19 February 2021

Freedom Camping

Danielle McKenzie Manager, Tourism Policy Privacy of natural persons

Preliminary assessment of costs for a new enforcement function

MBIE Tourism have been developing preliminary costings for implementing a regulatory system for the self-containment of vehicles. These are rough-and-ready figures, but are useful to enable an understanding of the order of magnitude of costs. The figures will be included in the draft regulatory impact statement that will be published alongside your discussion document. We intend to provide you the full pack of papers for your weekend bag next week.

The costs include:

- a register for self-contained vehicles. We have two cost estimates:
 - Waka Kotahi New Zealand Transport Agency (Waka Kotahi) has provided an assessment of costs to modify the vehicle register.
 - We have developed as a comparator an estimated costing to build a new, stand-alone register.
- a register for authorised persons, who test and/or certify selfcontainment of vehicles
- annual operational costs for undertaking the regulatory functions including:
 - o operating the registers
 - o monitoring authorised persons
 - o providing regulated parties with information
 - o investigating cases, and
 - o taking enforcement action.

Our preliminary analysis indicates that the initial investment from the Crown where the Waka Kotahi register is modified would be approximately \$3 million for capital costs and \$1.4 million in operational expenditure for project and setup costs. If a stand-alone register for self-contained vehicles were built, these costs are assessed to be about Constitutional conventions respectively.

Annual operational costs of approximately Constitutional Converted from the regulated parties (owners of self-contained vehicles and the authorised persons). Detailed cost recovery analysis for this option will identify how these costs might be split (if you decide to progress the option following public consultation). Indicatively, however, setting aside any cost recovery from authorised persons, if about 25,000 vehicles per year are certified, the cost per vehicle is Constitutional Conventional Convention

Types of organisations to feasibly undertake the new regulatory functions

Option One: Plumbers, Gasfitters and Drainlayers Board

Given that the certification for self-contained vehicles requires predominantly plumbing expertise, one option is for the Plumbers, Gasfitters and Drainlayers Board (PGDB) to take on these functions. In this option, the authorised persons would have an interface with the Waka Kotahi vehicle register in order to issue certification. This would allow the PGDB to have access to these records and would expand their work with the plumbing profession to ensure that

authorised persons are meeting the required standards for issuing selfcontainment certification.

On 18 February 2021, officials are meeting the Registrar of the PGDB for a preliminary conversation about this idea and will report back.

Option Two: Expand Waka Kotahi's role

The Ministry of Transport has advised us they consider that Waka Kotahi is not the appropriate organisation. They have noted that Waka Kotahi's vehicle-related regulatory functions relate to the movement, stopping and structural integrity of vehicles, to ensure that vehicles are safe to be operated on the road. It is currently outside the regulatory remit of Waka Kotahi what people choose to do with their vehicles and the associated facilities within these (such as self-containment).

Option Three: The Ministry of Business, Innovation, and Employment (MBIE)managed Regulatory Function

This option will need further consideration, but in principle, this regulatory function could be delivered by our Whakatairanga Service Delivery group, which has numerous regulatory roles, including for market integrity.

These options will be noted in the regulatory impact statement next week.

5 March 2021

Self-containment of vehicles – NZMCA comment on PCE proposal for plumbed toilets

Danielle McKenzie Manager, Tourism Policy

Privacy of natural persons

The New Zealand Motor Caravan Association (NZMCA) has been in touch with us about concerns it has with the recommendation that toilets in vehicles should be permanently plumbed rather than portable, made by the Parliamentary Commissioner for the Environment (PCE) in *Not 100% - but four steps closer to sustainable tourism*.

NZMCA is not aware that the proposal is one of those in the draft discussion document, but we considered the following points they have provided to us may be useful as an indicator of potential feedback from their sector to the planned public consultation about this topic.

NZMCA advised us it is consulting its members on the PCE's recommendation and will develop a report, but that at a high level its concerns are as follows:

- The proposal will disproportionately affect and unfairly disadvantage many
 thousands of Kiwi families who have invested their life savings in
 purchasing/building well-designed self-contained campervans, buses and
 caravans that can only function with a portable toilet. These vehicles are built to
 a higher standard than the minority of vehicles concerning the PCE. The vast
 majority of vehicles owned by New Zealanders with portable toilets are of little
 concern to the general public.
- The proposal will ultimately require people to hire/purchase larger vehicles for camping. This will create undue hardship for the average New Zealand family (in particular lower income families) as the cost of compliance will be out of proportion to the gain in public health and environmental protection.
 Furthermore, ongoing compliance will be harder to achieve for the average family once the government implements its climate change policies.
- Councils, DOC and Land Information New Zealand will find it difficult to monitor and enforce the proposal nationally, particularly in more remote areas where it is impractical to use plumbed in facilities while camping.

Title Comment Freedom camping In parallel with your office undertaking ministerial consultation on the Cabinet paper - update on and discussion document, we are consulting with agencies on the revised proposal (to **Cabinet paper** make it mandatory for vehicle-based freedom campers to use a certified selfconsultation contained vehicle). The Ministry of Housing and Urban Development (HUD) comments Danielle McKenzie HUD has expressed concern about the potential for the revised proposal to impact on people who are staying in a vehicle because they are without any shelter (homeless). Manager Tourism The revised proposal would require the use of a self-contained vehicle on public land, Policy which is unlikely to be feasible for a homeless person. HUD has also commented that Privacy of natural persons Proposal Three, which suggests increasing fines and penalties for breaches of the Freedom Camping Act 2011 (the Act), or freedom camping bylaws or notices, would further penalise homeless people who are unlikely to be able to pay. The Act was never intended to be a regulatory tool for managing homelessness. Professional Profe Professional legal privilege Similarly, we are now also exploring whether it may be possible to amend the definition of freedom camping so that it is clear the Act does not apply to people who are technically freedom camping because they are facing severe housing deprivation and are homeless. Maintenance of the law We will have advice about amending the definition of freedom camping by the end of the week. If this appears to be a good approach to addressing the issues that have been identified and you agree, the Cabinet paper and discussion document could be amended appropriately before lodgement. \$85 million figure for Government investment to support management of freedom camping We have realised that this figure may be somewhat misleading, as it includes investment from the Tourism Infrastructure Fund (TIF) that was not related to freedom camping. We are working on a more precise breakdown of the Government's spending from the TIF that is clearly attributable to supporting managing of freedom camping. The final version of the Cabinet paper will be amended accordingly.

9 April 2021

Freedom	Pending your launch of the public consultation on the freedom camping		
Camping Public	proposals, we are firming up venues for public meetings and targeted		
Consultation	engagement. Our first engagement is scheduled online for Tuesday 13 April,		
	with the Responsible Camping Forum (a group established by Tourism		
Danielle	Industry Aotearoa, comprising about 60 members from the private sector,		
McKenzie	local and central government). We will hold public meetings in Auckland CBD		
Manager,	and Whangārei on 14 and 15 April. We will also meet with rental vehicle		
Tourism Policy	companies and camping clubs in Auckland.		
Privacy of natural persons	In the following weeks we will hold public meetings in:		
	Hokitika		
	Westport		

- Queenstown
- Christchurch
- Twizel
- Thames
- Whitianga
- Tauranga
- Taupō
- Gisborne
- Picton
- Kaikōura
- Nelson
- Tākaka

We will email iwi and hapū to let them know about the public consultation and seek any interest in hui to discuss the proposals. We will also hold webinars to ensure that people who are interested in the public consultation but who cannot attend a public meeting have an opportunity to hear about the proposals and ask questions.

16 April 2021

Freedom Camping

Danielle McKenzie Manager, Tourism Policy

Privacy of natural persons

Public consultation on your proposed freedom camping improvements began on Friday, 9 April 2020.

We are meeting with staff from local councils, the Department of Conservation, rental car companies and issuing authorities in both Auckland and Whangārei, as well as holding a public meeting in both locations. We are separately holding two online forums – one for the Responsible Camping Forum, a group set up by Tourism Industry Aotearoa to share intelligence over the summer camping season, and one public.

Initial feedback from the online and in-person meetings will be provided in the next weekly report.

1,388 survey responses have been received as of 13 April, 2021.

23 April 2021

Freedom Camping

Danielle McKenzie Manager, Tourism Policy

Privacy of natural persons

As part of the freedom camping public consultation, the Ministry of Business, Innovation and Employment (MBIE) has held a number of meetings with Local Government, Department of Conservation (DOC), industry representatives and the public. Two online webinars have been held, and four public meetings have occurred in Auckland, Whangārei, Hokitika and Westport. MBIE has also provided updates to the monthly tourism industry call and the Regional Tourism New Zealand meeting.

There has been strong interest in the proposal, and discussion has been largely constructive. As at 19 April 2021, MBIE has received 2,079 responses to the online survey.

Key themes arising in meetings with Local Government and DOC include:

• Negative perceptions and eroding social licence are the main freedom camping issues. This was reinforced in meetings with industry.

- Making self-containment mandatory would likely not address freedom camping issues, as the majority of the vehicles that enforcement officers come across are self-contained.
- There are some issues with the definition of 'freedom camping' in the Act. In
 particular, those areas where freedom camping should not practically be
 allowed, but is allowed under current legislation given the definition. It was
 suggested that the definition of freedom camping could focus on the activity
 itself, rather than where the activity occurs.
- Resourcing has been an ongoing issue for councils. For example, some councils
 would like to adopt a freedom camping bylaw, but do not have one because
 they cannot resource its enforcement.
- A number of concerns have been raised about the proposal for vehicle confiscation. Councils are concerned about costs for councils, hindering people's freedom of movement, storage of confiscated vehicles and how the costs would be covered. Clamping vehicles was proposed as a more practical solution.

Key themes arising in meetings with industry (such as camping associations and rental companies) include:

- Further resources should go into educating freedom campers about responsible camping, as well as educating local communities about the benefits that freedom camping can bring to communities.
- The closure of a number of commercial camping sites and the redirection of campers to alternative freedom camping sites are the main reasons for overcrowding in some areas. More infrastructure and the opening up of council land for use as campsites could help.
- Rental companies noted that, if stronger requirements were introduced for selfcontainment, they would need an extended period of time to upgrade their vehicles.
- Concern was raised if rental vehicle companies are liable for fines. To be
 effective, fines would need to reach companies quickly before customers leave
 the country.

Key themes arising in public meetings and online webinars include:

- There is general support for regulation of the self-contained vehicle standard (proposal three).
- As communicated to your office, the term "permanently plumbed toilet" in the
 discussion document is confusing for some stakeholders. We published
 clarification on the website, tested the messaging with industry stakeholders,
 and are proactively communicating the clarification to stakeholders.
- Concern over the potential impact of stronger regulations not only on homeless people, but also on seasonal workers, students unable to afford accommodation near their universities, and lifestyle campers.
- Many people want to make sure that the appropriate mechanisms are in place to ensure freedom campers pay the infringements they receive.

Over the next week, MBIE is holding meetings with the public and key stakeholders in Queenstown, Christchurch, Twizel, Thames and Whitianga.

Freedom Camping Public Consultation Update

Danielle McKenzie Manager, Tourism Policy

Privacy of natural persons

Tourism officials continue to hold meetings with local government, the Department of Conservation (DOC) industry representatives and the public. Since our last update to you, we have held:

- five further public meetings, in Queenstown, Christchurch, Twizel, Thames and Whitianga
- meetings with territorial authorities and DOC rangers in those cities and districts
- a meeting with Christchurch-based rental vehicle industry members, and
- a third public webinar.

Public meeting attendance has been low compared to the previous week, although there has been continued media participation (articles yet to appear). Discussions with local government and DOC have continued to be constructive and informative.

As at 28 April 2021, MBIE has received 3,228 responses to the online survey.

Meetings with local government and DOC

Key themes arising from these discussions over the past week have included:

- freedom campers bring much-needed spending to small towns.
- a sense that the public perception of problems arising from freedom camping is not in line with the reality, but public perception is impacting social licence for freedom camping.
- concern about how small councils will fund ongoing operational costs to manage freedom camping, as well as any additional enforcement costs for the proposed regulatory changes.
- support for the establishment of a regulatory system for selfcontainment of vehicles.
- mixed support for increased fines. There was support for a higher fine for the display of a fraudulent warrant of self-containment.
- no support for vehicle confiscation, which is seen as costly and burdensome for councils.
- general support for enforcement officers using discretion when encountering homeless individuals sleeping in their vehicles, and supporting them appropriately.

Meetings with industry

Education to freedom campers while travelling and at place, in particular by freedom camping ambassadors, is seen to have had a positive impact and industry would be keen to see further support in this area.

General support has been expressed for simplifying the self-contained vehicle standard and making it more user friendly.

Feedback from the public

The feedback from the public meetings has been largely consistent with what was reported last week. No consensus about the proposals has emerged at any of the past week's public meetings.

We have learned that an online petition is circulating, entitled "No NZ Freedom Camping Policy Changes – Focus on Facilities and Infrastructure Instead". As of 28 April, 1,019 people have signed it. The petition urges the Government to "focus on providing better access to camping facilities such as toilets and kitchens, and invest further in technology to prevent overcrowding, instead of penalising people for not meeting proposals that will quite frankly be impossible for many."

Next steps

Over the next week, MBIE is holding further public and targeted meetings in Tauranga, Taupō, Gisborne, Wellington, Picton, Kaikōura, Tākaka and Nelson.

7 May 2021

Freedom Camping Public Consultation Update

Danielle McKenzie Manager, Tourism System and Insights

Privacy of natural persons

MBIE Tourism officials are currently in the fourth week of public consultation, and have held meetings with local government, local Department of Conservation (DOC) staff, industry representatives and the public. Since we briefed you last week (2021-3401 refers), we have held:

- three further public meetings in Taupō, Gisborne and Picton
- meetings with territorial authorities and DOC rangers in those cities and districts, and in Wellington
- a meeting with key stakeholders, namely the Rental Vehicle Association (RVA) and Responsible Camping Association Incorporated.

Public meeting attendance has been good, with attendance of 53 in Taupō, 33 in Gisborne, and 65 in Picton. As at 5 May 2021, the Ministry of Business, Innovation and Employment (MBIE) has received more than 3,500 responses to the online survey.

Feedback from the public

The feedback from this week's public meetings has been largely consistent with what we reported to you last week. No consensus about the proposals has emerged at any of the past week's public meetings.

Meetings with local government and local DOC staff

Discussions with local government and DOC have continued to be constructive and informative. In addition to the key themes reported to you last week, new commentary has been that:

 Government funding to support camper education and operational costs to manage freedom camping is more effective than further regulating freedom campers. • A national register of infringements would support a sliding scale of penalties.

Meeting with the Rental Vehicle Association (RVA) and Responsible Campers Association

The RVA reiterated points made previously by members that the timeframes for infringement notices under the Freedom Camping Act mean that it can be very difficult for the RVA to collect fines from international customers. They suggested that the timeframes needed to be shortened, and a technological solution established to better enable companies to collect the fines from international customers.

The Responsible Campers Association Incorporated (RCAi) indicated that it supports freedom campers needing to be self-contained, but stated that possession of a toilet or suitable device for disposing of waste was sufficient. It opposes the voluntary New Zealand Standard for self-containment of motor caravans and caravans, and is concerned that this only serves motorhome users and has been funded and developed by a particular club.

Next steps

MBIE is holding further public and targeted meetings in Kaikōura, Tākaka and Nelson, and with Te Ātiawa Trust (in Picton). These meetings will be completed by 7 May.

14 May 2021

Freedom Camping: Public Consultation Update

Danielle McKenzie Manager, Tourism System and Insights

Privacy of natural persons

Tourism officials from the Ministry of Business, Innovation and Employment (MBIE) are in the final week of public consultation, and have held meetings with local government, local Department of Conservation (DOC) staff, industry representatives, and the public. Since we updated you in last week's report, we have held:

- three further public meetings in Kaikōura, Nelson and Golden Bay
- meetings with territorial authorities and DOC rangers in those cities and districts
- a meeting with Te Ātiawa Trust, and
- one further online webinar.

Attendance at the public meetings has been mixed, with 16 in Kaikōura, 45 in Nelson, and nine people in Golden Bay. The low attendance at the Golden Bay meeting may reflect that one week earlier, Waka Kotahi | The New Zealand Transport Agency and Manawhenua ki Mohua (an organisation representing mana whenua within Golden Bay) had engaged with the local community about the Waitapu Bridge site in Golden Bay, which has been used by freedom campers. This included a long-term plan for its future use and management. It is possible that the Golden Bay community felt that they had already contributed to freedom camping issues in their community by discussing the Waitapu Bridge site.

As at 11 May 2021, MBIE has received approximately 4200 responses by online survey and submissions.

Feedback from the public

The feedback from last week's public meetings has been largely consistent with what we reported to you last week. No consensus about the proposals has emerged at any of the past week's public meetings.

Officials are aware that a number of protests by 'Conscious Campers' are being organised, and is being shared on social media. The protests are planned for 15 May in Northland and Southland, 22-23 May in Dunedin, 29-30 May in Christchurch and 22 June in Wellington, at 11am on Parliament lawns.

Meetings with local government and local DOC staff

Discussions with local government and DOC have continued to be constructive and informative.

A few councils have requested an extension for making their submission, and in these cases we have granted an extension until 5 pm Friday 28 May, in line with your decision (2021-3329 refers.)

Meetings with Te Ātiawa Trust and Tūhoe

Officials met with Te Ātiawa Trust, based in Picton, on 5 May 2021. The discussion focused on the sustainability of tourism, freedom campers' carbon footprint and travel emissions, and the strain on infrastructure and amenities due to the large number of international visitors, of which freedom campers are a subgroup.

Officials are meeting with Ngāi Tūhoe leaders on 12 May 2021. Te Urewera sits outside of the *Freedom Camping Act 2011* as it has unique legal status. We expect to hear from Ngāi Tūhoe about whether they experience any issues with freedom camping in Te Urewera and whether they need additional regulatory tools to manage it.

Next steps

MBIE will brief you next week on our proposed approach to the analysis of submissions and the timeframe to provide interim findings and a summary of submissions.

21 May 2021

Freedom
Camping: Public
Consultation
Update

The public consultation period on the four proposals for supporting sustainable freedom camping closed on Sunday, 16 May 2021. Six further submissions are expected in line with the extension you granted for councils that needed extra time. These submissions are due by Friday, 28 May 2021. The number of submissions received is as follows:

Danielle McKenzie Manager, Tourism System and Insights

Privacy of natural persons

Type of submission	Number of submissions
Individual (survey, email and written)	4,876
Industry (rental, accommodation, tourism and	175
non-tourism)	
Not-for-profits	9
Councils / Local Government	34
lwi / Hapū	10
Government / statutory bodies	4
Peak bodies	30
Total	5,138

We will provide an aide memoire outlining our approach to analysing the submissions, reporting to you, and estimated timelines for the next steps by Monday, 24 May 2021.

28 May 2021

Freedom Camping: Public Consultation Update

Saskia Vervoorn Manager, Tourism Policy 04 896 5723 Submissions on the public consultation from a few remaining councils are due by Friday 28 May, in line with the extension you granted. We will provide an aide memoire for you this week setting out our approach to submissions analysis as well as a projected timeline for the legislative process. Next week we will provide a first briefing providing analysis of survey responses to the primary questions in the discussion document (the bulk of submissions), and the main issues arising from freedom camping identified by submitters.

4 June 2021

Freedom Camping: Public Consultation Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

KiwiCamp

We understand that you are interested to know more about KiwiCamp. This business model was also raised in public consultation meetings and submissions as a potential way to increase the provision of infrastructure for campers and day-trippers.

KiwiCamp is a company which provides KiwiCamp sites in partnership with councils. There are currently 13 KiwiCamp sites in New Zealand (12 sites in the North Island and one site in the South Island).

A KiwiCamp site has parking space for campers and an amenity block providing all the basic services that travellers, such as freedom campers, need at low cost. A small fee is charged for parking and some services. Free services include recreational areas for meal times, spaces for social gatherings and a recycling centre. Services that attract a charge include:

- a laundry room
- dishwashing facilities
- · cooking tops
- water filling stations
- dump stations
- toilets and showers
- Wi-Fi
- power points.

Paid services are provided on a pick-and-choose pay model. In order to access services, travellers must purchase a digital key (\$5.00 from a local retailer), download an app to their mobile phone, create an account and top-up the digital key. Travellers are then able to "tap to operate" any of the KiwiCamp services.

This benefits councils, by ensuring services and facilities are available at low cost to freedom campers, and also benefits campers and other travellers.

Queenstown Lakes District Council (QLDC) started exploring a similar idea in 2019/20. The council established responsible camping hubs which provided campers with free toilets, showers, dump stations, dish wash stations and Wi-Fi. MBIE was in discussions

with the council about trialling small charges for some of these services, but this idea did not proceed when funding was not available.

The pick-and-choose pay model for some camper services could enable local government to increase infrastructure and service provision for campers and day-trippers. The Government could potentially support increased use of this model by:

- partnering with a council in a trial, and/or
- identifying the criteria for success with the KiwiCamp approach (or equivalent) in order to promote it elsewhere.

In the coming weeks we will provide you further information on KiwiCamp and other ideas to support local government freedom camping funding.

Managing freedom camping work

We appreciated the opportunity to discuss the timeline for the freedom camping work at this week's officials meeting. We wanted to alert you to some pressures in our resourcing at present which is stretching our ability to juggle both Ministerial servicing for responding to Official Information Act requests and Ministerial correspondence, and provide you with reporting and advice following the public consultation on the freedom camping proposals. We have sought to contract in additional resource to support the Ministerial servicing, but there is a cross-government shortage of this skillset at present.

11 June 2021

Freedom Camping: Public Consultation Update

Tracey Black
Principal Policy
Advisor, Tourism
Policy
04 897 7681

Work continues to progress at pace to analyse the 5,144 submissions received through the public consultation process on the freedom camping proposals, and to provide you with advice on the recommended next steps.

We have prepared two briefings this week for your consideration. The first follows on from the officials' meeting with you last week, and seeks clarity on the outcomes you want from the amended freedom camping system. The briefing provides a range of different vehicle types and indicates how each would be affected by the proposals the Government consulted on, as well as your original proposal to ban the use, lease or sale of vehicles with sleeping platforms that are not self-contained.

The second briefing reports to you on the public feedback that has been analysed so far, which focuses on the issues arising from freedom camping. It also includes the basic support levels for each of the four proposals. Subsequent briefings will analyse feedback about the proposals in more detail and provide policy recommendations.

MBIE held an interagency workshop on 1 June 2021 with officials from the Department of Conservation (DOC), the Ministry of Transport and the Department of Internal Affairs. The workshop focused on the high-level feedback from submissions, and started a discussion on identifying the increased costs of enforcement, in line with Cabinet's direction. We are separately meeting with the Ministry of Justice this week to discuss potential new infringements offences and higher infringement fees.

18 June 2021

Freedom	
Camping: Public	
Consultation	
Update	

Officials have updated you on some of the emerging freedom camping themes at our meeting with you on Thursday 10 June 2021.

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Since then, officials have been working hard to prepare a paper which sets out the high-level themes coming from the submissions that we will provide to you the week commencing 21 June 2021. This paper will also seek your agreement to a high-level policy position that will help us to support you to take your final policy position to the Cabinet Economic Development committee in the week commencing 27 August 2021.

While timeframes are very tight, we envisage providing you with a first draft of the Cabinet paper in the week commencing 5 July 2021.

25 June 2021

Freedom Camping: Public Consultation Update

Officials provided you with a briefing on Wednesday, 23 June 2021 which set out the high-level themes coming from the public consultation submissions. This paper seeks your agreement to policy positions, which will give us direction for further work and help us to support you to take your final policy proposals to Cabinet in August.

Saskia Vervoorn Manager, Tourism Policy We expect to provide you with a first draft of the Cabinet paper on 8 July 2021, in time for your return from Australia.

Privacy of natural persons

2 July 2021

Freedom Camping: Public Consultation Update

We have been progressing work on the detailed design of the regulatory system for self-contained vehicles. We will provide you with a briefing by 2 July 2021 seeking your decisions.

Tracey Black
Principal Policy Advisor,
Tourism Policy
04 897 7681

We will also provide an early draft of the Cabinet paper on 8 July 2021, however some policy areas are likely to still be in development.

9 July 2021

Freedom Camping: Public Consultation Update

We have sent three freedom camping reports to your office in the past week. These were on the options for improving the regulatory system [2021-3954 refers], the private member's bill [2122-0023 refers], and further advice on bylaws [2122-0022 refers].

Rebecca Heerdegen
Policy Director, Tourism
Branch

Privacy of natural persons

As discussed at your meeting with officials on Tuesday, 6 July 2021, we will progress work on how we could broaden the freedom camping bylaw-making criteria for councils. This work will include meeting with local authorities and camping organisations to get their input on what would be effective, and will take up to six weeks.

We will shortly provide you with a further briefing on updated timeframes, with and without the bylaw provisions review.

Freedom Camping: Public Consultation Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Officials are progressing work at pace to finalise the Freedom Camping proposals you intend to take to Cabinet Committee in September or October 2021.

Summary of submissions

An initial draft of the summary of submissions has been completed, and is now undergoing internal quality checks. Once these checks and additional sections (including the executive summary, next steps for policy, and acknowledgements) are completed, we will provide you with the final draft in the week commencing Monday, 9 August 2021.

Involvement of the Responsible Camping Working Group (RCWG)

At the recent Local Government New Zealand (LGNZ) conference, from 21 to 23 July 2021, some attendees who are also members of the RCWG, mentioned to officials that there had not been a RCWG meeting for some time. On Friday, 16 May 2021, you clarified the role of the Working group, that all members agreed with (briefing 2021-3436 refers).

MBIE considers there is an opportunity to hold a working group meeting to discuss policy direction. Therefore, contingent on the outcome of your upcoming discussions with your ministerial colleagues, we will seek your agreement to host a RCWG meeting in August or September 2021. Your presence at the meeting is welcome, but not required.

Homelessness

MBIE officials met with officials from the Ministry of Social Development, Kāinga Ora and the Ministry of Housing and Urban Development on Monday, 26 July 2021 to discuss how best to ensure people experiencing homelessness are not further disadvantaged by the proposed reforms.

We discussed a range of options to give effect to that, from explicit exemption in the Act, through to enforcement guidelines for local authorities.

MBIE and the other agencies have agreed that the best approach is to continue the current discretionary approach, but to include supporting commentary in the Bill's General Policy Statement and other supporting documents; as well as reviewing existing guidance material published by LGNZ to connect it the Homeless Action Plan.

Bylaw criteria

This week MBIE will be engaging with local authorities and camping organisations on proposals to amend the bylaw-making criteria. Options proposed include:

- Clarifying existing provisions by adding more specificity this would improve certainty, but may also narrow the current provisions.
- Reducing the threshold for bylaw making from 'protect' to 'protect, maintain, or promote' – this aligns better with general bylaw making provisions in the Local Government Act, and should allow for a wider range of bylaws.

Feedback is sought by Friday, 13 August 2021.

Next steps

MBIE will provide you with a briefing seeking decisions on the final policy and design issues (except bylaw criteria) in the week commencing Monday, 9 August 2021.

6 August 2021

Freedom Camping Update

Rebecca Heerdegen Policy Director, Tourism Branch

Privacy of natural persons

Support for ministerial meeting

Officials will provide support for your meeting on Monday, 9 August 2021, to share your freedom camping proposals with the Ministers of Conservation and Local Government. You have received a finalised slide pack and aide memoire [Briefing 2122-0331 refers].

Consultation on bylaws

Targeted consultation with local authorities and camping organisations began on 3 August 2021, on possible changes to the freedom camping bylaw-making criteria. The consultation will close on 13 August 2021.

Next Steps

Officials will provide a final briefing on remaining policy issues, including the transition path, on 18 August 2021.

13 August 2021

Freedom Camping: Public Consultation Update

Danielle McKenzie Manager, Tourism Systems and Insights

Privacy of natural persons

Responsible Camping Working Group meeting (the Working Group)

The Working Group's next meeting is scheduled for Tuesday 7 September from 3.30pm to 5pm. The purpose of this meeting, which you agreed to, is to discuss the high-level proposals for change to freedom camping which you are seeking to take to Cabinet (weekly report 2122-0343 refers).

Working Group members have indicated a combination of attending the meeting online or in-person. Officials can support you to attend the start of this meeting, should you wish.

Upcoming briefings

Officials are working to prepare a letter for you to send to the Minister of Local Government and Minister of Conservation seeking their agreement for you to lead the proposals and any legislative change to the Freedom Camping Act. At the joint Ministers' meeting on 8 August, the Minister of Local Government confirmed that she is comfortable with you leading the legislative change as long as you work with the Working Group, which the Department of Internal Affairs is a part of. We will provide the draft letter to your office by Tuesday 17 August.

Officials expect to provide you with two further briefings for the week commencing 16 August in relation to freedom camping. One is the summary of public submissions, and the other seeks your agreement to the final policy decisions to be included in your draft Cabinet paper.

20 August 2021

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Officials are continuing to progress work in light of the move to COVID-19 Alert Level 4 on Wednesday 18 August 2021.

We aim to provide you with three papers this week:

- 1. The first seeks your agreement on the outstanding policy decisions which need to be included in your draft Cabinet paper. This paper also includes an updated timeline.
- 2. The second is the summary of submissions from freedom camping public consultation.
- 3. The third is an aide memoire with an attached draft letter for you to send to the Ministers of Local Government and Conservation seeking their agreement for you to lead changes to the Freedom Camping Act 2011.

Officials intend to provide you with a first draft of the Cabinet paper next week. We are intending to provide a copy of this paper to partner agencies at the same time in order to expedite the consultation process.

27 August 2021

Freedom Camping: Public Consultation Update

Richard Davies Policy Director, Tourism Branch

Privacy of natural persons

Officials are moving forward with freedom camping work in the COVID-19 Alert Level 4 environment.

We will provide you with a draft Cabinet paper later this week, or early next week, which will reflect the discussions at the officials meeting on 23 August 2021.

We were pleased to provide you with the results of the public consultation on your freedom camping proposals this week. The Summary of Submissions was provided to your office on Tuesday 24 August 2021 [briefing 2122-0652 refers], and officials can provide you with further information on this if required.

Responsible Camping Working Group

With the shift to COVID-19 Alert Level 4, it is unlikely that we will be in a position to hold an in-person Responsible Camping Working Group (Working Group) meeting on Tuesday 7 September 2021. However, officials are confident that the meeting can go ahead online via Microsoft Teams, and are in the process of confirming this with the Working Group members. We will update your office if it looks like the Working Group will not be able to meet on this date.

We are also continuing to work with your office about the possibility of you attending the Working Group meeting between 4.30 and 5.00pm on Tuesday 7 September 2021.

It is important that the Working Group still meets, if possible, on 7 September 2021 as:

- the Working Group provides useful industry, camping group and local government perspectives on proposals
- it is likely that several of your Cabinet colleagues will expect you to consult the Working Group, prior to Cabinet consideration of your proposals
- it will support a stronger Regulatory Impact Statement.

Regulatory Impact Statement

Officials are progressing work on an updated Regulatory Impact Statement. We expect to consult on this in the next few weeks, and are working with MBIE's Regulatory Impact Assessment Review Panel to set a date for its consideration in mid-September 2021.

3 September 2021

Freedom camping

Richard Davies
Policy Director, Tourism
Branch

Privacy of natural persons

Officials are continuing to progress work at pace to support you to take a paper to the Cabinet Economic Development Committee in October/November 2021.

Draft Cabinet paper

Officials intend to provide you with a first draft of the Cabinet paper for your weekend bag this week. However, we are still awaiting further information for some sections, and have made this clear in some parts of the paper.

Responsible Camping Working Group meeting

Officials have provided you with an aide memoire and talking points to support your attendance at the Responsible Camping Working Group meeting on 7 September 2021 from 4.30 to 5.00pm.

10 September 2021

Freedom Camping: Public Consultation Update

Richard Davies Policy Director, Tourism Branch

Privacy of natural persons

As noted at the Tourism officials' meeting on 6 September 2021, we are now consulting with agencies on the detailed proposals. We will update you if any significant issues emerge.

Responsible Camping Working Group meeting

The Responsible Camping Working Group (the Working Group) meeting on 7 September 2021 provided an opportunity to discuss the freedom camping proposals you wish to take to Cabinet. The Working Group's main feedback is that the proposals are a step in the right direction. However, some members of the Working Group are disappointed that further reform on the Freedom Camping Act 2011 is not being progressed.

We will provide you with a full update on the Working Group meeting, including the Working Group's discussion with officials to your office next week.

Regulatory Impact Statement for Freedom Camping Proposals

Officials are now in the process of developing the Regulatory Impact Statement for the freedom camping proposals. An internal evaluation panel has been scheduled for the end of September. This aligns with the proposed timing for Cabinet consideration of the paper at the end of October 2021.

Plumbers, Gasfitters and Drainlayers Board (PGDB) contract

MBIE has signed a contract with the PGDB to engage Datacom to cost and design the national register of self-contained vehicles. This costing will be undertaken through a series of workshops over the coming weeks

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Agency consultation on Cabinet paper and Regulatory Impact Statement

MBIE has been consulting other agencies on the draft Cabinet paper and Regulatory Impact Statement for freedom camping. Feedback from most agencies involved in the work has been received, which we are in the process of working through. We will provide an amended draft Cabinet paper to your office next week, which reflects agency feedback and feedback from your advisor.

The draft Regulatory Impact Statement is due to be reviewed by MBIE's internal quality assurance panel on 27 September 2021. We will provide you with a copy once it has been reviewed.

Other policy issues

MBIE provided you with a high-level summary of the 7 September 2021 discussion with the Responsible Camping Working Group on the proposed policy changes this week.

The Department of Internal Affairs (DIA) and Responsible Camping Working Group have advised there is a potential need for Government to provide transitional funding. In particular, DIA noted that "Although the proposals will have benefits for local authorities through more effective management of freedom camping in their districts, there will be some transitional and on-going costs. These costs include: establishment or amendment of freedom camping bylaws to give effect to the new self-containment policies, and enforcement of the new proposals on both Council and Crown land (where councils decide to do this). These costs will fall to ratepayers as a consequence of the proposed changes."

As such, you may wish to consider providing some time-limited funding to aid the transition from a voluntary scheme covering 33 local authorities to a regulated system covering all 67 local authorities. In the past, this funding would have come from the Responsible Camping Fund, which provided just under \$25 million over three years. Officials consider that any transitional funding needs are likely to be less than in the past. Transitional funding could also be deployed to support successful implementation and education around the new requirements. Officials can provide you with further policy advice on these options, and further consider the quantum and possible source of funding required for these activities, if required.

Freedom Camping Update

Richard Davies Policy Director, Tourism Branch

Privacy of natural persons

At your meeting with officials on 20 September 2021, Tourism officials welcomed the opportunity to discuss with you the possibility of providing local authorities with transitional funding to support the implementation of your freedom camping proposals.

We have provided a paper for your weekend bag which explores how a transitional fund could be designed and introduced, including the exact quantum of funding. It also addresses a minor policy issue raised by the Responsible Camping Working Group on the definition of a tent, and details the high-level feedback received from the Working Group.

We are looking to provide you with an updated draft Cabinet paper next week, once we have clarified several points of feedback from other agencies.

The draft Regulatory Impact Statement has also been lodged with Ministry of Business, Innovation & Employment's (MBIE) internal Quality Assurance panel for consideration next week. We will keep you updated on the outcomes of the assessment.

1 October 2021

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

This week we have provided you with a briefing on the high-level outcomes from the Responsible Camping Working Group meeting on Tuesday 7 September 2021, and outstanding policy issues arising from the meeting. The briefing seeks your agreement in principle to a transitional fund to support education and enforcement activities, ensuring a smooth transition to the new freedom camping rules and regulations. It also seeks agreement to our proposed approach to defining tents for the purpose of excluding tents from the new rules.

We have also provided you with an updated version of the Cabinet paper [2122-1124 refers], which incorporates recent policy decisions and agency feedback. The covering Aide Memoire also includes a draft timeline for the next month.

Regulatory Impact Statement

The Regulatory Impact Statement (RIS) is due to be considered by MBIE's internal quality assurance panel this week. Officials will provide you with a draft copy of the RIS next week to support you to consult your Cabinet colleagues on the proposed changes before lodgement on Thursday 21 October 2021.

National register for self-contained vehicles

Our workshops with the Plumbers, Gasfitters and Drainlayers Board and Datacom began this week to determine the design and cost of the national register for self-contained vehicles. These workshops will inform the final cost of the register to be included in your Cabinet paper. We understand that both you and the Minister of Conservation have signed the briefing seeking agreement to use the IVL Fund to cover these costs, and are awaiting final approval from the Minister of Finance. [Briefing 2122-0823 refers].

Freedom camping update

Richard Davies
Policy Director, Tourism
Branch

Privacy of natural persons

Officials welcomed your feedback and discussion on the approach to defining tents in relation to your policy proposals and transitional funding, at your meeting on Monday, 4 October 2021 [Briefing 2122-0966 refers].

This discussion and your subsequent decisions have been reflected in the draft Cabinet paper, which we provided to your office on Tuesday, 5 October 2021.

Regulatory Impact Statement (RIS)

We are in the process of responding to feedback from MBIE's internal quality assurance panel on the RIS. There is therefore a delay in providing the RIS to your office. We intend to provide this to you next week.

National register for self-contained vehicles

The Ministry of Business, Innovation and Employment (MBIE)'s workshops with Datacom and the Plumbers, Gasfitters and Drainlayers Board to determine the design and cost of the national register for self-contained vehicles.

15 October 2021

Freedom Camping update

Richard Davies
Policy Director, Tourism
Branch

Privacy of natural persons

Cabinet materials for lodgement

Officials will make minor additions to the Cabinet paper, as you requested. We are also ready to support lodgement of the Cabinet paper and associated material next week, subject to any feedback received from Ministerial consultation.

MBIE has amended the freedom camping Regulatory Impact Statement (RIS), to respond to feedback from MBIE's internal quality assurance panel. The RIS is in the process of being reassessed by the panel and is likely to now "partially meet" requirements. We will forward your office a copy of the RIS once the panel has provided its comments.

National register for self-contained vehicles

MBIE has continued to engage in workshops with Datacom and the Plumbers, Gasfitters and Drainlayers Board to design and cost the national register of self-contained vehicles. These workshops have also been valuable in informing our thinking about the operational design of the regulatory system.

Communications plan

We are working with your office to develop a strategy for announcing the proposed changes to stakeholders. This includes timeframes and format for the announcement. We are happy to discuss this further with you at your meeting with tourism officials on Monday, 18 October 2021.

22 October 2021

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Cabinet materials for lodgement

Officials will make the final changes you and your office requested to the Freedom Camping Cabinet paper and provide the paper to your office on 20 October 2021 for lodgement.

Summary of submissions

MBIE has started seeking permission from individual members of the public to publish quotes from their freedom camping submissions in the Summary of Submissions document. They will have until 29 October 2021 to give permission for their quote to be included. Quotes will be removed from the summary if permission is not received or is refused. The final published summary of submissions may differ slightly from what was provided to you earlier this year.

29 October 2021

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

This week officials have focused on supporting you to take your proposals to the Cabinet Economic Development Committee (DEV) on Wednesday 27 October 2021.

Communications plan

MBIE is working with other agencies to agree the communications plan and key messages to support the announcement of the freedom camping changes.

National register for self-contained vehicles

The final cost estimate for building the national register is due to come in on Friday. Officials will provide this estimate to you in the next weekly report.

5 November 2021

Freedom Camping Update

Saskia Vervoorn Manager, Tourism Policy

Privacy of natural persons

Freedom camping announcement

MBIE officials are preparing a suite of communications materials to support an announcement on the proposed freedom camping changes. We are currently working across agencies to agree the key messages and accountability lines.

Timing for an announcement is yet to be confirmed.

Alignment with the Homelessness Action Plan

As discussed in your meeting with officials on 1 November 2021, MBIE is preparing a joint briefing with the Ministry of Housing and Urban Development that notes the areas of alignment between the Government's Homelessness Action Plan and the proposed freedom camping changes.

The briefing will also set out the plan to review existing guidance to local authorities on how to ensure those experiencing homelessness do not receive freedom camping infringement notices. A review on this is likely to take place in May or June of 2021, aligning with Select Committee timeframes.

The Ministry of Social Development, Kainga Ora and Crown Law are also being consulted on the development of this advice.

National register for self-contained vehicles

MBIE has received an initial cost estimate of Commercial information from Datacom on the cost to establish a national register, with a build time of nine months. This is higher than the Commercial information allocated from the International Visitor Conservation and Tourism Levy. These figures have been tested and confirmed with the Plumbers, Gasfitters and Drainlayers Board.

As such, more funding will be needed to pay for the cost of the build. However, officials consider the sourcing of these extra funds can be done in the first quarter of 2022. This is because the register will not begin to be built until the second half of 2022 and, based on current estimates, the contract will need to be signed only around September or October 2022. We may wish to add additional functionality to the design of the register before then.

Our initial thoughts are that funding can either be cost-recovered as a part of the vehicle certification process (likely to be a one-off additional cost of commerce control cost of commerce cost of c per vehicle certified based on 70,000 vehicles being certified) or identified through other sources (e.g. underspends).

12 November 2021

Freedom Camping Update

Freedom camping announcement

Saskia Vervoorn Manager, Tourism Policy Following the confirmation of the freedom camping Cabinet paper on Monday, 8 November 2021, officials are continuing work on communications content to support your announcement of the changes.

Privacy of natural persons

We are currently working with your office to finalise options for the announcement, including the timing. MBIE is also considering options for paid advertising after concerns that the announcement of the public consultation earlier this year did not have enough reach.

Auckland freedom camping bylaw

Auckland Council is seeking public feedback on a new bylaw that would restrict freedom camping in 22 areas and ban it in 45 areas. The consultation period will run from 27 October to 5 December.

This bylaw has two changes from one the Council consulted on in 2018 – it excludes reserve land and provides that general rules will apply to all other council-controlled lands, including roadsides not already prohibited or restricted. The general rules would include a requirement for campers to use certified self-contained vehicles.

Freedom Camping Update

Richard Davies
Policy Director, Tourism
Branch

Privacy of natural persons

Announcement

Ministry of Business, Innovation and Employment (MBIE) has worked with your office and Queenstown Lakes District Council (QLDC) to organise a launch event for your freedom camping announcement in Queenstown on 30 November 2021. Your office will confirm the final arrangements directly with QLDC.

We are preparing an event briefing to support you, including questions and answers, and high-level talking points. We are also making good progress on the other supporting materials for your announcement, including a web page, stakeholder-specific factsheets with timelines, and webinars to present the proposals to the public and to targeted stakeholders.

Officials have communicated the key messaging and roles and responsibilities with regard to the communication of the proposals with partner agencies.

Engagement with Māori

MBIE has been working with Te Kupenga (the Māori Economic Development Unit) to ensure that we communicate key messages with iwi, hapu and Māori. With Te Kupenga's support, officials have prepared a Māori-specific stakeholder factsheet.

Confidentiality
Constitutional conventions
Recommendation

Constitutional conventions

Engagement with Local Government New Zealand (LGNZ) and Taituarā (Local Government Professionals Aotearoa)

MBIE officials met with LGNZ and Taituarā on Tuesday, 16 November 2021 to discuss the freedom camping changes and how both organisations could support our efforts to communicate the changes to councils.

Both organisations are supportive of the changes and consider them appropriate to support councils to manage freedom camping. LGNZ and Taituarā will also ensure that councils have access to information on the proposed changes, including hosting a local government webinar in January 2022.

Development of regulations

Officials are working on the development of regulations, including preparing to co-design the regulations with industry. The co-design process is likely to include a series of workshops in January and February 2022, as your freedom camping announcement will be at the end of this year. This work is not likely to have an impact on timeframes.

Aligning the freedom camping proposals with the Homelessness Action Plan

MBIE has significantly progressed advice on the freedom camping proposals aligning with the homelessness action plan, including guidance for local authorities, which was requested by the Cabinet Economic Development Committee.

Agencies are aligned on the approach to this guidance, which you will receive before 24 November 2022.

26 November 2021

Freedom Camping Update

Sally Page
Acting Manager,
Tourism Policy

Privacy of natural persons

Officials are working to support you to announce the freedom camping changes on Tuesday 30 November. We have prepared a range of communications materials, including a draft press release and answers to questions you may be asked, and have provided these separately to your office.

MBIE is supporting your announcement via:

- Its own Press Release and announcement.
- A dedicated website, including a timeline and stakeholder-specific fact sheets.
- Four public webinars to be held in the weeks commencing 6 December and 13 December.

