

Prior to the Freedom Camping Act being passed, the Department's enforcement options, on sites not covered by the Hauraki Gulf Maritime Park bylaws, were warnings or taking a prosecution under the Conservation Act. Both these mechanisms have proven to be ineffective, inefficient and potentially disproportionate to the offence.

The Freedom Camping Act gives local authorities and the Department an enforcement tool to determine where people can and cannot freedom camp and to issue infringement notices for inappropriate camping behaviour. Penalties are in the order of \$200 - \$1000 for a camping infringement and up to \$10,000 for more serious offences such as damage or depositing waste.

THE FREEDOM CAMPING ACT 2011

The Act became law on 29th August 2011. It is designed to be **enabling** of freedom camping with a default position that freedom camping is permitted on any conservation land unless it is restricted or prohibited.

The Act initially contained provisions to allow restrictions or prohibitions for camping on conservation land by erecting a sign to that effect. These were short term provisions that were intended to deal with an anticipated freedom camping issue during the Rugby World Cup. These provisions were repealed on the 31st March 2012. This was described within the Department as 'Phase 1' of the Freedom Camping Act.

During Phase 1 of the Act, the Department issued a total of 22 infringement notices nationally. This contrasts with approximately 1300 infringement notices issued by the Queenstown Lakes District Council alone during the same period.

To continue enforcement of any freedom camping restrictions and prohibitions at any sites after 31st March 2012 the Department is required to Gazette a "Freedom Camping Notice" after consultation with the Conservation Board.

Any restrictions or prohibitions must be consistent with conservation legislation, including the Auckland CMS.

In the Act, Freedom Camping means to camp (other than at a camping ground) within 200 metres of a motor vehicle accessible area, or the mean low-water springs line of any sea or harbour or on or within 200 m of a formed road or a Great Walks Track, using 1 or more of the following:

- a tent or other temporary structure:
- a caravan:
- a car, campervan, house truck, or other motor vehicle.

Under the legislation, freedom campers must be responsible with their waste - carry it in, carry it out. Leave no trace. Self-contained camping vehicles must dispose of all toilet and grey water waste at a dump station.

There is provision for fines up to \$10,000 for depositing waste that has a significant adverse effect on the environment, or causes significant concern to the community or users of the area (e.g. discharging a self-contained campervan sewerage tank other than into an authorised dump station).