropriate facilities. Covering for this need will put pressure on territorial authorities and so Government assistance through TIF should continue.

a) What exceptions should the Government allow under this proposal?

None

b) Should this option be considered alongside other options proposed in this discussion document?

Yes, Options 3 and 4.

PROPOSAL 2: MAKE IT MANDATORY FOR FREEDOM CAMPERS TO STAY IN A VEHICLE THAT IS CERTIFIED SELF-CONTAINED, UNLESS THEY ARE STAYING AT A SITE WITH TOILET FACILITIES

1. 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)?

RLC agrees with this statement.

If vehicles that are not SCVS are able to be used for freedom camping, there should be a requirement that they use a site that has accessible toilet facilities.

Importance should be placed on supporting territorial authorities with the provision of toilet facilities at designated freedom camping sites. The latter option would reduce compliance needs to manage non SCVS.

2. Do you support this proposal?

a) Do you consider this option will improve camper behaviour?

Yes, having non SCVS vehicles stay at designated camping sites with toilet facilities will support the reduction of inappropriate toileting and improve community support. This is with the proviso that this expectation is monitored and enforced.

In saying this, there are those who use freedom camping sites for whom compliance may still be an issue. Examples are those who are without a permanent home as a result of mental health or alcohol/drug use or those seeking spaces to party. More thought needs to be given to how to respond to these groups.

b) Will this option support or improve tourism outcomes in your region?

RLC believes this option would not significantly improve tourism outcomes in our region.

c) Will this option decrease pressure on the environment and local government infrastructure?

This option is likely to decrease pressure on the environment and increase pressure on local government infrastructure.

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

This proposal will require TIF type support for ensuring appropriate capital investment in facilities.

It is important to ensure that there is clarity and consistency in how rules are enforced. A 'no exceptions' approach allows for clear public and private understanding, greater certainty for the end user and, greater confidence from the industry around legal expectations.

3. How might this proposal impact your district?

Will this proposal increase or decrease the likelihood of camping in New Zealand?

This proposal would support more freedom campers from the budget end of the market than proposal 1A.

4. What things should the Government consider to implement this option?

a) What do you think is required to achieve this option?

There must be Central Government support for territorial authority infrastructure.

b) What exceptions should the Government allow under this proposal?

There should be no exceptions.

c) How far from toilet facilities should a person be able to freedom camp if not in a vehicle with a toilet (eg, 100 metres, 200 metres)?

The focus should be on ensuring freedom campers are staying in designated sites.

100m maximum. Practicality should be considered, for example when it is raining you would want people to be as close as possible to toilet facilities.

d) Should this option be considered alongside other options proposed in this discussion document?

Yes – 2 & 3

5. What would be an appropriate penalty?

a) Should non-compliant vehicles be confiscated? If so, under what conditions?

RLC view is that non-compliant vehicles should not be confiscated. This response would raise a number of compliance issues:

- Processing seized or towed vehicles is an onerous process
- If vehicles are confiscated, how would the camper's personal belongings be dealt with?
- Infringements are difficult to enforce unless they are paid at the border before leaving the country
- Having clamped vehicles scattered around the district would not be a 'good look'

b) Should fines be similar to those for not holding a valid Warrant of Fitness for a motor vehicle?

Implementing a fine system could be explored as a potential disincentive. However, unless fining is 'on the spot', it may be difficult to impose, especially for international visitors.

c) What levels should fines be set at?

To answer this question there should be an understanding of the ability to pay vs compliance cost ratios. This is especially in relation to those with non SCVS vehicles – the assumption being made that they fall into the budget end of the market.

d) Who should collect a fine?

Collection should be made by the compliance responsible party

PROPOSAL 3: IMPROVE THE REGULATORY TOOLS FOR GOVERNMENT LAND MANAGERS

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

RLC strongly supports the need to improve the regulatory tools for government land managers.

We understand that the National Working Group has been looking at the Freedom Camping Act 2011 and believe this consideration is important for improving the ability of territorial authorities to manage current and future freedom camping activities.

Do you support this proposal?

a) Are there any specific parts of this proposal you support or oppose?

Having a new regulatory agency for SCVS is a good way to manage the requirements for freedom campers. Also, having a national database available of vehicles that are SCVS would be very important.

b) Do you consider this option will improve camper behaviour?

Yes – with appropriate processes/database etc. to monitor/track/alert SCVS. What is proposed will be of most value to territorial authorities with existing bylaws. If changes are implemented non-bylaw territorial authorities may be encouraged to introduce a bylaw. An increased reliance on bylaws will need national guidance to ensure consistency across the country is better managed for campervan users.

c) Will this option support or improve tourism outcomes in your region?

There is no Freedom Camping Bylaw for the Rotorua District. This option should support tourism if a bylaw was to be adopted by RLC

PROPOSAL 4: STRENGTHEN THE REQUIREMENTS FOR SELFCONTAINED VEHICLES

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

Yes

Is the current standard fit for purpose?

No

a) Should there be a requirement that self-contained vehicles have fixed toilets?

Yes

b) Should there be specific reference to the types of vehicles that can be self-contained?

Yes

Who should certify to the Standard?

a) Should any plumber registered under the Plumbers, Gasfitters and Drain Layers Act 2006 be able to certify to the Standard, or should certifiers be separately recognised and licensed?

Any plumber who is licensed to do this certification.

b) Once a vehicle has passed its initial certification, should other entities be able to re-certify it?

First we would need clear definitions of what is considered certified self-contained. Consideration must be given to the fact that the vast majority of campervans in New Zealand are not of sufficient size to be able to be fixed or plumbed. If we are to regulate these campervan out of the market, then there will a significant impact on the New Zealand tourism industry, as well as creating a class system, based on a wealthy elite being enabled to freedom camp, forcing significant extra costs on budget travellers. Given there is a small number of non-compliant campers under the present regulations, it might be best to set up national rules and regulations in order to create greater uniformity of approach, and to consistently and strongly enforce those regulations. We should also acknowledge that over the past 12 months we have not had international budget traveller's freedom camping, but still have seen environmental impacts at freedom camping sites. These impacts were previously attributed to international guests by the wider public. This is clearly not the case and supports the idea that we are lacking in clear nationwide guide lines and enforcement for all users, including New Zealanders. Consideration also must be given to those who are without permanent housing or who are anti-social using these spaces, and, how they can be managed out of freedom camping areas. Should only expensive, high-end campers be compliant to freedom camp, there could be an increase in crime in these spaces, due to the increased value and age of those able to afford compliant vehicles, creating a new set of issues.

c) Once a vehicle has passed its initial certification, should other entities be able to re-certify it?

Not unless VTNZ, etc want to become plumbers?

OTHER CONSIDERATIONS

How is certification going to be displayed/indicated on-vehicle? The current blue stickers too easy to forge.

What transition arrangements should be in place?

a) **How long should the Government give people to upgrade or dispose of their vehicles?**

One year

b) **Should currently certified self-contained vehicles be exempt from any new rules?**

No

How could the Government ensure vulnerable groups are not further disadvantaged?

Not all of those experiencing homelessness are doing so by choice. The issue of homelessness is complex, will take time to resolve and, requires a government-wide coordinated response. Welfare and safety are critical issues.

The Rotorua experience is that mixing those who are without a permanent home and freedom campers is not a good mix. While these groups continue to be mixed, all users of freedom camp-sites tend to be classified as freedom campers. What is needed is clear segmentation of freedom camp-site users and strategies that are specific to those segments so as not to disproportionately target any one group, while supporting those most vulnerable to appropriate spaces where they can receive the support they require.

Could the Government make homelessness exempt from any new regulatory system? What might this look like?

Freedom campers and those who are without housing have different needs and should be responded to accordingly. Supporting the mixing of these two groups gives rise to a number of potential security and wellbeing risks especially when mental health and addiction issues are acknowledged. RLC does not support making those without housing exempt from any new regulatory system.

Yours faithfully

Privacy of natural persons

Jocelyn Mikaere
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