

All weekly report items on freedom camping (Dec 2021 – Aug 31 2022)

21 January 2022

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| <p><b>Freedom Camping update</b></p> <p>Saskia Vervoorn<br/>Manager, Tourism Policy</p> <p>Privacy of natural persons</p> | <p>Officials have received feedback from Parliamentary Counsel Office on your draft 2022 Legislation Programme Bid. We expect to provide this to your office next week.</p> <p>In response to the letter received by Mayor Tim Cadogan in December 2021, officials are developing advice on what options are available to improve the standardisation of signage at freedom camping sites across New Zealand, and our thoughts on the design of the transitional fund.</p> <p>Due to the summer holidays, there has been limited progress on developing drafting instructions. We expect to issue these to Parliamentary Counsel Office in February 2022, after consultation with partner agencies.</p> <p>Officials intend to proactively release the policy advice leading up to the 30 November 2021 announcement. We will brief you on the papers we propose to release in February 2022.</p> |
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4 February 2022

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| <p><b>Freedom Camping update</b></p> <p>Saskia Vervoorn<br/>Manager, Tourism Policy</p> <p>Privacy of natural persons</p> | <p>In December 2021, MBIE established a Freedom Camping Technical Advisory Group to help co-design freedom camping regulations. The Advisory Group will provide industry input into setting technical requirements for self-containment, and criteria for approval as a self-containment certification authority. Industry input will inform proposals to go into a public discussion document on freedom camping regulations.</p> <p>Initial meetings of the Advisory Group were held in January 2022 and the first substantive meeting in February 2022. Feedback from the members so far has been that the Regulations should be simple and easy to understand for testing officers and be function-focused rather than overly prescriptive. There was general agreement that the purpose of the Regulations was to ensure that the critical elements of self-containment were present in the vehicle and had been properly installed. Weekly meetings of the Advisory Group will occur through February and March 2022.</p> <p>Officials expect to issue drafting instructions to Parliamentary Counsel Office this month, after consultation with partner agencies.</p> <p>We will also provide a briefing to you this month seeking approval for the design of the transitional fund for councils.</p> |
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11 February 2022

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| <p><b>Freedom Camping update</b></p> <p>Dale Elvy</p> | <p>A meeting with the Freedom Camping Technical Advisory Group was held on 8 February 2022, focusing on what requirements should be mandatory for self-containment of vehicles in the new Regulations. Feedback from the members was that toilets and waste disposal were the most important aspects of self-</p> |
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| <p>Manager, Tourism Operations and Partnerships</p> <p>Privacy of natural persons</p> | <p>containment to make mandatory, while features like hot water systems and showers should remain optional.</p> <p>Officials have received feedback on the drafting instructions from MBE's legal team which indicates further changes may be needed to the Freedom Camping Act 2011. This is to fix a procedural issue where section 27 does not explicitly allow rental companies to be served infringement notices for offences committed by hirers of their vehicles.</p> <p>We will provide a briefing to your office with details and next steps in the coming weeks. This will not delay the issuing of drafting instructions to the Parliamentary Counsel Office this month as Cabinet has already authorised you to make decisions on issues that arise during the drafting process.</p> |
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18 February 2022

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| <p><b>Freedom Camping Update</b></p> <p>Saskia Vervoorn,<br/>Manager, Tourism Policy</p> <p>Privacy of natural persons</p> | <p>The Freedom Camping Regulations Technical Advisory Group met again on Tuesday, 15 February 2022 to continue discussing the development of technical self-containment requirements. The group is supportive of moving away from current prescriptive standards towards a more performance-based approach, with a manual being developed to assist vehicle inspectors in interpreting the requirements. We will now start working on each individual requirement, using detailed work undertaken by the NZ Motor Caravan Association as a starting point.</p> |
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25 February 2022

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| <p><b>Freedom Camping update</b></p> <p>Dale Elvy<br/>Manager, Tourism Operations and Partnerships</p> <p>Privacy of natural persons</p> | <p><b>Technical Advisory Group</b></p> <p>The Freedom Camping Technical Advisory Group met on Tuesday, 22 February 2022 to continue discussing performance standards. The New Zealand Motor Caravan Association (NZMCA) had provided their own interpretation of a draft "Self-Containment Code" and "Self-Containment Standard", which formed the basis of discussions. There was general agreement amongst the group on the approach taken by the NZMCA, although there was disagreement on:</p> <ul style="list-style-type: none"> <li>• how many days of water a self-contained vehicle should carry for occupants (which is currently 4 litres per day per person for three days). NZMCA suggested three days was too onerous given many campers only spent 1-2 days freedom camping. It thought the number of days could be reduced to two. Others, including NZ Lifestyle Camping, disagreed, saying that in their experience the current three-day requirement was appropriate given the distances between dumping stations,</li> <li>• whether toilets should be required to be housed in a separate compartment. NZMCA suggested that requiring a separate compartment for the toilet might increase the chances of the toilet actually being used. Others, including NZ Lifestyle Camping, disagreed, saying such a requirement would exclude too many vehicles and mean that freedom camping could only be done by 'elite campers' in large camper vans; and</li> <li>• whether self-containment certification should remain valid for four years. NZMCA suggested that given the low risks associated with self-</li> </ul> |
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|  | <p>containment that there should only be an initial certification, with re-certification only required if modifications are made. Others disagreed, saying that they see regular plumbing failures and 'wear and tear' that regular certifications can rectify. There was discussion around requiring re-certification at the time of change of ownership of a vehicle.</p> <p><b>Drafting instructions</b></p> <p>Officials have consulted with agencies on the drafting instructions for the Bill and are currently incorporating their feedback. This is in line with our aim of issuing the drafting instructions to the Parliamentary Counsel Office by the end of this month.</p> |
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5 March 2022

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| <p><b>Freedom Camping Update</b></p> <p>Saskia Vervoorn<br/>Manager, Tourism Policy</p> <p><small>Privacy of natural persons</small></p> | <p>Drafting instructions for the Self-Contained Vehicles Bill were sent to Parliamentary Counsel Office (PCO) on 28 February, 2022. The instructions do not include the transitional provisions, instructions for which will be provided to PCO in the coming weeks.</p> <p>The technical advisory group met again on Tuesday, 1 March 2022. It discussed the use of standards in the technical self-containment requirements – in particular the plumbing standards currently in the voluntary self-containment standard. These are more applicable to buildings than vehicles. Options discussed included only using parts of the plumbing standards, or enabling inspectors to simply assess whether a plumbing installation was 'fit for purpose'. Next week, the group will discuss the criteria for an organisation to be approved as a certification authority. NZMCA has stressed the need for these to be as sensible as possible otherwise the whole certification system could fall over.</p> |
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1 April 2022

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| <p><b>Freedom camping update</b></p> <p>Dale Elvy<br/>Manager, Tourism Operations and Partnerships</p> <p><small>Privacy of natural persons</small></p> | <p>We have completed the consultation process with the Technical Advisory Group on the key elements that will appear in the Regulations Discussion document. The group had mixed views on what information was required to be displayed on self-containment documentation, including certificates and warrants, and whether a certificate is needed. We expect to brief you on proposals for documentation, fees and levies, and the criteria for the approval of certification authorities and recognition of vehicle inspectors for inclusion in the discussion document in the coming weeks.</p> <p>During the last two technical advisory group meetings, the New Zealand Motor Caravan Association (NZMCA) raised issues around the proposals for collecting of the self-containment certification monitoring levy; payable by every person whose vehicle is certified for self-containment. Currently, Cabinet has agreed that certification authorities will collect this levy and pass it on to the Plumbers Gas Fitters and Drain Layers Board (PGDB).</p> <ul style="list-style-type: none"> <li>• The NZMCA considers that this would be burdensome and suggests an alternative whereby the PGDB bills vehicle owners annually to remain on the Register.</li> <li>• The PGDB do not support the NZMCA proposal and prefer the original Cabinet agreement.</li> </ul> |
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|  | We consider that the NZMCA is likely to raise this matter at select committee. We intend to undertake further policy work to more closely assess this option, but currently do not believe a change is needed. |
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29 April 2022

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| <p><b>Freedom Camping update</b></p> <p>Dale Elvy<br/>Manager, Tourism Operations and Partnerships</p> <p><small>Privacy of natural persons</small></p> | <p><b>Drafting instructions on the Freedom Camping Bill</b></p> <p>The Parliamentary Counsel Office (PCO) has produced the first draft of the Bill. The Department of Internal Affairs and the Department of Conservation have provided feedback on the proposed transitional provisions and these have been sent to PCO for inclusion in the Bill.</p> <p>We are still waiting to hear what priority will be given to the Bill in the 2022 Legislative Programme.</p> <p><b>Proactive release</b></p> <p>The proactive release of freedom camping policy documents is now complete, with the documents accessible on the freedom camping policy page on the MBIE website.</p> |
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3 June 2022

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| <p><b>Freedom camping update</b></p> <p>Saskia Vervoorn<br/>Manager, Tourism Policy</p> <p><small>Privacy of natural persons</small></p> | <p><b>Agreement to share draft Bill with the Plumbers, Gasfitters and Drainlayers Board</b></p> <p>You are due to receive a copy of the draft <i>Self-Contained Motor Vehicles Legislation Bill</i> no later than 4 July 2022 for approval to undertake departmental consultation from 8 – 15 July 2022. As part of this, we would like to share a copy with the Chair, Chief Executive and General Legal Counsel of the Plumbers, Gasfitters and Drainlayers Board to ensure that the wording is workable from their perspective. To do this, your approval is required.</p> <p>Under the freedom camping changes you announced in November 2021, the Board would be the regulator of the self-contained vehicle system.</p> <p>We have worked closely with the senior management of the Board over the past twelve months on policy and implementation matters and would share a copy of the Bill in confidence with clear expectations that nobody else views it. Such sharing is common practice, especially when relying on a third party such as a statutory board to implement a new regulatory regime.</p> <p>We therefore recommend that you agree to us sharing the Bill with the Chair, Chief Executive and General Legal Counsel as part of departmental consultation:</p> <p style="text-align: right;"><b>Agree / Disagree</b></p> |
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24 June 2022

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| <p><b>Responsible Camping Working Group</b></p> <p>Dale Elvy</p> | <p>We have recently contacted the Responsible Camping Working Group (Group) members to discuss the Group's next meeting. We are expecting to hold the next meeting in 1-2 months' time. We will work with your office to see if you are interested in attending part of the meeting.</p> |
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| <p>Manager, Tourism Operations and Partnerships</p> <p>Privacy of natural persons</p> | <p>We are expecting members to be particularly interested in discussing the progress of the Bill, freedom camping funding for councils for this Summer (2022/23), and the freedom camping impacts they are experiencing/seeing in their areas.</p> <p>Three of the four local government members on the Group are not standing for re-election at the next local government elections in October 2022.</p> <p>Because of these changes, we consider that it would be timely to consider the purpose, structure and membership of the Group. We will provide advice to you on this in the next few months.</p> |
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19 August 2022

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| <p><b>Freedom Camping update</b></p> <p>Dale Elvy</p> <p>Manager Tourism Operations and Partnerships</p> <p>Privacy of natural persons</p> | <p>Confidential advice to Government</p> <p>[Redacted]</p> <p><b>Responsible Camping Working Group</b></p> <p>A successful meeting of the Group was held on 11 August 2022. You discussed the importance of the law reforms and keeping the Group operating (noting that the local government members will change after local body elections in October 2022). We will convene the Group again to discuss the Bill following its First Reading in Parliament.</p> <p><b>Other issues raised during the meeting</b></p> <p>Two main discussion topics occurred during the remainder of the meeting.</p> <ul style="list-style-type: none"> <li>• <i>Transition Fund:</i> We confirmed the Fund can fund camping ambassadors. The Group provided feedback on the draft parameters of the Fund, which overall were minor in nature. We will provide a briefing to you shortly confirming the parameters of the Fund and its timing.</li> <li>• <i>Exceptions in Regulations:</i> We provided an update on the development of the Regulations discussion document. The Group provided feedback on whether there should be exceptions for specific vehicle types in the new laws, as they felt that this would undermine the reforms and would be difficult to enforce. We</li> </ul> |
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|  | <p>noted that as part of regulatory best practice, the Regulatory Discussion Document will canvas a wide range of options (but at this time having exceptions is not a preferred option).</p> <p><b>Proactive release of policy documents and weekly report items</b></p> <p>Due to the public interest in the freedom camping reforms and the very high likelihood of information being requested under the Official Information Act (OIA), we have previously proactively released key policy documents and weekly report items (covering February 2021 – November 2021). Now the Bill is at its introduction stage, officials intend to proactively release the next batch of policy advice and weekly report items of those relating to the development and introduction of the Bill (covering December 2021 to August 2022).</p> <p>We will work with your office in the process of proactively releasing these documents, including a period of departmental consultation and undertaking necessary redactions.</p> |
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26 August 2022

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| <p><b>Freedom Camping Transition Fund update</b></p> <p>Jon Lyall<br/>Principal Advisor,<br/>Tourism Operations and Partnerships</p> <p><small>Privacy of natural persons</small></p> | <p>In last week's report [Weekly Report 2223-0492 refers], we said we would provide an update on the parameters and timing of the Freedom Camping Transition Fund (the Fund).</p> <p><b>Parameters of the Fund</b></p> <p>You previously agreed to the parameters of the Fund [Briefing 2122-2398 refers], but this was subject to a final consultation with the Responsible Camping Working Group (the Group) which occurred on 11 August 2022. Minor feedback from the Group on the parameters of the Fund included:</p> <ul style="list-style-type: none"> <li>• Ongoing operational costs – clearer wording was requested on what constituted operational costs. We have been explicit that operational costs which do not align with the purpose of the Fund will not be funded, such as the servicing of freedom camping facilities or the rental of freedom camping facilities. However, the Fund will support the funding of camping ambassadors.</li> <li>• Co-funding – concern was expressed around the consideration of co-funding as part of the application process and how this could be inequitable for local authorities with lower ratepayer bases. We reiterated that co-funding is not a requirement for applications but will be considered as part of the decision-making process. We have made sure that wording of the Fund makes it clear that the intent of this requirement is to not exclude councils with low ratepayer bases and limited ability to provide co-funding.</li> <li>• Camping ambassadors – one group member raised the issue of ambassadors being a priority for the Fund. Ambassadors can be</li> </ul> |
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|  | <p>funded through the Fund. However, it is our preference for individual councils to decide what activities they may seek funding for as they may have varying needs.</p> <p>The Fund's purpose, scope and priorities are provided at Annex One, which will form the basis of the application process and external communications going forward.</p> <p><b>Timing of the Fund</b></p> <p>We propose that the round for 2022/23 opens for three weeks on <b>14 September 2022</b>. Local authorities will be notified in advance of the Fund's opening. Information will also be available on MBIE's website.</p> <p>Once the round closes, we will assess the applications and convene an ad hoc group of officials containing representatives from the sector to consider and make recommendations for funding. Funding decisions will be made by the MBIE General Manager, Tourism. It is expected that the assessment process will be completed by the end of October, with applicants to be notified between early to mid-November. We will work with your office on communications so that you can announce the funding outcomes.</p> <p>We will provide future advice around the timing of the second round, and any potential changes to its parameters, once there is greater certainty about the progress and timing of the Bill in Parliament.</p> |
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