



COVERSHEET

Minister	Hon Louise Upston	Portfolio	Tourism and Hospitality
Title of Cabinet paper	Freedom Camping - Extending the transitional period for private vehicles	Date to be published	29 May 2025

List of documents that have been proactively released

Date	Title	Author
28 November 2024	Freedom Camping – Extending the transitional period for private vehicles	Office of Minister of Tourism and Hospitality
2 December 2024	Freedom Camping – Extending the transitional period for private vehicles <i>CBC-24-MIN-0131 Minute</i>	Cabinet Office

Information redacted

YES / NO (please select)

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

[In Confidence]

Office of the Minister for Tourism and Hospitality

Cabinet Economic Policy Committee

Freedom Camping - Extending the transitional period for private vehicles

Proposal

1 This paper seeks Cabinet’s agreement to issue drafting instruction to the Parliamentary Counsel Office for regulations that would extend the transitional period for vehicles that are not owned by a rental company in the Freedom Camping Act 2011 (Act). These regulations can be made by Order in Council on my recommendation under clause 3(1) of Schedule 1AA of the Act.¹ It also seeks agreement to establish a new appropriation to support the Self-Contained Vehicle System.

Relation to government priorities

2 These proposed changes align with the Government’s desire to improve the quality of regulation, because otherwise unnecessary costs may be applied to some members of the public and the integrity of the freedom camping system may be undermined.

Background

3 The Self-contained Motor Vehicles Legislation Act 2023 (Amendment Act)² and its associated regulations improve the management of vehicle-based freedom camping by creating a regulatory system that central and local government can rely on to reduce the effects of freedom camping on communities and the environment.

4 For most vehicle owners, these legislative changes are being phased in over a two-year transitional period, supporting the move from the old system (blue warrants) to the new system (green warrants). The Act describes the transitional period for vehicles that are not owned by a rental company (private vehicles) as ‘period 4’. The end of period 4 is currently two years after the Amendment Act came into force (7 June 2025); however, on my recommendation, the transitional period can be extended by up to two years by regulations made by Order in Council (four years after the Amendment Act came into force).

5 I can only recommend an extension to the transitional period if I am satisfied it is necessary or desirable to provide more time for owners of private vehicles to apply for a green warrant and certification authorities to carry out their functions under the Plumbers, Gasfitters, and Drainlayers Act 2006. Before recommending an extension, I am required to consider, if relevant:³

- a) the number of people who have been appointed as certification authorities

¹ Following the process under clause 4 of Schedule 1AA of the Act

² The Self-contained Motor Vehicles Legislation Act 2023 amended the Plumbers, Gasfitters, and Drainlayers Act 2006 and the Freedom Camping Act 2011.

³ Freedom Camping Act 2011, sch 1AA cl 4(1)(a).

- b) the number of motor vehicle inspectors
- c) the number of vehicles that have been issued a certificate of self-containment under the new system
- d) any other matters that I consider relevant.

I am also required to consult any person or group that I consider necessary or desirable to make this assessment.⁴

Self-contained system capacity

6 It is estimated that 68,000 private vehicles currently require certification prior to 7 June 2025. As of 5 November 2024, the regulator of the self-contained vehicle system, the Plumbers, Gasfitters and Drainlayers Board (PGDB), has provided the following information:

Progress of self-contained vehicle certification – 5 November 2024	
Certification authorities	15
Motor vehicle inspectors	636
Vehicles issued a certificate of self-containment	8,635

7 The rate of vehicle certification has increased significantly in recent months to the point where approximately 1,000 vehicles are being certified each week. While it is unlikely that such a high rate will be maintained over the holiday period, it is possible that as many as 35,000 additional vehicles could be certified before the current deadline of 7 June 2025. Under this scenario, approximately 43,000 vehicles (or 60 per cent) of the estimated total number of vehicles could be certified before the current deadline.

I sought public feedback on whether to extend the transitional period

8 To ensure I have considered all possible matters the Ministry of Business, Innovation and Employment (MBIE) conducted a public consultation on my behalf between 8 October and 1 November 2024 on three options:

- a) Maintaining the status quo (no extension to the transition).
- b) Extending the transition by one year.
- c) Extending the transition by two years.

9 MBIE received 462 submissions. These include:

- a) 426 submissions from individuals.
- b) 25 submissions from member organisations and industry groups.
- c) 6 submissions from local authorities.

⁴ Freedom Camping Act 2011, sch 1AA cl 4(1)(b).

10 The Summary of Submissions – Executive Summary is attached as **Appendix One**.

There were a variety of views about the merits of each option

- 11 While most submissions by individual freedom campers support a two-year extension, this seems to be largely based on the self-interest of preserving their current blue warrant certification for as long as possible, rather than a consideration of the current capacity of the system.
- 12 Only six local authorities made a submission. Four of these support no extension to the transitional period as they say they are ready to begin enforcement of the new system and would prefer no delay. Two local authorities support an extension citing system capacity (one supports one-year and one supports two-years).
- 13 The two largest vehicle certification authorities (New Zealand Motor Caravan Association and New Zealand Lifestyle Camping) both support a one-year extension. These submissions consider what is needed for certification of all vehicles given their practical experience of certifying the vehicle fleet (between them they have certified 75% of freedom camping vehicles to date, as well as representing tens of thousands of freedom campers in their membership). As the certification system depends upon their continued work, I believe these submissions should be given significant weight.

I am recommending a one-year extension to the transition period

- 14 No matter what deadline is set, some people will leave certification to the last minute. However, I consider that the likely number of people (an estimated 30,000) who are unable to get their private vehicles certified before the current deadline of 7 June 2025 are of an order of magnitude that may undermine the current system. This means that I am satisfied, consistent with clause 4(2) of Schedule 1AA of the Act, that it is necessary to extend the transitional period for private vehicles to allow sufficient time for:
- a) owners of private vehicles to apply for certification
 - b) certification authorities to carry out their functions under the Plumbers, Gasfitters, and Drainlayers Act 2006.
- 15 I do not believe that a full two-year extension is required. Even if there is a significant decrease in the rate of vehicle certifications over the next few months, a further 12-month extension is likely to be sufficient to allow for remaining certification applications and, based on current numbers, for certification authorities and vehicle inspectors to carry out their functions.
- 16 Therefore, on balance, I recommend a one-year extension to the transitional period.

There is a need for a mechanism to enable the transfer of levy income to the Regulator for their operating costs

- 17 The self-contained vehicle system is designed to be self-funding with the operating cost of the regulator, \$1.898 million per annum, being fully covered by levies from vehicle owners. The Act directs that any levies earned from the self-contained vehicle system must be used for this regime.

- 18 Most funding will come from vehicle owners who pay a levy (\$104.35 excluding GST) when their vehicle is certified or recertified as self-contained (which is then valid for a four-year period). It is forecasted that the 73,000 vehicles to be certified will generate \$7,617,550 in revenue.⁵
- 19 The initial operations of the regulator have been funded by the Government, until sufficient levies are generated. Currently, the levy revenue is forecast to generate slightly more revenue over a four-year period (roughly \$25,000) than the regulator’s operating costs. There is an expectation that this funding will then be repaid to Government from the levy.
- 20 An agreement is in place between the regulator and MBIE which recognises that the PGDB, as the regulator, will collect levy payments and transfer them to a Crown account operated by MBIE. MBIE then funds the PGDB for their operating costs to regulate the self-contained vehicle system. The revenue collected from the levy would be hypothecated to allow the appropriation to be funded. The start date for the new appropriation would be 30 July 2025.

Implementation

- 21 I am seeking agreement to release this recommendation prior to the regulations specifying the new end date of the transitional period being agreed. This will give certainty about the deadline for certification of private vehicles so people, businesses, local authorities, and the regulator can plan accordingly.
- 22 Following this announcement, an indicative timeline of next steps is set out below:

Stage	Timeframe
Parliamentary Counsel Office draft regulations	December 2024/January 2025
Cabinet Legislation Committee/Cabinet agreement to regulations	February 2025
Regulations made by Order in Council and come into force.	February/March 2025

Cost-of-living Implications

- 23 The proposal to extend the transitional period for private vehicles to become certified will reduce demand on the self-contained vehicle certification system over a longer period, potentially reducing users’ costs.

Financial Implications

- 24 The new appropriation is fiscally neutral and will not impact on the Government’s financial position.

⁵ A small amount of revenue is collected from those who apply to the PGDB to be a certification authority. The certification authority application fee is set at \$375 (excluding GST).

Legislative Implications

- 25 An extension to the transitional period will require regulations to be made by Order in Council under clause 3(1) of Schedule 1AA of the Act. The commencement dates for the regulations will be finalised at the Cabinet Legislation Committee.
- 26 I am seeking Cabinet approval to issue drafting instructions to the Parliamentary Counsel Office to draft the regulations to reflect the new extension period.

Impact Analysis

Regulatory Impact Statement

- 27 A Quality Assurance panel with representatives from the Ministry of Business, Innovation and Employment has reviewed the Regulatory Impact Statement (RIS) Freedom Camping Act (2011): Review of Transitional Period for Privately Owned Vehicles. The panel has determined that the RIS provided meets the quality assurance criteria. The RIS is attached as **Appendix Two**.

Climate Implications of Policy Assessment

- 28 The Climate Implications of Policy Assessment (CIPA) team has been consulted. It confirms that the CIPA requirements do not apply to this proposal, as the threshold for significance is not met.

Population Implications

- 29 The nature of the proposals in the discussion document are highly unlikely to impact any specific population groups.

Human Rights

- 30 There are no specific human rights implications arising from this paper.

Use of external resources

- 31 There has been no use of external resource to develop this work.

Consultation

- 32 MBIE consulted with the following agencies: Department of Conservation, Department of Internal Affairs, Department of Prime Minister and Cabinet, Kāinga Ora, Land Information New Zealand, Ministry for the Environment, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Social Development, Ministry of Transport, NZ Transport Agency Waka Kotahi, Parliamentary Counsel Office, Te Puni Kōkiri, the Treasury and Whaikaha – Ministry of Disabled People. MBIE also consulted with the Regulator, the Plumbers, Gasfitters, and Drainlayers Board. No feedback was received from these agencies.

Communications

- 33 Due to the public consultation, any changes to the transitional period will not come as a surprise to the sector. Subject to Cabinet's agreement I intend to release the recommendation to extend the transitional period prior to the regulations specifying the new end date being agreed. This will provide the sector with greater certainty.

Proactive Release

- 34 The contents of this paper will be proactively released as soon as practicable with appropriate redactions.

Recommendations

The Minister for Tourism and Hospitality recommends that the Committee:

Extend the transitional period for private vehicles

- 1 **notes** that the Freedom Camping Act 2011 (the Act) provides a two-year transitional period for the certification of vehicles that are not owned by a rental company (private vehicles), with a new system coming into effect on 7 June 2025;
- 2 **notes** that the Minister for Tourism and Hospitality may, under clause 3(1) of Schedule 1AA of the Act, recommend that the transitional period referred to in recommendation 1 be extended by up to 2 years by regulations made by Order in Council;
- 3 **notes** that under clause 4(2) of Schedule 1AA of the Act, the Minister for Tourism and Hospitality may only recommend that an Order in Council referred to in recommendation 2 is made if the Minister is satisfied that the order is necessary or desirable to allow sufficient time for:
 - 4.1 owners of private vehicles to apply for a certification
 - 4.2 certification authorities to carry out their functions under the Plumbers, Gasfitters, and Drainlayers Act 2006;
- 4 **notes** that before the Minister for Tourism and Hospitality can recommend that an Order in Council referred to in recommendation 2 be made, under clause 4(1)(a) of Schedule 1AA of the Act, the Minister must consider, if relevant:
 - 4.1 the number of persons appointed as certification authorities
 - 4.2 the number of motor vehicle inspectors
 - 4.3 the number of motor vehicles issued a certificate of self-containment
 - 4.4 any other matters that the Minister considers relevant;
- 5 **notes** that before the Minister for Tourism and Hospitality can recommend that an Order in Council referred to in recommendation 2 be made, under clause 4(1)(b) of the Schedule 1AA of the Act, the Minister must consult any person or groups that the

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Minister considers necessary or desirable to assist the Minister to make an assessment under clause 4(2) of Schedule 1AA of the Act;

- 6 **notes** that the Minister for Tourism and Hospitality has considered the relevant matters under clause 4(1)(a) of Schedule 1AA of the Act;
- 7 **notes** that officials have undertaken a public consultation on behalf of the Minister for Tourism and Hospitality for the purposes of clause 4(1)(b) of Schedule 1AA of the Act;
- 8 **notes** that the Minister for Tourism and Hospitality is satisfied that an extension of the transitional period referred to in recommendation 1 to 7 June 2026 is necessary for the purposes of clause 4(2) of Schedule 1AA of the Act;
- 9 **agrees** to an extension of the transitional period referred to in recommendation 1 by one year to 7 June 2026;
- 10 **agrees** that the Minister for Tourism and Hospitality is able to publicly announce the decision to recommend an extension to the transitional period prior to the regulations specifying the new end date being agreed;

Approve drafting of legislation

- 11 **notes** that extending the transitional period will require regulations to be made by Order in Council under clause 3(1) of Schedule 1AA of the Act;
- 12 **invites** the Minister for Tourism and Hospitality to issue drafting instructions to Parliamentary Counsel Office to give effect to the policy decisions;
- 13 **notes** that the Minister for Tourism and Hospitality will bring final regulations to the Cabinet Legislation Committee;
- 14 **authorises** the Minister for Tourism and Hospitality to make decisions, consistent with the policy decisions in this paper, on any issues that arise during the drafting process.

Appropriation to fund the Regulator of the self-contained vehicle system

- 15 **agrees** to establish the following new appropriation to fund the operating costs of the PGDB, as regulator of the self-contained vehicle system;

Vote	<i>Business, Science, and Innovation</i>
Appropriation Minister	<i>Minister for Tourism and Hospitality</i>
Title	Tourism and Hospitality: Management of the Self-Contained Motor Vehicles System Regulator
Type	Non-Departmental Output Expense
Scope	This appropriation is limited to undertaking regulation activities relating to self-contained vehicles.
Intention statement	This appropriation is intended to achieve the statutory obligations for the regulation of the self-contained motor vehicles system.

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- 16 **approves** the following changes to the appropriation which relate to the operating costs of the PGDB, as regulator, which will be funded by the levy income received;

Vote Business, Science, and Innovation Minister for Tourism and Hospitality	\$ m - increase/(decrease)			
	2025/26	2026/27	2027/28	2028/29 & Outyears
Non-Departmental Output Expense				
Tourism and Hospitality: Management of the Self-Contained Motor Vehicles System Regulator	1.898	1.898	1.898	1.898
Total Operating Costs	1.898	1.898	1.898	1.898

- 17 **notes** as per the Self-Contained Motor Vehicles Legislation Act 2023 any levies earned from the freedom camping system must be used for this regime.

Authorised for lodgement.

Hon Matt Doocey

Minister for Tourism and Hospitality

Appendices

Appendix One: Summary of Submissions – Executive Summary

Appendix Two: Regulatory Impact Statement

Appendix One: Summary of Submissions - Executive Summary

Attached separately

Appendix Two: Regulatory Impact Statement

Attached separately